Application for Occupation Approval

Approval from the Sydney Harbour Federation Trust (the Harbour Trust) is required for any works to, or use of, Harbour Trust land and buildings. Planning permits and conditions are issued in accordance with sections 9 and 10 of the *Sydney Harbour Federation Trust Regulations 2021* (Harbour Trust Regulations) for approved applications. Some more complex applications may need to be referred to the Department of Climate Change, Energy, the Environment and Water for consideration and separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). You can access the legislation at [www.austlii.edu.au](http://www.austlii.edu.au/).

All Sydney Harbour Federation Trust sites are unique and have heritage significance. Approval is required for building fitouts and repairs, landscaping, signage, changes of use, and some events and activations, prior to any works or activities commencing.

Applicants are required to meet with the Harbour Trust to discuss the proposal. To arrange a meeting, please call the Harbour Trust planning team on 02 8969 2100 or email planning@harbourtrust.gov.au.

If there is insufficient space on the form to provide the information required, please supply this on separate sheets.

Use this form to apply for approval to occupy a building or structure. Occupation Approval can only be applied for after both a Planning Permit and Construction Permit have been obtained from the Harbour Trust.

## About the Harbour Trust

The Harbour Trust is a self-funding Commonwealth Government agency responsible for the management of a number of sites around Sydney Harbour including Cockatoo Island, Headland Park (Mosman), North Head Sanctuary (Manly), Woolwich Dock and Parklands, Sub Base Platypus (North Sydney), Marine Biological Station (Watsons Bay), Macquarie Lightstation (Vaucluse) and Snapper Island.

## How to Lodge your Application for Occupation Approval

1. Before completing this form, please read the *Guide to the Planning, Application and Assessment Process* as it contains important information about the issues you need to consider lodging your application for Occupation Approval
2. Save this form to your computer before completing it.
3. Ensure all sections of the form have been completed and are correct.
4. Attach additional information such as drawings and specialist reports.
5. Sign, print and scan the declaration at Part I before submitting your application by email, disc, USB or post.

Important: No fee is payable for the lodgement of an application for Occupation Approval.

The Harbour Trust uses an electronic document management system. All required documents must be lodged electronically as well as in hard copy.

**Refer to the Guide to the Planning, Application and Assessment Process for information about processing times.**

## What is Occupation Approval?

The Harbour Trust requires all works undertaken on Harbour Trust land to be managed by an accredited **Project Certifier**. This person is to be accredited under the NSW *Building Professionals Act 2005*. The Project Certifier is to compile all relevant paperwork and ensure that construction works comply with the planning conditions, relevant standards and the National Construction Code.

Unlike in NSW, the Project Certifier does not have the final authority to issue an approval to commence work, occupy a building or space, or modify an existing approval. That that authority rests solely with the Harbour Trust.

Once the Planning Permit is issued, Construction Approvalmust be obtained from the Harbour Trust prior to the commencement of any works. Complete the form ‘Application for Construction Approval’ form (available on the Harbour Trust’s website).

The Applicant’s Project Certifier will be responsible for endorsing and submitting all relevant documentation required under the Planning Permit to the Harbour Trust. Based on the advice of the Certifier, the Harbour Trust will issue Construction Approval (not the Certifier as would typically occur for a development lodged with a Council). Documents needed at this stage will be included as a condition of the Planning Permit.

Construction Certificates and Occupation Certificates issued under the NSW *Environmental Planning and Assessment Act 1979* are not valid on Harbour Trust land.

Upon completion of works, Occupation Approvalmust be obtained from the Harbour Trust prior to occupation of the buildings/spaces involved in the proposal. Use this form to apply.

Similar to the Construction Permit, the Certifier will be responsible for endorsing and submitting all relevant documentation required under the planning permit to the Harbour Trust. Based on the advice of the Certifier, the Harbour Trust will issue Occupation Approval.

Required documents may relate to matters such as electrical, plumbing or gas connections, disabled access, heating and air conditioning, food and beverage fitouts, and performance measures of the National Construction Code. Documents needed at this stage will be included as a condition of the Planning Permit.

## Important Note

Buildings/structures cannot be used or occupied until this form is received and acknowledged by the Harbour Trust, and Occupation Approval is issued.

The Harbour Trust will contact the person named as ‘The Applicant’ at Part A(i) of this form for any enquiries regarding this application (unless an agent or third party is nominated at Part A(ii) below).

