

# APPLICATION FORM

## OWNER - BUILDER PERMIT

Where land is OWNED BY THE APPLICANT  
and they have a freehold interest



# Fair Trading

### NSW FAIR TRADING - HOME BUILDING SERVICE

13 32 20 [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Office Use Only: <b>Do not stamp this form</b>		Location of FTC/SNSW/GAC:	
Application No:		Permit No:	

**Note: An owner-builder permit is only required if the market value of the work (labour and materials) exceeds \$10000.**

### 1. Applicant *(where there are joint or several owners of the land, only one can apply)*

Name (surname)

Given names

Date of birth

Male Female

**Note: Permits cannot be issued to persons under 18 years.**

Residential address (not PO Box)

Postcode

Home phone number

Business phone number

Email address

### 2. Registered Owners

#### Details of ALL Registered Owners of this land title

Name (surname)

Given names

Date of birth

Male Female

Home phone number

Residential address (not PO Box)

Postcode

Email address

Name (surname)

Given names

Date of birth

Male Female

Home phone number

Residential address (not PO Box)

Postcode

Email address

### 3. Proposed Building Work

Street Number (or Lot & DP Number)	Street	Council Development Application Approval Number:	
		Complying Development Certificate Approval Number:	
Town/Suburb	Postcode	Certifier Number:	
Council Area			

#### Description of Building Work (as per Development Consent):

Market Value of the work

Have you commenced the building work that is subject to development consent?  Yes  No

Have you previously held an owner-builder permit in the last 5 years OR been a joint-owner in land where an owner builder permit was issued in the last 5 years (whether or not that permit was in your name and your 'ownership' was either as freehold interest, registered leaseholder or a shareholder for company owned land)?  Yes  No

**Note:** If you have answered yes, you are not eligible for a second permit unless there were genuinely unforeseen circumstances. If you believe you have special circumstances, you MUST complete Section 3 of the "Additional Details Form 7" for consideration and determination.

Tick here if you are claiming special circumstances and have attached a fully completed [Additional Details Form 7](#).

Do you intend to permanently reside at the above address upon completion of the building work?  Yes  No

Do you have a general construction induction training card issued within the last 2 years, or if issued more than 2 years ago, have undertaken construction work within the last 2 years?  Yes  No

If the value of the building work exceeds \$20,000, have you completed the 'Course in Owner- Builder Compliance - 91509NSW' or hold an equivalent accreditation?  Yes  No

### 4. Type of Construction

I am applying for an owner-builder permit that authorises the construction or alterations and additions to (tick as applicable):

- single dwelling house **or**
- secondary dwelling **or**
- dual occupancy (that is not a secondary dwelling)

**Note:** If the development consent is for 'dual occupancy' an owner-builder permit can only be granted in cases of special circumstances otherwise it must be refused. If you believe you have special circumstances, you MUST complete Section 4 of the "Additional Details Form 7 - OBP" for consideration and determination.

Tick here if you are claiming special circumstances and have attached a fully completed. [Additional Details Form 7](#).

#### Do you understand that:

- It is an offence for the holder of an owner-builder permit to engage an unlicensed contractor, lend their owner builder permit to another person, or refuse to disclose to officers of Fair Trading the names and addresses of contractors working on site?  Yes  No
- If you engage a contractor to do work over \$20,000 on your project, the contractor must take out insurance under the Home Building Compensation Fund and give a certificate of insurance to you?  Yes  No

If you sell this dwelling within 7 years and 6 months from the date of issue of the permit and the cost of the project was more than \$20,000 (labour and materials), you **MUST** include the following on the contract of sale:

- A conspicuous note (a consumer warning) that an owner-builder permit was issued in relation to the land (specifying the date on which it was issued) along with a note that the work done under an owner-builder permit is not required to be insured under the *Home Building Act 1989* unless the work was done by a licensed contractor to the owner-builder, and  Yes  No
- If the contract for the sale of the land does not include the conspicuous note the purchaser may void the sale prior to settlement.  Yes  No

### 5. Declaration for ALL owners of the prescribed land (other than the applicant)

#### To be completed & signed by ALL Joint Owners of this Land Title:

As owner(s) of this land title (jointly or severally) which is now subject to an owner-builder permit application, I/we:

- a) Agree to the applicant seeking to carry out residential building work on this land, under the authority of an owner-builder permit issued in their name, and
- b) Understand that I/we cannot apply for an owner-builder permit (at a different building site address) within 5 years from the date of issue of this permit and
- c) that if the land, which is the subject to this owner-builder permit application, is sold within 7 years and 6 months from the date of the permit and the cost of the project was more than \$20,000 (labour and materials); the contract of sale **MUST** include a conspicuous note (a consumer warning) that an owner-builder permit was issued in relation to the land (specifying the date on which it was issued) along with a note that the work done under an owner-builder permit is not required to be insured under the *Home Building Act 1989* unless the work was done by a licensed contractor to the owner-builder, and
- d) Understand that the work to be performed under the permit will not be covered by a contract of insurance under the Home Building Compensation Fund

Name <input type="text"/>	Signature <input type="text"/>
Name <input type="text"/>	Signature <input type="text"/>

## 6. Declaration for the owner of the prescribed land applying for the Permit

### To be completed & signed by the Applicant

I (Individually, jointly or in common, either at law or in equity) have a freehold interest in the subject land (such as where the person is duly registered under the *Real Property Act 1900* as the proprietor of an estate in fee simple, whether unconditionally, for life or in remainder) declare that

- I have sought to carry out residential building work on this land, under the authority of an owner-builder permit issued in my name, and
- that I will occupy this residence upon completion and
- that as an individual I cannot apply for an owner-builder permit (at a different building site address) within 5 years from the date of issue of this permit and
- that if the land, which is the subject to this owner-builder permit application, is sold within 7 years and 6 months from the date of the permit and the cost of the project was more than \$20,000 (labour and materials); the contract of sale **MUST** include a conspicuous note (a consumer warning) that an owner-builder permit was issued in relation to the land (specifying the date on which it was issued) along with a note that the work done under an owner-builder permit is not required to be insured under the *Home Building Act 1989* unless the work was done by a licensed contractor to the owner-builder, and
- that the work to be performed under the permit will be not be covered by a contract of insurance under the Home Building Compensation Fund.

