



TABMAtalk

quote of the month

"I am always willing to learn although I do not always like being taught."

Winston Churchill



Mal Goatham (Pacific Wood Products), Hans Kranenburg & Myles Forsyth (Forsyth & Romano Group)

this issue

- 2010 QTI Awards Photos P.1
- 2010 QTI Awards Winners P.2
- Tying a Chain Around Illegal Logging P.3
- New Timber Communication Forums P.4
- Members: Cut Your Electricity Costs P.5
- Gill & Co - Congratulations on 50 Years! P.6
- Step 5: The Adjudicator's Decision P.6-7
- TQ's Technical Subscription Service P.8
- Timbeck's New Technical Cedar Website P.8

Paul Deakin (Howard Sawmill) & Alan Jones (Austbrokers Premier)



Genevieve Healy & Jacinta Colley (Simmonds Lumber)

Brad Saunders (Parkside Timbers) & Warren Tye & Wendy Boyd (Hyne)



Dallan Peters (Tilling Timber) & Steve Johnson (5 Star Timbers Mackay & TABMA QLD Vice-Chairman)



Roger Healy (Simmonds Lumber) & Bob McMaster (Redland Bay Roof Trusses)

Sherie & Willy Kranenburg, Geoff & Karen Stringer (Hyne)



Karen Johnston (TABMA QLD) & Michael Gaske (Ozline Timbers & TABMA QLD Director)



TABMA QLD Girls Alicia Oelkers, Jaimie Ratcliffe & Karen Johnston with our office sister, Telia Pauchet (Timber Queensland)



Maryanne Wells, Lynelle & Anthony Wolff (Mackay)



Tim Isaacs (FITEC) & Michael Hartman (Forestworks)



Presenting the Awards
Bill Kranenburg & Karen Johnston

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 Jaimie-Lee Ratcliffe Office Administrator

AND THE WINNERS ARE...

We had a record **325** fun filled representatives of industry attend the 2010 Queensland Timber Industry Awards on 9th October. What a fantastic turnout that demonstrates the solidarity of the Queensland timber industry! From all reports received a fabulous evening was had by all. Thank you again to everyone who danced the night away, and to Alicia & Jaimie who helped in organising the event. Congratulations to all nominees and of course, the winners:

Best Specialist Timber Merchant:

Tradeware Building Supplies

Best Specialist Service Operation: Tarmac Qld

Best Building Materials Centre - Metro:

Langs Building Supplies - Yatala

Best Building Materials Centre - Regional:

Porters Home & Building Centre - Mackay

Best Frame & Truss Operation - Metro:

Forsyth & Romano Group - Archerfield

Best Frame & Truss Operation - Regional:

Porters Frame & Truss - Mackay

Best Timber Manufacturing Operation: Lindsay Meyers

Best Sawmilling Operation:

Parkside Timbers (Wondai Green Mill)

Best Timber Wholesale Operation: Simmonds Lumber



Best Wholesale Sales Representative:

Craig Denmeade; Dindas Australia

Best Training Culture: Versace Timbers

Trainee of the Year: Christopher Buchanan;

KB's Frame & Pre-Nail Fabrication

Judges Award for Excellence: Hyne - Tuan Operation

Our Chairman and MC for the evening, Keith Maitland of Tasman KB had the following to report:

"TABMA Queensland Board members were nominated 9 times for an award. TABMA Queensland Board Members WON 3 times. This to me highlights that the Board members not only discuss and debate issues such as ethics and industry supporting essentials, but also put them into practice. As members of TABMA Queensland we should be proud that those at the top representing the total membership of TABMA Queensland do so with their own personal passion which has been demonstrated in their success in both nominations and of course more so as winners. As Chair and as all Board members do, we congratulate those representations with pride."

If you missed out on any of the professional photos taken on the night they are available for online viewing and purchase. Visit www.checkmyphoto.com — search for Timber 2010.

Membership Anniversaries

For the month of OCTOBER, the following TABMA Queensland members are celebrating their membership anniversaries. Thank you for your fantastic support of the Association!

**Asian Pacific
Timber Marketing**
- 9 Years -

**Watts Wood &
Mouldings**
- 9 Years -

**Timbeck Cedar
Products**
- 9 Years -

Gunnensen
- 9 Years -

**Thora Wholesale
Timbers**
- 7 Years -

**Porters Home &
Building Centre**
- 7 Years -

**Chermside Building
Centre**
- 5 Years -

Tilling Timber
- 5 Years -

The Fastener Place
- 2 Years -

Completion

Congratulations to **Melissa Savic** who this month completed her 3 and a half year apprenticeship in Wood Machining (Furnishing). Melissa was hosted by StairCo.

