“Government reforms will put the vocation back into vocational education and training,” Master Builders Australia said recently.

“The Industry Minister has correctly focussed the Government’s reform of the VET sector to provide relevant training with a job as the outcome,” Wilhelm Harnisch, CEO of Master Builders Australia said.

“The reforms elevate the trades and vocational education as an essential part of Australia’s economic future and of equal value to a tertiary degree,” he said.

“Master Builders has long called for a restoration of the apprenticeship brand to encourage recognition by young people and their families that a trade qualification is a pathway to a rewarding career in the building industry,” Wilhelm Harnisch said.

“Builders want to employ more people to help meet the strong current and future demand and welcome the high priority that will now be placed on connecting employers with appropriately skilled workers and apprentices,” he said.

“The building and construction industry has seen significant change in the way buildings are constructed requiring different skill sets for which there are no appropriate accredited training courses,” Wilhelm Harnisch said.

“The initiatives announced by Industry Minister Ian McFarlane are in line with Master Builders calls for a new apprenticeship model capable of tackling declining apprenticeship commencements and completions through more demand driven training relevant to the needs of employers, better career advice and pathway programs and apprentice mentoring which has a proven record of reducing apprenticeship cancellations,” Wilhelm Harnisch said.

“Replacing red tape hotspots with the Australian Apprenticeship Support Network to provide practical support to employers and apprentices will deliver positive outcomes for the industry,” he said.

“Master Builders welcomes moves to a risk based regulatory model which will transition the Australian Skills Quality Authority (ASQA) into a modern regulator that allows high-performing training providers to do what they do best by lightening the regulatory burden while weeding out those who abuse the system,” Wilhelm Harnisch said.

“Reforming Industry Skills Councils to make them more responsive and adaptable to industry needs is long overdue. Training packages need to be relevant and responsive to the changing nature of the building and construction industry,” he said.

“The review of the National Skills Standard Council Board is welcome and needs to actively involve the building and construction industry. Master Builders looks forward to working closely with the Government to ensure that the new arrangements reflect the industry’s needs,” Wilhelm Harnisch said.
Debate continues to heat up over Safe Work Method Statements. ACT Work Safe Commissioner, Mark McCabe has been championing the case to bring an end to what has become not much more than a “mine's bigger than yours” contest. Two years ago a Master Builders safety conference heard from a prominent Western Australian industrial relations lawyer about a 194 page Safe Work Method Statement. It's a bit like painting the Sydney Harbour Bridge – by the time you got to the end of reading it you would have had to start again to try and remember what you read earlier. The madness has to end and testament to the frustration being felt by industry was the recent attendance at seminar presented by the Construction Industry Training Council as convened by Mark McCabe. Safe Work Method Statements are being produced for all manner of things well beyond the required 18 high risk activities for which they are mandatory. So laughable has this situation become, it was pointed out previously of a SWMS produced for walking across a dirt track. It makes you wonder how we all manage to cross the road by ourselves.

Everyone has an opinion about how this all began and what has driven the growth. That discussion is becoming tiresome. Forget it; devote the energy into achieving a sensible solution – a reasonable balance. This won't be an overnight job as people commit to the task of weaning themselves from the addiction of paper. Remembering back to the old cartoon Charlie Brown, for some it will seem like Linus' blanket being taken away from him. Imagine getting to the crazy situation of a moderate and sensible level of documentation with the ability to spend some time actually watching and supervising. No, it'll never catch on, surely?

Catch on it must! Safety is too important to be fiddling with while Rome burns. Nobody is railing against documentation; it's about the quantum and ensuring that the quantum is effective to achieve the desired outcome. This is exactly what Commissioner McCabe is trying to get through to people. An alignment of the stars is near with a regulator at State and Territory level willing to tackle a problem largely created by industry itself with the complicity of a Federal Safety Commission riding hard because their response to managing something is largely paper-based.

