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“All of the Master Builders Associations, led by Master Builders Australia, campaigned hard and loud on the issues that matter to our members during the election campaign.”

A MESSAGE FROM PRESIDENT, GRACIE FERREIRA

## Outcomes of the Federal Election

The outcome of last month's Federal election has allowed our industry to breathe a collective sigh of relief knowing that some of the potentially damaging policies of the Federal Labor party will not be implemented.

Our congratulations and best wishes go to Prime Minister Scott Morrison and his team for the three years ahead.

All of the Master Builders Associations, led by Master Builders Australia, campaigned hard and loud on the issues that matter to our members during the election campaign. Our position at the MBA is that we are apolitical. Our job and our duty to our members is to look after the interests of the industry, to lobby for positive change and to ensure our members' rights and livelihoods are protected.

Our campaign focused on four key issues:

- > Balanced workplace relations laws and safe building sites, delivered amongst other actions, by retaining the ABCC and ROC.
- > Building stronger and more prosperous communities by increasing housing supply, increasing infrastructure spending, and implementation of building regulations that meet community expectations, are enforced and don't drive up costs.
- > Backing small business, and
- > Boosting skilled and secure careers in the construction industry.

I would like to thank all of our members and staff that helped develop these policy positions, worked behind the scenes to

brief both sides of Government, explained these key messages to their friends and colleagues, and contributed in countless other ways to support our campaign.

In particular I would like to thank Simon Butt from Manteena who represents MBA ACT on the Master Builders Australia board, and Denita Wawn the CEO of Master Builders Australia.

With the Federal election now behind us, our focus will move to the 2020 ACT Territory election which is a little over 12 months away. We will again be representing the concerns and wishes of our ACT members to all candidates in the ACT election.

The policies of the ACT Government have a significant impact on the success of our local businesses. With support from the ACT Government our local members can employ more people, provide more affordable housing, provide safe and secure workplaces, and can invest in the training and development of their staff.

As an industry which employs more than 17,000 people in the Territory, we know that what benefits our members, benefits the community at large.

As an industry which employs more than 17,000 people in the Territory, we know that what benefits our members, benefits the community at large.



**G.J. Gardner.**  
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“ACT Government regulatory reform is at an all-time high.”

A MESSAGE FROM CHIEF EXECUTIVE OFFICER, MICHAEL HOPKINS

## Government Reforms in the ACT

**Do you ever feel like you are drowning in paper work? Or ever feel like you spend more time filling in forms than actually working on-site?**

If you are a builder or contractor that works for the ACT Government or Federal Government, the level of compliance is immense. From Secure Local Jobs Code, pre-qualification, local industry participation policy, active certification, WHS audits, Federal Building Code compliance, Federal Safety Commission compliance, and that's before you get to your responsibilities managing staff and growing your business.

If you are one of the 5,443 small construction businesses in the ACT, you will understand the feeling of having to comply with all of the above, but with very limited resources. The feeling is sometimes overwhelming. Just when you think you are on top of things, Government decides to add another regulation to the long list.

ACT Government regulatory reform is at an all-time high. In Government language 'reform' generally means new regulation. It rarely means regulation reduction.

This year the MBA has been responding to a number of areas of reform in ACT procurement, workplace safety, planning, building quality and taxation.

In ACT Procurement, the Secure Local Jobs Code Package of reforms are now in place. For those construction companies who wish to undertake ACT Government work, you should by now have a Secure Local Jobs Code Certificate, or at least be well advanced in obtaining one.

The implementation of these new procurement rules commenced in the same month as amendments to the ACT Work Health and Safety Act which will require consultation and negotiation with unions for certain projects.

In the case of both laws members are encouraged to contact the MBA for assistance, as the laws are complex. Fortunately, the conflict between the Secure Local Jobs Code and the Federal Building Code 2016 has been removed, however contractors must walk an extremely narrow path to remain in compliance with both laws.

A range of mandatory training is also now required, including mandatory Health & Safety Committee training, Health & Safety Representative training, and new mandatory Working with Asbestos Containing Material training for specified trades.

The ACT Government is now drafting laws which will require labour hire companies to hold an ACT Government license.

In the area of planning, the ACT Planning Strategy has recently been reviewed, with the next step being a review of the Territory Plan. While the Territory Plan review will be welcome news for anyone working with the Plan, it will be a long process before the benefits of this work are operational. In the meantime, planning controls for the Northbourne and Gateway corridor have been approved by the National Capital Authority, with the next step being amendments to the Territory Plan.

However, in the meantime, members are experiencing significant delays to the processing of development applications. In some cases, it has been reported that applications to extend a house are taking 6 months. This is clearly unacceptable and remains a high priority issue we are engaging with Government on.

On more positive news, the MBA has welcomed the ACT Government announcement to exempt first home buyers from stamp duty on the purchase of a new or established dwelling. We are also buoyed by recent progress on the building quality reforms. With so much reform underway in the ACT it has never been more important to access the information available from the MBA.



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“We provide support, mentoring and structure to the lives of young people and people looking for a change in career.”

A MESSAGE FROM THE COMMERCIAL DIRECTOR, LIZ NAIR

## A Momentous Milestone for MBA Group Training

This year, MBA Group Training is celebrating 50 years of operation. MBA GT was established as a Group Training Organisation (GTO), employing apprentices to meet scheduled workload demands.

When MBA GT began, we employed apprentices across various trades including; carpentry, plumbing, plastering, brick laying among other trades. Nowadays carpenters, plumbers and workers within the civil sector are our three areas of employment. MBA GT is one of the longest standing Group Training schemes within Australia and has employed thousands of apprentices during that time. We pride ourselves on the fact that we are currently the largest employer of apprentices in Canberra's building and construction industry, outnumbering big commercial companies.

We provide support, mentoring and structure to the lives of young people and people looking for a change in career. Once an employee is recruited by the MBA GT, they find themselves with a large support network which includes our Field Officers, Trainers and Administration staff. Our Field Officers, Geoff Wood and Scott Bird, are often found onsite looking out for our apprentices and educating our hosts on key industry topics. We provide an extensive and varied education to our apprentices with a large range of hosts, from a variety of sectors within the construction industry. In turn, this offers our apprentices the opportunity to work on a range of projects at any one time.

Something I really enjoy seeing is the lifecycle of our apprentices who graduate from the MBA GT and go on to create their own companies. They keep in contact with the

team here at MBA, whether it be through further training or to employ an MBA GT apprentice. We provide great value to our graduated apprentices and they're giving back to the industry when they return to employ an apprentice.

We are always looking for new host employers to join our family who will continue to invest in the building and construction industry by hosting an apprentice. So many host employers say this is a very rewarding and valuable experience.

While MBA GT was initially created to employ apprentices, we now provide training in Certificate IV in Building and Construction, Certificate IV in WHS as well as other short courses including White Card, Asbestos Awareness, High Risk Licencing and Safety Training to name a few. Our success rates for graduating apprentices are higher than those directly employed by a builder and that is a result of the ongoing support we continue to provide.

Celebrations have already begun to acknowledge this incredible 50 year achievement. At our recent Apprentice Graduation and Training Awards in March, President of Master Builders ACT, Gracie Ferreira spoke about some of the great achievements of MBA GT over the last 50 years. Further celebrations will be held at our Open Day on Saturday 24 August from 10am-2pm at the Master Builders Skills Centre in Fyshwick. We will be inviting previous and current employees, apprentices, hosts and current members to join us for this momentous occasion.

The MBA GT initiative continues to provide a skilled labour force to the building and construction industry, while maintaining a high standard of quality and excellence. Congratulations to MBA Group Training and everyone who has been involved over the last 50 years!



“ Always have a building contract. Read the contract and note your rights and responsibilities. Seek independent legal advice *before* entering into the contract. ”

A MESSAGE FROM THE LEGAL AND COMPLIANCE DIRECTOR, ASHLEE BERRY

## Protecting your Business, your Work and Yourself

The start of 2019 has seen a number of important and landmark decisions handed down which have a significant impact on the building and construction industry. This is on top of several ACT Supreme Court judgments over the past few years that building and construction industry participants ought to be aware of to ensure you are protecting your business, your work, and yourself.

If you are concerned about the quality of the work performed and your contractual or statutory rights and obligations, seek independent legal advice as soon as possible.

### R Developments Pty Ltd v Forth & Anor [2016] ACTSC 8

This case offers a warning to builders that they must be clear on their obligations and responsibilities under the contract. Despite having already started work, the builder terminated the contract after the owner failed to provide evidence of their ability to pay, and then sought damages for the costs incurred up to the date of termination. Those costs included subcontractor and supplier payments, as well as variations (and the associated builder's margin). The ACT Supreme Court ultimately found that the owner's obligation to provide evidence of their ability to pay was **before** work started, whereas the builder terminated **after** work had commenced, and therefore the builder incorrectly terminated the contract and was not entitled to payment for the work performed. As a side issue, the Court stated that the builder had failed to follow the contractual process for variations and therefore was not eligible to claim those amounts.



### A & A Martins Pty Limited v Liu [2018] ACTSC 102

This case was the second attempt by the builders to recover compensation from the home owners, having been unsuccessful in their claim for relief on a contractual basis (the contract was signed with a different corporate entity and the Court found no payment was owing). The builder then brought a claim against the home owners on the basis of **quantum meruit**, arguing that the home owner was unjustly enriched. Her Honour agreed and ultimately awarded compensation to the builder, but not before they had spent both a significant amount of money and time in the Supreme Court.

### Dunn v Hanson Australasia Pty Ltd [2017] ACTSC 169

The home owners in this matter – Mr and Mrs Dunn – commenced proceedings against the builder, the director of the building company, the vendor of their property and the certifier for damages resulting from the substantial defects that were present in the home. All defendants ultimately had judgment entered against them, but not before there was a long and costly battle in the ACT Supreme Court. Both home owners and builders can learn from this matter; for home owners, it is incredibly important to obtain inspection reports on the structural integrity and any defects in a property when purchasing; for builders, especially those who are Directors of a building entity, they must ensure that developments are built as specified to avoid being personally liable for misleading and deceptive conduct. Thirdly, certifiers must take heed that they may also be liable for damages arising from defects in the event they either do not identify them or fail to require the builder to rectify.

### Koundouris v Owners – Units Plan No 1917 [2017] ACTCA 36

This ACT Court of Appeal decision dealt with the interpretation of statutory warranties given by a builder following a long-running dispute over ongoing waterproofing issues and damage, including cracking facades and masonry. The Court held that a written contract between a builder and developer is not necessary for statutory warranties to apply, and that importantly for developers and home owners, if a builder undertakes repair work unsuccessfully when there are problems with the construction work, the statutory warranty timeframes may inadvertently be extended. This decision clarifies that the purpose of statutory warranties is to protect the home owner from poor building work and the legislation should be interpreted accordingly.

### Hyblewski v Bellerive Homes Pty Ltd [2019] ACTSC 44

Whilst an appeal has now been lodged against this decision, it is yet to be heard. The plaintiff commenced proceedings against the builder and the certifier for damages from the building defects, as well as departures from the approved plans. Similar to the **Dunn** matter, proportionate liability applied to all defendants and therefore when the home owner settled with the builder prior to the hearing, the certifier was left as the sole defendant before the Court. Builders and certifiers alike should consider their processes for inspecting stages of work following this decision.

### Moral of the cases

Whilst these cases may deal with specific, and in some instances, peculiar circumstances, there are several simple lessons to be learnt:

1. Always have a building contract. Read the contract and note your rights and responsibilities. Seek independent legal advice **before** entering into the contract.
2. If you are concerned about the quality of the work performed and your contractual or statutory rights and obligations, seek independent legal advice as soon as possible.

I would like to extend my thanks to Alisa Taylor (Meyer Vandenberg Lawyers), Maurice Falcetta (Trinity Law) and Caitlin Meers (Snedden Hall & Gallop) for their analysis of the above cases which have contributed to this article.

*The information above is general information only and should not be relied upon as legal advice or any advice for your specific circumstances. If you require advice in relation to any of the matters above, please contact Master Builders ACT.*

A detailed article provided by Snedden Hall & Gallop on the Lacrosse Apartments Fire can be found on page 60.

## KEEPING SAFE IN A MR FLUFFY PROPERTY

Regulations exist in the ACT to ensure greater awareness for industry and the community in relation to managing asbestos within residential properties.

With many of the properties identified as being affected by loose fill asbestos insulation now demolished and new homes rebuilt, it is important that the community remain aware of the potential risks of exposure from any remaining Mr Fluffy properties.

This is particularly important for tradespeople and care workers working in or on an affected property and for property managers responsible for renting out a Mr Fluffy property.

Before entering a residential property, workers are reminded to:

1. Check the Register - to identify if they will be working on or in an affected property.
2. Ask for a copy of the Asbestos Management Plan - that will provide details of contamination within the property so a fully informed decision can be made. If there is no AMP in place, workers should consider whether they should undertake any activity in the property without clear knowledge of the extent and location of the contamination.
3. Read the Guidance Note – for information on working safely in a Mr Fluffy house.
4. Contact WorkSafe ACT on 6207 3000 and register your details on the National Asbestos Exposure Register if you think you may have been exposed to asbestos during work, at home or in the community.

