MAGAZINE OF THE CIVIL CONTRACTORS FEDERATION WESTERN AUSTRALIA

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## Civil milestone: Our first apprentices graduate

Profile: Peter Moore Women in Civil: Fiona Smith



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COVER PICTURE: Graduating RJV apprentice Sam Pfeffer (centre) is congratulated by Training Minister the Hon. Sue Ellery MLC, alongside David Cunningham (CTF), Tim Ryan (RJV) and Andy Graham (CCF WA). Read the full story on page 10.



#### The Voice of the Industry

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# CCF WA is always here for the industry



elcome to the first *CCF WA* Bulletin for 2023. Reflecting on 2022, the CCF can look back at some noteworthy achievements on behalf of the industry, and we look forward to again being a strong representative voice for civil construction in the year ahead.

The essential role of the CCF was once again highlighted late last year when the Federal Government's proposed 'Secure Jobs, Better Pay' Fair Work Act amendments were being debated.

One of the most far-reaching of the proposed changes was the introduction of multi-employer bargaining (MEB) provisions, which threatened to significantly undermine individual employers' ability to negotiate mutually beneficial terms with their employees (and would be particularly damaging for small to medium businesses). In response to vocal opposition from powerful industry groups representing the commercial and residential building construction sectors, the Government agreed to revise the proposed amendments so that "general building and construction work" would be exempted from MEB.

But CCF's national team were shocked to discover that as part of the deal, "work in the industry of civil construction" had been specifically excluded from the meaning of general building and construction work.

In response to CCF's 'please explain', the Federal Government claimed enterprise agreements (EAs) are used extensively in civil construction and as such MEB would have little effect. Their reasoning showed a fundamental (but fairly common) misunderstanding of the composition of the civil construction sector. CCF demonstrated that while many civil contractors around Australia do have EAs, the majority in fact do not. Furthermore, those companies with EAs may be vulnerable to MEB when their agreements expire.

Unfortunately the deal was done and CCF's lone voice of objection was not enough to stop the amendments proceeding to the House of Representatives and passing without debate. Undeterred, CCF's national team turned their full attention to lobbying key crossbench Senators to try and secure changes in the Senate.

I'm very pleased to say CCF's advocacy in the Senate was successful and achieved a significant outcome for our industry, with the Senate amending the legislation to include civil construction in the MEB exemption. There is no doubt that the hard work of our National CEO Chris Melham and National Policy Manager Duncan Sheppard, supported by the National board and the state CCF branches, was responsible for this important achievement.

Equally important though in securing this outcome, was the support of each and every CCF WA Member, and of the thousands of members in other CCF state and territory branches around the nation. Our strong and diverse membership gives CCF's advocacy authority and credibility, so that when we say we are the voice of civil construction, we can prove it.

If your business is not yet a member of CCF WA, I encourage you to contact our team to enquire about membership.

When the team approaches prospective members, the prospects sometimes advise that their business is doing fine, and they don't need to be part of CCF WA. What we must always remember is that the WA market is very cyclic in nature and subject to rapid change for both the better and worse. It is CCF WA that the civil construction industry can rely upon as a constant voice to represent our best interests, values and concerns to ensure our industry is sustainable for the long term.

So to those contractors unsure about the value of membership I would say, do you see your business as part of the civil construction industry? If you do, then it's a simple conclusion. The industry needs CCF WA, and CCF WA relies on industry support.

Leon Fogliani CCF WA President





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# **FINANCE AVAILABLE**



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# Civil contracting relies on longterm client relationships



he crisis in the building sector, and particularly completion delays on home builds, has been dominating newspaper headlines lately.

The same labour and materials shortages that have fuelled the buildoing crisis have also had a damaging impact on the civil construction sector. John Feary's article on page focuses on the long delays for key materials currently facing subdivision contractors, but all segments of our industry are finding it tough to manage their supply chains.

While the root causes of the issues in building and civil are much the same, the building sector's issues are playing out much more publicly - partly because the building sector is larger and employs many more people, and so commands more attention, but also because the long delays with home completions are affecting thousands of everyday people and families around the state. The typical homebuyer probably only enters into one or two construction contracts in their life, so when something goes wrong, they feel confused and aggrieved. It's a very different scenario in the civil construction sector. Most civil contractors' businesses are built on longterm relationships with a relatively small number of clients. There is a higher level of sophistication and knowledge on both sides. All of the factors above are reflected in the actions of the industry groups representing the two sectors, and in the way the media responds. Where the builders' lobby groups will typically get more attention from the mainstream media, and exploit that attention to promote their agendas, CCF WA is generally more inclined to pursue our policy goals by leveraging mature relationships and engaging directly with our clients - including the State Government, which is our single largest client.

Members can be assured that while CCF WA may not often grab the media headlines, we are always working for you, fearlessly – and as our track record shows, effectively – representing the civil construction industry's specific interests.

#### Civil apprentices deserve access to Federal funding

t was an absolute pleasure to visit our member RJV's site in Shenton Park late last year and welcome Training Minister Sue Ellery (as she was then) to help us celebrate a great milestone – the first group of Western Australian civil construction apprentices receiving their trade certificates. Achieving apprenticeship status for the Certificate III civil construction qualifications is an important step towards our goal of trade-level roles in civil being regarded on the same footing as more traditional trades.

Unfortunately, civil apprentices and their employers are still struggling for the recognition and support they deserve from the Federal Government.

The Federal Government recently announced that 34 new occupations have been added to the Australian Apprenticeship Priority List. Apprentices undertaking Certificate III and IV qualifications that lead to the occupations on this list are eligible for up \$5,000 in direct payments to apprentices, and a wage subsidy of up to \$15,000 for employers.

The Government couldn't find room for trade-level occupations in civil construction on the Australian Apprenticeship Priority List, which means people undertaking civil construction apprenticeships (including Plant Operations, Road Construction, Pipelaying and Trenchless Technology) continue to miss out on this important funding.

The Federal Government has relied on its 2022 Skills Priority List to help ensure the Australian Apprenticeship Priority List is targeting the occupations most in shortage, and therefore most in need of training support.

The Skills Priority List shows national shortages in 286 occupations including: Earthmoving Plant Operator (General); Backhoe Operator; Bulldozer Operator; Excavator Operator; Grader Operator; Loader Operator; Paving Plant Operator; Railway Track Plant Operator; and Mobile Plant Operators n.e.c. (which includes operators of tunnelling equipment, directional drills and other trenchless technologies).

So, if the Skills Priority List shows current skill shortages in these occupations, along with clear evidence of future demand, then why won't the Federal Government help address the problem by supporting civil construction apprenticeships? Why have Beauty Therapists, Electroplaters, Gardeners, Metal Polishers, Picture Framers, Screen Printers, Security Officers, Senior Piggery Stockpersons and Travel Consultants all been added to the list, but not any of the occupations above?

The reason for this apparent blind spot is that the Federal Government's Australian and New Zealand Standard Classification of Occupations (ANZSCO) system, which is used as a basis for many policy decisions, classifies trade-level occupations in civil construction at a lower skill level (Skill Level 4) than other technical and trade workers (Skill Level 3). This classification reflects the historical mindset that workers constructing buildings – bricklayers, carpenters, steel fixers, painters etc – are inherently more "Why have Beauty Therapists, Electroplaters, Gardeners, Metal Polishers, Picture Framers, Screen Printers, Security Officers, Senior Piggery Stockpersons and Travel Consultants all been added to the Australian Apprenticeship Priority List, but not any of the civil construction occupations?"

skilled than their counterparts in civil construction. The typical blue-collar roles in civil construction – operating earthmoving machinery, installing underground services, building roads and railways – have historically been seen as semi-skilled roles, just a step above labouring.

According to the Federal Government's skills classification system, a final trim Grader Operator who controls hightech machinery utilising cutting-edge technology to achieve precision tolerances on a major highway project, is less skilled than the security officer who patrols the same project site. Another example: the operator of a multi-million-dollar micro-tunnelling machine using the latest trenchless technology to safely install a water main with millimetre precision, is viewed as less skilled than a bricklayer or painter. (In fact the ANZSCO classification system is so outdated it doesn't have a specific classification for operators of directional drillers and other trenchless technology. Nor is there a classification for the skilled workers who install water, gas and other underground services).

No disrespect to security officers, bricklayers or painters is intended; no doubt these are all skilled trades; but the point is, skilled civil construction trades deserve at least equal standing, and our civil construction apprentices deserve the same funding support accorded to all other construction apprentices.

The Civil Contractors Federation will continue to call for skilled civil construction trades to be urgently added to the Australian Apprenticeship Priority List to help address skills shortages in our industry.

Andy Graham CCF WA CEO

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# CCF stands up for civil construction industry to secure significant Fair Work exemption

On December 2 2022, the Federal Government's Fair Work Amendment (Secure Jobs, Better Pay) Bill 2022 was passed by the Federal Parliament. CCF's National office with the support of all CCF State and Territory offices, has represented the interests of the civil construction industry in Canberra since the Bill was first introduced into the Parliament on 27th October 2022.

Our advocacy efforts included a comprehensive submission to the Senate Inquiry into the legislation, direct representation to members of parliament and public advocacy via the media.

The legislation was subject to various amendments as it was debated in the parliament, including providing an exemption to some sectors from multi-employer bargaining (MEB). However, this exemption was not originally extended to the civil construction sector. Therefore, the highest priority of the CCF was to secure an exemption for the civil construction industry in the limited time available from the new MEB provisions of the legislation.

I am pleased to advise that this exemption has been achieved for civil construction. Civil construction, as per paragraph 4.3(b) of the Building and Construction General On-site Award 2020 has been carved out of the multi-employer bargaining provisions.

A number of industry groups sought a similar exemption but civil

construction was the only industry sector to successfully achieve an exemption from MEB following the tabling of the Government's amendments to the Bill in late November.

CCF is now engaging with the Fair Work Ombudsman (FWO) to discuss the transitional arrangements and obtain more detailed information for the benefit of members.

The Government has agreed to undertake a statutory review of the legislation no later than 2 December 2024. CCF will use the review of

the legislation to once again advocate to Government on behalf of our industry, with a particular focus on addressing any unintended consequences of the Bill impacting on the civil construction industry.

CCF National CEO

Chris Melhan

- Chris Melham, CCF National CEO

# **Civil contractors applaud Govt** support for developers

estern Australia's civil construction industry welcomes a new State Government initiative to help property developers meet the cost of essential enabling infrastructure works for housing developments.

Through the \$80 million Infrastructure Development Fund, announced today by Premier Mark McGowan, the Government will contribute to the cost of utility headworks (including water, wastewater and electricity) for certain metropolitan infill developments and priority regional housing.

Civil Contractors Federation CEO Andy Graham said the fund was a welcome boost for developers who were stepping up to help the State meet its policy objectives for infill developments and regional housing. "The high cost of complex enabling civil works can be a major obstacle for developers," Mr Graham said. "This fund will help our private sector clients offset those costs and will directly incentivise more developments

"CCF WA congratulates the Property Council WA for championing this initiative, and thanks the State Government for responding decisively.

"WA's civil construction sector is proud to provide the essential infrastructure works that facilitate all residential construction."

"This fund will help our private sector clients offset those costs and will directly incentivise more developments."





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First civil construction apprentices receive trade certificates

Left to right: David Cunningham, dustry Training Advisor – Construction Training Fund; Tim Ryan, CEO – RJV; Sam Pfeffer, Civil Plant Operator – RJV; Sue Ellery – Minister for Education and Training; Andy Graham, CEO – CCF

Western Australia's first civil construction apprentices have recently begun receiving their trade certificates. Training Minister Sue Ellery marked the occasion by visiting a land development site to congratulate one of the first new civil construction apprentices.

inister Ellery visited the Montario Quarter site in Shenton Park, where CCF WA Member RJV is preparing new development sites for client DevelopmentWA. She met RJV plant operator Sam Pfeffer, who was among the first cohort of graduating civil construction apprenticeships.

Mr Pfeffer commenced his qualification, a Certificate III in Civil Construction Plant Operations, as a traineeship and was given the opportunity to transfer to the new apprenticeship and complete the qualification as an apprentice, which he happily accepted (see breakout box for more information).

"Being told it would be classified as a trade with a trade certificate

sounded good to me," Sam said. "It was a very smooth process." CCF WA CEO Andy Graham said it had been an honour to meet Mr Pfeffer, and to welcome Minister Ellery to the site and thank her again for approving the establishment of a civil construction apprenticeship. "We are grateful to the Minister, assisted by the Department of Training and Workforce Development, the State Training Board and the Construction Training Fund, for recognising the need for a civil construction apprenticeship and making it happen," Mr Graham said. "It is a big step forward for our industry now that civil construction qualifications are formally recognised as a trade. This is hugely important in attracting new people into the workforce." Minister Ellery said the State Government was committed to investing in training and working to build a skilled Western Australian workforce.

"This initiative will improve the quality of training in civil construction and create robust career pathways into the industry, while ensuring a pipeline of junior and mature-age qualified apprentices," she said.

"Being told it would be classified as a trade with a trade certificate sounded good to me. It was a very smooth process." – Sam Pfeffer, RJV

RJC CEO Tim Ryan said the new apprenticeship was a positive development for the industry.

"For apprentices like Sam to now have a national trade certificate at the end of their training makes the achievement even more meaningful," Mr Ryan said. "It's a great start to what we hope will be a long and rewarding career in civil construction."

Through his apprenticeship, Mr Pfeffer has received extensive training in all aspects of civil construction plant operations, including safety, communications, earthworks principles, protecting underground services and interpreting plans and specifications. Under the guidance of Civil Train, the training arm of CCF, he has developed his skills and ultimately gained accreditation on a range of heavy machinery and equipment including haul trucks, skid steers, wheeled front end loaders, rollers and water carts.

He is now an all-rounder in plant operation and is currently operating various machinery at one of RJV's mining projects in the Pilbara. In another couple of years, he's hoping to progress to a supervisor role. Mr Graham said the apprenticeship had provided Mr Pfeffer with a solid grounding in the industry that would provide a foundation for future success.

"Talking to the team at Civil Train, they always tell me how beneficial it is for the apprentices to develop their plant operations skills over time, on the job, in a real-world construction context.

"Apprentices earn their statements of attainment or 'tickets' for loaders and other machines by demonstrating to the trainers, over time, that they have achieved proper competency as required by the training rules.

"And that's beneficial for the employer too, of course, because they can be assured that their employee is actually being trained how to become a safe and skilled operator – not just what all the buttons do. "A drivers licence requires 50 hours training these days, yet someone with absolutely no experience can still obtain a ticket to operate heavy machinery in less than day. That's an attitude that needs to change, and the apprenticeship can be an important step towards achieving that cultural shift."

"This initiative will improve the quality of training in civil construction and create robust career pathways into the industry, while ensuring a pipeline of junior and mature-age qualified apprentices."

- Training Minister Sue Ellery

NEWS

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#### About the Civil Construction Pilot Program

The civil construction apprenticeship has been initially approved for a four-year trial period, known as the Civil Construction Pilot Program.

Under the program, specific civil construction qualifications in Western Australia have changed from a traineeship to an apprenticeship, extending the duration of training from 24 months to 36 months with the aim of improving skills and employment opportunities.

The qualifications being transitioned are:

- RII30919 Certificate III in Civil Construction (seven streams)
- RII30815 Certificate III in Civil Construction Plant
   Operations
- RII31615 Certificate III in Trenchless Technology

The new Apprenticeships available are: Civil Construction; Bituminous Surfacing; Bridge Construction and Maintenance; Pipe Laying; Road Construction and Maintenance; Road Marking; Tunnel Construction; Plant Operations; and Trenchless Technology

The CTF played a vital role in helping to advance the program and is now investing in wage gap funding to cover any wage difference between trainee and apprentice award rates, ensuring no business or apprentice will be financially worse off by transitioning to an apprenticeship.

Throughout the four-year program, CTF anticipates that about 250 junior apprentice wages will be subsidised and more than 1,200 new apprentices are expected to commence in the civil construction sector.



Minister Ellery (left) and Sam Pfeffer (right).

# WA contractors bring home two National Earth Awards

inners of the CCF National Earth Awards were announced at a Gala Dinner at the Hotel Realm in Canberra on Friday, November 11, 2022. 250 people from the industry nation-wide attended to recognise the 47 national Earth Awards finalists, all of whom were category winners at the state and territory level.

Two of the seven national winners were Western Australian projects, with Rob Carr and Water Corporation's Gnangara Branch Section 2 project taking home the \$5-10 million project value category and Downer Group's Denny Avenue Level Crossing Removal project winning the \$75-150 million category.

Rob Carr was engaged by Water Corporation to construct a new branch sewer along Lancaster Road in Wangara as part of significant upgrades to the sewer network in Perth's northern suburbs. The location and proximity of the existing infrastructure, in ground services and structures along the alignment itself created a number of site access and constructability challenges.

To overcome these challenges, Rob Carr employed slurry pressure balanced microtunnelling for the trenchless section of the works and caisson and shoring box techniques for construction of the deep access shafts. Each method of delivery provided industry best practice techniques, mitigating the construction risk. Though the conditions were very challenging, the project was completed successfully and well ahead of the contract schedule.

Downer was engaged by Public Transport Authority to complete a multidisciplinary project involving the removal of the Denny Avenue Level Crossing, construction of a rail bridge and road underpass, upgrade of the surrounding road networks and revitalisation works in the Kelmscott town centre.

After award, the client requested a program change, bringing forward the closure of the dangerous Level crossing. Through innovative products and working methods, Downer achieved this key milestone four months ahead of schedule, even with the challenges of complex service removals and covid related logistical issues. Throughout design and delivery, the project scope increased by 100%.

Downer's collaborative approach not only delivered a high-quality project; the company also successfully trialled new products and working methods, increasing safety, sustainability and efficiency; and leaving a lasting legacy for the local community, the Public Transport Authority and the wider civil construction industry.

