

19 April 2024

Advocacy - CCF speaks at NSW Parliament about changes needed to Government procurement Civil Industry Forecast to 2033 Report Now Available State of the State Luncheon Wrap Up Employer entitled to insist on clean shave: FWC CCF National: 200,000 reasons teachers, nurses and police should stop and go traffic controlling FWC puts workplaces on notice CCF NSW engages with NHVR: Insights on Waste and Recycling Code of Practice for Load Management Is your work site prepared for a sudden cardiac arrest? **CCF NSW EVENTS UPDATE Book Tickets Now - Procurement & Contracting Forum** Earth Awards 2024 - Expressions of Interest Closing Soon **Member Spotlight - Share Your News TEMPLATES FOR CIVIL CONTRACTORS PLUG OF THE WEEK** 

bodies invited to give evidence to the Inquiry. It was a privilege to be invited to advocate for members in this important Parliamentary forum, and it was due to our strong written submission, developed with CCF NSW members. Thanks to the CCF NSW Procurement Advisory Committee members for their outstanding

contributions: Gladys Woods (Haslin Constructions and Committee Chair), John Vida (The BMD Group), Scott Hartog (JK Williams), Sri Somanchi (Ertech), Mark Bruzzone (Abergeldie Complex Infrastructure), Mark Griffin (Daracon), Russell Forster (Bouygues), Michael Waeger (Waeger Constructions) The Committee will hand down its findings in July 2024.

Read our written submission here View the transcript of CCF NSW's evidence to Parliament <a href="here">here</a>

Photo: (L-R): Kylie Yates (CCF), Mick Boyle (CCF), Brent Crockford (AOC CEO), Treaven Martinus (AOC and Founder of Martinus) **Civil Industry Forecast to 2033 Report Now Available** 

This year's report dives deep into the energy transition and sheds light on the opportunities and implications for the civil industry, particularly in regional NSW. Our new analysis shows a major shift in civil construction

exceed roads and bridges construction, making up 40% of all civil works in regional NSW. Prepared especially for our NSW civil industry, this report analyses Federal, State and Local government spending as well as private infrastructure investment in infrastructure

A regional breakdown of construction spend across Greater Sydney, Newcastle, Wollongong/Illawarra, and the remainder of regional NSW is also included. CCF NSW is pleased to provide this independent economic assessment as part of your membership, to help inform the industry's investment, planning and resource allocation decisions. The report also provides valuable data that aids our advocacy efforts and helps influence government decision making.

It was a pleasure to welcome NSW Minister for Roads John Graham MLC to our recent State of the State luncheon event in Parramatta to launch our new NSW Civil Industry Forecast Report. The lively event was jam-packed with fascinating insights provided by CCF's favourite

construction economist Adrian Hart, whose team at Oxford Economics Australia conducted the forecast again this year. Adrian revealed that a **\$367 billion infrastructure investment pipeline** is forecast over the **next 10 years across the following sectors:** 

- \$112 billion on the energy transition - \$55 billion on rail - \$33 billion on water and sewerage - \$12 billion on other civil While there was much to be positive about in terms of the record level of investment

significance the year 2030 target has taken on for almost everything", and observed that cost escalations would rise to double CPI in the near term. In launching our report, Minister Graham noted CCF's critique of the NSW Government in relation to project bundling. In particular, he acknowledged in our latest analysis that 61%

of all Transport for NSW Projects are valued at over \$500million, and that across the NSW Government, one in two projects are going to tier 1s. The Minister outlined the ways Transport intended to work far more closely with CCF NSW from now on to ensure government hears the views of the broader industry, plus the moves Transport for NSW is taking to collaborate more with industry in construction

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clean shaven to ensure proper fitting of respiratory masks. Rejecting claims by the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union (CEPU), the FWC ruled the measure as reasonable. The dispute arose when TasWater enforced a revised Personal Protective Equipment (PPE) procedure late last year. This required workers using respiratory PPE to be free of stubble, sideburns, moustaches, or beards that interfere with the mask seal. TasWater argued the procedure aimed at preventing severe illness or death from exposure to hazardous materials like asbestos and crystalline silica. They contended that alternatives like powered air purifying respirators (PAPRs) were impractical due to cost and maintenance concerns. Deputy President Val Gostencnik found TasWater's directive reasonable, emphasising its obligation to ensure employee safety under workplace health and safety laws. He highlighted extensive consultation and the necessity of the measure given the potential harm from inhaling hazardous materials. Moreover, Deputy President Gostencnik ruled that TasWater's decision did not breach status quo provisions, as safety concerns justified departing from the previous arrangement.

