



Approval

Owner-builder

Form 75

Use of this form

This form is to be used by land owners applying to the Building Services Board for owner-builder approval granted under the *Building Services (Registration) Act 2011*.

Who needs an owner-builder approval?

A land owner wanting to carry out building work as an owner-builder where the value of the work is \$20,000 or more must first obtain an approval from the Building Services Board. An owner may apply for owner-builder approval if he or she intends to be named as the builder on the building permit for the building work.

An owner-builder approval is not a building permit. Before commencing to build, an owner-builder must still obtain a building permit from the local government permit authority.

Who can be an owner-builder?

An owner-builder approval can only be granted to individuals. Owner-builder approval cannot be granted to a corporate body, a trust or other entity that is not an individual. For the purposes of an owner-builder approval, an 'owner' is:

- an individual whose name is registered as a proprietor of the land; or
- an individual with a lease-hold interest in the land if the terms of the lease allow the lessee to undertake building work without the consent of each person whose name is registered as a proprietor of the land; or
- an individual with an interest as a purchaser under a contract to purchase an estate in fee simple in the land.

More than one owner

Owner-builder approvals are issued to all owners of the land. All owners must participate in this application and sign the application form.

What an owner-builder can build

Owner-builder approval can only be given for a single-residential building on land where the owner intends to reside, or a non-residential structure or small commercial building intended to be occupied or used by the owner. Approval cannot be given for a building that is intended to be rented out.

Responsibilities of an owner-builder

Under the law, an owner-builder takes on the responsibilities of a builder, such as:

- obtaining a building permit and other approvals before commencing construction;
- managing and supervising the works;
- complying with building standards and with requirements applicable when building work may affect other people or other land; and
- complying with occupational health and safety and other requirements applicable to the building work.

Like a registered builder, an owner-builder may be liable for defects that become apparent when the building is in use.

When an owner-builder approval expires

An owner-builder approval expires six months after it is granted unless within the six month period the owner-builder applies for a building permit for building work on the relevant land.

If the owner-builder applies for a building permit and the permit is refused the owner-builder approval expires when the building permit is refused. If the building permit is issued the owner-builder approval expires when the building permit ceases to have effect.

Home indemnity insurance

If an owner-builder intends to sell his or her dwelling within seven years of the issue of the building permit the owner-builder must provide the purchaser with home indemnity insurance.

Repeated owner-building

An owner-builder approval can only be granted if the owner-builder has not been issued with a building permit in the preceding six years. An owner can apply for an exemption from this rule.

Registered building contractors

Registered building contractors are not required to complete this owner-builder application form. Registered builders intending to build their own principal place of residence may lodge a Registered Building Contractor – Building a Principal Place of Residence – statutory declaration form.

Application fee

The non-refundable application fee is:

- \$155.00 for an application for a detached dwelling including a garage, shed or other building associated with a dwelling; or
- \$416.00 for an application for a small commercial building.

GST is not payable on these fees.

Lodge and pay

Pay for and lodge your application including attachments:

**By post**

Lodge your application and pay by cheque or money order made payable to the Building Commission or pay by card using the payment slip on the form.

Building Commission
Locked Bag 14
Cloister Square WA 6850

**In person**

Lodge your application and pay by cash, cheque, money order or card at the Building Commission counter.

Building Commission
Mason Bird Building
Level 1, 303 Sevenoaks Street
Cannington WA 6107

Office hours are:
Mon–Fri 8:30 am to 4:30 pm.

After your application is lodged

When the Building Commission is satisfied that your application is complete and payment is received, the Building Commission will refer your application to the Board for a decision on granting an approval.

Incomplete applications

The Building Commission cannot process incomplete applications. If your application is incomplete at the time of lodgement it will be returned. If your application is later found to be incomplete or is not fully informative, you will be requested to provide outstanding or additional information. If you do not provide the information by the date stated in the request your application will be returned. The fee will not be refunded.

Return of documents

Unless an application is rejected as incomplete, the Building Commission does not return documents lodged with applications. If you need a copy of your application or attached documents, please make a copy before you lodge your application.

SAT review of Board decisions

If you are aggrieved by a decision of the Board refusing your application for owner-builder approval or imposing a condition on your approval you may apply to the State Administrative Tribunal for a review of the decision.

More information

If you need more information about the status of your application, or about owner-builder approvals generally, please call 1300 489 099, or email ownerbuilders@commerce.wa.gov.au.



OFFICE USE

Owner-builder approval

**Form
75**

Your application cannot be assessed unless all sections are completed and all attachments are provided.

PROPERTY OWNERS

Each owner must provide personal details and address information below. If there are more than two owners attach another page with information for each remaining owner.

Owner/applicant 1 – personal details – primary contact for this application.

