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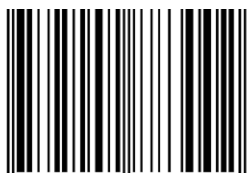
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From the Editor



The recent NSW Budget was a mixed bag for the Hunter.

It was pleasing to see continued funding for important road projects, including the M1 to Raymond Terrace link, the Newcastle Inner City Bypass, Singleton Bypass and Muswellbrook Bypass.

It also included important funding for energy transition, with direct investment benefits to the rapidly growing local renewable

energy sector. The transition to clean energy will be very challenging and will require continued funding and careful planning from all levels of government to prevent significant energy shortages.

There was also a focus on health, education and housing that will be welcomed by the Hunter region.

Major local projects that were not funded include Hunter Park and Stage 2 of the John Hunter Health and Innovation Precinct.

Whilst we understand there are budgetary pressures, the decision that really had locals scratching their heads was the removal of the Newcastle Mines Grouting Fund. Only \$6 million has been allocated for existing projects, with no funding for future projects.

The Newcastle Mines Grouting Fund was established in 2015 and has helped attract billions of dollars of investment into Newcastle.

The fund has been extremely successful in removing the uncertainty of mine remediation works in Newcastle. As we all know, investors and financiers are extremely unwary of uncertainties so this short-sighted decision has the potential to put a brake on future projects for the City.

The fund has provided one of the greatest returns of any NSW Government initiatives, so it is very puzzling why the fund has been ceased for a relatively minor saving.

It is hoped that the politicians stuck in Macquarie Street can open their eyes to the great benefits the Newcastle Mines Grouting Fund has provided and have a change of heart.

It would be a major benefit for the Hunter and provide significant return for the entire state.

Garry Hardie
Editor/Publisher

ON THE COVER

The Heal Urgent Care Clinic, a project Evoke was involved in from the early stages. See page 22 for further details.



Planning a business FUNCTION?

WORK PARTY, CONFERENCE, MEETING, WORKSHOP, EXPO OR OTHER BUSINESS EVENT



View the 2023-24 Hunter Business Function Guide for information on venues and supporting services.

www.hbrmag.com.au/2023-hunter-business-function-guide

Tomago Aluminium celebrates 40 years

Tomago Aluminium Company is celebrating 40 years of operation at its 500 hectare site near Newcastle.

Interim CEO, Nigel Backhouse said the company has grown to become Australia's largest aluminium smelter, a significant local employer and contributor to the Hunter's economy and communities. He said the smelter has operated non-stop since it produced its first aluminium in September 1983. From an initial 240,000 tonnes of capacity, it now produces around 600,000 tonnes or 37% of Australia's primary aluminium annually.

"Tomago Aluminium's success is due to its workforce, culture and significant investment in new and changing technology," Mr Backhouse said.

"We established the smelter using the world's first large-scale AS18 technology. We continue to invest in world-class technology to help maintain our international competitiveness," he said.

"We strive to be an employer of choice and have provided great stability and employment conditions for 4,902 employees over the four decades.

"We have always looked after our local community and in the past 25 years alone, the company and employees have donated more than \$3 million to local charities."

On Sunday, September 10, more than 900 employees and their families gathered at the Hunter Botanic Gardens for a 40th birthday party picnic. As well as live music, activities and food, there were bus tours of the smelter and a display of big mobile equipment to give the family members a behind-the-scenes look. A raffle and branded kid's PPE raised over \$6600 for Variety, the children's charity.

Ten staff have worked at the smelter for the entire 40 years. Two of those staff members – Phillip Humphreys and Ross McCrohon – have served for 41 years because of their involvement in early work to establish the smelter.



The smelter was started through a partnership between French firm Pechiney, and Australian company Colonial Sugar Refining (CSR). Today, it is an independently-managed joint venture between Rio Tinto Alcan Primary Metals, CSR and Hydro Aluminium.

Aluminium is produced using three large potlines and 840 pots. It is Australia's fifth-largest export commodity. Around 90% of Tomago Aluminium's product is exported to the Asia Pacific. Of the \$2.2 billion the smelter contributes to the Australian economy annually, \$800,000 is spent in the Hunter. It directly employs more than 1,000 people and indirectly supports more than 5,000 contractors, suppliers and their families.

Looking ahead, Mr Backhouse said Tomago Aluminium is moving to a low-carbon future and is aspiring to achieve net-zero operations by 2050.

"Our renewable investments will make a significant contribution to the Hunter region's move to becoming a centre for renewable energy."



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New container service at Port of Newcastle

Port of Newcastle has launched its first regular container service from its newly expanded Multipurpose Terminal, providing consumer goods, industrial, and agribusiness customers throughout the Hunter, North West and Liverpool Plains with a cost-effective and efficient option for importing and exporting product.

The service, delivered by Neptune Pacific Direct Lines (NPDL), will see the Port become a regular call for container vessels, with import and export opportunities between Australia, New Zealand and the Pacific Islands.

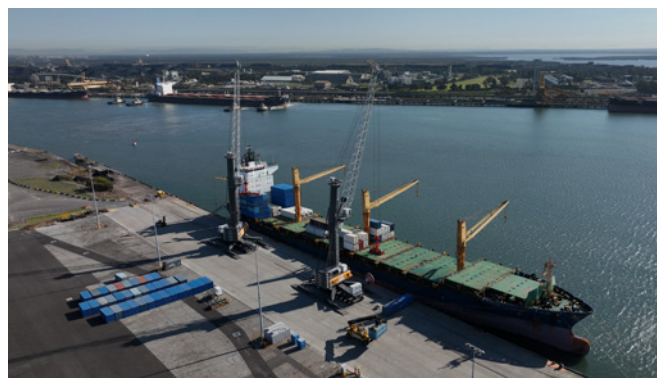
Port of Newcastle Executive Manager Business Development, Matthew Swan said the service formally kicked-off with the arrival of NPDL container vessel *Capitane Dampier* on Saturday 16 September, which included the exchange of both import and export containers.

"We see this new service as an important step in growing container trade at the Port of Newcastle and in completing the missing link in the supply chain for growers, farmers and producers in north western NSW, looking to access South Pacific markets or even transshipment opportunities," Mr Swan said.

"Around one third of NSW container exports originate in the Hunter and North West and we know agribusinesses in these areas in particular have been vocal in wanting a complete and more efficient agricultural supply chain solution.

"One of the direct benefits of exporting through our expanded Multipurpose Terminal is the ability for customers to be able to pick up empty containers from the berth-side storage area, have them delivered and packed on site before returning them to the Port for export.

"This will not only mean significant savings in landside costs for customers, but an all-round more efficient and convenient



service, which is further enhanced by the Port's two on berth Liebherr LHM 550 Mobile Harbour Cranes and direct access to national heavy road and rail networks."

The Port's new NPDL container service will initially run on a monthly basis, with a view to increase to a fortnightly service based on demand.

Newcastle coastline to make major Air Show debut

Almost one hundred thousand spectators are expected to line Newcastle Harbour to catch a glimpse of thrilling aerial displays and flypasts as part of the Newcastle Williamstown Air Show 2023.

City of Newcastle has partnered with the Royal Australian Airforce (RAAF) to host the one-off event on Saturday 18 November, with a RAAF aircraft flying display at 10 am to 12.30 pm and again at 1.30 pm to 4 pm.

Formation and aerial displays will feature heritage and vintage aircraft like the Harvard, Winjeel, Spitfire, Mustang and Canberra in addition to flypasts from F/A-18F, EF/A-18G Super Hornet and the Growler.

City of Newcastle will host free viewing areas at Nobbys Beach, Foreshore Park and Stockton, featuring family-friendly activities to create a festival atmosphere at the free community event.

Newcastle Lord Mayor Nuatali Nelmes said the spectacular community event was not to be missed, offering something for both die-hard aviation enthusiasts and families looking for a fun weekend out.

A Park and Ride facility will operate from McDonald Jones Stadium with parking available at Stockton located within an easy walk to prime vantage points.

A ticketed premium viewing area at Fort Scratchley will provide access to the only licenced viewing site for both air shows, with a variety of food and beverage options available to purchase. Tickets are on sale now and are restricted to patrons 18+.

Port Stephens Council, Deputy Mayor, Councillor Leah Anderson, RAAF Head of Air Shows Air Commodore Micka Gray, Newcastle Lord Mayor Nuatali Nelmes and RAAF Williamstown Senior Australian Defence Force Officer, Group Captain Anthony Stainton at the Williamstown RAAF base.