Under Best Practice Industry Conditions (BPIC) procurement guidelines, you can earn \$200,000 per year once having completed two days of training as a stop/go traffic controller on a civil site under policies that are operating or under consideration.

Corporation v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia [2024] FWC 786 (28 March 2024), the

For any questions, please contact our CCF NSW Compliance Support Unit on (02) 9009

allowances and an "orderly cessation of work" is to occur when the temperature on site reaches 35C, or 29C with at least 75 per cent humidity. Whilst this may seem far-fetched it's not, with Queensland taxpayers covering the bill and conditions above. Western Australia has these type of procurement guidelines under consideration. In Victoria, the Allen Labor Government has a Fair Jobs Code to vet businesses for adverse workplace rulings and enforceable undertakings if they seek Government contracts. ACT Government is starting to discuss its own version also. Whilst

intended to be voluntary, as reflected these costs become the wage floor that become the

Queensland's BPIC acts as a Construction Tax, directly resulting in increased costs on major infrastructure projects right across the State by as much as 20%, with the taxpayer

It is just not sustainable to have a base rate of \$200,000 for every single person from traffic controllers up on a construction site. These conditions are a massive disincentive to every other profession across the economy. Why would you study to be a nurse, police officer, or open a business when you can take a two-day course and turn up to a worksite

labourers receive an extra \$1000 per week in their pocket. If it rains there are double time

the Commonwealth's commitment to fostering a competitive and sustainable construction industry. The Commonwealth Government should be commended for listening to the industry, but it will still inadvertently fund this tax when it provides Federal partnership investment in states that adopt these guidelines. Rather than create stability there is an inequity that most would surely agree doesn't pass the pub test. Actually, BPIC wouldn't make it past the stop/go controller on the road or

for these 'guidelines' to be justified/reconsidered and will keep you up to date on our efforts to hold Government here in Canberra to account and seek the guidelines to be

Note from CCF NSW CEO – The Secure Jobs Code is not in force in NSW and CCF NSW is speaking with the Government and Opposition to determine if it is under consideration.

We know some unions like CFMEU Construction are advocating for its introduction however it has not progressed at this stage. We will continue to advocate for members

scrapped or at least more measured and equitable.

and keep you updated if this changes. CCF's Director Workplace Relations is across this issue nationally. **FWC** puts workplaces on notice A recent decision handed down from the Fair Work Commission has highlighted that much higher standards of behavior are expected in the workplace. In John Tamaliunas v Alcoa of Australia Limited [2024] FWC 779 (2 April 2024), Alcoa of Australia (the Employer) summarily John Tamaliunas (the Employee) for serious misconduct.

workplace sex discrimination and harassment. Have you trained your leaders? **Register your interest** in CCF NSW's Sex Discrimination and Harassment training today! For any questions, please contact our CCF NSW Compliance Support Unit on (02) 9009 4000. CCF NSW engages with NHVR: Insights on Waste and Recycling

CCF NSW recently participated in a detailed briefing led by Jennifer Rotili from the National Heavy Vehicle Regulator (NHVR) regarding the draft Waste and Recycling Code of Practice

The briefing provided clarity on chain of responsibility principles, especially concerning waste management, essential for fulfilling Workplace Health and Safety (WHS) obligations.

for Load Management and its relevance to the Civil Construction industry.

**Code of Practice for Load Management** 

action is crucial, with each passing minute reducing survival chances. Unlike a heart attack, which typically involves chest pain and consciousness, SCA victims

collapse suddenly without warning.

- Broadening examples in the draft to encompass the building and construction industry. - Additional resources to aid operators and staff in understanding their obligations under the new framework. - Clarification on the Code's status within the regulatory framework, particularly its enforceability under Heavy Vehicle National Law as clear guidance would assist members in meeting compliance obligations and aligning with industry standards. Given CCF NSW representation of many businesses in the civil infrastructure industry, CCF NSW seeks involvement in the Expert Assessment Panel for the Waste and Recycling Code

—is vital. In case of SCA, quick response is paramount. Call Triple Zero (000) immediately, start compressions-only CPR, and utilise an Automated External Defibrillator (AED) if available. AEDs diagnose and treat abnormal heart rhythms, potentially saving lives. Every worksite should have accessible AEDs, ensuring prompt treatment within the critical