For more information on managing your connection with loose fill asbestos visit the Asbestos Response Taskforce website.



# 2019 INCENTIVES UP TO \$6,000

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## 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 funding for employers who employ a 1<sup>st</sup> year apprentice in the listed trades during 2019.\*

- 1st Year Apprentice in approved ACT Contract of Training
- Excludes existing workers
- ASBA payments at 50% rate
- **\$6,000** max per apprentice payable to employer
- **\$3,000** after 3 mths
- **\$3,000** after 12 mths

\*Applicable to First year Apprentices commencing with a new employer in the Building and Construction sector from 1st January-31st December 2019 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.

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\*\*These courses are examples of courses for which the Training Fund Authority may reimburse a percentage of the training cost (conditions apply).

For further information please call **Michael Doyle**—Industry Liaison Officer on **6262 5630** or email: [m.doyle@trainingfund.com.au](mailto:m.doyle@trainingfund.com.au)



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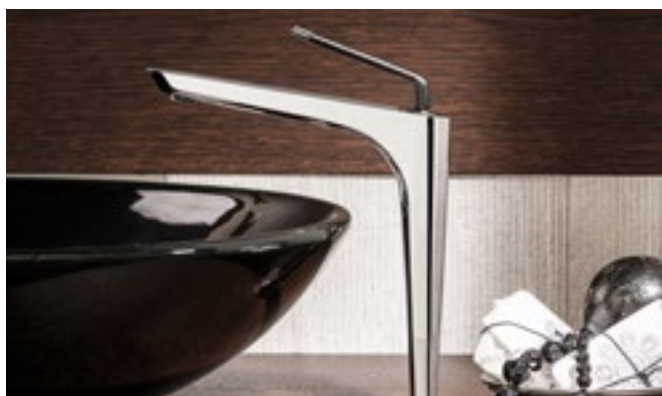




Embodying sleek and precise styling are the Twenty collection of luxury wash basins from PARISI. Thin sides and fronts are combined with a perimeter that elegantly frames the basin tops and tapware. Suitable for installation both on benches and as wall basins, Twenty is available in four sizes, each of which has four different configurations. This variety of options makes possible “whole of house” selection. Twenty can be used throughout for all the different sizes and types of bathrooms that might be involved. The 800mm size Twenty basins can also be utilised as full ceramic tops when combined with the Feel collection of premium bathroom furniture also available from PARISI.

While summer and time down the coast may be a fading memory the time may be right to consider the new Tondo outdoor shower column. Incorporating a progressive mixer, to enable hot as well as cold showering and constructed using 316 grade stainless steel, the Tondo outdoor shower combines luxury with durability. Matt white and satin stainless finishes are available. WELS 3 star rated. 9 litres per minute flow

The Bohemien bath from PARISI is a new, softly-styled freestanding model. While compact in length, its width of 850mm is generous – making it ideal for an indulgent soak for one. Made from Stonetec, a state of the art composite material, the shape is complemented by thin edges and an elegant semi-gloss finish.



With contemporary kitchens often now being part of the living and dining space and island benches also becoming larger, kitchen mixers that have more stand-alone presence are being sought after. Such as the distinctive O’Rama, designed and manufactured in Italy, by Newform.

After use, its dual spray can be quickly and easily reattached to the mixer by means of an innovative and strong magnetic click-lock making gourmet cooking and entertaining at home much easier for those busy hosts entertaining while their guests relax. WELS 6 star rated. 4.5 litres per minute flow

# PARISI

# GrigioLusso

SERIE



## A PASSION FOR GREY

The new, sleek ILVE GrigioLusso appliances are here. Embracing the latest design trends from Italy, they make any kitchen the centre of attention. With seductive lines and refined tones of grey, it's where luxury meets passion.

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## LUXURY MEETS PASSION.

The new GrigioLusso range from ILVE.

Embracing the latest design trends from Italy, the new sleek GrigioLusso Serie is here. With seductive lines and refined tones of grey, the new ILVE appliances will make any kitchen the centre of attention.

GrigioLusso literally translates as 'grey luxury' and the tone of grey used throughout the new ILVE range exudes warmth and sophistication. It's where luxury meets passion. Passion for cooking, for food and for life.

The new GrigioLusso Serie includes six models of built in oven from 60cm through to 76cm and 90cm and including pyrolytic, combination steam and microwave ovens. The class leading ovens feature TFT touch screens with smart control panels with 'CHEF-assist' hosting over 35 preset recipe modes and up to 100 saved 'personalised' recipes.

The new range also includes three models of luxurious grey glass gas cooktops each incorporating a newly designed version of ILVE's renowned superior brass burners and statement matt black control knobs.

Completing the new oven range is the classic 90cm ILVE pro-line freestanding cooker only made even more stunning with the use of GrigioLusso tones. This is complemented with a new design dramatic Matt black surface & cooktop burners with new design trivets.

Finally there is even a new GrigioLusso island range hood to ensure your passion for grey is fulfilled.

As the kitchen continues to evolve in function, design and aesthetics, so do the many appliances in the ILVE range. Natural tones, matte surfaces and timbers are swiftly becoming the chic choice for the kitchen and the integration of grey tones from ILVE brings luxury on trend.

If you are as passionate about the look of your kitchen as you are about the cooking then this latest range from Italy serves up the perfect recipe

The New GrigioLusso Serie by ILVE. What's not to like.

**Ray Adams**

**Arch Trade Co - Eurolinx ACT Sales Agent**

**[ray.adams@eurolinx.com.au](mailto:ray.adams@eurolinx.com.au)**

**[grigiolusso.com.au](http://grigiolusso.com.au)**

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SERIE



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AERIAL SHOT OF THE NATIONAL ARBORETUM



## DELNAS METAL ROOFING CELEBRATE 20 YEARS OF MEMBERSHIP WITH THE MBA

Delnas Metal Roofing began in 1993 and has since grown to new heights, taking on larger commercial and Government projects such as the roofing on the National Portrait Gallery, University of Canberra Hospital, AFP Majura Forensic Facility and developments in Melbourne, the Snowy Mountains Region and the South Coast.

Daryl Leishman, the Director of Delnas, ignited his passion for metal roofing when he began installing rooves on weekends whilst completing the final six months of his plumbing apprenticeship. Daryl met his wife Nicole in the same year and together they formed Delnas. Originally working on residential projects, they soon took on their next challenge and jumped into the commercial market. Confidence in their product, service and each other soon paid off and after three months they were astounded to pick up a project valued at \$1.5 million.

When it comes to brilliant achievements, Delnas has no shortage of award-winning projects, however one that stands out for Daryl is the roofing on the National Arboretum. Prior to and during construction, Delnas flew out trainers from France to educate its staff about the unique material they were working with. Daryl said, "every sheet on the roof of the building was different, it was time consuming and attention to detail was everything. We are very proud of the finished product, it's a winner for me."

Since beginning operations, Delnas have completed incredible charity work within the Canberra community, including sponsoring local sporting teams, the Special Children's Christmas Party, RAW Potential, Convoy for Cancer and as participants in the annual Mother's Day Classic Walk and Fun Run.

Delnas became a member 20 years ago and has become increasingly involved with the MBA ever since enjoying the benefits offered by the MBA. Daryl said, "As a member of the MBA, we always find it comforting to know that we have access to timely industrial relations and legal advice if we ever needed it."

Delans has won many awards for their outstanding projects and are a great supporter of the MBA Building Excellence Awards. Daryl said, "We first entered the MBA Building Excellence Awards many years ago, after recognizing the event as the perfect opportunity to highlight industry achievements.

We also see the event as a vehicle through which to acknowledge the tremendous efforts of our team. We just wanted to get more involved. We've been sponsoring the awards for about 10 years now."

Daryl and Nicole have created an award-winning local company that is highly respected within the Canberra region. Together, as a team, they focus on ensuring every project is of the best quality while maintaining a strong, empowered and cooperative team environment where mental health and wellbeing is of great importance. Daryl said, "people like coming to work, they know they are highly valued."

So, what's next for Delnas? Daryl said, "business is good. We are currently extending our Fyshwick office to cater for our growth in sheet metal fabrication and the façade market. Although there are no immediate plans to expand interstate, never say never."

Congratulations Delnas Metal Roofing for 20 years of Master Builders membership!



# CONGRATULATIONS TO OUR FINALISTS FOR THE 2019 BUILDING EXCELLENCE AWARDS

360 Building Solutions  
4Site  
A+P Leemhuis Builders and DNA Architects  
A+P Leemhuis Builders  
Able Landscaping  
Achieve Homes  
Acumen Carpentry and Archertec Interiors  
Acumen Carpentry, Archertec Interiors and TOK Joinery  
Affinity Constructions (Aust)  
Alastair McCallum, AMC Architecture  
AMA Projects  
Architekt Grüne Hauser and TT Architecture  
Artisan Stone  
Ash Carter, New Level Landscapes  
Bellevue Building Projects and DNA Architects  
Ben Owen, Lendlease Building  
Better Building Services  
BLOC ACT  
BMD  
Bordeaux Construction & Management  
Boss Projects Group  
Brema Group  
Brother Projects  
Brother Projects and Paul Tilse Architects  
Build Professional  
Built.  
Capcorp Constructions  
Capcorp Constructions and Collins Caddaye Architects  
Capcorp Constructions and Paul Tilse Architects  
Capezio Copeland, 4site and Nikias Diamond  
Capital Veneering and Brother Projects  
Capital Veneering and Rosin Building  
Capital Veneering and Studio & You

CBS Commercial Canberra, Blackett Development Group and  
Cox Architecture  
CE Construction Solutions  
Chase Building Group (Canberra)  
Chris Young, BMD  
Civion Construction  
CJC Constructions Australia  
Classic Constructions (Aust) and Melinda Boag Design  
Classic Constructions (Aust) and TT Architecture  
Cockram Construction Australia  
Cockram Construction Australia and AMC Architecture  
Complex Civil  
Construction Control  
Cord Civil  
Created Bespoke Joinery & Furniture  
Created Bespoke Joinery & Furniture and Paul Tilse Architects  
Creative Contractors  
Delnas Metal Roofing  
Design Construct Industries and Alto Scaffolding  
Downer EDI Works  
Downer EDI Works and Roads ACT  
Elm Building Group  
Feature Homes  
Gen5 Constructions and Paul Barnett Design Group  
Geocon  
Glascott Landscape & Civil  
Guideline ACT  
Guideline ACT and Transport Canberra and City Services  
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Hindmarsh Construction Australia  
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Hun Contractors, Calibre Group and Riverview Projects  
Ideal Building Solutions and Allan Spira Architect

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Awards 2019

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Joss Construction  
Kane Constructions  
Kolak Living  
Lendlease Building  
Living Design Projects and AMC Architecture  
Living Design Projects and Turco and Associates  
Manteena Commercial  
Manteena Residential, Architects Ring & Associates and  
The Dept. of Design  
Mass Construction, Archertec Interiors and Heiniger Joinery  
Mayfair Homes  
McDonald Jones  
Michael Mylan, Affinity Constructions (Aust)  
MMM Interiors  
MMM Interiors and Capital Veneering  
Monarch Building Solutions  
Monarch Building Solutions and AMC Architecture  
Monarch Building Solutions and Turco and Associates  
Monarch Building Solutions, DNA Architects and The Dept.  
of Design  
MSL Projects  
Multilevel  
Natura Homes  
Natura Homes and Arkitek  
Natura Homes, Archertec Interiors and Pacific Stone  
Natura Homes, Arkitek and Laros Technology  
New Level Landscapes  
New Level Landscapes and DSB Landscape Architects  
Nikias Diamond, DNA Architects and 4site  
OS Projects and Pioneer Kitchens  
Parliament Constructions

PBS Building ACT  
Phil Bates Building Services  
Pichelmann Custom Building Services  
Pichelmann Custom Building Services and The Dept. of Design  
Pier Projects and Oztal Architects  
Pioneer Kitchens and OS Projects  
Preferred Builders  
Preferred Builders and Rob Henry Architects  
Project Coordination (Australia)  
Project Coordination (Australia) and Collins Caddaye Architects  
Project Simpel  
Projex Building Group  
Projex Building Group and AMC Architecture  
RAM Constructions  
Renee Ioppi, PBS Building ACT  
Richard Crookes Constructions  
Rod Jedrzejek, Shaw Building Group  
Rosin Building  
SHAPE Australia  
SHAPE Australia, Turco and Associates and Studio & You  
Shaw Building Group  
Simon Frowd, RAM Constructions  
Simplicity Kitchens, Classic Constructions and Melinda  
Boag Design  
Smith & Sons Tuggeranong  
Status Living  
Stellar Bathrooms and Queanbeyan Joinery  
Stephen Kolano, Auscert Building Certifiers  
Third Generation Building  
Tim Maloney Homes, Archertec Interiors, Architects Ring &  
Associates and P&K Joinery  
Tim Maloney Homes, Architects Ring and Associates and  
Archertec Interiors  
Walmsley Building and Rob Henry Architects  
Woden Contractors

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# Master Builders

## Group Training News



MC ALAN TONGUE

### 2019 MBA Group Training Apprentice Graduation and Training Awards

On Friday 29 March, Master Builders held their annual Apprentice Awards night at QT Hotel. The evening was a celebration of the apprentices graduating and those winning awards for outstanding achievement.