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ResTech facility officially opened

The new facility for ResTech, a joint venture between Ampcontrol and University of Newcastle, was officially opened by the Hon. Ed Husic MP, Minister for Industry and Science on 21 September.

ResTech is located at the industrial-focused Callaghan Campus, that aims to accelerate the development and commercialisation of new cutting-edge technology and solutions for the energy, infrastructure, and resources industries. With more than 40 people located on campus, ResTech allows for maximal interaction between staff and students with cutting-edge industry partners.

An accredited Research Service Provider, ResTech also provides opportunities for engineering students to work with industry on real-world challenges to become life-ready graduates who are community-minded, resilient, and ready for work.

From stand-alone power systems designed to replace the traditional 'poles and wires' grid connections, to world-first battery electrical vehicle innovation to support the electrification of mining operations, ResTech utilises design thinking to solve the world's most complex problems in energy to help and support all industries in our regions and globally to decarbonise.

Vice-Chancellor Professor Alex Zelinsky explained how the University is partnering with industry to support students and the region in the clean energy transition.

"Our University has worked with Ampcontrol over a number of years and ResTech is the result of our strong partnership. We are absolutely committed to our regions and are perfectly positioned to provide the industry partnerships, workforce facilities, leading researchers, and technology expertise to help with the transition and innovation of industries across the Hunter," said Professor Zelinsky.

"We are also passionate about ensuring our students are work-ready, so the opportunities for our engineering students to gain experience at ResTech while working on challenging research projects for industry are invaluable. It means our graduates have



the practical skills and industry connections to thrive in the workplace when they graduate."

Minister Husic had the opportunity to meet with students and see the real-world solutions being developed to help make net zero a reality. Tiana Leck, Research & Development Engineer at ResTech, is in her final year of Bachelor of Medical and Mechatronics Engineering. Her showcased project builds critical technology for home Wind Energy Collection, moving closer to allowing people to install their own portable and affordable renewable energy systems.

"ResTech brings together two entities—Ampcontrol and the University of Newcastle—who are united in their goal to deliver energy solutions which will help make global net zero a reality. The engineering smarts and advanced manufacturing capability of Ampcontrol through ResTech will contribute great value to finding innovative solutions to decarbonise," said Rod Henderson, Ampcontrol Managing Director & CEO.

ResTech has 24 dedicated research & development engineers, including students. Throughout 2023, there have been 16 university students undertaking industrial student placements and 16 final year projects being completed through ResTech.

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\$1.8 billion for NSW clean energy transition

The NSW Government will deliver a \$1.8 billion boost to help NSW's energy transition, including establishing the Energy Security Corporation and investing to connect new projects to the grid.

The investment forms part of the government's commitment to rebuilding the essentials in our state, including ensuring homes and businesses have reliable power at the lowest possible cost.

The government will commit an additional \$800 million to the Transmission Acceleration Facility to connect the state's Renewable Energy Zones (REZ) to the grid sooner and bring forward the benefit schemes for communities.

The NSW Government's funding injection will support early works in the Central-West Orana Renewable Energy Zone, around Dubbo. This renewable zone, the first in NSW, is expected at its peak to support around 5000 construction jobs and bring up to \$10 billion in private investment in the region by 2030.

The funding will also maintain momentum in the other planned REZs, the Hunter Transmission Project and the Waratah Super Battery.

The Transmission Acceleration Facility speeds up the delivery of new transmission projects by funding early work in the zones, along with funding community benefit schemes. Investments will be ultimately recouped from the private sector developers of the REZ projects once projects reach financial close. That money will then be recycled back into the facility to support the development of future REZ projects.

This takes the total government commitment to the Transmission Acceleration Facility to \$2 billion since its establishment in 2022. The facility is administered by the Government's Renewable Energy Zone infrastructure planner, EnergyCo.

The NSW Budget also confirmed \$1 billion to establish the Energy Security Corporation which will make investments in storage projects, addressing gaps in the current market, and improving the reliability of our electricity network as we transition to renewables. This could include investing in community batteries and virtual power plants that will allow households and communities to pool electricity generated from rooftop solar, reducing their reliance on the grid and cutting their power bills.

Once established, the ESC will make investments in commercial projects, similar to the way the Clean Energy Finance Corporation operates. The ESC will be established with funding from Restart NSW. The government will be consulting with stakeholders through the development process.

Over 1,000 customers go digital with Biscit

Leading Australian enterprise software company and Epicor ERP Platinum Partner, Biscit, has achieved a major software milestone of 1,000 customers, in over 40 countries with Epicor Kinetic Warehouse (EKW).

"We are excited to have reached this major milestone. Achieving such success in only 4 years since launching the product is very humbling, and a reflection of the outcomes the product offers our customers. I am very proud of the team and what we have been able to deliver, it is a perfect example of the company's ethos to humanise systems, not systemise humans" said Greg Hyslop, Founder & CEO of Biscit.

Greg's passion is simplifying complex processes. Having implemented ERP for 20 years, he saw an opportunity for innovation in warehouses and factory floors so set out to create modern, streamlined & efficient software for scanning devices. Usability had to be at the forefront of all design decisions, along with the goal to digitise paper driven processes and provide real ROI for customers. This led to the creation of what is now known

as Epicor Kinetic Warehouse which is available through Epicor who are a key enabler of the Make, Move, Sell global economy.

EKW digitises many ERP processes by placing the power of Epicor in your hand. EKW allows a long list of benefits to be delivered including improved stock accuracy, more efficient processing, and reducing paper and print costs in the warehouse by up to 98%.

Biscit continues to grow and expand its footprint and offerings with new products coming to market later this year. "We look forward to working with our customers to deliver more innovative solutions that allow them to focus on growing and managing their business."

Biscit provides enterprise software solutions to distribution, manufacturing, and care focused organisations. They serve over 1000 customers in 40+ countries. With a heritage in ERP implementation and a focus on humanising systems, Biscit delivers value by combining experience, understanding and innovation.



Riverwall repairs for popular running route

A shared pathway home to one of the largest parkrun events in Australia will be preserved into the future as part of City of Newcastle's \$350,000 investment into the Throsby Creek riverwall.

The project will repair a 200 m long section of the rock riverwall at Wickham, ensuring the ongoing stability of the heavily used pathway that runs adjacent to the western bank of Throsby Creek.

The shared pathway provides a key link in the inner-city cycleway and forms part of the 5 km Newy parkrun course, which is traversed by more than 400 runners and walkers every Saturday morning.

The repair work will involve the recovery and reinstallation of the original igneous pink rocks displaced from the wall into the creek waters over time, supplemented by around 210 tonnes of newly sourced rock, which will be used to repair and stabilise the riverwall where it had degraded over time.

The project will also provide formalised pedestrian recreation access to the artificial beach on the southern and northern end of the work area.

Works are being delivered for City of Newcastle by Soil Conservation Services.



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Extension of Broke pathway connects key tourism businesses with village

Residents and visitors to Broke will soon be able to walk or ride between their favourite cellar doors, restaurants and accommodation venues, with Singleton Council making tracks on extending the popular shared pathway throughout the village.

Stage two of the Broke Shared Pathway project will see an additional 800 metres of path installed on Milbrodale Road from James Herbert Bridge to Hill Street, connecting key tourism businesses including cellar doors and accommodation venues with the Broke village.

Justin Fitzpatrick-Barr, Council's Director Infrastructure and Planning Services said with over 300 local residents and thousands of tourists visiting the Broke village each year, the extension to the shared pathway would provide opportunity for recreational walking and cycling, as well as provide an integral link between vineyards and accommodation venues to McNamara Park, which is extremely popular for campers and community events, as well as Broke Skate Park and the village store.

"The extension of the Broke shared pathway creates better links throughout the Broke village, and we are extremely pleased to have NSW Government Resources for Regions funding to enable this important project to be realised," he said.

"We know from the first stage of this project that simple community infrastructure like a shared pathway absolutely elevates the convenience, attractiveness, and overall liveability of

the village not just for residents, but for visitors as well.