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Salutation	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Other please specify	<input type="checkbox"/>
Family name					<input type="checkbox"/>
First name					<input type="checkbox"/>
Other name(s)					<input type="checkbox"/>

Address and contact details

Street				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>
Phone (home)	()	Phone (work)	()	<input type="checkbox"/>
Phone (mobile)		Fax	()	<input type="checkbox"/>
Email				<input type="checkbox"/>

Owner/applicant 2 – personal details

Salutation	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Other please specify	<input type="checkbox"/>
Family name					<input type="checkbox"/>
First name					<input type="checkbox"/>
Other name(s)					<input type="checkbox"/>

Address and contact details

Street				<input type="checkbox"/>
Suburb		State	Postcode	<input type="checkbox"/>
Phone (home)	()	Phone (work)	()	<input type="checkbox"/>
Phone (mobile)		Fax	()	<input type="checkbox"/>
Email				<input type="checkbox"/>

OWNER-BUILDER ELIGIBILITY**Use of the building**

Owner-builder approval can only be granted to person(s) who have ownership of/interest in the land and intend to reside at, occupy or make use of the building when completed.

Approval cannot be given for a building that is intended to be rented out.

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- 1 I/we intend to reside at, occupy or make use of this building when completed. Yes No

If you answered 'yes', answer question 2.

If you answered 'no', you are not eligible for owner-builder approval.

Cost of building work

Owner-builder approval is only required where the value of the building work is greater than \$20,000.

- 2 Is the estimated value of the building work, including all materials, labour and GST greater than \$20,000? Yes No

If you answered 'yes', answer question 3.

If you answered 'no', owner-builder approval is not required.

Previous owner-builder approval

Owner-builder approval can only be granted once every six years from the date the related building permit was issued, unless a waiver is granted by the Building Services Board.

Application for a waiver can be made on Form 76 – Request for Waiver Owner-builder Approval.

- 3 I/we have been granted owner-builder approval within the last six years. Yes No


If you answered 'yes', answer question 4.

If you answered 'no', proceed with this application.

- 4 I/we have been issued a building permit as an owner-builder in the last six years. Yes No

If you answered 'yes' to question 4, you must apply for and be granted a waiver prior to lodging this application. If you have been granted a waiver, provide a copy of the letter you received.

If you answered 'no' to question 4, provide written confirmation from your local government that no permit was issued.

-  Attach a copy of your waiver letter or written confirmation from your local government to demonstrate your eligibility to apply for another owner-builder approval within six years. Attached

PROOF OF INTEREST IN THE LAND

An owner-builder approval can only be granted to individuals. Owner-builder approval cannot be granted to a corporate body, a trust or other entity that is not an individual.



Provide one of the following as evidence of ownership of/interest in the land.

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- Certificate of Title Attached

Attach a printed copy of the Certificate of Title naming the applicant(s) as the owner, and issued by Landgate within the last three months.
- Lease arrangement Attached

Lease arrangement that allows the applicant to carry out building work without the consent of each person whose name is registered as the proprietor of the land.

Also attach a copy of the Certificate of Title issued by Landgate, within the last three months, to verify the owners of the land.
- Contract to purchase Attached

Attach a copy of your contract to purchase land in fee simple (unconditional) which is less than three months old, where a Certificate of Title naming the applicant(s) as the owner is not yet available from Landgate.

PROOF OF IDENTITY

All owners must provide proof of identity.



For each person listed as having ownership of/interest in the land, attach a copy of one of the following documents.

- Passport Owner 1 Attached
- Proof of age card Owner 2 Attached
- Occupational licence Owner 3 Attached
- Birth certificate Owner 4 Attached
- Drivers licence
- Medicare card
- Public service employee identification
- Australian student card

DESCRIPTION OF OWNER-BUILDER PROJECT

Proposed owner-builder work

An owner-builder can build:

- Class 1a(i) – build, renovate, or extend a single-residential detached house or a habitable building on the same property but separate from the main house, such as a granny flat;
- Class 10 – non-habitable building or structure such as a private garage, carport, or shed; or
- Small commercial building – one or two storey building with a total floor area of less than 500m² that is not a Class 1a(i) detached house, a Class 10 building, or a farm building.

Select as many as applicable below to best describe your proposed owner-builder project.


- New Class 1a(i) detached house
- Renovation or extension of a Class 1a(i) detached house OFFICE USE
- Ancillary dwelling separate from a Class 1a(i) detached house
- Transportable Class 1a(i) detached house 1(a)(i)
- Separate garage or carport Class 10 building
- Separate store or shed Class 10 building 10
- New small commercial building
- Renovation, extension or fit-out of a small commercial building SC
- Other: _____

Plans for the owner-builder project

It is a condition of owner-builder approval that the project you build remains consistent with the plans provided with this application. Plans may be drafted using software or by hand; must show sufficient detail to build the project; must show how the adjoining property would be affected; and are not required to be certified.

Indicate which option below best matches your project and provide the requested documents.

- Professionally documented – provide site, floor, and elevation plans only. □
- Kit build – provide site plan, kit floor plan, kit elevation plan, and cover page of manufacturers manual only. □
- Transportable building – provide site, floor, and elevation plans only. □
Where floor plans are not available, photos of the existing building prior to transportation may be provided.