The night was hosted by the inspirational Alan Tongue – an NRL legend who became captain of the Raiders and led them through some of their toughest times. Alan now mentors juvenile offenders and helps to combat family and domestic violence. During the evening he gave an inspirational speech to our apprentices, which provoked a standing ovation.

### CONGRATULATIONS TO OUR AWARD RECIPIENTS

ASBA of the Year	Samuel Taylor
Stage 1 Apprentice Carpenter of the Year	Alison Knights
Stage 2 Apprentice Carpenter of the Year	Samuel Lucas
Stage 3 Apprentice Carpenter Commendation for Excellence	Baha Souweid
Plumbing Apprentice of the Year	Travis McGrath
Commercial Host Employer of the Year	Canberra Commercial Contractors ACT Pty Ltd
Residential Host Employer of the Year	Initial Constructions Pty Ltd
Certificate IV Building and Construction Student of the Year	Ricardo Gomes
Master Builders People's Choice Award	Jeremy Scott
Master Builders Apprentice of the Year	Jesse Gosper

### THANK YOU TO OUR PARTNERS FOR THEIR SPONSORSHIP OF THIS EVENT





## Master Builders Apprentice of the Year

### Jesse Gosper

Jesse received the Apprentice of the Year award for the high standards he sets, not only for himself but for those around him. He is always happy to seek clarification from his trainers or peers and approaches any task with a positive attitude. Jesse is innovative and always willing to adapt methods in order to complete a job more efficiently. He is always punctual to classes and is often found with a big smile, ready to learn. He consistently produces a high quality of work and has continued to excel in his studies at the MBA. He is always focused on the task at hand and applies himself to his full potential. Jesse's employer has stated that he has shown exceptional carpentry skills and leadership throughout his apprenticeship with IC Formwork. He is a valued member of their team and has made a substantial contribution to every project that he has worked on. He is an outstanding student with an attitude and mindset that displays many of the MBA's values. There is no doubt that Jesse has the potential to go on to become a leader in the industry in the near future.



APPRENTICE OF THE YEAR JESSE GOSPER WITH STEVE ZILIC FROM IC FORMWORK



L-R: KEVIN EKENDAHL FROM AUDIT EXPRESS, STAGE 1 CARPENTRY APPRENTICE ALISON KNIGHTS, MBA TRAINER BEN SCANLON



AUSTRALIAN SCHOOL BASED APPRENTICESHIP OF THE YEAR WINNER SAM TAYLOR WITH HIS TRAINER MALCOLM BEER

#### THANK YOU TO OUR LONG-STANDING HOST EMPLOYERS

BAL Building – 30 years

J&J Interiors – 25 years

Woden Contractors – 20 years

Canberra Building Services – 15 years

R&J Metal Fascia – 10 years

RC & CJ Henry – 10 years

#### MBA ACT OPEN DAY

Master Builders ACT is hosting their annual Open Day and invites you to discover the many benefits of working in the building and construction industry.

Join us for a day filled with activities, demonstrations, tours and presentations. You will have the opportunity to meet our trainers and chat to industry experts, local builders, apprentices and suppliers within the industry. Come along and learn about where a career in construction can lead you.

**When:** Saturday 24th August 2019

**Time:** 10am – 2pm

**Where:** 1 Iron Knob Street, Fyshwick

# CANBERRA ISUZU

CELEBRATES THE MOVE  
TO UPGRADED NEW  
PREMISES IN QUEANBEYAN



For 40 years the friendly staff at Canberra Isuzu have been selling and servicing new and used vehicles in Queanbeyan and the surrounding region. The team has recently moved to an upgraded showroom in Queanbeyan which encompasses enough space to display a larger range of vehicles. The new showroom has a dedicated Sales Facility with a large range of trucks, including a concrete agitator.

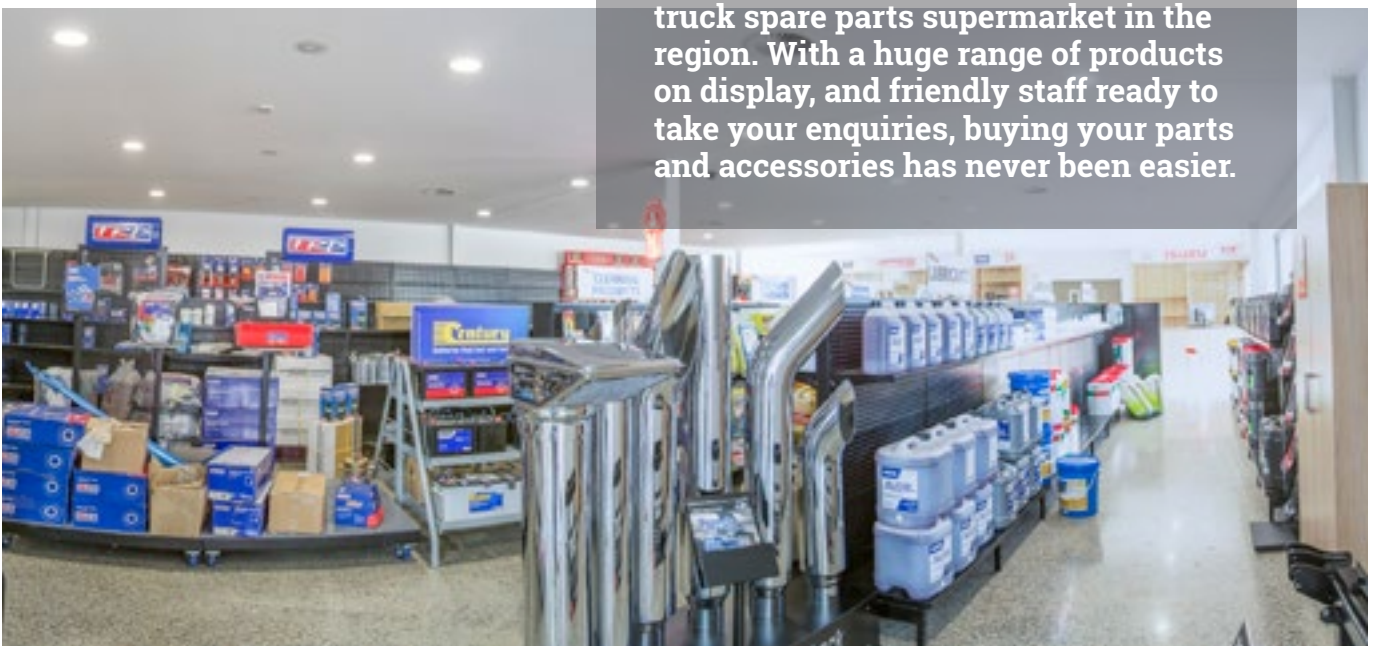
Canberra Isuzu will be expanding their 'ready to work' range, meaning they will have more trays and tippers. This will reduce the lead time from purchase to delivery to 2-3 days instead of 2-3 weeks. One of the biggest challenges they faced during the move was connecting IT systems, phones and relocating spare parts.

**Canberra Isuzu boasts the Canberra region's newest truck showroom, with the biggest range of ready to work trucks in the region. The team at Canberra Isuzu encourage all prospective clients to come in and have a test drive, and find out all about what makes Canberra Isuzu, and Isuzu number one.**

"Canberra Isuzu realises our work days are getting busier, and wet days are often a good chance for people to get things done that they may have been putting off. Our new showroom and truck display means that you can enjoy a cup of coffee, and inspect our vehicles without needing an umbrella, so on your next rain day, even if it's just for a cuppa, feel free to drop in."



Canberra Isuzu now boast the biggest truck spare parts supermarket in the region. With a huge range of products on display, and friendly staff ready to take your enquiries, buying your parts and accessories has never been easier.





**"As a locally owned and operated business, Canberra Isuzu realises the importance of using local businesses. Nikias Diamond were a fantastic partner in the building of our new showroom and parts facility. They exceeded our expectations and the finished product is a testament to their work, and a fantastic advertisement for shopping locally."**



The friendly staff at Canberra Isuzu are specialists who are proud of their association with Isuzu Australia and look forward to assisting you when searching for your new or used Isuzu Truck.

The team enhance your buying experience by providing expert after sales service and support. Knowing your truck is being treated with the care and professionalism you would expect in our large and modern workshop service area.

The team at Canberra Isuzu are always committed to providing you with the best of care, so whether you are buying, selling or leasing come and experience the difference at the new location of Canberra Isuzu.

**The friendly staff at Canberra Isuzu are specialists who are proud of their association with Isuzu Australia and look forward to assisting you when searching for your new or used Isuzu Truck.**

ISUZU'S READY-TO-WORK RANGE

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\*Depending on model selected. †Price includes GST but excludes all on road costs. Offer is valid until June 30th 2019 or while stocks last and is not available to Government and Fleet customers. FSA/ISZ121406





## ProStyle Building Group

reflect on two decades of excellence and the immense contribution of Director, David Fogg

Founded 20 years ago, Craig McGovern and David Fogg joined their two existing companies together to create ProStyle Building Group. David had a background as a builder and designer and Craig had found his role as a carpenter and builder, each bringing a broad range of skills to the company. Six years ago, David's son Josh became a director of ProStyle Building Group and has been creating incredible projects with the company ever since. Sadly, earlier this year in February, David passed away after battling brain cancer since May 2018.

David's death has left a gaping hole in the hearts of the ProStyle team and Josh said things have changed a bit around the business, "It's been hard coming into the office, David pretty much controlled the office and business side of ProStyle. Craig and I are onsite Directors. Our major role is typically working on site supervising projects and coordinating trades, so we spend less time in the office.

"Previously you walked into the office and would meet David and the in-house designer. He'd take you through things step by step and if you didn't have plans, he'd do them up for you. Dad stepped back from the business once he was diagnosed with brain cancer so Craig and I knew things would be different."

David's contribution to the building and construction industry stretched far beyond the walls of ProStyle. Craig said, "David gave his time, effortlessly to both the MBA and various other organisations and committees. He was always mentoring younger builders, he took them under his wing and gave them a lot of advice.

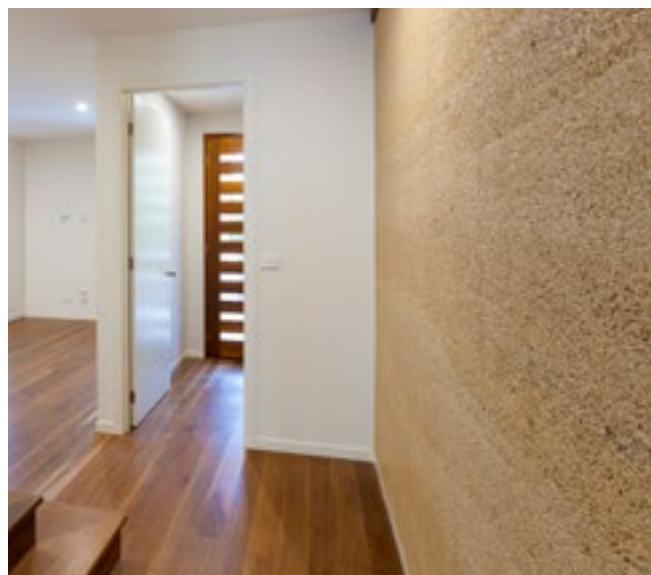
"He was one of those guys who gave a lot of his time to everyone else. Whenever anyone needed assistance, he was always the first to put his hand up. It was the same with any meeting, he was always on the front foot advocating for the building industry, proudly."

Josh added, "he was so committed to the industry and the community outside of ProStyle. His calendar was a bit of work and then catching up with everyone for breakfast, lunch and dinner. He made a point of seeing and meeting people, which resulted in him building a lot of really great relationships.

"Craig and I are trying to follow in dad's footsteps and get out a bit more, but the two of us combined still can't seem to fill his shoes."



HEMP HOUSE – 2018 MBA AWARDS FINALIST



One of ProStyle's greatest achievements was when they won a National Award last year for a sustainable house project, they have fondly labelled the 'Hemp House'. The home's walls were made from hemp and installed in four and a half weeks by the team. The first of its kind in the Nation's Capital, it was a project very close to David's heart.

During their 20 years of operation, ProStyle have consistently been committed to using local suppliers as much as possible. Josh said, "Canberra is small, and we are committed to Canberra People. We try to source local products to feed the little guys around town, which in turn will keep the ball rolling. Word of mouth in Canberra is so vitally important in business. We want to provide our clients with the absolute best quality product, that's why after we've finished a home we will come back in 12 months to ensure it's exactly as the client expected."

