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EDITION 4 / 2019

Master Builders Association
of the ACT and Region Magazine



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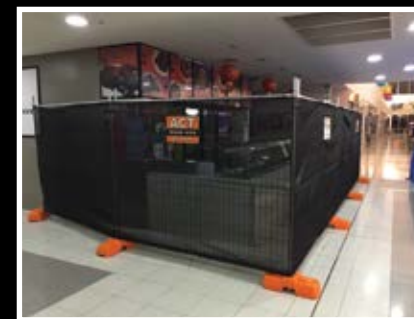
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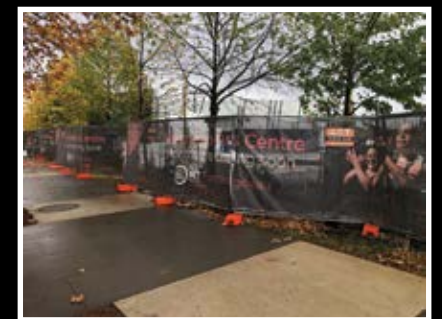
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“ I also want to take this opportunity to thank my fellow board colleagues, the MBA staff and management team, MBA National, as well as our sponsors, members and supporters for the tremendous effort through the year. ”

A MESSAGE FROM PRESIDENT, GRACIE FERREIRA

Ending the year with a strong focus on safety and reflecting on this year's achievements

In October each year Master Builders ACT participates in National Safe Work Month. This year's theme is *Be a Safety Champion*, which demonstrates that everyone in the building and construction industry can be a champion for safer workplaces.

In the ACT, Master Builders launched national work safe month on 1 October with the help of WorkSafe ACT and OzHelp. The MBA launched two new member workshops on mental health awareness and silica. We also ran WorkSafe ACT presentations for our apprentices and refresher sessions on Safe Work Method Statements.

It was great to see a focus on mental health throughout October. At the launch event members had the opportunity to meet Alexis Wray, the new WorkSafe ACT Psychological Officer. Alexis will be working closely with the MBA and industry on the issue of mental health over the coming months.

The MBA has helped members and apprentices with mental health support for many years, dating back to 2001 when we co-founded OzHelp. I would like to pass on my congratulations to OzHelp CEO Darren Black and the entire OzHelp team, for taking out the ACT Telstra Business Award for Social Change Maker. The work they do for the community and industry alike is invaluable.

There are some outstanding local projects competing for the top awards at Uluru on 23 November and I wish all ACT finalists in the MBA national awards the best of luck.

I also want to take this opportunity to thank my fellow board colleagues, the MBA staff and management team, MBA National, as well as our sponsors, members and supporters for the tremendous effort through the year. We couldn't have done it without you.

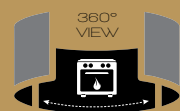
Finally, I wish each and every one of you a very merry Christmas and hope that you all get to experience some time off with your family and loved ones. Make sure you stay safe no matter what you do. We want you all to come back rested and invigorated for the start of the next decade.

Bring on a safe and prosperous 2020!

The MBA launched two new member workshops on mental health awareness and silica.



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A MESSAGE FROM CHIEF EXECUTIVE OFFICER, MICHAEL HOPKINS

Master Builders ACT welcomes the release of the ACT Infrastructure Plan

With the value of civil works and commercial building approvals trending down over the past 12 months, the MBA has been calling on both levels of government to bring forward funded infrastructure projects which can quickly commence construction.

The Federal Government has announced that it would bring forward the Commonwealth's funding contribution to projects which can be brought forward by State and Territory Governments.

One of the challenges in the past for the ACT Government is that when announcements like this are made by the Commonwealth Government, the ACT doesn't have a list of infrastructure projects which are planned, funded and ready to go, if the opportunity arises.

The ACT Government has responded to this, and our advocacy calls, recently with the release of the ACT Infrastructure Plan. The Plan provides a future pipeline of ACT infrastructure projects which will give other Governments, industry and the community confidence of the future direction of ACT infrastructure. We commend the ACT Government for releasing such a plan.

One such infrastructure project which is being brought forward is Stage 2A of Canberra's Light Rail. The MBA has started early engagement with the ACT Government and Canberra Metro about this project, with the aim of maximising the involvement of local contractors in the project. There are many lessons that can be learnt from stage 1 of the project and we hope that the benefits for the local contractors will increase for future stages.

“The Plan provides a future pipeline of ACT infrastructure projects which will give other Governments, industry and the community confidence of the future direction of ACT infrastructure.”

I encourage all members to check out this edition of Canberra Builder for an update on a number of other ACT Government reforms currently underway, to read about our new members, and for information about how the MBA can help you run successful, safe and productive businesses.

Also, in this edition of Canberra Builder you will find a recap of the 2019 Annual Dinner which was a wonderful event held at the Hotel Realm, with over 300 members, stakeholders and event sponsors in attendance. We are proud to have over 49 members who are celebrating their MBA membership anniversaries this year. In this magazine you will find the stories of two of those members, dsb Landscape Architects and designcraft.

I look forward to seeing our members in the new year and wish each of you a very safe and happy holiday after a prosperous and successful 2019.

We are proud to have over
49 members who are celebrating
their MBA membership
anniversaries this year.

Graduating apprentices of 2019

With graduation around the corner for the 3rd year apprentices at the MBA, we spoke to some of the apprentices about their time at the MBA completing their trades and discovered what's next for them.



RACHEL ROSS

What attracted you to a trade?

I've always liked being busy with my hands and active so I thought I would try something a bit different.

What has been your biggest achievement, or highlight of your apprenticeship?

My biggest achievement during my apprenticeship was receiving CITC Recognition of Dedication and Effort in Carpentry 2017.

What challenges have you faced during your three years?

Every day is a challenge, you are always learning something new and it's always a challenge at first but you find out what works for you in facing those challenges.

What do you like most about an apprenticeship?

I loved being able to learn on the job and the atmosphere of being on site. The people I've worked with throughout the past three years have been amazing and made my apprenticeship so easy to learn and progress.

Where do you see yourself in 5 to 10 years' time?

Running my own jobs and continuing to climb the ladder in the construction industry.



JOSH HUNTER

What attracted you to a trade?

I was interested in carpentry because it would allow me to build a house and remain active while make money in the process.

What challenges have you faced during your three years?

Working away from home in Sydney/ Wollongong for the first year and a half.

Now that you are graduating, what's next for you?

I will be completing my cert 4 in building and trying to build contacts to branch out on my own.

What have you enjoyed most about training at the MBA?

I have made a lot of good mates during my apprenticeship with the MBA, which is something I really value.



JEREMY BRADBURY

What attracted you to a trade?

The fact that I was always eager and willing to help dad around the house when it came to handy-man work. I loved wood-tech and metal-work whilst in high school and excelled in these areas.

Why Carpentry?

Its a broad knowledge subject which allows you to learn multiple trades. To be able to work with timber and potentially build my own home and furniture in the future was an exciting prospect.

What challenges have you faced during your three years?

Overcoming self-doubt is my major one. I always set such high-expectations on myself, so having to arise to a challenge I hadn't met meant I had to overcome uncertainty at times, which I found hard.

What do you like most about an apprenticeship?

The physical nature and the constant learning. Each day I come home with a new story and a new skill under my belt.



“The commitment, determination and dedication these young and mature aged people have shown during their trade apprenticeships is noteworthy.”

A MESSAGE FROM THE COMMERCIAL DIRECTOR, LIZ NAIR

Apprenticeship completion rates remain strong in the ACT, defying national trend

In the final edition of Canberra Builder for 2019, we celebrate the graduating apprentices who have completed their Certificate III in Carpentry, through MBA Group Training. As more than 60 apprentices graduate from the MBA this year, it's important to note the outstanding completion rate of apprentices undertaking an apprenticeship in the ACT, in comparison to the rest of the nation.

In the latest report produced by the National Centre for Vocational Education Research (NCVER), the number of apprentices and trainees commencing apprenticeships nationally, fell by 2.7% to 157,880 in the 12 months to the end of March. Commencements in non-trades were down 4.5%, while trades represented a decline of 0.6%.

As the skills shortage in many trade industries continues to worsen, including in the building and construction industry, completion rates of trade apprentices nationally have remained steady, compared with corresponding data.

Locally, the ACT has shown a decline of 3.5% in apprentice and trainee commencements relating to non-trade specific occupations including, community and personal service workers and food trade workers. However, the ACT has recorded an increase in commencements of trade apprenticeships of 0.6% over the past 12 months. Completion data of trade apprentices in the ACT has also increased by 1.15%

The largest increase relates specifically to completion rates of construction trade workers, boasting a rise of 37%. This is significant when addressing the National Skills Needs List, which predominantly is made up of trade qualifications. The productivity generated from educating and training a highly skilled workforce to contribute to the local economy is vital. The current data builds confidence in the building and construction sector.

The acknowledgement of growth, albeit minimal, in attracting apprentices to trade occupations is a focus for our organisation. Master Builders ACT continues to build firm relationships with schools and colleges by promoting the many benefits of employment in a trade. The large increase in completion rates in trade occupations, assists in reducing the skills shortage in the region, specifically within the building and construction sector.

At MBA Group Training, the beginning of November signifies the end of a chapter for over 60 stage three apprentice carpenters. The commitment, determination and dedication these young and mature aged people have shown during their trade apprenticeships is noteworthy. As we farewell our apprentices, we congratulate them on their achievements and will continue to watch their journeys as qualified tradespeople.