The other national 2022 Earth Award categories were won by Kentish Council and Treloar Civil & Quarries' Wilks Road Extension in Tasmania; Select Civil's Avon Dam Road Bridge Replacement in New South Wales; MacMahon Services Australia's Civil and Environmental Remediation Works on the new Australian Bragg Centre for Proton Therapy & Research in South Australia; Georgiou Group/Brady Marine and Civil Joint Venture's Indooroopilly Riverwalk project in Queensland; and McConnell Dowell/DECMIL Joint Venture's Mordialloc Freeway project in Victoria.

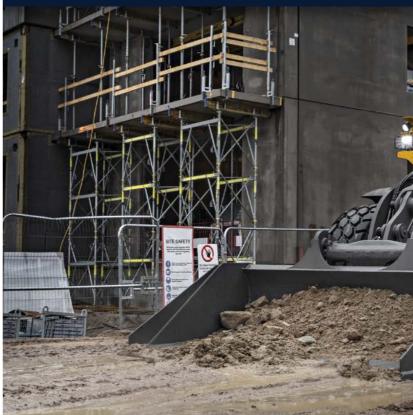


Colm Dickey, Construction Manager – East and Damien Maitre, Managing Director at Rob Carr.



Randolf Chindawi, Downer Construction Manager at the 2022 CCF National Earth Awards

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# Testing times in supply crunch

Western Australian land development contractors are battling to keep projects on track, and hesitant to accept new work, due to multiple supply constraints affecting the sector. John Feary spoke to contractors and suppliers dealing with the challenges.

n the midst of possibly the largest and most sustained home building boom in Western Australia's history, the mainstream media splashes fevered headlines about housing delays, soaring costs and labour shortages that threaten to bring it all undone.

In the civil construction sector, contractors face similar costs pressures and shortages, although our sector's challenges don't attract media headlines or feature in sensationalised reports – a reflection of the typically more mature and cooperative client/contractor relationships enjoyed in the civil construction industry.

Nevertheless the supply chain challenges facing civil contractors are just as real and significant as the more highly publicised issues in the building sector.

While political leaders recognise the need to avoid private versus private sector competition for labour, equipment and raw materials in a rising development cycle, that is the situation that has been created.

The "perfect storm", as it is described by Anthony Tsalikis, Civil Manager for Perthbased business GMF Contractors, has been building for over two years.

Mr Tsalikis acknowledges the state government's decisions initially to bring more transport projects online were reasonable responses that were targeted at supporting the industry during the COVID crisis. However, the accelerated program of government works combined with local and global supply chain disruptions and skilled labour shortages has had a devastating and continuing flow-on effect on the local land development sector.

Anecdotal evidence suggests that land developers are generally willing to accept the reality of delays, so far at least.

Mr Tsalikis cites an example where a developer awarded a contract in late 2022 even though works could not commence until mid-2023 due to retaining wall supply shortages.

Even so, contractors are still left vulnerable to the risks of cost escalations and changing seasonal conditions. Smaller contractors

can be most disadvantaged compared to competitors who have greater buying power and the ability to lock in resources long-term.

Mr Tsalikis is also concerned whether the clients' patience would survive rising interest rates and their possible impact on the housing market.

Other contractors active in land development have been blunter in their criticism. "It is simply a supply and demand problem," one local subdivision contractor said. "The

government has put too much of its work up against the private sector." The contractor said he was concerned that subdivision projects could become financially unsustainable for developers who were facing ever-increasing costs as a result of materials constraints. "The material costs are so high that many projects are being shelved because they simply can't afford to proceed with construction."

Most subdivision contractors report that they struggle to compete with the major transport projects for supply of construction materials. They believe the Government is willing to absorb significantly higher supply costs where necessary to keep their projects on track. The major Government projects can also plan their needs years ahead and lock in long-term orders.

One of the most notable pinch points is the humble limestone block, in huge demand for noise barriers and retaining walls on major road and rail projects. Even a comparatively small recent public project, the \$1.45 million construction of a 180m seawall at Cape Peron, consumed almost 9000t of locally sourced limestone.

Against such strong competition, smaller contractors seeking supplies of this essential component in residential subdivisions are being quoted lead times of up to seven months. As a standard subdivision project involves about four months' work, a delay of seven months basically means the client will not get the project handed over until a whole year has passed.

"With so much uncertainty, it's probably not a



risk a small client would take on," an industry source said.

WA's transport agencies are keenly aware of the supply issues with limestone blocks and have committed to using alternatives on Government projects wherever possible. Obtaining roadbase and other quarry products is another ongoing issue for all civil contractors. With guarries working flat out to keep up with the demand for higher value aggregates, meeting demand for comparatively low-value roadbase becomes a lesser priority.

High competition for roadbase can put contractors in an invidious position of either paying a premium to ensure timely supply, or waiting and risking liquidated damages if the project is delayed.

The situation is equally grim when it comes to the supply of concrete liners and pipes for stormwater works - with delivery quotes of up to 26 weeks for standard pipes.

There is some prospect for improvement following news that Bunbury-based manufacturer MJB Industries is constructing a second plant to produce the spun concrete liners that are preferred by local government councils in land development projects. Of the other essential subdivision needs, contractors are still experiencing very long delays for Western Power equipment such as transformers and switch gear. "It might take up to 12 months for a standard subdivision to have its power equipment installed," one contractor said.

Shortages of equipment and operators are also biting, with the most serious impacts applying to trucks. Haulage contractors are constantly struggling to keep up with demand, with some even offering incentives such as free fuel and tyres to lure freelance operators.

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ZENITH



#### By John Feary

ombining a strong commitment to innovation and emerging technologies with a delivery model that draws upon a large and highly skilled in-house workforce is the key to the increasing success of multi-disciplinary construction company Melchor Contracting.

The Perth-based contractor has established a strong record of success in a little over five years by completing high-profile and complex projects across the mining, construction, commercial and residential, transport, marine and offshore resource sectors.

"The growth and success of our business is a result of our unique delivery model, whereby we self-perform the delivery of the majority of our projects," Melchor Chief Executive Officer Peter Moore said. Melchor directly employs its blue-collar workers such as concreters, carpenters, steel fitters, plant operators and apprentices in a structure where it is fully integrated with project management and site supervision teams.

Mr Moore is certain the "hands-on" management style provides greater certainty of delivery for clients because it is far less reliant on subcontractors and outside market forces.

"Over the last decade, many civil contractors have become management groups who subcontract the works out in the form of trade packages," he said. "This delivery model has seen some companies in recent times struggle with the economic demands and become exposed to fluctuations in labour demands and skill shortages."

By contrast, the delivery model he champions was prevalent in the civil industry more than 20 years ago, when he was advancing through the management ranks delivering complex projects for global companies such as Tilbury Douglas and Costain.



Peter Moore, CEO - Melchor

- "I believe the model works and provides value to the clients by providing a greater certainty of delivery," he said. "We develop our people within the business and create long-standing careers for all our employees."
- More client companies are coming to see the benefits of the delivery model. "They are extremely supportive of the companies such as ours that are ultimately doing the right thing by employing directly, training and developing their staff to provide them with long standing careers in the civil industry," he said.
- Melchor Contracting undertakes a wide range of complex projects of all sizes for private and government clients in the Perth metropolitan area, for the resources sector in North-West WA and has recently secured new work in energy and transportation in the state's South-West.
- "Our long-term plan is to potentially develop a national footprint with support from our repeat clients in the energy and resource sectors," Mr Moore said.
- "Our reputation is built around strong client relationships, honesty and team integrity, creating a conducive and collaborative working environment for our clients and employees. This approach has allowed the Melchor Contracting business to grow and become a contractor of choice with our clients, suppliers and subcontractors."
- When he joined the Melchor Contracting team in early 2019 with the challenge of helping to grow the fledgling business, Mr Moore brought more than 30 years of high-level international construction experience in the UK, Middle East and Asia Pacific as well as Australia.
- A chartered engineer, fellow and member of the engineering executive

Peter Moore (right) with apprentices William Ravatudei, Helen Vasukicakau and Gianni Amara at Melchor's annual Apprentice Golf Day in 2022.

#### CIVIL PEOPLE

of Engineers Australia, his fascination with the construction industry dates all the way back to his childhood growing up in South Wales, in the heart of one of Britain's greatest industrial heartlands.

"Being surrounded by large infrastructure projects such as marine ports, steelworks, mines, freeways and bridges at such a young age sparked my imagination," he said. "I followed a path similar to many young engineers who had an interest in science and maths in my school years, into a career in civil engineering."

Becoming a civil engineer not only satisfied his curiosity, it also enabled him to travel the world experiencing a variety of engineering practices along with different cultures that he has been happy to share with all those around him.

Now, as well as helping those immediately around him, Mr Moore has taken on a wider advocacy role since his appointment late last year to the CCF WA board.

"I am extremely passionate about developing and maintaining a network of support for all workers in the civil industry," he said. "The camaraderie that exists in our industry is like no other industry

sector. I have lifelong friendships that started on site with people who have helped and guided me throughout my professional career. These people are my mates, work colleagues and part of my extended family."

There should not be, in his view, any separation between site and office teams.

"Mateship and camaraderie are vital in our industry," he said. This is critical and any leadership role needs to foster a culture of togetherness for the business to work.

"Any successful business must have and uphold strong values to support culture and ultimately growth."

He is also a strong advocate of personal professional development for those around him. "Being a chartered engineer with Engineers Australia has enabled me to continue my professional development," he said.

"I would encourage any young engineer to continue with their studies after school, college or university towards their chartership. You are never too old to stop learning about your profession."

"The camaraderie that exists in our industry is like no other industry sector. I have lifelong friendships that started on site with people who have helped and guided me throughout my professional career."

L-R: Peter Moore with fellow Melchor Directors Dylan Ogilvie and Martin Headd.

# Assignar DITCH THE PAPERWORK

# SAVE TIME. SAVE MONEY.

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# Women in Civil: Fiona Smith, Halo Civil Engineering

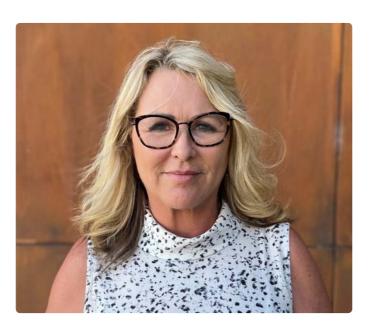
iona Smith is the Operations Manager at Halo Civil Engineering. She was a finalist for the Women in Civil Award at the 2022 WA Civil Construction Industry & Training Awards, and mentored in the 2022 Women in Civil Mentoring Program.

#### Tell us about your background.

I commenced my career in banking and finance, predominately with the ANZ bank. I worked diligently and was quickly promoted through the company. It was then that I realised I had a natural capability for identifying what would be best for my customers and was truly making positive impacts on people's lives. When I reached the level of Manager in the Investment and Lending Department, the banking world started to make cutbacks due to automation and changes that were not necessarily for the better of its customers. As I knew this model would not best serve our customers and stakeholders, I made the decision to look at new opportunities outside of banking and finance.

#### How did you start your career in the civil industry and what is your role now?

I commenced in the industry when I was managing a bank in the Pilbara. As I mentioned, I had been in banking for many years, and I was debating with myself morally as to whether I still supported the values of the financial industry. The changes that were occurring in the industry in the late 1990s were effectively taking away the customer focus, and that did not align to who I was as a professional. The civil industry that is the life blood in towns like Port Hedland made me curious. I began to talk to more and more women and



men on the construction site for the now decommissioned HBI plant and with customers from the contracting companies that were tasked with construction on new and existing sites. The challenge to try something in a predominately male industry made me nervous, however, after my first day on site I knew this was going to be my passion. From Administration roles to Senior Leadership roles, I have never looked back! I am now the Operations Manager at Halo Civil Engineering. It is very busy, and I love it.

"Women can bring unique perspectives and skills to the industry, and their contributions can help drive innovation and improvement in the sector. For me, it is a benefit and brings diversity of thought."



#### What would you say to other women considering a career in civil construction?

A career in civil construction can be very rewarding and offers many opportunities for growth and advancement. Women can bring unique perspectives and skills to the industry, and their contributions can help drive innovation and improvement in the sector. For me, it is a benefit and brings diversity of thought. I highly encourage women to consider a career in civil construction if it aligns with their interests and strengths. My advice is to seek out mentorship and support from experienced industry professionals to help succeed. When I commenced in the industry it was a man's world, but I just got in, did my job, worked really hard and built the respect of my peers.

# What is the significance of having someone in the industry for support and guidance, especially as a woman in civil construction?

It is extremely important having someone in the industry to support and guide you, especially other women in the workplace. Mentorship and guidance from experienced professionals can help provide valuable insight, advice, and encouragement to individuals pursuing careers in any industry, including civil construction. Having a mentor can also help individuals navigate challenges, build professional networks, and advance in their careers. It's always of benefit to have trusted people to bounce ideas and challenges with. This is why I am currently mentoring a young lass through the CCF WA Women in Civil Mentoring Program.

I cannot say there was just a single mentor in my journey as there were many outstanding people who were instrumental in my growth throughout the early years. I've been lucky to have both women and men who have guided me throughout my career. I believe the ideal mentor in the field of women in civil construction is someone who is eager to help you learn and grow in your profession.

Conversely, mentees need to have a strong work ethic, good communication skills, and are committed to their own professional development. A good mentee is open to feedback and constructive criticism from their mentor and is proactive in seeking out opportunities for learning and growth. Additionally, a good mentee values the relationship with their mentor and strives to make the most of the mentorship experience, actively seeking out guidance and support as needed. Ultimately, a good mentee is someone who is dedicated to their career and is willing to put in the effort to succeed in the field of civil construction.







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NEWS

# Fitzroy River Bridge alliance proponents named

consortium comprising CCF WA Members Georgiou and BMD Constructions has been named as the preferred proponent to deliver the new Fitzroy River Bridge in the Kimberley region. The old bridge has been criticaly damaged by recent massive flooding in the region (see picture above). The consortium will form an alliance with Main Roads and design consultant BG&E to undertake this critical project. Preliminary design investigations are already underway, with site works expected to begin in May 2023 subject to weather conditions and resolution of relevant approvals.

The State Government said Georgiou and BMD have considerable experience in constructing bridges in Western Australia and have the

resources and capacity to commence construction activities as soon as possible after the current wet season.

In addition to the permanent restoration of connectivity between the east and west Kimberley, the bridge replacement project will see significant investment in the region's economy. The Alliance will generate opportunities for local suppliers and will work with Traditional Owners and local Aboriginal Corporations to maximise employment and economic outcomes.

A formal alliance agreement with the preferred proponent will be executed in the coming weeks, with the new bridge expected to be operational by the end of 2024.

# TRS move to Kewdale

o accommodate their growing customer base, CCF WA Member Total Rockbreaking Solutions (TRS) have moved their business location to 10 Ferguson Street, Kewdale.

TRS is a wholly Western Australian owned company, focused entirely on the design, sales and service of hard rock mining boom systems, boom control systems, hydraulic power units and an exclusive dealer for a large range of specialist hydraulic attachments for the mining, construction and recycling industries.

With an extensive workshop and site services capabilities, TRS has become the partner of choice for operators looking for reliable and fully supported rockbreaker boom systems.

The TRS team looks forward to serving their customers with even more space at the new location. All other contact information including the phone numbers will remain the same.

For more information contact Total Rockbreaking Solutions visit totalrockbreaking.com.au, phone 1300 921 498 or email sales@trswa.com.au.



# NEED TO MEET THE WATER CORPORATION'S CONTRACTOR HSE REQUIREMENTS?

# Register your site supervisors in the RII40720 Certificate IV in Civil Construction – Supervision traineeship.

DEERE

When tendering for Water Corporation projects, mandatory requirements have been imposed on contractors to improve the health, safety and wellbeing of all workers onsite. These requirements include the need for site supervisors to currently have or be undertaking a Certificate IV in Civil Construction – Supervision or equivalent, including the units BSBWHS415 Contribute to implementing WHS management systems and BSBWHS414 Contribute to WHS risk management. Civil Train have worked with industry to develop a flexible program where your site supervisors can book into training as their schedule permits.





The Training Division of the CCF RTO 45621

#### Funding

Funding is available to Civil Train to subsidise the training cost for both new and existing workers, reducing the fees to approx. \$900 (dependent on units selected)

#### Incentives

The following incentives are available to employers if the trainees meet the criteria specified by each funding body.

- Construction Training Fund \$8000
- National Skills Commission's Skills Priority List up to \$9000
- Federal Government Incentive \$3500

#### The Delivery Model

Training is delivered at our Jandakot Training Centre, over one of two days each month. Supervisors complete the training and work through the assessments in class utilising our Learning Management System (LMS) and group discussion. This model allows the students to consult with others, work in collaboration and obtaining feedback to meet the requirements of the practical components of the course.

Civil Train is a nationally recognised training organisation, specialising in the training needs of your industry! As part of the Civil Contractors Federation, we understand the requirements for working on site, we have a flexible approach to scheduling training and work with you to develop programs that suit you.

# **HV** series is the ideal versatile laser

Available in single or dual grade, the HV series replaces popular SV models with enhanced features and connectivity options.

opcon Positioning Systems has released a new range of grade laser levels, the RL-HV series. Designed for all manner of construction applications and building trades, the HV series replaces the popular RL-SV series laser levels and comes in either single or dual grade models.

New to the HV series is the ability to remotely control the unit using a smartphone. Users simply connect the laser level to Topcon's Laser Manager app, available on both iOS and Android devices, to adjust slope and laser level settings, or perform calibration checks. Many of the same features users loved in the SV series remain, including the rugged casing and highest IP66 weather-resistant rating, long-range 800-metre working diameter, and long battery life. "The HV series is ideal for contractors and tradies needing a versatile

laser that can be used for horizontal, vertical, single or dual grade applications," said David Gentle, Building Business Executive Manager at CCF WA Member Position Partners, Topcon's partner for



laser levelling and positioning solutions in Australia. "With control of the laser in the palm of your hand using the new Laser Manager app, customers can set up position and slope, change rotation speed, or switch working mode quickly without needing another remote control in their pocket," he added. Position Partners supplies Topcon laser levels throughout Australia via a network of value-added resellers and hardware stores. "We have more than 300 stores stocking the premium Topcon laser levelling ranges right around the country," Mr Gentle said.

