

Working with Building Professionals

Supervision

Managing works can be a complex process with various people and stages, and so it is important to designate someone to supervise and manage the overall project. A project manager can be employed to supervise the entire project, especially with large projects. If there is existing expertise in project management within the strata committee, then it can be self-managed, however committees should be cautious when considering this option. Ongoing communication between the project manager, builders, suppliers and contractors, and the strata committee (or sustainability sub-committee) is necessary to prevent problems from occurring at later stages of the works.

Hiring a well-informed and trustworthy project manager will lessen the supervisory burden and reduce the need for committee involvement in the installation or defect rectification process. They will also be able to make quick decisions on the committee's behalf if there are variations to the scope of works and timelines.

Certification

Certification can be conducted by a local council building inspector or an accredited private certifier. The inspector or certifier will establish at each stage of the works process whether the building meets the correct standards, codes and regulations for your area.

Communication

Introductions

It is a good idea to introduce the builders and contractors to the residents (both owners and tenants) that will be directly affected by the works. This way the residents can flag any issues, such as building access or noise, that they might be concerned about. Obtaining building access for the workers and hired experts is important for the timely completion of the project.

You can introduce the residents and builders and contractors by meeting in the common area or somewhere appropriate on the building site if available, so the builders and contractors can discuss their schedules and potential impacts in person.

Variations in Work Plans

Being able to deal with changes to the agreed work scope and schedule is necessary, as unavoidable variations may arise. Timelines can be extended due to issues with the delivery or availability of materials and products, council delays, difficulty finding right expertise and tradespeople and weather. These challenges can cause budget overruns and tensions between stakeholders.

Builders should allow for changes to timelines, however it is important for the strata committee to be aware of the possibility of work plan variations as well. Putting aside a contingency sum is a way of preventing going overbudget, and incorporating flexibility into the work timeline can avoid tensions with residents and owners. The project manager needs to be well informed by the workers to relay work progress and unavoidable delays to the committee, for the committee to then disseminate relevant information. Effective communication between the committee and the residents and owners directly affected by changed timelines can avoid confusion and conflict.

Managing Disagreements

Disputes between the builder and other stakeholders can arise regarding lengthening timelines, incomplete or defective work or damage caused by work. If there is a dispute regarding the work plan or completed work, NSW Fair Trading suggests [five steps to resolving building disputes](#), summarised below:

STEP 1 - Discuss the issue

Address your concerns with the builder or project manager as soon as you become aware of them. This can be via the strata committee, or contacting the builder directly. The issue may be a misunderstanding that can be swiftly resolved. Consult the [Guide to Standards and Tolerances](#) if the dispute is regarding the quality of work.

STEP 2 - Have correspondence in writing

When the builder is aware of topic of dispute, send a letter via registered post or email to the builder containing the date, what was agreed and when. Keep a copy of this letter and a record of the sent date in case the dispute continues to be unresolved and proof of correspondence is required.

STEP 3 - Contact NSW Fair Trading

If the dispute remains unresolved, [NSW Fair Trading](#) can assist with dispute resolution. However, the building work must be within the statutory warranty period. Both parties must agree to allow NSW Fair Trading to assist in dispute resolution.

STEP 4 - Notify your insurer

For defective work, notifying your insurer of the nature and circumstances of the issue as soon as possible can safeguard your position under the [Home Building Compensation Scheme](#) (formerly Home Warranty Insurance), where applicable.

STEP 5 - Building inspections

A [Fair Trading Building Inspector](#) will help resolve disputes by meeting both parties on-site to inspect the nature of the dispute. The Inspector may issue a [rectification order](#) to the builder or contractor, or may conclude that the builder is not responsible for the issue raised. A rectification order must be complied with, and will list the work that needs rectification and the conditions for both parties. If there are still concerns after the NSW Fair Trading dispute resolution process, the [Home Building Advocacy Service](#) can assist in legal advice, advocacy and representation.

Finishing Up

To make sure that the installed retrofits or defect rectification work remains effective, the builders and contractors should communicate how to maintain the changes. This communication could be through an owner's manual or detailed instructions for the building manager. These instructions could be operation, maintenance, management or monitoring instructions for various aspects of the works.

You should also do a check of the works once they are completed, and confirm that the builders and experts have done what they said they were going to do.

Additional Resources:

- [Your Home, Australian Government](#)
- [Resolving Building Disputes, NSW Fair Trading](#)