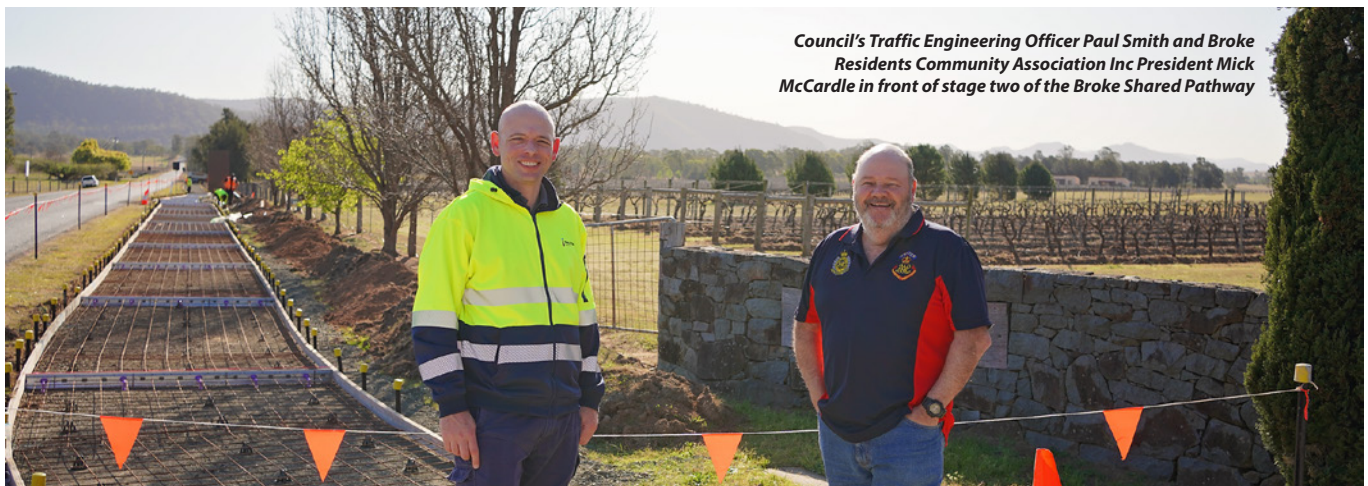
"This is a great outcome for connectivity and amenity in the township of Broke and is a fantastic starting point in linking the beautiful cellar doors and accommodation businesses along the Broke Fordwich Wine Trail back to the village centre."

Broke Residents Community Association Inc worked closely with Council on the successful Resources for Regions grant applications in round seven and round eight of the program to fund both stage one and two of the Broke Shared Pathway project. Mick McCardle, President of the Broke Residents Community Association Inc said the second stage of the shared pathway would deliver exciting outcomes for the local tourism industry following on from the success of stage one, which is busy every weekend with families.

"The shared pathway connection opens up more opportunities for people to experience cultural attractions like our cellar doors, connecting accommodation venues off Milbrodale Road back to the village centre," he said.

"While stage one of the project was centred around village amenity and providing a transport link for kids and their parents to walk or ride safely, this next stage is equally important and exciting as it starts to connect key businesses on the Broke Fordwich Wine Trail and will allow visitors as well as locals to experience our village on foot or on two wheels."

The project is expected to be completed by the end of October, weather permitting. The \$740,210 Broke Shared Pathway extension project is funded by Round Eight of the NSW Government's Resources for Regions Program.



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Local power poles to be transformed into electric car chargers in Singleton

Three new electric vehicles (EV) charging bays are to be installed on power poles within the Singleton township as part of a state-wide infrastructure trial.

The Intellihub Streetside Charging Project will be trialled across nine local government areas across NSW, catering for EV drivers who live in apartments, townhouses or units that don't have access to EV charging on-site by utilising existing infrastructure. The EV chargers will allow for convenient top-ups, as well as overnight charging.

The new electric vehicle charging bays will be installed in Castlereagh Street, Townhead Crescent and York Street.

Justin Fitzpatrick-Barr, Council's Director Infrastructure and Planning Services said the project also had the potential to stimulate tourism and economic development opportunities. He said the trial supported Council in delivering the objectives of Goal 11 under its adopted United Nations Sustainable Development Goal within the Singleton Sustainability Strategy to drive innovation by increasing options for transportation in Singleton.

"At Singleton Council, we want to set the example for how we can all play a role in taking action now to benefit the people and local environment of Singleton into the future," he said.

"Part of that commitment is leading by example, and we know Singleton is a progressive community – there has been a 93% increase in electric vehicle registrations in our LGA in the last ten months alone – and it's vital that we're part of the solution to encourage and support the adoption of electric vehicles in regional NSW."

Mr Fitzpatrick-Barr said with the Federal Government indicating that the transport industry is on track to be Australia's largest emitting sector by the end of the decade (National Electric Vehicle Strategy, 2023), the supply of EV infrastructure was a critically important step in achieving emissions reduction goals and net zero ambitions.

To participate in the trial, Singleton Council has provided Intellihub with suitable sites for installation, provided traffic engineering advice, and will install road line markings, signage and temporary traffic management during charger installation.

To utilise the charging infrastructure, drivers simply need to download the Exploren App, and plug-in their own vehicle charging cable.

The Intellihub Streetside Charging Trial is funded by the Australian Renewable Energy Agency (ARENA). The trial will see the deployment of 50 electric vehicle chargers installed on streetside power poles across Australia.

Singleton Sustainability Advisory Committee Chair Cr Godfrey Adamthwaite with Council's Manager Development + Environmental Services Mary-Anne Crawford and Committee member Wendy Lawson



\$45 million to progress Hunter Valley Hydrogen Hub

Origin has been awarded \$45 million in funding from the NSW Government's hydrogen hubs initiative to progress the proposed Hunter Valley Hydrogen Hub on Kooragang Island.

The funding was announced during a visit to Newcastle by the Hon Penny Sharpe MLC, NSW Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage.

Origin GM Future Fuels Ryan Willemsen-Bell said, "Origin welcomes the contribution of NSW Government funding towards developing a safe and reliable commercial-scale hydrogen supply chain in the Newcastle industrial and port precinct."

"Support from government is vital to bridging the commerciality gap that exists for hydrogen projects today, helping to demonstrate the technology can be produced at scale."

"We are pleased to be collaborating with Orica to progress this proposed project with a view to helping decarbonise their nearby ammonia manufacturing operations, while the Hub would also offer hydrogen as viable future fuel option for mobility customers."

"We are excited about the potential for hydrogen to contribute to a cleaner future and help Australia reach its decarbonisation goals through substitution into industrial processes and manufacturing and by replacing diesel in heavy transport," Mr Willemsen-Bell said.

Origin recently signed a joint development agreement with Orica to progress plans and co-fund the proposed Hub through front-end engineering design (FEED) and continues to engage with the local community through the recent public EIS exhibition process.

The NSW Government funding announcement follows a \$70 million contribution from Federal Government announced in mid-July. Pending a final investment decision, first hydrogen production is being targeted from 2026.

Hydrogen will be produced by an electrolyser (approximately 55 MW) using recycled water and grid-connected electricity, supported by the surrender of large-scale renewable certificates.

The first stage of the Hunter Valley Hydrogen Hub is expected to produce up to 5,500 tonnes of hydrogen per year. Most of this produced hydrogen will be used to help decarbonise Orica's nearby ammonia manufacturing facility.

Origin also intends to make hydrogen available to transport customers, displacing the use of diesel in busses and trucks. The project is designed with the potential to be scaled up to support further domestic decarbonisation and future export development, given proximity to Port of Newcastle's Clean Energy Precinct and deep-water port.

New grants for Defence industry to support strategic priorities

Seven Australian businesses, including local business Frontline Safety, have been awarded grants worth a total of \$3.8 million under the Defence Global Competitiveness program and the Sovereign Industrial Capability Priority program.

These grants provide up to half the cost of a project to help Australian businesses build capabilities crucial for Defence and to overcome barriers for Defence exports.

Frontline Safety Australia (NSW) is receiving \$494,343 for a lens cutting machine to produce ballistic protective eyewear as a component of the Ballistic and Laser Ocular Protection System (BLOPS) program.

To date, more than 200 Australian businesses have benefitted from the two grant programs. Companies are invited to apply for grant support through www.business.gov.au/grants-and-programs.

Softballer takes out top honour at University Sports Awards

Softball player Callum Beashel has been awarded the University's most prestigious sporting honour, Sportsperson of the Year, at the University of Newcastle's Sports Awards held on 15 September at the Conservatorium of Music.

The awards, presented annually in conjunction with NUsport, acknowledge the exceptional sporting achievements of students at the University.

Callum, who is completing a PhD in Biological Sciences, was among 13 student athletes and clubs who were recognised at the awards, with categories including University Blues, University Colours, Sports Club of the Year, Team of the Year, and Sports Person of the Year.

Vice-Chancellor, Professor Alex Zelinsky said the Sports Awards were a reflection of the University's commitment to supporting students to achieve their best on and off the sporting field.

