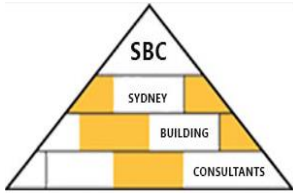


NCAT Expert Witness Building Reports in Sydney



Joseph Alexander Ovidi is a fully accredited building consultant with over 32 years' worth of building experience

Independent building defect reports, Scott Schedules and NCAT-compliant expert evidence for homeowners, builders and lawyers.

If you need an **NCAT building expert witness report** in Sydney or New South Wales, Sydney Building Consultants can help you understand the defects, evidence and rectification costs involved in your building dispute. This guide explains what an NCAT expert witness report is, why it matters, how it should be structured, and how to engage an independent building consultant.

Contact Sydney Building Consultants – Joseph Alexander Ovidi

Accredited Building Consultant | Licensed Builder | NCAT Expert Witness

Call: **0498 531 827**

Quick answer

An NCAT expert witness report is an independent technical report prepared by a qualified building expert to help NCAT understand building defects, workmanship issues, compliance questions and rectification costs. A strong report is clear, neutral, evidence-based and written so homeowners, lawyers and Tribunal Members can follow the reasoning.

Key services

- NCAT expert witness building reports
- Independent building defect reports
- Residential and commercial building dispute reports
- Scott Schedules for multiple defects and rectification costs
- Building inspections, defect analysis and practical rectification advice

What is an NCAT expert witness report?

An **NCAT expert witness report** is a formal, independent opinion on the technical issues in a building dispute. It is prepared by a suitably qualified specialist so that the New South

Wales Civil and Administrative Tribunal (NCAT) can properly understand building defects, workmanship issues and rectification costs, and then make an informed decision.

As an **accredited building consultant and licensed builder** at **Sydney Building Consultants**, my role is to take what is complex, technical and confusing, and turn it into clear, evidence-based findings that NCAT can rely on in residential and commercial building matters.

What does a building **expert witness report** include?

If you were dealing with a serious medical problem, you would want a specialist doctor to interpret the scans and explain the medical terms. An NCAT expert witness report serves the same function in a building dispute.

The report acts as a professional translator. It takes technical issues – such as leaking balconies, waterproofing failures, structural defects, rising damp, non-compliant fire-stopping or poor workmanship – and explains them in plain language, supported by photographs, references to Australian Standards, the NCC and manufacturer's instructions. Without that independent expert input, Tribunal Members would be left to interpret building codes, standards and industry jargon on their own.

A proper expert report is not about taking sides. My overriding duty is to the Tribunal. The report sets out objective opinions, based on the evidence, my experience and the requirements of the **NCAT Expert Witness Code of Conduct**. That independence is what gives the report weight.

Why an NCAT building expert report is important

An NCAT expert report is much more than a formality; it often becomes the backbone of a party's case in **home building claims, defects disputes, incomplete work and variation disputes**.

NCAT deals with a very large number of building and tenancy matters each year. With that volume of cases, the Tribunal depends heavily on clear, concise and credible **expert building evidence**. A well-prepared report does more than list defects. It builds a logical, step-by-step explanation, backed by photos, defect schedules and references to Australian Standards and the National Construction Code.

A good NCAT expert witness report:

- **Clarifies the technical issues** – It breaks complex problems into understandable parts, explains the cause, and identifies the real-world consequences for the property.
- **Provides a factual foundation** – It sets out the evidence needed to prove or disprove claims about defective or incomplete building work, rather than relying on opinion only.

- **Quantifies rectification costs** – It gives realistic, market-based costings for repair work, so NCAT has a reliable basis for any money orders or damages assessments.
- **Adds credibility to your position** – An independent report from a qualified building expert shows that your case is supported by professional analysis, not just personal assertion.

In short, a strong, compliant report can turn a technical argument into a clear, evidence-based case and significantly improve the chances of a fair and balanced outcome for homeowners and builders alike.

How an NCAT expert report should be structured

You can think of an NCAT expert witness report as the blueprint for your argument. If the layout is poor or key elements are missing, the report will not stand up under cross-examination or Tribunal scrutiny.