TYING A CHAIN AROUND ILLEGAL LOGGING

By Stephen Walker, General Manager DERM Forest Products

Governments and consumers everywhere are increasingly demanding wood products sourced from proven legal and well-managed forestry operations. Being able to prove the source of wood products is rapidly becoming a mainstream requirement for businesses that trade internationally and is also becoming a requirement within domestic markets.



DERM
Forest Products

In a bid to halt illegal logging operations, many countries have introduced legislation to ban the import of wood products from unproven sources. Many other countries, including Australia, are looking to introduce similar legislation.

The Australian Institute of Criminology estimates that around nine per cent of timber imported into Australia comes from illegal logging operations and the origin of up to 70 per cent of timber sold worldwide cannot be verified.

The only credible way to prove to governments and consumers that wood products have been sourced from certified legal and well-managed forests is by tracking them from forest to finished product using chain-of-custody tracking schemes.

And the only way to provide a guarantee that forests are managed to world-class standards is through independent certification to internationally recognised forest management standards.



End users are increasingly specifying for chain-of-custody certified wood products.

More than 10 million hectares (around 90 per cent) of Australia's production forests are now certified through forest management certification schemes.

The Department of Environment and Resource Management's Forest Products branch, which manages timber production from native forests on State lands, achieved independent certification to the PEFC-recognised Australian Forestry Standard (AFS) in 2005.

Forest Products' AFS certification provides its timber processing and manufacturing customers with the opportunity to achieve chain-of-custody certification for products they produce using timber sourced from its forests. They are then able to eco-label their products and capitalise on the growing demand for certified wood products.



Being able to verify the origin of wood products supports responsible forest management worldwide.

In line with a growing trend by government agencies around the world, Queensland's Department of Public Works has released a sustainable timber procurement policy that requires merchants to supply them with recycled timber and/or timber that has chain-of-custody certification.

Many operators in the state's timber industry are discovering that with a little extra effort, chain-of-custody tracking of their products can become standard operating procedure.

The number of Forest Products' customers with chain-of-custody certification is steadily increasing. During the 2007-08 financial year, less than five per cent of the sawlog timber sold by Forest Products went to customers with chain-of-custody certification. During the 2009-10 financial year, the amount had increased to almost 40 per cent. With two more customers recently achieving certification, the figure for 2010-11 will be much higher again.

Chain-of-custody certification is not only helping to reduce illegal logging operations and promotes responsible forest management worldwide, but is also demonstrating the environmental integrity of Queensland's timber industry.

MEMBERSHIP FORUMS - CONTRIBUTION & COMMUNICATION

At our most recent board meeting in September, the Directors of TABMA Queensland discussed the need for greater communication among members of industry. There are many issues that affect each market sector differently which are currently being experienced and providing a forum to facilitate discussion about such issues may be beneficial to addressing them. This is a step towards positive action for self regulation of our industry's more unethical practices through improved communication.

As such we will be forming Merchant, Manufacturing and Wholesale sub-groups. TABMA Queensland members are encouraged to attend these sessions and also contribute to the agenda. They will be driven by the members and your concerns. These forums will be initially arranged twice per year (then adjusted as and if the group deems necessary). They will be minuted and plans developed to ensure concerns are actioned.

These sessions will be run in accordance with the Trade Practices Act guidelines with transparency and anti-collusion principles paramount, in conjunction with promoting the TABMA Queensland Code of Ethics which are highlighted below:

Members of the Timber and Building Materials Association (QLD) Ltd undertake to adopt and abide by the Association's code of ethics. Thus, whenever you see the TABMA sign, you are assured that you are dealing with a genuine, specialised timber and building material stockist. This code of ethics ensures that your stockist member:

- **Treats all customers in a professional manner, providing courteous and friendly service and specialist product advice.**
- **Supports sustainable forestry practices which acknowledge that timber is a renewable resource and allow multiple uses of forests on a sustainable yield basis to provide protection for the environment.**
- **Stocks and recommends only good quality products which are fit for intended purpose, and ensures that all products stocked and advertised are as described.**
- **Offers prices which are fair and competitive and adopts ethical trading practices.**
- **Conforms, where applicable, with recognised industry standards, including the relevant Australian Standards.**
- **Provides adequate staff training and a safe workplace environment.**

