ABSOLUTE Education Pty. Ltd.

Becoming an Owner-Builder in A.C.T.

Quick Start Guide

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1 OWNER-BUILDER FLOW CHART 4

2 INTRODUCTION 5

2.1 About this course 5
2.2 Who Should Read this Manual 5
2.3 What are the Key Points for an Owner-Builder 6
2.4 Things to consider before becoming an Owner-Builder 6
2.5 Degree of Involvement of the Owner-Builder 8
2.6 Funding the Owner-Builder Project 8
2.7 Progress payments 9
2.8 Taxation related concerns 9
2.9 The Responsibilities of the Owner-Builder 9

3 OWNER-BUILDER LICENCE 11

3.1 What is Owner-Builder work? 11
3.2 How long before I can build on another site as an Owner-Builder? 11
3.3 Who is not eligible for an Owner-Builder Licence? 11
3.4 Owner-Builder check List 12
3.5 Supporting Documentation, The Planning & Land Authority require; 12

4 PREPARING TO START BUILDING 13

4.1 Discuss your plans with your neighbours. 13
4.2 Exempt Developments. 14
4.3 Design Documentation. 14
4.4 Planning Considerations. 15
4.5 Dual occupancy and subdivision 16
4.6 Approval Checklist 17

5 CONTRACT INFORMATION 18

5.1 Contract Recommendations. 18
5.2 What needs to be in the contract? 18
5.3 Contracts and GST. 19
5.4 Progress Payments. 19
5.5 Variations and additions to a contract 20

6 INSURANCE 22

6.1 Introduction 22
6.2 Builders All-Risk/Construction Insurance 22
6.3 Public Liability Insurance 23
6.4 ACT WorkCover 23

7 OCCUPATIONAL HEALTH & SAFETY (OH&S) 25

7.1 What is Occupation Health & Safety (OH&S) 25
7.2 Warning about Asbestos and Other Hazardous Products 26

8 DESIGN AND COST MANAGEMENT. 27

8.1 Design & Architects 27
8.2 Building Specification 27
8.3 Quantity Surveyor 28
8.4 Using the included Cost control monitor. 29

9 COMPLETION OF BUILDING WORK 30

9.1 Compulsory site Inspections 30
9.2 Occupancy Certificate 30

10 PLANNING AND BUILDING TIPS 31

10.1 Organisation 31
10.2 Suggested Construction Sequence & Important Notes 31
10.3 Arrange your contractors and Materials before starting work 32
10.4 Site Preparation and Set Out. 33
10.5 Plumbers – Pipes and Drains 33
10.6 Excavations 33
10.7 Drainage 34
10.8 Termite Treatment 34
10.9 Concrete Slab 35
10.10 Plumber 36
10.11 Vapour barrier and reinforcement 36
10.12 Framing 37
10.13 Floor Framing 38
10.14 Wall frames and Roof Trusses 38
10.15 Windows and external doorframes 39
10.16 Walls – Bricklayer 39
10.17 Roof Guttering – Plumber 40
10.18 Roof Covering 40
10.19 External doors – Carpenter 40
10.20 Wiring – Electrician 40
10.21 Telephone 40
10.22 Gas 41
10.23 Wet area flashing for Bathroom, Laundry and kitchen 41
10.24 Wall linings 41
10.25 Internal Linings – Plasterer 41
10.26 Joinery and fix out – Carpenter 42
10.27 Wall and Floor tiling 42
10.28 Painting 42
10.29 Final Fit Out – Plumber 43
10.30 Final Fit Out – Electrician 43
10.31 Finish up 43

11 PREVENTING AND RESOLVING YOUR DISPUTES 45

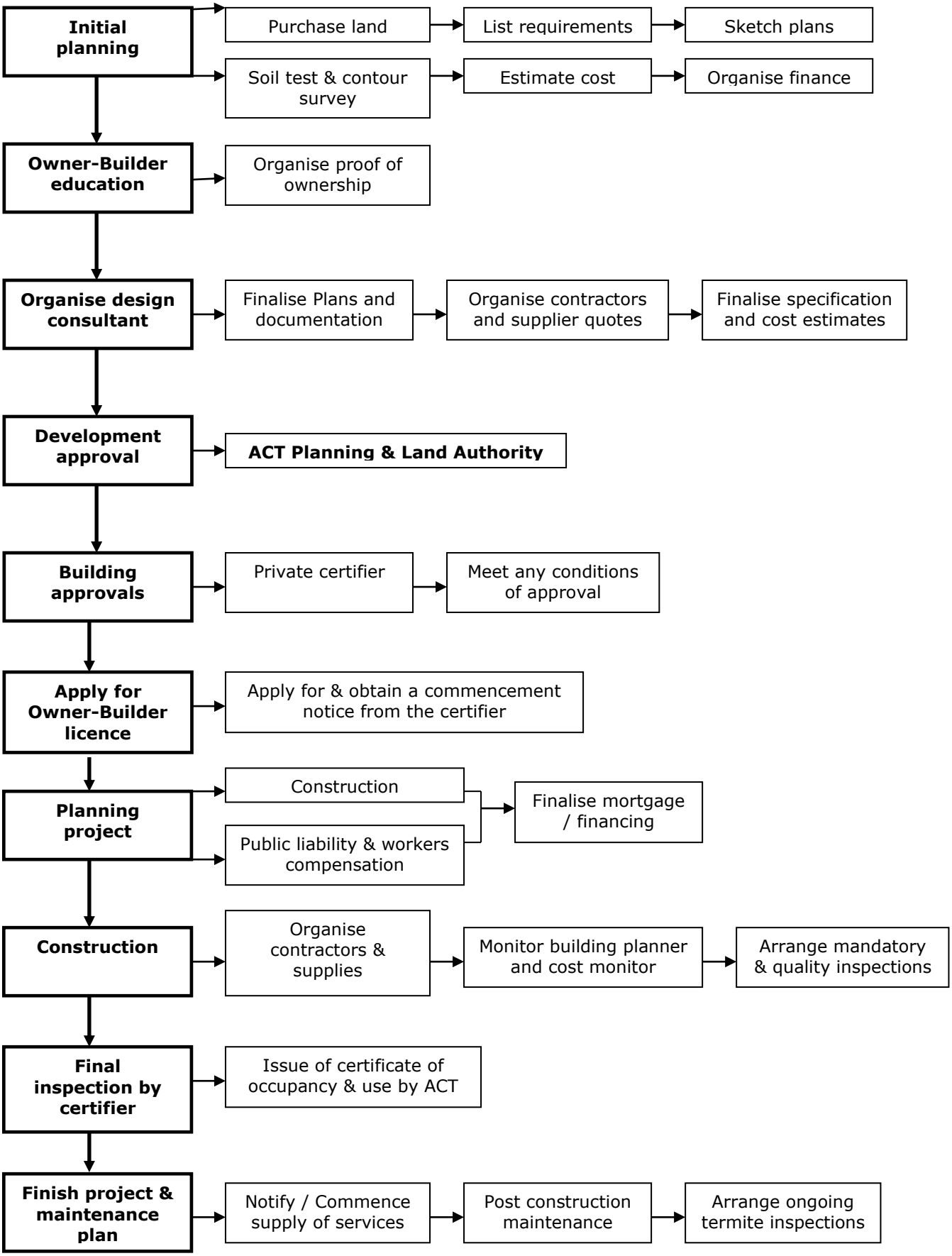
11.1 Dispute Prevention 45
11.2 Resolving your disputes 45
11.3 Dispute Checklist 46

12 MAINTAINING YOUR PROPERTY 47

12.1 General Maintenance 47
12.2 Australian Standards 47

13 USEFUL LINKS 48

1 Owner-Builder Flow Chart



2 Introduction

2.1 About this course

This course material has been designed to provide an insight into greater protection for consumers, building contractors and genuine Owner-Builders. The provisions allow genuine Owner-Builders to build their own home or extend their own home on their own land. Genuine Owner-Builders are not in the business of building and are limited to building on one block of land in a five-year period.

Limitations on Owner-Builder activity reinforce the distinction between Owner-Builders and registered building contractors who are allowed by law to carry out a business of constructing residential buildings.