The structure is not optional. NCAT sets out detailed requirements for expert evidence in its **Procedural Direction on Expert Evidence** and the **Expert Witness Code of Conduct**. Each section in the report has a specific purpose and helps demonstrate that the opinion is transparent, independent and logically reasoned.

A compliant NCAT expert report should:

1. Explain who the expert is

The report needs a **qualifications section** that sets out licences, professional memberships, experience and areas of expertise. This shows why the expert is properly qualified to give an opinion on the issues in dispute, such as residential building defects, structural adequacy or waterproofing failures.

2. Confirm the expert's duty to the Tribunal

The report must include a clear statement that the expert's primary duty is to assist NCAT impartially, and that this duty overrides any obligation to the homeowner, builder, lawyer or insurer who engaged them.

3. Set out the instructions and scope

The expert must identify the questions they were asked to answer, and the scope of work. This keeps the report focused and transparent and helps the Tribunal understand why certain issues are addressed and others are outside the brief.

4. Identify facts and assumptions

The report should distinguish between:

- **Facts observed** – site inspections, measurements, photographs, existing reports and documents.
- **Assumptions** – information provided by others that has not been independently verified.

Any assumptions should be clearly stated so that the Tribunal understands the limits of the opinion.

5. Present the expert opinion

This is where the expert sets out their conclusions on issues such as:

- Whether specific work is defective or incomplete.
- The likely cause of the defect (design, workmanship, maintenance or materials).
- The appropriate rectification method.
- Reasonable rectification costs.

6. Explain the reasons for each opinion

The expert must show how they moved from the evidence to the conclusion – referring where appropriate to **Australian Standards, the National Construction Code, manufacturer’s requirements and accepted good building practice**. This is where the report demonstrates its technical strength.

7. Include a compliance declaration

At the end, the expert signs a statement confirming they have read and agree to be bound by the NCAT Expert Witness Code of Conduct and that the report is true and complete to the best of their knowledge.

Most importantly, the report should be written so that a person without technical training – a homeowner, a Tribunal Member or a lawyer from another practice area – can understand the problem, the cause and the recommended solution.

Choosing the right NCAT building expert witness

Selecting the right **NCAT building expert witness** is critical. It is not enough to have a builder or engineer who “knows their stuff”. They must also:

- Understand NCAT procedure and directions.
- Be genuinely independent.
- Communicate clearly in both writing and oral evidence.

When you engage **Sydney Building Consultants – Joseph Alexander Ovidi**, you are engaging:

- **An accredited building consultant and licensed builder** with many years of hands-on residential and commercial construction experience across Sydney and New South Wales.
- Someone who regularly prepares **independent building defect reports, pre-purchase inspections and NCAT-style expert witness reports**, and understands what the Tribunal expects from expert evidence.
- A communicator who focuses on clear, step-by-step explanations, supported by photographs, standards references, Scott Schedules and practical reasoning.
- An expert who will only give opinions within my area of expertise, and who is prepared to recommend a suitably qualified specialist where appropriate.

My role is not to act as an advocate for either party. My role is to provide NCAT with a reliable, independent technical opinion so that the Tribunal can reach a fair and informed decision. That independence is exactly what both homeowners and lawyers are looking for in an **NCAT building expert witness**.

How to engage Sydney Building Consultants for an NCAT report

When clients approach Sydney Building Consultants for an NCAT report, the process is typically:

1. Initial discussion

We discuss the nature of the dispute, key concerns, current NCAT timetable and whether an expert report is in fact appropriate for your case (for example, before or after directions for expert evidence have been made).

2. Formal engagement

I issue a written agreement setting out:

- The scope of work and questions I am being asked to address.
- The fee structure (fixed or hourly) and any likely additional costs.
- The expected timeframes, including inspection and report delivery dates to meet NCAT directions.

3. Briefing

You (or your lawyer) provide all relevant documents: building contracts, plans, specifications, emails, photographs, previous reports, rectification quotes and any Tribunal material. Supplying a complete brief is essential. Withholding information can compromise the report and harm your own case.

