

CHECKLIST FOR THE LODGEMENT OF AN OCCUPATION CERTIFICATE

APPLICATION FOR BUILDING WORKS

This checklist has been prepared to assist you with the lodgement of your application by ensuring that you have provided all the necessary details. This will help prevent delays in the processing of your application.

DOCUMENTATION

Applicant Office

<p>1. Development consent/complying development certificate</p>	<p>NSW Legislation requires that you must submit a copy of the development consent and approved plans/documents with your application for an Occupation Certificate.</p> <p>A copy can be obtained from Council's Development Help Desk via email development@esc.nsw.gov.au or phone 02 4474 1231.</p>	
<p>2. Construction certificate</p>	<p>NSW legislation requires that you must submit a copy of the Construction Certificate and approved plans/documents with your application for an Occupation Certificate.</p> <p>A copy can be obtained from Council's Development Help Desk via email development@esc.nsw.gov.au or phone 4474 1231.</p> <p><i>Note: A Construction Certificate is not required where a Complying Development Certificate has been submitted with the application.</i></p>	
<p>3. Fire safety certificate and fire safety schedule</p>	<p>A Fire Safety Certificate and Fire Safety Schedule is required to be submitted where a Fire Safety Schedule was attached to either a Construction Certificate or Complying Development Certificate (generally required for Class 1b or Class 2-9 buildings).</p> <p>A Final Fire Safety Certificate means a certificate that:</p> <ol style="list-style-type: none"> is issued <u>for the whole of a building</u> by or on behalf of the owner of the building, and certifies that each essential fire safety measure specified in the current Fire Safety Schedule for <u>the whole building</u> has been assessed by a <u>properly qualified person</u> as capable of performing to at least the standard required by the current Fire Safety Schedule. <p>An Interim Fire Safety Certificate means a certificate that:</p> <ol style="list-style-type: none"> is issued for <u>part of a building</u> by or on behalf of the owner of the building, and certifies that each essential fire safety measure specified in the current Fire Safety Schedule for <u>the part of the building</u> has been assessed by a <u>properly qualified person</u> as capable of performing to at least the standard required by the current Fire Safety Schedule. 	
<p>4. Performance solutions</p>	<p>An application for an Occupation Certificate that relates to building work that involves a performance solution:</p> <ol style="list-style-type: none"> a statement from a suitably qualified and competent person verifying that the building work was carried out in accordance with the performance solution report that accompanied the Construction Certificate or Complying Development Certificate, and 	

	<p>b) if the performance solution report was required to be prepared by a person who is both an accredited practitioner (fire safety) and a fire safety engineer, a Compliance Certificate or written report prepared by the person who prepared the performance solution report that states the building work involving a performance solution:</p> <ul style="list-style-type: none"> i) is completed, and ii) is consistent with the performance solution. 	
<p>5. Approved Basix certificate(s)</p>	<p>NSW legislation requires that you must submit a copy of the BASIX Certificate with your application for an Occupation Certificate.</p> <p>A copy can be obtained from Council’s Development Help Desk via email development@esc.nsw.gov.au or phone 02 4474 1231.</p>	
<p>6. Installation certificate(s) (components of construction)</p>	<p>An application for an Occupation Certificate that relates to any components of construction must be accompanied by an Installation Certificate for each component prepared by the installer of the component of construction. Each Installation Certificate must contain the following information:</p> <ul style="list-style-type: none"> • the installer’s: <ul style="list-style-type: none"> ○ name ○ address ○ email address ○ phone number ○ signature • the date • a description of the building component, the subject of the installation certificate • the subject property address • a statement that the building component complies with the relevant NCC clauses, Australian Standards and design documentation • a list of the relevant NCC clauses, Australian Standards and design documentation. <p>Installation Certificates are required for the following components of construction, where relevant:</p> <ul style="list-style-type: none"> Acoustic separation Bushfire construction Balustrades and barriers Disabled access Elevators Emergency lighting Exit signs Fire doors Fire hazard properties of material and assemblies Fire hose reels Fire hydrants 	

	<p>Fire separation</p> <p>Fire resisting construction</p> <p>Glazing (shower screens, balustrades etc,)</p> <p>Insulation</p> <p>Lighting and electrical</p> <p>Mechanical ventilation</p> <p>Portable fire extinguishers</p> <p>Slip resistance classification (stairs, treads, landings, ramps, paths of travel)</p> <p>Smoke alarms and detectors</p> <p>Solid fuel heaters</p> <p>Stormwater</p> <p>Structural steel</p> <p>Termite protection</p> <p>Windows</p> <p>Waterproofing membranes</p> <p>Other certificates as required by the Principal Certifier</p>	
7. BASIX installation certificate	An application for an Occupation Certificate that relates to BASIX development must include written advice from a properly qualified person that each BASIX commitment has been fulfilled.	
8. Compliance certificates	<p>An application for an Occupation Certificate must include any relevant Compliance Certificates.</p> <p>Note: A Compliance Certificate is a certificate to the effect that:</p> <ul style="list-style-type: none"> (i) any completed building work complies with particular plans and specifications or with particular standards or requirements, or (ii) a particular condition with respect to building work or subdivision work (being a condition attached to a planning approval) has been complied with, or (iii) a building or proposed building has a particular classification identified in accordance with the Building Code of Australia, or (iv) any aspect of development (including design of development) complies with particular standards or requirements. <p>A Compliance Certificate may certify strict, substantial, or other compliance with a relevant matter.</p>	
9. Development cost of \$10 million or more	An application for an Occupation Certificate that relates to development with a proposed cost of \$10 million or more, as specified in the development application, must also be accompanied by a copy of the following documents:	