It’s little wonder that a recent review of non-conformance issues associated with the ACT Government Active Certification scheme found SWMS as a major problem. Spare a thought for the people who are supposed to review them. Most people struggle to read a book a year and yet here we are asking people to read dozens of almost worthless books regularly, understand them and ensure that others are following everything they say. The difficulty for many of the experts (the sub-contractors actually doing the work) is they are being forced to articulate in writing in a very prescribed and long-winded manner a process that they are already trained to undertake. In many cases they engage an outsider who comes up with a diatribe of dribble that everyone else including their workers is supposed to understand and follow. With all due respect, many wouldn’t get past the sports pages in the newspaper and are expected to absorb some of the drone in this documentation. They switch off before they start!

The recent event held is perhaps the first shot fired in the challenge for all and sundry to change what has become a mind-numbing exercise that began with good intention. It is rare that the industry has a regulator on board committed to helping it right madness gone wrong. Everyone from the top down is being called upon to think hard about the system that has been allowed to develop and make some change. If the industry doesn’t take up the challenge while the opportunity is presented it will regret that choice and continue to be hammered.
EPD has been working with consultants SMS Management and Technology to map the business requirements for the new version of eDevelopment.

This work has included engaging with key stakeholder groups, including DA applicants, building certifiers and the administrative support staff from these companies that regularly use the current eDevelopment system to ensure the business needs of EPD customers are also met in the new system. A number of these attended workshops to get a better appreciation for their needs and expectations and the way they operate their businesses. EPD will continue to work with and seek input from these stakeholder groups during the development and testing phases of the project.

The Business Specification Requirements process mapping is almost complete. Work is currently underway to procure the services of a solution architect and a vendor to scope the development and implementation phase of the project. It is expected this process will be finalised by the end of 2014 with the development work commencing early in 2015. Once a vendor has been selected we will be able to provide more detailed information about the expected timing for implementation.

The new eDevelopment system will bring significant improvements to the development application and building approval processes.

The technology that has been identified to be used in the new system provides features such as smartphone and tablet access, improved access to web services and improved reporting capabilities.

**Other General Benefits:**

- Greater stability and availability
- Simpler system to maintain and modify
- Compatible with WCAG 2.0 accessibility requirements
- Better user management capabilities including dual applicant

**Development Applications Specific Benefits:**

- Pre DA lodgement processes included and managed in the new system
- Reconsideration, appeals and post DA leasing processes managed through the new system
- Faster and more efficient multiple file upload capability
- New naming convention protocols in line with industry standards and practice
- Alerts and information provided on status changes

**Building Approval Specific Benefits:**

- Faster and more efficient multiple file upload facility
- Improved access to approved DA documents
- Improved linkages to gas, electrical and plumbing inspections in the Certificate of Occupancy or Use process
- Mobile access for field workers (certifiers, inspectors)
- New naming convention protocols in line with industry standards and practice
- Certifiers can log on and view status updates
The ongoing consequences a work health and safety related incident can have on a business, and affected workers and their families is often hard to grasp. One approach is where officers and workers see how this develops in a mock trial.

ACISRG (ACT Construction Industry Safety Reference Group) believes a mock trial is a useful tool in further addressing some of the recommendations from the “Getting home safely” report (inquiry into compliance with work health and safety requirements in the ACT’s construction industry).

The mock trial will be held from 2pm to 6pm on Wednesday 29th October 2014 at the University of Canberra School of Law’s eCourt.

The mock trial is intended as a training tool for officers and workers to experience the Industrial Magistrates Court, and to demonstrate duty of care of Principal Contractors, PCBU (sub-contractors), officers and workers based on workplace culture.

The mock trial will allow the participants to appreciate the consequences of when safety culture “fails”. It will also allow those involved with the Industrial Magistrates Court, WorkSafe ACT and work safety legal professionals to practise in a court setting.

Members are invited to attend the mock trial.

The trials will be recorded (and edited) to be used by ACSIRG as a training tool to interested parties.

ACISRG is looking for members support:

• to participate in the trial as a witness or defendant; and
• in video recording the trial.