“If you or your workers are approached by organisers or representatives of the CFMMEU and you would like to clarify your rights and obligations, please contact our Industrial Relations and Legal Adviser.”

A MESSAGE FROM MEMBER SERVICES DIRECTOR, ASHLEE BERRY

Master Builders ACT calls for support on the Ensuring Integrity Bill

There has been a notable increase in reports by our members of unpleasant, bullying-like behaviour and intimidation by organisers and representatives of the Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU) in the last few months.

Members have raised concerns about the CFMMEU threatening to shut down construction sites, appearing to use safety issues as a guise for industrial relations objectives (for example, having a contractor enter into a union drafted enterprise agreement). Recently, the CFMMEU has started to use ACT Government procurement (the Secure Local Jobs Code) as another mechanism for pursuing the union's industrial relations agenda, claiming that the union has appointed a "compliance officer". This is of concern to Master Builders ACT and has been raised with the ACT Government and Minister Orr. There is no place for third party involvement in any government procurement.

It almost beggars belief that the CFMMEU is allowed to continuously intimidate and use bullying behaviour in order to achieve industrial relations outcomes. There has been a litany of court judgments against the CFMMEU this year alone for **breaking the law**. On top of that, there have been numerous charges laid against the CFMMEU and officials for **breaches of the law**.

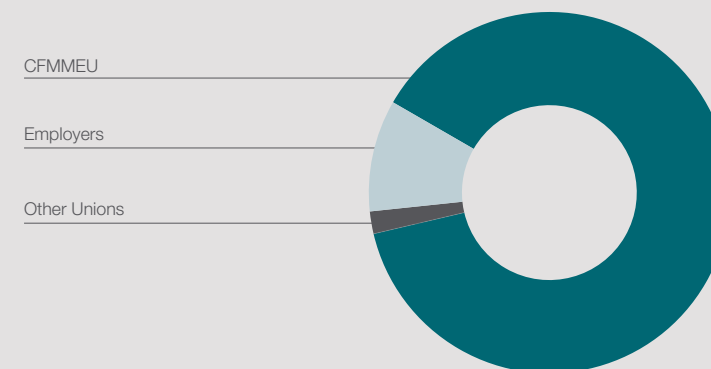
This behaviour, and these judgments, are further examples of why the Federal Government should pass the *Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019* (the Ensuring Integrity Bill). Master Builders ACT is calling on all Senators to support the Ensuring Integrity Bill and ensure that all registered organisations are held accountable for their behaviour.

In the meantime, if you or your workers are approached by organisers or representatives of the CFMMEU and you would like to clarify your rights and obligations, please contact our Industrial Relations and Legal Adviser, Malvinpal Khaira on 6175 5900 or mkhaira@mba.org.au.

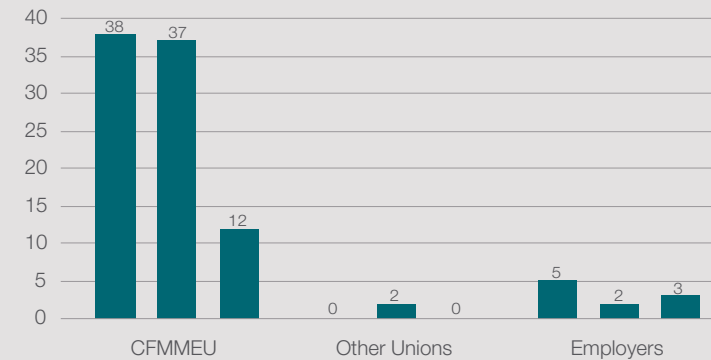
Participants in the building and construction industry are also encouraged to contact the Australian Building and Construction Commission on 1800 003 338 if they have any queries about the conduct of the CFMMEU.

Master Builders ACT is calling on all Senators to support the Ensuring Integrity Bill and ensure that all registered organisations are held accountable for their behaviour.

FEDERAL COURT JUDGMENTS (18.9.2017 to present)



FEDERAL COURT JUDGMENTS (18.9.2017 to present)



\$6,189,620
penalties arising from CFMMEU breaches



437

the number of separate instances involving right of entry, freedom of association and anti-coercion contraventions



72

the number of officials responsible for these contraventions

“The CFMMEU’s record of contraventions of industrial legislation is appalling. Since 2000, it has been found to have contravened industrial legislation on more than 140 separate occasions... On any view, this is a deplorable record of contraventions.”

Australian Building and Construction Commissioner v Gava [2018] FCA 1480

“The CFMMEU has made no apology for its conduct... [and] made a calculated decision that the risk of financial penalty for engaging in conduct in contempt of court was simply a cost of doing business.”

VICT v CFMMEU [2018] VSC 794 (19 December 2018)

“[The union officials breach] was serious because it was very dangerous, which Mr Hassett must have known, and it was serious because Mr Hassett gained entry to the site purportedly in respect of safety concerns – only to place the crane operator and others potentially in harm’s way.”

ABCC v Hassett [2019] FCA 855

“... the conduct was part of a deliberate and orchestrated campaign which had the express or tacit approval of more senior officials of the CFMMEU...”

“The CFMMEU, and in particular the [Construction General] Divisional Branch, has an appallingly long history of prior contraventions of industrial laws...”

Australian Building and Construction Commissioner v Construction, Forestry, Maritime, Mining and Energy Union (The Laverton North and Cheltenham Premises Case) (No 2) [2019] FCA 973

“Mr Powell [a CFMEU Official]... has an extensive history of prior contraventions of the law in relation to industrial activities in which he was involved.”

Australian Building and Construction Commissioner v Powell (No 2) [2019] FCA 972



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- Plant Mechanical
- Plastering – solid
- Plastering – Wall & Ceiling Lining
- Roof Plumbing
- Stonemasonry
- Wall and Floor tiling

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 1st 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.

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

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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

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NATIONAL JOBS AND SKILLS COMMITTEE UPDATE

The recently formed National Jobs and Skills Committee (NJSC), works to support MBA Australia in fulfilling its policy responsibilities relating to jobs, training and employment services relevant to the building and construction industry. The committee aims to meet current and future demands of the building and construction industry through attracting, training and retaining a skilled workforce.

The current work of the Committee is to work closely with government through responding to the Joyce Review and key recommendations:

- > strengthening quality assurance,
- > speeding up qualifications development,
- > simpler funding and skills matching,
- > better careers information,
- > clearer secondary school pathways, and
- > greater access for disadvantaged Australians

The shortage of skilled labour required in attracting an additional 300,000 people over the next decade to the construction industry is significant. The NJSC aims to develop a 2030 Skills Plan to support the ongoing need for government to reform and financially invest in the training sector and apprenticeships specifically, as well as support innovative ways to skill the construction industry workforce.

The NJSC welcomes feedback from our members and industry partners in forming the 2030 Roadmap for the sustainability and ongoing positive contribution of the construction industry to the local and national economy.

BUILDING REFORMS – Around Australia

Building quality and building regulatory reform is not just a hot topic in Canberra, but every State and Territory is currently underway with some level of reforms. And you guessed it, despite all State and Territory Building Minister's agreeing to adopt a nationally consistent approach to implementing the Building Confidence Report recommendations, every State and Territory is in reality undergoing their own reforms, in their own way and at their own speed.

Here is a quick summary of some of the work of other States and Territories.

QUEENSLAND

Queensland has introduced laws which make project bank accounts (which comprise a set of 3 bank accounts) mandatory for builders and subcontractors with projects valued over a specified value. The introduction of these laws has been challenged by Master Builders Queensland, and other industry stakeholders, who have outlined a number of reasons why they won't work.

The Queensland Government was also one of the first to introduce non-conforming product laws. Queensland introduced chain of responsibility legislation in November 2017, the *Building and Construction (Non-conforming Building Products – Chain of Responsibility and Other Matters) Amendment Act 2017* (NCBP Act). It has established a chain of responsibility, placing obligations on participants in the building product supply chain.

The Queensland Building and Construction Commission (QBCC) has also increased powers to investigate the use of non-conforming building products and take action against non-compliance. If required, the Queensland Minister will be able to issue warnings about products and recall products.

Like in the ACT, building certification has been an area of focus with reforms introduced to strengthen the independence and improve professional standards and compliance of certifiers.

Minister for Housing and Public Works, Mick de Brenni said "Queensland is much further down the path of restoring effective regulation and oversight within the construction industry than other states, including the introduction of nation leading non-conforming building product laws to ensure the safety of Queenslanders."

NEW SOUTH WALES

In mid-2019, the NSW Government released a discussion paper, "Building Stronger Foundations", which poses 30 questions about major reforms to the building and construction sector in NSW.

Minister for Better Regulation and Innovation Kevin Anderson said "the community and industry now has an opportunity to provide feedback on the proposed reforms to deliver greater transparency, accountability and quality of work in the building and construction sector."

The NSW Government is implementing four key reforms to deliver a more robust regulatory framework for the construction of buildings, including:

- > A requirement for buildings to be designed and constructed to plans that fully comply with the Building Code of Australia (BCA);
- > A requirement that all building practitioners, including building designers, architects and engineers, be registered to ensure they have the appropriate skills and insurance, and can be held accountable for their actions;
- > Introduction of a new industry-wide principle of duty of care, enabling home owners to seek compensation if a building practitioner has been negligent; and
- > Appointment of a Building Commissioner, who will regulate all aspects of the NSW building industry, and have the power to investigate and take disciplinary action for improper conduct.

