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The official opening saw over 1000 in attendance



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The Belconnen Bus Interchange by BMD.

EDITOR'S NOTE

The price of land

Annoyingly, governments, the media and even the MBA will refer to the difficulty of buying a home in Canberra as 'housing affordability' or in reality, unaffordability!

Is the problem the house? Or is it the land? If you look at the build costs to land cost ratio, currently the land cost would be 50% - 60% of the overall price. Go back a few decades and the land cost was around 15% which has steadily increased, way-out of proportion compared to the actual build costs.

In NSW the land cost is much lower, Throsby land has sold for \$920m², while land just across the border in Googong sells for \$580m². Google maps has the trip from Googong to Civic at 24 minutes - only two minutes longer than Throsby to Civic.

We need to re-balance the land release program so there is more opportunity to build detached homes and town houses, to lessen the reliance on building apartments and meet land release targets.



PRESIDENT VALDIS LUKS

A THANK YOU

I'd like to take this opportunity to acknowledge someone who has made a most positive impact and worked tirelessly for a number of years in making sure the local building industry and the ACT Government are working together in improving the safety culture and standards on our construction sites. Mark McCabe, recently retired, has been a major reason why the MBA ACT and a number of our members have been very keen to work with Worksafe ACT on improving the safety standards and culture on our construction sites.

Mark changed the approach of Worksafe ACT to one of working together with industry partners in a collaborative way. He understood that our members are always keen to look for ways of improving how we build, how we manage our sites and how we ensure the safest environment for our employees to work in. He regularly engaged with all industry stakeholders and was always keen to personally interact with our members in providing support and guidance, as well as let them know where they needed to lift their game. The positive results can be seen in the recent Finity report commissioned by the ACT Government that shows workers compensation claims for construction in the ACT have reduced by 8% since the Getting Home Safely Report.

His attitude of not looking for blame but ensuring we all take on responsibility and work together in regard to continual improvement in safety and other areas of our industry has been a breath of fresh air, and something that is so often lacking when dealing with bureaucracy and others in our industry. His willingness to stand by what he said he would do, in spite of sometimes immense industrial or political pressure, set him apart from a large number of his counterparts. It was because of this attitude and strength of character that he has the respect of our industry, whether we agree with him or not.

During his time with Worksafe Mark changed the approach taken by the department towards safety and how his inspectors dealt with our members behind the scenes and on our sites. The attitude within the industry is changing from one of using a big stick and pursuing non-compliant members with penalties to one of working with us on issues before they became a problem. Mark instigated regular communication and contact with industry participants and was always keen to help where he could.

torewo

As I previously mentioned, he was ready to let us know where we needed to lift our game as well and wouldn't hesitate in telling us. His frankness was appreciated and needed. He also understood the vast majority of our members and our industry are always keen to refine how we deliver our projects, whether it is in regard to safety, quality or looking for new and improved building methods. More recently he worked closely with our industry in starting to tighten up the pathway to obtaining building licences and endeavouring to help raise the quality of building in the ACT, which is something our Association and members are fully supportive of.

In his role as Worksafe Commissioner and more recently in charge of builders' licencing, Mark set benchmarks that we need to make sure we continue to maintain and pursue further improvement.

The ACT Government has assured the Association that Mark's replacement, Brett Phillips, will continue with the same approach Mark had to our industry. We encourage Brett to continue working with us as we fully support him and his team going into the future. I think the most appropriate way we can show our respect and appreciation for Mark is to continue what he has worked hard for over the past number of years and not let his dedication and effort be in vain.

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EXECUTIVE DIRECTOR KIRK CONINGHHAM OAM

LOCAL BENEFITS MORE THAN ECONOMIC

Jobs, skills development and economic growth are obvious benefits when Canberra construction teams compete for projects funded by the ACT taxpayer.

But there are equally important social benefits gained from supporting Canberra's local construction industry – and these benefits can sometimes be overlooked.

Take our Kids Assist program, for example.

Over the past 14 years, we've worked with more than 500 at-risk young people to give them a foot in the door to our industry, and a pathway towards a better life. We partner with teachers who see students disengaged, disinterested, disruptive or worse. These kids face a range of challenges, from learning difficulties to drug abuse, from homelessness to depression and despondency. Playground, Hands Across Canberra and Hartley Lifecare – three local charities doing important work in the community.

The Deakin Charity House project has inspired our industry. Teams are lining up to donate labour and materials in a rush to be part of what we hope will be one of the largest charity events in the Territory's history.

Kids Assist and Charity House underscore the real value our community gains from local industry. The economic multipliers of employing local teams are known and understood, but the social impact gained from locals participating in our broader community are equally and potentially even more important.

We want the ACT Government to recognise and value these benefits before rushing to hand our taxpayer dollars over to external contractors. Employing contractors from across the border is now 'first instinct' for the Barr Government. Every

"The economic multipliers of employing local teams are known and understood, but the social impact gained from locals participating in our broader community are equally and potentially even more important."

Kids Assist gives these young people a chance to shine. Each participant commits to an 18-month program that teaches fundamental lifestyles – the importance of turning up to work on time, looking out for your mates, and the satisfaction found in contributing to a successful project among them.

We see kids transform from potential school drop outs to award-winning apprentices. Many choose to re-engage with high school after seeing how education can help them on their life's journey. Others press on with apprenticeships that set them up for life – and give them not just a certificate, but an attitude for success.

Supported by passionate partners such as PBS Building, the ACT Government and OzHelp, this program changes lives.

Our Charity House program also gives our industry a platform to contribute skills, time, money and resources to deliver megabucks back in support of crucial Canberra services.

This year, in partnership with the Land Development Agency and Renaissance Homes, the Deakin Charity House project will deliver two amazing homes that will be auctioned off in October. The cheque is expected to be on the plus side of \$1 million, and will be shared among Boundless Children's major project goes immediately to outside contractors, with locals effectively barred from even tendering.

Paying more to import labour simply exports opportunity and duds the Canberra taxpayer. Our local industry doesn't want special privileges – just the opportunity to compete on a level playing field.

As well as missing out on the multiple benefits that come with local participation, outside contractors also pollute Canberra's increasingly unique industrial landscape. Canberra is the only jurisdiction in Australia where workers have almost universally rejected union control.

The light rail and Canberra University hospital contracts fly in the face of the choice local construction teams have made to be free from the bullies and thugs in our industry. With the active support of the ACT Government, these contracts seek to deny that choice and impose union control regardless.

Canberra taxpayers deserve better, our industry deserves better – and most importantly, our community deserves better.



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DIRECTOR INDUSTRIAL RELATIONS CAMERON SPENCE

LIGHT RAIL AND THE M.O.U

I'm happy to take up my post as the new director of Industrial Relations for Master Builders ACT. I have the exciting and daunting task of following my predecessor and carrying on his good work, so before I say anything else, there are two points I must make.

Firstly – to express my gratitude to my predecessor, John Nikolic. It is difficult to overstate the difference John has made to the industry in Canberra. He helped lead the fight and get the local industry to participate in the Royal Commission. (A feat unequalled throughout the country). John is a tireless and dedicated advocate and his desire for a better and fairer industry have benefited us all. Secondly – my sincere thanks to my colleague in IR, Kelly Adamcewicz. Kelly held down the fort after John's departure and has been invaluable in providing excellent IR service to our members.

When Malcolm Turnbull wrested the Prime Ministership from a bemused Tony Abbott, he went about trying to inject a decidedly positive note into the Australian political discourse, *"there has never,"* Malcolm assured us, *"been a more exciting time to be an Australian."*

That may or may not be true – but for sure – there has never been a more exciting time to work in Industrial Relations. My first day on the job I was surprised to find that MBA ACT was front page national news. This was of course the story about the now infamous Memorandum of Understanding (MOU) between the ACT Government and Unions ACT. This is an evolving story which continues to be of central importance to MBA. We now know that the MOU played a role in the tender for light rail, and may have assisted the CFMEU to excise local (non-union) contractors from the light rail job in favour of an essentially casual (and perhaps drive in drive out) unionised workforce.

It is hugely disappointing that the ACT Government saw fit to grant the unions this formalised role in the tender process. They have repeatedly attempted to downplay the importance of the MOU, even expressing some complacent surprise that it may be of general interest. Of course the public is properly interested in how their money is spent. The public have a right to expect value for money, and they have every right to be outraged when government invites a third party with a vested commercial interest into the tender decision making process.

Confusion abounds about the MOU. Is it legally binding or isn't it? The language in the MOU is far more prescriptive than is fitting and if tested in court may well be found to actually constitute a contract between Unions ACT and the Government. Such a contract would be illegal and necessarily void. For its part the ACT Government has sought to downplay the MOU, likening it to an ethical supplier's declaration, which from time to time companies may require to assuage others that their products do no harm to their producers or consumers. This is utter rubbish – the MOU is prescriptive and makes egregious demands on both government agencies and bidding companies – some of these demands if honoured by the bidders would actually breach federal procurement laws (as well as freedom of association).

This has placed local contractors in a terrible position. Adhere to the undertakings required under the MOU and run the risk of losing Commonwealth work, or, stay eligible for Commonwealth work but forgo ACT Government work.

The unions were for their part a little more honest about the role of the MOU.

They openly acknowledged that they were performing a vetting role on behalf of the ACT Government and the territory. A public service perhaps? But this overlooks that the unions have a clear commercial interest in which company gets the tender. There appears to be a clear conflict of interest in an organisation with a formal role consulting with Government about who should be awarded a tender, when that organization has a commercial stake in the outcome.