This course has been produced to make prospective Owner-Builders aware of the risks and possible pitfalls of undertaking an Owner-Builder project and to assist them to understand the responsibilities and obligations of an Owner-Builder under Australian Capital Territory law so that future buyers of homes that have been built or renovated by an Owner-Builder can be assured that the Owner-Builder was aware of and complied with regulatory requirements.

2.2 Who Should Read this Manual

Any land-owner who plans to build **A HOUSE OR EXTEND A HOUSE** on his or her land and either carry out the building work personally, or coordinate the necessary tasks to construct the building is considered to be an Owner-Builder and should read this course material.

An Owner-Builder is primarily involved in building. When people say they intend to be an "Owner-Builder", this may mean different things to different people. There are three possible scenarios**:**

- You take on the role of the builder and build everything yourself without engaging trades people (except in areas where licensed trades people are required by law such as plumbers and electricians);
- You are the builder and do some of the work yourself and you will oversee the project through to completion, but will hire subcontractors or trades people to do part of the building work (for example framing or roofing); or
- The Owner-Builder is the construction manager, you organise all the materials and subcontractors (including perhaps a registered building contractor) to create your

home. You carry insurances, organise site management, and organise inspections of the progress of works.

In all cases, you are the responsible builder and you should read this Manual.

2.3 What are the Key Points for an Owner-Builder

- You are restricted to building or extending a house and associated building work on the one parcel of land in any five year period (these building works may include more than one building and involve more than one Owner-Builder licence);
- You must obtain an Owner-Builder Licence from the ACT Planning & Land Authority if intending to carry out building work;
- You must provide the Owner-Builder Licence to a registered Building Certifier in order to obtain a Building Commencement Notice prior to commencing prescribed building work;
- You may be responsible for rectifying any noncompliant prescribed building work for ten years from the date of completion of building;

Note 1: Construction of duplexes, townhouses, flats or units require a licenced builder and cannot be undertaken by an Owner-Builder.

2.4 Things to consider before becoming an Owner-Builder

Many people wish to be more directly involved with the construction of their own home. There are many reasons for this. One is to satisfy a desire for self expression. The other is a belief that it may save money. Of course, whether you can do it yourself competently while actually saving money will depend on your level of involvement in the many and varied tasks to be undertaken.

Your dream home can become a nightmare if you do not plan correctly. Research, administration, organisation and communication skills are just as important as technical building skills for the Owner-Builder. An Owner-Builder effectively assumes the responsibilities, risks and liabilities of a licenced builder.

Some of these risks can include:

- Financial risks
  - Project cost increases as a result of poor estimating;
  - Rework due to faulty workmanship and/or noncompliance;
  - Variations from the original plans;
  - Loss by theft or fire on the site;
  - Site protection costs (security, safety);

- Occupational health and safety claims;
- Adjoining property owner claims.

- Quality risks
  - Adequacy of drawings and specifications;
  - Standard of workmanship by others;
  - Compliance with regulations (building, occupational health and safety, etc);
  - Technical ability to direct and assess workmanship.
- Time risks
  - Identification and engagement of suitable trades-people;
  - Coordination and continuity of work;
  - Completion of work.
- Future risks
  - Cost of rectifying noncompliant building work within prescribed time period.

Many of these risks may influence the cost of building work.

The *Construction Occupations (Licensing) Act 2004* provides for the licensing of construction practitioners and this has many advantages to offer consumers. Risks are reduced where a licensed construction practitioner provides a building license.

Before deciding to become an Owner-Builder, ask yourself these questions:

1. How much of your work and time can you dedicate to the project?
2. What is your knowledge of the building industry?
3. Are you willing to be called back by subsequent owners to rectify noncompliant building work?
4. If intending to use subcontractors, are you qualified or capable to supervise ALL construction work, and have you the ability to coordinate the flow of work by subcontractors to enable you to complete the project inside your time and cost schedule and the period allowed by the Owner-Builder license to complete the work (Usually 3 years)?
5. Are you able to handle financial or contractual disputes and oversee subcontractors?
6. What about your availability to be onsite to receive materials and ensure that they comply with specifications of required quantity and quality?
7. Do you have the ability to distinguish technically what is defective building work?
8. Are you aware of the occupational health and safety laws for safety on the building site?
9. Are you able to predict material and labour cost increases during the project, and will you have sufficient money left over to decorate your home?

10. Are you able to determine if your proposed home site contains reactive clay or problem soils?
11. Are you aware of time limits that apply to Owner-Builder licences?
12. Are you sure of the exact boundaries of your land as this is your responsibility? You may have to engage a licensed surveyor to check if the boundary pegs are in the correct place.
13. Are you aware of and able to make appropriate payments to all contractors and be aware of obligations of the Australian Taxation Office for taxation and superannuation requirements?

2.5 Degree of Involvement of the Owner-Builder

The intending Owner-Builder should consider their family's needs. The role of an Owner-Builder is demanding, especially if you have a full time job and a family to support. A building project will need the full support and cooperation of those around you.

As an Owner-Builder you have decided to take on all the tasks that a builder must do to complete a successful construction project. You must allocate time almost every day to visit the site and keep activities to schedule, check occupational health and safety requirements, order materials, visit suppliers and hardware stores and make phone calls to remind tradesmen to advise you of delays or revised site timing schedules.

Calculate your commitment time to the project. The cost of time spent on the project must be measured against money lost as foregone normal earnings that you would have received through your normal means of employment, not to mention the time with your family.

2.6 Funding the Owner-Builder Project

The Owner-Builder must be able to meet the cost of the building work and most will need to borrow money. Many first home-owners have high expectations regardless of whether they can afford a large house with all "top of the range" appliances.

However, Owner-Builders should not over commit to a large mortgage with the constant worry that a rise in interest rates will see them lose their dream home.
When approaching your bank or financial institution for a loan to build they will usually require the name of the builder, so as you are going to build it yourself as an Owner-Builder you should consider the following issues.

- Are you experienced enough to complete the project within budget?
- Is the house able to be sold if you run out of money before completion?

The more experienced you are, the better chance you have of getting a loan. As the financial institution needs security on your home or proposed building project, the answer to these questions will affect the amount that is obtainable from these institutions.

2.7 Progress payments

An Owner-Builder is responsible for paying subcontractors without delay when their work is completed.

Where there is no written contract, the legislation prescribes fair and reasonable payment terms. In the event of a dispute, this legislation provides an effective and swift dispute resolution process with qualified experts registered to adjudicate disputes.

2.8 Taxation related concerns

The Owner-Builder may be liable for payments of tax for the wages paid to employees and contractors during the building project. As an Owner-Builder, if you employ contractors, ACT Work Cover deems you to be an employer.

Owner-Builders are not required to submit BAS statements to the Australian Taxation Office (ATO) and are exempt from claiming GST on all products and services of their project.

Under ATO law, the property which you propose to do works on, must be your principal place of residence for at least 3 months. Failure to do so may incur Capital Gains Tax.

You should contact the ATO to clarify your obligations for taxation or visit their website www.ato.gov.au for more information.

2.9 The Responsibilities of the Owner-Builder

The Owner-Builder is responsible for the roles normally performed by the builder. This means you will be wholly responsible for the co-ordination and contracting of contractors and tradespeople. You, as the Owner-Builder, will be responsible for:

- Overseeing and scheduling all aspects of the construction process;
- Obtaining necessary approvals;
- Ensuring that the financial and insurance requirements are complied with correctly and all laws are complied with;
- Contractors are responsible to the Owner-Builder for the work they carry out;

Note 1: Ultimately you as Owner-Builder are responsible to the subsequent purchaser for the quality of the work that is undertaken.

Note 2: You are committing an offence under the Building Act if you carry out building work NOT in accordance with your approved plans.

Note 3: An Owner-Builder is responsible for rectification of faulty works for 10 years.

3 Owner-Builder Licence

3.1 What is Owner-Builder work?

"Owner-Builder work" means residential building work. Residential building work is any work (including undertaking or supervising or coordinating work) involved in:

- The construction of a dwelling;
- The alteration of, or addition or repairs to a dwelling, or
- The construction of (but not limited to) prescribed structures such as garage, shed or retaining wall.

Note 1: An Owner-Builder licence only entitles the Owner-Builder to do building work, other than SPECIALIST building work or handle asbestos, in relations to a class 1, class 2 or class 10 building that is, or is to be, the licensee's main home or ancillary to it.