	<p>(a) if the certifier determining the application is a registered certifier—a document from Council certifying that a monetary contribution or levy under the Act, section 7.11 or 7.12:</p> <ul style="list-style-type: none"> i. is not required to be paid before an Occupation Certificate is issued, or ii. is required and has been paid, <p>(b) if the building resulting from the development is on land in a special contributions area under the Act, Division 7.1—a document from the Planning Secretary certifying that a development contribution under the Act, section 7.24:</p> <ul style="list-style-type: none"> i. is not required to be made before an Occupation Certificate is issued, or ii. is required and has been made. 	
10. Application for occupation of a partially completed building or new use of part of a building	A report from a suitably qualified and competent person detailing whether the entire building is a hazard to the health or safety of the occupants of the building.	
11. Residential apartment development	<p>An application for an Occupation Certificate that relates to the design requirements for a residential apartment development (if the development application was required to be accompanied by a statement by a qualified designer):</p> <p>A design statement by a qualified designer verifying that the development achieves the design quality shown in the plans and specifications for which the Construction Certificate was issued, having regard to the design quality principles.</p>	
12. Contract for OC application	A copy of the signed and executed Contract for Certification Work between Council and the applicant.	

Notes:

1. A certifier may require the applicant for an Occupation Certificate to give the certifier information about the following that the certifier considers necessary to properly consider the application:
 - a) the building to which the application relates, including work that may have been carried out on the building,
 - b) a planning agreement.
2. Occupation Certificate applications may be rejected or refused where the submitted documentation is inaccurate, incorrect, or not fully completed. It is the applicant’s responsibility to check and proof-read all submitted documents.
3. Occupation Certificate applications will generally be determined by Council within **3 months** of the date of application.
4. If a request for additional information is made, Council will allow an additional **28 days** from the date of the request for the applicant to submit the requested information. The application may be determined at any time after the expiry of the **28-day** period, regardless of whether the additional information has been submitted.

GENERAL REQUIREMENTS

1. You will need to lodge your application on the [NSW Planning Portal](#).
2. You will need to prepare all your supporting documents as separate PDFs and upload them as attachments on the [NSW Planning Portal](#).
3. Have all registered owners signed the 'owners consent' form (**attached**)?
4. The application is **fully completed**.

Privacy statement: The information on this form is being collected by Council for purposes associated with processing your application. Access to this information is limited to relevant Council officers and it may be disclosed to any other government agency outside of Council as required by legislation. Supply of this information is required to enable accurate information to be provided. Your application may not be accepted or processed due to a lack of information. The information will be stored securely in Council's systems. Visit <https://www.esc.nsw.gov.au/privacy-statement> for more information.

OWNERS CONSENT

I/WE, THE OWNER(S) APPLICANT OF THE PROPERTY DESCRIBED BELOW:			
Address:			
Lot and DP number:			
HEREBY GIVE CONSENT TO		OR THEIR NOMINATED AGENT, BEING:	
Nominated agent:			
TO ACT ON MY/OUR BEHALF TO:			
<ul style="list-style-type: none"> lodge all relevant applications for development consent, CCs, CDCs, Subdivision Works Certificates, Subdivision Certificates, Appointment of Principal Certifier, Building Information Certificates, Occupation Certificates, Sc68s & Sc138s & tree permits have discussions with all relevant authorities do all things required to be done, or provide all information and documents necessary to obtain such approvals, where applicable, withdraw or cancel the applications and obtain a refund, if applicable, of any fees paid. 			
CONSENT OF ALL OWNERS:			
As the owner(s) of the property, I/we consent to this application to apply for approval to carry out the development described herein and state that the information contained herein is, to the best of my/our knowledge, true and correct. I/we hereby give permission for Council authorised personnel to carry out inspections of the land and buildings as necessary for the purpose of assessing this application without prior notice of entry.			
Name:			
Signature:			Date:
Name:			
Signature:			Date:
Name:			
Signature:			Date:
Name:			
Signature:			Date:
PRIVACY STATEMENT			
The information you provide in this application will enable your application to be assessed by Council and any relevant State agency. If the information is not provided, your application may not be accepted. Depending on your proposal, your application may be advertised for public comment. Council will include your application in a register that can be viewed by the public at any time. Visit www.esc.nsw.gov.au/privacy for more information.			
COPYRIGHT AND PRIVACY CONSENT			
I am authorised by the copyright owner of any material submitted with this application to provide this material to Council. In doing so, I understand, and the copyright owner acknowledges, that this material may be made publicly available at Council's offices, on Council's website and to third parties on request both during and after the assessment is completed.			
APPLICANT'S DECLARATION (or person signing on behalf of applicant please state in what capacity):			
I/we, the undersigned, hereby apply for approval of the development proposal described in this application and in the plans, specifications and documents accompanying this application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, Codes and Local Environmental Plans.			
Signature(s):			
Name, if not applicant:			
Capacity, if not applicant:		Date:	

Note: If ownership is under a company name, please provide evidence that the signatory on the application has the authority to sign on behalf of the company, either by providing authority on company letterhead or advice from ASIC providing authorised persons.