One interesting aspect of the proposed NSW reforms is a focus on "building designers". According to the discussion paper "building designers" will be required to declare that their plans and performance solutions comply with the BCA, and documentation will be required to be made available to the building regulator on request.

Building designers would have two new obligations:

- > declare that plans comply with the BCA; and
- > explain how any performance solutions used in the design and construction of a building comply with the BCA.

These reforms build on new product safety laws that commenced in December 2017 – the *Building Products (Safety) Act 2017* (NSW). It provides enhanced powers to monitor and restrict the use of unsafe building products. The powers promote the safety of residential, commercial and

industrial buildings by enabling the NSW Government to ban the unsafe use of a building product. In addition, the legislation gives councils increased powers to require the rectification of buildings that are a risk to public safety.

Under this Act a building product use ban has been triggered for aluminium composite panels comprised of a core of greater than 30 per cent polyethylene in any external cladding, external wall, external insulation, façade or rendered finish in certain multi-storey buildings, subject to specific exceptions (the cladding ban).

In addition, following the Opal Tower incident, a new legislative framework for certifiers in the *Building and Development Certifiers Act 2018* (BDC Act) was introduced. It delivers on the NSW Government four-point plan focused on compliance and enforcement reforms to improve certification. The four-point plan includes:

- > a compliance blitz with 25–30 per cent of the industry to be audited every year;
- > a new disciplinary policy that will see certifiers penalised for not complying with relevant legislation or negligently signing off on a building which is unsafe or structurally unsound;
- > better protection for strata buildings, with certifiers unable to work on new strata developments if they have breached the code of conduct in the previous 12 months, regarding building quality; and
- > increased transparency, which will include more information for homeowners about a certifier's disciplinary record on an enhanced public register, and the provision of information to prospective buyers of off-the-plan developments about a certifier's disciplinary history.

NSW's building reform response is perhaps the most aligned with the recommendations of the 2018 Building Confidence Report.

VICTORIA

The Victoria Government has progressed two key areas of reforms ahead of other States.

Firstly, the *Building Amendment (Registration of Building Trades and Other Matters) Act 2018* sets a licensing regime for trade contractors. The Act establishes a framework to prescribe types of building work that can only be carried out by registered tradespeople, improved disciplinary provisions and regulation of swimming pool and spa barriers and provided a range of measures related to cladding on buildings including a framework for cladding rectification agreements.

In addition, the *Building Amendment (Registration of Building Trades and Other Matters) Act 2018* provides the Minister the power to ban high-risk cladding products. To support this, the Minister for Planning issued A *Minister's Guideline MG-14: Issue of building permits* where building work involves the use of certain cladding products (MG-14). This provides that a building surveyor should not issue a building permit for proposed building work which includes the installation of certain high-risk products unless the Building Appeals Board has determined that the proposed application complies.

Secondly, the Victorian Government has also announced it will directly fund the rectification of buildings with high-risk cladding.

In July 2019, Premier Daniel Andrews announced a \$600 million package to fix buildings with combustible cladding. The program will be overseen by a new agency, Cladding Safety Victoria, which will manage funding and work with owners corporations from start to finish.

The Victorian Government will directly fund half of the rectification works and will introduce changes to the building permit levy to raise the other \$300 million over the next five years.

Draft legislation giving effect to the July announcement is the *Building Amendment (Cladding Rectification) Bill 2019*. It allows the government to raise building permit costs as well as create the "step-in" power to claw back costs on behalf of owners corporations. Any financial returns will be reinvested into the \$600 million cladding rectification program, administered by Cladding Safety Victoria.

AUSTRALIAN CAPITAL TERRITORY

The ACT Government has had a flurry of reform activity in 2019.

The ACT Government's immediate priorities have been:

- > examinations for new class A, B and C builder licences applications
- > minimum documentation requirements for new building approval applications
- > codes of practice for builders and building certifiers
- > a new auditing system for building approvals and building work
- > training for building surveyors and other people in the building industry

A range of additional reforms, including security of payment and dispute resolution, have been announced for completed by mid-2020.

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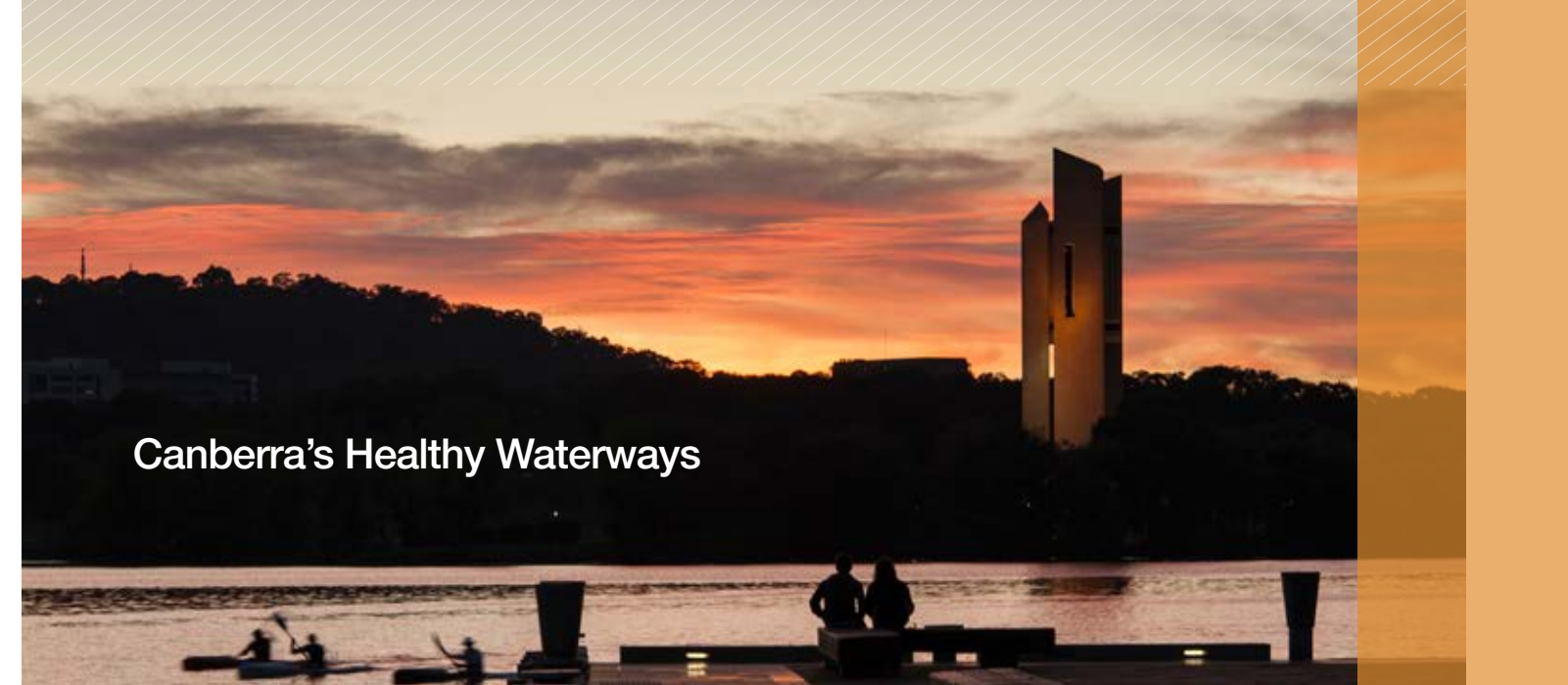
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Canberra's Healthy Waterways

The ACT Governments Environment, Planning and Sustainable Development Directorate is shaping Canberra's future, making it a safe, healthy and enjoyable place to live, work and play. By staying connected to the community and with a philosophy of innovatively approaching everything undertaken, the ACT Government has been able to achieve the best for Canberra and the region with particular emphasis on quality water.

Poor water quality arising from pollutants in urban run-off had degraded the ecology and amenity of the streams in the ACT region, contributing to regular blue-green algal blooms in urban lakes and lowering the quality of water destined for communities downstream in the Murray-Darling Basin. The ACT Healthy Waterways Project, a \$93.5 million partnership between the Australian and ACT governments, was established for the purpose of improving water quality in Canberra and surrounds. It is part of the Australian Government's program of Basin Priority Projects.

The ACT Healthy Waterways Project has focussed on building a substantial program of green Water Sensitive Urban Design (WSUD) infrastructure and complementary activities.

Phase One of the project (2014 to 2017) featured extensive planning and community consultation to identify a set of priority WSUD assets for construction and to review the water data available to support decision making.

Phase Two of the project (2017 to June 2019) via the Managing Contractor delivery vehicle with Construction Control being the successful contractor: achieved the following

- 1) Significant improvement in water quality in streams of the ACT region, by constructing WSUD assets and educating the community about preventing stormwater pollution, and
- 2) Built capacity for better water quality management into the future through water research, monitoring, decision-support tools and new relationships between water managers.

Phase Three of the project, the responsibility of the Managing Contractor, is now underway and will continue until June 2021. This 'establishment phase' was added to maximise the resilience of water plants, which serve as pollutant filters in WSUD assets, before they are handed over to their owners. There is also a component of research and monitoring.

The project was more successful than even originally anticipated with twenty assets constructed on time, within budget and to a high quality in both engineering and landscape outcomes. The adoption of the Managing Contractor model by the ACT Government was an innovative approach which delivered excellent outcomes for both the ACT Territory and the Murray Darling Basin. Furthermore the ACT Government education campaign raised awareness in the community and had enormous uptake by local schools in particular. We made strides in better understanding the blue-green algae blooms. The ACT and Region Catchment Management Group is implementing its action plan.