"Sport and extra-curricular activities are defining parts of the university experience, and the Sports Awards are a celebration of not just medals won but of the personal qualities it takes to win them," Professor Zelinsky said.

"We are proud to have a dynamic group of students and community members, ranging from social sports through to elite athlete programs at our University. We provide elite student athletes with access to sport and academic scholarships, access to premier sporting facilities and opportunities to represent our University."

Students who received a sporting scholarship in 2023 were also acknowledged on the evening.

Aden Searant (Swimming) and Emma Hopkins (Athletics – Pole Vault) were presented with the University Blues and Mitchell Eckford (Cricket) and Phillip Tingle (Mountaineering) were awarded the University Colours.



Callum Beashel

The University of Newcastle Mountaineering Club was awarded Club of the Year and the Uni Nationals Div 1 Mixed Touch Football side was named Team of the Year. The University has around 200 athletes in its Elite Athlete Network, which supports student athletes to achieve academic and sport excellence while studying.

The program assists student athletes to manage study commitments, provides flexibility around sporting commitments and facilitates access to networking and personal development opportunities.

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The 2023 edition can be read online at <http://www.hunterinvest.com.au>

Engineering excellence award

The region's top engineers and engineering projects have been named at the 2023 Engineers Australia Excellence Awards - People & Projects Newcastle, held at the Newcastle Club.

"The Engineers Australia Excellence Awards celebrate excellence in engineering and remind us of the enormous impact engineers have on our daily lives," said Helen Link, Engineers Australia GM Newcastle.

"This recognition gives them a platform to both highlight their groundbreaking work and advocate for the engineering profession, laying a foundation and inspiration for those coming after them. We are not just applauding their achievements, but also setting a standard and vision for the future of engineering."

Newcastle Project of the Year was awarded for the Biological Leachate Remediation by ENV Solutions and NSW Public Works - Department of Regional NSW. After flood waters damaged Lismore's garbage dump and sewage plant, leading to 20 million litres of polluted water, the NSW Public Works team took charge to handle the repairs. They got help from ENV, a company skilled in environmental fixes, to produce a temporary way to clean this water. ENV used a method they called Biological Leachate Remediation (BLR). This method used a mix of techniques to clean the water, removing things like metals and harmful chemicals. ENV's approach was not only friendly to the environment but also cost-effective. The Environmental Protection Agency (EPA) has suggested the method could be used in other places and for different water cleaning tasks.

Newcastle Professional Engineer of the Year was awarded to Dr Tanja Rosenqvist. Dr Rosenqvist has contributed an enormous amount to the engineering profession, community, and education sectors over her remarkable career. She is an advocate for a more human and planet-centred approach to engineering. Her work transforms and 'democratises' engineering - making engineering something everyone and everything (nature) can take part in. Dr Rosenqvist has spent almost a decade improving water, sanitation, and hygiene conditions in low-income countries which has had a profound impact in these affected communities.

The winner of the Newcastle Emerging Professional Engineer of the Year award was Joe Townsend. Joe Townsend has carved out an impressive engineering career, through his senior leadership roles with NSW Business Chamber and Australian Business, fuelled by passion and enthusiasm for the profession. He is committed to uplifting the engineering community and his hands-on approach is highlighted through pivotal roles in board and advisory capacities for Engineers Australia and several government organisations. As he puts it, he envisions a future "where the engineering profession is increasingly influential, impactful, and held in high esteem by the broader community."

The Engineers Australia Excellence Awards Program seeks to recognise and reward outstanding achievement in engineering. Local winners will go on to represent their division at the national awards in Melbourne on November 29.

EDF Renewables and UoN partner for future energy jobs

EDF Renewables Australia has entered into a Memorandum of Understanding (MoU) with the University of Newcastle to collaborate on research, education, and innovation if EDF is successful in its application for a Feasibility License. EDF is a proponent vying to operate an offshore wind farm as part of the Federal Government's Hunter offshore wind zone.

The MoU is aptly timed, following the federal government's official declaration of an offshore wind zone off the Hunter coast in July this year by Federal Energy Minister, Chris Bowen. The agreement will see EDF explore collaboration with the University of Newcastle in areas such as geotechnical studies, structural design, corrosion protection for marine environments, coastal

and offshore flora and fauna investigations, social planning and community engagement services.

CEO of EDF Renewables Australia, Dave Johnson, said the company was thrilled to have the University of Newcastle join forces with them to supply the essential skills and pipeline of future employees for the project.

"The development of the offshore wind farm project will require the training and upskilling of workers across many areas of technical expertise. We're thrilled to be able to work with the University to ensure they can tailor their education to incorporate the types of knowledge and skills we need to successfully deliver the project.

"Equally we're committed to providing significant employment opportunities for the people of the Hunter region, many of which will come from the University of Newcastle," said Mr Johnson.

The University of Newcastle's Vice-Chancellor Professor Alex Zelinsky said the University saw strong partnerships as an important part of supporting students and the region.

"We are committed to being a University that is connected to our regions and provides students with an outstanding experience that sees them graduate as highly competent and employable graduates," said Professor Zelinsky.

"I am proud of our strong industry partnerships with organisations like EDF Renewables Australia that allow us to share our research capabilities with industry and give our students the opportunity to gain real-workplace experience on globally recognised projects that are happening right here in our region.

"In our journey to clean energy technology we will not only need the infrastructure, but also the workforce to support new industries. This partnership will provide current students with career pathways that might not exist today, and it will also provide people in our existing workforce with opportunities to retrain and upskill for future industries."

Both EDF Renewables and the University recognise that the cooperative programs and activities that will be explored as part of the MoU will be of significant value to both parties. These initiatives support the new skill requirements and demand for labour the Newcastle Offshore Wind project will call for. EDF is looking forward to participating in research exchange initiatives and supporting research and development opportunities, including co-funded Higher Degree Research (HDR) scholarships.

"EDF is committed to ensuring the best outcome for the people of the Hunter during the development and implementation of this project. We have a passionate team of Newcastle locals that have been working towards harnessing wind as a renewable energy source for decades, and with the support of the University of Newcastle, we know we can make a marked difference to the clean energy sector and to the future employment opportunities for the region," Mr Johnson said.

EDF Renewables Australia CEO Dave Johnson and University of Newcastle's Vice-Chancellor Professor Alex Zelinsky



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Community Radio Listener's Survey, conducted by McNair Yellow Squares - Newcastle - Survey 2023 Wave #1

COMING EVENTS.....

20 October 2023

HMA, Inc

2023 Hunter Manufacturing Awards

Venue: NEX

www.hma.org.au

21 October 2023, 6:00 pm – 11:00 pm

HIA

HIA – CSR Hunter Housing and Kitchen & Bathroom Awards

Venue: NEX

Cost: Members \$230, Non Members \$460

<https://hia.com.au/awards-and-events/events/housing-awards/hunter-nsw/2023/hia-housing-awards-newcastle-oct21>

24 October 2023, 7.10 am – 8:45 am

nfp connect

October Community Impact Showcase – The Change Makers

Venue: Soul Hub Newcastle

<https://www.nfpconnect.com.au/event/2023-oct-breakfast/>

26 October 2023, 5:00 pm – 7:30 pm

The Business Centre

How to Start a Business

Venue: The Business Centre

<https://www.smallbusinessmonth.nsw.gov.au/activity/how-to-start-a-business-business-fusion/>

27 October 2023, 12:00 pm – 2:00 pm

Business Hunter

Business Hunter Infrastructure Lunch Series

<https://www.businesshunter.com/hunter-business-events/our-events/business-infrastructure-lunch-series>

3 November 2023, 12:00 pm – 2:00 pm

Business Hunter

The Business Hunter Energy & Resources Lunch

www.businesshunter.com/hunter-business-events/our-events/business-mining-lunch-series

14 November 9.00am – 11:00 am

Retinue Accounting

Accounting Essentials for Small Business

Venue: Rydges Newcastle

Cost: Free

<https://www.eventbrite.com.au/e/accounting-essentials-for-small-business-free-event-in-newcastle-tickets-718204688557>

14 November & 5 December 2023,

12:00 pm – 1:30 pm

Newcastle Business Club

Newcastle Business Club Luncheon

Venue: Newcastle Cruising Yacht Club

Cost: \$75 – \$85

<https://www.newcastlebusinessclub.com.au/events/>

20 November 8:30 am – 21 November 2023 4:00 pm

ActionCOACH and BGB

Business Excellence Summit

Venue: Chateau Elan at The Vintage Hunter Valley

Cost: \$952.22

<https://www.eventbrite.com.au/e/business-excellence-summit-tickets-653629793307>

21 November 2023, 7.10 am – 8:45 am

nfp connect

November Breakfast

Venue: Soul Hub Newcastle

<https://www.nfpconnect.com.au/event/2023-nov-breakfast/>

5 December 2023, 10:30 am – 4:30 pm

Newcastle Business Club

2023 AGM

Newcastle Cruising Yacht Club

<https://www.newcastlebusinessclub.com.au/event/2023-agm/>

ARE YOU ORGANISING A COMING BUSINESS EVENT?