There is more to come out about the MOU. MBA ACT may ruffle some feathers in pursing the MOU matter, but I am at pains to point out that MBA is not on a political endeavour in this regard. The simple fact is that the improper access and influence the MOU grants the unions in the tender process must be challenged.

HIGH RISK TRAINING GET CERTIFIED WITH MBA GROUP TRAINING

MBA Group Trianing provides continual learning opportunities through industry training and education services. Safe work practices within the industry are a priority with the Master Builders and expert advice is available in a range of areas including occupational health and safety requirements, industry codes of practice, education and training.

Up to 70% of the course cost may be refundable to eligible applicants through the ACT Building and Construction Industry Training Fund (TFA). For eligible learners the TFA rebate is factored into the pricing structure.

Refer to the Training Fund website for more information. www.trainingfund.com.au



WORKING SAFELY AT HEIGHTS - CPCCCM2010B

The aim of this course is to provide participants with information, tuition and activities that will enable them to identify, assess and safely work above 1.5 metres with fall protection where required.

Upcoming course dates

- Tuesday 26th July
- Tuesday 23rd August
- Thursday 8th September

\$315 (Member), \$365 (non-member) \$170 (rebate)*

ELEVATING WORK PLATFORM OPERATORS CARD - RIIHAN301D

The aim of this course is to provide participants with information, tuition and activities that will enable students to operate Scissor and Boom type lifts.

Upcoming course dates

- Thursday 21st July
- Wednesday 17th August
- Wednesday 19th October
- Thursday 24th November

\$480 \$170 (rebate)* Southern Training Organisation RTO: 91378

ENTER AND WORK IN CONFINED SPACES - RIIWHS202D

The aim of this course is to provide participants with information, tuition and activities that will enable them to identify, assess and safely enter and work in a confined space.

Upcoming course dates

- Mon 11th Tues 12th July
- Mon 8th Tues 9th August
- Mon 5th Tues 6th September
- Mon 10th Tues 11th October

\$490

\$260 (rebate)* Southern Training Organisation RTO: 91378



For more information about training opportunities contact MBA Group Training:

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WORK HEALTH & SAFETY ADVISOR PHILIP EDWARDS

MASTER BUILDERS ACT SUPPORTS GREATER FUNDING FOR WORKSAFE ACT

At the time of writing, there is much being written in the media on the performance of WorkSafe ACT. In light of this, and the departure of Mr Mark McCabe as Work Safety Commissioner, it is a good time to reflect on what has been achieved by WorkSafe ACT in the construction industry.

Since the release of *Getting Home Safety Report*, Master Builders ACT and the regulator, WorkSafe ACT have been given the opportunity to work together to improve workplace safety in the construction industry. This cooperative process has been confronting at times; but, I believe the industry and WorkSafe ACT are now starting to see the results.

WorkSafe ACT is now working to educate and support the industry in the continuous improvement of workplace safety. They have been doing this by working with Master Builders ACT in providing information through our sector council meetings, information seminars and, more recently, on local construction sites. This has not prevented WorkSafe ACT using punitive actions for those who fail to provide a safe place to work.

Unfortunately, the only statistical evidence we have to go on are Safe Work Australia's (SWA) data on serious claims (a serious claim is an incapacity that results in a total absence from work of one working week or more). After an initial increase in serious claims accepted by ACT Workers Compensation Insurers for workers in all areas of construction work, the latest available data show a demonstrable decrease in the number of claims.

There are two areas where we have seen WorkSafe ACT's work with industry demonstrate improvement:

1. The work done in improving the quality and effectiveness of safe work method statements (SWMS). The former Work Safety Commissioner has been a vocal opponent to lengthy, over-complex and 'one size fits all' SWMS, and produced a simple template as a minimum for SWMS. This template has been incorporated into the *Construction Work Code of Practice*. With this as the basis, Master Builders ACT has worked closely with the Federal Safety Commissioner

to ensure recognition of the template and approval of its use.

2. The actions taken in the clarification and the enforcement of right of entry legislation. This work has resulted in WorkSafe ACT publishing a guidance note on right of entry, *WHS Entry Permit Holders - Rights and Responsibilities*. In addition, Master Builders ACT, in association with Meyer Vandenberg Lawyers has developed a Right of Entry app for iPhones (see below).

With a new Work Safety Commissioner to be appointed, the cooperation must continue and grow, and this requires ongoing funding. Master Builders ACT urges the ACT Government to increase funding for WorkSafe ACT, to ensure the ongoing education and support of the continuous improvement of workplace safety in the construction industry (and all industries in the Territory).

Additionally, funding is also required to ensure actions taken by WorkSafe ACT are properly resourced and resolved in a timely manner for the sake of all parties concerned. Lessons learnt from these actions also need to be distributed to the industry in a timely manner.

WorkSafe ACT must ensure actions taken on site are only for legitimate workplace safety reasons and not used as an industrial tool. Workplace safety is too important to be left to any one entity with vested interests in the industry. Safety is about safety and should never be a 'political football'.

More WorkSafe ACT inspectors out in the field will result in a safer industry overall and better results when problems do arise. The presence of a truly independent WorkSafe ACT, which exists only to bring about a safer industry is a benefit to all ACT workers and employers.



The **Right of Entry app for iPhones** is now available for free download on the iTunes App store.

CONSTRUCTION TRAINING GET CERTIFIED WITH MBA GROUP TRAINING

MBA Group Training provides learning opportunities through industry training and education services. Safe work practices within the industry are a priority for Master Builders and expert advice is available in a range of areas including occupational health and safety requirements, industry codes of practice, education and training.

Up to 70% of the course cost may be refundable to eligible applicants through the ACT Building and Construction Industry Training Fund (TFA). For eligible learners the TFA rebate is factored into the pricing structure.

Refer to the Training Fund website for more information. www.trainingfund.com.au

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PREPARE WORK ZONE TRAFFIC MANAGEMENT PLANS - RIIC-WD503D, RIIWHS201D, RIIGOV401D, RIIRIS301D

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Upcoming course dates

- Wed, 13th Thurs, 14th July
- Wed, 16th Thurs, 17th November

\$800 (Member), \$950 (Non member), \$260 (rebate)* Evolution Training. RTO: 31733

IMPLEMENT TRAFFIC CONTROL GUIDANCE PLANS RIICOM201D, RIIWHS201D, RIIWHS302D

This course is for personnel who are required to setup Traffic Guidance Schemes (TGSs) also known as Traffic Control Plans (TCPs) in accordance with approved Traffic Management Plans.

Upcoming course dates

- Tues, 12th July
- Tues, 23rd August
- Tues, 11th October
- Tues, 15th November

\$510 (Member), \$610 (Non member), \$130 (rebate)* Evolution Training. RTO: 31733

TRAFFIC CONTROLLER - RIICOM201D, RIIWHS201D, RIIWHS205D

This course provides training for staff who are required to control traffic with stop-slow bat. This course aims to provide participants with the knowledge and skills to perform traffic control safety for their co- workers and the public.

Upcoming course dates

- Mon, 11th July
- Mon, 22nd August
- Mon, 10th October
- Mon, 14th November

\$450 (Member), \$540 (Non member), \$130 (rebate)* Evolution Training. RTO: 31733



For more information about training opportunities contact MBA Group Training:

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2016 Federal Election

Like all elections, the 2016 Federal Election is an opportunity for you to have your say on how our nation should be governed.

Whichever party is successful on July 2, the policies they implement will affect your ability to run viable and profitable businesses and build wealth for you and for your family's future.

That is why Master Builders is standing up for your interests at this Federal Election and why we are calling on Canberra's builders to back our call for the major parties to adopt policies for builders and business.

The *Strong Building, Strong Economy* campaign is reminding our politicians that the \$200 billion building and construction industry is the nation's third largest industry and third largest employer - providing jobs for over 1 million people and training more than 50,000 apprentices each year. the return of the Australian Building and Construction Commission (ABCC), housing affordability including the retention of negative gearing, apprenticeship training, more investment in infrastructure, pro small business policies that call for less red and green tape, tax cuts and the need for a strong economy.

Master Builders' election commentary will be non-partisan but we will advocate strongly on the policy issues important to our members. We will assess the policies of the major parties against Master Builders' policy priorities for the next Federal Government which are set out by the Strong Building, Strong Economy campaign.

At the big picture level our industry needs policies that underpin a strong economy, confidence and encourages investment.

"We will assess the policies of the major parties against Master Builders' policy priorities for the next Federal Government which are set out by the Strong Building, Strong Economy campaign. "

Strong Building, Strong Economy is about telling our politicians that our industry is vital to a stronger economy and stronger communities, and that our voice must be heard. This is true in the ACT where Canberra's builders play a crucial role in the economy and the community.

Master Builders has developed a comprehensive range of policies that are important to us as the industry that fuels local economies in communities around Australia. For Canberra's builders these particularly include the restoration of the Australian Building and Construction Commission (ABCC) to return the rule of law to construction sites, housing affordability and keeping negative gearing unchanged and reforming the Vocational Education and Training (VET) system to provide young people with the skills they need and that employers want.

The Government's Federal Budget and the Opposition's Budget Reply identified some of the key priorities of our major parties toward business and their policies will continue to be announced throughout the election campaign.

We strongly encourage you to actively follow the election campaign and examine these policies in deciding how to cast your vote on 2 July 2016.

