

## OWNER BUILDER APPLICATION FORM RESIDENTIAL PROJECT

Property Address \_\_\_\_\_  
I, \_\_\_\_\_ being the owner of the above mentioned property hereby  
apply to a building permit as an 'owner builder'.

1. Any person who undertakes building work for me to a value exceeding \$16,000 (inclusive of materials) is required to be a registered building practitioner and to carry the appropriate insurance. I undertake to furnish to the Relevant Building Surveyor the name, category/class and building practitioners' number on all persons who undertake building work where the value exceeds \$16,000. (Section 136(2) Building Act 1993 – maximum penalty of 100 penalty units for natural person & 500 penalty units for body corporate & 176(2A) Building Act 1993 – maximum penalty of 100 penalty units).
2. I am required to enter into a written major domestic building contract with tradespersons including carpenters, bricklayers, concreters, roof tilers, cabinet makers/kitchen companies, re-stumpers, demolishers, re-roofers and bathroom renovators where the value of their building works is in excess of \$10,000. The tradespersons are required to be registered building practitioners with the Building Practitioners Board and provide the appropriate warranty insurance for their component of the building work.
3. If I sell the building within 6.5 years of the date of issue of an occupancy permit or certificate of final inspection in respect of this building work I am required to:
  - Obtain an inspection report to the building work carried out (prepared by a Prescribed Practitioner not more than six months before entering into a contract to sell the building listing the details of the building work, conditions, defects, incomplete work etc) and,
  - Take out an appropriate insurance policy (obtain the Prescribed Warranty Insurance cover for the building work, which will cover the time remaining of the 6.5 years, which commences from the date of completion of the building work). (Section 137B Building Act 1993 – maximum penalty of 100 penalty units.)
4. I am aware that I need to have the necessary knowledge and experience to act as an owner builder.
5. I do not intend any other person apart from myself to supervise or manage the building work.
6. After the issue of a building permit, I am required to notify the relevant building surveyor in writing within 14 days after any change in the name or address of the owner or of any builder carrying out the building work. (Regulation 42 Building Regulations 2018).
7. After the issue of a building permit, I am responsible to notify the relevant building surveyor without delay after the completion of each mandatory notification stage of that work. (Section 33(1) Building Act 1993 – maximum penalty of 10 penalty units).
8. If I sell the building within the 6.5 years of the date of issue of an occupancy permit or the certificate of final inspection, the contract of sale must include details of the aforementioned inspection report and insurance policy as well as a warranty that:

I have procured a policy of insurance in the name of the purchaser and I have sighted a condition of a contract of sale which requires a policy of insurance in the name of the purchaser (for auction – subject to completion of name of successful purchaser) indemnifying the purchaser against all losses and damage during the period of insurance which result from:

- **Any breach of the implied warranties, and**
- Alternative accommodation, removal and / or storage costs reasonably associated and necessarily incurred as a result of any event under (i),
- All domestic building work was carried out in a proper and workmanlike manner,
- All materials used in the domestic building work were good and suitable for the purpose that they were used, and unless otherwise stated, those materials were new, and,
- All domestic building work was carried out in accordance with all laws and legal requirements.

The estimated cost (including GST) for the proposed building work is \$ \_\_\_\_\_

*This figure is based on present day market value or replacement cost and includes a reasonable value for all intended work and materials provided by the owner builder.*

**Signature of owner builder** \_\_\_\_\_ **Date** \_\_\_\_\_

**Contact Phone Number** \_\_\_\_\_ **Email** \_\_\_\_\_

**Notes/conditions of application**

- Building levy is determined from the value of building work or replacement value. An audit may occur if amount indicated on this form is considered inaccurate or inconsistent with industry standards. Levies are collected by Red Textas and forwarded monthly to the Victoria Building Authority.
- Applicants are obliged to indicate on this form any building work that is proposed to be carried out by owner or other persons.
- The signing of this form acknowledges that there has been no other building surveyor appointed for the proposed works.
- The signing of this form acknowledges that no building work has commenced and an understanding that no building work may commence until the applicant has received the building permit.
- If in the event that building enforcement work needs to be carried out (i.e. issuing of Building Notices and/or Orders) this will be charged separately at standard industry rates. Same applies to Building Permit Variation and other work non-specified at this time.
- Red Textas engagement is dependent on the property owner's appointment pursuant to Sections 76 & 78 of the Building Act. Work will commence only after appointment has been provided.