If you are able to provide assistance, please contact:

Philip Edwards
WORK HEALTH AND SAFETY ADVISER

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How long is a building professional’s liability for defects, really?

On Friday last week, the Victoria Court of Appeal resolved a long-unanswered question: is the 10 year limitation period in the Building Act a ‘long-stop’ date on claims for negligence, or does it also replace the 6 year limitation period for breach of contract? The case, Brirek Industries Pty Ltd v McKenzie Group Consulting (Vic) Pty Ltd, held that the limitation period for ALL building actions in Victoria – including breach of statutory warranties – is 10 years from completion of the building.

Why do I care about a Victorian case – I work in the ACT!

A similar unresolved question exists in the ACT. However, for a number of reasons set out below, Brirek is unlikely to have the same impact here as it does in Victoria.

An explanation of the unresolved question about limitation periods

Generally speaking, the limitation period for bringing any court proceedings is 6 years from the date the cause of action accrues.

In relation to claims for breach of contract, the cause of action accrues at the time of the breach. For building defects that is usually the date the works are handed over with defects in them - i.e. completion.

In relation to claims for negligence, however, the cause of action accrues at the date the damage is suffered. Numerous cases have held that for building defects, the damage is suffered at the time that the defect becomes manifest. This could be several years after the completion of the building, creating a long trailing period of liability in negligence for defects.

For this reason, all Australian states and territories have introduced legislation which says that no claim for a building action can be brought more than 10 years after the date of completion of the building. In Brirek, it was argued that the 10 year cap was just a ‘long-stop’ date to protect builders from trailing negligence claims, but that the shorter 6 year period for breach of contract still applied. That argument was rejected.

The precise wording of the relevant legislation varies significantly from jurisdiction to jurisdiction. In the ACT:

• There is a 10 year limitation for any ‘building action’ (s 142 of the Building Act 2004 (ACT)).

• Statutory warranties are implied into every residential building contract, and the warranties “end” at the end of the warranty period (2 years non-structural and 6 years structural) (s 88 of the Building Act 2004 (ACT)).

• An action is not maintainable if commenced more than 6 years after the cause of action accrues (s 11 of the Limitation Act 1985 (ACT)).
But, where the damage is latent, the court has a discretion to extend a limitation period for a further period not exceeding 15 years from the date the cause of action accrued (section 40 of the Limitation Act 1985 (ACT)).

There are no cases in the ACT that give guidance as to how these various sections are to be read together.

**What does Brirek mean for Victoria?**

The decision means that in Victoria a claim for breach of contract is now longer for a building dispute (10 years) than any other contract dispute (6 years).

Importantly for Victoria, because the legislation implying warranties into residential building contracts did not expressly specify any limitation period on bringing claims for breach of those warranties, it means that the limitation period for breach of statutory warranty is now 10 years from completion.

**Does Brirek answer the question in the ACT?**

No. There are two important differences between the ACT and Victorian legislation.

**First**, the ACT statutory warranties expressly ‘end’ after 2 and 6 years. Whilst this is not as clearly worded as similar provisions in NSW, Queensland, South Australia and Tasmania (which all expressly say that a claim must be commenced within the warranty period), our view is that the end of the warranty period acts as limitation on bringing any claims. That is, our statutory warranty provisions have their own limitation periods, and do not simply rely on the limitation period for breach of contract like the Victorian legislation.

**Second**, the 10 year cap in the Victorian Building Act is expressed to operate ‘despite anything to the contrary in the Limitation of Actions Act 1958 or in any other Act or law’. The court placed considerable weight on these words in Brirek. No such express overriding words exist in the ACT legislation – and in fact our legislation specifically says that the 10 year period does not apply if a shorter limitation period applies under another Territory law. So the shorter 6 year period is preserved and the 10 year period in the ACT is in fact a ‘long-stop’ date.

Less clear, however, is whether the court’s discretion to extend a limitation period for up to 15 years for latent damage also applies to building actions.