If you would like to know more, contact:

Ralph Ogden, Program Manager, Healthy Waterways Project

Resilient Landscapes |Environment, Planning and Sustainable Development Directorate

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ANNUAL DINNER

2019

Master Builders Annual Dinner

Master Builders ACT held their Annual Dinner at the Hotel Realm on October 17. Nearly 300 members, key stakeholders and sponsors were in attendance. Our incredible hosts for the evening were MC Genevieve Jacobs and guest speaker Steven Bradbury OAM. Congratulations to all the members who received recognition on the night for their longstanding commitment to the MBA. Thank you to the partners of the event who made the evening possible including, Harvey Norman Commercial, Village Building Co, Cbus, Master Builders Fidelity Fund, Ern Smith, Evoenergy and National Capital Motors.

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MBA ACT members celebrating membership anniversaries in 2019:

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40 YEARS

Cercol Construction Services Pty Ltd

35 YEARS

Len O'Hara

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RECTIFICATION WORKS on 18 units in Turner a successful collaboration

In 2016 Wise Choice Project Services were engaged by the Master Builders Fidelity Fund to assist in the rectification works of 18 units in Turner. Cercol Construction Services applied and received the tender to complete the works on the units. The rectification works undertaken at the units were required to help prevent ongoing issues and damage sustained from water ingress. This water ingress was caused by a leaking façade as well as leaks around windows and sliding doors throughout the complex. Therefore, internal and external works were required. The project was divided into two stages, which was further divided into two components – internal and external works.

Gaining access to the units was no easy feat, Peter Henden, Director of Cercol Construction Services said, “Of the 18 units within the complex, 16 of the residences were rented which resulted in a logistical challenge. Every single person in the block had to be tracked down. We had to get keys and permission to take the entry doors out and it had to be done in a day. It required an extensive amount of planning and communication.”

Once access to the units was gained, a full assessment of the works to be completed could be made. The external works involved cladding and waterproofing. Prior to cladding the apartments, Cercol was required to pack the walls and install top-hat sections to ensure an even surface was provided to enable the breathable membrane and Cemintel sheets to be installed. The Cemintel sheets were installed over the existing Dintel façade and then sealed with Fosroc ultra UV resistant elastomeric trafficable joint mastic. This was followed by coating the sheets with a Dulux Acratex paint finish.

Prior to undertaking the waterproofing works, Cercol demolished the existing floor finishes to the ground floor podium and balconies to all units. The waterproofing works involved removing balcony doors to waterproof the reveals, as the leaks were known to occur in these areas, causing damage to the interior of the apartment. Once this was completed, the balcony and podium were waterproofed with Ardex WPM1000 and then tiled. This layout forms part of the drainage system to prevent the balcony from overflowing.

The internal works involved repairing the damage sustained to the apartments due to water ingress. This encompassed replacing damaged skirtings, door frames/reveals and architraves, repairing ceilings and walls, painting works and carpet replacement.

Upon completion of the project, the residents returned to the units and praised the teams at Wise Choice Project Services, Cercol Construction Services and the Master Builders Fidelity Fund. One resident said, “The importance of the MBA Fidelity Fund cannot be understated. Without it, many owners would have been bankrupted, left with uninhabitable, uninsurable units. During the past eight years, at least one owner has suffered a serious breakdown due to the financial stress and I have endured great hardship as this is my home and I had nowhere else to go. The ultimate involvement of the Fidelity Fund means that I have home security and can face the future with confidence.”

This outstanding project won the Australian Institute of Building ACT Professional Excellence Award due to the complexity and technical nature of the work.



The ultimate involvement of the Fidelity Fund means that I have home security and can face the future with confidence





DARREN BLACK
CHIEF EXECUTIVE OFFICER, OZHELP

As 2019 comes to a close it is pleasing to see increasing focus on workplace mental health and wellbeing. This important conversation must continue if we are to see widespread benefit of building healthy, resilient and supportive communities across our region and nation.

Many organisations across the country are developing mental health and wellbeing strategies to support their people, however, there is still more proactive work that can be done to ensure Australia's most at-risk workers aren't slipping through the cracks.

Workplaces can play a crucial role in the delivery of mental health education, especially across industries where there is a higher risk of mental-ill health and suicide – industries such as Construction, Transport, Emergency Services and Farming and Agriculture.

Work-related issues such as long hours, poor workplace relationships, remote or isolated work can combine with life's challenges such as personal relationships, financial pressure, trauma and grief to create an environment where industry-specific and ongoing supports are required to maintain mental health and wellbeing.

This is where OzHelp's workplace programs can help build a positive culture around mental health and to equip people with the skills and knowledge to seek help for themselves or for others when they need it.



Say hello to OzHelp's new identity

After 17-year long history we have recently launched a fresh new identity for OzHelp. Our desire was to create a strong brand that would help us stand out in a space where attention and action is crucial to change. Our new identity highlights that connection is a key component to mental health and wellbeing – and reaching out is an action that could save a life.

This project has come to life through consultation across a range of stakeholder groups, including our clients, staff and supporters. We are thrilled with the result and look forward to increasing our impact and reach across Canberra and our nation.

If you would like to know more about OzHelp's programs, long-term vision or partnership opportunities please reach out directly ceo@ozhelp.org.au or call 1300 694 357.

Need to talk to someone? Help is available. Call Lifeline on 13 11 14, Beyondblue on 1300 22 46 36, or MensLine Australia 1300 78 99 78, or talk to your GP or someone you trust.

MASTER BUILDERS ACT National Safe Work Month

Throughout the month of October, the MBA celebrated National Safe Work Month with various events and workshops focused on creating safer workplaces in the construction industry.

MBA NATIONAL SAFE WORK MONTH LAUNCH

On October 1, we began National Safe Work Month with a launch. Over 50 members from various building and construction companies across the ACT attended the event. The Commissioner of WorkSafe ACT, Greg Jones gave an important industry update and introduced Alexis Wray, the new WorkSafe ACT Psychological Officer. CEO of OzHelp, Darren Black spoke to attendees about the important role that mental health plays in work health and safety within the workplace. CEO of Master Builders ACT, Michael Hopkins spoke about the ways in which the MBA can support members to achieve their WHS objectives.

OTHER SAFE WORK MONTH ACTIVITIES AT THE MBA DURING OCTOBER:

Master Builders ACT also hosted the following workshops:

- > Silica Dust
- > SWMS Refresher
- > Mental Health Awareness

If you are a member of the MBA and would like information or content from these workshops, please contact canberra@mba.org.au

The MBA provides a variety of training courses to support your WHS commitments including:

- > 10559NAT Working safely with Asbestos Containing Materials
- > 10675NAT Asbestos Awareness
- > Health and Safety Committee Training (HSC)
- > WHS for Supervisors and Managers



ATTENDEES OF THE MBA ACT SAFE WORK MONTH LAUNCH



CEO OF THE OZHELP FOUNDATION, DARREN BLACK



WORKSAFE ACT COMMISSIONER, GREG JONES

Want more information on the WHS courses Master Builders ACT offer? Head to www.mba.org.au/training

PRESIDENT & TREASURER RE-ELECTED AT AGM



Master Builders ACT held its Annual General Meeting on 8 October. We were excited to announce at the AGM that our President, Grace Ferreira and Treasurer, Frank Porreca, have both been re-elected for another two year term.

We were also very pleased to announce that former MBA Group Training Field Manager, Don Rail, was appointed as an honorary member of the Association. Don's career started as an apprentice in 1969. Throughout his career, Don was an ambassador for safety and training apprentices for the industry. Since starting with MBA in 2006 his relationship with host employers and members has been one of friendship and guidance.

Finally, at the AGM we reported that both the MBA and MBA Group Training are in a sustainable financial position, with growing membership, member services and training courses.

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MBA National Excellence in Building & Construction Awards 2019

Record number of ACT finalists at this year's awards

This year, 31 winners from the 2019 MBA ACT Building Excellence Awards will be representing the nation's capital at the MBA National Excellence in Building & Construction Awards. This year has seen a record number of entries and we are proud to have so many outstanding projects, companies and individuals in contention for a wide variety of National awards.