To find a stockist, or for more information about the RL-HV range, visit www.topconlaser.com.au or call 1300 965 273

# **ON POINT**

Resources

#### Our 'Purpose' is to create employment and growth opportunities for everyone we work with, Australia-wide.

# Solar powering works at **METRONET Whiteman Park Station**

he METRONET Morley-Ellenbrook Line is home to WA's first 50kVa hybrid solar battery and will help power the Whiteman Park Station site. This sustainable initiative uses batteries and solar panels during works to replace the need for a diesel generator, saving an estimated 45,000 litres of diesel - the equivalent of

taking 42 cars off the road per year. The 44kW solar panels generate electricity, with excess energy sent to charge the battery and stored for use overnight. The system has exceeded expectations, utilising less than five per cent of energy from the backup diesel generator during the evenings.

Using solar power backed by battery storage provides not only a reduction in energy emissions but also electricity cost savings. The initiative supports the METRONET Sustainability Strategy, which aims to reduce greenhouse gas emissions from materials and energy across the program's design and delivery phases by 20%.



Our recruitment team has successfully delivered workforce solutions to the Western Australian industry since 2016. With a dedicated focus on the Civil & Mining Industry, and Professional & Technical sectors, we provide personnel to support all projects.



We have intimate knowledge of the unique challenges you face onsite, and guarantee to deliver a talented workforce to power your productivity and deliver exceptional result.



- **Trades and Labour personnel** Contract / Site Administrators Administration / Project Support Superintendents & Project Managers Geotechnical / Structural Engineers **Construction Managers & Supervisors**
- **Civil Estimators**
- Administration / Project Support
- WHS & HSEQ Advisors
- Workshop / Maintenance Managers

# Mayday partners with Komatsu to support cancer fundraiser



# New MJB pipe plant nearing completion

JB Industries, a leading manufacturer on concrete pipe and spun liners, has announced the construction of a new pipe plant to keep up with the growing demand for their products. The current market demand has led to MJB's only bi-directional pipe plant operating at full capacity, with a production schedule booked

several months in advance. This has caused delays for clients who are forced to wait for products to be ready before they can begin their projects.

To address this issue, CCF WA Member MJB has begun the installation of a second pipe plant, which will greatly increase production output and reduce lead-times. This will enable the company to keep up with demand and help customers stay on track with project timelines. The project began in July 2022, with an anticipated completion date in the second quarter of 2023. Despite challenges such as excessive lead times on parts and freight interruptions, MJB is committed to using locally sourced material where available to ensure the timely completion of the project. The company's management stated that they are excited about the new plant, which will help them to continue providing high-quality products and services to their customers.



# Local service and support

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This information is about Cbus. It doesn't take into account your specific needs, so you should look at your own financial position, objectives and requirements before making any financial decisions. You should read the Employer Handbook, Cbus Industry Superannuation Product Disclosure Statement (PDS) and other relevant documentation to decide whether Cbus is right for you. Also read the Target Market Determination at cbussuper.com.au/tmd. Call 1300 361 784 or visit www.cbussuper.com.au Cbus' Trustee: United Super Pty Ltd ABN 46 006 261 623 AFSL 233792 Cbus ABN 75 493 363 262.



# Innovation and total cost of ownership drive loader purchase

hen integrated import and export logistics services provider Qube needed two new wheel loaders for material handling at Bunbury's Inner Harbour, the group's focus on continual innovation and improvement was a key driver behind its decision to select the latest Cat 982 XE.

The decision meant the Qube Bulk division was the first operator in the Asia Pacific region to purchase the new models, but it was a decision based on longstanding experience with Cat equipment, including their XE models, and solid relationships with service provider WesTrac.

According to Qube Bulk National Asset Manager Anthony Donegan, the reduced fuel burn associated with the XE models was another key driver, providing both sustainability and cost benefits.

"We had the data to compare on the previous XE machines and could see they were delivering what Caterpillar and WesTrac claimed they could," Mr Donegan said.

WesTrac Product Manager Lawrie Hayles says the XE wheel loader range is the premium offering from Caterpillar and draws on extensive research and development work to deliver numerous benefits to operators. "The XE range of Medium Wheel Loaders comes with a constant variable transmission, which means you don't have any of the parasitic losses like you would have with a traditional powershift transmission," Mr Hayles said.

"They are very efficient and enable the engine to operate at a lot lower revs, meaning a big reduction in fuel burn. They also generate a whole lot less noise, less carbon emissions, and provide a far smoother ride for the operator which means less fatigue."

Mr Hayles says the combination of improved technology and smaller machine are likely to deliver significant fuel savings for Qube. "The 982 XE configuration has been proven to reduce fuel consumption by 25 per cent over the earlier model 982," he said.

For Qube, working in a port environment means there is no time for unplanned downtime, with the machines required to work constantly while loading ships. That makes reliability non-negotiable, so the well-regarded Cat reliability and having a WesTrac branch and skilled support staff located in close proximity were also key drivers. While Qube needed maximum productivity, there were factors about the operating environment to consider. Qube and WesTrac conducted comprehensive application studies to understand the use cases and constraints of the environment.

Despite the productivity requirements, the smaller 982 XEs proved to be better suited than larger XE models given they would be operating in sheds and close to hoppers. A high-lift option was included, enabling the 982 XEs to work in the confined environment but to perform work that is typically carried out by the larger 988 models. While the XE range carries a premium price, total cost of ownership measures up due to the added functionality compared to standard models. That includes features such as Auto Set Tyres, preventing unwanted wheel spin as the operator digs into a stockpile and thus preventing premature tyre wear. Auto Tip Off allows correct payload to be achieved, reducing the need to return overburden, while Auto Dig is ideal for repeat processes, enabling more experienced operators to record digging operations before handing the machine off to less experienced operators, who can then repeat the same operations with precision.

# MACA marks 20th anniversary

ast November CCF WA Member MACA celebrated its 20-year anniversary.

The company credits its two decades of growth, success, and diversification to the ongoing support of its clients.

MACA CEO David Greig shared in a video on social media, "MACA's success has been fundamentally due to our people living our values. For the past 20 years, we've built strong, lasting relationships. Our

clients have trusted us with their assets across Australia and overseas through a number of challenging economic and commodity price cycles.

"We wouldn't be here today celebrating this milestone without our loval clients. Our promise to you since inception has been that we care, we're flexible and we deliver. "To date, a collection of over 70 million man-hours have moved about 2 billion tonnes of critical minerals and built well over a thousand kilometers of transport infrastructure."



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#### **Employee Reddifund Benefits**

#### Redundancy

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- HIF Health Insurance discount of 12%
- No administration costs
- Easy access to your account

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- Travel Cover
- Death and Funeral Cover
- Ambulance Cover
- Childcare Cover

#### **Income Protection**

- Up to \$1,500 + Super per week
- Waiting period 21 days
- Cover up to 104 weeks
- Death benefit \$300,000



# **Streamline** connects with industry's soaring telecommunications needs

By John Feary

venue with consistent year-by-year since it underwent a major restructure . Nick Jenkins, one of Stre directors, puts it down to the company's ability to provide fit-for-purpose solutions for customers across the telecommunications, construction and power markets. Streamline's four pillars are design, construction, integration and management, with an acute focus on safe, quality outcomes. Specialised capabilities included 5G, 4G and 4GLTE wireless construction and microwave deployment; civil infrastructure installation: zero-tension optic fibre cable ploughing; large scale production trenching; rock breaking and rock sawing; directional drilling; heavy plant transportation; and rail signals and

The company has continued to

communications.

to telecommunications infrastructure construction and deployment. "We are really focused on quality of construction in that space," Mr Jenkins said, "Lots of businesses say they can do it all, but we are very vertically integrated. There's no (other) business that does all of it." The company's history dates back to 1998, when it was established by Brad Christian, his father Barry and brother Greg in Busselton to specialise in optical fibre cable installations for the telecommunications industry. The small family company blossomed thanks to a reputation for excellent performance, high-quality and well-maintained machinery and large service fleet. Nearly 20 years later, however, Brad Christian

the company's future directions. Enter Nick Jenkins and Tony Farrell. Both from backgrounds of running large telecommunications infrastructure projects nationally, as well as other infrastructure projects internationally for global construction

pand its equipment fleet, tailored telecommunications infrastructure

was in sole command and looking to establish

entities, they saw the potential to widen Streamline's scope from the civils and fibres business into wireless services. Renamed Streamline Connect, the company grew further in late 2018 with the acquisition of Towertech Australia and its premier wireless contracting business.

Mr Jenkins said Streamline's specialisation in wireless and optical fibre design and the construction of telecommunications facilities met increasingly specific and evolving needs of the carriers, mining, rail, utilities, industrial and oil and gas sectors.

Several other companies that have tried to enter the market by purchasing service providers, often on the basis they had done some National Broadband Network infrastructure work, have found that the barriers to entry are becoming more difficult "The carriers that we do a lot of work with are really getting more focused with their cyber-security," Mr Jenkins said.

Mr Jenkins forecast increasingly modularisation and standardisation across the industry in the next 10 years. The greater use of modularised installations had seen the area of a radio base station reduced by a half in the last five years.

"The footprint is changing, it's getting smaller, it's getting greater output, it's becoming more specialised ... but it's becoming more accessible for everyone to use," he said.

# PIPELINE TECHNICS

Pipeline Technics success in consistently delivering high quality projects on time and on budget is due to our unique capability to undertake the majority of our project work in house, through our team of trade specialists.

Having our own experienced workforce means that we are flexible, quick to mobilise and able to tailor project solutions to meet our clients' needs. Our streamlined systems ensure seamless project delivery so that our clients benefit form reduced overhead costs and liaise with just one point of contact from start to finish; to ensure seamless project delivery.

While we can generally take care of every element of your infrastructure project in house, we also have the processes in place to effectively manage specialist sub-contractors, as necessary.

We pride ourselves on our ability to work collaboratively with our clients and their stakeholders to understand everyone's needs. This knowledge creates a base on which we can overlay our industry experience and expertise to create a solution that achieves the best possible result for the end user.

Pipeline Technics are a panel approved Water Corporation Poly-welding contractor with highly experienced poly welding technicians with a capability for fabrication and installation of 1000mm down to 63mm and all PN rating.

Pipeline Technics use Australian-made, state of the art high fusion tracked welding machines.

From concept to completion, Pipeline Technics has been involved with some of Australia's biggest infrastructure projects. Pipeline Technics helps clients plan, manage and maintain critical infrastructure in the following key areas:

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- Mining and Resources Sustaining
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- Infrastructure Bulk and Detailed Earthworks
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# CCF WA - Brooks Hire Golf Day

ur annual Golf Day was once again a sell out, with 216 golfers filling the Joondalup Resort's 27 holes to capacity. The winning team of Chris Kirkham, Graeme Reid, Slade Tillemans and Anthony Zagubien from National Pump & Energy were presented with the perpetual Mates Cup, which they will retain for 12 months.

R. I BROOKS AL INTER



Our thanks to major sponsor Brooks Hire and supporting sponsors Construction Equipment Australia and Zenith, all the Members who provided the great prizes and merchandise and to everyone who attended, ready to play rain, hail, or shine. Special thanks to everyone who donated to support MATES in Construction.

# Transport Infrastructure **Breakfast**

CF WA welcomed special guest Transport Minister Rita Saffioti The event was supported by major sponsor GHD and supporting to the 2022 CCF WA Transport Infrastructure Breakfast at Optus sponsors Alcolizer Technology and CJD Equipment. CCF WA Stadium's Riverview Rooms on Wednesday, November 2, 2022. thanks event sponsors, speakers, and all 230 attendees for making the We were also honoured to welcome Michael Caltabiano, CEO at morning such a success. the Australian Road Research Board. After Minister Saffioti and Mr Caltabiano had delivered their addresses, they were joined on stage by CCF WA



















# Women in Civil Summer Sundowner

CF WA's last event in 2022 was a Women in Civil Sundowner held at Kais Hire's yard in Redcliffe on Thursday, December 8. More than 120 attendees including 85 women in civil joined us to eat, drink, network and be merry.

A big thank-you to Kais Hire for hosting us for the event and providing a stunning marquee for everyone to gather under. Kais Hire is the 2022-23 Women in Civil Partner and the major sponsor of our Women in Civil events. The event was also supported by Alcolizer Technology and Cbus Super.





Alcolizer technology

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# **Acu-Tech Piping Systems**

cu-Tech Piping Systems is an Australian manufacturer and supplier specialising in complete polyethylene (HDPE) pipe systems and solutions for fluid and gas transfer and cable protection.

Manufactured primarily from polyethylene (PE) polypropylene (PP) thermoplastics, Acu-Tech Piping Systems incorporate the most innovative and advanced pipe system technology available. Built on nearly 50 years of industry research and innovation, its systems are utilised in a wide range of applications across the civil sector. Acu-Tech has a track record of exceptional performance and durability in many demanding applications, providing engineers and contractors with high integrity and cost-effective solutions.

Polyethylene (PE) pipe's unique characteristics have made it the product of choice for numerous applications in the civil industry. It is a proven product in rugged terrains, extreme climates, and changing site environments. PE pipe's flexibility, abrasion resistance and leak-free joints have helped the product prove itself long-term in demanding environments.

Acu-Tech both manufactures and imports a wide range of electrofusion, spigot and fabricated fittings. We have a fully equipped fabrication workshop with experienced and qualified operators, able to fabricate spools and components from pipe and sheet to client specifications. Acu-Tech offers a full range of jointing systems, including butt welding, electrofusion and mechanical. The company also stock, service and repair a comprehensive range of associated welding equipment.

Providing comprehensive piping solutions, Acu-Tech are one of the most trusted HDPE pipe and poly pipe manufacturers across Australia with branches in Perth, Melbourne and Brisbane. Its team provides the highest quality service and support at every stage of your project. They are able to supply customers from large inventories, ensuring smooth and efficient supply of products during your project. With decades of combined experience and a positive 'can do'





culture, the people behind Acu-Tech Piping Systems are committed to ensuring the long-term success of your business. Contact one of Acu-Tech's professional and experienced staff to discuss your project requirements. We Care. Our Solutions. Your Success.

# **Everything Earth**

verything Earth is a Pilbara based excavation company which offers a wide range of services including civil excavation, bulk haulage, concrete and building services across Western Australia.

Everything Earth has built a reputation on being a reliable multi-disciplined provider of high-quality plant and skilled civil operators. Specialising in project management and execution of civil earthworks for roadworks and road maintenance, bulk excavation, carpark construction, main road construction, bulk haulage, concrete works and crushing.

Reliability of service is integral to its operations, as such Everything Earth boasts a modern fleet which meets mine specifications.

Everything Earth's dedicated operators are highly trained and obtain considerable experience and qualifications to ensure each project is completed to the highest possible standard.

EVERYTHING EARTH



# CCF Code and **Management System Reference Documents** free for Members!

CF WA Contractor Members now receive free access to the CCF Code and Management System Reference Documents (MSRD). Increasingly, civil contractors seek to demonstrate their commitment to excellence and continuous improvement in safety, quality and environmental management by establishing a third partyaccredited integrated management system (IMS).

In response, CCF develops and maintains the CCF Civil Construction Management Code and Management System Resource Documents (CCF Code and MSRD).

The CCF Code and MSRD are available FREE for CCF WA Contractor Members via our Member Portal.

CCF WA Contractor Members will also receive regular updates of the MSRD suite and templates, as they are continually improved.

#### What is the CCF Civil Construction Management Code?

The CCF Code draws together the civil construction-related elements of the established Quality (ISO9001), Workplace Health and Safety (AS/NZS 4801, ISO 45001), and Environmental Management (AS/ NZS ISO 14001) Standards into one system, specifically designed for civil construction operations.

The separate Standards are designed for broad application across various sectors (manufacturing, health care etc) and include many requirements that are not relevant to civil construction operations. Purchasing the individual standards, then working through them to identify and interpret the civil-specific requirements can significantly increase the cost and complexity of implementing and accrediting an integrated management system.

CCF has analysed the separate Standards and distilled the civil construction-specific requirements into one practical, comprehensive, recognised Standard specifically designed for civil construction operations - the CCF Code.

Practical: The Code is written in the language of construction. It's designed for ease of use, with all requirements clearly stated. Comprehensive: The Code includes every HSEQ requirement a civil construction business needs to operate to the highest accepted standards.

Recognised: State government road, water and land development authorities around Australia accept a CCF Code-compliant management system as proof of compliance for tendering.

#### Fully Accredited

The CCF Code is accredited by the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) for third party certification. Click here to view information on the JAS-ANZ website. JAS-ANZ recognises the benefits of the CCF Code and Management System as:

- Simplifies compliance with quality, workplace health and safety, • and environmental requirements for the civil construction and related industries.
- related industries to demonstrate that their services meet the

CCF WA Members - please email us for your username and password to Enables certified organisations in the civil construction and • obtain free access to the CCF Code and MSRD, or for more information about implementing a Code-compliant integrated management system. industry benchmark and relevant regulatory requirements. We can connect you to experts who can guide you through the process. To achieve and maintain CCF Certified (accredited) Contractor status Non-Members – please email us for information about these and other for their CCF Code-compliant integrated management systems, benefits of becoming a CCF WA Member at ccfwa@ccfwa.com.au contractors undergo an annual audit by a JAS-ANZ accredited third



party certification body.

- What are the CCF Management System Resource Documents?
- Like all Standards, the CCF Code specifies what actions are necessary to achieve a compliant management system. The Code also requires the management system to generate objective evidence - documents demonstrating that business and project risks are being effectively managed.
- To save Members time and money, CCF has developed the Management System Reference Documents (MSRD), comprising over 50 template policies, plans, registers and forms.
- We are constantly expanding and revising the MSRD to ensure they remain comprehensive, relevant and up to date. Emerging issues such as Mental Health, Social Procurement, Sustainability, and Climate Change pose new challenges for Contractors to effectively respond and manage. New policies and procedures will be added to the MSRD as they are developed.

#### The CCF Code and MSRD are free for CCF WA Members!

As an exclusive Member Benefit, CCF WA Contractor Members receive complimentary access to the complete CCF Code and MSRD via our Member Portal. Members also receive access to regular updates of the MSRD suite and templates.