Note 2: Only individuals may apply for an Owner-Builder licence. If more than one person owns the land, then all owners must consent to the proposed building works.

3.2 How long before I can build on another site as an Owner-Builder?

The ACT Planning & Land Authority cannot issue an Owner-Builder licence to a person who has already been issued an Owner-Builder licence in respect of other land unless a period of five years has elapsed since that licence was issued.

3.3 Who is not eligible for an Owner-Builder Licence?

You will not be able to obtain an Owner-Builder licence if:

- The building work does not relate to a single dwelling that is, or is to be the licensees main home or ancillary to it;
- An Owner-Builder licence has been issued to you within the last five years to carry out residential building work on another block of land owned by you;

Note 1: An Owner-Builder licence is generally valid for 3 years from the date it is issued.

Note 2: The building code in force at the time of issuance of your Owner-Builder licence is the one that is valid for your project.

3.4 Owner-Builder check List.

Details of Applicant

- Licence can only be issued in one name (i.e. for an individual; not a company);
- Provide the full address of where the work will be completed;
- Provide telephone contact details.

3.5 Supporting Documentation, The Planning & Land Authority require;

- A copy of approved building plans stamped by the certifier that include a site plan;
- Certificate from an approved Owner-Builder course e.g. this course (for class 1 building work);
- Completed application form.

Non-owner spouse or relative cannot apply for an Owner-Builder licence

Note 1: Only the legal owner can apply to obtain an Owner-Builder licence. An Owner-Builder licence cannot be issued to a non-owner spouse or relative.

4 Preparing to start building

If you plan to carry out building work on your property as an Owner-Builder, you must comply with the requirements of building legislation including the *Building Act,* Building Regulations and the Building Code of Australia (which is adopted as part of the Regulations).

Note 1: Before applying for your Owner-Builder licence, check whether you need development approval. Certain projects carry exemptions for the need of development approval. Please check with The ACT Planning & Land Authority for such exemptions.

Note 2: Before any works are allowed to commence, you MUST apply for a commencement notice from a licensed building certifier.

4.1 Discuss your plans with your neighbours.

It is a good idea to discuss your development plans with your neighbours before lodging your plans with the ACT Planning & Land Authority. It is important that your neighbours are aware of your plans and you may be able to get some important feedback from them.

Discussing your plans with your neighbours should foster a healthy relationship. It is important to remember that they will be your neighbours for a considerable amount of time. Communicating with your neighbours right from the very start is important as first impressions count and your neighbours can be a useful source of information if anything untoward happens on site. It is also a good idea to keep neighbours up to date with what is happening particularly if the construction works will create a significant amount of noise or dust.

Your neighbours may be approached for comment on the development by ACT Planning & Land Authority and given the opportunity to comment before development approval will be given.

Note 1: If ACT Planning & Land Authority does not approve your plans, you may have a right of appeal to the ACT Administrative Appeals Tribunal (AAT).

4.2 Exempt Developments.

Certain renovations that are of a minor nature do not require development approval or building approval via a private certifier. What falls into the definition of minor works can vary. You may find that your development falls into the exempt development category if your renovation works are not affecting the structure of the existing property (such as a small fence or a barbeque). In this case, you will not need to get development approval as long as you satisfy the requirements given to you by the ACT Planning & Land Authority.

Note 1: Contact The ACT Planning & Land Authority before commencing any works to ensure that those works are exempt developments or the category of development they fall into.

4.3 Design Documentation.

The standards controlling the detail of design and building construction in all States and Territories is the Building Code of Australia (BCA). The BCA addresses the technical provisions for the design and construction of buildings and structures. It is produced in two volumes:

- Volume 1 (commercial buildings, class 2 to 9 buildings) and
- Volume 2 (domestic buildings, class 1 and 10 buildings).

The BCA covers issues such as:

- Structure;
- Fire resistance;
- Access and egress;
- Service and equipment;
- Health and amenity of buildings;
- Energy efficiency.

The BCA is a complex technical, performance based document that requires a level of technical expertise to interpret. It is recommended that unless you have the appropriate technical skills, you engage an appropriately qualified draftsperson or architect to produce your building design documentation.

A house plan properly drafted provides a full specification of the work to be performed, so a correctly detailed plan saves disputes and unnecessary direction, supervision and verbal instructions to contractors or trades-people.
Plans prepared by architects and draftspersons will have copyright. A breach of copyright may also occur if copying a certain percentage of a plan. Some plans are also sold for individual use only.

If using an architect or a draftsperson there are institutes such as the Royal Australian Institute that can provide names of members.

Laws on energy efficiency for houses have applied from 1 January 2003, adopting provisions in the BCA. As these are minimum provisions there is still considerable scope for individuals to have a home designed and built incorporating design features that will exceed the minimum energy efficiency standards required. A lot of considerations that make a home more energy efficient add little to the building costs if they are incorporated into the design.

If you have queries relating to a domestic building or difficulties interpreting a provision of the BCA, you should talk to your building certifier.

4.4 Planning Considerations.

Before any work starts, and before applying for an Owner-Builder licence, you may need to obtain development approval from The ACT Planning & Land Authority.

The development approval process regulates the use and development of land by assessing proposals against the territory plan and planning legislation.

It particularly examines the impact of the proposed development or use on the surrounding area, whereas the approval process under the Building Act 2004 focuses on the proposed structure and its safety.

4.5 Dual occupancy and subdivision

Owner-Builder licences can be issued where the work relates to a dual occupancy, but only for one of the residences that is to be the licensee's main home. The person applying for the Owner-Builder permit **must** intend to reside in **one** of the residences as their main home. Dual occupancy means two dwellings on a single allotment or single title. They may be separate buildings or attached dwellings under one roof.

Note 1: Check with ACT Planning & Land Authority in relation to dual occupancy developments.

Note 2: Construction of multiple occupancy dwellings such as strata or company title blocks of flats or home units or where the works encompasses more the one title are not permitted to be completed by an Owner-Builder.

Note 3: It is recommended that council requirements be clarified before transactions to subdivide the land are carried out.

If it is your intention to later subdivide the land associated with a dual occupancy, you will not be prevented from obtaining an Owner-Builder licence. However, if the land has been divided into separate titles, it ceases to be a dual occupancy. Further, a single Owner-Builder licence cannot be issued to cover the two proposed dwellings. In this situation, you are not able to obtain two Owner-Builder licenses.

4.6 Approval Checklist

- Have you discussed development with neighbours?
- Have you provided location details? i.e.:
  - Location of building or renovation in relation to site boundaries;
  - Street name, boundary details, site details scale and north point;
  - Slope and vegetation details;
  - Location and use of existing buildings.

- Have you obtained proposed development details (whether it be a new building or renovation)? i.e.:
  - Floor Plans showing layout, partitions, room sizes and each floor section for each part of the building;
  - Elevations and section showing height of building and proposed finishes;
  - Proposed finished levels of land;
  - Design, construction and provision for fire safety & resistance (if required);
  - Specification to describe the construction, method of drainage, sewerage and water supply;
  - Building perspectives to show the proposed building;
  - Landscape plan;
  - Stormwater drainage plan and erosion and sediment control plan;
  - Details of any land filling need to be provided.

- Have you obtained a Statement of Environmental Impacts? This may include:
  - Site analysis;
  - Access and traffic;
  - Utility services;
  - Energy efficiency;
  - Waste management plan;
  - Flooding and drainage; and
  - Flora and fauna issues.

- You may need to include the following:
  - Copies of location plan of the land;
  - Copies of plan/drawings describing the development;
  - Copies of advertising / notification plans should include height of buildings;
  - Copies of all specifications;
  - Application fees;
  - Correct owner and property details.

5 Contract information.

Contracts are very important legally binding documents that can greatly reduce the amount of liability an Owner-Builder may incur as a result of their project.

5.1 Contract Recommendations.

It is a good idea to seek quotes from at least three different builders / trades people. Ask each prospective contractor to give you a list of references containing at least three jobs recently completed. Feedback received from the referees should reflect the tradesperson's claim regarding the purported quality of their work. Suggested questions to ask the referees are:

- Did the builder start the work on time?
- Did the builder finish the work on time?
- Are you happy with the quality of the finished work?
- Were extras charged for and, if so, were they reasonable?
- Did the builder use the correct materials?
- Did the tradesperson answer your enquiries in a way that you could easily understand and in a timely manner?