Various factors, including heart conditions and physical exertion, can trigger SCA. Work

demands. Recognising SCA signs—such as collapse, lack of pulse, and abnormal breathing

environments like construction and mining sites pose higher risks due to physical

**TIME:** 8:00am - 11:00am (includes Breakfast) **LOCATION:** Pullman Sydney Hyde Park, 36 College St, Sydney NSW 2000 **DRESS CODE:** Business Attire COST (ex GST): Members: \$110, Virtual: \$70, Non member: \$126 Featuring key speakers from **Transport for NSW**: **Pamela Henderson**, Head of Technical Services, Infrastructure & Place

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PROCUREMENT & CONTRACTING FORUM 2024

DATE: Friday, 17 May 2024

**PROCUREMENT & CONTRACTING** 

**FORUM** 

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Pullman Sydney Hyde Park 36 College St, Sydney

08.00 AM to 11.00 AM

meditac **Earth Awards 2024 - Expressions of Interest Closing Soon EARTH AWARDS** 

**CCF New South Wales Earth Awards - Excellence in Civil Construction** 

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industry, your clients and prospective clients.

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• Environment Management Stakeholder Management

lodged to CCF NSW by 24 April 2024.

Innovation

WHO CAN ENTER?

Entries to this year's Earth Awards are now open. Don't miss the opportunity to enter

We are thrilled to announce that our next **CCF NSW Earth Awards** will take place on

Friday, June 14, 2024. Join us at The STAR Sydney for an evening dedicated to celebrating

The Earth Awards are an ideal opportunity to present your company's capabilities to the

Expressions of Interest (EOIs) are now open. To enter the 2024 CCF NSW Earth Awards,

This formalises your interest in nominating your project/s. A copy of the Earth Awards submission guidelines will then be forwarded to you to assist in preparing your entry.

All PROJECT Entries/Submissions are due to CCF NSW by 3 May 2024. EOIs must be

**DOWNLOAD EOI FORM** 

The Earth Awards is about awarding excellence in project delivery. The awards recognise

2024. Entries are welcome for projects involving: Single Contractors; or • Joint Entry: Involving Contractor/Client/Consultant/Design er; or • Overseas Aid Projects – CCF Members only in the Asia/Pacific Region (companies entering such projects will be required to assist in travel costs for judging) All NSW state winners automatically become finalists in the National Earth Awards and winners will be presented at the National Earth Awards in Canberra in November 2024. Save the Date - Event Details **CCF NSW EARTH AWARDS 2024 DATE:** Friday, 14 June 2024

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CCF NSW members can send through news at any time.

Send your text and photos to us by email:

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**Member Spotlight - Share Your News** 

The CCF NSW Earth Awards are open to all Australian Civil Construction companies that have undertaken a civil project in NSW completed in the 12 months prior to 31 March

Members) **PLANT HIRE DOCKET BOOK** Members.

**READ THE CASE STUDY** MCC Contractors revolutionised their civil construction operations by adopting Assignar —slashing time spent on timesheets by 6x and enabling them to tackle larger projects across the vast area they serve. Read the latest updates from Cbus Super Cbus Super is dedicated to keeping our members and employers informed and up to date with the latest news broad**cast** on super, legislative changes and other important information. Read our latest issue of **broadcast** – Cbus Super's employer newsletter – to hear from CEO, Kristian Fok; CIO, Brett Chatfield with a market update; updates on the Employer Super Guarantee increase, and changes to pay day super and what it means for employers. Want to receive more important news and updates from

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CIVIL CONTRACTORS **FEDERATION** The Voice of the Industry Civil Contractors Federation NSW Unit 11/9 Hoyle Avenue, Castle Hill NSW 2154 PO BOX 7252 Baulkham Hills BC NSW 2153

**Advocacy - CCF speaks at NSW Parliament about changes** needed to Government procurement On Wednesday 3 April 2024, Kylie Yates (CCF NSW CEO) and Mick Boyle (CCF NSW Board member and CCF National President) voiced our members' concerns about government procurement and contracting practices including the reforms urgently needed, after being invited to give evidence at a NSW Parliamentary Inquiry. We were pleased make our case alongside Australian Owned Contractors (AOC), and our two associations spoke in a united voice in our advocacy for changes to state government procurement practices for the betterment of the civil construction industry and the people of NSW. Both in our evidence and CCF NSW's written submission, we called for 23 reforms to NSW Government procurement including for: - NSW Government bodies to be mandated to use standard form construction contacts as originally written. - Standard form sub-contracts to be developed with industry. - Project bundling to stop and tender packages made available for contractors of all sizes for industry sustainability and growth. - Fair risk allocation. - Right to rely on information provided at tender. In a win for the civil industry, CCF NSW and AOC were the only construction industry