Master Builders will put the following priorities for the next term of Government which will be promoted during the period of the election campaign. The priorities include, We also need policies where homeownership remains an achievable cornerstone of who we are as a nation, particularly for first homebuyers. Home ownership and housing affordability is a very high priority. Negative gearing must stay.

Training our young people for rewarding careers in the building industry apprenticeships is another.

Investment in infrastructure in the cities and the bush is critical for your business.

A flexible industrial relations environment is also very important in creating jobs in our industry and in raising of productivity. The return of the ABCC is essential.

There will be much commentary made during this very long Federal Election campaign by all political parties. Master Builders will make sure your voice is properly heard and not lost.

Master Builders members are building prosperity and jobs, back Master Builders ACT and Master Builders Associations around Australia and back Strong Building, Strong Economy and its call for policies for a stronger building industry.

STRONG BUILDING STRONG ECONOMY

The 2016 Federal Election provides Master Builder members with the opportunity to have their say about the way our nation is governed for the next three years.

Master Builders will be the leading voice for the building and construction industry and the leading advocate for what we need for the building industry from the next Federal Government.

Master Builders *Strong Building Strong Economy* Campaign will advocate for policies to deliver a stronger building and construction industry, and a stronger economy.



Safe and Productive Workplaces:

Our industrial relations system must be balanced, fair and simple, starting with the re-establishment of the Australian Building and Construction Commission (ABCC) to tackle the ongoing unlawful industrial behaviour in the building and construction industry.



Affordable Housing:

Keeping home ownership within reach of everyday Australians, through more affordable housing options to reduce the cost of living and improve opportunities for more families and young people to buy their own home. Negative gearing rules must stay.

Jobs and skills for the future:

Better investment in skills and apprenticeship training to satisfy the growing demand for construction and trade skills, and to avoid future skill and labour shortages.



Economic settings for stability and growth:

Overhauling the tax system and adopting a responsible approach to structural budget repair that gives confidence to consumers and investors, and establishes a lasting, long-term economic strategy based on sound economic principles.



More infrastructure and investment:

Greater cooperation between public and private sectors to fund investment in urban and regional infrastructure.



More small business and less red-tape:

Increased emphasis on the needs of small contractors by continued cuts to red-tape and regulation.



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STOPPING THE DODGY DEAL on the light rail project

Cameron Spence, Director Industrial Relations

As members are aware - Master Builders Association of the ACT (MBA) conducted a media campaign and petition last month calling on the ACT Government to "Stop the Dodgy Deal" on light rail. MBA called for a delay in the signing of the light rail contract, in order for the Government to re-evaluate the tender process. A process which MBA believes to have been fundamentally compromised by the involvement of the now infamous Memorandum of Understanding (MOU) between Unions ACT and the ACT Government.

We know that the MOU was involved in the tender process. We know that Capital Metro gave a copy to the last two successful bidders. We know that CIMIC, the successful tenderer, rejected the document as illegal. But, we also know that once you've read a document you cannot unread it. You can't pretend that it doesn't exist – and you

cannot mistake the relationship that clearly exists between the ACT Government and the unions in the tender process.

MBA is currently seeking legal advice on the status and future of the MOU - more will follow on this story. Every indication MBA has received thus far is that the MOU is most likely an illegal document and as such should

have no role in any tender process. This is the conclusion that CIMIC came to when they rejected the MOU as an illegal document. We agree with them.

2015-16 Budget Paper number 3, there is approximately \$59 million of Commonwealth money in the light rail project. The viability of this funding may become a live question if the light rail procurement process breached the Commonwealth procurement code.

The MOU is an evolving story and MBA will keep you up to date as it develops. If you believe that the MOU has affected your business in any capacity. Please contact MBA immediately.

MBA v Unions?

It would be easy to think that there is an industrial war going on the ACT right now, between the CFMEU and Unions ACT on the one hand, and the MBA on the other. This is simply not true. To be clear, MBA acknowledges

To be clearer yet, the MBA is not at war with the CFMEU. The MBA would welcome a union in the construction industry that didn't make shocking headlines in a royal commission, that didn't make public infrastructure spending such a massive burden on the public purse. That didn't treat serious issues such as workplace safety and financial probity as political footballs.

> and values the vital role that unions play right across the industrial landscape. Teaching, Nursing, Police, Firefighters, and Public Servant (amongst others) unions can be justifiably proud. They uphold their member's interests and they do so in accordance with the law. Our issue with the construction union is about behaviour.

An interesting side note to all this is that, according to the

As we all know there was a Royal Commission last year into Trade Union Corruption and Governance, and the results (especially in Canberra) were spectacular for all the wrong reasons. Blatant blackmail and standover tactics were exposed as well as questionable commercial practices. There were arrests, criminal charges and convictions. And don't forget that this story isn't over yet. It didn't get much attention in a big Federal budget, but the AFP received \$6 million and extra time to finish work in this area.

To be clearer yet, the MBA is not at war with the CFMEU. The MBA would welcome a union in the construction industry that didn't make shocking headlines in a royal commission, that didn't make public infrastructure spending such a massive burden on the public purse. That didn't treat serious issues such as workplace safety and financial probity as political footballs.

The MBA is not anti-union – we are fiercely pro-industry and we will continue to advocate for the good of our industry, and we will not pit workers and bosses against each other in doing so. The simple truth is that the bosses and the workers need each other. Without each other, there is simply no industry for anyone. Some companies are embracing this cooperative approach and they are thriving. The MBA continues to encourage its members to sign company specific agreements and will continue to do so for as long as the CFMEU EBAs contains clauses that breach freedom of association requirements and lock in place financially unsustainable practices.

Regrettably though, the CFMEU does not yet look ready to change it spots. For evidence of this look at the terrible result for local construction teams on the light rail project. The CFMEU proudly announced they had cut out the 'middle men'. (Those middle men were the local civil contractors – many of which had signed company specific bargaining

agreements and all of which had refused the CFMEU EBA). So, where are these light rail workers coming from? They are either coming from interstate – or they are being poached from Canberra companies. Either way the result is bad for Canberra.

If they're drive in drive outs – then a lot of their money will leave town with them – it won't be spent on mortgages and school fees here in Canberra. Any new building expertise that they gain will leave with them. If they're poached from local businesses they will swap long-term permanent positions for short term contracts and potentially devastate local teams.

The ABCC election less than a month away

We will soon have some certainty around the next Government and whether or not the ABCC will be reinstated. This is hugely important for Canberra construction teams. The truth is that the amount of construction work in Canberra which is subject to the Commonwealth procurement code is not negligible – no one can easily afford to ignore it.

If the ABCC is reinstated after the election, the 2014 Commonwealth Procurement Code will come into effect and any EBAs containing restrictive trade practice clauses such as the jump up and lockdown weekend clauses found in the pattern CFMEU EBA will be completely excluded from Commonwealth work. There are some interesting stories floating around about possible election outcomes after 2 July, including minority governments, or the Liberal National Coalition not having the numbers in the senate to pass the ABCC bill even if they do win the election. Much of this speculation is bogus, there are really only two highly likely outcomes;

- 1. The ALP wins, and there will be no ABCC.
- 2. The Coalition wins, and there will be an ABCC.

Given the uncertainty in this area and the massive importance of the outcome on members – the MBA strongly advises members not sign any agreements containing restrictive clauses before 2 July 2016.

Regrettably though, the CFMEU does not yet look ready to change it spots. For evidence of this look at the terrible result for local construction teams on the light rail project.

> From Wednesday 18 May 2016, Fair Work Building and Construction (FWBC) will assess any new enterprise agreements entered into by building contractors or industry participants for compliance with the current Building Code 2013. This role transfers from the Department of Employment to FWBC. Contractors must be compliant with the Building Code 2013 to be eligible to work on Commonwealth funded construction projects. MBA has asked that the pattern CFMEU EBA be assessed against the current code – all indications are that the pattern CFMEU EBA will be found to be in breach of the current code – again MBA strongly urges its members not to sign any agreements until this is clarified.

> If members have any queries please contact Master Builders' Industrial Relations Department on (02) 6175 5900.



National Construction Code 2016 changes

Well it's that time of year again when changes are adopted in the NCC as of May 1 this year. The ABCB has run a number of information sessions around States and Territories regarding the changes for industry members. For those members who were unable to attend the following changes are some that were introduced. These should be the last until the next update of the NCC in 2019.

The first change to note is the General Provisions in Volume 1 and the General Requirements in Volume 2. The NCC is performance based which was illustrated by a pyramid diagram in both volumes. This diagram on how to achieve performance based compliance with the NCC has been simplified at A.0.2 and 1.0.2 as illustrated below. The most notable changes are the wording from 'Alternative Solution' to Performance Solution' and the deletion of Functional Statements and Objectives in the hierarchy.



The following changes should be noted in Volume 1 of the NCC;

Structural Robustness: A new verification method to verify the structural robustness has been included at Part BV2.

Fire Protected Timber: There are new provisions at C1.13 and Spec C1.13 that allow for the use of Cross Laminated Timber structures to be constructed up to 25 metres for class 2, 3 and 5 structures. There are stringent provisions that must be followed in this application and include measures for cavity protection, wall lining measures and sprinkler requirements. In conjunction with this addition changes have been made at Spec 1.10 to allow for the removal of group numbers to removal from the NCC and referenced in AS 5637.1 for materials.

Carparks: Part C3.1 has been amended around sprinkler requirements for carparks without openings for a facility that holds more than 40 vehicles.

Access and Egress: Changes have been made to Part D1.13 to clarify the determination of persons accommodated for DTS provisions it is not intended to restrict the number of occupants.