Note 1: Check to ensure that the builder / tradesperson has had no claims lodged against them or any outstanding Tribunal Orders not complied with.

Note 2: Ask contractors for copies of insurances prior to commencing work.

5.2 What needs to be in the contract?

As a general guideline, a contract should include the following:

- The date and signatures of both you and the builder or tradesperson;
- Your name & the name on the builder's or tradesperson's contractor licence card and the licence number;
- A sufficient description of the work to be carried out;
- The contract price which must be prominently displayed on the front page; &
- A warning and explanation if the contract price is unknown or can change.
- A clause that states that any agreement to vary the contract or any plans and specifications must be in writing and signed by both parties;
- A clause that states that all plans and specifications for work to be done under the contract (including any variations to those plans) are taken to form part of the contract;
- A clause that states the work will comply with the Building Code of Australia, standards and specifications that the work is required to comply with under any

law, and the conditions of any relevant development approval or building approval;

- A clause that states that the contract may limit the liability of the contractor to comply with the clause referred to immediately above if the failure relates solely to a design or specification prepared by or on behalf of the owner or a design or specification required by the owner if the contractor has advised the owner in writing that it contravenes the clause referred to immediately above.

Note 1: **The builder or tradesperson must give you a copy of the contract within five business days after you sign it (the weekend does not count).**

Note 2: A contract could be formed by something as simple as a quote signed by the tradesperson and yourself, but it must contain the required elements as listed above.

Note 3: Contracts define the legal relationship between yourself and the tradespeople you contract with. It is important to consider all aspects of the work to be carried out when formulating the contract. Variations to the contract can often lead to delay, disappointment and extra cost.

Note 4: You need to have 2 original copies (signed by all parties) before any work commences. Make sure you read all contracts before signing anything. These are legally binding documents that incur / exempt liability.

5.3 Contracts and GST.

Contracts should include the GST component as part of the total price of the contract.

Business Activity Statements are not the responsibility of the Owner-Builder and the Owner-Builder is not eligible to claim a refund on the GST component paid on materials or contracts (For more information visit www.ato.gov.au).

It is important that the tradesperson/builder supply tax invoices or receipts for work completed. This will ensure as far as possible that the contractor is meeting his obligations in relation to the honouring of their Pay As You Go taxation requirements. Ensuring the tradesperson supplies a tax invoice will help to avoid any disputes about payments.

5.4 Progress Payments.

Progress payments provide payment to the tradesperson prior to the completion of the work. Progress payments are more appropriate for larger jobs, to reflect the work that

the tradesperson has completed. This is usually so they can pay for materials and labour as the job progresses. The signed contract between yourself and the tradesperson should set out the agreed stages of the construction that payment can be requested. Where appropriate you may consider the negotiation of retention amounts. It is recommended that between 5 -10% of the contract price be retained depending on the contract sum. You the Owner-Builder would need to write this into the contract.

As for how much and how often progress payments are made will depend on the circumstances. The basic rule is that you only pay for work that is completed. If borrowing money to finance the construction of your home or renovation, the bank or lending institution may have special requirements for progress payments. Additional clauses in the contract may have to be inserted to cover them. It is important to have finance arranged before you enter into the contract, due to the bank or lending institutions' requirements.

Note 1: Check with your lender to see if they have any special requirements before progress payments will be released. For example some lenders may require a written report or inspection.

Note 2: If your contract has terms and conditions relating to progress payments, negotiate with your tradesperson or builder before signing, as once the contract is signed the terms and conditions in the contract are binding.

5.5 Variations and additions to a contract

A variation is a change or adjustment to what has already been agreed in the contract. A common reason for varying a contract is due to unforeseen circumstances. The builder or tradesperson may request the contract be varied where unforeseen expenses are incurred or circumstances differ materially from what was expected. (See Section 5.3 – What needs to be in a contract).

Additions are items that the homeowner wishes to add to what was previously agreed. Variations and additions can be expensive because they disrupt the builder's program and generate more work. If you do need to make a variation to the contract, make sure it is in writing and attached to the contract and signed by both you and the builder/tradesperson.

Before the work commences on the variation or addition, the builder or tradesperson should give you a written description of the work, any plans or specifications for it, the extra cost, and any extra time required to complete the work, if known. The variation should include the cost of materials and labour. Both you and the tradesperson should

sign this written variation, if you agree on the scope of the proposed work and price. If you don't agree, don't sign.

Note 1: When you negotiate your original contract, think things through and be specific as possible. This will save the need for expensive variations, delays in completing your project and possible legal costs.

Note 2: If the reason for variation is the builder's or tradesperson's fault, you do not have to pay for any extra work needed to rectify the problem and should not be pressured into varying the contract.

Note 3: As noted previously ensure that the contractor holds a current and valid licence for the type of work that they are being contracted for.

6 Insurance

6.1 Introduction

Insurance may be just as applicable to Owner-Builders as to contractors. It is recommended that you consider your exposure to claims for damages or injury. Other forms of insurance may enable you to minimise some of these risks. These include:

- Builders All-Risk Insurance;
- Workers Compensation;
- Public Liability insurance.

The homeowner should also check that each trade contractor also has their own Builders All-Risk, Public Liability and Work Cover insurances. These insurances do not cover the Owner-Builder for personal sickness and accident, for which the Owner-Builder should enquire about separately.

6.2 Builders All-Risk/Construction Insurance

Builders All-Risk/Construction Insurance should cover the Owner-Builder for loss or damage caused by fire, storm or theft to materials and work. It is important this insurance is taken out. Builders All-Risk/Construction Insurance helps avoid the delays and disputes that could result if materials or works are damaged or stolen.

It is important that you do not under quote the cost of construction when applying for the construction insurance. If you under-estimate the cost of construction at the time the insurance policy is taken out, you may inadvertently be exposing yourself to risk.

In the unfortunate event that you need to make a claim on an under-estimated insurance policy, you could be left having to cover any extra costs between what you are covered for under your policy and the actual replacement costs. This would occur where the total loss caused by catastrophe is greater than the quoted cost of construction.

Note 1: Read your insurance contract and the terms and conditions carefully before purchasing. If you are unsure about the extent of cover ask the insurance agent to clarify it for you.

6.3 Public Liability Insurance

Public Liability insurance is insurance to protect a person from losing their assets if they are sued for negligently causing damage or injury to someone else. Both the Owner-Builder and the contractors are recommended to carry Public Liability insurance to cover themselves in the event that any of them cause damage or injury to another person as a result of their activities in the construction work. In the event that the tradesperson does not have Public Liability Insurance and an injury occurs to someone else as a result of the tradesperson's negligence, you may have claims made against you if that injury occurs on your property. Public Liability Insurance should cover you in this instance, depending on the individual policy.

Note 1: If you are renovating or extending your existing home, you need to notify your insurance provider in writing before construction begins. You need to check if your home and contents insurance will cover damage or theft to

Note 2: Read your insurance contract and the terms and conditions carefully before purchasing. If you are unsure about the extent of cover, ask the insurance agent to clarify it for you.

6.4 ACT WorkCover

Workers Compensation insurance covers those employed by the Owner-Builder that are injured on the building site. It is important that you are clear on the legal relationship between yourself and the tradesperson. Even where the tradesperson is contracted to provide services to you, in the unfortunate event of injury to a contractor, you may be regarded as their employer at law. A tradesperson or builder who does not operate under a trade or company name cannot usually take out work cover insurance. You may find that it is possible that these trades people may be deemed to be your employee. You should contact ACT Work Cover before any work performed by the tradesperson is commenced.

If you employ workers ('deemed workers') you may find that your premium is higher than the standard policy.

As an Owner-Builder you should also consider insuring yourself against accident or sickness (accident and sickness insurance), especially if you have financial exposure such as a mortgage. An income protection policy will provide you with an income should you fall ill or if you are injured on site. Contact your insurer for more details, or contact an insurance broker to find the appropriate level of cover.

Note 1: Before any Owner-Builder work is commenced, contact ACT Work Cover to determine the appropriate level of cover.

Note 2: Most Owner-Builders will only require a minimum policy that costs around $120.

7 Occupational Health & Safety (OH&S)

7.1 What is Occupation Health & Safety (OH&S)

The *Occupational Health & Safety Act 1989* strives towards providing a safe working environment for all workers. As an Owner-Builder, you must provide a safe working environment for yourself and any contractors. You must ensure the health and safety of people visiting or working on your work site.