Congratulations to the following companies:

Company	Project	National Category Entered
Independent Constructions	Deakin	Best Use of Australian Made Products – Residential
Gen5 Constructions	Turner	National Environment and Energy Efficiency Residential Building Award
Lendlease	Kambri (ANU Union Court Redevelopment)	National Environment and Energy Efficiency Commercial Building Award
Brema Group	Macarthur House	National Excellence in Workplace Health and Safety Award (Commercial)
Construction Control	ANU RN Robertson Refurbishment	National Education Facility Award
Kane Constructions	Queanbeyan Indoor Sporting Centre (Q-One)	National Entertainment and Recreation Facility Award
Project Coordination	Giralang Primary School - Hall Ceiling Replacement	National Commercial Historical Restoration/Renovation Award
Ideal Building Solutions	Fraser	National Alterations/Additions Award – under \$200,000
Architekt Grüne Hauser	Hughes	National Alterations/Additions Award – \$200,000 to \$400,000
Pichelmann Custom Building Services	Hawker	National Alterations/Additions Award – \$400,000 to \$650,000
Acumen Artisan Builders	Forrest	National Alterations/Additions Award – over \$1M
Classic Constructions	“The Balcombe”, Denman Prospect	National Display Home – \$500,000 to \$1.5M
Achieve Homes	Googong	National Project Home – under \$350,000
Third Generation Building	Narrabundah	National Project Home – \$350,000 to \$500,000
Creative Contractors	Pearce	National Project Home – \$500,000 to \$750,000
Architekt Grüne Hauser	Ainslie	National Project Home – \$750,000 to \$1 million
Monarch Building Solutions	Red Hill	National Project Home – \$1 million to \$2 million
Classic Constructions	Holt	National Project Home – Over \$2 Million
Bellevue Building Projects	Turner	National Medium Density – over 5 Dwellings
Multilevel	Mercer Apartments	National High-Rise Apartment Building
Construction Control	3 Molonglo Drive, BBP	National Fit-out Award
Pier Projects	Shaw Wines Cellar Door	National Commercial/Industrial Construction Award – under \$5 million
Cockram Construction Australia	ACU Signadou Campus Veritas Building	National Commercial/Industrial Construction Award – \$10 million to \$20 million
Hindmarsh Construction Australia	ANU Building 145	National Commercial/Industrial Construction Award – \$20 million to \$50 million
Lendlease	Kambri (ANU Union Court Redevelopment)	National Commercial/Industrial Construction Award – over \$100 million
Guideline ACT	Isabella Weir Upgrade	National Civil/Infrastructure Award – under \$25 million

Congratulations to the following companies and individuals:

Company/Individual	National Category Entered
Delnas Metal Roofing	National Specialist Contractor of the Year – Construction
Huon Contractors	National President's Award
Jesse Gosper	National Apprentice of the Year
Classic Constructions	National Residential Master Builder of the Year
Cockram Construction Australia	National Construction Master Builder of the Year

Peace of mind.

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

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

The Fidelity Fund issues Fidelity Certificates which provide protection for owners of new homes and those making significant changes to homes, in the event that the builder dies, disappears or becomes insolvent, the Certificates protect the owner during construction and for up to five years from the date of practical completion.

Master Builders members receive reduced premium rates. For more information contact the Master Builders Fidelity Fund.

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dsb LANDSCAPE ARCHITECTS

celebrate 40 Years in business and 30 Years as Members of Master Builders ACT

Malcolm Fraser was Prime Minister, John Howard was Treasurer and Canberra was developing the personality of a Bonafide city when dsb, a proud Canberra business opened its doors in 1979.

Director Michael Reeves confirms the philosophy of looking to the future, that was established by the founding directors, is what has seen dsb flourish in a sometimes volatile market. While reflecting on their 40 years in business, dsb has uncovered records showing that the practice has completed over 3800 major projects, 2000 private residential projects and is fast approaching vegetation assessments of 400,000 trees.

From designing residential gardens in Canberra when everything south of the Woden Valley consisted of dirt roads, sheep paddocks and wheat fields, when Gungahlin was only in the planning process, to landscaping and urban design for Stage 1 of Canberra Light Rail, dsb has a world of evolving experience.

"As the longest established landscape architectural firm in Canberra, we have lots to celebrate from our achievements over the past 40 years and we would like to thank our clients, and particularly Paul Scholtens and Paul Bombardier the founding partners, who continue to provide guidance and wisdom." Michael Reeves said.

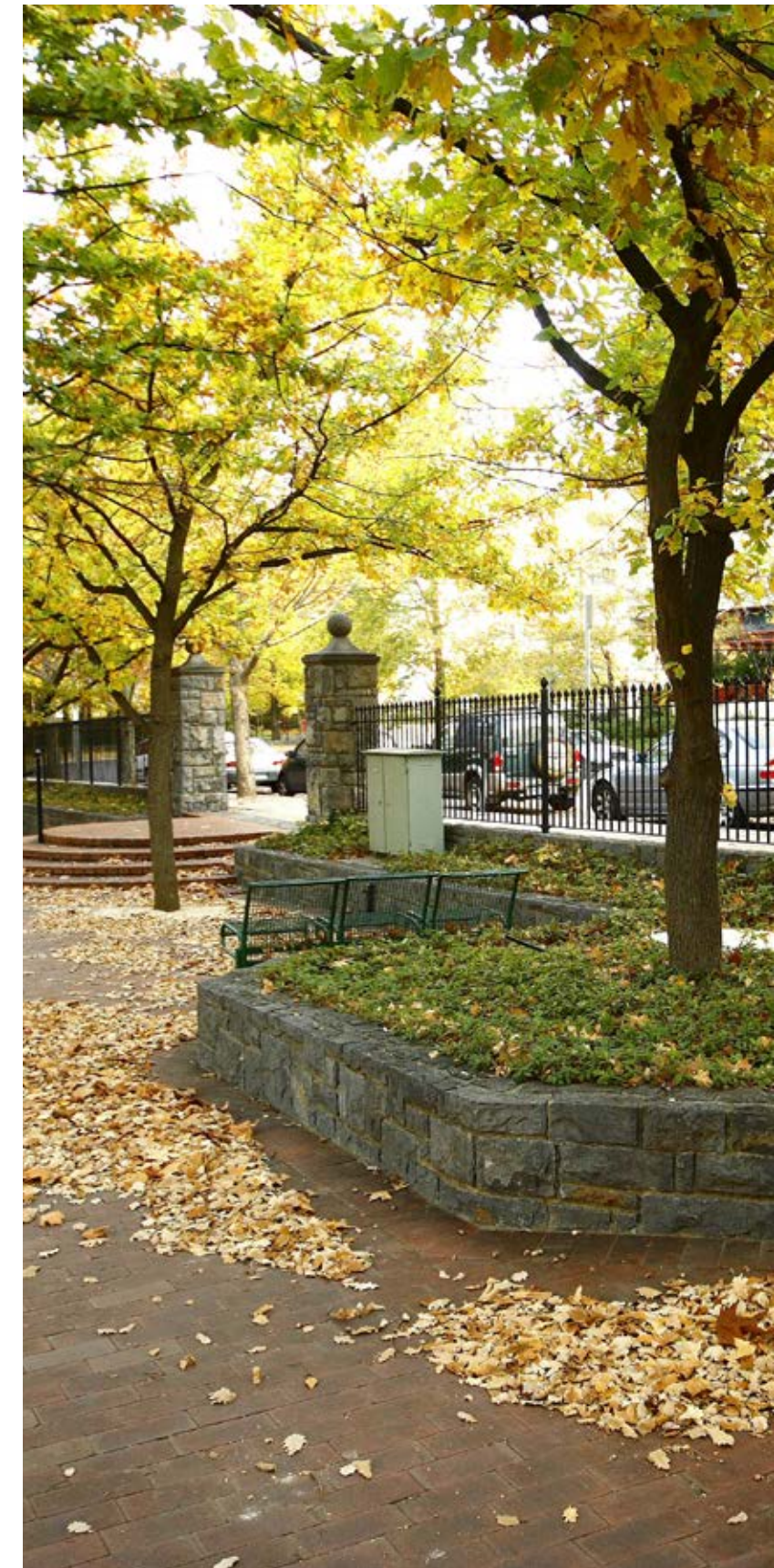
dsb Landscape Architects has developed, prospered and continues to provide quality landscape architectural services to the local and regional community with responsibility. Irrespective

of the size and budget of a project, all are treated with care and attention to detail in certain knowledge that dsb is providing services based on sound knowledge of local conditions and requirements that are valued by their clients.

When the diplomatic community was encouraged to move their missions out of residential locations across the city to a dedicated precinct within the nominated areas of Yarralumla and South Canberra, dsb was a popular choice among the diplomatic missions being engaged by more than 19 Diplomatic Missions. dsb and was also invited to develop landscaping designs for many of the private residences. The Embassy of the United States of America became a significant signing for dsb and is still a valued client today.

The firm's outstanding reputation has spread far and wide, from Australian cities to rural areas across New South Wales and Victoria. From the Parklea Prison and Clyde Mail Exchange in Sydney, projects at Brisbane Airport, the Dog on the Tuckerbox at Gundagai to streetscape and memorial projects in Corowa, Narrandera, Wangaratta, Rutherglen, Tallangatta, Leeton, Cootamundra, Kapooka and Laverton. Orange, Bathurst, Deniliquin, Jindabyne, Bombala, Gundaroo, Yass, Bungendore and Kosciusko National Park. While Canberra based, dsb Landscape Architects certainly sprout across the country.

As Canberra grows so does dsb.