Available in hardcopy and online The NCC remains available online and hard copies can be purchased at the Master Builders in Fyshwick.

Visibility in an Emergency: Changes have been introduced at Part EP 4.1 (a) and (b) to include the requirement of sufficient visibility of exits of paths of travel instead of a luminance level.

Sanitary and Ventilation: Part F2.3 (a) and (f) and Table F2.3 have been amended to clarify the requirements for sanitary provisions in class 3, 5, 6, 7, 8 and 9 buildings. There has also been the introduction of a verification method at Part FV4.1 to assist in verifying ventilation requirements of air quality for class 2,3,4,5,6,9b and 9c buildings. A similar verification method has been introduced at Part FV4.2 to deal with air quality for class 7a buildings.

Farm Buildings: There is a new section in Volume 1 at Part H.3 to deal with farm sheds where applicable to avoid being classed as a class 10 and avoiding Fire Protection measures.

The following changes should be noted for Volume 2 of the NCC;

Structure: There is an addition of verification methods at Part V2.1.2 to verify the structural robustness of a class 1 or 10 building.

Damp and waterproofing: There is an addition of verification methods at Part V2.2.1 to verify the structure meets performance requirements for damp and weatherproofing for class 1 structure.

Ventilation: There is an addition of verification methods at Part V2.4.5 and Table V2.4.5 to verify the air quality for a class 1 structure.

Gutters and Downpipes: Careful attention should be shown to these changes of volume requirements and rainfall intensity rates. Part 3.5.2.3 (a) and (b) have been amended to reference table 3.5.5.2 for the selection of eaves gutters and Box gutters from AS 3500.3 or AS 3500.5. Part 3.5.2.4 (c) has been included to reference Table 3.5.2.3 for overflow measures. The addition of these requirements sees the removal of the requirement of a downpipe within 1.2 meters of a valley at Part 3.5.2.5 (b). New tables have also been incorporated to deal with continuous and dedicated overflow measures.

Fire Safety: Provisions have been included at Part 3.7.1.11 to address FRL's of floors of class 1 structures over a non-appurtenant garage. Part 3.7.2.1 has been amended to clarify that a class 10 above or below a class 1 is to be considered as part of the class 1.

Stairs, Ramps and Landings: A tolerance of riser heights of 5mm or 10mm in adjacent risers has been included at Part 3.9.1.2 (a) (iii) and includes an explanatory information. There is also the inclusion of explanatory terms at Part 3.9.1.0 for stair members and flights. Parts 3.9.1.3 and 3.9.1.5 have been included to state the requirements for ramps and landings.

The NCC remains available free on line and can be accessed at www.abcb.gov.au and for those who prefer the ease of a handbook we have printed copies of Volumes 1 and 2 for sale at the MBA. Volume 1 is for sale at \$155 and Volume 2 for \$135.

ACT Government Urban Renewal Delegation to USA and Canada

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Michael Hopkins, Deputy Executive Director, MBA ACT

For a week in February I joined an ACT Government delegation to the United States and Canada led by ACT Planning Minister Mick Gentleman. The delegation inspected large scale urban renewal projects, mostly centred on new transit infrastructure (light rail, streetcar or heavy rail) in Tucson, Portland, Seattle and Vancouver.

The delegation members were:

- Mr Mick Gentleman, Minister for Planning and Land Management
- **Ms Adina Cirson**, Chief of Staff to Minister for Planning and Land Management
- **Gary Rake**, Deputy Director-General, Environment and Planning Directorate
- Ben Ponton, Deputy Chief Executive of the ACT Land Development Agency
- **Ben Maguire**, Light Rail Business Link Program Manager from the Canberra Business Chamber
- Zillah Gisz, Representing the Australian Institute of Architects
- Eamon O'Donoghue and Ronan Moss, Cox Architects, Representing the Australian Institute of Architects
- Jonathan Tanchevski and Adam Howarth, HTI Group Pty Limited
- Kim Sinclair, Chief Executive Officer of CHC Affordable Housing

There were three major themes from the tour relevant to the ACT:

Investment in transit infrastructure brings economic benefits

In all the cities we visited large scale investment by government in transport infrastructure was a key economic driver (in fact, the transport benefits were secondary). In Tucson, for example, residential property values adjacent to the light rail had increased from an average of \$150,000 to \$500,000-\$1m over the 18 month operation of the Tucson Sunlink Streetcar. Also in Tucson, the light rail had completely transformed the downtown area from a struggling town centre, to a lively place with new restaurants, cafes and shops. In Vancouver, high density apartments and retail precincts were being built around the train stations.

In Canberra, most of the focus has been on the transport improvements (reduced travel times, increase convenience, lower travel costs) from a new light rail line. Yet the building and construction activity along the transit corridor is far more valuable for the ACT construction industry.



Portland light rail

Housing affordability pressures are not unique to the ACT

Housing affordability was a key concern in every city we visited. Even in Tucson where house prices averaged \$150,000, median household income was around \$31,000 pa meaning a large proportion of residents couldn't afford to live within walking distance of the light rail corridor. Some housing affordability solutions operating in the US which could have applicability in the ACT included:

- 10 year deferred developer tax arrangements which could be sold to a financial institution to off-set construction costs,
- Planning regulations which allowed a diversity of housing types, including a mix of housing forms in traditionally low density suburbs (a move that is bound to be controversial in Canberra),
- Well-funded community housing providers, similar to the ACT's Canberra Housing Corporation, and
- Development bonuses (such as additional density, plot ratio or reduced car parking requirements), if affordable housing was incorporated into private developments.

Quality design & construction is critical

The final take-home message was that the design of the public space is critical. The urban renewal projects which were most successful from a commercial, political and community perspective were achieved when high quality design and construction was embraced. A range of mechanisms were used to achieve good design including development bonuses, urban design guidelines, or special regulations. For example, in Portland, developers were allowed bonus density (which provides the opportunity to build more units on a site and increase height limits) if urban design guidelines were complied with. In these places the design of the public spaces (building facade to building facade along a street) were all of a high quality.

Using local contractors to deliver quality building outcomes was a topic in each city we visited. In all cities, government authorities and developers spoke highly of the value of using local contractors. Portland developer, John Carroll, had undertaken many commercial and residential projects over 15 years and spoke highly of the value of using local contractors. As he described it:

"I use a fully local design and construction team on all my projects. I want them to walk their families past these projects in 10 years and be proud of the results."

The best opportunity to deliver the lessons from the delegation will be urban renewal opportunities that arise along Northbourne Avenue. The ACT government is currently preparing the City and Gateway strategy which will articulate the government's vision for this corridor. The MBA is working closely with the ACT government, community stakeholders and other business groups to help formulate the strategy and advise on its implementation.

Regardless of the outcome of the upcoming ACT elections and which form of transit is ultimately delivered along Northbourne Avenue, the construction industry should be optimistic about the economic benefits resulting from this investment.



The ACT delegation - inspecting Seattle rail under construction



Deakin dream homes take shape

Projects like this are impossible without the generous support of suppliers like Ern Smith

Donating more than \$430,000 in hours, hard work, skills and supplies to the **Deakin Charity House project**, Canberra's building industry continues to show that it puts community first.

The brainchild of Master Builders ACT, the project aims to raise more than a million dollars for three local charities this year.

The Land Development Agency has contributed two adjoining separate title infill blocks in Deakin, and members of MBA ACT are coming forward with materials, professional services and labour as the homes start to take shape.

The driving force behind the project is Renaissance Homes director Andrew Kerec. He says he's inspired and humbled by "just how easy it is to convince the industry" to contribute to the project.

"It's really exceeded everyone's expectations – and we've now raised nearly half a million dollars in contributions from contractors and suppliers alone."

All bar one of the 53 project partners is a local Canberra company, and some contractors are contributing time and talent valued at more than \$70,000.

"This is great for the charities that benefit, but it also speaks volumes about the strength of our local industry," Andrew explains.

One of those suppliers is Kitchen Link, which has been working with Renaissance Homes for each 18 years. Andrew says the company's owner, Peter Greenberger, went "above and beyond" to support the project.

"Peter didn't just think about how he could contribute. He got in contact with six other companies that supply his business and engaged them in the Deakin Charity House vision."

Peter and his suppliers have saved the project a whopping \$30,000

through their generosity - but he doesn't do it for recognition.

"My son was diagnosed with cancer when he was just eight weeks old, so I understand the important role that local charities play in helping people. Today he's pilot in Darwin, but when he was a baby we needed an extra hand – so we like to give back where we can today."

Three charities will benefit from the funds raised. Boundless, an all abilities playground on the shores of Lake Burley Griffin, will receive 70 per cent of proceeds from the sale of the homes, while Hands Across Canberra, which raises funds for more than 120 small charities across the Canberra region, will take home 20 per cent of the profits. Hartley Lifecare will use its share to rebuild and refurbish properties for people with complex disabilities.

Previous projects have raised \$850,000 for Canberra charities, so the team has high hopes of raising more than a million dollars.

The one and two storey homes, designed by AMC Architecture, are now at lock-up stage, and will be open for inspection in August.

The project's architect, Alastair MacCallum, says being able to design two homes side by side has been an unusual opportunity and ensured each dwelling benefits from maximum solar gain and attractive garden areas, while delivering loads of street appeal.

"The material palette picks up on the character of the area, with classic red bricks, white weatherboarding and darker metal cladding arranged to give the homes a distinctly Deakin feel," Alastair says.