Note 1: The *Occupational Health and Safety Act 1989* is based on the principle of duty of care and covers all workplaces in ACT, including those of Owner-Builders. A summary of your responsibilities can be obtained from ACT WorkCover or downloaded from the WorkCover web site.

There is a general duty of care on the Owner-Builder to ensure the health, safety and welfare at work of all employees and others who come on to the workplace. The Owner-Builder can achieve this through:

- Ensuring that the worksite is in a safe condition, and ensuring safe entrances and exits;
- Ensuring that there is safe use, handling, storage and transport of plant and substances;
- Providing and maintaining systems of work, and working environments, that are safe and without risk to health;
- Providing the information, instruction, training, and supervision necessary to ensure the health and safety of employees;
- Providing adequate facilities for the welfare of employees.

Note 2: It is the Owner-Builders responsibility to provide contractors/workers with site induction training, which should cover all of the above mentioned points. For more information contact ACT WorkCover on (02) 6205 0200.

7.2 Warning about Asbestos and Other Hazardous Products

When doing home building, renovations or work around the home, you may come into contact with asbestos and other hazardous products such as lead or certain solvents.

Asbestos and other hazardous product can cause serious injury, harm and even death in certain circumstances if safety precautions are not followed. For some hazardous products the law sets out who can do work involving these products and how to handle and dispose of the materials.

Products containing asbestos may include fibro or asbestos cement sheets used on the roof or walls or wet areas of a home, or as insulation material in the roof and around pipes.

It is, therefore recommended that, before you undertake the building, renovation or other work on your home, you contact ACT WorkCover or ACT Planning & Land Authority for advice about the hazardous products that may be involved in the proposed work.

The WorkCover Assistance Service may be contacted on the telephone on **(02) 6205 0200** or at http://www.workcover.act.gov.au/. For advice on the code of practice and safe removal of asbestos products in the ACT, Asbestos code of practice.

Valuable information can also be found on the ACT Asbestos Awareness website. www.asbestos.act.gov.au

8 Design and cost management.

8.1 Design & Architects

It is important that you have a clear vision of what you intend to build and what the budget for the project is. Once you have decided on what will be built, you should develop some basic diagrams and a document that will describe to an architect what it is that you actually want.

Before going to the Architect ensure that you have thought of everything and incorporated those ideas into your vision. From there the architect will be able to come back to you with a few design alternatives. However, keep in mind that the more alternatives that the architect comes up with the more expenses that will be incurred.

It is also a good idea to contact your local council and speak to them about your ideas or preliminary sketches prior to submitting the development application. This will save time and money if ACT Planning & Land Authority are opposed to part or all of the proposed development.

Note 1: Plan for the future, before committing to anything. Think of aspects such as the number of people living in the property or if you have to cater for people with disabilities. Planning for the future now will save on expensive additions in the future.

Note 2: If you do not have your own architect you can contact Royal Australian Institute of Architects, who should be able to refer you an architect to in your area. See useful links section.

Note 3: A good architect should also able to refer you on to local tradespeople that are reliable and are reasonable in respect to pricing.

8.2 Building Specification

Before you submit your building application you will need to develop a building specification to go along with your working drawings. The building specification details the quality of materials and the labour that will be used in the construction. The building specification shows that the building will meet relevant quality standards and other regulations that cover the construction process.

Even where your design diagrams include material descriptions and references to the Building Code of Australia it is recommended that a building specification report be completed. Completing a building specification report will ensure that the contractors are

aware of the standard and quality of the workmanship expected and the details such as fixtures and fittings will be included.

Building specification documents or templates can be obtained from a wide range of sources some of which include:

- Natspec – Domestic Specification (www.natspec.com.au or 1800 809 854)
- Housing Industry Association;
- Lending Institutions;
- Master Builders Association;
- Architects; and
- Building Consultants

Note 1: Your financial institution will most likely require that a building specification report be supplied to them before any finance will be approved.

8.3 Quantity Surveyor

One of the greatest problems that you will face as an Owner-Builder is determining how much your construction will cost. You can use the included guide to monitor your costs. However, we would recommend that you use the services of a qualified quantity surveyor to help you to more accurately determine the costs of the construction works. When estimating your costs you should closely monitor the following:

- Costs involved with consultants
  - Architect;
  - Engineers (structural and geo-technical);
  - Surveyor.
- Licence and application costs
  - Building fees (Application costs);
  - Kerb and Gutter Bond/Deposit (refunded upon occupancy or completion);
  - Rates and taxes.
- Insurance costs
  - Workers compensations;
  - Builder All-Risk insurance;
  - Public Liability.
- Material Costs
  - As per cost monitor sheet (allow for inflation).
- Equipment Costs
  - Purchase or Hire.
- Labour Costs
  - Contractors;

- Your own labour (Only allow for as many hours as you can actually perform on a weekly basis).

8.4 Using the included Cost control monitor.

- Ensure that you obtain at least 3 quotes for works being carried out;
- Highlight the chosen quote; **do not** automatically choose the cheapest quote;
- Enter in percentage figure for deposit paid. Remember to check the allowable deposits that the tradesperson is entitled to request;
- Enter the residual amount to be paid after deposit has been made;
- Finally if the quoted amount and actual amounts differ enter in "Actual Cost".

Note 1: The cost-monitoring schedule that is included should be used in conjunction with a professional quantity surveyors report, as each project will have different requirements.

Note 2: Do not automatically choose the cheapest quote, the person with the cheapest quote may have a number of different projects on or may skimp on the quality of materials used. This may delay your works and cost you additional monies or cause disputes.

Note 3: Only enter into fixed price contracts. And try to negotiate a cheaper price from the chosen contractor before entering into the contract.

9 Completion of building work

9.1 Compulsory site Inspections

Compulsory inspections at certain critical stages of development need to be carried out by a building certifier. Some of these critical stages include (some may require prior and post inspection):

- Concrete and footings;
- Floor, wall and roofing;
- Final inspection.

Note 1: You must provide the certifier with a survey plan signed by a registered surveyor at the damp course level.

Note 2: You need written permission to proceed from the certifier before you can proceed beyond an inspection stage.

Note 3: It is your responsibility as the Owner-Builder to organise inspections.

9.2 Occupancy Certificate

Once the building work is complete and the final stage inspection has been completed, you may apply to The Planning & Land Authority for the occupancy certificate.
The Planning & Land Authority will not grant an occupancy certificate unless the following are in place:

- A copy of the completion certificate and all the relevant documents from your certifier;
- A copy of the certificate of electrical safety for any electrical work;
- A passed final inspection for any plumbing work;

Note 1: An occupancy certificate will not be issued where a building certifier does not deem the works to be of a satisfactory standard.

10 Planning and Building Tips

10.1 Organisation

One of the most important building tips, is that you must be highly organised during all stages of the construction process including preparing to commence construction.

Keep records of quotes, contracts, licence details and correspondence relating to the building work. You may choose to keep a folder for written documentation such as quotes, contracts and invoices.

If you are to complete your construction on time and on budget you will need to use a building planner or diary to estimate construction stages and time frames. As an Owner-Builder, one of the most important tools that you will have is the building planner. The Owner-Builder can use the building planner to estimate the time frames in which certain activities will occur. The recommended method for using our planner is to fill in the dates from when the project will start. Secondly go through the planner with a highlighter or pencil and mark when each stage or event will begin according to your schedule. Finally when construction has commenced you can mark each stage off the planner as it occurs. The building planner will enable you see if construction is going according to schedule or where delays are happening. The building planner will also allow you to see which if any trades overlap and can allow you to reschedule trades people and supply of materials if the project is running behind schedule.

10.2 Suggested Construction Sequence & Important Notes

It is important that you speak to your certifier about when and at what stages council inspections have to occur as well as any other specific regulations your certifier may have such as hours in which you can work. Talk to your energy suppliers about what certification they require and if they are required to inspect any of the works being carried out. Contact ACTEW and find out about what is required for connection of water services and sewerage.

Note 1: Please note that this is only a guideline; all construction works have differing levels of complexity and different requirements that may not be covered by this guideline.

Note 2: If you are not a specialist in the area it is recommended that you do seek specialist advice before commencing any work as this may save you a significant amount of time and expense.