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FRIDAY 26 JUNE 2020

KEY DATES:

Entries Open: 8.00am, Monday 13th Jan 2020

Entries Close: 5.00pm Friday 15th March 2020 *(Please note that no late or incomplete entries will be accepted)*

Judging Period: Monday 30th March - Friday 1st May

Judges Review: Monday 4th May - Friday 8th May

Finalists/ Non finalists notified: Wednesday 13th May

Facebook People's Choice Competition: Voting Opens Wednesday 13th May

Attendee details due date: Friday 29th May

Awards Night: 6.30pm Friday 26th June

2020 AWARD CATEGORIES

Residential Project Awards

Apartments and Units up to 3 storeys
Apartments and Units 4 storeys and above
Apartments and Units Highrise Living
Custom Built/Project Home less than \$350,000
Custom Built/Project Home \$350,000 to \$500,000
Custom Built/Project Home \$500,000 to \$750,000
Custom Built/Project Home \$750,000 to \$1million
Custom Built/Project Home \$1million to \$2million
Custom Built/Project Home more than \$2million
Display Home less than \$500,000
Display Home more than \$500,000
Medium Density Dual Occupancy/Habitable Suite
Medium Density Townhouses and Villas
Renovation/Extension less than \$250,000
Renovation/Extension \$250,000 to \$450,000
Renovation/Extension \$450,000 to \$1million
Renovation/Extension more than \$1million
Special Purpose/Adaptable Dwelling

Civil Project Awards

Civil Bridgeworks
Civil Hydraulic
Civil Subdivision
Civil Roadworks
Civil Other

Sustainable Construction Awards

Sustainable Civil Project
Sustainable Commercial Project
Sustainable Residential Project

Individual/Company Awards

Onsite Construction Manager of the Year
Project Manager of the Year
Emerging Residential Builder of the Year
Supplier of the Year
Subcontractor of the Year
Professional of the Year

Work Health & Safety Awards

WH&S Civil
WH&S Commercial
WH&S Residential
WH&S Targeted Risk Management System

Commercial Project Awards

Commercial or Retail Fitout, Refurbishment or Alteration less than \$1million
Commercial or Retail Fitout, Refurbishment or Alteration \$1million to \$5million
Commercial or Retail Fitout, Refurbishment or Alteration more than \$5million
Commercial Building less than \$5million
Commercial Building \$5million to \$20million
Commercial Building \$20million to \$50million
Commercial Building more than \$50million
Project Displaying Technical Difficulty or Innovation

Subcontractor Project Awards

Bathroom Project less than \$30,000
Bathroom Project more than \$30,000
Best use of Material in a Commercial Project
Best use of Material in a Residential Project
Kitchen Project less than \$50,000
Kitchen Project more than \$50,000
Landscape Design and Construction Commercial
Landscape Design and Construction Residential

Top Awards

2020 House of the Year*

2020 Project of the Year*

* These categories are not open for direct nomination.

From intimate start up to world class furniture design innovator

SWAN HOUSE
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ARCHITECTURE AND INTERIOR DESIGN: COLLINS CADDAYE ARCHITECTS
PHOTOGRAPHY: STEFAN POSTLES

28 years ago an unassuming furniture and cabinet making business opened its doors in a simple rented workshop in Queanbeyan armed with enthusiasm, highly developed skills and a dream! Today there are few local companies more recognised than designcraft - a world class company built on innovative designs and traditional skills, as well as being renowned for unsurpassed customer service.

From a modest local start-up to a globally recognised company, designcraft has and continues to complete an exceptional variety of complex and demanding projects, for clients locally, across Australia and around the world.

Three years after opening, designcraft became a member of Master Builders ACT and has grown with confidence, knowing MBA has been behind them all the way.

designcraft moved into an impressive custom designed 4,500 square metre building in Hume in 2004. The design

and construction of the purpose built factory and two level showroom exemplify the level of quality and attention to detail designcraft's clients can expect from all aspects of the company. The state of the art structure set a new benchmark for furniture and joinery manufacturing.

With a range of iconic, timeless and contemporary furniture for the home or office, designcraft represents some of the most prestigious Australian and international furniture brands. As well as designing and developing bespoke collections and one off pieces, designcraft work on commercial and custom joinery fitouts.

"We continually strive for perfection and are extremely proud of the cutting edge designs that our team creates. Our clients truly appreciate the unique aesthetic that are achieved through the technically challenging designs and through the leading international brands we represent. This

approach stimulates and motivates the creative team to lead the way in new furniture and cabinetry design and production," designcraft Managing Director Robert Fenderson said.

Mr Fenderson went on to say that over the last 28 years, the company's depth of knowledge, experience and skill has enabled them to successfully fabricate and install the most challenging of commercial, public and private furniture fit outs.

Whether the brief is for a single item of furniture, or a complex commercial fit out, designcraft will formulate a product that is impeccably built and highly functional while representing an environmentally sound use of our natural resources.

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HOT WEATHER CONCRETING

Hot weather concreting is a risk. The combination of high temperatures, wind and low humidity create an unfavourable environment for proper curing. By placing concrete in the heat you run the risk of cracking, crazing, surface crusting and lower 28-day strengths. Though it is best to avoid placing concrete in high temperatures, this is not always possible through summer in Australia. As a precaution in these extremes, some steps can be taken to reduce the risks when concreting in hot weather.

REDUCING RISKS:

Where possible, avoid placing concrete in the middle of the day when temperatures are highest.

Have enough labour onsite to place and finish the concrete as quickly as possible.

Lightly wet down formwork, reinforcing, and the sub-surface before placing.

Place the concrete as soon as possible - Prevent additional heat generated by over mixing.

Where possible, shade the area and/or create windbreaks to protect the surface from direct sunlight or wind.

Apply aliphatic alcohol immediately after screeding and bull-floating. The use of aliphatic alcohol controls the evaporation of bleed water.

Re-apply aliphatic alcohol to concrete after each finishing action. Please note that aliphatic alcohol is not a curing compound, you must still cure your concrete and it is essential to ensure that aliphatic alcohol is compatible with your curing compound.

Apply a membrane-forming or penetrating curing compound to the surface of the concrete after set and as soon as you can walk on the surface. This is to ensure that maximum moisture is retained in the slab.

In our climate, it is difficult to avoid placing concrete in the heat. However, by properly protecting, curing and caring for your concrete, you can minimise the risk of problems in your project.

CIVIL CONTRACTORS FEDERATION UPDATE

From CCF ACT President Nick Zardo,
Civil Contractors Council Chair



NICK ZARDO, PRESIDENT, CIVIL CONTRACTORS FEDERATION ACT
& MBA CIVIL CONTRACTORS COUNCIL CHAIR

Following nominations and a subsequent election in August, the CCF ACT has its first elected board of Directors, post restructure. Lachlan Haskins, Ben Helmers, Daniel Hill, Alan Morton, Stuart Ritchie, Anisha Sachdeva (Deputy) and Nick Zardo (President) will be leading CCF ACT into 2020.

Locally

Recently, there has been a significant reshuffle in government departments. Infrastructure, Finance and Capital Works (IFCW) has been renamed to Infrastructure Delivery Partners Group (IDP) and now falls under the newly formed Major Projects Canberra, which is separate from Transport Canberra and City Services (TCCS), where the majority of civil construction work is undertaken. Adrian Piani has been appointed as the ACT Chief Engineer and the TCCS Directorate also has a new Director General, Alison Playford. Continuing to engage with key policy makers and leaders remains a priority to the CCF board. Knowing who to lobby on important issues will ensure that momentum is not lost through any reshuffling.

A key request of the Territory, by the Civil Sector, was the establishment and publication of a long term Infrastructure Plan, and to the credit of all stakeholders, it was released in October. The CCF board has been consulting with Major Projects Canberra about what this means for the civil construction industry and making it known that it has a capable and ready local industry to deliver a great deal of it for the Territory.

Nationally

In September, the CCF National Office hosted the 2019 Civil Contractors Australia Strategic Planning Workshop. The National President, Michael Unger (WA) and the National CEO Chris Melham invited all Branch Presidents and CEO's from around Australia to attend the two day event held in Canberra. All branches attended with Michael Hopkins and myself representing the ACT.

The workshop focused on Membership, Policy Formulation, Communication and Business. It is extremely pleasing to see that since the restructure, the CCF is positively looking outward to share information for the benefit of all members Australia wide.

Astoundingly CCF branches nationwide continue to face similar issues. Earlier this year the National CCF set five key priorities to address these issues, which are yet to be adopted.

Industry's five priorities according to the CCF:

1. Increase Infrastructure Investment and funding
2. Ensure Efficient, Equitable and Competitive Procurement
3. Reform Skill Development and Training
4. Enhance Industrial Relations
5. Protecting and Enhancing the Viability of Civil Industry Businesses

It's great to see "infrastructure" in vogue as it appears to currently be. This brings opportunity for our businesses as we continue to work with administrations to ensure that the civil construction industry benefits the wider local community.



A UTE IS A UTE, RIGHT?

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

If you walk into two dealerships and ask for a 'ute' would you take the cheapest one? Or would you compare the tray, fuel type, transmission, air-conditioning, warranty, capped priced servicing, build quality?

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Construction insurance is no different.

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

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Business Development Manager ACT
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GET THE RIGHT COVERAGE, THE RIGHT ADVICE, AND THE RIGHT SUPPORT

When speaking with members throughout the ACT and surrounds, we still encounter builders who advise us that they arrange their insurance through another broker, or directly with an insurer, and often aren't aware of the benefits of placing cover through MBA Insurance Services (MBAIS). The differences in cover found in construction insurance are substantial, but not widely known within the general insurance industry.

While most members are open to MBAIS reviewing their program and providing quotes, it's when we get into the detail about what hasn't been covered, including real-life claims examples, the benefits of using a specialist construction insurance broker are obvious. Unfortunately for some builders, they discover they have the wrong policy after they have an uninsured loss.

In simple terms, the role of an insurance broker is to negotiate the best insurance contracts for their client at a competitive price. The insurance contract offers protection for your business and ultimately protects your livelihood and lifestyle. With construction insurance contracts having such a high degree of variation and complexity, it's worth using a specialist construction insurance broker, rather than a general broker who places insurance across a wide range of industries and occupations.

Within the building industry you have specialist trades – plumbers, electricians, carpenters, tilers, etc. The insurance industry is no different. Would you have an electrician tile a bathroom or a bricklayer plumb a kitchen? While a capable tradesman might be able to cross over into another trade and do a reasonable job, would you bet your business on it being done right? Entrusting your business with a specialist construction insurance broker ensures you have the best possible coverage, expertise to handle claims and provide risk management advice, and of course deliver competitive premiums.