With four generous bedrooms, a study and three separate living spaces, the two storey home is ideal for a family. The three

children's bedrooms and play area downstairs are connected to a common decked courtyard, while the lounge room at the front of the home, with its fireplace, provides an intimate sanctuary for the adults.

A lavish chef's kitchen is sure to be the heart of the home, while upstairs, the master bedroom and study provide privacy and extra flexibility for those needing to work.



Trusses and frames were supplied at no cost by CRT Building Products.

"The design of this home was all about creating a sense of space and light with attractive views to different garden areas while affording the flexibility demanded of modern family life," Alastair explains.

The single storey dwelling has been designed for downsizers, and meets Livable Housing Australia's Gold level certification. Offering three bedrooms, including a separate master, the residence has two external and two internal living areas which are separated by a sunlit courtyard.

"The main living areas take advantage of the morning sun, with garden courtyards again a feature of this residence. This home is ideal for those wanting to downsize in their local area," Alastair adds.

The doors to both homes will be opened to potential owners in August, and the project team is confident buyers and investors will be impressed. Peter Blackshaw Real Estate is set to auction both properties in September.

In the meantime, Andrew Kerec and his team continue to work on the two new homes, and are confident that they'll help three of Canberra's charities make dreams come true.

More information is available online: www.mba.org.au/ about-mba/charity-house-project/



Renaissance Homes have brought the building industry together to raise funds for three local charities.

Thank you to the following for your generous constribution toward this important project.

106.3 FM AAC Environmental AMC Architecture **ARC Reinforcements** Asset Construction Hire Atlas Windows Austral Bricks Bluescope Lysaght **Borg Manufacturing Pty Ltd** (Polytec) **Canberra Crete Canberra Hire Canberra Sand and Gravel** Canberra Weekly **Capital Doorworks Carter Holt Harvey Certified Building Solutions City Drainers CRT Building Products** D & R Henderson **Damian Dawes Carpentry Digital Content Studios** Elvin Group Ern Smith Building Supplies Flight Stairs Furnware Dorset Pty Ltd **Ground Control Hoods Carpet Court** Irwin & Hartshorn JMC Masonry

Kitchen Link Land Development Agency Lupo Concrete pumping M & M Welding **Mastaflow Plumbing Service** Masters Builders Association of the ACT **MBA Fidelity Fund** Meyer Vandenberg Mi Tek Moraschi Roofing **Omni Interiors** Pacific Stone Paint Place Peter Blackshaw Manuka Prestige Scaffolding Services **Professional Plaster Lining** (PPL) Regency **Renaissance Homes** Sellick Consultants **Southern Plumbing Plus** TileFlair **Tony Quinn Survey Toscan Glass** W R Moore Bobcat Hire Wilson and Bradley Win TV WK Marble and Granite



MUD HUTS & MOBILE PHONES

Sam Delorenzo, Master Builders ACT member

In 2009, my partner, Fiona Costanzo, joined a group of clinical psychologists in Uganda to assist in the rehabilitation of former child soldiers, war orphans and sex slaves that had returned following the end of the civil conflict in the north of Uganda.

This led to our ongoing support of baby orphans there through the Watoto Church charity. Fiona and I were subsequently invited and went there in May 2015 as a part tour, part review to see how things were going, and we became quite enlightened on how money was being used. The support has proven very successful in our terms. There were a number of large orphanages that were very well run using a cluster format comprising a group of houses each accommodating eight children and a 'mother'.

However, the Ugandan government (currently reasonably progressive, stable and seemingly benevolent) is looking to better integrating orphans into their culture rather than institutionalising in a semi western way. Across the board, they prefer less charity and more transformational initiatives so Ugandans can help themselves. We saw a way of doing this through partnering with key people create business and employment. Assistance is therefore in the form of seed money through business ventures and investment....

We have established a Ugandan Company, Delcosta Limited, and are involved in broad acre agriculture in the north and property development in the nearby town of Gulu. What I have found is that a little from Australia goes a long way in Uganda (provided it is managed by champions of the cause).We continue to support the orphanages but now they supplemented through our business ventures on the ground over there. There are quite a few Aussies quietly doing good things there.

Uganda itself is emerging as a part of the East African Economic Zone and provided political stability remains, will find itself slowly moving forward in the coming decades. Kampala is a typical large African city struggling, but getting its act together.

The country has a reasonable mobile phone network and is a strange mix of Australia fifty years ago with the IT and almost enough electricity to run it. It's a mix of mud huts and mobile phones. Uganda largely bypassed the land line.

Since our first visit I have returned on five other occasions to progress our interests there and have travelled as recently as May 2016. These include some residential development, exploring larger projects and the Farm. The jewel in the efforts is the farm known as Omer Farm. The purpose of the farm is to provide local employment while guiding the people with good practices to become efficient, proficient and self-sufficient on their land. The terms used for this Project are transformation and reconciliation.

Omer Farm is located in a remote area around 80 km west of the town of Gulu in northern Uganda. It is in the catchment for the Nile river which is approximately 30km to the west of the farm.

The area of the farm is around 8,000 acres with 6,000 acres arable and progressively being cropped. A river, small villages and several creeks prone to flooding account for the non arable area. The region is blessed with abundant rainfall and a short dry season, avoiding the need for irrigation.

The land was part of the warzone of Joseph Kone's Lord's Resistance Army during the civil war. It was totally evacuated during the civil war and it was several years after the war before people returned and re-settled on any available land as squatters. It is populated by the Acholi people and is being rehabilitated to productivity through efforts similar to what we are doing. There are four villages in the vicinity of the farm as well as the surrounding area, with a population of around 3,000 people. The farm has experimented with maize seed, soy bean and maize broad acre. The Farm Director is a Queenslander, Linton Brimblecombe from the Lockyer Valley. He has been very successful in broad acre vegetable farming there and is transferring his expertise to Northern Uganda. He has strong Christian values and has dedicated a few years to establishing Omer Farm.

In commencing the farm, Linton and the formal landowners had to negotiate with large groups of squatters, which at times became quite hazardous and involved confrontations with machete wielding squatters.

Through bravery, good negotiation and the promise of fair dealings, the land was recouped for the titleholder family and leased to Omer Farm. The squatters agreed to a program of relocation.

From there investors were sought from interested parties in sympathy with the objectives of the farm and a rapid establishment commenced in February 2015. From nothing, the farm is now into its third planting and has had mixed success in production, but enormous benefit to the impoverished local communities. The land owners are receiving generous rental linked to farm productivity. Locals have abundant work at a higher and more consistent wage, which filters back into the community.

Notably the farm is aiming to be a profitable business with real returns to investors.

The ultimate aim of the farm is to produce a sustainable outcome (rather than focus on income) for the uplifting of a forgotten corner of Africa.

For anyone interested the following link is to a recent TV news item on the farm, featuring Linton (incorrectly named as Randy Sohnchen). The farm has attracted a lot of attention at all levels of African media and politics.

» Article in the Black Star

http://www.blackstarnews.com/global-politics/africa/ investor-introduces-gps-operated-farming-method-innorthern

Apart from meeting many very interesting people along the way, getting to know the lay of the land and how charities work in this emerging third world country has been quite an eye opener.

Things I have noted that in some cases may be surprising which I would impart;

- Most people and communities are quite capable of managing their recovery and destiny, but sometimes need an effective hand. That does not mean a cash hand out, but maybe a seed.
- The western world is very generous in charitable giving; we avoid facing the fact of enormous waste and opportunism along the way and at the receiving end.
- Many good intentions can cause great harm, and in fact may be hurting more than helping. How? Dependency. Destroying personal initiative. When we do for those in need what they have the capacity to do for themselves, we disempowercharity has turned millions of people into beggars.
- Work with communities as a background hand and walk beside them letting them determine their own destiny in their own way.
- If you are compassionate and do feel compelled to do something, rather than a shotgun approach, it is more effective to concentrate on a single cause and immerse yourself into it. It becomes more rewarding to see your efforts and cash being effective.
- There is a lot of skill and knowledge on the ground in most places. Most work done by volunteers could be better done by locals in less time and with better results
- I trust that this small glimpse may help to enlighten. There is a lot you can do and learn and it doesn't need to be abroad. All the principles we have learned in Uganda have a place in our own community.

I am happy to hear from anyone interested in knowing more about what we are doing in Uganda and sharing ideas on transformational work.

Email sdelorenzo@delorco.com.au

Our next trip is in August.

We are happy to receive donations of functional (unlocked) smart phones and laptops with chargers to distribute to people in Uganda. You can drop off any phones or laptops to the Master Builders in Fyshwick. (1 Iron Knob Street).





BMD Advancing the Australian Capital Territory for 10 Years

2016 marks the 10 year milestone for BMD operations in the ACT.



Since BMD's inception in 1979, the company has had a strong reputation in the construction and urban development market. Leveraging off this past performance and strong reputation in NSW, BMD saw an opportunity to expand into the ACT in 2006.

BMD is proud of this significant achievement and the strong presence that the business has had in the region for the past decade.

Long term client relationships have been the foundation of BMD's success, as well as their commitment to delivering the highest standards of quality and service. As a company engaged in engineering design, construction and land development for clients and partners in the urban development, transport infrastructure and resources and energy sectors, BMD employ a relationship based model founded on certainty, collaboration and performance.

During the past 10 years, BMD has aimed to ensure that each and every person who comes into contact with their business remains safe through their commitment to health, safety and the environment and more recently, their 'Zero Harm' goal.