### Applicant Name & Signature

Name

Signature

## 7. Additional Declaration by the Applicant

### Before you sign your declaration please note the following penalties for false or misleading statements:

Under s.307A of the *Crimes Act 1900* a person is guilty of an offence if she/he makes a false or misleading statement in an application for an authority or benefit. The penalty for false or misleading application is imprisonment for 2 years, or a fine of \$22,000 or both.

Under s.43(1) of the *Home Building Act 1989* the Commissioner may cancel a permit if it is later discovered that a permit holder misrepresented information in their permit application.

Read and sign the declaration below and submit your application, fee and supporting documents for processing.

I, \_\_\_\_\_, the applicant for this permit hereby authorise:  
(Enter name in BLOCK letters)

- Fair Trading to make necessary inquiries with any organisation or individual to verify any information provided in this application to establish my identity and my eligibility for an owner-builder permit.
- Fair Trading to publicise or pass to other governments and police agencies in other jurisdictions details of any lost or stolen document, to restrict its illegal use
- any organisation or individual to disclose relevant information to Fair Trading for these purposes
- Fair Trading to make any inquiries and to receive and disclose any information which is relevant to the applicant's initial and ongoing eligibility to hold this owner-builder permit.

I, \_\_\_\_\_, the applicant for this permit understand that:  
(Enter name in BLOCK letters)

- it is a criminal offence under the *Crimes Act 1900* to deliberately make false or misleading statements
- this application and the information provided in this form remains the property of the NSW Government
- information will be placed on a register open to the public in accordance with the *Home Building Act 1989* and available under the *Government Information (Public Access) Act 2009*
- failure to supply information required on this form may delay the processing of this application
- I have a right to seek access to and correct any information I have supplied.
- I may be subject to site inspections by officers of Fair Trading during the course of construction to ensure compliance with the licensing, contract and insurance requirements of the *Home Building Act 1989*.

I declare that the statements made in this application are true and correct.

Signature of Applicant

Date

## 8. Supporting Documents and Applicant's checklist:

### The following documents **MUST** be provided at Lodgement:

- Notice of Determination - Approval - Copy of development approval (CDC or DA) from a certifying authority
- Evidence of Land Ownership Council Rate Notice up to 1 year old
- Evidence of "current general construction induction training card- Work Health and Safety Regulation 2011"
- Evidence of approved training or equivalent accreditation if construction work will exceed \$20,000 e.g. "Course in Owner-Builder Compliance – 91509 NSW" or an equivalent accreditation  Yes  Not applicable
- Additional Details Form 7 if applicable (*i.e. if applying for 2nd permit within 5 years or applying for a permit in respect of a dual occupancy*)  Yes  Not applicable
- Proof of Identity documents

**Proof of Identity Documents**

**Applicants MUST provide one (1) document from list 1 below and;  
It MUST show the applicant's day, month and year of birth, a current photo and signature.**

**List 1**

- A current Australian photo driver's licence or other such equivalent current photo card issued by a State or Territory Government agency
- A current Australian passport
- A current non-Australian passport

**Enter details of 'List 1' document provided:**

Document type POI List 1 document <i>Example: Australian Passport</i>	Document number	Date of Issue	Expiry date	Place of Issue	Original document sighted by <i>(please print name)</i>

**Applicants MUST provide two (2) documents from list 2 and/or 3 below.  
At least one (1) of the proof of identity documents MUST be from list 2 that evidences your current address.**

**List 2**

- A passbook or account statement from a bank, building society or credit union up to 1 year old
- A telephone, gas or electricity bill up to 1 year old
- A water rates, council rates or land valuation notice up to 1 year old
- A residential tenancy agreement up to 1 year old
- Current Insurance renewal for house, contents, vehicle, boat, up to 1 year old
- Taxation notice of assessment up to 1 year old
- An electoral enrolment card or the evidence of enrolment up to 1 year old

**List 3**

- Provided Two or more documents from List 2 and therefore do not need to supply any document from List 3
- or**
- A current Medicare card
  - A current ATM, credit or debit card with your name and signature issued by a bank, building society credit union, or any other financial institution.
  - A current student identity card or a certificate or statement of enrolment up to 1 year old from an education institution
  - A current photo identification card issued for NSW regulatory purposes (includes NSW Firearm licence, NSW Security operator licence, NSW Commercial Agents and Private Inquiry Agents operator licence etc)

I have sighted and confirmed the Proof of Identity documents against original documents submitted with the application form.

Name of Checking Officer

Signature of Checking Officer

Date

**Lodging Your Application**

**Applications may be lodged:**



**In Person** at your local Fair Trading, Service NSW or Government Access Centre.

For information on the location of your nearest Centre, please check our website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) or telephone 13 32 20.

**Please note applications are not acceptable by email, fax or mail.**