

# Application for Occupation Certificate

## City Development

*Under Sections 6.4 (c) of the Environmental Planning and Assessment Act 1979 and Clause 149 of the Environmental Planning and Assessment Regulation 2000.*

### Guidance

Use this form to obtain approval to use or occupy a building.

How to complete this form

1. Ensure that all fields have been filled out correctly
2. Please note that fields on this form marked with an \* are mandatory and must be completed before submitting the application.
3. Once completed you must lodge this application via the NSW Planning Portal. Go here for more information:

[Welcome to the NSW Planning Portal | Planning Portal - Department of Planning and Environment](#)

### 1 Type of Occupation Certificate applied for \*(please tick applicable box below)\*

Interim Certificate     Part Certificate     Final Certificate

Occupation / Use of a new building     Change of building use (existing building)

Development  
Application No.\*

Construction  
Certificate No.\*

Complying  
Development  
Certificate No.\*

### 2 Applicant details \* - Note: The applicant must be the property owner or the person having the benefit of the development consent. A building contractor however cannot be the applicant unless the contractor is the owner of the property.

Company Name (if applicable):

ABN / ACN:

Position:

Mr    Mrs    Ms    Other:

First Name:

Last Name:

Email:

Note: At least one contact phone number must be supplied.

Mobile:

Home:

Business:

Postal Address:

Shop / Unit / Street No:

Street Name

Suburb / Locality:

State:

Postcode

### Office use only

Related Policies: Legislative requirement

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Review Date: 1/08/2021

Form Number:2353

Owned by (section): City Development



F O R M 2 3 5 3

3 Site Details – location and title details						
Lot:		DP:		Section (where relevant):		Portion No:
Parish:				Shop / Unit / Street No:		
Street name:				Suburb:		Postcode:
4 Details of Work and Approvals						
Description of the building to which the application relates:						
Is the application for a Swimming Pool? <input type="checkbox"/> No <input type="checkbox"/> Yes - Type of pool (please tick the appropriate box)						
In-ground <input type="checkbox"/>	Semi In-ground <input type="checkbox"/>	Above ground <input type="checkbox"/>	Indoor <input type="checkbox"/>	Spa/Hot Tub <input type="checkbox"/>	Inflatable/portable <input type="checkbox"/>	
Is your pool registered with NSW State Government?						
Yes	<input type="checkbox"/>	Certificate No.				
No	<input type="checkbox"/>	You MUST register your pool at <a href="https://www.swimmingpoolregister.nsw.gov.au/">https://www.swimmingpoolregister.nsw.gov.au/</a> prior to submitting this application to Council				
<b>Is the application for whole or part of the building (see Note 2 – please tick applicable box)</b>						
Whole	<input type="checkbox"/>	Part <input type="checkbox"/> If you ticked 'Part' please provide a description of the part of the building to which this applies:				
<b>National Construction Code (NCC) classification of the building</b> (Note: the building classification must be the same as that specified in the Construction Certificate of Complying Development Certificate).						
Existing NCC classification			New NCC classification			
5 Application Checklist and Declaration						
You must attach a copy of the following documents when submitting the application (please tick all applicable boxes)						
Development Consent or Complying Development Certificate						<input type="checkbox"/>
Construction Certificate (where relevant)						<input type="checkbox"/>
A Final Fire Safety Certificate or Interim Fire Safety Certificate (where relevant – see Note 3)						<input type="checkbox"/>
Other certificates relied on (ie Compliance Certificate)						<input type="checkbox"/>
A copy of a BASIX Certificate (energy and water efficiency certificate) for the development if required by the development consent						<input type="checkbox"/>
Please provide a list of other documents to be lodged with the application in the space provided below*						
I declare that all the information I have provided is true and correct:						
Applicant's Name* (please print)						
Applicant's Signature*						Date*

## 6 Notes for Completing the Occupation Certificate Application

### Note 1

Before an Occupation Certificate may be issued by Council, the following conditions must be met:

- Council must have been appointed as the Principal Certifier
- a Development Consent or Complying Development Certificate must be in force with respect to the building and
- a Construction Certificate must have been issued (where a Development Consent has been issued) with respect to the plans and specifications for the building.

### Note 2

Types of Certificates:

- an interim Occupation/Part Certificate authorises a person to commence occupation or use of a fully completed part of a building, or to commence a new use of part of a building resulting from a change of building use for an existing building; and
- a final Occupation Certificate authorises a person to commence occupation or use of a new building, or to commence a new use of a building resulting from a change of building use for an existing building.

(Note: 'new building' includes an altered portion of, or an extension to, an existing building)

### Note 3

A Final Fire Safety Certificate is a certificate issued by or on behalf of the owner of a building to the effect that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:

- has been assessed by a properly qualified person; and
- was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

An interim Fire Safety Certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current Fire Safety Schedule for the part of the building to which the certificate relates:

- has been assessed by a properly qualified person; and
- was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

## Important information

### Public Access to information

Pursuant to the Government Information (Public Access) Act 2009 (GIPA Act) Council is required to make certain information publicly available, including by way of publication on public registers and on its website. Information submitted on and with this form may be made available to the public, unless there is an overriding public interest against disclosure of this information. Council is obliged to make information available on its website excluding the following:

- the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected; or
- commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.

### Privacy

The personal information that Council is collecting from you on submission of this form is personal information for the purposes of the Privacy Act 1998. The intended recipients of the personal information are officers within the Council and third parties for the purpose of assessing the application as well as any person wishing to inspect the application in accordance with the Local Government Act 1993 or the GIPA Act. The personal information may also be included on a public register and displayed on Council's website. The supply of personal information by you is voluntary. However, if you cannot provide or do not wish to provide the information required, Council will be unable to process your application. You may make application for access to, or amendment of, information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the relevant legislation. Enquiries concerning this matter can be addressed to Council by telephoning (02) 4429 3111