BMD's project portfolio in the ACT began with the award of the bulk earthworks contract for the Alexander Maconochie Centre in Hume in February 2006. Since 2006, BMD has expanded their capabilities in the construction and urban development sectors, having been awarded a diverse range of projects including residential and industrial land development and transport infrastructure works. The ACT team has significantly grown in both capability and in numbers over the past decade. BMD commenced operations in 2006 with three employees in the region and have now grown to a team of 30 employees.



BMD is proud to continue to work with local suppliers, clients, government and private organisations to help improve the region's infrastructure and liveability. This was recently recognised at BMD's ACT 10 Years celebration, held at the Boat House in Barton. BMD's Board of Directors joined Executive Management, the ACT project teams as well as clients and suppliers in thanking them for their help in reaching this milestone.

BMD have been working on a number of residential land developments north of Canberra including both the Moncrieff and Lawson estates and have recently been awarded the Throsby Access Road upgrade's second package of works in Moncrieff.

This 2.8 kilometre duplication of a major arterial road, follows the successful works undertaken on Stage 1 of the project and are representative of our diversified business model connecting Canberra. The works include the upgrade of three T-intersections to include fourth legs that provide access to the future Throsby Residential Estates. The scope of works includes bulk earthworks with importation of approximately 70,000m³ of fill, construction of two single span two lane bridges, relocation of a 375 millimetre trunk water main, provision for services up to the Throsby Estate boundaries, stormwater, an off road cycleway, landscaping, traffic signals and street lighting. The project will improve safety and traffic flow and provide better access to nearby suburbs. The team are currently in the final stages of Stage 1 which is now 90 per cent complete, before beginning Stage 2 in May. The project is expected to be completed in January 2017.

BMD's ACT team has also continued to work on the realignment of the Olympic Highway and replacement of the existing Bridge at Kapooka, Wagga Wagga, due for completion in mid-2016. The team at Kapooka have recently helped out the local community by donating funds to nearby Uranquinty Primary School. The funds were used to purchase a new shade sail to place over the children's play area. BMD staff also gave up their time on a weekend to attend a working bee to install the shade sail.

The past 10 years in the ACT have reaffirmed BMD's strengths in the quality of our people and our genuine relationships with clients, partners and communities. BMD is extremely proud of both the ACT team and all those who have contributed to the growth in the region over the last decade.





Housing affordability, the issue former Prime Minister John Howard once famously called a "barbecue stopper", has become a key election issue as our political leaders draw their battlelines around housing policy.

In February, Opposition Leader Bill Shorten announced Labor's commitment to restrict negative gearing to investments in new housing. Shorten has said the changes will add \$32 billion to the federal government's coffers over the next decade.

Meanwhile, Prime Minister Malcolm Turnbull has promised that any changes to negative gearing are off the table, arguing that the tax break helps everyday Australian families build wealth and save for retirement.

Negative gearing tax concessions aren't new – in fact they've been around for more than a century. Just as investors in other areas of the economy are able to deduct losses they accrue from their taxable income, so too property investors are able to offset net rental losses against their wage income.

Investors are also entitled to a 50 per cent capital gains tax concession once a property has been sold – a concession that's been around since the Hawke era.

Labor's new plan includes a 'grandfather' clause which exempts the 1.2 million taxpayers who currently claim deductions, and investors in new homes are safe. But everyone investing in existing housing after 1 July 2017 would be affected, and capital gains tax concessions on all properties purchased after 1 July would be halved.

"While restricting negative gearing to newly-minted homes may seem like a good plan to stimulate activity in the housing market, cutting the capital gains tax discount provides a sting in the tail," says Master Builders ACT's Executive Director, Kirk Coningham.

Coningham says increasing housing taxes by \$32 billion a year will undoubtedly have an impact on the sector – although economists and industry analysts aren't yet clear on what shape those impacts will take. Whether rents will rise or fall, housing construction slows or picks up, or whether house prices will skyrocket or plummet is up for debate.

"The truth of the matter is that no one really knows what the impact will be and we can only really speculate," says CoreLogic RP Data research analyst Cameron Kusher.

He says housing finance data reveals that just 22 per cent of new housing stock is purchased by investors. While Labor's policy aims to redirect investment to new housing, Kusher says "you can't just assume that investors will make this leap."

What is "crystal clear", Coningham says, is that limits on negative gearing will act as an investment disincentive.

A recent survey conducted by LJ Hooker certainly suggests this is the case. The real estate giant's poll of 1,700 investors found that 31 per cent would sell property holdings if negative gearing was abolished or restricted.

LJ Hooker's chief executive officer, Grant Herrod, says Labor's plan "would likely create panic purchasing with a rush of investors buying up existing properties in the six months before implementation" which would create a build-up of demand, followed by a drop-off in sales.

"A sudden spike is never good for markets. Such activity hurts everyone from investors to first home buyers and even retirees planning to sell to fund what should be the best years of life," he says.

Tradies reliant on renovation work would also be hurt by the policy. According to the Australian Bureau of Statistics, \$17 billion is claimed each year in rental property deductions - the bulk of which offsets renovation and repair costs.

Gordon Leggett is director of MainCorp Constructions and a former national board member of the MBA. He says changes to negative gearing would create uncertainty in the market - and could cost jobs and growth throughout the sector.

"As soon as money gets tight, people cut back. It will definitely cost some jobs," Leggett says.

Around 14,000 people are directly employed in Canberra's building sector in a diversity of roles. Constructing a typical home involves 40 separate trades and contractors. In the

last year alone, Canberrans spent \$48 million on additions and alterations.

"As the pool of investors able to offset renovations and repairs against their tax shrinks, we can expect this work to dry up too," Coningham says.

"The home building industry is a central component of the national economy, and home ownership is vital to Australia's social fabric. Building homes for families drives the national economy, creates jobs, stimulates other industries and helps to create safer communities.

"Housing affordability should be a government priority but changing negative gearing rules is not the answer."

Coningham says a number of factors have eroded housing affordability, including inefficient land release strategies, excessive development levies, taxes and charges, restrictive planning and building requirements, and uncoordinated local and state government environmental regulations.

"More land, fewer taxes, quicker approvals and less red tape - these are the essential elements that will keep home ownership within reach of everyday Australians," Coningham concludes.

TRAINING FUND THORIT

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on 6262 5630 or email: mdoyle@trainingfund.com.au

- Refrigeration and
 - Air Conditioning
- Painting and Decorating
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Work Safely at Heights

• ACT Work Safety Representative

Financial Benefits for Employers

The objective of providing incentives is to develop a more skilled workforce and to increase the employment and training opportunities for Australian Apprentices in the ACT. The ACT Building and Construction Industry Training Fund Authority is providing the

RECEIVE INCENTIVES UP TO \$4,000

following funding for employers who employ a 1st year apprentice in the above

 \$2,000 three months after the commencement date of the apprenticeship* trades in 2015.*

- \$2,000 on completion of the first 12 months of the apprenticeship* * Applicable to first year apprentices, commencing from 1st January – 31st December 2015 under an ACT Contract of Training.
- Additional funding may also be available for Indigenous Australians, women in a non-traditional vocation and a person with a disability.

Note: Where the employer is a Group Training Organisation (GTO), the Training Fund Authority incentives are equally divided between the GTO and the host employer.

Improve your skills and professional development with the following courses*:

- Wet Area Waterproofing
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- Traffic Control Management
- ACT Construction Induction Card

- Cert IV Project Management Testing and Tagging
 - of electrical equipment
- Open Cable Registration
- Optical Fibre Cabling Business Administration and Management
- Computerised Accounting

*These courses are examples of



The 2016 Master Builders and Cbus Excellence in Building Awards will be held on Friday 24 June

Some important things you should know....

Location: National Convention Centre, 31 Constitutional Avenue* Time: 6.30pm Dress: Black Tie**

*Construction is still taking place on Constitution Ave, so make sure you give yourself plenty of time to get there. Parking is available under the Convention centre.

**Need to hire a suit. John Hanna is offering MBA Members a discounted rate on suit hire. Make sure you have your fitting before 19 June so you don't miss out.

#MBAWinningphoto

Our Facebook competition is on again this year.

In partnership with **realestate.com.au**, our Facebook competition continues to build hype and excitement in the lead up to the BIG awards night.

The competition is simple

Step 1: Visit our Facebook Page www.facebook.com/MasterBuildersACT/

Step 2: Click on the Photos tab and then Click on either the Residential album or the Commercial and Civil album.

Step 3: Look through the photos and click "Like" on any of the photos to cast your vote

Want to get the word out?

Step 4: Tag friends in the comment section of the photos, post about the competition on your feed and encourage others to vote.

At the awards the night the photo that had the most "Likes" by the end of the competition and will win a complete promotional package with realestate.com.au. The package includes

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- A 3D walkthrough of a property of your choice.



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2016 Civil Contractors Federation ACT Branch Earth Awards



On Friday 6 May 2016 the 2016 CCF Earth Awards were held at the National Museum of Australia. Guests from all over Canberra's civil construction industry gathered to celebrate the achievements by the industry in the 12 months past. This year saw 14 finalists across the five categories with jobs ranging from road upgrades, to new bridges, innovative share paths and continued suburb development.

The night was a huge success with guests being entertained by comedic Emcee Lawrence Mooney and both inspired and moved by the success story of Gold Medal success in Freestyle Aerial Skiing at the 2002 Winter Olympics in Salt Lake City.