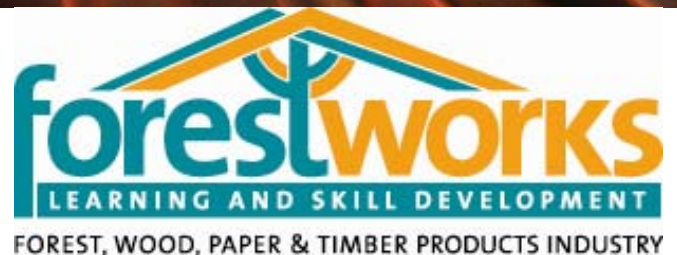
Please feel welcome to call the office on 3254 3166 or email karen@tabma.com.au at any time to discuss these forums and/or request an item be put on the agenda. We will release the 2011 schedule for these forums in late November.



ForestWorks is the national industry organisation linking workplaces to formal skills and training solutions. We are working to improve our industry's capacity to develop and sustain a skilled workforce.

ForestWorks educates and works with a wide range of stakeholders developing sustainable solutions to skill and employment issues.

As an Industry Skills Council, ForestWorks builds partnerships between industry and government in order to assist the development of a highly skilled workforce.



Call ForestWorks 1800 177 001

For more information: www.forestworks.com.au

Savings for TABMA QUEENSLAND Members With Group Buying Power



From a survey of industry I am presently conducting and in conjunction with recent media reports, I have identified that electricity costs are a significant business expense for a number of timber industry operations and appear to be increasing. To assist with this I have approached Power Choice to arrange cost savings for TABMA Queensland members. It is important to note the following:

- **Your application is obligation free.** Payment for this service is only due if your company qualifies and savings are realised (about three months after the contact has been implemented) and even then, fees are only charged as a percentage of savings so it's win-win without affecting your current cashflow.
- Power Choice has succeeded in saving customers over \$14 million in electricity charges over the past 12 months.
- Power Choice is one of the only electricity brokers that have ISO 9001:2000 accreditation which offers peace of mind regarding their credibility.
- The more members that get involved, the greater our overall savings will be with a higher level of buying power. If you do not qualify this year, we will be performing this on a yearly basis so if your circumstances change we can try again next year.
- If you are not currently a member of TABMA Queensland but are interested in these ongoing savings, please contact me. You will likely find that your savings from this deal will cover (with change) your annual membership (with the bonus of gaining access to all of the services and discounts we provide with membership).

Power Choice has helped hundreds of Australian Businesses save money on their Electricity spend, and now members can benefit from their services, endorsed by TABM A Queensland.

“We use our buying power to negotiate with Australia’s leading suppliers to Broker the best energy prices.”

Saving money with Power Choice is quick, easy and OBLIGATION FREE. We understand TABMA Queensland members are busy, so we’ve made our process simple. Just fill out the attachment and fax directly (along with a copy of at least one electricity bill - instructions on attachment) to:

Karen Johnston, TABMA Queensland Fax: 07 3254 4599

Once qualified, Power Choice will then contact you and arrange a time at your convenience to meet and present our energy report and identified savings.

A BRIEF ABOUT THE ELECTRICITY MARKET:

In Queensland, Victoria, Tasmania, NSW and South Australia the State governments have partially deregulated the supply of electricity. However as it is not fully deregulated each state operates slightly differently with partially regulated pricing structures and regimes. These can differ by state depending on factors such as volume, rate of usage, network location, consumption levels etc. In addition to these controls, there is an active electricity market selling futures, spot prices and other advanced financial instruments and derivatives. Trading on this market ultimately determines the price of energy.