What's next for ProStyle? Craig and Josh have some very exciting projects coming up across Canberra and are currently working on 11 homes. While a lot has changed since the loss of David Fogg, ProStyle continues to remain an outstanding National award winning company.





2019

## Civil Contractors Federation Earth Awards

ACT Region

The 2019 Civil Contractors Federation (CCF) Earth Awards were held at the National Gallery of Australia on May 10. In attendance were over 240 industry participants and invited guests who witnessed a display of the best civil construction projects undertaken in the ACT and surrounding region during 2018/2019.

This year saw eight finalists across four categories with projects ranging from the construction of Australia's deepest sewer vortex, improvements to the verge of some of Canberra's historic buildings and upgrades to a weir in South Canberra to accommodate a one in 10,000 year flood event.

The CCF is a member-based, employer association that represents and promotes the interests of civil contractors in the ACT. CCF prides itself on being the voice of the civil construction industry and advocates for the interests of its members to all levels of government. CCF members are involved in a variety of projects and activities including the

development and maintenance of civil infrastructure such as roads, bridges, dams, community parks and infrastructure, sub-divisions and more.

Nick Zardo, President of CCF ACT and Chair of the Civil Sector Council of Master Builders ACT said that the event was an outstanding showcase of the incredible quality of workmanship provided by locally based Civil Construction companies.

"It was excellent to witness so many great quality civil projects recognised and awarded for their efforts. It is a testament to the Local Civil Construction Industry which is such a vital component to the Canberra Economy.

"This year also saw the launch of a new initiative, recognising outstanding Women in Civil Construction. During the evening, we acknowledged and celebrated two women who have made an outstanding contribution to the Civil Construction Industry," he said.





PROJECT VALUE  
UP TO  
\$2 MILLION



## WINNER

Huon Contractors, Calibre Group and Riverview Projects – Design and Construction of the Ginninderry Sewer Vortex Structure

**SPONSORED BY CIVIL CONSTRUCTION HIRE**

Part of Ginninderry's Stage One Development required the intricate planning, design and construction of a sewer vortex to provide a sewer management solution for the first stages of the project. This involved Huon Contractors, Calibre Group and Riverview Projects working collaboratively to retrofit an existing sewer shaft with a vertical vortex structure. Working within strict time constraints, the task involved connecting the influent sewer pipe from the Ginninderry system, with the existing Ginninderry sewer tunnel, which was approximately 50 metres below ground level.

The installation of the sewer vortex was identified as high-risk and technically demanding, as it involved installing an uncommon structure while working at heights in a confined space. The work was successfully completed in volatile environmental conditions alongside the live sewer tunnel. Previously, the deepest sewer vortex installed in Australia was twelve metres, making the installation of this 50 metre sewer vortex the deepest in Australia, and an incredible achievement.



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THE HUON TEAM, CALIBRE GROUP AND RIVERVIEW PROJECTS ACCEPTING THE AWARD

PROJECT VALUE  
\$2 - \$5 MILLION



## WINNER

Complex Civil – Northbourne Avenue, Sydney and Melbourne Building Verge Improvements

SPONSORED BY ABLE LANDSCAPING

This \$4.5 million project, completed by Complex Civil, involved the revitalisation of the iconic Sydney and Melbourne building verges in the Canberra city centre. The aim of the project was to provide additional space for retailers and pedestrians, while enhancing the profile of the landscape. In order to achieve this, Complex Civil widened the verge, added bespoke street furniture and planted trees to create an attractive Façade for the Sydney and Melbourne buildings.

The project involved excavating trenches to build a Stratavault soil structure system, which required the assembly of modules to form an interconnected matrix. This increased the load share, providing maximum lateral strength. Due to the weight of the polished concrete seats, pre-installation of reinforcing dowels, through concrete slab thickenings, was required. Through careful planning and precision alignment, the precast concrete seats were situated perfectly.

A key consideration during the project was to adhere to the heritage guidelines and conservation policies outlined by the ACT Government. This ensured that the heritage value of the buildings were maintained during construction. The project has created a vibrant and inviting atmosphere in front of the historic Sydney and Melbourne Buildings.



THE COMPLEX CIVIL TEAM ACCEPTING THE AWARD

PROJECT VALUE  
\$5 - \$10 MILLION



## WINNER

Guideline ACT– Gungahlin Bus Station and Hibberson Street Shared Zone

SPONSORED BY PSC INSURANCE BROKERS

In preparation for the ACT's new light rail network, Guideline ACT constructed a facility in Gungahlin Place to facilitate the transfer of passengers between the new light rail network and the city's bus network.

The project was completed in four stages including the construction of the Gungahlin Bus Station and the Hibberson Street Shared Zone. Due to the high traffic area of the construction zone, traffic management required careful consideration, consultation and coordination with adjacent stakeholders.

Activities undertaken on site were planned and managed to minimise the impact to the community within adjacent commercial and residential areas. Amongst other obstacles, the project also required the relocation of water mains, gas and telecommunication services.

Key features of the landscape work included shade structures, planting of mature trees and refurbishment of existing furniture to match the palette from the new light rail terminal.

Successful completion of this project has provided the Gungahlin community with convenient and safe access to all facilities within Gungahlin Place.



THE GUIDELINE ACT TEAM ACCEPTING THE AWARD



PROJECT VALUE  
\$10 - \$30 MILLION



## WINNER

### Guideline ACT & Transport Canberra and City Services – Isabella Weir Upgrade

**SPONSORED BY BORAL**

Guideline ACT was engaged by Transport Canberra and City Services to widen the existing concrete labyrinth Weir and construct two new wetlands at Isabella pond.

The aim of the project was to increase the spillway capacity of the Weir to accommodate a one in 10,000 year flood event. Guideline ACT were able to utilise materials from the construction of the Weir to build the wetlands.

The Isabella Weir now has double the overflow capacity following the extension of the existing reinforced concrete labyrinth wall. The project, in total, involved 660 tonnes of reinforcement and 2300 cubic metres of concrete.

The team endured an uphill battle against the rain during the construction of the Weir and wetlands, this required persistence and determination from all involved.

Upon successful completion of the project, the Weir now provides safety to the Wetlands further downstream, in turn maintaining a natural filtration system for cleaner waterways.



**GUIDELINE ACT & TRANSPORT CANBERRA AND CITY SERVICES ACCEPTING THE AWARD**

OUTSTANDING  
WOMAN IN CIVIL  
CONSTRUCTION

## WINNER

### Therese Kelly – Woden Contractors

Therese joined Woden Contractors as a site administrator, upon completion of her year 12 certificate. She continues to rise through the ranks, taking on a role as HSEQ Manager. Therese has become well known for her positive attitude and ability to identify and solve problems. She regularly demonstrates her excellent communication skills to engage with her team, subcontractors and various stakeholders. Her broad knowledge and flexible attitude allow her to find practical solutions to ensure compliance is adhered to daily. Therese is very highly thought of by various stakeholders, including one who said "Therese is understanding of the complexity of our systems and diversity of our workforce. She works with us to ensure that all paperwork is completed prior to commencement of work and always has a smile on her face."

## WINNER

### Wendy Kefford – Guideline ACT

Wendy's journey with Guideline ACT began when the company was founded in 1985 and to this day, she remains the longest serving employee of the company. She is known for her incredible work behind the scenes, keeping everything running smoothly, often without recognition. Part of the success of Guideline ACT can be attributed to the strong administrative framework that Wendy has set up and maintained over the past 30 years. Her enthusiasm, commitment and drive has made her an invaluable asset to the company. Wendy wears a number of hats in her role including Executive Assistant, OzHelp Liaison, Managerial Confidant and even the footy tipping competition coordinator. Wendy's employer noted "it really strikes me what an incredible contribution Wendy has made to the Canberra Civil Construction Industry. So many within the industry have benefited from her experience, care and counsel. I have not come across a better all-round employee or worker."



**JESS SHUTE (WODEN CONTRACTORS) ACCEPTING THE AWARD ON BEHALF OF THERESE KELLY WITH GRACIE FERREIRA (MBA ACT PRESIDENT)**



**WENDY KEFFORD (GUIDELINE ACT) AND GRACIE FERREIRA (MBA ACT PRESIDENT)**





GROUP PHOTO OF THE PARTICIPANTS OF THE WOMEN IN CIVIL CONSTRUCTION PROGRAM

## Women in Civil Construction

On the 11th of April in partnership with Ginninderry's SPARK, we launched the Women in Civil Construction Program in a bid to push for more women to consider a career in Civil Construction. More than 30 women attended the information and selection session. As a result of the day, the program will assist more than 13 women to begin their careers in the Civil Construction sector.

The program will provide participants with industry work placement, and those who successfully complete the program will be offered ongoing employment in the sector. Along with this incredible career opportunity, participants will be provided with excellent industry relevant training, a range of interesting workshops focused on resilience, mental health and wellbeing and time management. Participants of the program will also have the opportunity to participate in a four-week work placement within the civil sector with one of our partner contractors.

While the Civil Construction industry in the ACT is predominantly comprised of males, there are some very influential women paving the road for more females to enter the industry. Anisha Sachdeva is one of these women, as the Director of Huon Contractors she is an experienced Civil Engineer and Project Manager. During her time with Huon Contractors she has worked on subdivisions, bridge works, concrete structure projects and a number of civil infrastructure and landscaping projects.

Anisha is actively involved in the Civil Contractors Federation, Master Builders Association, Institution of Engineers Australia, National Association of Women in Construction and the Australian Institute of Company Directors. She has a wealth of industry knowledge and believes the Women in Civil Construction Program is a great initiative. "We are all very committed to recruiting more women into the civil sector, and this program allows the candidates to see and hear firsthand from women already working in civil construction," she said.

The program is a first for the Canberra region and runs for ten weeks from April 29.



ANISHA SACHDEVA, DIRECTOR OF HUON CONTRACTORS

## Civil Contractors Federation ACT Board update

Following the implementation of the National Civil Contractors Federation (CCF) restructure and the resignation of Peter Middleton from the President's position earlier this year, a new board of Directors has been established to represent CCF members. All positions will be open to an election in October this year.

Your current Board is: Lachlan Haskins, Ben Helmers, Paul Macor, Stuart Ritchie, Anisha Sachdeva (Vice President) and Nick Zardo (President).

The Board would like to take this opportunity to thank Peter Middleton for his tireless work in advocating for the local Civil Industry through his work not only as President but all the countless years serving on the CCF Board and various committees. We wish Peter all the best.

The Board has decided to stand up for the long term viability of local Civil Contractors, its members. Members that have and continue to deliver significant and impressive infrastructure.

A quick review of the ACT prequalification list reveals that almost 50% of listed contractors are local, however about 40% of the listed contractors have never completed comparable work in the Territory indicating the local Industry is capable and competent.

Outside of a very few major infrastructure projects, the local industry can handle the workload and continues to grow with the Territory.

It is estimated the local industry directly employs approximately a thousand people, this number can be doubled taking into account the non-direct people relying on the viability of the contractors.

Members understand the benefit the local Civil Construction industry bring to the Territory and the community, however it is felt that for various reasons the ACT Government treats the Civil Industry as an expense to be cut.

Outside of a very few major infrastructure projects, the local industry can handle the workload and continues to grow with the Territory.

Following is a brief summary of what the Board has been up to in advocating for the local Industry;

- > Engaging with Transport Canberra & City Services (TCCS) through correspondence and targeted meetings about: Worker safety, Bigger is not necessarily better, Pipeline of work, Cost of infrastructure, Early contractor engagement, Equitable contract conditions and ensuring local industry participation in the delivery of the second stage of the light rail.
- > Engaging with the Deputy Under Treasurer, Commercial Services and Infrastructure and ACT Infrastructure, Finance & Capital Works (IFCW) about: Upcoming capital work, Completion and security amounts, WHS Amendments Bill 2018, Secure Local Jobs, Tendering and contract award issues and the reduction of red tape.

Your Board is committed to bringing the views and issues of the members to the appropriate forums, so if you have anything you would like to raise do not hesitate to contact any of the Board members. You are all encouraged to attend the Members meetings which have been deliberately set just before the scheduled meetings with Government allowing the tabling of current issues raised by members.

Find the dates of the Members meetings to the end of the year below, I look forward to seeing you there.

### CCF MEETINGS

10am Wednesday 31 July

10am Wednesday 18 September  
(incorporating the AGM)

10am Wednesday 6 November



NICK ZARDO, PRESIDENT, CIVIL CONTRACTORS FEDERATION ACT



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## UNDERSTANDING RELATIVE HUMIDITY IN CONCRETE FOR FLOOR COVERINGS

Relative humidity (rH) is often mistaken for moisture; however, these are two completely separate terms. Moisture content represents the amount of water in liquid form, while relative humidity is defined as “the ratio of the amount of water vapor actually in the air compared to the amount of water vapor required for saturation at that particular temperature and pressure expressed as a percentage.”