The president of the ACT Civil Contractors Association, Peter Middleton, has praised the quality of civil construction projects completed during the last twelve months. "The technical quality of many of the projects was of the highest standard and equal to the best of works done throughout Australia. The awards night is an opportunity for employees of all civil companies to reflect upon a year of hard work and to take pride and satisfaction that comes with the formal acknowledgement of a job well done." Winners this year included;

Category one – Projects up to \$1 million, awarded to Cord Civil – Sullivan's Creek Weir.



After to recent flood damage that occurred to the stone and concrete weir across Sullivan's Creek, Cord Civil were contracted

to undergo immediate repairs as further flooding could compromise the existing 600mm diameter sewer trunk line that lay under the damaged weir. The project required not only significant consideration for the protection of the sewer but also consideration for the very sensitive ecological system that exists in the area. After an initial Risk Assessment, Cord Civil proposed a different design, eliminating the need to work around deep water. The design included the use of an Aqua Barrier and draining of Sullivan's Creek, which allowed works to proceed in a much safer and environmentally friendly manner. This approach also resulted in minimised inconvenience to the projects adjoining the property.

Category two – Projects \$1 million - \$5 million, awarded to Complex Civil – Bunda Street Shareway



As part of the ACT Governments fourth and final stage of the Civic cycle loop a bold design was selected to transform

Bunda Street into a shared zone for pedestrians, vehicles and cyclists. The project featured realignment of footpaths and roadways, reduced speed zones, raised granite paving and bespoke steel furnishings. The shareway encompassed several new and innovative approaches to design, including the construction of bioretention planting beds to process stormwater runoff and improve water sustainability in the city centre. Complex Civil showed exceptional insight into the management of traffic and stakeholders on site, catering for local business operations, hosting community events and facilitating access for the vision impaired.

Category three – Projects \$5 million - \$10 million, awarded to Woden Contractors – Bowen Place Crossing



The Bowen Place Crossing project, removed a dangerous black spot for pedestrians and cyclists when crossing Bowen Drive

and is the critical final link of the shared pathway system around Lake Burley Griffin. The architectural design and construction efforts were critical in completing such major high quality works in a confined area with limited access opportunities.

The result is that the project totally blends into the existing surrounds, including mature trees. The enclosed avenue effect of the lakeside section of the works, where the path goes underneath the canopy of existing trees at each end of the path, gives the impression that the works have always been there and denies the difficulty of carrying-out the construction works in such a confined area under high levels of traffic plus pedestrian and bike users.

Category four – Projects \$10 million - \$30 million, awarded to Woden Contractors and Civil Bridge & Wharf – Molonglo Link Bridge and Trunk Sewer Project

The Molonglo Link Bridge and Trunk Sewer Project represents a construction high point in the nearly 60-year history of Woden Contractors. Built in partnership with



Civil Bridge & Wharf, the 243 metre long bridge is the longest ever built in the ACT, and at 30 metres above the Molonglo River posed

the significant engineering challenges of incrementally launched construction and environmental management in a sensitive area.

The bridge is required to carry a new trunk gravity sewer across the river to link into the existing Tuggeranong main carrier sewer and then to the Lower Molonglo Sewage Treatment Works. The bridge is also to be used for pedestrian and cycleway access plus have the capacity to carry Icon Water maintenance vehicles to 11 tonnes gross mass.

Category five – Projects \$30 million - \$75 million, awarded to Huon Contractors – Googong NH1A – Stage 4, 5 & 6.

Googong township includes Googong Neighbourhood 1A Stages 4, 5 and 6 (The Project) consisting of 493 residential lots, a future school and a shopping centre site. The construction works for the Project included Earthworks, Sewerage reticulation, stormwater drainage, Potable and Recycled water reticulation, Roadworks, Telecommunications and power reticulation and Landscaping. Specific environmental training was carried out as part of general inductions to familiarise personnel with the site due to its close proximity to the very sensitive Montgomery creek catchment.

Huon was presented with a very tight schedule as blocks in Stages 4, 5 and 6 were already sold. This became difficult when large areas of fresh Dacite rock were encountered, which needed to be blasted, crushed and reincorporated in to the project. Huon achieved all approved completion dates, which included delays due to changes to design and scope increases.

All the winners will go on to the National CCF Earth Awards held in October 2016.



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1000 people visit the Moncrieff Display Village on first day.

The Master Builders Moncrieff Display Village was officially opened by Meegan Fitzharris MLA on Saturday 5 March 2016.

Located on the corner of Crackerjack Way and Bellhouse Crescent, the display village has 12 single and double storey homes packed with state-of-the-art design, smart technology and clever ideas to suit all budgets and tastes.

Canberra's newest and largest display village is a collaboration between Master Builders ACT and the Land Development Agency (LDA). Kirk Coningham, Executive Director of Master Builders ACT says "Master Builders ACT and the LDA have always had a strong relationship and we are proud to have partnered with the LDA on this project and bring to life this unique and beautiful display village.

"The village brings to life the best in contemporary Australian design – blending beauty with practicality and sustainability with liveability." All the builders at the village are Master Builders members and are examples of Canberra's finest Builders. The builders are; Achieve Homes, APA Homes, Elevated Living, GJ Gardner Homes, Gracious Living Constructions, J & F Homes, MBS Housing, McDonald Jones Homes, RAM Living, Rawson Homes, Renaissance Homes and Sekisui House.

"Our builders have worked hard to bring the latest living ideas for sustainable, accessible and affordable homes. Whether you're in the process of building your own home, contemplating your options or just keen to check out the best in modern design, you won't be disappointed by the imaginative and inspiring homes at Moncrieff" Mr Coningham said.

The launch of the Master Builders display village included family entertainment, a BBQ hosted by OzHelp and information from LDA Mingle program.

Moncrieff is being developed by the Land Development Agency and will include up to 2,200 dwellings, a




Group Centre, community facilities, parks and playground areas. This exciting new community will comprise a mixture of single residential, medium and high density multi-unit developments.

The Moncrieff Display Village is open each Friday to Monday 10am to 4pm. For more details go to: www.mba.org.au/consumer-advice/ moncrieff-display-village/ Above clockwise form main: Over 1000 people came to the display village opening in March, the day proved popular with young families, Meegan Fitzharris MLA with Renaissance Homes' Mark Newman, Visitors inspecting one of the homes on display., Kristen and Rod from Mix 106.3 broadcast their show from the village,

Moncrieff Display Village Preferred Partners





Sector council nominations

Interested in forging a better construction industry in the ACT? Are you a local building and construction industry leader? Would you like to give back to the ACT's largest non-government industry? Would you like to develop your industry networks? Want to get involved in the leading an MBA Sector Council?

If you would like to get more involved with the MBA, we will soon be seeking nominations for the following positions:

- Sector Council Chair (1 for each Sector Council Commercial, Residential, Subcontractors/Suppliers, Professionals and Civil contractors).
- Sector Council Alternate Chair (1 for each Sector Council).
- Sector Council members (between 12 and 20 members for each Sector Council).

Members will be elected to these position for 2 years.

After this election, Sector Council Chairs will also hold the position of Director of MBA Group Training. The Sector Council Chairs, together with the Alternates, the MBA President and MBA Treasurer meet monthly.

Sector Council members, together with the Chair and Alternate Chair meet every two months.

Participating in the Sector Councils is a great way to get involved in the MBA and contribute to the ACT's leading construction industry advocacy group.

If you have any questions about what is involved please call Kirk Coningham , Michael Hopkins or David Leitch on (02) 6175 5900.

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The Master Builders Fidelity Fund was established in 2002 to protect the interests of both consumers and builders in the ACT.

For Builders, the Master Builders Fidelity Fund provides financial certainty as money held by the Fund remains in the ACT. It is securely invested and used for the betterment of the ACT builders and consumers and is therefore not subjected to the vagaries of international markets and events.

The Fidelity Fund issues Fidelity Certificates which provide consumer protection for owners of new homes and those making significant changes to homes. The Certificates protect the owner during construction and for up to six years from the date of practical completion.

Master Builders members receive reduced premium rates and we also offer special discounts for volume users of the Fidelity Fund. For more information contact the Master Builders Fidelity Fund.

Go online and find the cover that is right for you. www.mba.org.au/fidelity_fund





Misconduct by social media: unravelling the issues for employers.

We all know that social media has become intertwined into our every day lives. It is has become common that interaction and communication both inside and outside of the workplace includes social

media in all its variety of forms.

But what does this mean for a company's brand? For the relationship between employer and employee or even employee and employee? When does a simple comment become something more serious? What action can an employer take?

Ashurst, a law firm in Canberra recently held an information session on the issue and we have summarised five points to help with responding to issues that arise on social media.

Assess what has been posted on social media. Always when looking into the misconduct on social media it is important to look at the post/image first. There are a few questions that you can work through to help with this.

- Has the employee posted content that relates to the work they do?
- How has the post been written? Is it offensive and abusive or factual and respectful?
- How popular has the post become? Has it been shared or retweeted? Does it has a lot of comments or likes?
- Who is identified in the post? The employee, the employer or both?
- What affect has the post had? Has it influenced the company's reputation? What is the potential of the post having a negative impact for the company?

Refer to your social media policy and employee

contract. Checking what is written in your social media policy and employee contract allows you to have documentation to refer to if you need to progress the issue. It is important that all employees are aware of what is in the social media policy or have received training on appropriate

social media use with regards to the employer's expectations. Sometimes social media behaviour can be in breach of other codes of conduct that are explained in an employees contract including; bullying, anti-discrimination or privacy.

Attendees at a recent Ashurst

social media presentation

What action should be taken? There a few different avenues to consider here.