#### How much does a CCF Code-compliant and independently accredited IMS cost?

The overall cost of establishing a Code-compliant IMS, and getting it audited and accredited, will depend on a number of factors including your company's internal resources.

The CCF Code and MSRD are free for CCF WA Members. CCF Victoria, which administers the Code and MSRD, charges an annual re-certification fee (currently \$400).

You may need to engage a consultant to assist with building and implementing a system. Your JAS-ANZ accredited certification body (the company that will independently assess your system) will also charge for the initial audit/certification and ongoing audits.

Generally, though, civil contractors find that the costs associated with designing, implementing, and maintaining accreditation of a CCF-Code compliant IMS are much lower compared to a system accredited to the three AS/ISO Standards.

#### Take the next step!

Designing, implementing and maintaining an integrated HSEQ management system can be a daunting task. With the CCF Code and MSRD, we've made that task easier by creating:

- A Standard that is both comprehensive and streamlined (The Code); and
- A complete set of templates for the plans, policies, registers and forms you will need (the MSRD).

# Important recent workplace reforms: better pay; sexual harassment not okay

By Murray Thornhill, Managing Director, Gemma Wheeler-Carver, Senior Associate, and Adam Hughes, Law Graduate at HHG Legal Group.

ollowing on from our article in the last - CCF Bulletin on New Respect at Work Legislation – a guide for employers our Employment Law Team looks at further employment law changes designed to protect employees and address gender and other inequalities in the workplace, arising from recent changes to the Fair Work Act 2009 (Cth) ('FW Act') and related legislation.

#### Sexual Harassment

From 6 March 2023, the FW Act includes a prohibition on sexual harassment. This protection extends to all workers (including contractors, volunteers, and prospective workers) including those conducting or undertaking a business (as defined in the workplace health and safety legislation). The changes add to the stop sexual harassment order jurisdiction of the Fair Work Commission ('Commission'), and extends its powers to conciliation, mediation or issuing a non-binding recommendation. Where this is not successful, the Commission now has the power to settle the dispute including by making orders for compensation.

These changes apply to sexual harassment on or after 6 March 2023.

Importantly for businesses, employers may now be held vicariously liable for sexual harassment by employees or agents acting in connection with their employment or duties as agent. Employers must be able to prove that they took all reasonable steps to prevent the harassment. Therefore, employers should urgently review their policies and procedure, as well as their processes for ensuring compliance and engaging in disciplinary action for any failure to comply.

#### Discrimination

The FW Act now includes additional protected attributes - breast feeding, gender identity and intersex status. From 7 December 2022, an employer may not take adverse action (including termination, disciplinary action or other matters that impact employment) against employee on the basis of these protected attributes.

#### Flexible Working Arrangements

Under the existing FW Act, an employee with parental or carer responsibilities, with a disability or those over 55 may request a change to their working arrangements. The employer must then give the employee a written response within 21 days of the request stating whether they grant or refuse it. The employer may only refuse the request on reasonable business grounds and although the FW Act sets out what 'reasonable business grounds' include, it provides limited guidance on how employers must respond to these requests. From 6 June 2023, employers will also be required discuss the request with an employee, and make a genuine effort to find alternative arrangements. If a request is refused, an employer will have to provide reasons and propose any other changes they would be willing to make or state that no other changes are possible, as well as providing information about how the dispute may be referred to the Commission.

The new legislation also gives the Commission jurisdiction to hear and resolve disputes relating to refused requests and the power to impose remedies such as requiring employer to grant the request or put in place other arrangements to resolve the dispute, including by arbitration.

It is important that businesses set up processes to deal with flexible working arrangements, including provision of a written response setting out the reasons for refusal.

These protections have also been extended to employees experiencing family or domestic violence, and employees that are pregnant.

#### Pay Secrecy

The FW Act now creates a positive right for employees to determine whether to disclose information relating to their pay structure to others which will override any employment contract or agreement. This will also extend to employees enquiring of others' pay structures (although employees cannot be compelled to disclose their pay if they wish to keep it secret). These provisions apply to any contracts entered into after 7 December 2022 (until those contracts are otherwise varied) and to all employees under contracts that do not currently contain pay secrecy clauses. If any employer includes such a term in a contract

after 7 December 2022, they could face penalties or court proceedings. Any pre-7 December 2022 contracts that currently contain pay secrecy clauses must have those clauses removed before 7 June 2023 or an employer could face penalties. Businesses therefore need to review all their current contracts to ensure compliance with the new legislation.

If this provision applies to an employee and they disclose their pay, an employer must not take adverse action against the employer as a result of that disclosure or to prevent them employee from making that disclosure.

#### **Equal Pay and Expert Panels**

An equal remuneration principle has now been introduced into the FW Act, which guides the Commission's decisions in relation to equal pay. The Commission can now order wage increases to address unequal pay and undervalued work.

From 6 March 2023, the Commission must establish two new expert panels for pay equity and the care and community sector. The role of these panels will be to determine equal remuneration cases and make decisions on certain award matters. Members of these panels will be required to have experience in gender equity and anti-discrimination.

#### Paid family and domestic violence leave

Enhancing protections already in place, certain employees can now access 10 days of paid family and domestic violence leave. Employees who are employed by businesses with 15 or more employees can access these entitlements from February 2023. Employees of small businesses will be able to access paid entitlements from 1 August 2023 and can access 5 days of unpaid family and domestic violence leave until that date. These entitlements reset every work anniversary

and do not accrue from year to year.

#### Next steps

These changes are enormously significant for all employers and employees, and their significance cannot be underestimated by businesses. Employers should check their employment contracts, processes, and policy and procedure documents to ensure they are in line with the recent changes. Persons involved in managing employees should be trained in their obligations around family and domestic violence leave, flexible working arrangements, pay equality and prevention of sexual harassment.

Taking legal and other professional advice may be required to ensure businesses remain compliant and up-to-date with their obligations. The HHG Legal Group employment and workplace relations team has the experience and expertise to assist you to be compliant, to plan ahead, and to have peace of mind in how your business responds to these changes. If you require assistance or guidance in relation to any of the information provided above, HHG Legal Group's lawyers can provide advice to you and your business to minimise your future risk. Contact our Employment and Industrial Relations lawyers on (08) 9322 1966 or

reception@hhg.com.au.





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#### HHG Legal Group has been assisting Western Australian businesses, governments, and individuals with their legal requirements for over 100 years.



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#### Free 30 minute initial consultation for CCF members

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# The construction sector should start reaping the rewards of digital systems

By Adam Crowley, National Leader, Property & Construction, RSM Australia.



wo years ago the construction sector was experiencing record building approvals, activity and strong profits.

With the benefit of hindsight this was the time many construction firms should have retired their spreadsheets and legacy IT and invested in new digital systems.

While adopting cloud-based financial systems wouldn't have given firms the ability to foresee the economic downturn from global events, it would have given them a powerful tool to better understand their month-to-month revenue and costs, and critically their profitability. It would have also building\_sector\_skilled\_ people\_recruitment\_business\_blue.png enabled them to make decisions based on real-time business data and pivot accordingly.

According to the Australian Bureau of Statistics (ABS), construction input costs started picking up speed from the March 2021 guarter when they rose 1.1%, followed by 2.6% in the June 2021, quarter, before escalating again to record an average rise of 4% over the next four quarters to June 2022.

That's an accumulative increase in construction input costs of more than 17% in the 12 months to June 2022 spearheaded by a 24% price rise in timber, board and joinery, according to the official data. However,

Cloud-based business solutions enable a more streamlined connection between building project sites and head office by incorporating digitised paperbased forms into automated workflows.

In the construction space there are a

multitude of Enterprise Resource Planning (ERP) cloud-based platforms businesses can use to automate accounting, cost management and work-in-progress activities that give them instant visibility of their material and labour costs and contract progress payments. These systems house all business data in a single central 'source of truth' system. Yet only 1 in 2 construction businesses used cloud services in 2019-20, according to the ABS. Cloud-based business solutions enable a more streamlined connection between building project sites and head office by incorporating digitised paper-based forms into automated workflows.

> By using a digital form on a smartphone or tablet, project teams can log defect notices, project hours, materials used and project progress, directly into a single system. This gives head office instant access to the information they need to make swift decisions about singular projects or more strategic decisions about quoting on new projects. We conducted a webinar earlier in the year on this exact topic.

> Once construction groups have a robust digital foundation in place, that can scale with their business, they can spend more time on value adding to their bottom line by leveraging the

technology to run predictive analytics on scenarios such as higher labour or material costs to keep them well positioned to respond to economic headwinds.

Some larger companies have even taken the next step and incorporated new tools such as HoloLens - mixed reality smart glasses - into their digital toolkit. HoloLens enables site builders to overlay a 3D model of a project over a construction site to show workers the location of doors, walls, pipes and other building elements to identify risks and validate designs.

Navigating the technology landscape isn't easy. That's where RSM's team of trusted experts can help. We have a specialist ERP consulting team who know the right technology to transform business operations, as well as experts in the construction sector who know the business structures, systems and strategies that will help companies not just survive but thrive in the future. For more information on the Property and Construction sector, contact your local RSM adviser who can guide you through the process.

Fury V Nasso: Seven judges say, 'get what you paid for or your money back'

#### By Daniel Morris, Dan Morris Legal.

n 6 May 2022, three Judges of the Hight Court of Australia dismissed an application for special leave to appeal by a builder of recreational fishing vessels against four other Judges' decision that if you pay for something and do not get it, you are entitled to your money back.

Actually, this happens all the time. Deposits are an obvious example. In a building or construction context, a common instance of this Mr Fury's High Court application sought leave to appeal from the is progress payments. Progress payments are expressly referred to unanimous decision of the WA Court of Appeal in Fury v Nasso in building and construction contracts as interim payments made [2021] WASCA 171 which had upheld Herron DCI's decision in Nasso on account only. This means that they are not payable as the price v Fury [2020] WADC 61. I successfully conducted the trial and the for anything that the owner is getting in return: they are merely appeal for Mr Nasso and was junior counsel for the respondent in the an interim (or in other words, temporary) measure to finance the special leave application. My client was the customer who had not capital-intensive investments in plant, equipment, labour and material received what he had paid for. supplies essential to works delivery. These interim payments are made, Interestingly, the appeal decision, which is published, has received not in exchange for (or, as we lawyers like to put it, in consideration of) anything that the owner is getting from the contractor. They are merely paid on account of an interim payment entitlement under the So, how does a case that appears, on its surface, to deal with such contract.

much attention across social media and on the websites and newsletters of major law firms around the country.

mundane issues become so newsworthy? From my perspective, as counsel for the party who succeeded 7:0, the answer lies in the confusion created by decades of case authorities (i.e. precedents) about what exactly it is that somebody is buying when they hire someone outside of an employment relationship to do work for them. Superficially, this seems like a fairly simple question, right? If you hire someone to do a job, you are paying for them to do that job, right? Well, there's more to it than that.

First, how much of the job needs to be done before the price has been "earned"? Absolutely everything? Not since the decisions in *Hoenig* v Isaacs [1952] 2 All ER 176 and H Daiken and Co v Lee [1916] 1 KB 566, where the UK House of Lords had effectively said that if something has been constructed or fabricated to a stage where it can be used for all its intended purposes, yet there are minor defects or omissions, the workman has earned his or her price for the job and is liable only to pay damages to compensate for the cost to rectify the minor defects and omissions.

This is where we get concepts that are almost universal in civil and construction contracting today, like practical or substantial (as opposed to absolute) completion and the defects liability period. Sound familiar? Given how commonplace these concepts are, it may come as a surprise that their Lordships' speeches in Hoenig v Isaacs and H Daiken and Co v Lee are still often misinterpreted to mean that it can never be the case that a workman must finish what he or she has started before they are entitled to be paid the price for it. Their Lordships did not say that at all. All they said was that absolute, unwavering compliance with every detail and nuance in the contractual plans and specifications is not required as a precondition

anecdotally builders have put construction cost increases over the past year closer to 30%.

In a rising property market moderate cost increases and project delays can be ameliorated.

But double-digit cost increases in a softening market are deadly, particularly for businesses that don't have instant visibility of their key financial drivers.

The issues I have seen many construction groups struggle with revolve around their access to critical information on labour and material costs and project tracking. While they know costs might be escalating, they continue to plough on with only a 'guestimate' of their financial position, hoping to ride out the market turbulence. Businesses in the construction sector have been slower than most, to adopt game-changing cloud-based technologies, even though research shows cloud services deliver improved operational efficiency, productivity growth and improved access to new customer segments.

to payment of the agreed price for the finished product. Practical or substantial completion, save for some minor defects or omissions, will do.

Then there's the confusion surrounding a particular passage in the decision of Baltic Shipping Co v Dillon (1993) 176 CLR 344. There, Mason CJ. observes that one way to ensure that a workman must (substantially) complete their work before they can be taken to have earned the price for their work is to say, in the contract, that completion is a condition precedent to payment. In other words, if you want the workman to deliver the finished product before they get paid for it, just say so in the contract. Simple, right?

Well, yes, but surprisingly, there are those who misinterpret this decision to mean that making completion of works a precondition to payment in a written contract is the one and only way to point to the finished product as the thing that the buyer is buying. As seven Judges unanimously affirmed, Baltic Shipping says nothing of the sort. What really seems to have caused endless confusion, though, is the idea that a contract can require a buyer to make payments to a workman during the course of her or his work, but that does not necessarily change the fact that it is the (practically or substantially) finished product, and not the labour, that they are buying. Many react to this by asking: How can someone be required to make payments before the thing they are paying for even exists?

This means that if, at the end of the day, the owner does not get the one thing he or she is paying for - which, for Mr Nasso, was a (substantially or practically) completed, dual console, recreational fishing vessel, then he or she has a choice:

either press for the job to get done; or (a)

accept the fact that the workman is no longer minded to deliver what they have promised and terminate the contract accordingly.

If, as Mr Nasso did, the owner chooses to terminate the contract accordingly, what they are terminating is the thing on account of which, interim progress payments had been paid. The basis for those payments have, at that point, totally failed and that is why the owner gets their progress payments back.

That is not to say that necessarily, in every case of a failed contract for works, the owner's progress or instalment payments will always be recoverable. That is a matter for contractual interpretation. Both at the trial and in the appeal, I referred to precedent cases where the owner did get their money back and Mr Fury's counsel referred to cases where they did not. In this case, seven Judges unanimously upheld my interpretation that the particular contract in question was for the payment of a single, lump sum contract price by Mr Nasso, in exchange for (or in consideration of) the supply of a (practically or substantially) completed, dual console, recreational fishing vessel, to be fabricated according to Mr Nasso's specifications. The evidence showed that Mr Nasso did not get this and was never going to get this and so he got back the deposit and progress payments he had made to Mr Fury.

As I said, simple, right?



# **Contract review guide** for civil contractors

Lavan is a long-term member of CCF WA

This handbook is intended to give Western Australian members of the CCF a practical guide for use when considering whether to enter a construction contract. \_\_\_\_\_

The days of "handshake" deals in civil contracting are long gone.

When you are preparing a tender or entering a negotiation, it is important that your company has a good understanding of your rights, obligations and the associated risks of entering into a construction contract. This ensures that your tender is appropriately priced, accounting for those risks and it will assist you with the ongoing management of your contract if your tender is successful.

Lavan's team of construction lawyers can help you identify key contractual risks by providing you with an easy to understand contract review with a fast turnaround time to assist you in preparing your tender submissions or negotiations. Lavan undertakes contract reviews for CCF members on a fixed price basis at a commercially affordable rate. Please call (08) 9288 6000 and ask for Shane Pentony (shane.pentony@lavan.com.au) or Greg Nairn (greg.nairn@lavan.com.au).

NOTE: This handbook is a general guide and should not be treated as an exhaustive analysis of the risks that a particular contract may pose or as a substitute for legal advice in respect of a contract.

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Recent Changes to the Security of Payment Legislation

Since the last version of this handbook was issued, the Building and Construction Industry (Security of Payment) Act 2021 (WA) (SOP Act) was passed by Parliament and the first phase of the SOP Act provisions came into operation on 1 August 2022.

The second phase of SOP Act provisions (requiring retention funds to be held in trust and notice to be given before recourse is had to security) came into operation on 1 February 2023. The remainder of the SOP Act (the third phase) will come into effect on 1 February 2024.

It is important to note that, the Construction Contracts (Former Provisions) Act 2004 (WA) (CCA) still continues to apply to contracts entered into before key SOP Act provisions had taken effect (i.e. the CCA continues to apply to construction contracts entered into before 1 August 2022). The industry is currently in a "transition period" in which contractors need to be across two different pieces of legislation and consider carefully which version of the security of payment legislation applies to any given contract.

The SOP Act as currently in force endeavours to enhance payment protection for contractors and subcontractors and does this by:

- Changing the effect of contractual provisions in respect of the timing and requirement for:
- making payment claims;
- responding to payment claims; and
- making payment of payment claims;
- implementing new legislative provisions which may invalidate certain contractual time bars;
- expanding the prohibition of 'paid when paid' obligations;
- ensuring a notice of intention is issued by a party before they make a call on security; and
- other monies of the holder of the security.

The SOP Act generally applies to construction contracts under which 'construction work' is carried out, or, goods and services are supplied that are related to 'construction work'. For most civil contractors, the SOP Act will apply to their contracts and subcontracts.



• requiring that cash retention monies will need to be held on trust in dedicated bank accounts separate to



#### Scope of Work

Usually, a detailed scope of work is necessary, setting out what work is required, to what level that work is required and what work is not to be completed by you. The scope is important as it will directly affect your ability to make a variation claim (and associated extension of time claim).

Beware of vague or broadly drawn scopes of work, as the contract conditions will usually require you to perform not only what is detailed in the scope, but all work incidental to the scope - without any right to a variation claim.

Make sure all important documents are listed as contract documents and are in the correct order (e.g. the contract should reflect if important tender qualifications override the scope of work document).

