

Occupancy Permit

An **Occupancy Permit** allows you to occupy a new, existing or incomplete Class 2 to 9 building or strata title.

You may require this Permit if you intend to change the use or classification of an existing building. It ensures any buildings that will be occupied are compliant with all relevant legislation and standards.

Do I need an Occupancy Permit?

An Occupancy Permit is required in the following circumstances as per the *Building Act 2011*, section 46, 47, 48, 49, 50, 51, 52 and *Building Regulations 2012*, regulation 4:

- Occupying a new completed building (section 46);
- Occupying an incomplete building or part of a building on a temporary basis (section 47);
- Modifying the current occupancy permit for additional use of a building on a temporary basis (section 48);
- Occupying a building or part of a building that has undergone a permanent change of use or classification (section 49);
- Strata or subdivision of a lot (section 50);
- Occupying an unauthorised building or an unauthorised part of a building (section 51);
- A replacement Occupancy Permit for a building with existing authorisation (section 52).

Strata

If you wish to lodge a strata plan for registration or subdivide a lot in a strata scheme under the *Strata Titles Act 1985*, a separate Occupancy Permit Strata is required.

Change of Classification or Use Occupancy Permits

Proposing to change a building's classification or use requires a separate Occupancy Permit in addition to an Occupancy Permit to occupy the building.

Change of Use

This is where a building is proposed to be used in a different way from the use authorised by the current Occupancy Permit, but the classification remains unchanged.

Change of Classification

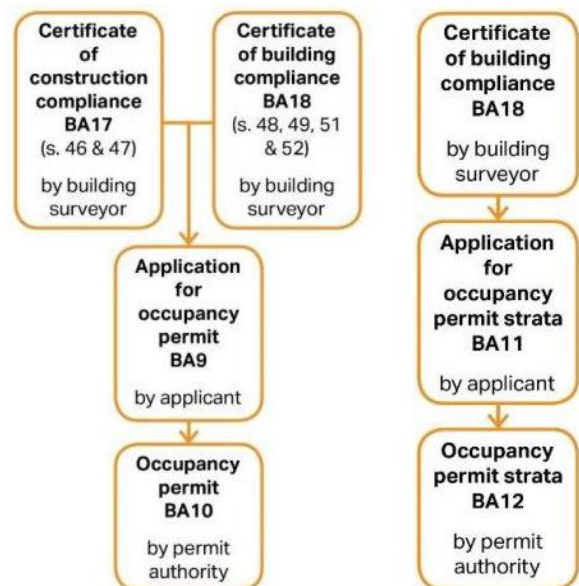
This is where it is proposed to change the existing Building Code of Australia (BCA) classification of a building to a different classification, see reverse for classification descriptions.

A change of classification requires the building to comply with the current building standards relevant for the new proposed classification. This may require building work to be carried out to meet the requirements for the new classification and the submission of a Building Application.

It is recommended that a person wishing to change a building's classification seek advice from a registered Building Surveyor.

Contact the Shire of Capel's Building Services on (08) 9727 0222 for advice on this process.

Occupancy Permit Process



Building Classifications

Building Class	Building Type
1a	Single Dwelling
1b	Short Term Accommodation
2	A building containing two or more sole occupancy units each being a separate dwelling
3 or 4	A residential building (other than Class 1 or Class 2) located within a commercial building
5	Office building including a dentist, veterinary clinic or physiotherapy rooms
6	A shop or other building where goods or services are retailed directly to the public
7a	Carpark building
7b	A building where goods are wholesaled, such as a warehouse
8	A building where a process takes place, such as a factory or workshop
9a	A health-care building, such as a hospital or clinic
9b	An assembly building, such as a church, childcare centre, sports hall or school
9c	An aged care building
10a	Non-habitable buildings such as a garage, carport or shed
10b	A structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like
10c	A private bushfire shelter

BA9 or BA11 (Strata) – Occupancy Permit Application

		Attached	
Approvals & Forms	Further Information	Yes	N/A
Occupancy Permit Application Form	BA9 or BA11 (strata)		
Fees	Refer to Fee Schedule. http://capel.wa.gov.au/plan-build/building-services/forms-fees/		
Required Documents	One copy of all documents required	Yes	N/A
Certificate of Construction Compliance BA17	• Occupying a new completed building (section 46)		
	• Occupying an incomplete building or part of a building on a temporary basis (section 47)		
Certificate of Building Compliance BA18	• Modifying the current occupancy permit for additional use of a building on a temporary basis (section 48)		
	• Occupying a building or part of a building that has undergone a permanent change of use or classification (section 49)		
	• Strata or subdivision of a lot (section 50)		
	• Occupying an unauthorised building or an unauthorised part of a building (section 51)		
	• A replacement Occupancy Permit for a building with existing authorisation (section 52)		

Please ensure all required documents are submitted as incomplete applications will delay the issue of an Occupancy Permit.

This Information Sheet is produced by the Shire of Capel in good faith. The Shire accepts no responsibility for any ramifications for providing this information, which is correct at the time of writing but subject to change without notice.