

OCCUPANCY PERMIT APPLICATIONS FORM BA9 (CLASS 2 – 9 BUILDINGS)

What is an Occupancy Permit?

Under Part 4 of the *Building Act 2011* ('the Act'), it is a requirement to obtain an Occupancy Permit on all Class 2 to 9 Buildings **prior** to the occupation or use of the buildings.

An Occupancy Permit will only be issued for the completed building if the building has been constructed in accordance with the Certificate of Design Compliance, approved plans and any conditions of the Building Permit. The building/s must not be occupied without a valid Occupancy Permit. Substantial penalties apply under the Act and *Building Regulations 2012* ('the Regulations') for any breach of this legislative requirement.

Categories of Applications for an Occupancy Permit

There are several types of Occupancy Permits under the Act and Regulations. Applications (Form BA9) are required for the following:

- **Occupancy Permit** – Completed new building
- **Temporary Occupancy Permit** – Incomplete new building
- **Modified Occupancy Permit** – Additional use of a building on a temporary basis
- **Replacement Occupancy Permit** – Change of use (Class) of a building
- **Unauthorised Building Occupancy Permit** – Unauthorised building or portion of a building (see Retrospective Occupancy Permit Application info sheet)
- **Renewed Occupancy Permit** – Replace an existing permit (or Certificate of Classification) previously issued for a building
- **Extended Temporary Occupancy Permit** – Applicable time period of temporary permit extended

Obtaining an Occupancy Permit

New Unoccupied Buildings

Before an Occupancy Permit can be issued for a **new** building, the following needs to be completed:

- The builder must submit a **Notice of Completion (Form BA7)** to the local permit authority (i.e. City of Cockburn) within 7 days of completing the building.
- A **Certificate of Construction Compliance (Form BA17)** with all contractor/consultant certifications to be submitted by the registered Building Surveyor who issued the Certificate of Design Compliance. The BA17 form would normally accompany the Occupancy Permit application.
- An application for an **Occupancy Permit (Form BA9)** signed by the owner/occupier.

Existing Authorised Occupied Buildings

Before an Occupancy Permit can be issued for an **existing authorised** building, the following is to be completed:

- A ***Certificate of Building Compliance (Form BA18)*** – Issued by a registered building surveyor under s.57 of the Act confirming the completed building has been inspected and it complies with all the building standards it was approved under. This certificate should accompany the Occupancy Permit application.
- An application for an ***Occupancy Permit (Form BA9)*** signed by the owner/occupier.

Existing Unauthorised Buildings

To enable the City to issue an Occupancy Permit for an **existing unauthorised** building, the following is required:

- A ***Certificate of Building Compliance (Form BA18)*** – Issued by a registered building surveyor under s.57 of the Act confirming the building has been inspected and deemed to comply with all current building standards. This certificate should accompany the Occupancy Permit application (see Retrospective Occupancy Permit Application info sheet).
- An ***Occupancy Permit application (BA9)*** signed by the owner/occupier.

Assessment timeframes

The City of Cockburn has 10 business days to make a decision on the application. However, during the 10 days the City may request additional information. The applicant has 21 calendar days to provide the requested information.

NOTE: The Occupancy Permit application would be temporarily put on hold pending the receipt of the additional information.

Applying for an Occupancy Permit

A building must be completed with all services i.e. electrical, mechanical, fire and hydraulic services installed and operational before an Occupancy Permit application is submitted to the City. Please note that the following technical certificates may be required with the application (please consult your registered building surveyor):

Consultant Certificates of

- Electrical Engineer
- Fire Services Engineer
- Hydraulic Engineer
- Mechanical Engineer
- Structural Engineer
- Other

Contractor Certificates of

- Electrical
- Hydraulic
- Fire Services
- Mechanical
- Structural
- Compaction
- Other

Material Certificates of

- Fire doors & frames
- Fire rated ceilings
- Fire rated walls
- Fire seals / collars
- Flexible ducting
- Window assemblies
- Other

For further information, please contact the City's Building Services on 9411 3444.

NOTE: An Occupancy Permit Fee Schedule is available on the City's website (www.cockburn.wa.gov.au) under Building Services.

This information sheet has been produced by the City of Cockburn with all due care as to its accuracy. However the City does not warrant or represent that it is free from error or omission. The information contained in this fact sheet is advisory in nature only. The City may make changes to the information at any time and without notice. This information sheet is considered to be correct as at March 2015.