

AUSTRALIAN CONSTRUCTION DISPUTE RESOLUTION NEWSLETTER - DECEMBER 2016

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Legal Briefings - By **Hamish Macpherson, Geoff Hansen, ... , Ante Golem and Brad Strahorn**

Welcome to this issue of Herbert Smith Freehills' Australian Construction Dispute Resolution Newsletter.

This newsletter updates you on legal developments relevant to your industry by featuring Australian court decisions and legislative developments of particular interest.

In this issue, we look at:

- A recent decision of the Supreme Court of New South Wales considering whether and to what extent an owners corporation could amend its statement of claim to include new particulars of breach of the statutory warranties afforded by the *Home Building Act 1989* (NSW) despite the expiry of the statutory warranty period and long-stop for 'building actions'.
- The first raft of reforms to the *Construction Contracts Act 2004* (WA) which have been passed by Parliament and many of which came into effect on 15 December 2016.
- A decision of the Victorian Supreme Court which considered an application to strike-out a claim for misleading and deceptive conduct where the representations were the terms of a construction contract, and the offending conduct was essentially the failure to meet them.

We trust that you will enjoy this and future issues of the Australian Construction Dispute Resolution Newsletter. Available via the download link above.

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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