

# APPLICATION FORM

## Owner-builder permit

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



13 32 20 fairtrading.nsw.gov.au

### OFFICE USE ONLY: Do not stamp this form

Location of SNSW/GAC

Application number

Permit number

Please read this information before completing this form.

This form can be completed in Adobe Reader and saved for your records.

### Information for applicants

An owner-builder permit is only required if the market value of the work (labour and materials) exceeds \$10,000.

### How to lodge

In person at any **Service NSW Centre**. For the address of your nearest Service NSW Centre please telephone 13 32 20 or visit [www.service.nsw.gov.au/service-centre](http://www.service.nsw.gov.au/service-centre)

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

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

Title Given name(s)

Family/Surname

Date of birth

Gender

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

Residential address *(not PO Box)*

Suburb

State

Postcode

Daytime telephone number

Mobile number

Email address

## 2. Registered owners

### Details of ALL registered owners of this land title.

|                                  |                      |                      |
|----------------------------------|----------------------|----------------------|
| Title                            | Given name(s)        |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Family/Surname                   |                      |                      |
| <input type="text"/>             |                      |                      |
| Date of birth                    | Gender               |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Residential address (not PO Box) |                      |                      |
| <input type="text"/>             |                      |                      |
| Suburb                           | State                | Postcode             |
| <input type="text"/>             | <input type="text"/> | <input type="text"/> |
| Daytime telephone number         | Mobile number        |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Email address                    |                      |                      |
| <input type="text"/>             |                      |                      |

|                                  |                      |                      |
|----------------------------------|----------------------|----------------------|
| Title                            | Given name(s)        |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Family/Surname                   |                      |                      |
| <input type="text"/>             |                      |                      |
| Date of birth                    | Gender               |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Residential address (not PO Box) |                      |                      |
| <input type="text"/>             |                      |                      |
| Suburb                           | State                | Postcode             |
| <input type="text"/>             | <input type="text"/> | <input type="text"/> |
| Daytime telephone number         | Mobile number        |                      |
| <input type="text"/>             | <input type="text"/> |                      |
| Email address                    |                      |                      |
| <input type="text"/>             |                      |                      |

## 3. Proposed building work

|                                                           |                                                 |  |
|-----------------------------------------------------------|-------------------------------------------------|--|
| Street number (or Lot & DP Number)                        | Street                                          |  |
| <input type="text"/>                                      | <input type="text"/>                            |  |
| Suburb                                                    | Postcode                                        |  |
| <input type="text"/>                                      | <input type="text"/>                            |  |
| Council area                                              | Council development application approval number |  |
| <input type="text"/>                                      | <input type="text"/>                            |  |
| Complying development certificate approval number         | Certifier number                                |  |
| <input type="text"/>                                      | <input type="text"/>                            |  |
| Description of building work (as per development consent) |                                                 |  |
| <input type="text"/>                                      |                                                 |  |

### 3. Proposed building work *(continued)*

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 [owner-builder education](#) or equivalent accreditation requirements?

☐ 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](#)" 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?
- 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

☐ 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
- 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

☐ 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 be not be covered by a contract of insurance under the Home Building Compensation Fund.

Title Given name(s)

|  |  |
|--|--|
|  |  |
|--|--|

Family/Surname

|  |
|--|
|  |
|--|

Signature

|  |
|--|
|  |
|--|

Date signed (DD/MM/YYYY)

|  |
|--|
|  |
|--|

Title Given name(s)

|  |  |
|--|--|
|  |  |
|--|--|

Family/Surname

|  |
|--|
|  |
|--|

Signature

|  |
|--|
|  |
|--|

Date signed (DD/MM/YYYY)

|  |
|--|
|  |
|--|

## 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:

- a) I have sought to carry out residential building work on this land, under the authority of an owner-builder permit issued in my name
- b) that I will occupy this residence upon completion
- c) 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
- d) 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
- e) 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.