**What do I need to do?**

If you work in Victoria, you need to be aware that the limitation period on any building action is now 10 years, and factor this risk in when pricing your jobs or signing contracts with subcontractors.

For ACT builders, the Brirek case serves as a reminder that the various limitation periods for building claims are overlapping. If you have a possible building action, or an action is being threatened against you, it is important that you seek early advice to make sure that you understand the relevant limitation dates.

For more information contact the Construction Dispute Resolution Team:

**Alisa Taylor, Partner**  
Construction Dispute Resolution  
(02) 6279 4388  
alisa.taylor@mvlawyers.com.au

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1[2014] VSCA 165 (Brirek).
2This does, however, depend on the contract and whether obligations to remedy defects have arisen during the course of the works.

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**Students developing skills through MBA Group Training's BISEP initiative.**

The MBA Group Training B.I.S.E.P (Building Industry Skills Enhancement Program) helps students learn through practical tasks.

Recently, students from schools in Queanbeyan, Calwell, Wanniassa, Chisolm and Nmadgi participated in the MBA Group Training BISEP program. This program, part of the Kids Assist initiative, gives students practical experience in the building and construction industry and provides a learning platform for further practical skills. Students were tasked with building a brick sun-dial (pictured left with their teacher, MBA Group Training’s Brian Lawrence).
Recent changes to residential building laws in NSW that may affect you

Alisa Taylor and Rebecca Sostarko

What are the changes that I need to know about?

On 5 June 2014, the Home Building Amendment Act 2014 (NSW) (Act) received Royal Assent and will come into force once a commencement date has been proclaimed. The changes are extensive, and will have a wide impact on the residential building industry in NSW.

Changes to statutory warranties

The distinction between ‘structural’ defects (6 year statutory warranty) and ‘non-structural’ defects (2 year statutory warranty) has been discarded. Instead the statutory warranty period will depend on whether the defect is a ‘major’ defect, which requires the defect to be both:

- a defect in a major element of a building (which expressly includes not only structural load bearing elements but also fire safety systems and waterproofing); and
- likely to cause the building to be uninhabitable or unusable, or threaten the destruction or collapse of the building.

The amendments also help protect builders by:

- broadening the defences available where a builder has reasonably relied on instructions given by a professional (e.g. an architect) acting for the owner;
- expressly requiring home owners (and owners corporations) to mitigate their loss by making reasonable efforts to notify the builder in writing of an alleged breach within 6 months of the breach becoming apparent;
- imposing a duty on home owners not to unreasonably refuse a builder access to the site to rectify defective work; and
- extending the application of statutory warranties to subcontracts. Previously the statutory warranties were only implied into the contract between the builder and the owner, but now the builder will be able to pursue a subcontractor for breach of a statutory warranty.

Changes to the home warranty insurance scheme

The home warranty insurance scheme will be renamed the Home Building Compensation Fund.

The insurance has always protected home owners where the builder has died, disappeared or become insolvent (and also in the case of certain license suspensions) but the meaning of ‘disappeared’ has never been clear. The amendments expressly state that ‘disappeared’ means ‘cannot be found within Australia’.

Claimants will now also be able to make a claim on the insurance when the builder was a partnership and one of the partners becomes insolvent.

As a result of increasing fraud in relation to insurance certificates, the amendments also set up a public register of certificates which can be searched by home owners and potential purchasers.

Restrictions on progress payments

There will now be a blanket 10% cap on deposits (previously 5% for contracts under $20,000 and 10% for contracts over $20,000). In addition, there is now a requirement for any contract over $20,000 to include a progress payment schedule, and builders are restricted to claiming either:

- milestone payments linked to completion of specified stages of work, which stages must be described in clear and plain language in the contract; or
- payments for work performed, and the claim for payment must be supported by invoices, receipts or other documents to support the claim (called ‘authorised payments’).

It will be an offence to ask for a payment that is not an ‘authorised payment’.