#### $\mathbf{\nabla}$ **CHECKLIST:**

- $\blacksquare$  Is the type of contract appropriate for what you are being asked (e.g. if construct only, is it a construct only contract, or is it more similar to a design and construct contract?)
- $\blacksquare$  Is the contract scope of work clearly expressed, with any specific inclusions and exclusions noted?
- Are all the documents you want to rely on included as contract documents (e.g. scope exclusions, tender qualifications and clarifica.
- $\checkmark$  tions)?
- Are the contract documents listed in the correct order of importance? In general terms, usually the documents listed first take precedence.
- Are the contract documents (including drawings and specifications) clearly described and itemised in the contract itself?
- Are you seeking to rely on your own set of terms and conditions? If so, does the principal have a competing set of terms and conditions? If so, does the contract spell out which terms and conditions apply?

#### Contract Sum and Schedule of Rates

The importance of clearly setting out what you are going to be paid cannot be emphasised enough. A surprising number of contracts fail to set out the basics.

Special care must be taken where you have set a contract price or rate on certain assumptions (e.g. a particular construction methodology that you wish to adopt).

You should ensure that these assumptions are clearly stated in the contract and that you have a right to claim additional payment if these assumptions do not come to pass (for example, if a superintendent's direction to re-sequence the works obstructs your preferred construction methodology).

Special care must also be taken with schedule of rates contracts, to clarify what your rights are where the stated quantities prove unreliable, or where the bill items in the schedule are not sufficient to cover all the work necessary for the job. Further, bill items are often inclusive of various components of costs and not only strictly the



#### **CHECKLIST:** $\mathbf{\nabla}$

- ☑ Is the contract sum clearly expressed?
- $\checkmark$  Are the prices and rates inclusive or exclusive of GST?
- ☑ If it is a re-measure schedule of rates contract, does the contract clearly express that?
- ☑ If there is a schedule of rates:
- How are you to be paid by actual quantities worked or are the quantities in the schedule guaranteed/fixed?
- Are the bill items sufficient to cover all of the necessary work?
- Is there a clause which deals with "missing" bill items, and if so, do you get to claim additional payment for items of work not expressed in the schedule?
- $\checkmark$  If there is a schedule of rates to which you are to be paid according to actual quantities worked:
- \_ Is the method by which those quantities are to be measured (methods of measurement) clearly set out?
- Is there a clear and understandable mechanism for what happens when the quantities are less than or exceed a certain amount (e.g. 20% of estimates quantities)?
- ☑ If there is a schedule of rates and you have priced the works according to an assumed methodology for approaching the work:
- Have you included your methodology as part of the contract?
- To what extent can the principal or superintendent change your methodology (e.g. a direction to re-sequence the works)?
- Does the contract permit a re-price if your assumed methodology cannot be used?

carrying out of the specific item of works (i.e. overheads, profit, labour etc). It is prudent to ensure that the entirety of the scope of work that each bill item represents is understood, appreciated, and accounted for when providing a rate price.

#### **Contract Programme**

Contract programmes vary in importance depending on the contract used.

If the principal or superintendent have the power to give directions in relation to programming (and the sequence of the works), you should consider your entitlements to additional payment, particularly where changes are likely to upset your methodology of work.

Make sure you have put in the necessary technical input to come up with a realistic programme, particularly if breaching the programme will put you in breach of the contract.

#### Head Contract Clauses

Clauses referring to, or incorporating, a head contract need to be considered carefully. Incorporating terms in this way often gives rise to uncertainty as to the extent to which the head contract governs a subcontractor's obligations under a subcontract.

Wherever these clauses occur, you should demand a full copy of the head contract and all applicable drawings and specifications before you sign a subcontract. Ignorance of the head contract terms is generally not an excuse.

Where possible, best practice is to specifically incorporate only the clauses that apply to the subcontract works into the subcontract.

#### Warranties (including as to fitness for purpose)

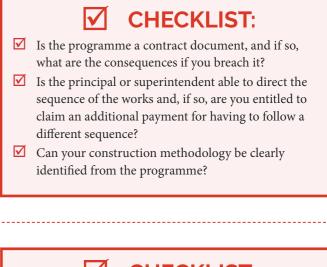
It is vital that the contract warranties you provide reflect the rate you are performing under the contract. Ensure that you are not warranting or guaranteeing the work of others which is outside your scope of work.

Beware of contracts referring to design obligations (or fitness for purpose warranties) unless you are being engaged to undertake the relevant design work. A warranty of fitness for purpose may result in you guaranteeing the quality of someone else's design.

Where possible, particularly where you are not taking on a design obligation (as would typically be the case for a civil contractor), you should limit your obligation to carry out the work in a proper and workmanlike manner.

It is also common for a contractor to be required to supply warranties from third parties (e.g. manufacturers, suppliers and subcontractors). These clauses are frequently onerous, and you need to consider before entering a contract whether you will be able to comply in practical terms and obtain those warranties.

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#### CHECKLIST:

- Are there terms incorporating all or parts of a head contract and if so:
- Is the incorporation clause clear about the head contract's role in relation to the contract and the extent to which it is incorporated?
- Have you read and considered the head contract?
- To what extent does the head contract impose further obligations on you?
- Are you deemed to be aware of anything under the head contract that the main contractor has not given you (e.g. scope inclusions or parts of the specification that have not been provided to you)?

- What results, standard and qualities are you promising to achieve by the contract?
- Are you being asked to assume responsibility for designs drawn up by others?
- Are there any warranties requiring you to warrant that the works, when completed, will be fit for their purpose? If so, these may be inappropriate unless you are also assuming a design responsibility.
- $\mathbf{\nabla}$ Are you obliged to provide separate third-party warranties (e.g. manufacturer warranties, supplier warranties, subcontractors warranties) and, if so, will you be able to provide these warranties?

#### Security

It is increasingly common for contracts to give principals wideranging rights to have recourse to security, even without a specific debt due under the contract.

For instance, a clause may entitle a principal to have recourse to security where the principal merely believes that it may have a claim against a contractor (for example, defective work). Wherever possible, restrict the principal's rights to access security to circumstances where you have breached the contract and the principal has a liquidated claim in respect of that breach.

If the SOP Act applies to a construction contract:

- a party seeking to have recourse to any performance security must give the other party 5 business days' notice of their intention to have recourse to the performance security in the form prescribed by the SOP Act; and
- any cash retention held under most contracts worth over \$1m must be held in a separate bank account by the security holder on trust. This money cannot be mixed with other monies the security holder may have. The cash can only be drawn upon where there is a contractual entitlement to do so.

To avoid inadvertent non-compliances with the SOP Act, care should be taken to ensure that any contract clauses regarding security and retention monies do not contravene the regimes set out in the SOP Act. If they do, parties complying with the contract may find themselves failing to comply with the SOP Act.

#### CHECKLIST:

- What security must be provided and is it reasonable having regard to the contract value?
- When are you entitled to a return of security?
- $\blacksquare$  Is the principal entitled to have recourse to security in a broad range of circumstances, such as the mere assertion of a claim against you?
- $\mathbf{\nabla}$ What rights do you and the principal have in relation to the security if a dispute arises?

#### Extensions of Time (EOTs) and Delay Costs

The right to claim an extension of time (and seek associated damages or costs for delay) is a fundamental issue for any contractor. Clauses governing these provisions should be fair and reasonable. Beware of unduly narrow or strict provisions which may make an otherwise lucrative contract unviable, particularly where the contractor is being asked to shoulder the risk for delay events. Carefully consider the role of the superintendent (or other contract certifier) in relation to granting extensions of time. Clauses allowing the superintendent to act as they please without regard to your interests should raise a "red flag".

#### Site Access and Possession

As civil contractors, you may find yourselves impeded in carrying out your work because of problems with site access or because you must coordinate your work with others. Carefully consider what the contract says about these issues and look at your entitlements (or lack thereof) if you run into problems.

Many construction contracts will try to bar you from making any time/ cost claims when your works are impeded by other contractors.

#### CHECKLIST:

- Do you have to share the site with others working on the site (e.g. principal's other contractors or consultants) and if so:
  - Are you given control over those other persons?
- Are you entitled to make any extension of time claim or claim for additional payment in the event that others impede your work?

#### **Practical Completion**

Frequently, "standard" definitions of practical completion are being expanded. For example, there may be a requirement that all thirdparty warranties have to be supplied or that you must provide some documentation or certification before practical completion can be reached.

You need to factor in these additional requirements (and the potential for delays in meeting them) before you agree to a date for practical completion.

Definitions that give the superintendent absolute discretion to determine what information must be provided in order to achieve practical completion should be treated with caution.

#### CHECKLIST:

- What is the definition of practical completion and how easy will it be for you to achieve it?
- Have you thought about possible delays in meeting all the requirements of the definition when agreeing to the contract programme?
- Has the decision as to what information may be required to be provided to satisfy practical completion been left to the superintendent?

#### Liquidated Damages

Liquidated damages clauses are commonplace but are not always clearly expressed. Make sure you understand how the liquidated damages provisions work and what your maximum exposure is going to be.

Be particularly wary of contracts where different rates apply for missing a variety of "milestone" dates - if all the milestones are missed, the overall rate of liquidated damages may be far greater than anticipated.

Where possible, negotiate a cap on liquidated damages. Where a liquidated damages clause strikes you as unusually high or onerous, consider negotiating the clause down or at least require the principal to justify the rate.

In what circumstances will you be entitled to claim an extension of time?
✓ Is the superintendent or principal obliged to act fairly and reasonably in relation to granting extensions of time, or is the superintendent or principal given wider powers that may be difficult, if not impossible, to challenge? Examples of such wide powers include:
<ul> <li>The superintendent may "in his sole and absolute discretion" determine an extension of time claim.</li> <li>The superintendent "is not obliged to act in accordance with the interests of the contractor in determining whether to grant an extension of time".</li> </ul>
☑ Is there provision for you to claim additional payment for an extension of time and if so:
<ul> <li>In what circumstances will you be able to make such a claim?</li> </ul>
What is your claim limited to and how is it calculated (e.g. does it include a margin, or is it direct actual costs incurred only)?
<ul> <li>How onerous are any time limits applying to:</li> <li>Extension of time claims?</li> </ul>
<ul> <li>Claims for additional payment for delays?</li> <li>Will you lose your entitlement to claim an extension of time/prolongation costs if you do not lodge a claim within time?</li> </ul>

- $\checkmark$  If there is a provision for liquidated damages, are the rates of liquidated damages clearly expressed and capable of application?
- ☑ If there are different rates of liquidated damages applicable to different "milestone dates", do you understand what your maximum exposure to damages is going to be?
- If there is provision for liquidated damages, are the  $\mathbf{\nabla}$ rates a reasonable pre-estimate of the loss that the principal will suffer by reason of delay?

#### **Payment Claims and Payment Terms**

Previously, under the CCA, the method of making and assessing payment claims that applied was generally the one set out in the contract. If they were not set out clearly, the implied terms under the CCA may have applied and overrode the contract terms. Under the new SOP Act, a parallel statutory regime (to the contractual regime) is imposed on parties to construction contracts for the making and assessing of payment claims. Where a payment dispute ensues, it may well be the case that a party could have a claim under both the SOP Act and the contract, or one but not the other, or neither. Practically, this means that the parties will be striving to satisfy both the contract and the SOP Act throughout the payment process.

It is critical for payment claim and payment certification clauses to be effective that they comprehensively set out a procedure for:

- When and how a payment claim is to be made (under the SOP Act, generally it is no more than one claim for each month, and the claim is to be made on or after the end of the month)
- When and how a payment claim is to be assessed (under the SOP Act, this is by way of a "payment schedule").
- When payment is to be made.

Under the new SOP Act, it is generally prescribed that a progress payment is due for payment as follows:

- in a head contract, within 20 business days after a payment claim is made; and
- in a subcontract, within 25 business days after a payment claim is made, unless the contract prescribes shorter periods.

#### **CHECKLIST:** $\mathbf{\Lambda}$

- What variations are you obliged to carry out?
- $\blacksquare$  How onerous are the procedures surrounding the direction of variations? Do you lose your claim if you do not strictly follow those procedures?
- $\blacksquare$  Do variations directions have to be in a certain format, and if so, what happens if a variation direction is given a different format (e.g. via an issued for construction drawing with no mention of a variation)?
- How are variations to be valued and in particular:
- By reference to what standards, rates or prices will the variation be valued?
- Are the valuation provisions fair to all parties? —
- Are there clauses that purport to give the principal or superintendent the "sole" or "absolute" discretion to value variations (if so, these may be difficult, if not impossible, to challenge)?
- Do you have a right to challenge an adverse variation, or are the principal and superintendent entitled to make a "final" certificate or assessment?
- Is the valuation process so drawn out that you are forced to carry the costs of performing the varied work in the meantime?
- Does the valuation of variation include delay and disruption costs as well? If so, you may be restricted to a single claim for all costs/loss associated with the variation.

#### CHECKLIST:

- $\mathbf{\nabla}$ In relation to making a payment claim under the contract (not just for progress payment, but any contractual claim for payment including variations), does the contract clearly set out:
- When a payment claim is to be made?
- How to make a payment claim?
- When and how the payment claim will be assessed by the principal and superintendent?
- When the principal is obliged to pay each payment claim?
- What happens if something goes wrong in relation to a payment claim, including:
- failing to make a payment claim on time; and
- the principal and superintendent failing to assess a payment claim?
- $\checkmark$  Are the payment terms longer than the maximum permitted by the SOP Act (from the date a payment claim is made)?
- If you are lodging a payment claim and want to take advantages of the protections of the SOP Act, has the claim been prepared and delivered in accordance with the requirements of the SOP Act?

#### Variations

Variation clauses control what changes can be made by the principal, whether you will get paid for making them and how much you will get paid.

Before undertaking varied work, check the valuation method carefully to ensure you will receive fair compensation. Where the principal or superintendent is given "sole" or "absolute" discretion to value variations, you may find yourself unable to challenge such variations.

Beware of:

- Restrictions on your right to claim where the variation direction is not in the prescribed format.
- Claim bars where the correct procedure for variations is not followed - make sure your project management team can handle these.
- Clauses which permit the principal to omit works from your scope and assign those works to third parties these clauses can be used as a device for a de facto termination of the contract.

#### Information Disclaimers

Beware of disclaimers where the principal excuses itself of responsibility for any errors in the information it has provided you. Where these clauses exist, you may not be able to make a claim where you relied on that information (e.g. a geotechnical report in relation to ground conditions or the existence of rock).

#### Latent Conditions

Be aware of exactly what does and does not constitute a latent condition, and what your entitlements (to extensions of time and payment) are in the event you encounter a latent condition. Beware of any contractual procedures applicable to make a claim in respect of a latent condition.

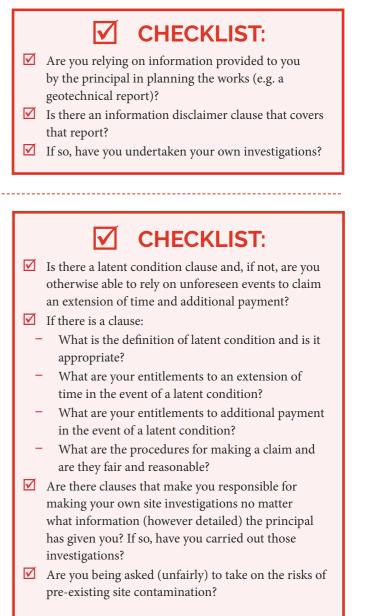
Beware of clauses that make you responsible to deal with any site contamination or other unforeseen site problems.

#### Limitations of Liability

It is commonplace now for contractors to limit their liability under a construction contract.

Exposure to a contract damages claim can be indeterminate and substantial, particularly in the context of high value projects where breaches by you may cause significant "knock-on" effects for the project.

You will need to consider your exposure to such losses and whether that exposure is or can be limited in some way by the contract. You will also need to consider whether the principal has imposed a limit on the amount of damages that you can recover from it. Any limitation of liability clause should be clearly drafted and understood. You should also inform your insurance broker of any limitations of liability (particularly limits on the principal's liability), as these may impact whether your existing insurance policies will respond.



- ☑ Is there a limitation of liability to protect you? Generally speaking, civil contractors should ask for a general cap on liability (separate to a cap on liquidated damages) and/or an exclusion of liability for consequential/indirect loss.
- ☑ If there is a limitation on liability:
- Is it clearly expressed and do you understand its scope and effect?
- Does the limitation work in both parties' favour or just one party's favour?
- Has your insurance broker checked for any adverse insurance implications?
- $\mathbf{\nabla}$ Have any exceptions been included as to when the limitation will not apply?

#### Indemnities and Insurance

Carefully consider indemnities and ensure that they are fair and reasonable. It is vital that any indemnities and warranties that you are giving refer to matters within your knowledge and control. Indemnities should be limited to your conduct and reduced proportionately to the extent the principal, or another party has caused or contributed to the loss.

If (as is common) the proportionate liability provisions of the Civil Liability Act 2002 (WA) are excluded, you will be potentially liable to the principal for 100% of the loss it suffers by reason of a breach of contract, even if other parties may have contributed to that loss. Any insurance you obtain should reflect any exclusion of the proportionate liability provisions. Give your insurance broker the contract and make sure that appropriate policy extensions are in place.

#### CHECKLIST:

- Where there are claims and time bars, how onerous are these and do you have the resources (project managers etc) to ensure timely compliance?
- $\checkmark$  Are the timeframes for giving notice of claims reasonable and will your project management team be able to comply?
- $\checkmark$  Are there any bars that apply to you even where the principal is in default (e.g. a clause which precludes you from claiming damages on a "quantum meruit" basis if the principal defaults)?
- What are the bars that apply to claims when a final certificate is issued and do those clauses give you a reasonable opportunity to put claims in before the issue of the final certificate?
- ☑ If the new SOP Act applies to the contract, is the time bar unfair to the contractor and therefore invalid?

#### CHECKLIST:

- What indemnities are you giving under the contract? Are they fair and reasonable?
- Can you control whether the indemnity will be applied, or are you being asked to guarantee the conduct of others beyond your control?
- $\mathbf{\nabla}$ Are (as is common) the proportionate liability provisions of the Civil Liability Act 2002 (WA) excluded (e.g. by an express provision or implicitly via the inclusion of an arbitration clause)?
- $\mathbf{\nabla}$ Is the indemnity limited or to be reduced to the extent the principal or others have contributed to the loss?
- $\checkmark$  Have you had your broker review the provisions to make sure that the necessary insurance is available on the market and the cost of obtaining it?