Our latest 10-year industry forecast, by Oxford Economics Australia is hot off the press! trends is already underway with a 54% surge in energy transition works occurring over the past year alone. By 2033, electricity construction work is expected to

construction and maintenance. Sectors covered include roads and bridge construction, road maintenance, rail construction, energy transition (generation, transmission, and distribution), water and sewerage, and other civil construction.

**View Report Now** State of the State Luncheon Wrap Up

- \$154 billion on roads and bridges work ahead, Adrian cautioned that slippage of delivery times was likely given the "mystical

procurement. CCF NSW can confirm this is occurring following strong and consistent advocacy from our CEO Kylie Yates since commencing in the role. CCF NSW did some media to coincide with the report launch and you can read our media release **here**. Slides and photos from the event are available on our **member portal**.

**Employer entitled to insist on clean shave: FWC** The Fair Work Commission (FWC) has upheld TasWater's directive requiring workers to be

While TasWater welcomed the decision, CEPU's objections remain. However, the ruling emphasises TasWater's commitment to employee safety amidst hazardous work conditions. For further details on the legal proceedings of Tasmanian Water and Sewerage

complete judgment is available for review here.

CCF National: 200,000 reasons teachers, nurses and police should stop and go traffic controlling Article by Nicholas Proud, CEO, CCF National That's more than double the salary of most registered nurses, police officers, and teachers. As an added bonus, civil labourers receive a full month off work each year in rostered days off, on top of their usual holidays and flexitime. Plus, when the government needs them to work an extra 50km down the road, civil

price of doing business.

having to pick up the tab.

4000.

for more than double the average salary of \$92,000? Quite simply it is out of touch. In the strongest demonstration of common-sense Prime Minister Anthony Albanese has ruled out a national Queensland-style BPIC Construction Tax in the past week. By ruling out a BPIC-style Construction Tax at a national level, the Prime Minister has demonstrated bridge that simply wouldn't be built. CCF across the country and nationally, will be pushing

The Employee walked passed a female colleague and groped her by touching underneath her buttocks. The Employer conducted an investigation and the female worker reluctantly participated in the investigation. As a result of the findings, the Employee was dismissed for serious misconduct. The Employee and their legal representative attempted to excuse the conduct by stating that the female colleague was standing in a narrow entryway and therefore invited the conduct. The Commissioner stated that there was "simply no justification for him to turn his back then have his hands at buttocks level, touch her buttocks and consciously push her out of the way". The Commissioner stated that "The bar as to what constitutes consent for physical and sexual interactions has been significantly raised in the broader community," she said, adding that an "even higher bar has been set for interactions occurring in work related environments". Don't forget that, as of December 2023, employers have a positive duty to eliminate

of Practice's implementation. CCF NSW appreciated the briefing and anticipates a response, eager for future engagements on behalf of our members. Is your work site prepared for a sudden cardiac arrest? Sudden Cardiac Arrest (SCA) is Australia's leading killer, with over 33,000 cases annually and less than 9% survival rate. SCA strikes without warning and can affect anyone, regardless of age or fitness. Do you know if your worksite is ready for such an emergency? SCA occurs when the heart stops beating, causing unconsciousness and abnormal breathing. Immediate

CCF NSW has requested:

window before emergency services arrive. Remember, timely intervention significantly increases SCA survival chances. It's imperative to be prepared and act swiftly in the face of this life-threatening emergency. For any questions about AEDs in your workplace, please contact our CCF NSW Compliance Support Unit on (02) 9009 4000. To purchase an AED for your workplace visit the **Meditac** website. **CCF NSW EVENTS UPDATE Book Tickets Now - Procurement & Contracting Forum** 

The Voice of the Industry

Friday
17 May 2024

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**John Soars**, Director Maintenance & Delivery, Network & Assets (projects under \$100m) and a Civil Industry Leaders Panel Discussion on Procurement

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**TIME:** 6:30pm - 11:30pm **LOCATION:** The STAR Sydney Event Centre, 80 Pyrmont Street, Pyrmont NSW 2009 PROUDLY SPONSORED BY Gallagher meditac **KOMATSU** Assignar WesTrac

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