If your contract does not comply with the legislation you could be fined up to $110,000.00 – plus you risk committing an offence by unintentionally making unauthorised claims for payment.
Other contract changes

In addition to the existing written requirements for the contract, builders are also now required to include a statement in their contracts that the parties have a right to terminate the contract in circumstances provided by the general law (in addition to any other express rights of termination).

Increased licensing penalties

There will also be greater penalties not only for individuals who undertake residential or specialised building work and are not licenced to do so, but also more serious consequences for builders and developers who hire unlicensed persons, including potential imprisonment.

What do I need to do?

The legislative changes to required contract terms apply from any contract entered into after the amendments take effect. If you are using a standard HIA or MBA building contract for NSW, you need to make sure the relevant body has updated the contract, and that you are using the updated version when the amendments take effect. If you have your own building contract, you should seek legal advice now to make sure your contract terms are compliant, and that your progress payment schedules will be authorised.

If your contract does not comply with the legislation you could be fined up to $110,000.00 – plus you risk committing an offence by unintentionally making unauthorised claims for payment.

We will notify our construction clients of the commencement date once the changes take effect.

Contact our team if you require advice on whether your contracts are compliant, or if you would like more information about your rights and obligations in respect of defects, or any licensing issues.

For more information contact the Construction Dispute Resolution Team

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The cubby houses will be on display at this year’s Floriade.

The My Cubby House Rocks project is sponsored by the Independent Property Group Foundation, which joins the RSPCA as the second charity partner for Floriade in 2014.

In an exciting first for Floriade, the Foundation’s My Cubby House Rocks project will see some of Canberra’s most well-respected industry professionals construct six architecturally-designed cubby houses, including one that is accessible. The cubby houses will be displayed on site at Floriade for the duration of the festival, allowing children the opportunity to test out their favourite design. The Florida organisers think they will be one of the favourite activities at the event this year.

Hindmarsh showed off its whimsical effort, nicknamed the “Hindmush”. Hopefully it and the other Cubby Houses will be a popular lot when they are up for auction to raise money for the Centenary Hospital for Women and Children, and Boundless Canberra.

Hindmarsh developers Brett Smith and Robert Speight said they wanted to design something that was fun for kids but a bit less conventional. “It’s a great connection between the industry, the public and the community,” Mr Smith said.

The Independent Property Group Foundation group’s chief executive, John Runko, said it was excited to be helping to bring a new element to Floriade. “We thought, ‘Let’s think outside the square and do something that hasn’t been done in Canberra before; let’s do something that will be a bit of fun that will bring a little joy to a lot of people’s lives and help raise funds for some worthwhile charities’, ” he said. “This year’s theme for Floriade is passion, and I think there’s a lot of passion from all of our people involved in this process.”

Other companies involved are Milin Builders & Developers, Geocon, Narona Homes, Monarch Building Solutions, Englobo, and the Koundouris Group.

On the final day of Floriade (Sunday 12 October) five cubby houses will be auctioned off and one cubby house will be used in a raffle.
ASIC surveillance to target false declarations in building and construction companies

An ASIC surveillance program aimed at weeding out illegal phoenix operators has been widened to look at the use of false statutory declarations in Australia’s building and construction sector.

Commissioner Greg Tanzer said ASIC’s latest surveillance campaign follows feedback from small businesses, industry bodies and other government agencies about the use of false statutory declarations in the sector to falsely claim payments for work.

‘There is concern that some company officers of larger companies have falsely declared that they have paid small businesses contracted to work on commercial and residential projects when this is not the case’, Mr Tanzer said.

‘Falsely declaring that you’ve paid a contractor has serious flow-on effects in the building and construction industry. Many contractors are small business operators who have operating expenses and debts to pay. When they are not paid for work undertaken it puts their businesses, livelihoods and creditors at risk’.

Mr Tanzer said the surveillance was also another important step in ASIC’s work to combat illegal phoenix activity – the fraudulent act of transferring the assets of an indebted company into a new company to avoid paying creditors, tax or employee entitlements.

