



Residents to have say on amalgamation of councils

TERRY COLLINS

GOSFORD and Wyong residents will be asked if they think the two local government areas should be merged.

The Association of Consulting Engineers Australia will launch a community consultation program on the Central Coast next month on the growth of the area in coming decades.

The association authored a report last year called Sydney Towards Tomorrow which proposed amalgamations of many councils, including those on the coast.

On March 15, a public meeting will be led by journalist George Negus with speakers from Gosford and Wyong councils, local government, businesses and residential groups.

In conjunction with the community meeting, all coast high schools have been invited to take part in an essay competition, with entrants from Brisbane Water Secondary College, Gosford and Tuggerah Lakes high schools and Central Coast Grammar already having registered.

"What we want to know from the student community is if they think one Central Coast regional council would deliver better ser-



■ **SPEAK UP:** a public meeting will be led by journalist George Negus on March 15 to discuss the future of the Central Coast

vices and be able to create a prosperous, healthy and exciting living environment," an association spokesman said.

"In 1000 words or less students should explore and set out the advantages and disadvantages of having one council for the people living in, working in and visiting the area.

"They can choose to write their paper on their own or with one or two other students in their year (group entrants should not involve more than three people)."

The winner will be invited to present their paper on the morning of the community forum and will receive a \$1000 'shopping spree' at Myer at Erina Fair.

Inquiries: www.acea.com.au



Comment online

Is amalgamation the way forward?

www.expressadvocate.com.au



Gosford High School year 12 students Luke Maroney, Natalie Hodgson and Oscar Wilkie researching for the essay competition.

Picture: TROY SNOOK

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VICTORIA

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"Injured workers are clearly the biggest winners from the amendments with significant increases in benefits"

Subdivisional works specifications

Members may recall that work has been underway through the Growth Areas Authority to develop a design manual and standard specifications for subdivisional works in growth areas' municipalities.

There is a project group overseeing this work. It includes representatives of the GAA, local government, ADLE, UDIA and the CCF.

Some minor refinements to the manual were expected to occur over January, 2010. As this is a great opportunity for us to achieve our objective to secure a sensible approach to the development of specifications, we urge members to examine the manual and to provide comments to me.

The GAA is planning to conduct briefings on the manual.

Accident Compensation Act

We are indebted to John Darcy of the Master Builders Association for this article.

On Monday 8 December 2009, the Victorian Government submitted the 350 page *Accident Compensation Amendment Bill 2009* into State Parliament. Once passed through state parliament the bill will make changes to the *Accident Compensation Act 1985* and the *Accident Compensation (WorkCover Insurance) Act 1993*. The bill will be voted on when parliament resumes this month.

Once passed, the majority of changes including benefit increases, will apply on or before 5 April 2010. Changes to obligations for return to work and changes related to premiums and self insurance will take effect from 1 July 2010.

Injured workers are clearly the biggest winners from the amendments with significant

increases in benefits. The Government has advised the industry that they have determined that the benefit increases can be made without the need for increases in employers' premiums.

Worksafe Positions

WorkSafe Positions are short documents which provide advice and clarification of WorkSafe's interpretations of specific terms and requirements under the law. Two new ones have been made.

They are:

- How WorkSafe applies the law in relation to discrimination on health and safety grounds (s76 of the OH&S Act). This was developed by the Workplace Support and Education branch.
- How WorkSafe applies the law in relation to the requirement to answer questions (s100 (1) (c) of the OH&S Act). This was developed by Legal Services and Investigations Division.

Infrastructure procurement

In late 2008, the CCF board began to address the problems being experienced by smaller to medium civil contractors in relation to the procurement practices of governments. The focus was on them being unreasonably pressured by multi-nationals (under alliances) and government agencies alike.

The board agreed that the most appropriate way to address members' concerns, was to engage Aurecon (formerly Connell Wagner) to undertake a research project entitled *Achieving Civil Infrastructure Procurement Best Practice*.

Fair Work changes

From 1 January 2010, the next phase of the Rudd Government's Fair Work reforms kicked in with changes in three key areas taking effect:

The new set of 10 National Employment Standards (NES) applies to all national system employees (most Australian employees are national system employees) and

The new set of 122 modern awards take effect (applying to most Australian employees on guaranteed remuneration of less than \$108,300 year) and

A new Better off Overall Test will apply to enterprise agreements.

Previously we have advised members of the importance of complying with due process in agreement making, as prescribed under the *Fair Work Act 2009* and that taking shortcuts can prove costly.

Desal plant greenfields agreement

The principal contractor for the Wonthaggi desalination plant project, and the CFMEU, AMWU and the ETU, are entering into a Greenfields Agreement. This is an agreement between an employer and a relevant employee organisation, where there is a genuine new enterprise, such as a desalination plant.