 Attach site, floor, and elevation plans only; or alternative documentation as specified above. Attached □

Site address of the owner-builder project

Lot number		Street number		□	
Street					□
Suburb		State	Western Australia	Postcode	□
Local government					□

OWNER-BUILDER COMPETENCY

Assessing the owner-builder's competency

Owner-builders must have knowledge of the duties and responsibilities of an owner-builder, particularly: occupational health and safety, knowledge and experience of construction, and capacity to ensure that the applicable building standards are met.


Nominate one owner/applicant, who will be supervising the work, and demonstrate their competency.

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Name		<input type="checkbox"/>
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Site occupational health and safety

Complete the Construction Induction training course CPCCOHS1001A – Work safely in the construction industry. Both the 'white' and WA 'blue' types of cards are accepted as evidence that induction training has been completed.

 Attach a copy of your white or WA blue card or evidence of completion of CPCCOHS1001A – Work safely in the construction industry. Attached

Construction knowledge or experience

Select one of the pathways below to show your relevant knowledge or experience.

- 1 Currently registered in Western Australia as a building practitioner

- 2 Currently registered in Western Australia as a building surveying practitioner

- 3 Currently registered in Western Australia as a practicing architect

- 4 Currently licensed/registered in Western Australia in a building trade – electrician, painter, or plumber

- 5 Completed an owner-builder course relevant to Western Australia

- 6 Professional building related engineer – NER or CPEng

- 7 Building trade – trade certificate

- 8 Building site supervisor experience – minimum 1 year experience


- 9 Building trade experience – minimum 4 years' experience

If you selected 1, 2, 3, or 4 above, provide your licence/registration number.

Licence/registration number

If you selected 5, 6, or 7 above, provide a copy of your certificate or EA membership card.

If you selected 8 or 9 above, provide a signed statement of your experience.

 Attach evidence of your construction knowledge or experience as specified above. Attached

DECLARATION BY APPLICANT(S)

False and misleading information

Section 99 of the *Building Services (Registration) Act 2011* provides for penalties of up to \$25,000 where a person makes a false or misleading statement or provides false or misleading information or particulars as part of an application made under the Act. By signing this application form, you give consent to the Board and its staff to make enquires and to receive and disclose any information about this application.

Declaration

I/we declare that in the six years preceding the application, I/we have not been granted or issued a building permit as an owner-builder or I /we have been granted a waiver by the Building Services Board.

I/we hereby acknowledge responsibility ordinarily accepted by a registered building contractor involved in the construction of a building and that as an owner-builder I/we are to comply with:

- applicable laws such as the *Building Services (Registration) Act 2011*, the *Building Act 2011* and the *Building Regulations 2012*;
- other laws such as the *Occupational Safety and Health Act 1984*;
- the Building Code of Australia and other standards applicable to the work;
- planning requirements and provisions for the protection of adjoining property.

I/we acknowledge that it is an offence to enter into a contract to sell or otherwise dispose of a dwelling constructed pursuant to an owner-builder permit within seven years of the issue of the permit unless a policy of Home Indemnity Insurance is in force.

			OFFICE USE
Owner 1	_____	_____	<input type="checkbox"/>
	Full name of applicant 1	Signature of applicant 1	
Owner 2	_____	_____	<input type="checkbox"/>
	Full name of applicant 2	Signature of applicant 2	
Owner 3	_____	_____	<input type="checkbox"/>
	Full name of applicant 3	Signature of applicant 3	
Owner 4	_____	_____	<input type="checkbox"/>
	Full name of applicant 4	Signature of applicant 4	



Attach another copy of this page if there are more than four owners. Attached N/A

Checklist - Use this checklist reminder to ensure that you complete all parts of your application and attach all necessary supporting documents.

- Contact details provided for each person listed on the Certificate of Title/lease
- Owner-builder eligibility questions 1 to 4 answered and if required, documents attached
- Evidence of ownership attached – copy of the Certificate of Title/lease/contract to purchase
- Proof of identity attached – copy of one document for each person listed on the Title/lease
- Description of owner-builder project provided
 - Building plans attached – site, floor, and elevation only; or specified alternative
 - Site address details provided
- Owner/applicant to be assessed for owner-builder competency nominated
 - Evidence of completed construction induction training attached - white or WA blue card
 - Evidence of construction knowledge or experience attached or licence/registration number provided
- Declaration signed and dated by each person listed on the Certificate of Title/lease
- Payment details provided

An incomplete or inaccurate application cannot be assessed.

If you need help completing this form please call the Building Commission on 1300 489 099.

PAYMENT

Type of building and payment required

- \$155.00 Residential building
 \$416.00 Small commercial building

Payment method

- Cash
 Cheque
 Money order
 Credit card

Card authorisation

Building Commission ABN: 91 329 800417

<input type="checkbox"/> Visa		<input type="checkbox"/> Mastercard	
Card number / / /		Expiry date /	
Name on card		Amount payable \$	
Cardholder's signature		Date	
Cardholder's contact phone number			

Level 1, 303 Sevenoaks Street, Cannington, WA 6107
 Locked Bag 14, Cloisters Square, WA 6850 | 1300 489 099
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