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Mr Tanzer said the surveillance was also another important step in ASIC’s work to combat illegal phoenix activity – the fraudulent act of transferring the assets of an indebted company into a new company to avoid paying creditors, tax or employee entitlements.

'While false statutory declarations and fraud matters are matters for other regulatory and enforcement agencies, company officers who knowingly make a false statement regarding payments to creditors may find themselves facing criminal or civil action by ASIC', Mr Tanzer said.

‘Under the Corporations Act, ASIC can also take administrative action against company officers who engage in misconduct. In the last year, ASIC banned 60 directors who engaged in misconduct including phoenix activity.

‘This campaign builds on ASIC’s work to help small business owners protect themselves from unscrupulous operators. It also follows the release of our free smartphone app, ASIC Business Checks, which is a tool designed to help business owners undertake some practical and easy checks to verify information about businesses they’re dealing with or potential business partners’, Mr Tanzer said.

ASIC’s surveillance will focus on eight major commercial and residential developments under construction across Australia.
Infinity Cable Recall

As you may be aware there has been a looming issue with regard to recall due to safety concerns with the Infinity electrical cable that’s estimated by the Minister for Small Business to have been installed in as many as 40,000 homes and businesses throughout every state and territory except the Northern Territory.

Executive Directors have been aware of this issue and the National Office has been working with the Government and regulators negotiating a solution to the issue. However, recently the confidentiality of that process was publicly breached by a player in the electrical industry (not the building industry) and in response the Government and the ACCC have accelerated the recall process. The result is that the recall has been formally issued effective 28 August 2014.

This may have significant impact on members if they are deemed to be responsible for the installation of infinity cable.

1. Members should immediately check their records to determine if they have purchased/installed Infinity cable.

2. They should contact the supplier who they purchased it off with proof of purchase and ask the supplier how they are going to fix the problem for various clients and provide client details.

3. They should send the supplier of the cable a copy of the ACCC recall notice – some Master Builders Associations are coordinating this on behalf of members.

4. Whether the builder is ultimately responsible for fixing the problem for consumers will ultimately depend on the terms of their arrangements with electricians on projects. Members should be encouraged to check their records urgently.

As an electrician, who will recoup my costs as the Infinity cable importer is in liquidation?

The costs of the recall are being covered by the cable suppliers and they are making all of the arrangements for work to be done by electrical contractors of their own choosing. Electricians should therefore contact the cable supplier before doing any work that they hope to be reimbursed for. The taskforce expects that electricians and builders will co-operate with suppliers to achieve the best outcomes possible. If you want to pursue a particular cost with the Infinity cable importer you can look at being listed as a creditor.

I am an electrician, builder or supplier and I’ve incurred costs or lost money due to remediation work. Can I claim these as business expenses for tax purposes?

Expenses or losses you incur in carrying on your business are generally tax deductible. We suggest you consult your tax adviser about whether, in your circumstances, any expenses or losses you incur in relation to remediation work is deductible.

I am an electrician, builder or supplier and I’ve incurred costs or lost money due to remediation work. Can I claim these as business expenses for tax purposes?

You can ask to clarify the basis on which the owner makes the claim, and see if they have a receipt or other records. If you’re completely sure you didn’t do any work on that property, you’re not obliged to conduct a free inspection.

I am an electrician and although I don’t have records that show I did work on a particular property I can remember the work and I did use Infinity cable. What do I need to give the supplier to have this covered under the recall?

Suppliers have the right to check that they did in fact make that particular supply so electricians (and builders) should carefully check their records as credit card or debit card statements, handwritten receipts, lay-by agreements, or a confirmation or receipt number provided for a telephone or internet transaction are all considered proof of transaction.

Is there government funding or other assistance with these recalls?

All voluntary or mandatory recalls under the Australian Consumer Law are undertaken by suppliers at their own cost.

As an electrician, my records indicate I haven’t done work on a property, but the owner insists I have and is demanding an inspection?

You can ask to clarify the basis on which the owner makes the claim, and see if they have a receipt or other records. If you’re completely sure you didn’t do any work on that property, you’re not obliged to conduct a free inspection.