## 6. Declaration for the owner of the prescribed land applying for the permit *(continued)*

Title Given name(s)

Family/Surname

Signature

Date signed (DD/MM/YYYY)

## 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.

Title Given name(s)

Family/Surname

Signature

Date signed (DD/MM/YYYY)

## 7. Additional declaration by the applicant *(continued)*

### Privacy Statement

NSW Fair Trading, Department of Customer Service gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with the *Privacy and Personal Information Protection Act 1998* (PPIP Act). Service NSW acts as a shopfront for us and performs transactions for you, on our behalf.

The personal information contained in your application is collected and held by NSW Fair Trading and Service NSW will collect and hold personal information on our behalf as part of the application process.

We are collecting your personal information for the following purposes:

1. To process your application for a Home Builder permit under Part 3, Division 3 of the *Home Building Act 1989* and clause 19 of the *Home Building Regulation 2014*.
2. Internal administrative purposes, including liaising with you in relation to your application.
3. We may use the information to support more informed policy making, program management, evaluation, research and service planning as it can facilitate more efficient service delivery for residents and business in NSW.
4. As required by legislation to record information on a public register, parts of which will be published online.

The consequence of not providing it is that your application may not be able to be determined. We may use the personal information contained in your application to confirm your details if you make any subsequent applications in relation to any licence or authority issued by NSW Fair Trading. We may also use it to administer/ update our customer database, including to send you information that we consider important such as reminders to renew licences.

We will store and manage your personal information in accordance with provisions under the PPIP Act.

If required, we may make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes. We may disclose your personal information for these purposes.

We will not disclose your personal information to anybody else unless you have given consent, or we are authorised or permitted to do so by law. Our [Privacy Statement](#) describes when this may occur. You can find this information and our [Privacy Management Plan](#) on the Department of Customer Service website.

Please see the Fair Trading Privacy [Code of Practice](#) for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint, or email [brdprivacy@customerservice.nsw.gov.au](mailto:brdprivacy@customerservice.nsw.gov.au).

For more information about how Service NSW handles personal information please visit [www.service.nsw.gov.au/privacy](http://www.service.nsw.gov.au/privacy).

## 8. Supporting documents and applicant's checklist

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

- |                                                                                                                                                                                                                          |                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 1. Notice of Determination - Approval - Copy of development approval (CDC or DA) from a certifying authority.                                                                                                            | <input type="checkbox"/>                                             |
| 2. Evidence of Land Ownership Council Rate Notice up to 1 year old.                                                                                                                                                      | <input type="checkbox"/>                                             |
| 3. Evidence of "current general construction induction training card - Work Health and Safety Regulation 2011".                                                                                                          | <input type="checkbox"/>                                             |
| 4. Evidence of approved training or equivalent accreditation if the value of the building work exceeds \$20,000 e.g. completion of the <a href="#">owner-builder education</a> requirements or equivalent accreditation. | <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| 5. Additional Details Form 7 if applicable ( <i>i.e. if applying for 2<sup>nd</sup> permit within 5 years or applying for a permit in respect of a dual occupancy</i> ).                                                 | <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable |
| 6. Proof of Identity documents.                                                                                                                                                                                          | <input type="checkbox"/>                                             |
| 7. Where work relates to a secondary dwelling or dual occupancy, copies of approved plans that accompanied the DA or CDC.                                                                                                | <input type="checkbox"/>                                             |

**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<br>POI List 1 document<br><i>Example: Australian<br/>Passport</i> | Document<br>number | Date of<br>issue | Expiry<br>date | Place of<br>issue | Original document<br>sighted by<br>(please print name) |
|---------------------------------------------------------------------------------|--------------------|------------------|----------------|-------------------|--------------------------------------------------------|
|                                                                                 |                    |                  |                |                   |                                                        |

**Applicants MUST provide two (2) documents from the below table, noting that:  
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.

Checking Officer's given name and initial of family/surname

Location of SNSW/GAC

Date (DD/MM/YYYY)