Simply put, relative humidity represents the amount of water vapor that is present in the air in comparison to the amount that the air can hold.

Multiple factors can influence relative humidity in concrete slabs, contributing to high relative humidity 6 months or more after pouring concrete:

- The initial amount of water in the concrete (from a high water/cement ratio);
- Ambient conditions such as high ambient relative humidity, cold temperatures, additional sources of water, and limited air movement;
- Missing or inadequate moisture barrier in a slab on grade, causing outside moisture to penetrate the slab.

Before any flooring system is installed, it is crucial to measure the relative humidity of the concrete to ensure it is safe to install your specific flooring system.

Once the floor is installed, it seals the surface and prevents further drying of the concrete underneath. If the floor is installed too early, excess relative humidity will be trapped inside the concrete. It will try to evaporate, leading to pressure and changes in the alkalinity at the flooring and concrete interface. This can result in delamination of floor adhesives, blistering/bubbling of coating or cracking and curling in flooring materials.

## WHY A POSITIVE SAFETY CULTURE MUST BE THE NUMBER ONE PRIORITY

*In a positive safety culture, everyone accepts personal responsibility for ensuring their health and safety and that of others. Supervisors and managers see health and safety as important and the things they do demonstrate their commitment to health and safety.*

- Safe Work Australia

In November 2012 the *Inquiry into Compliance with Work Health and Safety Requirements in the ACT's Construction Industry* delivered a somewhat scathing report about the safety record in the ACT, and the culture of complacency that existed.

In September 2017, the ACT Government commissioned RMIT to prepare the *Work Health and Safety Culture in the ACT Construction Industry* report, to provide an understanding of the work health and safety culture in the ACT building and construction industry and whether there had been any effective changes introduced since the 2012 report.

Safety is, and must always be, the number one priority of all building and construction businesses.

### MASTER BUILDERS ACT

Recommendations were made in the *Getting Home Safely* report specifically referring to Master Builders ACT which stated that the MBA should lead the development of clear frameworks for the management of safety on ACT construction sites (recommendation 10) as well as providing guidance on appropriate safety governance processes (recommendation 11). Work is underway on finalising the frameworks and guidance, and together with a number of member companies, Master Builders ACT is developing lead indicators to measure and report on safety in the ACT construction industry.

### WHAT DOES THIS MEAN IN PRACTICE?

Culture. Guidance. Frameworks. Indicators. Whilst these concepts are required (and in some instances, mandatory), they do not necessarily provide any practical advice for employers and workers about what they can do on a daily basis to ensure their workplace has a positive safety culture.

The following table, whilst not being an exhaustive list of the "dos and don'ts" of a positive safety culture, are examples that can start or add to a very important conversation between employers and employees.



#### DO

Acknowledge that safety is the number one priority and "walk the talk"

Value and promote discussions about safety throughout the entire organisation

Assure workers that reporting safety problems, risks or issues does not make them weak

Offer workplace health and safety training to all staff, with specialised and further training to those who have WHS specific roles

Have specific safety responsibilities and a clear chain of responsibility and accountability

Celebrate and report on your safety successes to keep workers motivated and to highlight to the public your achievements

Report any safety incidents promptly



#### DON'T

No cutting corners, or rushing to finish a job quickly, or to get away early on a Friday afternoon

Not report an injury (however minor it may be)

Discourage or ridicule workers for reporting safety problems, risks or issues

Blame others for any incidents, failures in reporting or other problems

Think that safety initiatives are a waste of money or too expensive

Forget to communicate with all workers following safety incidents





## A PERFECT 10 STAR HOUSE

Gen 5 Constructions

Creating a 10 Star Passive House is no easy feat, and for the team at Gen 5 Constructions it was their very first new home build. Gen 5 Constructions is owned by Robert Hunklinger and his two sons, Craig and Trevor, who work alongside him.

Creating such an innovative and spectacular home required a large amount of research into the technologies available. The family-run construction company attended meetings with the Australian Passive House Association and in collaboration with Paul Barnett Design Group, the Project Architects and lead designers, they created a stunning home which is both visually appealing and highly energy efficient.

During the build, the team had to overcome some challenges they had never faced before including the installation of frames which were extremely heavy, 140mm thick and 3 metres tall. They also installed a thermal break in between the footing and the slab, the first of this kind to be designed and installed in Canberra. The entire frame and footing system were thermally performance modelled prior to construction to ensure it would meet Passive House performance requirements. The team had to work around the water harvesting which made drainage and electrical work a challenge. One of the largest challenges of the build was applying the membrane which had to be wrapped around the roof and the entire external area of the building.

The 10 star passive house achieved an incredible rating of 0.25 air changes per hour, which the team at Gen 5 Constructions are very proud of. Craig recalls, "it was amazing to get that result. Before we built this home, the most airtight home we had heard of was 0.45 air changes per hour. We had a joke and said, 'imagine if we could beat that'. We wrote down our guesses for what the air tight rating would be and my brother, Trevor ended up being closest."

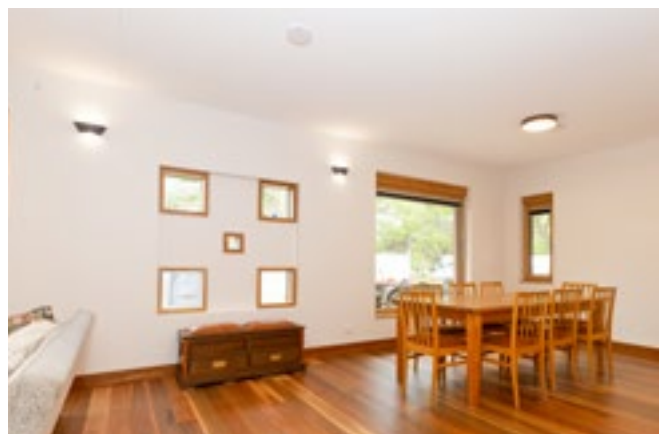
Incredible fittings, fixtures and innovative technology were used in the creation of this amazing home to reach a 10 star Passive House rating. This included, triple glazed windows, insulating the walls with R4 batts, gluing into the slab to make it air tight and installing a Heat Recovery Unit. The Heat Recovery Unit is one of the few to be installed in Australia and works to keep the air inside the home at a constant temperature. The air leaving the home transfers the heat to new air coming in, making the home very energy efficient.

The result was a stunning home which fit the client's brief perfectly, encompassing the quirky features they desired including shoe pigeonholes at the entry of the home, a bed that folds down from the wall in the guest bedroom and feature windows at the front of the house. The house also has a guest living pod which is 49m<sup>2</sup> and provides a separate space to meet the needs of the client's cross-generational living requirements.



10-STAR PASSIVE HOUSE

The 10 star passive house achieved an incredible rating of 0.25 air changes per hour.



The client was extremely impressed with the overall finish of the home and Gen 5 Constructions, stating, "Gen 5 Constructions were professional, excited about the project and a pleasure to work with. Rob and Craig approached the inevitable problem solving that arises in a building project with good humour and a positive attitude. They have very high standards of workmanship and expect the same from the people who work with them. They are thoughtful, client-focused, took all responsibility, and we are completely confident in the building they have constructed."

So, what's it like for this family dream team to work on such an intricate and unique project? Robert said, "We have moments where we might not see eye to eye on something, but we are really efficient and produce an immaculately high standard of work on each and every project we complete."

While the build was a great challenge for Gen 5, the father and son team enjoyed watching the final product come together towards completion, "It was a very proud and great moment when the brickwork was complete, the windows were put in, the joinery was installed, and the floors were polished. It was just amazing to witness it all piece together after 14 months of hard work," Rob said.





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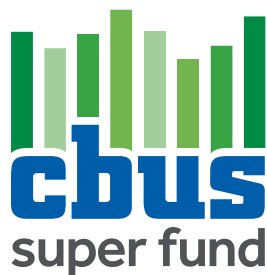
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## Federal Budget 2019-20: announcements for your business

This year's Federal Budget includes announcements that may impact your business. These proposals are contingent on the Government being re-elected, with a Federal election to be held in May.

All the changes announced are what the Government plans to do. No changes are law yet, and none are implemented purely off the back of being presented in the Federal Budget. Before making any decisions, you need to check whether any of these announcements have become law.

### Lower taxes for small businesses

The Government is backing small and medium-sized business by:

- increasing the instant asset write-off threshold to \$30,000; and
- expanding access to medium-sized businesses by increasing the annual turnover threshold from \$10 million to \$50 million.

The Government will also fast-track the company tax rate cut to 25% for small and medium-sized businesses with an annual turnover of less than \$50 million and increases to the unincorporated small business tax discount rate.

### Recovering unpaid super

The Government will provide \$42.1 million over four years to the ATO to increase activities to recover unpaid tax and super liabilities. While most employers do the right thing, some employers don't pay super when they should, and these activities will focus on larger businesses to ensure on time payment of their tax and super.



### Delivering skills for today and tomorrow

The Government is introducing a \$525 million skills package that will deliver up to 80,000 additional apprentices over a five-year period to occupations experiencing skill shortages. Plus, employers who take on apprentices in areas of need will be eligible for a \$4,000 incentive payment. Apprentices will be eligible for a total of \$2,000 to be paid at key milestones.

#### More information

For a full breakdown of the budget, visit **[www.cbussuper.com.au/federalbudget19-20](http://www.cbussuper.com.au/federalbudget19-20)** to see our Federal Budget fact sheet 2019/20 or find further details at **[www.budget.gov.au](http://www.budget.gov.au)**.



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### HAVE YOU GIVEN YOUR BUSINESS A CHECK-UP RECENTLY?

Construction is the industry with the largest number of small to medium businesses in Australia. In 2017-18, the ACT had both the highest entry (18%) and exit rates (13.4%). Unfortunately, the failure rates of small businesses (those with under 20 employees) continue to climb, and businesses are at the greatest risk during the first three to five years.

The most effective (and efficient) way to check your current risk profile is to complete our “MBA Health Check” questionnaire. If you answer no to any of these questions, please get in touch with the MBA on 6175 5900 or speak to your trusted advisor.



#### MBA RISK MANAGEMENT CHECK-UP

##### Safety

1. Do you understand your workplace health and safety duty of care?
2. Do you have work health and safety policies and procedures in place?
3. Have you had your work health and safety policies and procedures reviewed in the last 2 years?

##### Employment

4. Do you have signed agreements with your employees and/or contractors?
5. Do you know what Award(s), if any, or enterprise agreement, that you are required to adhere to?
6. Do you have a Human Resources manual?
7. Have you had your agreements, current practices and payments reviewed in the last 2 years?

##### Terms of Trade

8. Do you have Terms of Trade that are attached to your quotes (yes, we are assuming that you always issue quotes!)?
9. Do you enforce your Terms of Trade and have a Credit Policy?
10. Have you had these template documents or policies reviewed in the last 2 years?

##### Insurance

11. Do you have a workers compensation insurance policy?
12. Do you have public liability insurance?
13. Have you had your insurance policies reviewed by a respected broker in the last 2 years?

##### Business Agreements

14. If you have a Partner or fellow Director, do you have a partnership or shareholder agreement?
15. Do you own or lease your premises? If you lease the business premises, do you have a lease agreement, and has it been reviewed?
16. Do you have a succession plan for your business?

##### Succession

17. Do you have a Will and a Power of Attorney?
18. If you have a Partner or fellow Director, do they have a Will and a Power of Attorney?
19. Have you had your Will reviewed in the past 2 years?



A TEAM HAVING FUN ON THE GREEN

## Shaw Building Group and Carers ACT

A wonderful partnership bringing assistance to those in need

After watching a television program on carers one night, Valdis Luks, Managing Director of Shaw Building Group discovered Carers ACT and knew this was a local organisation he needed to support. The relationship between the organisations has remained strong over the last 14 years and continues to be extremely successful.

Shaw Building Group has been raising money, in partnership with Carers ACT, to provide support to carers across the Canberra region. They host an annual bowls day, which this year reached the massive milestone of \$1 million raised. Mr Luks said, "It's great to be able to support a charity within our local community, raising \$1 million was an achievement, we love being able to host this day each year."

The funds raised are used for a variety of programs for carers, including education and skill development, first aid training, self-care workshops, retreats and assistance in paying for respite care. A portion of the funds raised assist young carers who are under 18 and taking on this role. Lisa Kelly, CEO of Carers ACT said the support of Shaw Building Group has allowed many young carers to experience wonderful things that they otherwise might not get the opportunity to do, including attending their school formals. Ms Kelly said "Lots of young carers don't get to attend their formals because they don't have the money to buy the ticket or their outfit. The funds we receive during the bowls day assist us to ensure these young people get the chance to attend events such as formals."