Note 3: Call "dial before you dig" on 1100 to find out where any pipes are before any digging or excavation commences. This will save you time and any costs in the rectification of the pipes or lines. If there are pipes / lines, advise your contractors before they carry out any work.

10.3 Arrange your contractors and Materials before starting work

Contact contractors and suppliers and organise a time frame for them to complete the work and for suppliers to deliver materials. Ensure that materials are delivered only as they are required as unnecessary supplies can delay trades people from completing work and can cause safety risks. The following table contains contractors and materials that may be required:

Contractors	**Materials**
1. *Surveyor*	22. *Sand, gravel and filling*
2. *Engineers (where necessary)*	23. *Bricks*
3. *Demolition*	24. *Hardware*
4. *Excavator*	25. *Concrete*
5. *Electrician*	26. *Timber*
6. *Air Conditioning*	27. *Roofing materials*
7. *Plumber & Drainer*	28. *Windows, doors and other joinery*
8. *Gasfitter*	29. *Roller Doors*
9. *Concreter*	30. *Wallboard and Plasterboard*
10. *Carpenter*	31. *Kitchen*
11. *Bricklayer*	32. *PC Items, i.e. Toilets, Basins, etc.*
12. *Waterproofer*	33. *Paint*
13. *Plaster (internal linings)*	34. *Light Fittings*
14. *Roofer*	35. *Tiles*
15. *Tiler (wall and floor)*	36. *Insulation (wall & ceiling)*
16. *Floor Sander*	37. *Fire Safety Alarms*
17. *Painter*	38. *Security Alarm*
18. *Fencer*	
19. *Insulator*	
20. *Alarm System*	
21. *Fire Safety System*	

Note 1: You will need to speak with your tradespeople and suppliers to ensure that materials are delivered when your contractor is available to do the work.

10.4 Site Preparation and Set Out.

Before commencing any work check with ACT Health if any amenities need to be supplied. You may also be required to arrange a temporary supply of electricity with your electrician, and amenities for your workers / contractors.

Remove anything from the site that may prevent or slow the building work. Have your surveyor organise the set out of the site for you. You can also discuss the site levels and set out with the surveyor.

Ensure that a surveyor, concretor or someone with appropriate experience completes the set out. Check distances to boundaries (commonly called 'clearances') and ensure these are correct, as the building certifier will check them when the footings are inspected, so it is important that the site is set out correctly.

Note 1: Remember the two most important rules the set out must be "Square and Plumb".

Note 2: It is very important that the set out is completed accurately, if errors are made it could lead to expensive works to rectify the problem.

10.5 Plumbers – Pipes and Drains

As plumbing is a specialist trade all plumbing works need to be carried out by a licensed plumber. Check with The ACT Planning & Land Authority to ensure that the plumber holds a current licence for the plumbing trade. The plumber needs to install all the pipes that will be under the flooring of the house. Also discuss with the plumber as to when drains should be excavated, laid and backfilled. It is possible he may wish to do this after the floor brickwork or at some other stage.

Note 1: ACT Planning & Land Authority inspections may be required before any plumbing / pipe works are covered.

10.6 Excavations

It is important that you employ a specialist excavating company. Footings and floor slabs should be designed to comply with Australian Standards (see appendix for appropriate standard). Your certifier may also require structural details including engineer's reports.

Note 2: If you have not contacted dial before you dig or are still unsure where your pipes or telephone lines are get your contractor to contact 'Dial before you dig'. This will minimise the risk of damage to pipes or communication lines that are expensive to repair.

Note 1: Don't leave excavations open to the elements for any longer then necessary. This is due to the costs associated with rectifying cave ins.

Footing and / or piers should be poured at this time. Piers often need to be constructed separately to footings. Check with a structural engineer to see if this is necessary.

Where excavation is necessary for your site, it is recommended that you should seek the services of a specialist excavator. Mistakes made during excavation can often lead to additional concrete to fill the excavation and as such additional costs.

10.7 Drainage

Where drainage systems are required ensure that the proposed drainage system will convey surface water to the appropriate outfall and that any water avoids entry to the building. The drainage system should be constructed in accordance with Australian Standards (see appendix for appropriate standard).

Note 1: Stormwater drainage diagrams should be generated by a Hydraulic Engineer and need to be approved by your certifier.

10.8 Termite Treatment

One area that the Owner-Builder needs to pay particular attention to is ensuring adequate termite treatment is undertaken and continuing maintenance and where necessary re-treatment is performed. Two types of protection for structural members (i.e. parts of the building) against termite damage;

- Physical barriers;
- Chemical Barriers.

The first step is to consider whether the structural framework is to be metal or termite-resistant timber. Even where the structural framework is metal, pest protection measures must be undertaken to protect non-structural elements, i.e. doorframes and other timber components.

Physical barriers for timber floors are mandatory under the Building Code of Australia and can be formed by caps to piers and continuous ant capping to brick walling in the sub floor area. Soil treatment under concrete slabs can either be done by chemical or non-chemical methods or a combination of both.

The Owner-Builder needs to ensure that the chemical installer must carry a termite treatment licence issued by ACT WorkCover. The installer must show evidence of their licence, professional indemnity insurance (that is current) and the installer must provide a minimum 12 months warranty against termite infestation.

It is important to note that the homeowner must perform regular inspections as part of ongoing maintenance for their home. As part of these examinations homeowners should look around the home for signs such as crumbling/splitting timber, and around garden/perimeter and other access areas for dampness. It is recommended that trained building and timber pest inspectors perform regular inspections no more than 1 year apart.

If a chemical treatment is selected, check with the supplier as to the life expectancy of the treatment. Ensure that you plan for periodic re-treatment. For a new house, you could install a reticulation system, which is a series of pipes under the concrete slab that allow for chemical re-treatment. Otherwise you would have to drill holes through the concrete slab. Check with the Australian Environmental Pest Managers Association (www.aepma.com.au) for qualified member pest controllers in your areas.

Note 1: Contact your certifier to find out what the individual council requirements are before selecting a method of termite protection. Some jurisdictions have banned the use of chemicals for termite protection.

Note 2: The Building Code of Australia requires a durable notice be fixed to the building. The notice should contain the method of termite risk management, the date the system was installed, if chemical is used its life expectancy and manufacturers recommendations for scope and frequency of pest inspections.

10.9 Concrete Slab

In preparation for the pouring of the concrete slab you should ensure that the site is clear so that the concretor has adequate site access. Before pouring of the concrete slab you may need an engineers report or on site inspection, you may also be required to supply the engineers report to your certifier before commencing work.

Concrete is commonly used for footings, slabs and for mortar for bricklaying. Concrete should meet the Building Code of Australia standards (see appendix for appropriate standard):

- Have a minimum grade as specified usually 20 Mpa for 'slab-on-ground' type constructions and footing, and 25 Mpa or higher for suspended concrete. (Mpa is an abbreviation for Mega Pascals. Mpa is a metric measure of pressure used to measure the concretes load capacity.)
- Do not have water added on-site to pre-batched deliveries – orders should have required 'slump' (slump is a standard test on wet concrete which give an indication of the 'workability of the concrete)

Allow the concretor to organise his own materials, keep any dockets or documents related to the supply of the concrete and ask for concrete test results.

Note 1: Unless you are an expert in the area do not attempt this. You can contact the Cement and Concrete Association of Australia (www.concrete.net.au) for referral to a specialist.

Note 2: The slab should not be allowed to dry too quickly as this may cause cracking and in some cases structural faults. In hot weather the Owner-

10.10 Plumber

It is important that you ensure that your plumber has a valid and current licence for plumbing. Ensure that all floor waste holes, pipes and drains have been installed before progressing and ensure that the relevant authority has inspected the waste pipes before concrete is poured. When work on internal waste pipes has been completed.

Call in your pest controller to treat the ground after your plumbing inspection and the pipe work has been covered and before the vapour barrier is laid.

Note 1: Ensure all pipes are pressure tested before internal linings are fixed, this will save expensive rectification work at a later date.

10.11 Vapour barrier and reinforcement

The vapour barrier consists of polythene sheets laid over the entire area where the slab is to be laid. All penetrations such as plumber's pipes should be secured through the membrane. The Building Code of Australia requires a vapour barrier to be installed under slab-on-ground construction and that the vapour barrier has a nominal thickness of 0.2 mm. The vapour barrier should be medium impact resistant so that the vapour barrier is not damaged.