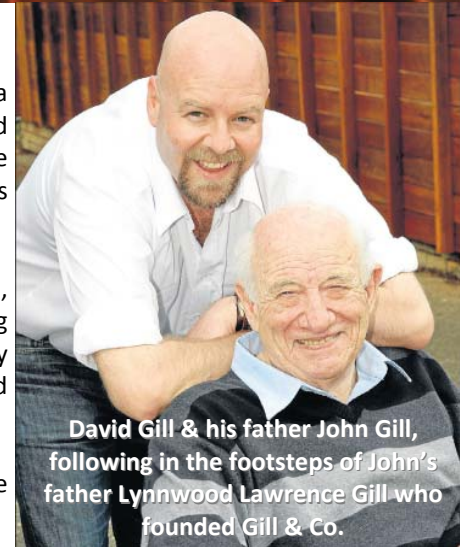
Market based electricity is a complex acquisition and decision process that most busy small to medium size business tend to ignore or fall into the entrapment of door-to-door energy retailer reps. It requires an ASIC financial services licence to provide advice on the electricity market and few disclose this fact. Power Choice performs a complete, personalised analysis of specific options for each customer. Power Choice energy statistics indicate that businesses contracting their own electricity from the tariff to the contestable market face a 1 in 3 chance of permanently increasing their electricity costs without this full analysis.

CONGRATULATIONS ON 50 YEARS OF SERVICE

TABMA Queensland member GILL & CO have reached their 50 year milestone of operating a successful timber business. Currently running the Cleveland operation is third generation, David Gill, who believes their success is driven by experience and the passing on of industry knowledge and contacts from father to son. "It's those long term industry associations that enable us to pass on discounts to customers," he reports.

Gill and Co clearly have the support of both suppliers and customers alike. The Bayside Bulletin, (September 28 2010 issue) displayed a two page report about their milestone, featuring messages of support from some of their key builders and wholesalers alike. They are clearly practicing the concept of being service and quality oriented with emphasis placed on honest and reliable relationships.

The staff and Directors of TABMA Queensland would like to extend their congratulations to the team at Gill & Co and best wishes for success in the next 50 years of your operations.



David Gill & his father John Gill, following in the footsteps of John's father Lynnwood Lawrence Gill who founded Gill & Co.

THE ADJUDICATION PROCESS STEP 5: THE ADJUDICATOR'S DECISION

In the previous editions we looked at the various processes under the QLD *Building and Construction Industry Payments Act 2004* (the Act) known as a "payment claim" and the "payment schedule", the three paths to adjudication, applying for adjudication and making a response to an application.

In this edition we will look at the "Adjudicator's decision". All adjudicators in QLD are registered under the Act and the registration system is managed by the QLD Registrar who is located in the State of Queensland's Building and Construction Industry Payments Agency which is an agency within the BSA.

The Authorised Nominating Authority (ANA) must nominate a registered Adjudicator to make a decision on the adjudication application. The Adjudicator will then accept the application within 4 business days of the application being received by the ANA and the parties will be notified of the acceptance. In most instances the ANA manages the documentation for the Adjudicator so all documentation to and from the Adjudicator will generally come through the ANA.

Unless the Claimant and Respondent both agree to extend the period of time, the Adjudicator must decide the adjudication application within 10 business days after the earlier of the:

- Date the Adjudicator receives the adjudication response; or
- Date on which the Adjudicator should have received the adjudication response.

In making the decision the Adjudicator may:

- Request further submissions from the parties
- Call a conference (without legal representation)
- Inspect the work

The Adjudicator must take into consideration:

- The provisions of the Act;
- Where applicable the provisions of the QBSA Act;
- The provisions of the contract;
- The payment claim and any documentation in support of the payment claim;
- The payment schedule and any documentation in support of the payment schedule;
- The results of any inspection.

Keep in mind that the Adjudicator will:

- not have had anything to do with the project;
- will not know the parties involvement in the project;
- is required only to consider the legislation and documents properly put to them (these should include the contract, payment claim, payment schedule, adjudication application and adjudication response); and
- will probably not meet with the parties or attend the site.

The Adjudicator must give a written decision and must decide the following:

- the 'Adjudicated amount' of the progress payment, if any, to be paid by the Respondent to the Claimant; and
- the date the 'adjudicated amount' became (or becomes) payable; and
- the rate of interest payable.

Once the Adjudicator has made the decision the parties are contacted and there will be a notification on the Adjudication fees to be paid for the release of the decision.

THE ADJUDICATOR'S DECISION CONT.

The Act states that both parties are severally liable to pay the fees and the Adjudicator is allowed to apportion the fees as they see fit (eg 50%-50%, 0%-100%, 75%-25%). This apportionment is not generally advised to the parties so in most instances the Claimant pays the entire fees (including the Respondent's share), which is then added to amount adjudicated to be paid.

If an Adjudicator decides the Respondent is to pay the Claimant any amount then the Respondent must pay the Claimant the decided amount by the "relevant date" which is either 5 business days of receiving the decision or at a later time determined by the Adjudicator.