#### **Claim Bars and Time Bars**

Many construction contracts include onerous time limits and procedures for the lodging of claims - and provision for the loss of a claim if those procedures are not strictly complied with.

Make sure that your project management team will be able to comply with these limits and wherever possible negotiate relaxations of the clauses (for example, get 10 days to lodge notice of a claim rather than five days).

Under the new SOP Act, time bars may be declared invalid on the basis that they are unfair. This applies on a case-by-case basis, meaning that the same time bar under the same contract could be considered unfair in one instance and valid in another. It would be risky for a contractor to form its own view that a time bar is unfair and therefore disregard its purported effect. It is best practice to ensure that you can comply with the time limits and procedures for lodging of claims as per the contract.

#### $\mathbf{\nabla}$ CHECKLIST:

- What are the principal's rights of termination?
- Can the principal terminate at any time for convenience? If so, what are your rights and entitlements if this occurs and are they fair?
- Are there any limitations on your right to terminate or on your rights and entitlements if you choose to terminate (even if it is the principal's fault)?
- ☑ If you are terminated because you are in financial difficulty or you wish to terminate because the other party is in financial difficulty, have you considered the impact of the "ipso facto" insolvency reforms that may restrict termination?

#### **Dispute Resolution Clauses**

#### Beware of dispute resolution clauses that:

- Are impractical (for example, submitting all disputes to arbitration in a different place other than Perth or WA).
- Are drawn out (for example, requiring 3 separate meetings over 3 months before you can sue).
- Make your rights to resolution subject to resolution of your client's rights under some related contract (e.g. head contract).

#### $\mathbf{\nabla}$ **CHECKLIST:**

- ☑ Do the specifications have "boilerplate" clauses that supplement or even contradict the main contract general conditions?
- $\mathbf{\nabla}$ Have you checked the specifications carefully (including any applicable head contract specification) to ensure that you are aware of any specific tolerances that you are required to meet?

#### Personal Property Security Act (PPSA) Issues

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If your principal or client were to become insolvent, you need to consider how you will claw back loose goods, plant and equipment that may be on site and that may fall into the possession of an administrator or liquidator. This is particularly important where you may have valuable goods, plant and equipment on site for sustained periods of time, or where you are hiring any plant or equipment out. The security of payment legislation will provide some protection but that may not be sufficient.

You can no longer assume that your "ownership" of goods, plant or equipment can be relied upon to get back possession of those things when a principal or client becomes insolvent. Rather, to protect your ownership rights, it may be necessary for you to register your interests on the Personal Property Securities Register (PPSR). If you decide to register, you should register on the PPSR as early and as frequently as possible as time limits apply. In general terms, to achieve the highest levels of protection, your interest must have been registered on the PPSR within 15 business days of the supply of the good/hire of the equipment. Further, it is now commonplace for construction contracts to contain Personal Property Securities Act 2009 (Cth) (PPSA) clauses, especially those contracts involving the hire or supply of plant, equipment and goods. A reasonable and fairly worded PPSA clause in the agreement can assist you in ensuring that you are free to protect your ownership rights under the PPSA.

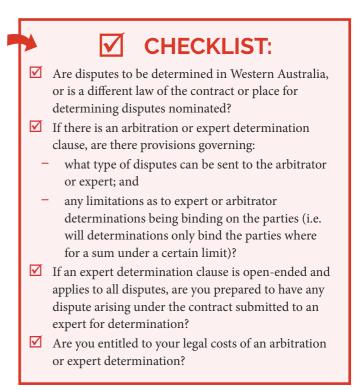
#### **Termination Clauses**

Many construction contracts allow the principal to terminate the contract for convenience and set out the extent of the contractor's entitlements in that event. Usually, the clause will bar recovery of a "loss of profit" by the contractor on the job.

Check these clauses carefully and make sure they provide for fair compensation, at least for the value of work done and other costs that you will unavoidably incur.

Early termination by a principal may have a significant adverse impact on your business cash flow.

Further, legal reforms taking effect 1 July 2018 now restrict terminations associated with the insolvency of a party (such as where an administrator is appointed to a party). These reforms, known as "ipso facto" insolvency reforms, need to be carefully considered whenever a termination is being considered, or if your contract is terminated.



#### Specifications

The specifications to a contract (particularly the preliminaries section) frequently include "boilerplate" clauses that sit uneasily with the general and/or special conditions. Check for any clashing terms. Understand your specifications fully and make sure you can comply with all standards or tolerance requirements as set out.

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✓ You should look to register on the PPSR where:		
<ul> <li>You will be supplying valuable goods to site that</li> </ul>		
may be sitting on site for a period before being		
incorporated into the works.		
- You will be supplying plant or equipment that will		
be on site for a sustained period.		
- You are hiring or lending any plant or equipment		
to a client.		
☑ If you intend to register on the PPSR, have you done		
so correctly and within the relevant time limit?		

- If you do not know what to do, have you taken specialist advice from a lawyer? Remember you need to act quickly to protect your interests properly - do not wait until there is a problem.
- Does your contract contain a PPSA clause? If so, does it permit you to register on the PPSR or does it try to prevent you from doing so?
- Does the contract identify when ownership of the goods passes or what is to happen to unfixed goods on insolvency?

#### Unfair Contract Terms

If you are a small business (employing less than 20 persons) or you are contracting with a small business and:

- the contract to be entered into is for the supply of goods or services:
- the upfront price payable under the contract does not exceed \$300,000 or the contract has a duration of more than 12 months;
- the upfront price payable under the contract does not exceed \$1,000,000 (otherwise known as a "small business contract"),

the provisions of the unfair contracts legislation set out in the Competition and Consumer Act 2010 (Cth) may apply.

A term contained in a "standard form" small business contract may be void if the term is considered unfair. If a term is found to be unfair, this will prevent one party from enforcing that clause against the other party. The small business must be able to demonstrate that they were a small business at the time of entering into a contract and therefore covered by the protections in the unfair contracts legislation.

Proposed changes to unfair contracts legislation

The construction industry is a highly competitive industry. Under these market conditions, contractors are often forced to operate on a tight margin and high turnover basis. This may sometimes be exacerbated by imbalances in bargaining power in the contractual chain.

On November 9, 2022, the Treasury Laws Amendment (More Competition, Better Prices) Act 2022 (Cth) (Act) was assented to and became law. The Act, amongst other things, imposes penalties for unfair contract terms, triggering a suite of changes to the Competition and Consumer Act 2010 (Cth) and the Australian Consumer Law (ACL) so as to impose penalties on parties proposing or relying on unfair contract terms.

As a result of the Act, the following reforms in relation to unfair contracts have been introduced and will apply to contracts made after 9 November 2023.

- The definition of a 'small business contract' has been amended so that unfair contract term protections will generally apply to a small business contract if one party to the contract is a business that:
  - employs fewer than 100 employees; and/or
- has a turnover for the last income year of less than \$10,000,000.
- The courts are now allowed to take into account what is a standard form contract. For example a contract can still be considered to be a standard form contract notwithstanding that the party has had the opportunity to negotiate certain terms of the contract.
- The reforms under the Act introduce civil penalties for proposing, applying or relying on an unfair contact term (penalty of up to \$500,000 for individuals. For corporations, and the potential maximum penalty will be the greater of AUD \$50 million, 3 times the value of the benefit or 30% of the adjusted turnover.
- expanding and streamlining the court's role by allowing the court to:
- void, vary or refuse to enforce part or all of a contract;
- make injunction orders to restrain contracting parties from including, applying or relying on a term that is the same or similar to a term that has been declared unfair in that party's other contracts; and
- issue public warning notices.

The proposed changes would apply to new contracts from 9 November 2023. In saying this, businesses will have time to prepare, as the proposed law is not scheduled to commence until 12 months

#### after it is passed.

Given these legislative changes (both current and anticipated), it is important that you obtain appropriate legal advice if you are a small business or you are contracting with a small business as to whether a particular term could be considered unfair.

#### $\mathbf{\nabla}$ CHECKLIST:

- Are you, or are you contracting with, a small business such that the unfair contract provisions might apply? In calculating the number of persons a business employs, a head count approach (regardless of employees' hours of workload) is used. Casual employees are only counted if they are employed on a regular or systemic basis to account for seasonal variations.
- ☑ Is the contract a standard form contract? Consider the following:
- Does one party have most of the bargaining power?
- Was the contract prepared by one party prior to negotiations commencing?
- Is one party required to accept or reject the terms on a "take it or leave it" basis?
- Was a party given the opportunity to negotiate the terms?
- Do the terms consider the specific characteristics of a party or a particular transaction?
- Does the contract contain terms that might be considered unfair? Terms that might be considered unfair include:
- A right given to one party to vary the contract or avoid or limit its performance;
- A right given to one party to terminate (i.e. termination for convenience);
- A right given to one party to renew or not renew a contract;
- A right given to one party to determine the meaning and interpretation of a contract;
- A right of one party to assign a contract;
- A right of one party to vary the upfront price payable without the right of the other party to terminate;
- \_ Clauses that penalise a party for breach (i.e. time bars); and
- Limitation of liability in favour of one party only.

#### Terms needed to deal with current market conditions

As the market conditions change, contract terms need to be considered to protect your interests.

As at the first half of 2022 we find ourselves faced with COVID-19 restrictions, shortages of labour, delays in delivery of materials and rampant price increases.

At the very least you need to ensure the contract terms allow you to claim extensions of time when despite your best efforts these events delay your works. You certainly do not want to face liquidated damages for delay caused by these events. Consider if you are able to negotiate some form of delay cost payment from the principal to at least cover your site costs.

You also need to consider whether you are able to bear unexpected price increases. "Rise and Fall" clauses may or may not be accepted by a principal. However, some items of work may need to become the subject of a provisional sum.

No doubt the economic climate will change over time giving rise to new challenges and the need for the insertion of terms to deal with those challenges.







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# **Contractor Member Directory**

CCF WA's Contractor Members are a diverse group of companies united by the common purpose of supporting their industry's voice, CCF WA, and sharing our vision of a strong and sustainable sector.



#### www.abmlandscaping.com.au

ABM Landscaping is dedicated to the provision of high quality hard and soft landscaping solutions for civil, commercial, government and residential clients. Servicing all Perth metropolitan areas and regional WA.



#### www.advanceexcavations.com.au

Advance Excavations specialises in the installation and jointing of new underground cables, power domes, transformers and switchgears.



#### www.allpipetechnologies.com.au

Allpipe Technologies provides CCTV inspections and maintenance to pipelines. We are specialists in trenchless remediation methods, including point repairs and UV lining. Other services include high pressure jetwashing, root cutting and Hydro-Excavation using our Combination JetVac Unit.



#### www.allstatekerbing.com.au

Providers and industry leaders of Extruded Kerbing and Concrete Services throughout the Perth metro and rural Western Australia. We specialise in quality, safety, and customer satisfaction on all jobs and projects.



#### www.altonagroup.com.au

Altona is an industry leading contractor with more than 45 years of experience delivering integrated civil and hydraulic services for projects of all sizes and complexities.

CIVIL CONTRACTORS FEDERATION

# CCFWA Member Directories: Contractors and Associates





#### www.aphcontractors.com.au

APH Contractors is a large civil construction and haulage company specialising in all aspects of transport, earthworks, drainage, roadworks and subdivision development.



#### www.asphaltech.com.au

Asphaltech is a Civil Engineering company committed to technological advancements and best world practices in providing both innovative asphalt surfacing products and tailored solutions for pavement and road requirements.



#### www.bmd.com.au

BMD is one of Australia's largest privately-owned civil construction companies, successfully applying a relationshipsbased business model to deliver infrastructure across Western Australia's metropolitan, regional and remote locations.



#### www.bpswa.com.au

BPS (WA) is a Water Corporation Authorised Contractor. Services include liquid waste management; septic system supply, installation and rejuvenation; excavation and earthworks. jointing of new underground cables, power domes, transformers and switchgears.



#### www.bullseyeboring.com.au

Bullseye Boring has over 30 years experience in Trenchless technology and are specialists in installing underground utilities by Pilot Tube Microtunnelling, Horizontal Directional Drilling and Auger Boring.





#### www.bsnbitumen.com.au

Busselton Bitumen Service and Civil has been operating for over 20 years. We carry out work for major local building companies, government agencies and private clients.



#### www.bwccivil.com.au

BWC Civil's core services consist of: Site preparation and bulk earthworks; road construction; commercial carparks; drainage; and limestone retaining wall construction.



#### www.cape.com.au

With over 30 years of operating experience, Cape is a leader in providing innovative and cost-effective solutions to the resources, utilities and infrastructure sectors.



#### www.carbonebros.com.au

Carbone Bros Pty Ltd is family owned and operated for over 55 years, specializing in Heavy Haulage, Material Supply and Civil Works.



#### www.careymc.com.au

CareyMC is an Indigenous owned civil infrastructure contractor delivering construction and maintenance projects throughout metropolitan and regional Australia.



#### www.catscorporation.com.au

CATS is an integrated multi disciplinary company specialising in civil and concrete works. With state-of-the-art slipform services and equipment CATS are at the forefront of quality concrete construction.



#### Horizontal Boring & Civil

#### www.cddrilling.com.au

CD Drilling leads the way in Trenchless Technology. With decades of experience we manage and construct pipelines and offer technical solutions to our clients.



#### www.centrals.com.au

Central Earthmoving is a dynamic earthmover and civil contractor delivering civil construction, mining services, road, land development and landcare projects throughout regional WA.



#### www.comiskeyscontracting.com.au

Comiskey's Contracting Pty Ltd is a family run earth moving business that is committed to delivering high quality projects on budget and on time.



#### www.consolidatedgroup.com.au

Our focus is simple; to provide safe, accessible, cost-effective services which enable our customers to access reliable, immediate operational support regardless of the scale of their project.



#### www.corps.com.au

Corps Earthmoving is the leading civil construction company in the Pilbara, with unequalled capabilities in roadworks, civil construction, sand delivery and earthworks.



#### www.cpbcon.com.au

CPB Contractors have a proud and successful history of project delivery. We design and build infrastructure across all key sectors, including roads, rail, tunnelling, defence, building and resources infrastructure.



#### www.cranefordplumbing.com.au

Craneford Plumbing delivers hydraulic services for large commercial projects and developments, and is equally proficient in stormwater drainage, deep sewerage, water supply mains and gas services.



#### www.crokerconstruction.com.au

Croker Construction WA Pty Ltd is a boutique civil contractor specialising in the construction of land development projects within the greater metropolitan area.



#### www.darlingearth.com.au

Darling Earth Movers, Based in Bedfordale, provide Earth moving services to all local and regional areas in WA. Specialising in Civil Drilling and Blasting works.





#### www.degreycivil.com.au

DeGrey Civil offers a broad range of civil construction services for resource, infrastructure and land development sectors.



#### www.densfordcivil.com.au

Densford Civil is a leading Western Australian construction company building projects ranging from bridges to airports, marinas and mining infrastructure to roads and subdivisions.



#### www.deltagroup.com.au

Over the last 40 years, Delta Group has assembled a portfolio of work that includes some of the nation's most recognised landmarks and toughest engineering challenges



#### www.diggacivil.com

Since 1994 Digga Civil has successfully delivered numerous projects in the water and civil sectors to both government and the private sector throughout Western Australia.

Direct Contracting Pty Ltd

#### www.directcontracting.com.au

Direct Contracting is a company experienced in all aspects of earthmoving contracting.







#### www.djmaccormickcontractors.com.au

DJ MacCormick Contractors has over 40 years' experience in civil engineering infrastructure servicing & specialised microtunnelling, and cassion shaft construction Australia wide & overseas.



#### www.dmcivil.com.au

We provide tailored civil construction solutions to Australia's leading companies: water infrastructure; pipeline construction; land development; mining infrastructure; trenchless technology; trencher hire.



#### www.downergroup.com

Downer is a leading provider of civil construction, engineering and asset maintenance services to road, rail, building, water and other infrastructure sectors in Australia.



#### www.evigroup.com.au

Enviro provide specialist infrastructure maintenance and construction services across WA including bridgeworks and civil construction, steel fabrication, rail safety management and track protection.



#### www.ertech.com.au

Operating nationally, Ertech provides civil, geotechnical, marine, electrical solutions for clients in the transport, resources, utilities, environment, and defence sectors.



#### www.everythingearth.com.au

Everything Earth is a Pilbara based civil construction company which offers a wide range of services including, bulk excavation, final trim excavation, road-train haulage, concrete and building.



#### www.exmouthcivil.com

Exmouth Civil is a highly experienced civil contracting and earthworks business with quarry & concrete batch plant, operating throughout the complete Gascoyne Region of WA.



#### www.fsccivils.com.au

FSC have worked on the delivery of numerous road and bridge construction projects ranging from local government projects to large scale State & Federal government infrastructure projects.



#### www.fultonhogan.com.au

At Fulton Hogan we build and maintain infrastructure that improves the quality of life across Australia. Everything, from roads and bridges, to energy, water and communication.



#### www.gdrcivil.com.au

GDR Civil Contracting, an experienced team of Client focused people backed by a fleet of modern plant delivering earthworks, roads, drainage and development projects throughout WA.



#### www.geoex.com.au

Geographe Excavation provides state-wide services in horizontal directional drilling; underground power installation; cable jointing and testing; switching; cable spiking; streetlight pole, transformer and RMU installation.



#### www.geographeunderground.com.au

Geographe Underground Services specialise in the installation of underground services, cable laying, service locations, horizontal directional drilling, earth drilling and overhead line work in the South West and metro areas.



#### www.georgiou.com.au

Georgiou Group constructs pipeline and pumping stations, bridgeworks, earthworks, new port facilities, and concrete structures. Georgiou Group serves customers throughout Australia.



#### www.globalcivilandmining.com

GCM is Australia's premier surface miner contractor. Our fleet of surface miners are ideally suited to road, rail, drainage & general civil earthworks projects. If its hard material, we can mill it & move it.



