



OWNER - BUILDER OBLIGATIONS

Definition of roles and responsibility

An owner-builder is anyone who takes on the job of managing their own residential building project and performs the coordinating and contracting roles usually undertaken by a builder.

As an owner-builder you are responsible for the following:

- Overseeing and scheduling all aspects of the building process, such as the arrival and departure of tradespeople, ordering and delivery of materials, and management of the building site;
- Notify adjoining owner/s of an intention to perform building work which may affect adjoining property;
- Obtaining all necessary Council and Authority approvals for the work;
- Notify your council at prescribed stages of the building work;
- Ensuring that all relevant laws are complied with;
- Taking out insurance if you sell your home within seven years of building it;
- Submit a signed statement of compliance to the relevant authority on completion of the building work.

You will need to organise the work of tradespeople on your project. But first, you will need to find them. You could find that the following approaches may be useful:

- Ask other people for their personal recommendations;
- Ask other people in the industry;
- Ask the relevant industry association for a list of contractors working in your area;
- Look for advertisements on television, radio, in home buyer magazines or the local newspaper;
- Look in trade directories;
- Look in the Yellow Pages;
- Look in the Holdfast Bay Community Services Directory.

Once you find a tradesperson, and before you sign any contract, it is your responsibility to remember to:

- Ask to see their license, making sure that it is current and that the tradesperson is licensed for the type of work you want done, and
- Call the Office of Consumer & Business Affairs or contact any Fair Trading Centre to do a licence check.

Once you decide on a quote, you should get a written contract to sign. Since 1 May 1997, the law states that all contracts for work with a labour content over \$200 in the residential building industry must contain the following:

- The contract must be dated and show the name of the contractor and the consumer, the contractor's licence details, and a sufficient description of the contracted work, including any plans and specifications;
- The contract price must be prominently displayed on the front page, and there must be a warning if it is subject to change;
- The contractor must give the consumer a copy of the contract within 5 working days of entering the contract;
- There can be no compulsory arbitration clause in any home building contract;
- The contractor must provide certain statutory warranties about the work, the materials used, compliance with the law, completion time, and that the work is fit for its intended purpose. These must be included with the contract.

If a builder or tradesperson wants you to sign a contract that does not meet all of these requirements, you should not sign it.

What will I need to be a successful Owner-builder?

There are a number of particular skills and attributes you will need to successfully complete your project:

- Project management skills
- Technical knowledge
- Financial, taxation and legal knowledge
- Site safety
- Time and availability

Want to know more?

The above information is advisory and a guide only to give you a general understanding of the key points associated with the approval system. It is recommended that you seek professional advice or contact the City of Holdfast Bay regarding any specific inquiries or for further assistance concerning the use and development of land. Being properly prepared can save you time and money in the long run.

While care has been taken to ensure the accuracy of material contained in this publication, no responsibility will be accepted for any errors or omissions.

City of Holdfast Bay – Contact details

24 Jetty Road, Brighton

PO Box 19, Brighton SA 5048

Telephone (08) 8229 9999

Facsimile (08) 8298 4561

Website <http://www.holdfast.sa.gov.au/>