The installation of the vapour barrier must not lap less than 200 mm at all joints and the vapour barrier must be taped (duct tape no less then 50mm in width) or sealed with a close fitting sleeve around all service penetrations.

Use of a specialist concretor will ensure the membrane is placed in the correct position and it is not damaged. If the vapour barrier is punctured ensure that it is repaired with additional polyethylene film and tape before concrete is poured.

Concretors can now install steel mesh placed on bar chairs and any boxing can be placed for sunken lounges or any other recesses. Once finalised you can your certifier to organise an inspection before the concrete is laid.

Note 1: After steel mesh has been installed and the job is ready to pour, an inspection by your certifier will be required before the concrete is poured.

10.12 Framing

One of the important decisions that you will have to make as an Owner-Builder is that of what type of framing method you will use in the construction process. The most common faming methods for construction are:
Timber framed construction;
Metal framed construction.

Timber framed construction relies on the use of timber products for the sub-floor frame, floor, wall and roof to support structural loads. Timber is used in conjunction with other products such as fibrous cement, metal or plastic sheeting or brick. Where brick is used for a brick veneer construction, the brick wall is connected to the frame with metal ties.

When using timber for the construction method you should consider the following:

- Light weight;
- Can be used with all types of floor construction;
- Materials easily available;
- Less trades are involved then if using other methods;
- Pest control should be an important consideration particularly termite protection; and
- Location.

Steel framed construction relies on the use of metal products for the sub-floor frame, floor, wall and roof. As with timber framing a variety of finishes can be used.

When using steel for the construction method you should consider the following:

- Light weight;
- Long life;
- Need to use specialist framers;
- Less prone to shrinkage or expansion;
- Resistant to termites (termite protection methods are still required for non-structural timbers such as doors etc;
- Corrosion caused by the elements, particularly in coastal areas;
- Grommets required in holes to take service conduits such as any wires and pipes; and
- Location.

Note 1: Ensure that metal frame is earthed properly for safety reasons.

10.13 Floor Framing

Your carpenter will place the bearers, then floor joists. Once this is done ensure floor frame is straight and level. If this is not done it could lead to irregularities that may be difficult to fix.

It is easy to insulate beneath your floor at this stage. Simply lay foil over your joists prior to laying your floor.

Before flooring is fixed check that bearers are resting on the piers and no gaps are present. Ensure joists are fixed tightly to the bearers, this will save you from fixing squeaks at a later stage.

Note 1: Inspection may be required prior to the placement of the floor.

10.14 Wall frames and Roof Trusses

You should consider the use of prefabricated wall frames whether timber or metal framing method is used. This will save time and simplify the job. Wall frames need to be constructed in accordance with Australian Standards (check appendix for listing of appropriate standard.

It is recommended that prefabricated roof trusses be used. They are designed and engineered to suit spans, roof coverings and loadings. The supplier will detail spacing and placement and supply all associated hardware such as bracing and triple grips for fixing.

10.15 Windows and external doorframes

Fix window frames as soon as possible and ensure that flashings are used. Co-ordinate the installation of windows and doors with your bricklayer.

10.16 Walls – Bricklayer

Building the brick walls for the house is one of the largest tasks that will be undertaken in the construction process. It is recommended that you leave this up to a specialist i.e. a licensed bricklayer.

The majority of modern houses built are built using a brick veneer (masonry veneer) construction. If the Owner-Builder wants to estimate how many bricks are necessary, the average single thickness brick wall needs 60 bricks per square metre. The Owner-Builder can make the estimate based around whole bricks, allowing 10mm for each mortar joint. Then you will only need to contend with half bricks, which may be purchased.

An area where the Owner-Builder may be able to help the bricklayer in is the preparation of the bricks, a common requirement is that bricks may need to be cut in half before laying. To cut a brick, mark the line in chalk, using a brick bolster or chisel and heavy hammer, cut groove around the brick. On a soft base – sand or lawn, a hefty whack will give a clean break in the brick.

The Owner-Builder needs to ensure that as the bricklayer lays the bricks, that the bricklayer leaves a 25mm (min) cavity between the brick wall (masonry leaf) and the closest portion of the wall frame, for services, insulation or other elements located in the cavity. The Owner-Builder also needs to ensure appropriate wall ties are used, Australian Standards require wall ties be:

- Spaced correctly 600mm both vertically and horizontally. Or 300mm around openings in the wall such as doors and windows;
- Wall ties should slope downwards towards the external wall (external leaf) and should be embedded a minimum of 50mm into the mortar joint. The other end of the wall tie needs to be secured by an approved system, installed according to manufacturers specification;
- If in corrosion risk area check wall ties meet appropriate standard.

Where timber frame is used for the framing method, ensure the bricklayer leaves adequate space for timber shrinkage. For single storey construction this is usually 10mm below any window frame sill and door frame sill, and 10mm below roof framing and or eave-linings.

10.17 Roof Guttering – Plumber

After frame and fascia are completed, the plumber is required to fix the guttering before the roof is covered. Valley flashing should also be installed. The plumber should make sure that the guttering falls to the position of the downpipes. Plumber should also do a "rough in", which relates to fixing off hot water and cold water services and drainage points in the wall.

Where gas is to be used, it is important to contact your gas provider to discuss the rough in and your final connection to the main system.

If concealed gutters are used no fascia is required as the gutter and fascia are combined and are fixed by the plumber.

10.18 Roof Covering

Ensure that any roof coverings are fixed according to manufacturers specifications that should be available from your supplier. Sarking (foil) should also be installed as prevents entry of dust and also has insulation benefits. Sarking also gives additional security against water penetration.

10.19 External doors – Carpenter

Carpenter can fit external doors. Eaves should be lined and the sub floor access door fitted. Ensure that the correct door, designed for external use is used.

10.20 Wiring – Electrician

Contact ACTEW with regard to electricity supply. Contact the telephone company for the provision of supply pipes in the slab and a gas supplier for supply of gas services before the pouring of the concrete.

Electrician will place the lighting and power cables. These should be installed according to the initial plan. Electricians also usually install your telephone cables, see below.

10.21 Telephone

Contact Telephone Company and advise them of your requirements so that pre-cabling can be done. If an electrician is installing cabling for telephone or other related systems ensure they hold the appropriate Austel licence.

10.22 Gas

Gasfitter will place the gas pipes to the locations of the appliances.

10.23 Wet area flashing for Bathroom, Laundry and kitchen

Remove all debris and mortar deposits. Ensure that the contractor uses an accredited water-proofing system. Flash all internal angles formed between the floor and the walls and to shower uprights.

With concrete floors the full shower base should be sealed. On particleboard the whole bathroom should be sealed. The waterproof membrane that you select should be flexible enough to allow for normal movement in timber framed structures. It should be strong enough to resist any damage during installation of the floor surfacing material and be suitable for bonding with flexible adhesive.

Note 1: You also need to ensure that a certificate from the waterproofer is obtained. As this will need to be provided to your certifier.

Note 2: Contact your certifier to organise inspection of all wet areas prior to internal linings being installed.

10.24 Wall linings

If insulation is required it should be done after bricks have been placed but prior to any linings being installed.

10.25 Internal Linings – Plasterer

Ensure all trades people have completed their work correctly and according to their contracts, as any errors not detected may lead to expensive rectification work.

Ensure all trimmings for fittings have been installed and that walls are straight, power and light points are in the right positions and plumbing points are placed correctly. Ensure that wall cavities, vermin wire and wall ties are clear of mortar.

Your Plasterer can now proceed fixing the linings. Ensure that all joints are backed with either studs or noggings or installed according to manufacturers specifications.

Note 1: The wall must be straight and cornices straight and even.

10.26 Joinery and fix out – Carpenter

Carpenter can install all internal doors, kitchen and mouldings along with any extra joinery as required.

10.27 Wall and Floor tiling

The Owner-Builder needs to get an experienced tiler to inspect the area to be tiled to ensure the area is suitable for tiling. It is recommended that a minimum of two months be left before fixing tile coverings to protect against shrinkage of concrete. It is also important that where the area to be tiled exceeds $16m^2$ that appropriate expansion joints be used.

Check that all joints and junctions are watertight in and around the showers. If not watertight, leakages can cause superficial damage and in some instances cause structural damage.