**Penalties under the *Sydney Harbour Federation Trust Regulations 2021*** **apply to unauthorised works and non-compliance with conditions of a Planning Permit.**

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| OFFICE USE ONLY |
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| PLANNING PERMIT NUMBER: |

 | Click to enter text. |
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| CONSTRUCTION PERMIT NUMBER: |

 | Click to enter text. |
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| OCCUPATION PERMIT NUMBER: |

 | Click to enter text. |
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| DATE COMPLETE APPLICATION RECEIVED: |

 | Click to enter a date. |

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| PART A(i): INFORMATION ABOUT THE APPLICANT |
| **IMPORTANT NOTES:****The Applicant is the person or organisation that has, or proposes to have, a lease or licence with the Harbour Trust for the subject property or area of open space.****The Harbour Trust will only issue Occupation Approval (with or without conditions) to the Applicant (lessee/licensee), not to their Agent or a third party.** |
| CONTACT NAME: | Click to enter text. | POSITION: | Click to enter text. |
| ORGANISATION: | Click to enter text. | ABN/ACN: | Click to enter text. |
| ADDRESS: | Click to enter text. |
| PHONE NUMBER: | Click to enter text. | FAX: | Click to enter text. |
| EMAIL: | Click to enter text. |
| HAVE YOU READ THE GUIDE TO THE PLANNING, APPLICATION AND ASSESSMENT PROCESS? | [ ]  YES | [ ]  NO |
| PLANNING PERMIT NUMBER | Click to enter text. |
| PERSON/BUSINESS PLANNING PERMIT WAS ISSUED TO | Click to enter text. |
| DATE PLANNING PERMIT WAS ISSUED | Click to enter a date. |
| A COPY OF THE PLANNING PERMIT AND CONDITIONS ARE ATTACHED | [ ]  YES | [ ]  NO |
| CONSTRUCTION PERMIT NUMBER | Click to enter text. |  |  |
| A COPY OF THE CONSTRUCTION PERMIT IS ATTACHED | [ ]  YES | [ ]  NO |
| DATE CONSTRUCTION PERMIT WAS ISSUED | Click to enter a date. |  |
| DATE WORKS COMMENCED | Click to enter a date. |
| DATE WORKS FINISHED | Click to enter a date. |
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| PART A(ii): NOMINATED AGENT (IF APPLICABLE) |
| **The Applicant may authorise an Agent or other third party to correspond with the Harbour Trust regarding this application.****The Harbour Trust will issue Occupation Approval (with or without conditions) to the Applicant.** |
| **TITLE:** | Click to enter text. | **CONTACT FIRST NAME:** | Click to enter text. | **CONTACT LAST NAME:** | Click to enter text. |
| POSITION: | Click to enter text. |
| ORGANISATION: | Click to enter text. | ABN/ACN: | Click to enter text. |
| ADDRESS: | Click to enter text. |
| PHONE NUMBER: | Click to enter text. | FAX: | Click to enter text. |
| EMAIL: | Click to enter text. |
| **I, the lessee or licensee of the property listed at PART B below, hereby authorise the agent nominated above to correspond with the Harbour Trust regarding this application.** |
| APPLICANT/LESSEE/LICENSEE SIGNATURE: | Click to enter text. | DATE: | Click to enter a date. |

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| PART B: BUILDING LOCATION  |
| SITE: | Choose an item. |
| MANAGEMENT PLAN: | Choose an item. |
| BUILDING NAME AND NUMBER:  | Click to enter text. |
| SUITE / ROOM:  | Click to enter text. |

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| PART C: DESCRIPTION OF APPROVED WORKS AND USE |
| Describe the approved works and useClick to enter text. |

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| PART D: DETAILS OF PROJECT CERTIFIER |
| CONTACT NAME: | Click to enter text. | POSITION: | Click to enter text. |
| ORGANISATION: | Click to enter text. | ABN/ACN: | Click to enter text. |
| ADDRESS: | Click to enter text. |
| PHONE NUMBER: | Click to enter text. | FAX: | Click to enter text. |
| EMAIL: | Click to enter text. |
| REGISTRATION NUMBER: | Click to enter text. |

