

How to validate the Intent to seek an Occupation Certificate application (Classes 2, 3 and 9c)

This quick reference guide refers to the completion of the preliminary questions on a submission of an occupation certificate application for building work related to Class 2, 3 and 9c developments.

When the developer is ready to apply for an occupation certificate, a valid intent to seek occupation certificate (ITSOC) case reference number must be entered on the preliminary questions page of the Post Consent Certificates service on the NSW Planning Portal (the portal).

The portal will carry out several checks against the ITSOC case to ensure compliance with the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*, *Design and Building Practitioners Act 2020* and the *Strata Schemes Management Regulation 2016*.

You must ensure that the following have been completed on the ITSOC case:

- Upload and lodgement of regulated designs and declarations onto the portal
- The expected completion notice was submitted, and NSW Fair Trading has indicated that an OC audit is not required, or the audit has been completed.
- The building practitioner has completed the building compliance declaration.
- The building work levy has been paid (if eligible).
- The strata building bond has been paid and approved (if eligible).

If any of required steps have not been completed, the portal will stop you from submitting the occupation certificate application.

If there are minor variations to the regulated designs after the building practitioner has made the building compliance declaration, documents can continue to be uploaded and lodged into the repository in the Building Work case. The building practitioner will be required to make another building compliance declaration within 90 days of the final occupation certificate being issued.

For further information on the building practitioner variations, please refer to the quick reference guide 'Building Practitioner – How to complete the post Occupation Certificate 90-day declaration'.

Initiate case

1. Click on the intent to seek occupation certificate (ITSOC) case under the occupation certificates heading on 'My Development' page.

> Development overview

> Construction certificates

> Building works

< Occupation certificates

ITSOC case reference	Developer	ITSOC case status	OC case reference	Type	OC case status	Determined on	Registered certifier
ITSOC-2023-1850	ADAM FRENCH	ECN submitted					

2. Click apply for occupation certificate.

Apply for Occupation certificate

Actions ▾

Close

Note: The certificate type and class of development will be automatically be selected.

3. Enter the intent to seek occupation certificate case reference number.

The reference number entered here will be used to validate and confirm if the Occupation Certificate application can proceed. Building classes covered under the *Design and Building Practitioners Act 2020* and *Residential Apartment Building (Compliance and Enforcement Powers) Act 2020* are required to submit the Expected Completion Notice through the Intent to Seek Occupation Certificate (ITSOC) application and comply with all requirements relating to the relevant classes of building work prior to initiating Occupation Certificate.

Please provide ITSOC reference number from NSW Planning Portal *

Note: There is an option to enter the principal certifier appointment case reference number for those historical cases connected to the principal certifier appointment service on the portal.

4. Select the type of occupation certificate being sought on this application.

Select the type of certificate you wish to apply for *

☐ Occupation certificate for a partially completed building

☐ Occupation certificate for part of the building

☐ Occupation certificate for whole building

5. Click next.

Next

Note: The portal will carry out the validation against the ITSOC case reference number to ensure all eligible compliance checks have been completed.

End of steps

Next steps

The occupation certificate application is submitted to the nominated registered certifier for assessment. For further information on submitting the occupation certificate application on the portal, please refer to the quick reference guide titled 'How to submit an occupation certificate application'.

If you need more information

- Click the help link at the top of the screen to access the NSW Planning Portal help pages and articles.
- Review the Frequently Asked Questions - <https://www.planningportal.nsw.gov.au/support/frequently-asked-questions> and / or contact ServiceNSW on 1300 305 695.