Joints must be straight and even. Tilers must use high quality adhesive and it must be used as specified by supplier. Grouting to the joints must be finished to a high standard to prevent any leakages.

10.28 Painting

Painting is an important decision for the Owner-Builder to make and can make a huge impact on the overall finish to your construction. It is advisable to spend a little extra and get an interior designer to come in and make some suggestions about the colour scheme and possibly which paint finishes will suit your construction works. For instance you may consider a 'feature wall' and have a sponge effect or suede effect. Little touches like these can make all the difference and can add to the value of your home.

Remember that any imperfections on the surfaces of walls and ceiling should be fixed, any nail holes filled and sanded and mouldings secured before painting. Do not use high gloss paint on plasterboard surfaces, as any minor imperfections will be seen. Ensure that high quality paint is used and that it is used according to manufacturers specifications such as ensuring consistent colour throughout paint and correct application.

For more information and tips on painting you can visit www.dulux.com.au that has a tool that allow you to experiment with colour schemes and calculate how much paint will be needed. You can also visit www.bristol.com.au for tips on colour schemes and they also offer a helpdesk facility where you can email an expert with a question.

Note 1: Ensure that after the painting is completed that additional paint is stored so that any damage to paint work during final fit out can be fixed easily.

Note 2: Make sure the painter uses drop sheets to prevent spillages on expensive fittings and brickwork.

10.29 Final Fit Out – Plumber

The plumber will fit wastes to the Basins, sink tubs, and showers. Taps will be fitted and hot water connected.

Note 1: Ensure down pipes are fitted correctly and sewer connected. The stormwater drains should be connected and inspected by council.

10.30 Final Fit Out – Electrician

Installation and fixing of switches, power points, etc, should be finished. The electrician may also connect an alarm and smoke detectors.

Note 1: The electricians work needs to be inspected and tested. Application to connect needs to be done by tradesperson, before electricity supply is connected.

Note 1: If down lights are fitted, do not cover transformers with insulation due to fire risk.

10.31 Finish up

Insulate ceiling cavity after electrician has completed all work.

If any rubbish has not been removed as work has progressed remove all rubbish before finalising final fittings and landscaping.

Finalise landscaping and ensure termite barrier is not disturbed. Ensure any paving falls away from the house and ensure that water drains into storm water system.

Install any extra fittings such as garage doors, flyscreens and security doors etc.

Note 1: All construction work must be built in accordance with the Building Code of Australia and the approved plans to ensure that your construction will be fit for occupancy for yourself and any future owner.

Note 2: This has been provided purely as a guide and it is recommended that where you are not a specialist in the area that you seek specialist advice before starting any work.

11 Preventing and Resolving your disputes

11.1 Dispute Prevention

One of the Owner-Builder's main roles is to manage the relationship they have with the contractors and other employees. As you are taking on the role of the builder you will need to make conflict prevention and resolution one of your highest priorities. Some important tips that will help you minimise disputes are:

- Where required and even where possible ensure that you have written contracts with your contractors that specify exactly what is expected, what the payment conditions are and the expected time frame works will be completed in;
- Be courteous and respectful to contractors, remember they are the specialists and are critical to the completion of your project. Gaining the co-operation of your contractors will go a long way to ensuring that the work is completed correctly and on time;
- Leave contractors alone to carry out their work. When work is to be inspected organise a time with them so that they are not disturbed during their work;
- Specify what materials are to be used in the contract so that you can avoid disputes with the contractor as to the quality of the materials that are being used. Having this written down avoids any ambiguity;
- Research the materials / fittings and work to be completed by the tradesperson. This will show that you have an understanding of the materials \ fittings or work to be completed. However, do not try to intimidate the tradesperson with your knowledge. Remember, if you have chosen your tradespeople correctly, that they are the experts;
- Make payments promptly and within the specified time frame as per the schedule of payments. If you have any outstanding issues raise them with the contractor as soon as possible and make payment promptly when issue has been resolved.

11.2 Resolving your disputes

One of the most difficult tasks that an Owner-Builder will need to tackle during the construction process, is having to resolve disputes with contractors. As an Owner-Builder you may have to resolve disputes that relate to:

- Materials used by contractors;
- Quality of workmanship;
- Incomplete work; and
- Unlicensed or uninsured work.

Your ability to resolve these disputes can affect the success and completion of the construction works in a timely manner. Resolving any disputes in a timely and efficient

manner must be your highest priority if you are to finish construction on time and on budget. A number of methods to help you resolve your disputes, they are;

- Speak with the contractor on site and list the issues that you feel are in dispute. Give the contractor a chance to respond to any claims;
- Put the issues in writing to the contractor, address only issues that relate to the work that in his scope of works. The letter should contain;
  - Address the relevant issues;
  - List what you see as a reasonable outcome;
  - Give him a time frame to come to a resolution to have the issues rectified in;
  - Send the letter via **fax** or **registered post**. Keep a copy of the letter and the confirmation slip that is gained from successful delivery of the letter.
- Where unable to resolve the issues, contact the ACT Office of Fair Trading on **(02) 6207 0400**;

Should the dispute relate to contractual issues you may consider seeking legal advice. If you don't have your own legal advice you can approach; **Legal Aid** on 1800 806 913

Note 1: The best method to resolve the dispute is through self-help it will avoid any lengthy delays in work being finalised or the delay of works by other tradespeople.

11.3 Dispute Checklist

- Contact the builder/tradesperson and organise on site meeting;
- Send letter outlining issues, desired result and timeframe. **If unresolved**;
- Gather information about dispute including evidence:
  - The contract for the work;
  - Any correspondence related to the dispute;
  - Photographs if they show the work is defective; and
  - Any other documentation which relates to the dispute.
- Contact Fair Trading and advise that you need to lodge formal complaint on **(02) 6207 0400**;
- Attach copies of evidence to complaint form and send to Fair Trading as soon as practical;

Note 1: Where the Office of Fair Trading is unable to resolve your dispute through mediation you may have to lodge a notification of dispute with the Consumer Trader and Tenancy Tribunal (CTTT).

12 Maintaining your property

12.1 General Maintenance

- If defects are found contact the contractor who completed the work and ask them to return and make any necessary rectifications. If the contractor fails to return in a reasonable time frame refer to the section that relates to how to resolve your disputes.

- Any landscaping is to be carried out with due care and consideration for the other structures in the vicinity. Appropriately qualified contractor should carry out any excavations. Certain retaining walls may also require an Engineers certificate and /or building approval by council, seek councils' advice before commencing.

- Ensure that regular pest inspections are carried out every 12 months and ensure that a qualified pest inspector carries them out so that termites do not attack the building. If you do find evidence of termites such as mud tunnels do not disturb them and seek specialist advice immediately.

- Seek advice on planting of appropriate trees close to the building as tree roots can cause severe damage to footings, slabs and can affect plumbing.

- Perform minor maintenance on a regular basis such as cleaning gutters so that expensive repair costs will be minimised. Performing minor maintenance tasks such as cleaning gutters will also reduce fire hazards.

12.2 Australian Standards

For an up to date listing of the relevant standards for residential building, or if unsure of the current standard for any aspect of your Owner-Builder project then the latest standard can be purchased from: http://www.standards.com.au/ or can be contacted by phone on 1300 65 46 46.

13 Useful links

Name: Standards Australia
Phone: 1300 308 989
Web: http://www.standards.com.au/

Name: ACT WorkCover
Phone: (02) 6205 0200
Web: http://www.workcover.act.gov.au/

Name: ACT Planning & Land Authority
Phone: 02 6207 1926
Web: http://www.actpla.act.gov.au/

Name: ACTEW AGL
Phone: 131 493
Web: http://www.actewagl.com.au/

Name: Australian Institute of Landscape Architects National Office
Phone: 02 6248 9970
Web: http://www.aila.org.au/

Name: Housing Industry Association (National)
Phone: 02 6249 6366
Web: http://www.buildingonline.com.au/

Name: Master Builder Association of ACT
Phone: 02 6247 2099
Web: http://www.mba.org.au/

Name: Royal Australian Institute of Architects
Phone: 02 9356 2955
Web site: http://www.architecture.com.au/

Name: Australian Institute of Quantity Surveyors
Phone: 6282 2222
Web: Australian Institute of Quantity Surveyors