The charity bowls day raised \$95,000 this year alone and some of those funds will be used to provide a retreat for carers. Often, this is the first time in many years that a carer will have the opportunity to receive a break from their day-to-day





TEAM'S WENT ALL OUT FOR THIS FUN CHARITY BOWLS DAY



THE EVENT WAS HELD AT THE TUGGERANONG VIKING'S BOWLS CLUB



ANOTHER TEAM DRESSED FOR SUCCESS

**It's great to be able to support a charity within our local community, raising \$1 million was an achievement.**

routine of caring. Ms Kelly said, "It's amazing to watch these wonderful people who give up so much of their life to feel so rewarded by someone just taking care of them for a change. They enjoy room service, someone makes their bed for them. Some carers have never experienced that."

The theme of this year's bowls day was 'Dressed for Success', fitting the occasion of the \$1 million milestone. Over 180 people attended the event including Subcontractors, Consultants, Architects, Shaw Building Group staff members and Clients. Ms Kelly said the atmosphere on the day was full of positivity, "I find there is a lot of spirit and a feeling of community and connectedness. I work in a space where a lot of people don't have those connections so it's such a joy to experience it at the bowls day."

This incredible charity day continues to provide carers in the Canberra region with a variety of programs and support to assist their roles. Ms Kelly said, "To have such a strong relationship with Shaw Building Group for 14 years is very important to us, they have helped so many people with the funds that are raised from the annual charity bowls day."

"The support we receive means everything to Carers ACT. To have the support of a group of people, not just Valdis but also the people that turn up each year to the bowls day is wonderful. It's important that carers are seen and acknowledged for what they do. The support of Shaw Building Group is humbling and gives us great pride," said Ms Kelly.

**If you are a Carer and need support call Carers ACT on 1800 052 222**

**If you would like to support the work of Carers ACT please email [carers@carersact.org.au](mailto:carers@carersact.org.au)**







## A UTE IS A UTE, RIGHT?

### Wheels, motor, seats, they're all the same, aren't they?

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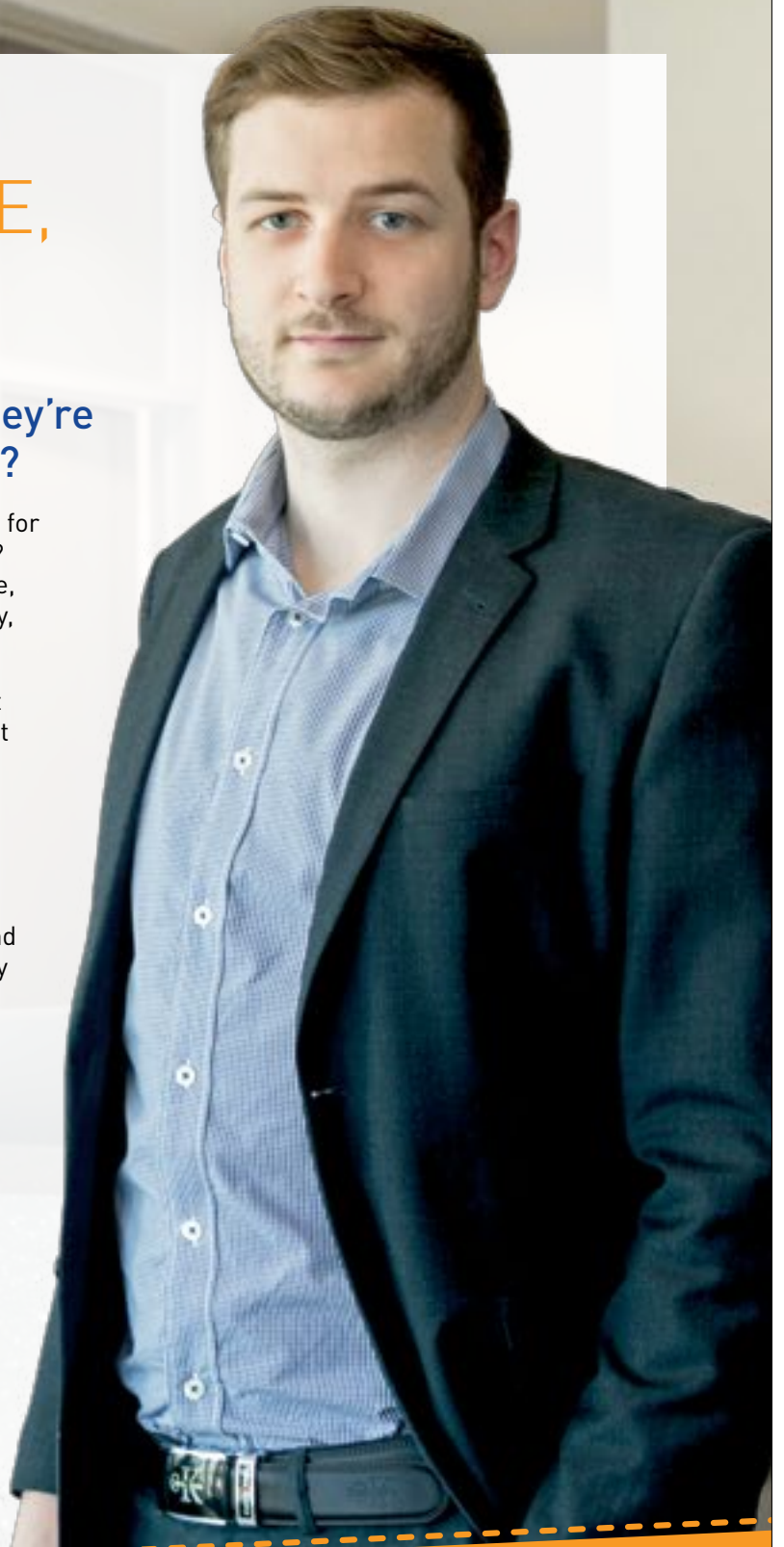
It has conditions, exclusions, clauses and definitions and these can be significantly different from one insurer to the next.

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# OzHelp – Healthy at Work, Healthy for Life



NEWS FROM CEO DARREN BLACK

Across the Canberra region you may have seen our wellbeing teams on the ground, connecting with workers, completing physical and mental health checks and providing support and resources to promote mental health and wellbeing.

This year alone, OzHelp has connected with over 18,000 workers nationally. While this number is comforting, we know that there is always more to do in reaching Australia's most at-risk and hard to reach workers.

As we continue to work with the ACT construction industry, MBA and CIT apprentices, and across the community sector we see first-hand the need for our services - and this is not just in the demand, but also in what is very often 'unsaid'. In a large part, this is because the people who need us most, are often the ones who don't ask for help. That's where OzHelp plays a crucial role, in connecting with those who seem okay, are doing 'just fine' and will cope until they cannot cope anymore.

The good news is that organisations are beginning to see mental wellbeing in a similar light to other work, health and safety measures. This is a crucial shift if employers are truly seeking to develop a workplace where physical health and mental wellbeing is nurtured and supported.

This is an important focus of our response to the Productivity Commission Inquiry into Mental Health, which was submitted in April. You can find our full response on the OzHelp website [www.ozhelp.org.au/inquiry](http://www.ozhelp.org.au/inquiry)

As we look to the second half of the year, OzHelp will remain focused on the delivery of our program and support services to workplaces where there is a high risk of mental illness and suicide. This effort reaches across Australia, spans a variety of industries, but the common factor is that these workforces continue to be blue collar and male-dominated.

Our priority will remain within this space for as long as the data continues to tell us that this is where our work will have the most impact. This remains true to our mission which is to go where the need is greatest to develop resilient individuals, who are self-aware and confident in seeking help for themselves and for others when it's needed.

To learn more about OzHelp and the services we offer, reach out to [info@ozhelp.org.au](mailto:info@ozhelp.org.au) or connect with me directly [ceo@ozhelp.org.au](mailto:ceo@ozhelp.org.au)



OZHELP'S RECENT VISIT TO THE MARYMEAD REDEVELOPMENT, NARRABUNDAH. L TO R: JULIANNA, AMANDA, LESA, BRETT (PBS), MATTHEW (PBS), MURRAY AND TONY



## Meet Tracey Davis

OWNER OF TRACEY DAVIS STYLING  
AND OFFICE MANAGER AT  
DAVIS FAMILY BUILDERS

**"You must believe in yourself,  
your dreams and why you are  
taking this leap of faith, as it's  
your passion that will carry you  
through the ups and downs of  
being self-employed."**

### WHAT IS YOUR ROLE AT DAVIS FAMILY BUILDERS?

Davis Family Builders (DFB) is the evolution of three separate, Davis owned, Canberra based, residential building businesses joining as one. I operate Davis Family Builders with my husband, Richard. Even though all three builders operate under the banner of DFB, we still run our jobs separately, so I am responsible for running the office for our leg of the business.

A quick summary would be that if it gets done on a computer, I do it. I type quotes, liaise via email with clients, subcontractors, certifiers, engineers etc. I pay all invoices, type quotes and fill out contracts – and many other tasks in-between.

**I held myself back for so long  
waiting for the perfect time,  
opportunity or client but perfection  
is an illusion – it doesn't exist.**

### YOU OWN AND RUN TRACEY DAVIS STYLING – WHAT DOES THIS ENTAIL?

At the core of it, I empower women - especially those that have a wardrobe full of clothes but nothing to wear.

I help define their style, creating a versatile wardrobe that best suits their body shape, lifestyle and budget – a wardrobe that saves them time, money and frustration by reducing the daily 'what will I wear?' anguish.

Imagine waking up and knowing that everything in your wardrobe reflects who you are today, fits like a dream and makes you feel like 'you'? That confidence is the gift I give to my clients.

To achieve this I conduct a face-to-face, Skype or phone consultation where I get to learn all about my client - their struggles, desired outcomes and help them discover their own signature style.

Following this, I conduct a wardrobe review where we discover what items work, which don't and why. We cull any items that don't support the client's current lifestyle and shape, identify any clothing gaps and create a list ready to hit the shops.

Before the shop, I do a pre-shop where I go into stores and prepare items in the change room ready for the client to jump in and try on. If required, I'll then carry out a mix and match session at the client's home where I integrate the new items with the old.

Some clients prefer to do only one part of the process; just the wardrobe review or the shop for example. I tailor my packages for each client as no two are the same.



## THE MOST CHALLENGING PART OF YOUR BUILDING ROLE?

I could write a book about the challenges faced in my building role but one that I think many women in the same situation may identify with is the public perception of my role within the partnership.

I have clear boundaries and I am confident where my strengths and contributions lie in the business now, but at the beginning I was trying very hard to learn the ropes. I was working 7 days a week to contribute to a partnership that was not my passion, for the benefit of my family where everyone thought I worked 'for' my husband and not 'with' him – it can really knock your confidence. To the outside world I was, and largely still am, a silent partner.

I'm ok with that now but when the children were young, and I was at home every day juggling them with work – whilst grateful, it was at times an isolating experience. You feel like you are losing your identity. I was lucky to have Richard's mum, Jacqui to turn to as she had firsthand experience, but I know other women in the same position aren't so lucky. Therefore, I am very supportive of the Women Working in Construction group as the women behind the scenes deserve to be acknowledged, to have a safe place to discuss their roles and know that they are not alone.

## WHAT HAVE YOU LEARNED DURING YOUR TIME RUNNING TWO BUSINESSES?

Running two businesses has taught me that you can't do it all alone. I tried to wear all the hats in the office but by doing that I wasn't focusing on my strengths and wasted valuable time focusing on my weaknesses.

For example, my creative mind does not enjoy numbers but for years I spent hour upon hour slaving over MYOB, taking five hours to do the work a bookkeeper could do in one. It left me stressed, insecure in my abilities and, at times, resentful of the business.

I finally employed a bookkeeper and haven't looked back. Yes, it increases your expenses but by freeing yourself up to focus on other areas of the business you can contribute to positively, will help the business grow. It's money I believe you make back and more.

## WHAT WOULD YOU SAY TO OTHER WOMEN LOOKING TO START THEIR OWN BUSINESS?

You must believe in yourself, your dreams and why you are taking this leap of faith, as it's your passion that will carry you through the ups and downs of being self-employed.

As Nike famously said – Just Do It. I held myself back for so long waiting for the perfect time, opportunity or client but perfection is an illusion – it doesn't exist. Say yes to opportunities and figure out the how, there is no better time than now.

Forget the nine to five mindset. Allow yourself to work at times that you feel most inspired or suits the needs of your family. Early starts or late finishes are more than worth it for the flexibility self-employment brings.

## HOW DO YOU MANAGE THE JUGGLING ACT THAT IS TIME WITH THE FAMILY, AND TWO BUSINESSES?

I don't think I am unique in saying that life is a constant balancing act, whether you are a self-employed Mum or not.

It is a struggle to juggle family, work and a social life. Sometimes I am on top of work, the house is spotless, and I have some resemblance of a social life but just as often, the washing pile is full, the kids are eating spaghetti Bolognese for dinner AGAIN and I am lucky to have had five hours sleep.

In summary, you just try your best and muddle through although I have found that taking an extra five minutes getting ready in the morning, opening an organised wardrobe that holds clothes that make me feel good, helps me weather the storm better.

Also, I wouldn't be where I am without the support of friends and other Mums who chip in to take my children to and from school or sport when needed. It takes a village and all that...