4. Inspection and analysis

I inspect the property, record conditions with photographs and measurements, review the documentation, and carry out any non-invasive testing that is appropriate within my discipline, such as moisture readings, levels and visual defect mapping.

5. Drafting the report

I prepare a structured NCAT-style report that:

- Identifies each defect or issue in a clear list.
- Assesses compliance with relevant standards, codes and good building practice.
- Recommends practical and proportionate rectification methods.
- Provides reasonable cost estimates for the necessary work (where required by my instructions).

6. Finalisation

Once finalised, the report is signed with the expert declaration required by NCAT and can be filed in the proceedings and served on the other party. If required, I can also attend NCAT to give oral evidence and answer questions from the Tribunal Member and the parties' representatives.

NCAT expert witness report costs and timeframes

The cost of preparing an NCAT expert witness report depends on:

- The complexity of the matter.
- The number of alleged defects.
- The volume of documents to review.
- Whether additional schedules (such as a **Scott Schedule**) are required.

For most residential disputes, you can expect the work to involve:

- Initial consultation and review of key documents.
- A site inspection of the relevant areas.
- Detailed document review and analysis.
- Preparation of the expert report (and, where needed, a Scott Schedule).
- Possible attendance at NCAT to give oral evidence.

Timeframes are usually in the order of **two to four weeks** from engagement to delivery of the final report, depending on access, document availability and hearing deadlines. Rushed instructions can compromise quality and compliance, so early engagement is always preferable.

Common mistakes that weaken an expert report

From my experience, the most common problems that cause NCAT to give little weight to an expert report are:

- **Perceived bias** – reports written in advocacy-style language rather than neutral, technical language.
- **Unsubstantiated opinions** – conclusions that are not clearly tied back to observations, documents or standards.
- **Logical gaps** – jumping to conclusions without explaining the reasoning step by step.
- **Working outside the area of expertise** – for example, a general builder giving engineering opinions without proper qualifications.
- **Non-compliance with the Code of Conduct** – missing declarations or failure to disclose assumptions and limitations.

At **Sydney Building Consultants**, I am careful to avoid these pitfalls by staying within my expertise, clearly setting out assumptions and limitations, and grounding every opinion in observable facts, recognised standards and accepted building practice.

Scott Schedules for NCAT building disputes

In many NCAT building disputes, it is useful – and sometimes required – to prepare a **Scott Schedule**. This is usually a table that lists each alleged defect, the parties' positions, my independent opinion, and the estimated cost to rectify.

A Scott Schedule can be a very effective way to:

- Organise multiple defects into a single, easy-to-follow document.
- Show clearly where the parties agree or disagree.
- Help the Tribunal work through each item and make specific findings on liability and cost.

Where appropriate, I can prepare a Scott Schedule as part of the expert evidence, aligned with the findings and costings in my main report. This is particularly helpful for lawyers preparing submissions and for Tribunal Members working through large, complex disputes.

Need an NCAT building expert witness report?

If you are a **homeowner**, **builder** or **lawyer** involved in an NCAT matter and need an independent **building expert witness report**, you can contact:

Sydney Building Consultants – Joseph Alexander Ovidi

Call **0498 531 827** to discuss your matter, availability and likely costs, or to arrange a formal quote for an NCAT-compliant expert report.

Frequently asked questions

Who needs an NCAT expert witness report?

Homeowners, builders, strata clients and lawyers may need an expert witness report when a building dispute involves defects, incomplete work, non-compliant construction, waterproofing problems, structural concerns or disputed rectification costs.

What makes an NCAT report credible?

A credible report is independent, clearly reasoned and supported by site observations, photographs, relevant documents, Australian Standards, the National Construction Code and accepted building practice.

How do I contact Sydney Building Consultants?

Call **0498 531 827** to discuss your NCAT building dispute, expert witness report, building defect report or Scott Schedule.

Joseph Alexander Ovidi is a full member of the Australian society of building consultants

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