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I am busy with other jobs. Do I have to replace the cables within a certain time?

The taskforce has developed this recall to be conducted over a number of months. For some suppliers, this could take a couple of years depending on the number of affected customers and the availability of electrical tradespeople. As the degradation of cable insulation is related to elapsed time and heat exposure, suppliers have been asked to assess and work on the oldest and/or highest risk installations first as far as possible.
Decision on ‘Mr Fluffy’ demolitions postponed until at least late September

The ACT Government is edging towards a decision to demolish all ‘Mr Fluffy’ asbestos-affected houses in the ACT, but a decision on the houses has been deferred until at least late September.

ACT Chief Minister Katy Gallagher had previously announced the Government would make and announce its decision on the fate of around 1000 affected houses by late-August, after receiving advice from the Government’s Asbestos Response Taskforce.

However after receiving the advice the Chief Minister said she was seeking further advice from the taskforce and a decision would not be made until at least late September.

Cost of demolition and remediation are major factors delaying the Government’s decision, as is the extent to which the Commonwealth agrees to contribute to the cost.

“There’s going to be hundreds of millions of dollars needed either way," Ms Gallagher said.

She said, “I think it’s fair that cabinet, and indeed the Commonwealth, consider what the financial requests are going to be around implementing the recommendations.”

Expert advice has been leaning towards a mass demolition of all homes contaminated with the Mr Fluffy product.

Ms Gallagher said she was conscious people were waiting for the advice to be released. “That’s why I’ve been trying to keep the momentum going and have that advice provided to cabinet in August," she said.

“That was done but we’ve got some other questions that need to be answered before we can finalise our position.”

In an article written for The Canberra Times explaining the delay, Ms Gallagher said, “The ACT Cabinet has received an initial report from the Asbestos Response Taskforce which provides the first evidence based, comprehensive expert analysis of the 2014 status of the more than 1000 Mr Fluffy homes.

“This advice will inform negotiations currently underway with the Commonwealth. We know that the decisions that flow from this advice must deliver a fair outcome for affected families, a sustainable solution for the taxpayers of the ACT and the Commonwealth and one which ends the saga once and for all. I appreciate the frustration of those affected in having to wait for more information, but forcing this process is not an option.

“From this point on, the priority needs to remain on securing a long-term solution. All our effort, attention and resources are focused on this. There will be plenty of time to rake over the coals, but for the health – both physical and mental – of owners and residents, for their financial futures and the future of our city we need to see this through in a systematic way and support each other whilst that happens.”

In a letter sent directly to affected homeowners she said, “This letter is to advise you that the Asbestos Response Taskforce has concluded the process of consultation with asbestos experts for the purpose of providing advice to the ACT Government about available solutions to the health, practical, social and financial issues faced by owners and residents of Canberra homes affected by loose fill asbestos insulation.”

She said, “The ACT Cabinet has considered the initial advice from the Taskforce this week and has asked the Taskforce for further work to be completed around the financial impact of the recommendations before finalising any decisions. Once this information is received, Cabinet will consider the final report.

“We remain in close discussions with the Commonwealth at this stage.”

The Taskforce has announced it is working to secure appropriate stickers which will be required to be fixed inside of meter boxes and on switch boards of residential properties affected by loose-fill asbestos.

Modern Award Manual 5th edition now available

Master Builders Australia, the peak body for the building and construction industry, has published the Fifth Edition of its Modern Award Manual.

The publication provides employers with comprehensive and up-to-date guidance on the primary modern award for the building and construction industry – the Building and Construction General On-Site Award 2010.

The Modern Award Manual may be purchased from Master Builders Association of the ACT at a cost of $55.00.
Supporting women in construction

Having launched the NAWIC (National Association of Women in Construction) ACT mentoring program 12 months ago, the success of the program continues to grow under the watchful eye of the ACT’s newly appointed president Lisa Dart.