We would be pleased to receive basic information as above for consideration for inclusion in a coming issue of HBR. Advertising opportunities in HBR and the HBR email newsletter are also available. Please email garry@HBRmag.com.au



COLLECTIVE FINANCIAL PARTNERS

Hunter based financial advisory and accounting firm, Collective Financial Partners has announced the appointment of Financial Planner, **Anthony Foy**. Anthony has over 12 years of experience and was previously with Morgans Newcastle and Morgans Port Macquarie. With Morgans Newcastle Anthony was a Senior Financial Planner, Director, and Head of Financial Planning.



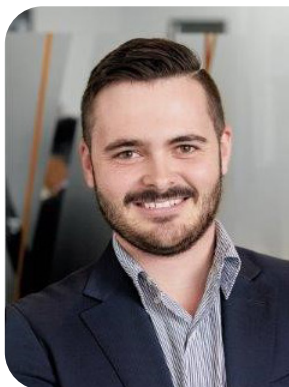
ENIGMA

Enigma are pleased to announce the promotion of **Emma Ashworth** to the role of Executive Director. Emma joined Enigma in 2021 as Group Account Director from CHE Proximity and has been an integral part of growing Enigma's portfolio. Emma's rich experience in leading projects for major clients has greatly helped the Enigma team throughout the last couple of years. Ashworth currently leads a portfolio of clients at Enigma including Newcastle Permanent, SunRice, Red Energy and Blackwoods.



UNIVERSITY OF NEWCASTLE

The UoN has appointed the Hon **Patricia Forsythe AM** as its next Chancellor. The Hon Patricia Forsythe's most recent roles were as Australia's High Commissioner to New Zealand (2019-2022) and as Executive Director of the Sydney Business Chamber (2006-2019). Previously, she was a member of the NSW Legislative Council. She has served on numerous Government and not-for-profit Boards, including 11 years on the Macquarie University Council, Chair of the International Education Advisory Board NSW, and serving on the Board of Studies, Teaching and Education Standards NSW.



PROSPERITY ADVISERS GROUP

Ben Hailstone from the Business Services and Tax division of Prosperity Advisers Group has been promoted to the senior role of Associate Director. Ben has been an integral member of our team since joining as an Intermediate Accountant in 2016. Ben's high level of engagement and genuine interest in creating stronger financial futures for clients has seen him evolve as a valued and trusted advisor.

LET US KNOW ABOUT YOUR PEOPLE!

We would be pleased to receive information about your new appointments. Just email around 80 words on the employment plus a high resolution head shot to **editorial@HBRmag.com.au**

Submissions are **FREE** but subject to editorial control.



New residential development for Maitland

The Loxford is being delivered by award-winning Hunter-based property developers, McCloy Group & Stevens Group and is set to be a hallmark residential development, spanning a 2000 ha parcel of land off Cessnock Road.

"Spanning two Local Government Areas and encompassing residential land, employment land and environmental offset land, The Loxford is a well-rounded masterplanned development, set to bring much needed housing and lifestyle opportunities to the Hunter and wider region" said Shane Boslem, McCloy Group Development Director.

"The Loxford has approval for 354 new homesites created in the local community, with homesites proposed to range from 450 to over 1000 sqm," he continued.

A free event was held onsite on 7 October with live entertainment, a Red Bull Air Show overhead, a visit by Hunter footy legend Mark Hughes and wife Kirralee, activities for the kids including petting zoo and jumping castles, giveaways, free coffee, food trucks, leading home builders and more.

The Loxford focus is on creating a premium land offering with a strong sense of community and an abundance of nature and convenience.

The new community also bring significant benefit for the surrounding areas with upgrades set to provide relief to flood affected areas.

"One of the significant benefits the project brings to broader Maitland community is flood immunity to the people of Gillieston Heights. Whilst the upgrade at Testers Hollow, recently completed by Daracon, brought some flood relief. It will only be through the completion of the Loxford project that full flood free access to the Gillieston Heights community be provided." Mr Boslem continued.

Development works include a major intersection off Cessnock Road, a striking entry feature lining both sides of the new Transport for NSW intersection and a state-of-the-art Regional Park including stunning public art.

A display village is also set to come. Over 40 display homes have committed which will stand at the entrance to The Loxford. There will be multiple designs from leading home builders including McDonald Jones Homes, Mojo Homes, Clarendon Homes, Eden Brae and Hunter Homes.

Notably The Loxford has a large environmental footprint, with 800 ha of the 2000 ha site protected under Biodiversity Stewardship. The stunning wetlands have been retained and will be embellished for all to enjoy.

"There will be walking trails, and a safe and protected environment for wildlife to ensure provision for future generations."

Retirement living construction leads wary market

Retirement living construction activity levels are forecast to continue to lead the way in Australia, as prices, materials and labour continue to drive uncertainty.

The latest Property Council Survey reveals Australia's retirement living industry continues to forecast strong confidence around capital value growth and construction activity over the coming 12 months.

However, Retirement Living Council Executive Director Daniel Gannon sounded caution on several fronts.

"There is still much uncertainty across property sub-sectors, with construction prices, materials and labour continuing to drive uncertainty," Mr Gannon said.

FOR SALE BY ONLINE AUCTION

MULTI TENANTED INVESTMENT

138 Beaumont Street, Hamilton



- Two-storey brick building housing 4 retail/commercial tenants, two on new 3 year Leases.
- Total net lettable area of 400m² approx.
- Land area of 226m² approx.
- Current net income of \$119,317 pa approx.
- A fantastic opportunity for an investor to acquire a multi tenanted freehold on busy retail strip in the heart of Hamilton

Online Auction to Conclude 2pm, Wednesday 11th October 2023

FOR SALE OR LEASE BY EOJ

OWNER / OCCUPIER OR DEVELOPER OPPORTUNITY

9 Denison Street, Newcastle West



- Comprising a two storey and adjoining single storey freehold on land area of 976m² approx.
- Zoned MU1 Mixed Use with a 60 metre height limit and 6:1 FSR
- Currently housing 3 tenants
- Current net income in excess of \$200,000 pa
- Ground floor office & storage area of 670m² approx. available for lease November 2023.

Expressions of Interest closing 4pm, Thursday 9th November 2023

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MODERN FIRST FLOOR OFFICE SPACE

31-33 Beaumont Street, Hamilton



- Modern office space conveniently located above NAB on the corner of main arterial road
- Comprising 5 private offices, conference room, reception area and waiting room, large open place space, lunchroom, storage and amenities including shower.
- Net lettable area of 380m² approx.
- On-site parking with several designated spaces

Fantastic signage opportunity and exposure to high volumes of traffic

FOR SALE BY ONLINE AUCTION

MULTI TENANTED WAREHOUSE COMPLEX

40 Metro Court, Gateshead



- Industrial building currently split into 3 areas; a showroom space at the front and warehouse style options behind
- Excellent opportunity to owner/occupy part or all of property or for the astute investor to renegotiate or re-let the various tenancies
- Land area of 1,980m² approx.
- Scope to increase current floor space STCA

Online Auction to Conclude 2pm, Thursday 2nd November 2023

For further details or an inspection contact:

DAVID ROGERS admin@dowlingcommercial.com.au | 02 4969 8000

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"The other x-factor is legislative reform, which is taking place in every corner of the country and impacting two thirds of Australia's retirement living markets.

"If these reforms make it harder for operators to build and operate age-friendly communities, it could tighten the supply clamp at a time when confidence remains high, construction activity has a strong pipeline, and when the nation needs housing," he said.

Mr Gannon said retirement construction activity is expected to be at historically strong levels, outperforming other sub-sectors, and forecast to be greater than residential, office, retail and industrial activity combined.

"However, we know that the development supply pipeline planned for the next three years is forecast to fall by more than half, largely a result of local planning systems and legislative frameworks that could constrain supply," Mr Gannon said.

"If governments around Australia create investment and development environments that facilitate more supply, the sector is geared up to do it," he said.