#### www.gmmicrotunnelling.com.au

GM Microtunnelling, owned by Gary Miller and son Daniel, is a trenchless technology company with over 40 years' experience, specialising in slurry microtunnelling sewerage, drainage, water and sleeves state-wide.





#### www.gmfcontractors.com.au

GMF Contractors are a family-owned and operated business with over 50 years' industry experience, specialising in civil construction, commercial developments, government infrastructure works and residential developments.



#### www.griffincivil.com.au

Griffin Civil has delivered successful civil construction projects since 1996 for major construction, mining and development contractors as well as WA local authorities.



#### www.groundforcecivil.com.au

Groundforce Civil in Perth, Western Australia offers a complete range civil engineering, engineered systems, and construction projects.



#### www.halocivil.com

Halo Civil Engineering was formed in response to the growing demand for high quality tier 3 civil contractors in WA. With over 30 years' industry and tier 1 experience, Halo is a young and dynamic company that prides itself on going above and beyond for its clients.



#### www.highwayconstruction.com.au

Highway Construction has been delivering complex Western Australian road and bridge construction projects since 1986 including design and construct contracts.







#### garywarne@inearth.com.au

Inearth Civil Contracting is involved with installing public utilities on new estates/subdivisions.



#### www.italiastonegroup.com.au

Italia Stone Group specialises in the supply of quarry materials and marine civil construction. Italia has expanded its expertise in other disciplines including roads, carparks and underground services.



#### www.hoveygroup.com.au

JAK Civil capabilities include bulk excavation and clearing, subdivision works, sewer and water reticulation, drainage, underground services, storm damage repair, demolition works, concrete structures, pavement and road construction.



#### www.jetlinekerbingcontractors.com.au

At Jetline Kerbing Contractors, we pride ourselves on our excellence in concreting services, kerbing and retaining walls in the South West, Great Southern & North West WA.



#### www.jwic.com.au

Based in Perth and delivering local and remote projects, JWI have an extensive knowledge and depth of experience with over 25 combined years in the Western Australian civil construction industry.



#### www.eastsideconcretewa.com.au

For over 30 years, Kerbing West has been WA's leading supplier of extruded concrete kerbs and slipform concrete barriers.



#### www.kerman.com.au

Kerman Contracting specialise in the design and construction of bulk storage and materials handling facilities, non-process infrastructure and the SMP erection of processing plants.



#### www.kier.com.au

KIER is a leader in the installation of underground utilities by directional drilling and trenching, with an unsurpassed record of safely completing projects to the highest quality standards.



#### kevin@ktbcontractors.com.au

KTB has over 30 years of experience in clearing, excavation, earthmoving, road building, car park construction, drainage installation and all other aspects of civil and subdivisional works.



#### www.leeuwincivil.com.au

Leeuwin Civil delivers consistently high-quality projects to federal, state and local government and their agencies, selected blue-chip mining companies, private developers and land holders.



#### www.lenaneholdings.com.au

Lenane Holdings provides services in civil works, earthmoving and construction. Lenane specialises in the oil and gas industry, providing expertise from exploration through to production and rehabilitation.



#### www.maca.net.au

MACA Civil provides modern, well maintained equipment and customised operating techniques, to meet project needs and deliver the required outcomes for all civil and infrastructure projects.



#### www.macsaustralia.com.au

Established in 1974, MACS is a diverse WA owned business providing innovative civil, demolition and construction services to the commercial, industrial and resources sectors.



#### www.malatesta.com.au

Malatesta Road Paving and Hot Mix is a Bunbury based company focused on providing bituminous surfacing and asphalt to the South West of WA.



#### CONSTRUCTIONS

www.maritimeconstructions.com.au

Maritime Constructions is a leading turnkey contractor, delivering complex marine infrastructure construction and dredging projects, from engineering through to commissioning.





#### www.mccabeconstruction.com.au

McCabe Building Contractors provides the services of a Registered West Australian Building company, including buildings, sheds, plant rooms, concrete, steel and timber structures, small – medium sized bridges, walkways and lookouts.



#### www.melchor.com.au

Melchor Contracting self-execute full structural concrete packages for large infrastructure and industrial projects in Perth Metro and remote locations. Our in-house resources, and integrated partnership model reduce downtime and risk apparent when managing multiple subcontractors.



#### www.miniquip.com.au

Miniquip are the mini earthmover hire specialists for compact excavators, skid steer loaders, track loaders, tipper trucks for civil construction, building, rail, landscaping, demolition & heavy industry.



#### www.mk1gas.com.au

Mk1 Gas are specialists in the installation of gas infrastructure for the land development sector. We also have Takeuchi TB216 & TB219 excavators for hire.



#### www.mmmwa.com.au

MMM has built a solid reputation for its sustainability initiatives, superior project management, and ability to deliver on both small and large-scale civil works projects.





# MONFORD

#### www.monfordgroup.com

Monford is a construction industry leader, specialising in the infrastructure, resources and energy sectors.



#### www.nglpower.com.au

NGL Power provides high-quality and cost effective electrical installation and maintenance solutions throughout Australia, specialising in high voltage electrical services.



#### www.nationalpump.com.au

National Pump & Energy are a leading provider of pump, power generation and compressed air equipment and dewatering services, with hire, sale and installation options.



#### www.neowa.com.au

Neo Infrastructure is a leading civil engineering contractor specialising in bridge works and marine infrastructure.



#### www.networkcontracting.com.au

Network Contracting is a small family-owned and operated Western Australian based business specialising in the construction and maintenance of high voltage and low voltage overhead and underground networks.



#### www.norwestgroup.net.au

Norwest services include supply and processing of construction materials, bulk haulage transport, heavy haulage and logistics, earthmoving, underground service installation, roadworks, civil contracting and wet plant hire.



#### malcolm@nwdc.page

Located in Broome, North Western Drainage & Civil specialise in pipe works and hot tapping of water mains for projects of any size, anywhere in Western Australia.



#### www.oakscivilconstruction.com.au

Oaks Civil Construction is an Aboriginal-owned business passionate about providing sustainable employment opportunities for our community, and invested in delivering a high quality service.



#### www.olympiccivilengineering.com.au

Olympic Civil Engineering's skilled and professional team have more than 15 years' industry experience, providing pre-project consultations, full project management, planning and assistance with approvals.



#### www.perthearth.com.au

Perth Earth are fast becoming recognised for providing late model plant and equipment coupled with highly skilled and experienced A1 operators across multiple projects throughout the Perth metro and regional WA.



#### www.pipelinetechnics.com.au

Pipeline Technics specialise in the construction of sewer pump stations, rising mains, gravity sewers and water mains. Other capabilities include dry and wet hire of heavy plant and equipment.



#### www.poweroncabling.com

Power On Cabling are industry specialists in the installation of all utilities and associated ancillaries, including traffic management and reinstatement.



#### www.raubex.com www.raubex.com.au

Raubex Construction specialises in delivering civil infrastructure projects for the public and private sectors.



#### www.rcconstruction.com.au

RC Construction are a major contractor that specialises in all aspects of civil and structural construction, having worked on some of Australia's most distinguished projects.



#### www.rcacivils.com

RCA specialises in civil construction, shoulder re-construction and widening, bulk and detailed earthworks, road construction, drainage, haulage, concrete works, kerbing and plant hire.





#### www.reddustholdings.com.au

Red Dust Holdings (RDH) is a Geraldton based civil construction company, with regional offices in both Kalgoorlie and Merredin, WA.



#### www.rjv.com.au

Operating since 1955, RJV is among WA's most established civil construction and mining contractors. We deliver a sustainabilityfocused multidisciplined service through four core divisions: civil infrastructure, mining services, urban renewal and marine infrastructure.



#### www.roadlinecivil.com

Roadline Civil Contractors delivers civil constructions projects throughout the Kimberley & Pilbara, including traffic management, subdivisions, road works, water, sewer and plant hire.



Your Asphalt Professionals

#### www.roads2000.com.au

At Roads 2000, our commitment to you is the most reliable delivery of high-quality roads and kerbing in Western Australia.



#### www.robcarr.com.au

A leading utilities infrastructure contractor specialising in construction of water, wastewater, power and energy infrastructure via conventional and microtunnelling techniques.







#### www.saltire.net.au

Saltire Infrastructure Pty Ltd is a specialist civil contracting company focused on delivering services to Western Australia's water service industry.



#### www.sanwell.com.au

Sanwell specialises in hydraulic services for the major commercial construction, industrial, civil construction and resource sectors.



#### www.scidev.com.au

SciDev is a leading supplier of products for the treatment of water and wastewater in the industrial, food and beverage, government and municipal sectors.



#### www.seymourwhyte.com.au

Seymour Whyte is a national, multi-award-winning civil contractor. It's because of our 'smarter partnerships' with our clients and world-class global networks that we find the most innovative and creative solutions.



#### www.srfearth.com.au

Driven by loyalty and commitment, SRF Earthmoving provides a comprehensive range of earthmoving, transport, logistics and waste management services.



#### www.srgglobal.com.au

SRG Global's civil team specialises in the construction of road, rail and pedestrian bridges, windfarm foundations, cryogenic tanks, water tanks and silos, as well as dam strengthening, load handling, heavy lifting and bridge maintenance and restoration.



#### www.streamlineconnect.com.au

Streamline Connect services WA's communications and power industries, utilising a highly skilled workforce and state-of-theart machinery to consistently deliver projects to the highest standards.



#### www.terravac.com.au

TerraVac Vacuum Excavation utilises innovative vacuum excavation technology to provide WA with safe and efficient, non-destructive, none invasive excavation and underground utility location services.



#### www.toncaearthmoving.com.au

TONCA EARTHMOVING provides all types of earthworks. We have a strong customer focus and pride ourselves on efficiency with a reputation for quality works.



#### www.tracccivil.com.au

Tracc Civil is a civil engineering company which can complete all works in-house through its road construction, bulk earthworks, wall construction, and in-grounds divisions.



#### www.tundigroup.com.np

Tundi Construction began operation in Nepal and Bhutan and has expanded its bidding in Australia, India, Bhutan and Bangladesh.



#### www.urbanresources.com.au

Urban Resources is a sand supplier and bulk earthworks provider with quality equipment and resources, including a number of strategically located quarries around the Perth Metro area.



#### www.valmec.com.au

Valmec is an Australian wide Energy & Infrastructure Group providing specialised Engineered Construction solutions in the Water, Mining & Gas sectors.



#### www.walimestone.com

With a strong emphasis on customer service and satisfaction, WA Limestone is now one of the biggest suppliers of road construction materials in Western Australia.



#### www.westcoastprofilers.com.au

WCP civil is a leading provider for civil works throughout WA. With over 40 years of experience we deliver projects safely, on time and budget.







#### www.westforce.com.au

Westforce is a multi-disciplined construction company focusing on major construction, infrastructure and resource projects across Western Australian metropolitan and remote areas.



#### www.westline.com.au

Specialists in civil and hydraulic drainage solutions throughout Western Australia.



#### www.whittensgroup.com.au

Whittens is a recognised leader in the provision of construction services to the road, rail, energy and port infrastructure markets.



#### www.youngsearth.com.au

Young's Earthmoving has a solid and reliable reputation based upon experienced operators, industry best practice, late model plant and equipment, and excellent service.



# Associate Member Directory

Our Associate Members include many leading suppliers of equipment and services to WA's civil construction industry, plus other key industry stakeholders.





#### www.a1planthire.com.au

A1 Plant Hire has been operating across WA and Australia for nearly 20 years. Trust your work in A1 Plant Hire and let's grow Australia together.

# AbaXa

#### www.abaxa.com.au

Abaxa protects people and infrastructure by reducing asset risk. Our accredited, specialist team are experts in utilities locating, survey, supervision, SUE, pipeline maintenance and surveillance.



#### www.acu-tech.com.au

Acu-Tech Piping Systems is an Australian manufacturer and supplier specialising in complete polyethylene (HDPE) pipe systems and solutions for fluid and gas transfer and cable protection.



#### www.adtaustralia.com.au

ADT WA is a local West Australian based company established in 2004. Built on a foundation of extensive earthmoving and heavy machinery experience, it supplies to a variety of industries including construction, earthmoving, quarrying, mining and agriculture.



#### www.afgri.com.au

AFGRI Equipment are the official partner of John Deere Construction & Forestry equipment in WA. With dedicated sales, service and parts support, we are proud to partner with our customers and make sure their needs are met. Alcolizer

TRUSTED ALWAYS

#### www.alcolizer.com

Alcolizer Technology is a world-leader in the field of Alcohol and other Drugs (AOD) testing and is recognised as one of Australia's most innovative and forward-thinking companies.





#### www.allwestplanthire.com.au

Established in 2005, Allwest Plant Hire is a family owned and operated hire provider of heavy earthmoving plant and skilled operators.

Assignar

#### www.assignar.com

There's a better way to operate. Schedule crews and equipment, manage compliance quality and safety, and monitor progress from a single platform.





#### www.australiancivil.com.au

Australian Civil Haulage provides high-quality personnel and equipment to deliver a diverse range of solutions to match the needs of large, medium or small projects.



#### www.avpmigration.com.au

Australian Visa Professionals (AVP) specialises in providing visa solutions to corporates and sponsored employees across industries.



#### www.baeg.com.au

BA Equipment Group is Australia's leading supplier of hydraulic breakers and demolition attachments with offices in Western Australia and Queensland.



#### www.byda.com.au

A free national community service that connects users involved in all forms of excavation with the infrastructure owners of underground services in that area.





#### www.bgc.com.au/bgc-quarries

BGC Quarries suppliers crushed aggregates to the civil engineering industry and government enterprises.



#### www.bluedm.com.au

Blue Diamond is a leading national independent distributor of off-grid power solutions, focussing on the supply of power generators, lighting towers and air compressors, and offering nation-wide coverage and industry leading aftermarket support.



#### www.boral.com.au

Boral strives to make a valued and sustainable contribution to the communities in which we operate. Find out more about what we do and how we work in local communities to deliver products that allow us to service different markets with high quality building and construction solutions at:



#### www.boyaequip.com.au

Boya Equipment is the largest and most reliable Kubota dealership in Western Australia. With an on-site pit in Wangara, our customers are always welcome to test drive any of our construction equipment before making any purchasing decisions.



and Advisors

#### www.brentnallswa.com.au

Brentnalls WA works with civil contractors, providing proactive, strategic business and financial advice. This focus helps business owners and their management teams grow sustainable, profitable businesses.



#### www.brookshire.com.au

WA Family Owned since 1979. Brooks Hire is the preferred plant and equipment supplier to Australia's leading mining and civil companies.









#### www.bunburymachinery.com.au

Bunbury Machinery is a privately owned family business which has been supplying and servicing Agricultural and Construction Equipment in the South West of Western Australia.



#### www.caldertech.com.au

Caldertech are pioneers in offering complete solutions for joining HDPE pipework for the water and gas industries, providing over 200 products for all your electrofusion and butt-welding needs.



#### www.car-bon.com.au

CarBon's core focus is to help decarbonise the transport industry. We exist to support our customers to reach net zero carbon emissions, by providing low risk, 'fit for purpose', electric vehicles, in an off-balance sheet, 26-week commitment model, all the while supporting their transition phase.



#### www.cbussuper.com.au

As one of Australia's largest super funds, Cbus is passionate about providing strong retirement outcomes for members and helping employers manage their business superannuation needs.





#### www.cjd.com.au

Founded in 1974, CJD Equipment is a distributor of world class equipment and trucks, supplying iconic brands such as Volvo CE and SDLG.





#### www.clarkequipment.com

Clark Equipment is an Australian owned leading supplier of agricultural, construction and materials handling equipment including bobcat, tractors, forklifts and generators.



#### www.cloverpipe.com.au

At Clover, we do things differently. We work to plan, source, and supply future facing pipeline infrastructure within the water and wastewater industry.



#### www.coffeytesting.com

At Coffey Testing, we provide quality assurance and independent geotechnical testing to our clients in the most efficient and commercial manner. Aggregate, concrete and soil testing requires a diligent approach and focus to ensure accurate results.



#### www.connectresources.com.au

Founded in 2018, Connect Resources has become a specialist provider of recruitment and labour hire solutions in civil infrastructure and mining throughout Western Australia.



#### www.cea.net.au

Construction Equipment Australia provide total machinery solutions for all civil work. As part of the CFC Group we are WA owned and operated and work to support local industry at all levels.



#### www.ctf.wa.gov.au

CTF creates a work-ready WA workforce by supporting midcareer upskilling and employers hiring trainees and apprentices in WA construction.



#### www.survey.crkennedy.com.au

CR Kennedy is your national partner for all positioning needs from survey to machine control to building construction and everything in-between.



#### www.danmorrislegal.com.au

Dan Morris Legal. Strength and confidence in contracting, together. Clear - Strategic - Precise - Practical - Personal.



#### www.davidmoss.com.au

David-Moss Corporation Pty Ltd is family owned and managed company founded in 1960, that manufactures a full range of HDPE and PVC pipe from our facilities in Perth and Brisbane.





#### www.developmentwa.com.au

DevelopmentWA is the State Government's central development agency, operating across Western Australia with a diverse portfolio of industrial, commercial and residential projects.



#### www.dieciaustralia.com.au

Dieci's extensive range of Telehandlers are known for their quality Italian design and manufacturing which have been tailored to perfectly suit the Australian market.



#### www.directionswa.com.au

Directions is a WA based charity that has been supporting local employers for 35 years. We provide a fresh approach to apprentice/trainee management services and workforce development solutions.



#### www.dkkaartdijin.com.au

DK Kaartdijin is a Supply Nation Certified business operating as a Contract Facilitator with a large co-operative of both Indigenous and non-Indigenous business that subcontract their services to us.



#### www.dobbie.com.au

Dobbie are manufacturing/supply experts to civil contractors, specialising in quality products including D.I. fittings, valves and associated materials for sub-divisional & infrastructure projects.

#### ASSOCIATE MEMBERS





www.ejco.com When you need gastight covers, sump & trench grates, meter boxes and Telecoms covers, contact EJ.