**Head to the MBA ACT Facebook page to join the Women Working in Construction Group for news on upcoming events (you must be a member of Master Builders to join).**



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# Lacrosse Apartments Fire

## Liability Arising from Wall Cladding

There are many parties involved in the construction and approval of residential apartments in Australia – from the design stage, through the supply chain and then the installation and approval of materials. Wall cladding has been in the news repeatedly since the Grenfell Tower fire in London in June 2017, though there have been other cases of fires coming from wall cladding prior to that time.

On 5 March 2019, the Victorian Civil and Administrative Tribunal ('VCAT') handed down its decision as to the liability of various parties from the Lacrosse Apartments fire in Melbourne in November 2014. The Tribunal found that liability was shared between the architect, surveyor, the fire engineer and the tenant, for the reasons set out below.

It is critical that those in the building and construction industry understand the implications of this decision, including liability and claims that might flow from Owners Corporations around Australia. This matter is a cautionary tale for builders, surveyors, architects, engineers and other consultants.

### BACKGROUND

On 25 November 2014, a fire began in an ashtray on the balcony of an 8th floor apartment at the Lacrosse Apartments in the Docklands in Melbourne city. The fire was triggered by a series of unfortunate events, including a cigarette being incompletely stubbed out in a plastic container, which lit some organic seeds wrapped in foil, which set the container alight, which lit a washing basket full of clothing, which was resting on a timber table. The cigarette was smoked by Jean-Francois Gubitta, a tenant of the apartment.

After the table caught fire, the flames spread to a blanket that had been resting on the external air conditioning unit. The flame melted the aluminium covering of the panels affixed as cladding to the building, lighting the polyethylene core. The panels then caught alight in full and travelled from level 8 to level 21 in only 11 minutes, at 2.35am.

All 400 occupants of the building were evacuated safely.

### PROCEEDINGS

In 2016, the Owners Corporation commenced proceedings in the VCAT to recover costs incurred from the fire damage but also to replace all the undamaged cladding on the building, which was clearly a significant fire hazard.

The matter was heard over 22 days in the VCAT and produced a lengthy judgment detailing the cause of the fire, its spread and the damage, as well as who was responsible and why.

### FINDINGS

VCAT found that the fire could be attributed to:

- > The smoker of the cigarette failing to properly and fully extinguish his cigarette; and
- > The installation of Aluminium Composite Panels with 100% polyethylene core on the external walls of the building (the cladding).

VCAT did not attribute any loss to the items stored on the balcony.

### WHO WAS RESPONSIBLE?

When the Owners Corporation filed the claim, they elected to sue the builder for damages. To attempt to indemnify itself against any damages payable, the builder joined its surveyor, architect and fire engineer to the proceedings. This meant that there were ultimately 4 defendants.

#### Builder – LU Simon

In its Design and Construct Contract for the development, the builder gave warranties that it would use suitable materials, which complied with the law and fitness for purpose. Those warranties were 'absolute' which means that even if the builder could demonstrate that it applied reasonable care, the warranties would not be extinguished.

Once it was established that the cladding was unsuitable, the builder became liable as a result of its breach of the warranties.

VCAT found that whilst the builder was liable for damages payable to the owners for foreseeable damage, it had not acted negligently because it was not aware of the fire risks, having engaged external professionals to provide it with the relevant information.

#### **Building Surveyor – Gardner Group**

VCAT found that the surveyor failed to exercise reasonable care by issuing a building permit for construction of the building, approving the use of cladding which did not comply with the Fire Resistance specifications in Section C of the Building Code of Australia ('BCA'), which notes that external walls *must* be non-combustible.

In addition, the surveyor failed to query the incomplete description of the cladding systems in the Fire Engineering Report prepared by the Fire Engineer.

Finally, VCAT found that the Building Permit issued was misleading and deceptive, in contravention of Australian Consumer Law.

#### **Architect – Elenberg Fraser**

VCAT found that the Architect failed to exercise reasonable care in failing to remedy defects in the design of the tower to ensure its compliance with the BCA and to ensure the sample of cladding it was given was compliant with the BCA.

Pursuant to entering the Consultant Agreement with the builder, the architect had been appointed 'Head Design Consultant' and so could not assign the responsibility or liability to the builder.

#### **Fire Engineer – Thomas Nicolas**

VCAT found that the fire engineer failed to exercise reasonable care by failing to conduct a full engineering assessment of the building to the level required by the International Fire Engineering Guidelines and to including it in the Fire Engineering Report. The effect of this failure was that sprinklers were not installed on the balconies and there was no alternative solution put in place.

Further, the fire engineer failed to recognise that the panels did not comply with the BCA and failed to warn the builder and other consultants about that, as well as failing to provide advice about a suitable solution.

Finally, VCAT found that the Fire Engineering Report was misleading and deceptive, in contravention of Australian Consumer Law.

## **DAMAGES**

VCAT ordered the following damages be paid:

- > \$4,851,937.19 for reinstatement works as a result of damage caused by the fire; and
- > \$701,270.16 for the increase to insurance premiums as a result of the fire.

It was ordered that the payments be made in the following proportions:

- > Surveyor – 33%
- > Architect – 25%
- > Fire Engineer – 39%
- > Tenant – 3% (assigned to the builder).

There were further compliance costs in the amount of \$6,823,165.65 (removal and replacement of the unburnt cladding), as well as loss of rent and alternative accommodation claims yet to be calculated.

## **WHAT DOES THIS DECISION MEAN?**

VCAT noted that this case should not be considered a precedent in relation to the suitability of Aluminium Composite Panels.

Notwithstanding that, this case sets a precedent for owners corporations (including unit owners) to recover compensation from builders and associated experts or contractors if panels installed on buildings were not compliant with the BCA. Please note that in most cases, these claims must be made within 6 years of the issue of the Certificate of Occupancy (or Final Inspection) being issued.

It is clear that there is an expectation on all parties and experts involved in the construction of a building that they both conduct their own duties to the highest standard, but also closely and carefully scrutinise the work of other experts involved.

If you have any questions about your business' liability in matters like these or require any other advice, please contact the commercial team at Snedden Hall & Gallop on 02 6285 8000.



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## Building Quality



Building Quality has been a hot topic of late, with multiple front page stories in the Canberra Times, ACT Government inquiries, interstate and international tragedies and several court decisions that have many in the industry questioning who is, and who should be, held responsible for poor building quality.

There is no agreed national definition of what must exist in order for “building quality” to be achieved (pre-building requirements differ in Australian jurisdictions), and there is little consensus on whether the focus ought to be on safety or quality itself. There is no reason why the focus shouldn't be on both elements, as they ordinarily go ‘hand-in-hand’.

In August 2017, the Federal Government commissioned a report on the compliance and enforcement systems for the building and construction industry. The Building Confidence Report, referred to as the Shergold and Weir Report, outlined 24 clear recommendations.

In the Foreword to the Shergold and Weir Report, Professor Peter Shergold and Ms Bronwyn Weir stated:

*It is our considered view that the nature and extent of the problems put to us are significant and concerning. They are likely to undermine public trust in the health and safety of buildings if they are not addressed in a comprehensive manner.*

If the problems encountered by Shergold and Weir are both significant and concerning, what are the State, Territory and Commonwealth governments doing?

### AROUND AUSTRALIA

Due to the wonder that is the Australian Constitution, building regulations are the dominion of the States and Territories. Tasmania and Queensland are leading the way in terms of implementation of the 24 recommendations contained in the Shergold & Weir Report, and whilst other states have partially implemented recommendations there is a lot more to be done.

New South Wales has indicated that a Building Commissioner will be appointed, and that they will ensure that building practitioners owe a common law duty of care to owners' corporations and subsequent residential homeowners, overturning the decision in *Brookfield Multiplex Ltd v Owners Corporation Strata Plan 61288* (2014) CLR 185.

In South Australia, consultation closed on the *Planning, Development and Infrastructure Act 2016* recently, which is proposed to address compliance with the building rules and impact those building professionals who are responsible for applying the rules, such as certifiers.

Following the Lacrosse fire, Victoria implemented a Cladding Taskforce but have not yet acted on all recommendations from the Building Confidence Report. It appears that Victoria is intending to conduct a general overview (and perhaps overhaul) and is therefore methodically working through the recommendations.

Which leads us to our own backyard. The ACT in particular, has been adept at conducting a review into building quality over the past decade. The 2010 ACT Government inquiry into Quality of Building Works made a number of recommendations, as did the 2016 inquiry of the Building Regulatory System. Whilst the ACT Government should be commended and given credit for implementing some of the recommendations, the question that should be asked is why all of the proposed recommendations have not yet been implemented? It is accepted that the implementation will cost money. There will no doubt be new government resources required, as well as education initiatives for both industry and home owners. But, when poor building quality has an economic cost of close to \$1 billion, when workers are being injured or killed due to poor design, and home owners are receiving a sub-standard product, the real question is, how can we afford not to?

### THE ACT INQUIRY

Submissions to the ACT Legislative Assembly *Inquiry into building quality in the ACT* closed on 30 November 2018. Public hearings are being held throughout 2019, providing the industry associations (including Master Builders ACT) and members of the public an opportunity to speak to the submissions previously made.

#### KEY DATES

**24 November 2014**

Lacrosse Fire (Melbourne)

**14 June 2017**

Grenfell Fire (UK)

**February 2018**

Building Confidence  
(Shergold Weir Report)

**28 February 2019**

Lacrosse VCAT Decision

#### ACT PUBLIC HEARING DATES:

**10 April**

**1 May**

**8 May**

**22 May**

**29 May**

**24 July**

**4 September**

# Federal Budget Delivers for SMALL BUSINESS

*This article was prepared in mid-May so does not take into account the outcome of the federal election or other developments which took place subsequently.*

The 2019/2020 federal Budget was handed down by the Treasurer on 2nd April, a little earlier than usual on account of the May 18 federal election. With small businesses accounting for 99% of firms in the construction sector, Master Builders Australia's pre-Budget submission emphasised the need for greater supports for firms in our industry particularly at a time when economic conditions are deteriorating. On this score, the measures announced on Budget night did not disappoint. In line with MBA's call, the instant asset write-off was immediately increased from \$25,000 to \$30,000 – although the Budget envisaged that this will only last until 30 June 2020. Encouragingly, the turnover threshold for qualifying for the instant asset was also raised significantly from \$10 million to \$50 million.

Another big Budget win for small business was the proposed reduction in the company tax rate from 27.5% at present to 25% from 1 July 2021 for all firms with turnover below \$50 million per year. Also of benefit to small firms is the provision of additional resources to help small businesses achieve resolutions to any disputes they may have with the ATO.

There was also good news in terms of the tax treatment of personal income. The low and middle income tax offset will be more than doubled and backdated to 1 July 2018, meaning that an additional tax refund will be coming the way of those eligible at the end of the tax year in a few weeks' time. Over the medium term, the Treasurer proposes a more substantial package of tax reform involving the 19% tax rate threshold being increased from \$41,000 to \$45,000 from 1 July 2022.



SHANE GARRETT, MBA AUSTRALIA

The Treasurer also proposes lowering the 32.5% tax rate to 30% from 1 July 2024 and raising the eligibility threshold from \$87,000 currently to \$200,000 – meaning that the 37% tax rate will be no more. Obviously, the ultimate fate of these medium term proposals will be dependent on the composition of the government post election.

Notwithstanding the current difficulties in areas of the residential building market, the Budget's anticipates a largely favourable economic outlook for Australia over the medium term. GDP growth is projected to gradually speed up towards 3% per year, with unemployment predicted to remain very stable at 5% over the coming years. Job creation and employment growth is envisaged to be healthy, a factor which will boost income tax revenues for the government.

The generally positive economic outlook is expected to drive a return to budget surplus during the 2019/20 financial year – the first in a decade. Surpluses are expected to persist over the forecast period to 2022/23 and beyond, and snowball towards 2% of GDP in the second half of the 2020s decade.

In terms of residential building, the Treasury largely matches our own expectations with activity anticipated to lose 7% in 2019/20 and another fall of 4% in 2020/21. The reduction in new home building is being driven by the continued decline in house prices in key markets, tougher credit conditions post-Royal Commission and an absence of confidence amongst potential homebuyers.

Despite the short-term difficulties affecting new home building, the Budget is gearing up for major growth in the sector with a substantial package of measures following on from the recent Joyce report into Vocational Education and Training (VET). A \$525 million skills package will aim to create 80,000 new apprenticeships in industries with skills shortages over a five-year period. Part of this will be achieved through the enhancement of incentives: eligible new apprentices in construction will benefit from a \$2,000 incentive payment while the employers of apprentices will have their incentive payment doubled to \$8,000.