On the 21 August NAWIC celebrated their first year with a Silver Service dinner sponsored by Master Builders ACT. There were over 20 Women in attendance for a powerful evening with guest speakers Karen Etheredge National Training manager from the OZ Help organisation and Karen Porter from Solace Creations. The evening was full of creativity and inspiring stories of courage and determination resulting in great successes.

The NAWIC Silver Service dinner was an invitation only event for the women participating in the mentoring program that is designed to support and educate new and upcoming women in the construction industry from trades, sales, support, admin and professional positions.

Please go to the NAWIC website www.NAWIC.com.au/act for more information on the upcoming monthly events. You may also like to be involved in the Girls Gather event the last Thursday of each month.

On 9 October NAWIC will be celebrating the achievements and successes of women in the construction industry at the annual NAWIC ACT awards night. Nominations and further information is available on their website.

A New Guide For Procurement of Compliant Construction Products

The Australasian Procurement and Construction Council (APCC), has launched the APCC Procurement of Construction Products – A guide to achieving compliance.

Master Builders welcomes the launch of the Procurement of Construction Products, A Guide to Achieving Compliance.

“The Guide will make a major contribution to ensuring that construction work is done with products compliant with the National Construction Code and relevant national and international standards,” Wilhelm Harnisch CEO of Master Builders Australia said.

“This in turn will play an important role in ensuring the construction industry remains a major engine of economic growth employing nearly one million Australians and contributing around $100 billion to the economy,” he said.

“The importance of compliant building products should not be underestimated, with productivity being severely affected when rework due to non-comforming products is required,” Wilhelm Harnisch said.

“Safety of all parties in the building industry is Master Builders number one priority and the Guide will help ensure non-compliant products do not endanger contractors or their clients,” he said.

“Procurement of compliant building products also delivers other community dividends. For example, more durable materials used in the construction of community infrastructure helps ensure projects are delivered to taxpayers for a reasonable upfront and ongoing cost and that the life of structure is met or exceeded,” Wilhelm Harnisch said.

“The Guide includes twelve principles for procurement and conformance of construction products which will be of great assistance to the industry in ensuring products meet the appropriate standards and are fit for purpose,” he said.

“Finally, the Guide will be a valuable resource for Master Builder members in better understanding the use and procurement of complying products,” Wilhelm Harnisch said.

Download a copy of the guide at http://www.mba.org.au/media_room/mbanews
COMING EVENTS FOR 2014

Master Builders ACT Annual Dinner
Date: Thursday 16 October 2014  |  Where: National Museum of Australia, Acton
This year the Master Builders ACT Annual Dinner will be held at the National Museum of Australia in Acton. The Annual Dinner is the Master Builder’s premier networking event, where industry comes together for a social and networking evening. This function provides an annual forum for the industry to take stock of its performance and to consider the outlook for the coming year.

Master Builders ACT Annual Charity Golf Day
Date: Monday 17 November 2014  |  Where: Federal Golf Club, Red Hill
The Master Builders ACT Annual Golf day will again this year be held at the Federal Golf Club in Red Hill.

TRAINING DATES FOR 2014

ASBESTOS AWARENESS
(As of 1 July 2014, it is compulsory for anyone who may come into contact with asbestos to undertake this training. Workers effected by the regulation need to be registered for training by 30 September 2014 or risk incurring fines)

There are a number of available dates. (Contact Cecilee Miller at cmiller@mba.org.au to book your place, or visit www.mba.org.au/training)

The aim of this course is to provide participants with an awareness of the hazards and health effects of asbestos and its possible location in ACT homes and the community. Under the current Work Health and Safety ACT an employer must provide information and training to protect all persons from risks to their health and safety arising from their work.

MBA Group Training will be running this half-day course through to December.

SECTOR COUNCIL MEETINGS 2014

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ACT PRIVATE SECTOR BUILDING ACTIVITY

The above graph and table below summarise private sector building activity for the various building sectors in the ACT over the past 12 months. The values for each month are depicted in millions of dollars.