What you like the employee to takedown/ delete the post? Has the company dealt with a similar incident before? What action was taken then?

Do you need to consider performance management or appropriate disciplinary action?

What are the risks involved with the action being

taken? Once you have an idea of what action you would like to take towards both the post and the employee, it is useful to check that any disciplinary action is proportionate to the conduct of the employee. You can also check the Fair Work Act 2009 to see if any disciplinary action could infringe on an employee's general protection provisions. Also consider the risks around the interaction with the post. Do any of the comments have issues with defamation, confidentiality or intellectual property?

How can you learn from this for future issues. Once you have resolved the matter you may like to review your policies and make sure they sufficiently address any issues that have arisen. Do you need to provide any further information or training to employees to limit these issues arising in the future?

If you would like to discuss the matter further you can contact our IR Department 026175 5900 or you can purchase the Human Resources Manual which has several different template policies including a social media policy. The order form can be found at http://www.mba.org.au/ industry-resources/business-tools/

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Building a SUPER FUTURE for your business

No matter the size of your business, there are a few important rules and responsibilities you need to be aware of when it comes to superannuation. As the experts in super for those in the construction and building industry in Australia - Cbus Super can help make super simple for you.

Here are some key things to note for employers:

PAYING COMPULSORY SUPERANNUATION

Superannuation Guarantee legislation says that the current super contribution rate payable to your employees is 9.5% of ordinary time earnings (OTE). This rate may be higher if there is an Industrial or Enterprise Bargaining Agreement (EBA) in place.

Super contributions **do not** have to be paid for:

- employees who earn less than \$450 (before tax) per calendar month
- employees who are under 18 years old, and work 30 hours or less per week.

GIVING EMPLOYEES 'CHOICE' OF SUPER FUND

When a new employee is eligible to choose their own super fund, you need to provide them with a 'Standard Choice Form' within 28 days from their start date.

If your new employee doesn't choose a specific super fund, you must pay their super into your nominated default super fund.

CHOOSING YOUR DEFAULT SUPER FUND

A default super fund is the super fund that your business chooses, that acts in the best interests of your business, and your employees. By choosing Cbus as your default super fund, you'll join the leading industry super fund for the construction, building and allied industries.

Cbus is unique. Through wholly owned subsidiary Cbus Property Pty Ltd, Cbus invests back into the industry to create jobs and help boost the local economy with new projects.

RECORD KEEPING

As a business, you need to keep the following records in English for five years:

- records showing the 'Standard Choice Form' has been provided to all eligible employees
- details of employees who do not have to be offered a 'Standard Choice Form'
- documents issued by the super fund showing you have made super contributions to an employee's

chosen fund (for example, annual record of contributions statement)

records confirming that your chosen default super fund is a complying fund. This is usually found online, on the super fund's website.

SUPPLYING TAX FILE NUMBERS

When an employee provides you with their Tax File Number (TFN), by law as their employer - you're required to provide this information to their super fund within 14 days or when you make the first contribution on their behalf. If a TFN is not provided, your employee will be unable to make any additional personal contributions and they may pay more tax on their super as a result.

UNDERSTANDING 'SUPERSTREAM'

SuperStream is a Government reform to do with businesses and how they manage their superannuation responsibilities. It is aimed at improving the efficiency of the super system that a business uses to make super contributions to their employees.

Under SuperStream legislation, businesses are required to make super contributions on behalf of their employees **online** by submitting data and payments electronically.

Businesses with 20 or more employees should already be paying superannuation contributions via an online payment system since October 2015.

Businesses with 19 or less employees need to be paying super contributions via an online payment system by 30 June 2016.

*If you are unsure about the SuperStream rules, or need help getting set up on an approved payment system, just call Cbus Super Fund on **1300 361 784**.

Read the Cbus Employer Handbook and relevant Cbus Product Disclosure Statements to decide whether Cbus is right for you. Call 1300 361 784 or visit www.cbussuper.com.au for a copy.



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Geoff would like to congratulate all MBA Award winners and finalists

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NATIONAL UPDATE

A SNAPSHOT OF INDUSTRY NEWS FROM AROUND THE COUNTRY

FAIR WORK BUILDING & CONSTRUCTION AND BUILDING CODE ASSESSMENT PROCESSES

Master Builders had a significant win for members with the announcement on Friday 13 May that:

- FWBC will take responsibility for assessing EBAs for Code compliance (previously undertaken by the Department of Employment);
- FWBC Director will take responsibility for recommending sanctions to the Minister for Employment where the Code is breached;
- The 2009 'Gillard Directive' that allowed EBAs made under the Fair Work Act to be 'deemed Code compliant' was revoked;
- All new agreements made on or after 18 May 2016 will need to be completely compliant with the 2013 Building Code;
- Those tendering for Commonwealth funded construction projects on and from 1 June 2016 will need to demonstrate that their EBA is not inconsistent with the Building Code 2013, unless it has been previously assessed as 'Code compliant' however so described; and

These changes were made as a direct result of representations by Master Builders to the Minister for Employment. They are a significant win for members and provide practical, interim relief while we await the future of the ABCC.

Master Builders made further representations after the announcement to clarify the definition of when an agreement is 'made' resulting in FWBC confirming that this definition includes variations made to EBAs. This is also a significant win and removes the capacity for unions to seek extensions to non-compliant agreements in order to avoid Code obligations.

'VULNERABLE WORKERS' POLICY- FIRST IR ANNOUNCEMENT OF ELECTION

The Federal Coalition released the first workplace relations policy of this election aimed at the protection of vulnerable workers. The policy outlines new measures to increase protections for 'vulnerable workers' and aims to address circumstances akin to those discovered amongst certain franchise chains involving systemic underpayment of wages, particularly for migrant workers. The measures foreshadowed in the policy include:

- increasing the penalties for employers who underpay workers and fail to keep employment records;
- introducing a new penalty category of 'serious contraventions,' which will provide higher penalties for any business who intentionally rip-off workers;
- delivering a \$20 million funding increase for the capabilities and workforce of the Fair Work Ombudsman (FWO);
- strengthening the powers of the FWO to obtain information from employers about breaches; and
- establishing a Migrant Workers Taskforce in the FWO to target employers who exploit migrant workers.

RELEASE OF DELOITTE ACCESS ECONOMICS REPORT: VICTORIAN CONSTRUCTION—LABOUR COSTS AND PRODUCTIVITY

Research released by Master Builders Association of Victoria shows that construction industry EBA wages have been growing at unsustainably high rates and costing Victorians jobs and much needed social infrastructure like schools, hospitals, roads and parks.

Deloitte Access Economics, in its report Victorian construction – labour costs and productivity, examines construction EBA wage growth and demonstrates the detrimental effect of the unsustainable and excessive increases in construction EBA wages.

Industry EBA wages have outstripped the construction industry wage price index by more than 27 per cent



over the last 14 years. This means that those wages have grown far beyond what can be justified by economic or productivity growth.

The report shows that more than 1500 jobs have been lost over the last 14 years due to funds being diverted into unnecessary and unjustified union EBA wage increases. Those are much needed jobs in the Victorian economy which could have benefitted thousands of Victorian families.

FAIR WORK COMMISSION AWARD REVIEW UPDATE – ANNUAL LEAVE CHANGES ANNOUNCED AND CRITICAL CONSTRUCTION STAGE IMMINENT

There have been some developments in the "4 Yearly" review of Modern Awards taking place before the Fair Work Commission (FWC). This process is required by legislation and involves FWC reviewing all awards to make sure they meet the 'Modern Award Objectives' set by the Fair Work Act 2009.

Master Builders has been an active part of the review process and has consistently argued for a raft of improvements to two commonly used construction awards, the *Building and Construction General On-Site Award 2010* and the *Joinery and Building Trades Award 2010*. These awards are renowned for being complex, lengthy and difficult to understand and Master Builders will seek to improve their content to ensure members are better able to interpret their obligations.

Annual Leave – Important Changes

FWC recently handed down an important decision that makes significant changes to the way Annual Leave is dealt with in construction awards. This decision decided that all Modern Awards would be varied to insert standard provisions that allow for:

- Employees to cash-out Annual Leave;
- Circumstances that allow an employer to direct that employees take Annual Leave when they've accumulated an excessive entitlement;
- Employers to pay employees as per their normal pay cycle when on Annual Leave, if the employer pays via EFT; and

Employers and employees to agree that Annual Leave can be taken in advance of its accrual, subject to certain protections for both parties.

FWC issued draft model clauses giving effect to the above decision which are currently under review by Master Builders. Please note that the Annual Leave changes will not have any effect until a final determination is made by FWC at which point Master Builders will advise all members.

Construction Modern Awards – Industry Specific Review Stage Imminent

The Modern Award review process will soon reach a critical stage for the construction industry, with hearings about two important construction awards due to commence before the end of the year. Just some of the substantive amendments Master Builders has sought in the review include:

- the removal of WHS provisions within the On-Site Award as model WHS legislation already provides appropriate regulation of such matters
- significant reform of the complex allowances within the On-Site Award
- clarification of casual loading and its proposed
 exclusion from daily hire rates; and
- the reduction of the hours of minimum engagement of workers under the Joinery Award.

Master Builders will file detailed submissions and evidence shortly with a hearing expected later this year.

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This course is specifically designed for Materials Hoist operators. The category HM course does not allow operating personnel hoists.

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- Mon 15th Tues 16th August
- Mon 17th Tues 18th October
- Mon 12th Tues 13th December

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RTO: 91378

INTRODUCTION TO MANUAL HANDLING

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