Mr Gannon said retirement living could play an important role in housing Australia's rapidly ageing population, particularly as the nation battles an ongoing housing crisis.

"While the demographic and housing outlook is potentially grim, there is a solution to this crisis," Mr Gannon said.

"The more than 2,500 retirement villages across the country can allow residents to maintain their independent lifestyle as they age, while still enabling them access to care, support services and community.

"Given the number of people aged 65 and over will increase by more than 50% to 7.1 million over the next two decades, we need to capitalise on a sector that is ready, willing and able to provide more homes for older Australians," he said.

Property Council backs move to implement AI for faster planning

The Property Council of Australia has welcomed the decision from the NSW Government to invest \$5.4 million in AI as part of its Faster Planning Program.

Property Council's Regional Director David White said it was welcome news given the strong advocacy on AI's role in planning from recent Property Council events and the new NSW Housing Summit Outcomes Report with the McKell Institute.

"AI can improve the planning process by allowing more attention on the key issues affecting a site's development potential without the exhaustive review of all assessment issues which sometimes sees projects trapped in the quagmire of the NSW planning system," Mr White said.

"From a global perspective there is limited use of AI technology in the construction, real estate and albeit planning sector.

"It remains unknown where AI will be used most in the planning, design and delivery process.

"We therefore believe that this NSW Government investment in AI will help our troubled NSW planning system deliver quicker assessment and approval timeframes for proposed development.

"The Property Council will continue to work with the Department to explore how we can improve the planning system by using AI to look at the key issues with each site; as well as help to deliver more efficient design outcomes and overall reduced timeframes for planning assessments."



FOR SALE/LEASE INDUSTRIAL OPPORTUNITIES

With industrial becoming increasingly limited in our region, **Four Walls Commercial** has been at the forefront in working with local builders and developers, planning and developing industrial business premises to cater for the growing demand in our region, enabling businesses and investors to continue to grow and flourish.

Our specialist commercial agents are ready to assist with your needs now and in the future, providing options throughout the Newcastle and the Hunter Region with developments that have been recently completed and currently under construction - available in the coming year.

With over 50 industrial business units now available ranging in sizes from 30m² to over 1200m² in most of the region's prime, strategic industrial locations including -

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- Rutherford • Singleton

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Newcastle Master Builders Association Excellence in Building Awards

On Friday, 8 September 2023, hundreds of Master Builders Association Members and their guests gathered at the NEX in Newcastle to celebrate the Newcastle Master Builders Association Excellence In Building Awards.

The awards, which have been running since 1995, are open to commercial and residential builders in the Hunter, Central Coast, Manning Great Lakes, Oxley and Tamworth regions. They showcase local craftsmanship, expertise and excellence whilst contributing to a vibrant regional building industry.

For the past few years, numerous winning entrants in the Hunter Region awards have gone on to successfully compete and win the Annual Master Builders National Awards.

The major winners this year were Davis Builders NSW who took out the Residential Builder of the Year Award and Richard Crookes Constructions who was crowned Commercial Builder of the Year.

Tristan Davis of Davis Builders was also awarded Young Builder of the Year and his business took out three other categories to cap off a memorable night.

Richard Crookes Constructions was also successful in taking home three other commercial building categories.

Other major winners on the night included Kingston Building who won five categories: Restoration of an Historic Building under \$1 million, Public Buildings under \$5 million, Apartment Developments under \$10 million, 2023 SafeWork Excellence in Work Health & Safety Award – Residential and 2023 SafeWork Excellence in Work Health & Safety Award – Commercial.

The 2024 Awards will be held on Friday 6 September 2024.



CATEGORY WINNERS

2023 Commercial Apprentice of the Year - Tyler Love

2023 Housing Apprentice of the Year - Daniel Morris

Newcastle MBA Group Training Apprentice of the Year - Cameron Brown

2023 University Graduate of the Year Award - Jamie Manning

Contract Homes \$600,000-\$1 million -

Sorensen Caldon Ferris Builders

Contract Homes (MERIT) \$1-1.4 million -

Abuild Constructions Shelly Beach

Contract Homes \$1-1.4 million - Built by Eli

Contract Homes \$1.4-1.5 million - Form Architectural Building

Contract Homes \$1.5-2 million - Evolving Construction (Aust)

Contract Homes \$2-3 million - Ponman Constructions

Contract Homes over \$3 million - Davis Builders NSW

House Alterations, Additions and Renovations \$200,000-

\$400,000 - Bishop & Hart Construction Group

House Alterations, Additions and Renovations \$400,000-

\$600,000 - Active Build Solutions

House Alterations, Additions and Renovations \$600,000-

\$1 million - Coastline Builders and Designers

House Alterations, Additions and Renovations

\$1-1.6 million - Maple Design and Construct

House Alterations, Additions and Renovations over

\$2 million - Davis Builders NSW

Medium Density - Dual Occupancy -

Boyd Building & Developments

Display Homes \$400,000 - \$600,000 - McDonald Jones

Display Homes \$600,000 - \$800,000 - Palm Lake Works Pty Ltd

Display Homes over \$800,000 - MOJO Homes

Granny Flats - Spartan Projects

Residential Fitout - Nadin West Joinery

Kitchen Projects under \$45,000 - Nadin West Joinery

Kitchen Projects over \$45,000 - Pluim Joinery



5 X WINNER

- Restoration of an Historic Building - Under \$1 Million
- Public Buildings - Under \$5 Million
- Apartment Developments - Under \$10 Million
- Safe Work Excellence in Work Health & Safety Award - Residential
- Safe Work Excellence in Work Health & Safety Award - Commercial



In winning these awards Kingston Building thanks our suppliers and subcontractors and provide a special mention to the collaborative efforts of our partners in each of the projects.

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Bathroom Projects - JNA Developments
Historic Restoration - A.E. Parker Builders
Energy Efficiency and Environmental Sustainability - Lou Projects
Outdoor Landscaping Projects Residential Dwelling - EHL Landscaping
Swimming Pool Projects - Davis Builders NSW

COMMERCIAL

Aged Care / Lifestyle Over 55's - North Construction & Building
Civil Engineering & Infrastructure under \$10 million - Gongues Constructions
Civil Engineering & Infrastructure over \$35 million - BESIX Watpac
Extensions, Renovations & Refurbishments under \$1 million - Built By Eli
Extensions, Renovations & Refurbishments \$1-5 million - Skelcon
Restoration of an Historic Building under \$1 million - Kingston Building
Restoration of an Historic Building over \$20 million - Richard Crookes Constructions
Interior and Shop Fitouts under \$500,000 - Boyd Building & Developments
Interior and Shop Fitouts \$1-3 million - Urban Core Australia
Interior and Shop Fitouts over \$30 million - Richard Crookes Constructions
Public Buildings under \$5 million - Kingston Building

Apartment Developments under \$10 million - Kingston Building
Apartment Developments over \$85 million - GWH Build
Commercial Projects under \$5 million - Reeman Constructions
Commercial Projects \$5-10 million - North Construction & Building
Commercial Projects over \$10 million - Richard Crookes Constructions
2023 SafeWork Excellence in Work Health & Safety Award - Residential - Kingston Building
2023 SafeWork Excellence in Work Health & Safety Award - Commercial - Kingston Building

JUDGES AWARDS

Best Use of Timber Residential - Evolving Construction (Aust)
Best Use of Timber Commercial - Skelcon
Best Use of Glass - FC Glass & Aluminium
Special Judges Award - North Construction & Building

MAJOR AWARDS

2023 Women in Building Award - Katherine Bugelli (North)
2023 Young Builder of the Year - Tristan Davis (Davis)
2023 Subcontractor of the Year Commercial - Vogue Joinery
2023 Commercial Builder of the Year - Richard Crookes Constructions
2023 Subcontractor of the Year Residential - AJ McDonnell Electrical
2023 Residential Builder of the Year - Davis Builders NSW

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A construction worker in a white polo shirt, blue shorts, a grey cap, and safety glasses is leaning over, working on a blue tarp. He has a tool belt and a '100 YEARS STRONG' patch on his shirt. Another worker is visible in the background.

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Heal Urgent Care

Heal Urgent Care Clinic represents an innovative approach to bridging the gap between General Practice and Emergency Departments, providing immediate medical attention without hospital admission or emergency procedures. With a focus on minimising waiting times and providing a unique patient experience, the clinic stands out in the Australian healthcare market.