If the Respondent fails to pay the whole or any part of the "adjudicated amount" by the "relevant date", the Claimant may:

- Ask the ANA to provide an "Adjudication Certificate"; and/or
- Suspend future work or the supply of goods or services, by service of a notice to do so.

An "Adjudication Certificate" must state the:

- Name of the Claimant; and
- Name of the Respondent; and
- "Adjudicated amount"; and
- Date on which payment of the "adjudicated amount" was required to be paid to the Claimant.

The "adjudicated amount" for an Adjudication Certificate is comprised of:

- The amount determined by the Adjudicator, and
- interest payable on the "adjudicated amount"; and
- Reimbursement to the Claimant of the Respondent's unpaid share of the adjudication fees, if such fees were paid by the Claimant.

An "Adjudication Certificate" is centrally generated off the QLD BSA database and:

- May be filed as judgment debt, so that payment can be enforced in a Court of competent jurisdiction; and
- Must be accompanied by an "Affidavit" from the Claimant stating that the whole or part of the adjudicated amount has not been paid.

The issuing of an "Adjudication Certificate" allows a Claimant the opportunity to convert an adjudication decision into a judgment debt of a competent court of jurisdiction and allow the Claimant to use the courts to recover the debt.

Note that it is commonplace that parties settle during the adjudication process which is an often misunderstood benefit of the Act. If you are either a Claimant or a Respondent involved in adjudication don't ignore the opportunity to settle your differences. Many parties use adjudication to stimulate negotiations rather than have a third party Adjudicator decide for them.

If you do settle before the decision is complete then both parties should advise the ANA as soon as possible so that the adjudication process can be stopped and unnecessary works are not completed by the ANA and Adjudicator. The joint advice should confirm a willingness to pay the ANA and the Adjudicator for works completed and any withdrawal fees as communicated to the parties prior to the Adjudicator accepting the matter.

Currently at Able Adjudication Pty Ltd the only fees that apply are the adjudication and administration fees (Adjudicator and ANA). The parties pay at the end of the process so that if a matter is settled then the fees can be kept at a reasonable level depending on how much work (if any) the Adjudicator has undertaken.

Able Adjudication's fee structure can be found on its website www.ableadjudication.com.au. Note that, generally speaking, adjudication is much lower in cost and significantly quicker than going to court or using other dispute resolution processes.

Able Adjudication Pty Ltd is an Authorised Nominating Authority (ANA) in QLD, ACT and NSW and appoints independent adjudicators to make decisions on payment disputes in those states. Information on how the Act operates and the process can be found at the relevant government web sites in your State or Territory, Able Adjudication's website www.ableadjudication.com.au or by contacting Able Adjudication by e-mail info@ableadjudication.com.au or phone 1300 922 303. For a full appreciation of rights and obligations it is advisable to consult the relevant legislation and/or obtain legal advice. Able Adjudication disclaims any liability (including for negligence) to any person in respect of anything and the consequences of anything done or not done by any such person in whole or partial reliance upon anything in or omitted from this article.

DEALING WITH BAD DEBTS

Would you like to eliminate your outstanding debt, slow paying accounts and bounced cheques?

Debt recovery is not always an easy task, so relieve yourself of this unpleasant chore by hiring professional debt collectors to do it for you. At Professional Collection Services we are experts in bad debt recovery. We will locate these slow payers for you, and we also offer reposessions on all items. Pass the problem of outstanding debt on to us and we will work on your bad debt recovery with minimum hassle to you. So make your debt recovery our problem today. To discuss any delinquent accounts or for more information, please contact Aaron Bey – 0417 030 761 or 1300 799 067



We also offer a discounted flat rate of 12.5% to all TABMA Queensland members.

DO YOUR CUSTOMERS KNOW WHERE TO GO FOR TECHNICAL TIMBER INFORMATION?

Timber Queensland's Building Professionals Technical Subscription delivers builders, architects, specifiers, designers, certifiers and engineers hard to find technical timber knowledge. The service is also an opportunity for these professionals to have input as timber related issues develop and guidelines, standards and regulations are prepared. Timber Queensland's CEO, Rod McInnes, says the service saves building professionals time and money.

