

OCCUPANCY OF BUILDINGS

Occupancy is the act of occupying, or using, a building or structure for an extended period of time. Uses include for residential, commercial, recreational or work purposes.

Under the Tasmanian Building Act 2016 (the Act) approval of an Occupancy Permit is required prior to occupying certain types of buildings.

Occupancy Permits are issued by licensed Building Surveyors. It is the responsibility of the landowner and building occupier to ensure that appropriate Occupancy Permits are in place prior to the use of the building occurring.

The Occupancy Permit states the use(s) that are permitted for specified buildings and may include conditions or limitations that must be adhered to for that use.

Buildings that Require an Occupancy Permit

An Occupancy Permit is required for each of the following types of buildings before these buildings, or a part of the buildings, can be occupied:

Residential type buildings eg:

single dwelling, apartment buildings, boarding house, guest house, hostel or backpackers, dormitory style accommodation, or workers' quarters for shearers or fruit pickers and "care-type" facilities.

Commercial type buildings eg:

office buildings, shops, restaurants and cafés, carparks, warehouses, storage buildings, buildings for the display of goods, factory or workshop, abattoir, laboratory, public buildings, education facilities, sporting facilities, night clubs, public transport buildings and aged care buildings.



Temporary Occupancy

It is an offence under the Building Act 2016 to occupy a building without an Occupancy Permit in force for that building, where required.

The Act provides that persons may apply for a Temporary Occupancy Permit for the erection of temporary structures, or, for the use of buildings for a temporary use.

Additional information on Temporary Occupancy Permits is available from the Consumer Building and Occupational Services Website at: https://www.cbos.tas.gov.au/_data/assets/pdf_file/0004/449491/Directors-Temporary-Occupancy-Permit-Determination.pdf

Planning

The change of use of a building and associated building work may require statutory planning approval.

More Information

For more information regarding Occupancy of buildings please contact the Kingborough Council Development Services Unit on (03) 6211 8200.