Infrastructure featured heavily in the federal Budget, with much detail being provided around the government's \$100 billion National Infrastructure Plan to be delivered over the next 10 years. This will clearly be of welcome support to activity in building and construction. The National Infrastructure Plan includes provision for increasing the Urban Congestion Fund from \$1 billion to \$4 billion, as well as a new \$2.2 billion Road Safety Package and a \$500 million Commuter Car Park fund to improve access to public transport and take more cars off the roads. With Canberra's new light rail having recently opened, the implications of this proposal will be worth watching locally. Also of interest to the ACT is the announcement of \$30 million in new funding for work on the Kings Highway and \$20 million for duplication of William Slim Drive. This is in addition to the \$100 million Monaro Highway upgrade currently underway.

**Of benefit to small firms is the provision of additional resources to help small businesses achieve resolutions to any disputes they may have with the ATO.**

**Infrastructure featured heavily in the federal Budget, with much detail being provided around the government's \$100 billion National Infrastructure Plan to be delivered over the next 10 years.**

Recent economic indicators show that the Canberra economy continues to perform quite strongly, with the unemployment rate clocking in at just 3.9% in March 2019 – lower than any other state or territory, and well below the national average of 5.2%. The robust labour market locally has attracted in jobseekers from elsewhere and resulted in the population growth rate surging to 2.2% – stronger than everywhere but Victoria. Along with the fact that interest rates are very low and steady, the big gains in population mean that underlying demand for housing and other areas of building like schools, hospitals, retail and workplaces will remain healthy over the medium term.

Despite the fairly healthy economic backdrop, the ACT scores poorly at the moment when it comes to FHB participation. Just 22.7% of owner occupier home loans in the ACT went to FHBs over the past year, one of the lowest shares in Australia. We had been expecting this to get worse over coming months with the total axing of the First Home Buyer Grant in the ACT. However, the First Home Loan Deposit Scheme which is supported by both major parties is a major positive in this area, is really good news for FHBs, and allows those with deposits of 5% or more to look forward to becoming homeowners for the first time.

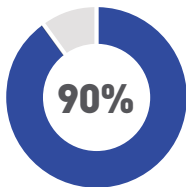
However, the short term speed bumps at play in the housing market still have to be negotiated and this means that the number of new dwelling starts are expected to fall to 4,685 in 2019/20 – a reduction of 14.9%. This is likely to be followed by further declines in subsequent years, although their scale is expected to be more modest. These projections assume that Negative Gearing and the CGT remain unchanged. Should the CGT Discount be reduced from 50% to 25% and restrictions introduced on negative gearing, then we can expect the decline in the ACT's residential building market to be even more substantial involving a further reduction in new home building of between 210 and 900 dwellings in the first five years of the policy change.



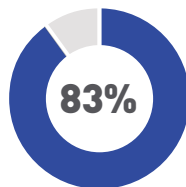


## 2019 MEMBERSHIP REVIEW

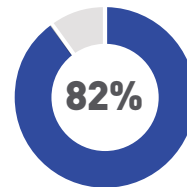
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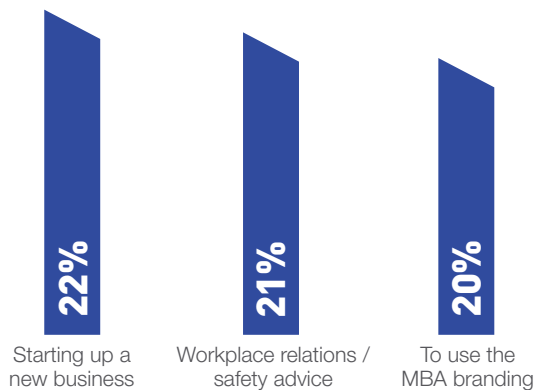


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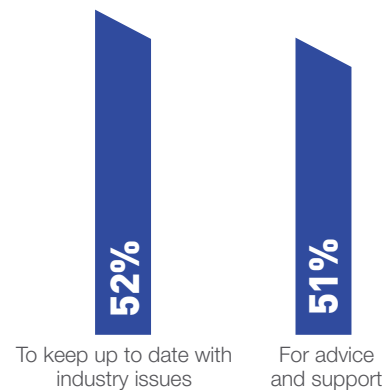


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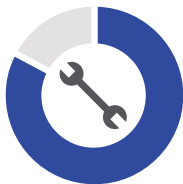


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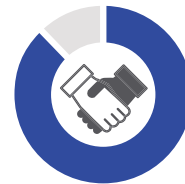
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Research conducted between November 2018 and January 2019 by Footprints Market Research



### JAMES HARDIE

James Hardie has designed and manufactured building products for an ever-changing Australia for over 125 years. Being market-led has always been at the heart of Hardies, but what that looks like has also been changing. Millennials will be a driving force in new home construction and will represent 50% of new home construction in 10 years, whilst Generation X and Baby Boomers will fuel an accelerating renovation market. 'The look' of the home is increasingly important - the home owners making these decisions don't give much thought to construction methodology but will specify 'the look' they are after. At James Hardie, we are market-led, so everyone can be part of our vision of transforming the Australian way to build.

#### Contact James Hardie

Website: [www.jameshardie.com.au](http://www.jameshardie.com.au)

Phone: 13 11 03



### STUDIO BLACK INTERIORS

Studio Black Interiors is a boutique, residential interior design and styling practice. Launched in 2016 by interior designer, Maria Cerne, Studio Black is known for its modern, minimal and paired back aesthetic. Studio Black believes design is about solving a set of problems that's often deeper than just aesthetics. It's about a user experience, simplicity in function, as well as creating something beautiful. Studio Black's design style is inspired by the balance between function, beauty and simplicity. Simplicity – so the essential can shine. They like to focus on clean lines, beautiful finishes, combined with materials and textures that are warm and inviting. Studio Black's work has featured in Adore Magazine, Inside Out Magazine and Interiors Addict. With a large social media following, Studio Black has gained a reputation for creating functional and beautiful spaces. Whether building, renovating or redecorating, Studio Black works with clients to support and guide them through their design journey.

#### Contact Studio Black Interiors

Email: [info@studioblack.com.au](mailto:info@studioblack.com.au)

Website: [www.studioblack.com.au](http://www.studioblack.com.au)

Phone: 0410 501 729



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### BRAITHWAITE BUILDING

Director of Braithwaite Building, David Braithwaite, started out his career in cabinet making. He is renowned for his fine eye for detail and quality. Often engaged by Canberra's leading designers and architects, David and his team execute impressive, intricate projects. He will identify potential in existing spaces which feeds his passion for problem solving, working to find solutions. David and his team have experience in creating commercial office fit outs and refurbishments, home extensions and renovations, custom kitchens, bathrooms and laundries, outdoor space renovations, custom joinery, walk in wardrobes and office refurbishments.

#### Contact Braithwaite Building

Email: [david@bj.com.au](mailto:david@bj.com.au)

Website: [www.bj.com.au](http://www.bj.com.au)

Phone: 0412 995 446



### STUDIO & YOU

Established in 2017, Studio & You is an interior design practice owned and operated by local designers Lauren Sharman, Alanna Kochel and Michael Turco, whom together have over 30 years' experience delivering outstanding interior design solutions in Canberra, Melbourne and surrounding regions. An unwavering client-centric approach coupled with a contemporary design philosophy has enabled Studio & You to quickly establish a reputation as an outcome-focused, innovative and aspiring interior design practice. This is evidentiary through the delivery of a portfolio of exceptional residential and commercial projects since establishment. As a sister company to Turco and Associates, a leading architecture practice located in Canberra and Melbourne, Studio & You leverages a broad range of skills and capabilities to go above and beyond for their clients. This promotes holistic and collaborative design outcomes, a truly unique value proposition in the Canberra interior design market.

#### Contact Studio & You

Website: [www.studiyou.com.au](http://www.studiyou.com.au)

Phone: 6113 0193





## LAROS TECHNOLOGIES

At LAROS Technologies Australia, we are forward thinking and knowledgeable in our approach to high-performance building solutions. We are passionate about better building solutions and providing products designed for highly energy efficient, healthy and comfortable homes. We supply European high-performance building materials such as Triple Glazed Windows, Energy Recovery Ventilation Systems, Membranes for Airtightness, Structural Thermal Breaks, and Hot Water Heat Pumps. Many of our products can't be seen in a home, but often these products have the biggest impact on the comfort levels of your home.

### Contact LAROS Technologies

Email: [office@laros.com.au](mailto:office@laros.com.au)

Website: [www.laros.com.au](http://www.laros.com.au)

Phone: 6160 7777



## TAILORED TAX

Tailored Tax is a Canberra-based firm specialising in tax and accounting services for clients in construction and real estate development, with offices located in Brisbane, Sydney, Goulburn and Canberra. At Tailored Tax, we are proud to be the one-stop-shop business solution advisor of Australian builders. Our available services include multiple accounting packages to accommodate our client's business needs in different phases of growth, not limited to:

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### Contact Tailored Tax

Email: [harry.hoang@tailoredaccounts.com.au](mailto:harry.hoang@tailoredaccounts.com.au)

Phone: 0434 196 607



## ARTISAN STONE

Artisan Stone's ever-evolving and expanding range is the result of over 20 years' experience in the Building Industry combined with more than 10 years' experience in Import, Warehousing and Supply of some of Australia's finest outdoor products. We believe that by visiting quarries and factories and sourcing our products directly from the manufacturers ensures no compromise in the quality of our product. This allows us to continue developing our range, with materials that inspire and excite us and our clients. Most importantly, our key interest is in understanding what our clients want to achieve with their project, whether they're builders, architects, designers or homeowners, our goal is making concepts come to life in the most practical and enduring manner. We look forward to working with you on your next project!

### Contact Artisan Stone

Email: [mailbox@artisanstone.com.au](mailto:mailbox@artisanstone.com.au)

Website: [www.artisanstone.com.au](http://www.artisanstone.com.au)

Phone: 1300 3010 898



## WSP

As one of world's leading professional services consulting firms, we are dedicated to our local communities and propelled by international brainpower. We are technical experts and strategic advisors including engineers, technicians, scientists, planners and environmental specialists, as well as other design, program and construction management professionals. We design lasting solutions in the Transportation & Infrastructure, Property & Buildings, Environment, Power & Energy, Resources and Industry sectors, as well as offering strategic advisory services. With approximately 48,000 talented people globally, we engineer projects that help societies grow for lifetimes to come. In Canberra, we are committed to seeing our local community thrive. As one of the largest consultancies with a permanent base in the nation's capital, our 80 professionals are driven by the possibilities of future proofing cities and environments in the state.

### Contact WSP

Email: [canberra@wsp.com](mailto:canberra@wsp.com)

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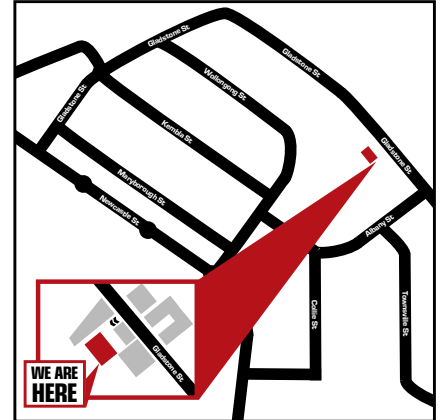
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### 12th February

**Guest Speaker:**

**Ms Emma Thomas, Transport Canberra and City Services**

*(L to R) – Michael Hopkins (MBA), Emma Thomas (TCCS), Gracie Ferreira (MBA) and Nick Zardo (CCF ACT)*

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### 7th March

**Guest Speaker:**

**Mr John Dietz, Suburban Land Agency**

*(L to R) – Michael Hopkins (MBA), John Dietz (Suburban Land Agency), Gracie Ferreira (MBA) and Anthony O'Brien (RAM Constructions)*

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### 28th March

**Guest Speaker:**

**Mr Greg Jones, WorkSafe ACT**

*(L to R) – Tom Simmonds (Chase Building Group), Gracie Ferreira (MBA), Greg Jones (WorkSafe ACT) and Michael Hopkins (MBA)*

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## 12th February

### Guest Speaker:

**Mr Andrew Parkinson, Secure Local Jobs Registrar**

*(L to R) – Michael Hopkins (MBA), Simon Butt (MBA), Andrew Parkinson (Secure Local Jobs Registrar) and Valdis Luks (Shaw Building Group)*

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President's Luncheons are held bi-monthly through the year. The luncheons are hosted by the President of the Master Builders, Gracie Ferreira, and include a presentation from a prominent Guest of Honour.

The Luncheons provide an intimate forum for 20 guests in a boardroom situation to discuss topical industry issues, under Chatham House Rules. They are a fantastic way to network with key clients and to keep up to date with current activities within the ACT's building and construction industry.

Sponsors of these events have the opportunity to invite 10 guests to the 20 person boardroom luncheon, have their company logo featured on all event based promotional material, the opportunity to raise issues and direct discussion. The event also features in promotions across MBA channels including social media and Canberra Builder Magazine.

If you would like further details on the sponsorship opportunities available, please contact:

Bethany Mason, Marketing and Events Coordinator, Ph: 02 6175 5968, E: [bmason@mba.org.au](mailto:bmason@mba.org.au)



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