The agreement will apply only to employees of an organisation bound by it (ie only to employees of the principal contractor) and it will be a project specific agreement which means that once the project has been completed, the agreement will lapse.

Model national OH&S laws approved

We are indebted again to John Darcy of the MBA for this article.

On Friday 11 December 2009, the Workplace Relations Ministers Council (WRMC) approved the model OH&S act which will form the basis for harmonised OH&S laws around Australia from 1 January 2012.

Whilst speculation remains as to whether the Western Australian Liberal government will adopt the laws in full or in part, all states and territories have agreed to adopt the act in their own jurisdictions. It is expected that any further changes are likely to be only technical and will only be permitted up until March 2010.

Making contracts National Code savvy

Preparing your tendering and contract documentation for projects operating under the 2009 Guidelines has just been made easier.

Model tender and contract documentation for the 2009 guidelines, is now available on the ABCC website in a rich text format. This will allow contractors to cut and paste relevant sections into their own contracting documents.

Clauses represent suggested wording for tendering information and contracts under the 2009 Guidelines. This applies to any project where expressions of interest or tenders were first called for on or after 1 August 2009.

Construction sites subject to the August 2009 implementation guidelines may include auxiliary or holding sites that are also required to be 2009 guidelines compliant. Work on auxiliary or holding sites includes prefabrication work on sites established to service the primary construction site(s) including, for example, batching plants used in road construction or storage sites where prefabrication work occurs separate from the primary construction site.

Permanent manufacturing sites such as material suppliers and sites that don't produce or prepare building materials exclusively for a primary site are not subject to the 2009 guidelines.

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ABCC advice

Some people in the building and construction industry, continue to perpetuate the myth that the ABCC only targets unions. If you are a head contractor or employer you will be held responsible for your actions and the actions of your employees on site.

CCF/Ardoch Youth Foundation raffle

Our sincere thanks to everyone who supported our nominated charity, the Ardoch Youth Foundation. The raffle was drawn at our 2009 President's Lunch on Friday 20th November. It raised about \$7000.

The first prize winner was Andrew Simpson, Simpson Constructions, second was Mick Manley, Conplant, third was Adam Parkinson, Parkinson Group and fourth was Nathan Wheeler, VicPits.

My sincere thanks to the following member companies which donated prizes: Coates Hire, VicPits, James Hardie, Boral and Kobelco CNH Australia.

Modernising Victoria's Planning Act

The Minister for Planning has released the draft version of the *Planning and Environment Amendment (General) Bill 2009* for public comment.

It sets out proposed amendments developed through valuable feedback provided in response to the discussion paper, Modernising Victoria's Planning Act, and subsequent response papers. The reforms complement the government's broader initiatives to accommodate population growth, provide economic growth, encourage sustainable development and enhance the liveability and commercial competitiveness of Victoria's urban and rural communities.

The CCF's submission in

relation to the review is available on the Department's website: www.dpcd.vic.gov.au/planning.

Submissions should be made to the Department by Friday 12 February 2010. Details are in the commentary document and on the Department's website.

Guide to dispute avoidance

On November 26 the CRC for Construction Innovation launched its guide to leading practice for dispute avoidance and resolution. We were involved in the launch.

The guide is focused on helping organisations and people in Australia's construction industry, to identify the leadership issues and best practice strategies, to gain the benefits of avoiding disputes by avoiding the causes of disputes and implementing issue resolution strategies. The CRC estimates that disputes in the construction industry are costing Australia some \$7bn annually.

The CRC provided industry research leadership in coordinating and funding this key project. Vital to its success has been the involvement and consultation with major industry association stakeholders: Association of Consulting Engineers Australia, Australian Constructors Association, Australian Procurement and Construction Council, CCF, Queensland Transport and Main Roads and Main Roads Western Australia.

The Guide may be found on our web site at www.civilcontractors.com/ under publications.

Arising from its recent meeting, the Victorian Civil Construction Industry Alliance has written to the Premier requesting that all government agencies, water companies and councils be required to adopt the principles of the Guide.

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OAMPS launches a pension stream

The OAMPS Super Fund – Pension Stream was launched on October 1. Members of CCF Super, aged 55 or older, recently received an information package about the product. However, anyone can join.

Internal auditor course

This course enables participants to gain auditing skills and strategies to verify the compliance of management system requirements. It's particularly pertinent for quality assurance, OH&S and environmental areas. We will hold a 1 day internal auditor course in Hawthorn on February 11.

Inquiry

The Victorian Competition and Efficiency Commission inquiry into local government regulation, includes a component of its terms of reference relating to procurement.

The CEO and I have spent several hours speaking to the Commission and a very comprehensive submission is an outcome of those discussions. Details on our web site at www.civilcontractors.com/ under publications. □