#### www.energyskillssolutions.com.au

Based in Perth Western Australia, Energy Skills Solutions is a Registered Training Organisation specialising in training, assessment and training related services for the electricity supply and electrical industries.

### **GNVIR® HIRE**

#### www.enviroplanthire.com.au

Enviro Plant Hire is a sustainable plant and equipment hire company, servicing customers in the infrastructure, resources and energy sectors throughout Australia with branches in Perth and Karratha.



#### www.envirosweep.com.au

Enviro Sweep has embraced their continued growth which now leads them to becoming one of the largest and most reputable privately owned and operated contractors in the southern hemisphere.



#### www.esosurveyors.com.au

ESO Surveyors provides specialist surveying solutions to the Australian construction industry. We deliver our services with highly qualified and experienced surveyors using the latest technology available.



#### www.ftworkforce.com.au

FT Workforce provides specialist recruitment and labour hire services to support your successful projects from start to finish.



#### www.ghd.com

GHD is a global professional services company that leads through engineering, construction, digital and architectural expertise.



#### josh.maldon@hanson.com.au

We are a national supplier and are proud of our endeavours to minimise our environmental impacts.



#### www.heelanandco.com.au

Heelan & Co are IR Consultants who, in conjunction with WA Workplace Law Pty Ltd, provide a one-stop shop service for employers on workplace matters.



#### www.hhg.com.au

HHG Legal Group is a multi-award winning, full-service law firm offering premium legal advice state-wide.

#### HITACHI

#### Reliable solutions

#### www.hcma.com.au

Hitachi Construction Machinery Australia deliver machinery sales and support to Australian customers across the mining, construction, quarry, material handling and recycling industries.



#### www.hiqa.com.au

Local geotechnical testing and sampling services, geotechnical services, geotechnical engineers. Done fast and right the first time.

# Humes

#### www.holcim.com.au/humes

Humes design and manufacture precast concrete solutions for a diverse range of projects across Australia, including mining and resources, water, utility and transport infrastructure.



#### www.inspecwest.com.au

Located in Perth, Western Australia, INSPECWEST is a premium grade consultancy firm providing Dilapidation Survey Inspections for all your civil construction projects.



We Know Water

#### www.iplex.com.au

Iplex are your agile, solutions focussed supply partner, preferred by contractors in water, sewer and stormwater pipeline systems. Local team, national strength, since 1938.



ASSOCIATE MEMBERS



#### www.jacmac.com.au

Jackson McDonald is one of Western Australia's largest independent law firms. We are a full-service commercial law firm that values longstanding relationships with our clients.



#### www.jaybro.com.au

Jaybro is Australia and New Zealand's leading supplier to the civil construction and infrastructure sector. We're available when you are, opening the office early so you can call at the beginning of your day. Consider it done with Jaybro.



#### www.kaishire.com.au

Kais Hire are the premium choice for hiring Caterpillar plant and heavy equipment in Western Australia and beyond.





#### www.komatsu.com.au

Komatsu Australia is a leading supplier of earthmoving equipment, parts and service for the mining, construction and utility markets.



#### www.kooyafleetsolutions.com.au

Kooya is Australia's first and largest Aboriginal owned and operated Fleet and Finance Company. Kooya provides bespoke vehicle and plant financing and leasing, fleet management, salary packing and medium–long term rental solutions across Australia.





#### www.kulbardi.com.au

It is Kulbardi's vision to become the most successful Indigenous stationery and workplace supplies company, as the supplier of choice across our nation.



#### www.lavan.com.au

Lavan's Construction and Infrastructure team has outstanding relevant industry experience with all forms of construction contracts in use in Western Australia.

# LEDGE

#### www.ledge.com.au

Ledge Finance is one of Western Australia's most trusted commercial finance brokers, delivering tailored business and equipment finance solutions to help secure your business's growth.



#### www.liftrite.com.au

LiftRite Hire & Sales are one of Perth's leading suppliers of premium earthmoving machinery supplying world-class big brands like Kobelco and the Manitou skid & track loader range.



#### mike.morris@liquidlimit.com.au

Liquid Limit provides assistance to time-poor organisations to prepare documentation required for submissions, prequalification, management systems, audits, project deliverables and the like. The business partners have extensive experience across a range of disciplines, working with a variety of in civil construction companies in Perth and regional areas.



#### www.locktonaustralia.com.au

Lockton is the world's largest independent insurance broker. We provide risk management, insurance broking, and employee benefits solutions. Our construction and civil contractors team design tailored insurance solutions that match the risk profile of your business.



#### www.majormotors.com.au

Proudly a Western Australian family owned business, Major Motors are one of Australia's largest ISUZU Truck and Ute dealerships servicing Perth and the North West.



#### www.manheim.com.au

Manheim is an Australian market leader backed by Cox Automotive in the provision of automotive remarketing services, with an unrivalled range of products, services and expertise.



#### www.massresources.com.au

Mass Resources provides qualified and job-ready personnel for permanent, contract and temporary roles, to the resources, energy and construction industries.





#### www.mates.org.au

Mates in Construction (WA) a NFP Charity which has been operating since 2012 in Western Australia, supports construction industry workers and their families. We are industry backed, research-based suicide prevention, peer to peer and case management support, operating a 24/7 help line at 1300 642 111.



#### www.maydayrental.com.au

We specialise in high-quality, new & low-hour earthmoving rental machinery. Discover second-to-none, premium equipment that you can count on to see your project through from start to finish.

#### // M°INTOSH & SON

#### www.mcintoshandson.com.au

McIntosh & Son is a leading Australian machinery dealer specialising in agricultural (farming), construction, and grounds care machinery and equipment.



#### www.mctequip.com.au

We supply and maintain new and used mobile cranes, telehandlers, and related lifting products throughout WA and the NT. We supply and maintain new and used mobile cranes, telehandlers and related lifting products throughout WA and the NT.



#### www.mjbindustries.com

MJB Industries manufacture concrete pipe, box culverts and precast products. We deliver throughout Western Australia to the civil and construction industry and private sector.







#### www.motivationfoundation.com.au

The Motivation Foundation transitions students to the world of work, supporting the skills required by the community, while at the same time providing for the needs of students and their families, relieving poverty and advancing education.



#### TRADE CREDIT SOLUTIONS

#### www.nci.com.au

NCI specialise in offering security, protecting members against the risk of insolvency and payment defaults. NCI can also help contractors with Credit Risk Management and Surety Bonds.



#### www.nudge.ngo

Nudge is a for-purpose charity that transforms lives, families and communities through a recruitment and mentoring ripple effect, adding value to workplaces, businesses and organisations.



#### www.offroadtrucks.com.au

With its unique design that's unrivalled by any other heavy duty vehicle in the world, TATRA can pack a punch against the toughest terrain around.



#### www.pinnaclehire.com.au

Pinnacle Hire offers end-to-end hire solutions for Advanced Water Treatment, Storage and Pumping across Australia.

#### ASSOCIATE MEMBERS





#### www.pmb.com.au

Western Australia's leading provider of tailored soil, mulch, and gravel installation services to the civic, commercial, and residential building and landscaping industries.



#### www.portergroup.com.au

Australia's fastest growing supplier of world-leading Heavy Equipment brands, through sales & rentals.



#### **Shaping New Dimensions**

#### www.positionpartners.com.au

Position Partners is Australia's premier provider of positioning and machine control solutions for surveying, civil works and building activities.



#### www.poph.com.au

With over 20 years of experience in the construction and related industries, Power On Plant Hire is the plant and equipment hire company of choice.



#### www.protech.com.au

Protech is the leading quality workforce provider to technical industries Australia wide, and is the first choice for people who value quality and high performance.



#### www.pscinsurance.com.au

PSC Insurance Brokers have partnered with CCF to deliver members with exclusive, cost-effective insurance solutions and advice for the civil construction industry.





#### www.rapidcrushing.com.au

Rapid Crushing provides a full range of crushing, screening and conveying equipment to the civil contracting, construction, mining and resource industries, either under contract or hire.



#### www.recruitwest.com.au

RecruitWest specialises in providing the very best staffing, HR and WHS solutions to the mining, construction and engineering sectors.



#### www.reddifund.com.au

ReddiFund is a WA based redundancy fund, open to all employers operating within the building and construction industry to join and make provision for their employee redundancy obligations.



#### www.reece.com.au/civil

Reece Civil & Viadux provide market leading water solutions for the most challenging applications throughout the water, irrigation, mining, building, oil & gas, power, and process industries. Our Vision is to be the most progressive and responsive supplier of water network solutions that our customers love.



#### www.rsm.global/australia

RSM is an award-winning audit, tax and consulting firm with a reputation for outstanding client service, operating for 100 years. RSM provides a complete range of services to help construction companies manage risk, maximise opportunity, and improve performance.



#### www.sitechwa.com.au

SITECH is a global distribution network for Trimble solutions – the most reliable and rugged construction technology systems available to the heavy civil construction contractor.



#### www.smartstream.net.au

Smartstream Technology is a proudly Australian owned company specialising in the provision of advanced innovative sewer and wastewater products and solutions.



#### www.sbauction.com.au

Smith Broughton Auctioneers is a family owned business and a leading auction house specialising in the remarketing of used mining, construction, transport, agricultural and industrial equipment assets.



#### www.structerre.com.au

Engineering outside the square to deliver first-class results with in-house Geotechnical Investigation, Engineering, Quality Assured Laboratory Testing for Compaction Control & other Specialised Materials Classification.







#### www.tapintosafety.com.au

The Tap into Safety online and mobile-friendly training platform has a substantial range of out-of-the-box courses for safety, mental health, leaders, managers and supervisors. All have robust assessments and in-depth analysis reporting. We offer customised safety inductions together with policies and procedures for sign-off.



#### www.techforce.com.au

With its blend of professional management and hands-on career tradespeople, Techforce has become the trusted name when it comes to supplying construction personnel.



#### www.tenrecruit.com.au

The Technical & Engineering Network (TEN) is an independently owned and managed recruitment business with over 35 years' experience in technical recruitment.



#### www.terrafirmalabs.com.au

Terra Firma Labs is one of Australia's most trusted materials testing and geotechnical laboratories, building strong relationships with multinationals, joint ventures and government.



#### www.apprenticeshipcommunity.com.au

The Apprenticeship Community delivers the Federal Government's Australian Apprenticeship Support Network (AASN) service in WA, providing support to companies and individuals helping them succeed in high-quality apprenticeships and traineeships.





#### www.totalrockbreaking.com.au

With extensive industry-specific knowledge and experience we provide service, advice and innovative solutions that help you enhance safety, reduce downtime and optimise your operations.



#### www.tuttbryantequipment.com.au

Tutt Bryant Equipment is the leading multi-franchised national distributor of construction equipment and cranes in Australia, including Bomag, Sumitomo, Kato, Hitachi-Sumitomo, Yanmar, Metso, Venieri, Sany, AJ Power, Berco and Gehl.



#### www.vinidex.com.au

Vinidex is Australia's foremost environmentally conscious manufacturer and supplier of quality PVC pipe, PE pipe and PP pipe systems and solutions for the transportation of fluid, data and energy.



#### www.warpgroup.com.au

WARP Traffic Management is your one-stop-shop. We will handle your project from initial Traffic Management planning, onsite Traffic Management, Traffic Control through to the final site check.



#### www.westernpower.com.au

Western Power is a State Government owned corporation responsible for building, maintaining and operating the electricity network that connects 2.3 million West Australians to traditional and renewable energy sources.



#### www.westernunited.com.au

Western United is dedicated to offering the best in personalised insurance broking, risk management, claims handling and financial solutions.



#### www.westrac.com.au

As one of the world's leading Caterpillar dealers, WesTrac specialises in the supply and maintenance of Caterpillar earth moving equipment to the civil construction industry.



#### www.wtwco.com/en-AU

WTW is a leading global insurance broking, advisory and solutions company. We manage people, risk and capital to propel construction and civil contractor's businesses forward.

#### W WIRTGEN GROUP

#### www.wirtgen-group.com

Discover the world of the internationally operating Wirtgen Group with it's technological leading companies Wirtgen, Vögele, Hamm, Kleemann and Benninghoven.



#### www.zenithsearch.com

Zenith Search is a leading white and blue collar recruitment specialist who have 10 years of experience supplying quality people to the construction industry on a national basis. We focus on the supply of people to civil and mining contractors and the consultancies and client-side.



# Thank you to our valued 2022-23 CCF WA Partners

## **BROOKS HIRE**

# **PSC** INSURANCE BROKERS



















# **CCF WA welcomes** NEW MEMBERS



#### **Acu-Tech Piping Systems**

#### www.acu-tech.com.au

Acu-Tech Piping Systems is an Australian manufacturer and supplier specialising in complete polyethylene (HDPE) pipe systems and solutions for fluid and gas transfer and cable protection. Manufactured primarily from polyethylene (PE) polypropylene (PP) thermoplastics, Acu-Tech Piping Systems incorporate the most innovative and advanced pipe system technology available. Built on nearly 50 years of industry research and innovation, our systems are utilised in a wide range of applications across the civil sector.

#### Australian Visa Professionals

#### www.avpmigration.com.au

Australian Visa Professionals (AVP) specialises in providing visa solutions to corporates and sponsored employees across industries. And, while we're a leader in the 'trades' space, we can assist everyone from business owners and investors looking for opportunities in Australia to skilled professionals and tradespeople migrating from other countries, and families being sponsored by Australian relatives.

#### **Consolidated Group**

#### www.consolidatedgroup.com.au

Our focus is simple; to provide safe, accessible, cost-effective services which enable our customers to access reliable, immediate operational support regardless of the scale of their project. As a proudly WA-owned and operated company with a client-focused approach to civil earth works and plant hire services, we've been resourcing the mining, Government, transport and construction sectors since 2013. We offer the very best in high quality plant and professional equipment which complies with local Australian standards and engineering specifications, with a strong focus towards providing safe and cost-effective solutions for our valued clients.

#### **Everything Earth**

#### www.everythingearth.com.au

Everything Earth is a Pilbara based excavation company which offers a wide range of services including civil excavation, bulk haulage, concrete and building services across Western Australia. Everything Earth has built a reputation on being a reliable multi-disciplined provider of high-quality plant and skilled civil operators. Specialising in project management and execution of civil earthworks for roadworks and road maintenance, bulk excavation, carpark construction, main road construction, bulk haulage, concrete works and crushing.

#### Saltire Infrastructure

#### www.saltire.net.au

Saltire Infrastructure is a specialist civil contracting company focused on delivering services to Western Australia's water service industry. Our company is headed by a team of highly experienced industry personnel who hold decades of engineering, management, and operations experience within the water and wastewater industry. Our team possesses a strong understanding of client requirements and we focus on building long term professional relationships and exceeding expectations within safety, quality, and environment. Being a Western Australian owned and operated company, Saltire supports local communities by prioritizing partnerships with WA suppliers and contractors.

#### About CCF WA

The Civil Contractors Federation is Australia's peak civil construction industry body. As the voice of the civil construction industry we advocate on behalf of the industry to all levels of government. With branches in all states and territories, as well as a National Office in Canberra, CCF understands the local, state and national issues facing the civil construction industry.

CCF has two types of memberships. Contractor Members, who undertake work as civil construction contractors in the civil construction industry; and Associate Members, who provide goods and services to the civil construction industry, or are industry stakeholders (e.g. Govt bodies). In Western Australia, CCF WA works to ensure:

- You are represented and advocated for heard at a local, state and national level.
- You are informed provided with sound advice and the latest information
- You are equipped with access to tools and resources that help your business succeed.
- You are connected our events and publications bring you together with useful contacts, suppliers and each other.

CCF WA Membership ensures your business is part of the industry's united voice on civil contracting matters.

CCF WA works closely with state and local governments, and key private sector clients, to address key issues and improve the operating environment for contractors and suppliers. We have strong networks and access to key decision makers at major infrastructure delivery agencies. CCF WA is committed to ensuring the civil construction industry is professionally represented. It does this by:

- consulting with industry on key issues affecting the industry.
- representing the industry on government and industry panels and working groups.
- advocating to all levels of government and the private sector through multiple channels.





# **NEW PIPE PLANT NEARING COMPLETION!**

MJB Industries, a leading manufacturer of concrete pipe and spun liners, announced the construction of a new pipe plant to keep up with the growing demand for their products. The current market demand for these products has led to MJB's only bi-directional pipe plant operating at full capacity, with a production schedule booked several months in advance. This has caused delays for clients who are forced to wait for products to be ready before they can begin their projects.

To address this issue, MJB Industries has decided to install a second pipe plant, which will greatly increase production output and reduce lead-times. This will enable the company to keep up with demand and help customers stay on track with project timelines. The project began in July 2022, with an anticipated completion date in Q2 2023.

Built and designed in-house the company faces some challenges in the construction of the new plant, including excessive lead-times on parts and components due to both ongoing manufacturing disruptions and freight interruptions. Despite these challenges, MJB Industries is committed to using locally sourced material where available to ensure the timely completion of the project.

The new pipe plant will ensure MJB Industries stay competitive in the market. It is also expected to create new job opportunities and boost economic growth in the area. The company's management stated that they are excited about the new plant, which will help them to continue providing high-quality products and services to their customers.

For any enquiries please contact our sales team today, we look forward to hearing from you!









### 08 9797 0999 sales@mjbindustries.com

## PSC INSURANCE BROKERS: National Sponsor of Civil Contractors Federation

PSC Insurance Brokers has joined forces with the Civil Contractors Federation to develop a range of services and products to give you insurance cover that meets your unique business needs whilst recognising the importance of reducing the cost of insurance.

We believe insurance is about People, Property and Liabilities and we focus on managing these risks for you.

We have in-depth experience in protecting the critical risks of the Civil Contracting and construction sectors, protecting businesses and projects, large and small:

- » Workers Compensation
- » Plant & Equipment Insurance
- » Public Liability Insurance
- » Construction Insurance
- » Property & Asset Insurance
- » Management Liability
- » Cyber Insurance

Our specialist insurance brokers are committed to providing considered advice; combining our extensive knowledge of the sector with an in-depth analysis of your business. We leverage our scale with leading underwriters to ensure you access cover that is cost- effective and specific to your business requirements.

#### For more information:

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