Entrusting your business
with a specialist construction
insurance broker ensures you
have the best possible coverage.

With over 50 staff nationally, at MBAIS we regularly see claims in areas only covered through having the right insurance policy. We have developed our own exclusive policy wording, and also have access to specialist construction insurers that provide flexibility with coverage solutions. With our size and buying power, we can typically provide you with broader cover at competitive premiums.

Once the appropriate level of cover has been arranged, in the event of a large or complex loss, we involve Richard Grounds, MBAIS National Technical Manager. Richard is a qualified engineer, and is widely regarded as an industry expert within construction insurance for claims management. Having an in-house 30+ year veteran of construction insurance, who has worked on hundreds of complex large construction losses, and who knows construction inside and out, helps to ensure builders are better off with MBAIS. In addition to our own technical expertise, in the event of a large claim, we frequently utilise relevant MBA services like Legal, OH&S, and Industrial Relations, which helps MBAIS seamlessly deliver the best possible claims outcomes for our builders.

Whilst service and relationships are important in business, when things go wrong, you need to be confident you are backed by the right insurance protection, risk management, and support, otherwise you are putting your business at risk. MBAIS can review your current program free of charge and provide you with specific detail on any gaps in coverage for you to consider. As a specialist construction insurance brokerage, with genuine claims expertise and access to MBA services, builders are better off with MBAIS. We've got you covered.

MBA
INSURANCE SERVICES
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A SHORT COMPARATIVE ANALYSIS of Australia and Singapore's construction workforce

Singapore is home to one of the world's busiest shipping ports and according to Skytrax, the world's best airport for the seventh consecutive year, The Changi Airport. Internationally renowned for its cleanliness, greenery and distinct skyline as featured in the Hollywood hit movie Crazy Rich Asians, Singapore houses approximately 39 billionaires, making it the seventh top billionaire city in the world. A large proportion of its wealth is attributable to the construction industry, with the Building and Construction Authority of Singapore estimating a total value of construction contracts for 2019 to be in the region of \$27 billion - \$32 billion and \$34 billion for 2020.

Australia's building and construction industry similarly contributes vastly to its economy, with recent numbers indicating a \$350 billion revenue nationwide representing 8% of Australia's GDP. Despite the significant contributions by the construction sector in both countries, the models adopted for the regulation of its workforce are strikingly dissimilar. Australian workers fair significantly better in terms of wages, entitlements and other protections. The actual construction labourer's salary in Australia is reported to be approximately \$70,000 per annum including allowances and overtime payments. Modest wages in Australia's construction industry is the result of adequate protections and entitlements provided for under the *Fair Work Act 2009* and Modern Awards such as the *Building and Construction General On-Site Award*.

On the other hand, Singapore's employment laws are far less favourable and provide for inadequate protections especially for those working in the construction industry. It's construction

industry is heavily dependent on cheap foreign labour rather than local labour. Construction workers are largely from Bangladesh, India, Myanmar and China and are paid extremely low wages in the approximate range of \$700 per month after incorporating overtime payments. This is far from Singapore's average annual salary of \$67,152. Construction workers are provided with accommodation and three basic meals a day. Although this sounds like a sweet deal comprising free food and lodging, it is far from it. These workers live in dormitories which are often overcrowded and in unsanitary conditions. Instead of proper meals considering the long hours of work in harsh Singapore weather, they are only provided with three basic meals a day consisting of rice, lentils and a portion of meat and vegetables. The *Employment Act* regulates employment conditions in Singapore; however, they only provide for minimum entitlements such as timely payment of wages, hours of work, overtime, public holidays, annual leave and sick leave.

Singapore has a lot to learn from Australia in terms of providing adequate protections for its workforce. The treatment of foreign construction workers in Singapore is harsh and unacceptable, yet its lax labour restrictions have attracted global corporations including many Australian companies to its shores. Perhaps it is open for interpretation that a balance may be struck between Australia and Singapore's employment regime whereby workers continue to receive adequate protections and entitlements under the law, while processes are implemented to ease the burden on Australian businesses hence ensuring its sustainability in an already competitive and volatile construction market.

Comparing the salaries of construction labourers in Australia and Singapore below:

	CONSTRUCTION LABOURER IN AUSTRALIA'S WORKFORCE	CONSTRUCTION LABOURER IN SINGAPORE'S WORKFORCE
Actual Yearly Wages	\$70,000	\$8,400
Labour market	Largely local labour	Largely migrant labour
Employer Deductions	Nil	Employer deductions for levies and housing in dormitories
Saturday Loadings	Paid at 150% for first 2 hours and 200% thereafter.	Saturday is an ordinary working day, workers are paid at ordinary rates until commencement of overtime hours.
Annual Leave	20 days	7 days
Sick leave	10 days	14 days
Ordinary hours	8 hours a day	9 hours a day
Travel Allowance	\$17.43 a day	Nil.
Lodging	Not required unless working at distant sites	Overcrowded Dormitories
Meals	Meal Allowances of \$15.38 after 1.5 hours of overtime on a weekday.	Cheap catering provided usually consisting of just rice, lentils and one portion of meat and vegetables
Routine Day Off's	13 paid RDO's per year	2 unpaid rest days per month
Redundancy Benefits	Entitlement to redundancy payments upon termination not arising out of misconduct or refusal to perform duties.	Nil.

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OH WHAT A FEELING



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MBA ACT HELD THE WOMEN WORKING IN CONSTRUCTION GROUP YOGA AND MENTAL HEALTH LUNCHEON IN OCTOBER FOR NATIONAL SAFE WORK MONTH.



New study shows group training organisations achieving superior completion rates for apprentices and trainees

Women Working in Construction Group

Meet Tanya Zantis

General Manager of Samarkos Earthmoving

Founded in 1993, Samarkos Earthmoving recently celebrated 25 years of MBA Membership at the 2019 Annual Dinner. The family owned and operated company have a focus on bulk earthworks, constructing car parks and demolition. In 2004 Samarkos Earthmoving expanded into the construction and demolition recycling industry, forming a new company called ACT Recycling. The inspiration for this expansion originated from when Samarkos worked with Lendlease and the Government on the bushfire demolitions when they created a central area for all contractors to dispose of materials from the demolitions.

Q: What does your role at Samarkos Earthmoving involve and when did you begin working there?

TZ: I'm the General Manager at Samarkos Earthmoving. I look after everything within the office, from managing the staff to speaking with clients and dealing with financials. My role is diverse. When I first began, I was the only female in the company but now we employ around 10 office staff, many of whom are women. I began working here in 1996 and haven't left since.

Q: Have you faced any challenges as a woman in the construction industry?

TZ: Occasionally you come across people who may dismiss you in this industry because you are a woman, however it's rare especially nowadays. I've always had the full support of the incredible team that I work with.

Q: What's the best part of your job?

TZ: I enjoy the flexibility and the variety. I get to see the absolute best in people, especially when they've overcome an obstacle or challenge that they may be facing in the workplace.

Q: Your role isn't a regular nine to five job, so how do you find time for yourself?

TZ: You really do have to make the time. Work should never come first in your life and we've always had that mentality within our company. Your personal life and family need to be a priority and ensuring you have a good work-life balance is key. Over the years I have learnt to leave work at work and not bring it home with me.

Q: Do you have any advice for women thinking about joining the family business and taking on a leadership role?

TZ: It's crucial to know your position in the company and understand your role. If you are there to support the Director, then you need to ensure that's what you're doing. It's important to be objective and consider the bigger picture when it comes to the future of the business.

Join us on December 5 for the MBA Women Working in Construction Group Christmas Networking event. For more details head to mba.org.au/events

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Australia's network of group training organisations (GTOs) are achieving "substantially higher" completion rates of apprentices and trainees than direct employers in small and medium sized businesses, according to a landmark study released today.

The National Apprentice Employment Network (NAEN) welcomed the research findings from the National Centre for Vocational Education Research, which show the group training sector achieving superior outcomes for thousands of apprentices and trainees.

"The study shows the focussed efforts of group training organisations in matching apprentices and trainees with host businesses and providing ongoing mentoring and support does produce superior outcomes," said, the CEO of the National Apprentice Employment Network (NAEN), Ms Dianne Dayhew.

The study, *Completion rates for group training organisations and direct employers: how do they compare?* examines the completion rates of apprentices and trainees employed by GTOs and those employed by direct employers.

It concludes that "After accounting for the different demographic profiles of GTO apprentices and trainees and employer size, the study shows that GTO completion rates for all apprentices and trainees are substantially higher than for small and medium direct employers."

For trade apprentices and trainees, GTO completions are higher than for small and medium employers, while for non-trade apprentices and trainees, GTO completions are higher than for small and medium, and large direct employers.

Importantly, the study finds that the profile of GTO apprentices and trainees includes a higher proportion of disadvantaged or 'high risk' cohorts commencing apprenticeships and traineeships.

Compared with other employers, apprentices and trainees with group training organisations are younger, more likely to be in the trades, more likely to be new rather than existing workers, and more likely to be Indigenous, National Centre for Vocational Education Research (NCVER) finds.

Ms Dayhew said the group training sector has long understood the lasting benefits of its approach to apprentice employment, but it was encouraging to see that validated in the latest research.

"For some 40 years, group training organisations have been devoted to giving apprentices and trainees the best start to their careers through their industry knowledge and relationships with employers, schools, and communities.