"Keeping abreast of timber specific regulatory changes, product developments and technical review panels is a job in itself," said Rod McInnes. "However, the recipients of Timber Queensland's expert knowledge and experience stay ahead of the game," he said. "Subscribers receive a regular Technical Update e-newsletter and have access to a password protected Resource Centre on our website,

www.timberqueensland.com.au, providing technical reports, user guides, industry comment, and 31 Technical Data Sheets covering a broad range of technical specification and use issues," he said.

"They can also utilise our 'Ask an Expert' email advice service which provides personalised assistance on any technical timber issue."

To subscribe visit:

www.timberqueensland.com.au

or call 07 3358 7907.

Need timber knowledge?

Log in to Timber Queensland's
Building Professionals Technical Subscription Service

www.timberqueensland.com.au

Who should subscribe? • Builders • Specifiers • Designers • Architects • Certifiers • Engineers

TIMBECK'S NEW CEDAR WEBSITE

Timbeck Cedar Products has just released arguably the most comprehensive Cedar website available with particular emphasis on issues relating to Australian market and product service conditions. www.timbeck.com.au

The focus is primarily on technical content – as detailed as it can be made and as complete as it can possibly be. The aim is to provide just one reference point for all the information on Western Red Cedar.

Timbeck is Australia's largest importer and producer of Cedar machined profiles, including Panelling, Cladding, Weatherboards and Mouldings, together with Shutter, Blind and Joinery components. In addition, specially machined items are produced for the Garage Door, Sauna, Spa and Boat Building markets. Also stocked are an extensive range of Dry Sawn Cedar for prompt supply to Joiners and other timber industry participants.

Through the NEW site, you will be able to access detailed information on all aspects of Western Red Cedar – product data including grades & sizes, fixing & installation guidance, recommendations & specifications for finishing and maintenance – you will also find comprehensive references to environmental & sustainability issues and certification.

The new site also covers all aspects of Timbecks' state of the art coating plant located just west of Brisbane. It specialises in the pre-finishing of the company's own Western Red Cedar products and components as well as contract coating for the needs of other companies.

A new range of pre finished Panelling, Cladding and other building products have just been released onto the market and detailed finishing and maintenance options are listed on the new website.

Coating enquiries can be made to Gene Lambert on (07) 5461 9500 – gene@timbeck.com.au. Western Red Cedar is the primary timber Timbeck sources - they are truly the Cedar specialists. Contact the Queensland office on 07 3888 7788.





TO: _____ FAX: _____

PAGES: _____ NO. BILLS ATTACHED: _____

CLIENT DETAILS:

Registered business / Company name: _____ ABN (Mandatory): _____

Trading Name: _____ Industry: _____

Name of Trustee (if applicable): _____ ACN of Trustee: _____

ADDRESS:

Street address: _____ Postal address: _____

Suburb: _____ State: _____ Postcode: _____

Telephone no: _____ Fax no: _____ State: _____ Postcode: _____

CONTACT:

Contact name: _____ Business title: _____

Direct phone: _____ Fax: _____

Email: _____

Alternative contact: _____ Phone: _____

Sign here: _____ Print name: _____ Date: _____

- Terms & Conditions**
- i Power-Choice has the exclusive agency and authority to represent you for the purposes of tendering to energy companies, deal with all energy and metering/data, and act on instructions on your behalf.
 - ii We operate a 7 day cooling off period. To qualify you must notify us in writing with 7 days of the date of this agreement.
 - iii All information provided by both parties is treated as commercial in confidence.

- Action procedure**
- 1. Fill out and complete the above document and return via fax or email.
 - 2. Fax or email 12 months of your latest electricity bills.

Fee disclosure All offers presented are subject to a once off performance fee of 20% of any savings identified, a 1.5% tender and 0.5% admin fee. Our consultants will disclose all fees to you upon presentation of retail offers.

- FAQs**
- Q. What if I am currently under contract?**
A. Power-Choice can negotiate new energy contracts to start when your existing agreement ends.
 - Q. Are there any upfront costs?**
A. No. All fees can be paid over 12 months in-line with your bills.
 - Q. Do I need to be using a certain amount of electricity to qualify for wholesale rates?**
A. Yes, Government regulations permit us from contracting customers using under 100mwh in Queensland and 160mwh in NSW annually, which equals around \$1700 spend per month. Our consultants can calculate your usage to determine if your business qualifies for the wholesale rates.

Questions? Why not give us a call...

PH: 1300 16 50 20

FAX: +61 7 3041 3592

EMAIL: info@power-choice.com.au