Evoke were involved from the early stages of the project, assisting in carefully selecting the location and navigating council requirements to bring this vision to life. The clinic's design emphasises privacy and efficiency, with 12 treatment bays, an isolation zone for infectious diseases, and essential facilities like treatment rooms, pathology services, and an X-ray facility. The serene lounge area, equipped with amenities and soothing aesthetics, enhances patient comfort while the staff benefit from a dedicated breakout space.

"We had an initial meeting with the team at Evoke Projects and went through what our requirements were, and really gelled with Jerry and the team over the amazing service they could provide!" said Dr Tim Stewart, Managing Director, Heal Urgent Care.

Evoke created a welcoming environment for Heal Urgent Care, setting it apart from other clinics in Australia. The design focused on minimising waiting time through an efficient patient flow system. A comprehensive range of treatment bays and facilities were needed to cater to various health services. Patient privacy and comfort was also vital while maintaining an open and natural light-filled atmosphere.

A need for essential facilities such as treatment rooms, a procedure room, on-site pathology services, and an X-ray facility were incorporated into the design. Additionally, an After-Care clinic and a fracture clinic were established for follow-up appointments and specialised care, emphasising the pleasant patient journey of Heal Urgent Care.



Soft pastel colours, artwork, feature lighting, and ceiling features were utilised to enhance the overall ambiance and a breakout space with meeting facilities provided for staff to retreat from the busy environment. Impactful external signage and meticulous wayfinding elements were developed to improve the patient experience and introduce the distinctive Heal brand identity.

"Even the simple things like the floor finishing, the colour of the paint on the walls, the ambient music that's playing, really fill the senses. We set out from the start to create an amazing patient experience and without the building we have now we wouldn't be able to achieve those results we are getting," said Dr Tim Stewart, Managing Director, Heal Urgent Care.

Heal Urgent Care showcases innovative design principles that prioritise the patient experience, functional efficiency, aesthetic appeal, brand identity, and staff well-being. The clinic's layout ensures a seamless flow for patients by swiftly directing them from a limited seating main entry area to 12 treatment bays, each designed with privacy-enhancing features like glazed partitions and sliding doors.

A separate isolation zone is dedicated to managing infectious diseases, ensuring patient safety within the clinic, showcasing innovation in a post-Covid world. Through incorporating impactful external signage and wayfinding elements, the design enhances visibility and elevates the patient experience. This addition to the Newcastle health space presents major innovation through focusing on minimising waiting times.



Build a better future with the strength of our past

In today's challenging economic climate, it is crucial to partner with a builder that can deliver results. Over the past 35 years, we have consistently grown and thrived despite recessions, the GFC, and the Covid-19 pandemic. Throughout this time, we have successfully crafted high-quality, iconic buildings, ranging from luxurious apartments to bustling commercial precincts and national retail stores. During these uncertain times, Stevens Construction is the partner you can trust.



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Crafting Wellness-Centric design in Healthcare & Workplace

In an age where the nature of work and healthcare spaces are rapidly evolving, Evoke Projects are reshaping the way we perceive and experience places in healthcare spaces and offices alike.

Our approach centres on human-centric design, where we meticulously tailor spaces to cater to the specific needs of each client and project, cultivating environments that prioritise well-being, productivity, and collaboration.

In healthcare settings, Evoke Projects integrates elements such as natural light, soothing colours, and patient-friendly designs to alleviate stress and expedite recovery, while in offices, we foster creativity, adaptability, and sustainability, propelling workplaces beyond mere functionality into hubs of innovation and employee satisfaction. With our commitment to sustainability and futureproofing, Evoke Projects isn't just constructing spaces; they're crafting the future of work and healing, one thoughtfully designed environment at a time.

To discuss health and workplace design and fit-out ideas, please call Evoke Projects on 1300 720 692 or visit evokeprojects.com.au



evokeprojects

Effectively limiting your liability in construction contracts

Joel Sturgeon
Matthew Duncan
Moray & Agnew

Most contractors are aware of the need to limit their liability in construction contracts. However, very few do so effectively and so unnecessarily expose themselves to financial risk.

Common mistakes

- Extremely high liability caps
- Liability caps that apply to individual claims as opposed to the contractor's aggregate liability
- Limitations on liability drafted in very general terms
- Indirect loss exclusions that apply for the principal's benefit only
- Liquidated damages limitations that include high daily rates and leave the door open to claims for general damages

Liability cap

A carefully crafted liability cap is the simplest means of limiting contractual liability. Accordingly, all contractors should ensure that:

- their liability is capped in the aggregate at no more than the contract sum
- the only exclusions from the cap are:
 - o death, personal injury, sickness and property damage
 - o unlawful acts and omissions
 - o breach of a duty of confidence
 - o intellectual property right claims
 - o abandonment of the contract, and
 - o liability that cannot be limited by law, and
- their cap drafting is specific ("liability under or arising out of this Contract or any law, whether by way of indemnity, by statute, for breach of contract, in tort, in restitution or on any other basis") as Courts will usually interpret limitation drafting narrowly.

Indirect loss exclusion

Prior to the decision in *Peerless*^[1], it was common to exclude liability in this realm by reference to 'consequential loss'. However, following this decision and its expansion of what constitutes 'consequential loss', it is now best practice to exclude specific heads of indirect loss, such as:

- loss of revenue, use, production, goodwill, profit, data, business, contract and anticipated savings
- increased financing and operating costs, and
- other purely financial or economic or special or indirect loss or damage.

It is also critical that the:

- same definition of indirect loss applies to both parties, and
- exclusions from the indirect loss exclusion, if any, are limited to the heads of liability excluded from the liability cap (see above).

Liquidated damages

Liquidated damages are the contractually agreed damages payable to the principal by the contractor (on a per day basis) where the contractor fails to achieve a milestone or practical completion by the date for doing so. And while it is market practice for most construction contracts to include regimes of this type, contractors must ensure that:

- the agreed rate is appropriate (it must represent no more

than a genuine pre-estimate of the principal's damages in the circumstances)

- their aggregate liability for liquidated damages is capped at no more than 10% of the contract sum, and
- liquidated damages are the principal's exclusive financial remedy in respect of the contractor's delayed performance.

It is also advisable for liquidated damages to be tied to the last date for practical completion, rather than to individual milestones.

Conclusion

Failing to appropriately limit contractual liability is an egregious misstep for contractors and subcontractors alike that can have profound and adverse implications from a financial and insurance perspective.

Accordingly, it is vital that these issues are carefully considered, appropriate insurance and legal advice is sought and drafting that satisfies the above principles is included in all contracts in which a contractor assumes material risk.

[1] *Environmental Systems Pty Ltd v Peerless Holdings Pty Ltd* [2008] VSCA 26.

For further information please contact Joel Sturgeon on (02) 4911 5474, email jsturgeon@moray.com.au; or Matthew Duncan on (02) 4989 2934, email mduncan@moray.com.au

Joel Sturgeon is a Partner at Moray & Agnew. He is an experienced projects lawyer who advises principals and contractors on the structuring, documentation and delivery of major construction, procurement and services projects. Joel has particular expertise advising on projects in the education, government, manufacturing and utilities sectors.



Matthew Duncan is an infrastructure and projects lawyer who specialises in advising principals, contractors and subcontractors on contentious and non-contentious matters. Matthew has experience in contract preparation, review and negotiation and in facilitating the resolution of disputes under the Security of Payment legislation.



Hunter home building activity forecast

Craig Jennion
Housing Industry Association

The rise in the cash rate has compounded the increase in the cost of land, construction and regulation to constrain demand for new homes in the Hunter.

This has seen the pipeline of work yet to commence construction hollow out quickly in the first half of 2023. Like the national story, the volume of new detached home sales this year has fallen below pre-pandemic levels, and this will see starts continue to slow.

The large volume of detached home building that was underway when the RBA increased the cash rate for the first time in May 2022, has obscured the adverse impact of rate increases on the wider economy. The elevated volume of detached work underway has sustained activity in the industry to mid-2023.

The full impact of the rate increases to date will become apparent as the volume of detached home building slows. Given the lags inherent in this cycle, even a decision to cut the cash rate today would not produce a recovery in these commencements until the second half of 2024.

Despite this slowdown in starts, the completion of the large volume of work currently under construction will maintain stable economic growth and avoid a significant downturn in the economy locally.

Leading indicators are suggesting the adverse effects of the cash rate have constrained the markets around Sydney and Melbourne more significantly than other jurisdictions. The shift in population away from these two cities has likely compounded this shift toward locations with more affordable land such as the Hunter.