"The care and support that is provided to apprentices and trainees is a distinguishing feature that can make a real difference between successfully completing and dropping out," Ms Dayhew said.

Under the group training approach, the GTO is the legal employer of the apprentice or trainee and is responsible for recruitment, matching to a host businesses, meeting all employer obligations, including paying wages and entitlements, arranging formal training and assessment, and providing pastoral care and support.

Apprentices and trainees can be rotated or transferred to different host businesses if for instance, work dries up, or wider experience is needed.

GTOs currently employ about 25,000 apprentices and trainees across Australia and have placed more than a million into work since their inception. They predominantly work with small and medium sized businesses, many of which would not be in a position to properly undertake apprentice employment were it not for group training.

AUSTRALIA'S APARTMENT BUILDINGS

The national focus is now on residential building standards. What happens when the courts take notice?



GENE SCHIRRIPIA

In August 2019, the ABC's *Four Corners* program conducted an investigation into Australia's purported 'apartment building crisis'. The program covered issues regarding building defects, with a particular focus on the Mascot Towers Apartment Block saga in Sydney. Apartment owners in the building have been forced to evacuate and left with no answers. It was recently reported that the 132-unit complex is at 'risk of structural failure as new cracks emerge' (SMH 16 October 2019). Closer to home, the program also reported on issues at the Elara Street apartment complex in Bruce, which is the subject of waterproofing issues. In this article Gene Schirripa, lawyer at Snedden Hall & Gallop, will discuss this focus on residential building standards, and look at the crisis from a legal perspective.

SHERGOLD WEIR REPORT

On 22 February 2018, Professor Peter Shergold and Ms Bronwyn Weir published their joint report: *Building Confidence – improving the effectiveness of compliance and enforcement systems for the building and construction industry across Australia*. This report was mandated by the Building Ministers' Forum, with a view to assessing the effectiveness of compliance and enforcement systems for the building and construction industry across Australia. In carrying out this exercise, a number of recommendations were made, including:

- > Registration of building practitioners
- > Crackdown on private certifiers, with a focus on minimising conflicts of interest
- > Increased powers for monitoring compliance, including the imposition of statutory responsibility on bodies such as the MBA for auditing and disciplining.

The recommendations are likely to be adopted in all jurisdictions around Australia in the near future, to varying degrees.

INCREASED SPOTLIGHT

The Shergold Weir Report, pinned against the backdrop of some highly publicised residential building defect sagas, serves as a reminder that the spotlight (more than ever) is on builders and the quality of their work. Building defects are at the forefront of the national conscious. This is bound to have a flow-on effect in the courts, as clients bring claims before the relevant courts/tribunals seeking compensation for damages flowing from building defects.

What would a claim against a builder look like in the eyes of the law?

In the case of building defects, in the ACT clients may have recourse on various grounds in bringing a claim against a builder:

BUILDING ACT 2004 (ACT)

Every contract to carry out residential building work to which the builder is a party is deemed to contain a series of statutory warranties. Pursuant to section 88(2) of the Building Act, the following warranties apply in relation to building work:

- > The work complies with the Building Act generally
- > The work has been or will be carried out properly according to the approved plans
- > The use of good and proper materials
- > The build will be completed in reasonably prompt time.

Further, where the owner expressly discusses with the builder the desire for a particular purpose or outcome, and the owner is relying on the builder's expertise, then the building work and materials must be reasonably fit for that purpose.

Thus, in the case of defects, a claim may be brought under the Building Act on the basis that the defective work constitutes a breach of the statutory warranties contained therein.

Limitation period

The statutory warranties do not apply in perpetuity. The warranties continue for the benefit of success in title of the owner by virtue of section 88(3) of the Building Act, but are limited to the periods set out at section 88(4) as follows:

- > Structural elements: a client has 6 years after the completion date for the works to bring a claim against a builder for breach of statutory warranty with respect to structural elements of the build
- > Non-structural elements: a client has 2 years after the completion day for the works to bring a claim against a builder for breach of a statutory warranty with respect to non-structural elements of the build.

Australian Consumer Law

Clients may also have recourse to the Australian Consumer Law ('ACL') – Schedule 2 of the *Competition and Consumer Act 2012 (Cth)* – and the consumer guarantees set out therein [section 7 of the *Fair Trading (Australian Consumer Law) Act 1992 (ACT)* applies the ACL in the ACT].

Guarantees are applicable to 'consumers', as defined in schedule 3 of the ACL. A person is a consumer for the purposes of the ACL if they purchase goods or services with a value not exceeding \$40,000, OR the price of the goods and services exceeds that threshold but are acquired for domestic, household, or personal use or consumption. Services related to residential building satisfy that definition, enlivening the operation of the ACL in the building context.

Part 3(2) of chapter 333 of the ACL sets out the relevant statutory guarantees as follows (as applicable in the building context):

- > Section 60: a guarantee that building services will be rendered with 'due care and skill'. Although not septically defined in statute, the words 'due care and skill' are examined by Courts on a similar basis as negligence under the common law (examined below). Courts will apply commonsense facts to the matter and will be heavily guided by expert evidence put forward by way of expert building consultant reports.
- > Section 61: where building services are rendered, they will be of such nature and quality, or state or condition that they might be reasonably expected to achieve the desired result.
- > Section 62: building services are provided in a reasonable timeframe. Courts will be heavily guided by timeframes set out in the building contract.

These provisions largely mirror the statutory warranties provided for by the Building Act but provide another basis on which consumers can pursue builders for defects.

In circumstances where statutory guarantees are not met, and cannot be remedied, the consumer may:

- (a) Terminate the contract for services; and
- (b) Recover compensation for a reduction in value of the services below the price paid; and
- (c) Recover damages for any loss or damage suffered.

NEGLIGENCE

It is also open, in theory, for a client to bring a claim for negligence, pursuant to section 40 of the *Civil Law (Wrongs) Act 2002 (ACT)*. The client must establish that the builder owes them a duty of care, and there has been a breach of that duty and damages following as a consequence of the breach.

A builder holding themselves out as a person capable of competently performing work will owe a duty of care to the consumer. A failure to meet standards constitutes a breach of such duty. Those standards will be assessed against the backdrop of the Building Act by the courts.

TAKE HOME POINTS

Building defects are very much in the national conscious and will come within the purview of state and territory legislators. The Courts will inevitably respond and look unfavourably on defects. Builders must remain conscious of the statutory warranties afforded to clients under the Building Act, and further, additional guarantees applicable under ACL. Of course, a builder owes an overarching duty of care at common law. In the case of defects, clients will have various avenues through which they can pursue a builder, which can mean various 'bites at the cherry'.

Builders can mitigate their risk by regularly checking in with their clients to ensure that any issues are discussed as they arise and, if needed, defects fixed along the way. Good communication channels with clients can also assist to manage client expectations, and so if an aspect of the works has to vary for practical reasons, the client understands why. This can avoid misguided claims of 'this not what I asked for' at the end of the project.





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"Ern Smith has become an important part of the Big River network", says Jim Bindon, CEO of Big River Group. "The site is very well equipped to continue supplying to its local customers as well as offering the broader range of products marketed by Big River Group into all construction segments of Canberra."

With a history of 100 years' operating, Big River has 17 sales distribution sites across Australia and New Zealand, manufacturing and distributing timber and steel formwork products, timber flooring, structural plywood and related timber products. It also distributes a broad range of other building products, including MaxiWall and MaxiFloor, primarily to the commercial, residential and infrastructure construction market segments.

For more information visit www.bigrivergroup.com

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Select Electrical and Solar Solutions consistently strives to think of new and innovative ways to deliver enduring benefits to the Canberra community and its businesses. In our three years in business, we have grown our regional footprint while also assisting in the growth and development of national and international government bodies, local charities, and businesses. For more information on what we at Select Electrical and Solar Solutions can offer you, our team welcome the opportunity to provide you with a personal, tailored solution for all your Electrical and Solar needs.

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Website: selectelectricalonline.com.au

Phone: 02 6103 0505

27th August

Guest Speaker:
Mr Greg Jones, WorkSafe ACT

(L to R) – Michael Hopkins (MBA), Frank Porreca (MBA),
Greg Jones (WorkSafe ACT) and Dimitri Nikias
(Nikias Diamond)

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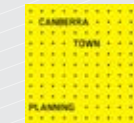


3rd October

Guest Speaker:
Mr Mark Parton, Shadow Planning Minister

Photo (L to R) – Pieter Van der Walt (Canberra Town
Planning), Gracie Ferreira (MBA), Mark Parton (MLA)
and Michael Hopkins (MBA)

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12th September

Guest Speaker:
Mr Duncan Edghill, Major Projects Canberra

(L to R) – Michael Hopkins (MBA), Tim Johnston (Hays),
Gracie Ferreira (MBA), Duncan Edghill (Major Projects
Canberra) and John Gibson (Hays)

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15 October

Guest Speaker:
Mr John Dietz, Suburban Land Agency

Photo (L to R) – Nick McDonald-Crowley (Capital Airport
Group), John Dietz (Suburban Land Agency) Gracie
Ferreira (MBA) and Michael Hopkins (MBA)

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16th September

Guest Speaker:
Mr Ben Green, Construction Occupations
Registrar

(L to R) – Archie Tsirimokos (Meyer Vandenberg),
Gracie Ferreira (MBA), Ben Green (Construction
Occupations Registrar) and Michael Hopkins (MBA)

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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:
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