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| PART E: COMPLIANCE WITH PLANNING PERMIT AND CONDITIONS |
| HAS THE PROJECT CERTIFIER REVIEWED THE PLANNING PERMIT CONDITIONS? | [ ]  YES |  |
| HAS THE PROJECT CERTIFIER REVIEWED AND ENDORSED (WHERE RELEVANT) ALL OF THE DOCUMENTS REQUIRED IN THE PLANNING PERMIT CONDITIONS? | [ ]  YES |  |
| Occupation Approval will only be issued if all conditions have been adequately addressed, and the Project Certifier has provided a statement endorsing all of the required documents. |
| ARE AS-BUILT DRAWINGS ATTACHED? | [ ]  YES |  |
| IS A STATEMENT WITH COMPLIANCE WITH THE NATIONAL CONSTRUCTION CODE (NCC) ATTACHED? | [ ]  YES |  |
| IS A FIRE SAFETY CERTIFICATE ATTACHED? | [ ]  YES |  |
| ARE AS-BUILT MECHANICAL DRAWINGS ATTACHED? | [ ]  YES |  |
| ARE AS-BUILT ELECTRICAL DRAWINGS ATTACHED? | [ ]  YES |  |
| ARE AS-BUILT HYDRAULIC DRAWINGS ATTACHED? | [ ]  YES |  |
| ARE AS-BUILT STRUCTURAL DRAWINGS ATTACHED? | [ ]  YES |  |
| IS A STATEMENT WITH COMPLIANCE WITH RELEVANT CONDITIONS OF CONSENT THAT RELATE TO OCCUPATION APPROVAL ATTACHED | [ ]  YES |  |
| ARE ALL OTHER CONDITIONS SATISFIED? | [ ]  YES |  |
| NOTE: All required information must be attached for this application to be processed. If all of the above document is not attached, a justification must be attached by the Project Certifier. |
| Provide any additional comments:Click to enter text. |

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| PART F: OCCUPATION OR USE OF THE BUILDING OR STRUCTURE |
| WHEN WERE WORKS COMPLETED? | Click to enter a date. |
| NOTE: Allow at least 10 business days for the Harbour Trust to process your application for Occupation Approval. The Occupation Approval will be issued for the person named as ‘The Applicant’ at Part A of this form.Penalties under the *Sydney Harbour Federation Trust Regulations 2021* apply to unauthorised works. |
| DOES THIS APPLICATION INVOLVE STAGED WORKS? | [ ]  YES | [ ]  NO |
| Which stage of works does this Permit relate to?Click to enter text. |
| Describe the works involved in this stage.Click to enter text. |
| Describe the works involved following/previous stages.Click to enter text. |

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| PART G: DISCLOSURE OF INTEREST |
| Does the applicant or Project Certifier have any relation to any Sydney Harbour Federation Trust employee or Board member, or is the application being lodged on behalf of someone who has such a relationship? If yes, please provide details:Click to enter text. |

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| PART H: COLLECTION AND USE OF PERSONAL INFORMATION |
| The information provided in this form will enable your application to be assessed by the Harbour Trust and any relevant Commonwealth Government Agency.Your application may be exhibited and publicly advertised, at the discretion of the Harbour Trust.The Harbour Trust will keep the application in a register that may be viewed by the public. Please contact the Harbour Trust if the information you have provided in your application is incorrect or should be amended.By completing this form, you agree to provide the Harbour Trust with personal information about you which means that your identity is apparent or can be reasonably ascertained.The Harbour Trust complies with the Australian Privacy principles under the *Privacy Act 1988*. More information about how we manage privacy is available on our website [www.harbourtrust.gov.au](https://www.harbourtrust.gov.au/en/). |

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| PART I: DECLARATION |
| * I apply for approval to carry out the proposed action described in this application. I declare that all the information in the application and checklist is to the best of my knowledge, true and correct.
* NOTE: It is an offence under the *Criminal Code Act 1995* to knowingly make a false or misleading statement in, or in connection with, this application, or any document lodged with this application.
* I also understand that if the information is incomplete, the application will not be registered and may be delayed or rejected or more information may be requested.
* I acknowledge that if the information provided is misleading, any approval granted may be void.
* Any works undertaken without approval may be removed by Sydney Harbour Federation Trust at the applicant’s expense.
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| NAME: | Click to enter text. |
| SIGNATURE: |  | DATE: | Click to enter a date. |

## Lodgement Information

**Clear Form**

All applications to be lodged to:

**Harbour Trust**

**Attn: Application for Occupation Approval**

28 Best Avenue (off Suakin Drive)

PO Box 607, Mosman NSW 2088

Email: planning@harbourtrust.gov.au

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| OFFICE USE ONLY |
| **Landowner’s Consent**Applications lodged with the Sydney Harbour Federation Trust will be for the Harbour Trust land (as defined in the *Sydney Harbour Federation Trust Act 2001* which is land that is vested in the Harbour Trust. Landowner’s consent is required before the application can be assessed.As landowner, the Harbour Trust consents to the lodgement of the application. Whilst the Harbour Trust has given landowner’s consent to lodge this application, this:a. In no way limits any rights the Harbour Trust may have as landowner; andb. Does not imply an approval for the application, which will be assessed on its merits in accordance with the provisions of the *Sydney Harbour Federation Trust Act 2001*, and the Harbour Trust’s Plans and Policies. |
| NAME: | Click to enter text. |
| SIGNATURE: |  | DATE: | Click to enter a date. |

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| PART J: PAYMENT DETAILS |

No fee is payable for an application for Occupation Approval.