Exceptionally low rental vacancies, strong migration and an influx of investment in high-density dwellings will see the volume of commencements of multi-units recover over the next couple of years. For this to occur, there needs to be a change in policy direction that both seeks to attract investment to the sector and seeks to permit the necessary investment.

The short-term outlook for home building remains very focused on changes to the cash rate. A recovery in established home prices locally is encouraging, as it will support lending for the construction of new homes, but only if the cash rate doesn't increase further.

In the medium term, the outlook is going to be driven by necessary changes to government policy that will remove

restrictions on the availability of land and land usage, lower the regulatory and tax imposts on construction, and create an incentive to invest in the construction of new homes.

Detached houses

Detached house commencements peaked in the Hunter at 3,776 in 2021, a high that is unlikely to be broken anytime soon. Capacity constraints will see starts slow through to a solid, but unremarkable, 2,653 in 2023. From here, detached starts will be weighed down by the rise in the cash rate and expected to continue to slow to just 2,244 in 2024. This will be the lowest volume of starts for more than a decade.

From this point, stable economic conditions and relatively low unemployment will support ongoing demand for detached housing and the market is anticipated to slowly recover, with 2,620 commencements in 2027.

Multi-units

Multi-unit commencements have been suppressed in NSWs due to regulatory restrictions forcing investors away from the sector, and at the same time, demand eroded due to the pandemic and loss of migration. In the Hunter this saw multi-unit starts slow to 1,246 starts in 2022, a significant fall from the past decade high of 2,351 in 2018.

Whilst an increase in starts is anticipated in Sydney as speculative investors respond to an acute shortage of apartment completions, the Hunter will moderately increase over the next five years, with an average 1,873 starts per annum until 2027.

For more information contact Craig via c.jennion@hia.com.au or call (02) 4014 2000.



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North wins major national award

North Construction & Building was named Large Commercial Construction Business of the Year – Annual Turnover over \$50 million at the Master Builders Australia's 2023 National Business Excellence Awards on 6 September.

The National Business Excellence Awards celebrates outstanding achievements in financial management, business operations, customer service, innovation, business improvement and resilience initiatives, and corporate social responsibility within the building and construction industry.

According to Master Builders Australia, "The awards validate and celebrate the businesses which are leading the way in best practice, and which have genuinely instilled this objective into their long-term business strategy. The awards also aim to inspire all businesses in the building and construction industry, large and small, to make excellence in best practice the foundation of their mission and brand."

"Receiving this coveted award was an awesome and proud moment for our business," expressed Matthew Cook, North Managing Director.

"I want to give a massive thanks to the entire North team for their collective and relentless pursuit of continual improvement.

"This result is a culmination of the long-held recognition and focus within the business that personal and professional growth in our staff is what grows our business. Beyond such a focus of training and developing our workforce, this growth also enables us to maintain an amazingly strong, positive culture and one which fundamentally underpins Building With Trust.



"Thank you also to our trade contractors, consultants, partners and clients who support us in the journey."

Hunter builders among nation's busiest

Three Hunter based builders once again in the top 100 of Australia's largest residential builders," stated Craig Jennion, HIA Executive Director, Hunter.

The annual HIA-COLORBOND steel Housing 100 report ranks Australia's largest 100 residential builders based on the number of homes commenced each year.

"Continuing its place at the top of the ladder, Hunter based MJH Group (NXT Building Group) were recognised as the third largest home builder in Australia with 2,865 starts in 2022/23. This included building 2,416 detached houses, making them the third largest builder for this type of home, and third on the list of the largest semi-detached dwelling builders nationally, with 449 starts.

"MJH Group, which trades predominantly in NSW as McDonald Jones Homes and Mojo Homes, also retained its established mantle as the #1 home builder in NSW with 1,228 starts during 2022/23.

"With 236 starts, Belmont based Montgomery Homes, moved up the national list 10 spots to be ranked the 56th nationally and 16th largest in NSW.

"Placed 76th nationally, and on the list for the second consecutive year, was Heatherbrae based Hunter Homes with 141 starts, consisting of 130 houses and 11 multi-units," said Mr Jennion.

The key highlights from this year's HIA-COLORBOND steel Housing 100 report 2022/23 shows that the largest 100 residential builders:

- Businesses on this year's list built 17,143 fewer homes than businesses last year's list. This equates to a decline of 23%.
- Homes built by the largest 100 builders in 2022/23 accounted for a slightly smaller share of the new home market compared to the previous year, with market share declining from 36% to 33%.
- The top 10 largest builders account for a little over 40% of homes built by the businesses on the list, and the top 20 largest account for around 60%. These shares are comparable with previous years.
- Despite the market downturn, over a quarter of businesses on the list reported starting work on more homes in 2022/23 than they did in the previous year.

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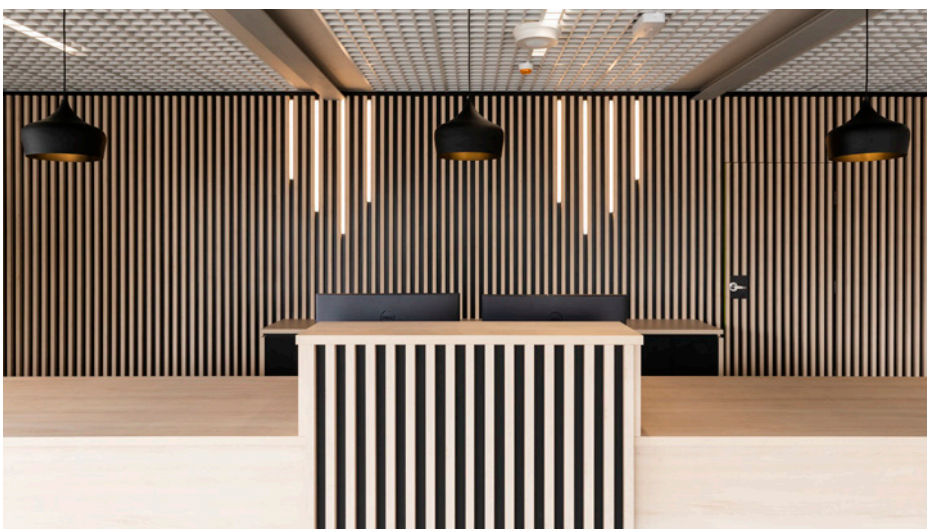
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Jim's car was swerving all over the road, so a cop pulls him over.
"Step out of the car," says the cop, "I am going to need you to take a breath test."

Jim responds, "You see I have very bad asthma, that can set off an attack."

"Alright," says the cop, "you are going to have to take a blood test."

"I can't do that either," Jim responds, "I am a haemophiliac, if a wound is opened, I won't stop bleeding, and I could bleed to death."

"Ok," the cop answers, "then I will need a urine sample."

"Sorry," says Jim, "I also have diabetes, that could push my sugar count really low."

"Fine, fine, so just come on out, and walk a straight line for me."

"I can't do that either," responds Jim.

"And just why not?" demanded the exasperated cop.

"Well, because I'm drunk!"

An old man went to the doctor complaining of a terrible pain in his leg.

"I am afraid it's just old age," replied the doctor, "there is nothing we can do about it."

"That can't be," fumed the old man, "you don't know what you are doing."

"How can you possibly know I am wrong?" countered the doctor.

"Well it's quite obvious," the old man replied, "my other leg is fine, and it's the exact same age!"

An elderly lady couldn't stop her hiccups so eventually went to a doctor.

A few minutes into the examination, screeching could be heard from the room, and then the lady burst out of the room as if

running for her life. After much effort a nurse finally managed to calm her down enough to tell her story.

The nurse barged into the office of the doctor and screamed, "shame on you, Mrs. Smith is 82 years old, and you told her she's pregnant."

The doctor continued writing calmly and barely looking up said, "does she still have the hiccups?"

A man died and went to the gates of heaven. They told him, "Before you meet with God, I should tell you - we've looked over your life, and to be honest you really didn't do anything particularly good or bad. We're not really sure what to do with you. Can you tell us anything you did that can help us make a decision?"

The newly arrived soul thought for a moment and replied, "Yeah, once I was driving along and came upon a person who was being harassed by a group of thugs. So I pulled over, got out a bat, and went up to the leader of the thugs. He was a big, muscular guy with a ring pierced through his lip. Well, I tore the ring out of his lip, and told him he and his gang had better stop bothering this guy or they would have to deal with me!"

"Wow that's impressive, When did this happen?"

"About three minutes ago," came the reply.

QUOTE OF THE MONTH

"Success is walking from failure to failure with no loss of enthusiasm."

- Winston Churchill

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