

# Plumbing SA



The Plumbing Industry Association of South Australia Inc.

March / April 2014



- Electric HWS Regulations Changes
- SafeWork Urban Myths and Fear of Litigation
- Lagging Hot Water Pipes



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# Contents

March / April 2014

## Inside this issue....

PIA Editorial	2
Residential Plumbing	5
Maintenance Plumbing	8
Commercial Plumbing	10
Maric Celebrates 50 Years	12
Legal Advice	13
Workcover Scheme	18
Financial Advice	19
JB's Soap Box	20
Hot Products	22
Business Advice	23
In Brief	26
SafeWork SA	27
SA Water	32
Member Benefits	35
Gas Plumbing	37
PIA Group Training Update	38
President's Lunch	39
Industry & Affiliate Members	41

Cover: Hot Water Legislation roll back

### Published by

The Plumbing Industry Association  
(SA) Inc  
1st Floor/1 South Road  
Thebarton SA 5031  
PO Box 219  
Torrensville Plaza SA 5031  
Ph: (08) 8292 4000  
Fax: (08) 8292 4040  
Email: editor@piasa.com.au



### Advertising Enquiries

Siobhan James  
Ph: (08) 8292 4000  
Email: siobhan.james@piasa.com.au

### Prepress and Printing

Keystone Printing  
Ph: (08) 8231 9999  
Fax: (08) 8231 4899  
Email: sales@keystoneprinting.com.au

### Website

Web: www.piasa.com.au

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# Editorial

Behind the scenes of the PIA

## PLUMBING SA

The Plumbing Industry Association of South Australia Inc.



### Electric Storage Hot Water Systems off the Boil

July/August 2008

Inside...



We are continually asked why plumbers and gas fitters are members of the PIA and what are the benefits of becoming a member of the association?

Well, I think it may be worth noting that although we publish and broadcast the immediate benefits and services, a large component of what we do, or attempt to achieve, is work conducted behind the scenes.

The PIA is here to protect and serve the best interests of the plumbing industry and we do seek input from industry stakeholders and of course the members to gather information that will ensure sustainability and security for the trade.

The front cover highlights just one of the achievements that has been a work in progress ever since the hot water legislation was introduced, back in 2008. Even at the point when the legislation was introduced the PIA were on the war path to make sure the industry was not disadvantaged.

I say industry as the term includes non-members – which poses a direct question to those non-members, are you now benefitting from the latest change to the legislation? In this case, it was both the industry and the community that suffered as the whole concept was questioned from the very start.

The concept of reducing greenhouse gas emissions is something that the PIA does support, but it will not support poorly framed public policy where the disadvantages outweigh any possible benefits.

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# Editorial

Behind the scenes of the PIA

We are continuing to pursue the matter of 315L EHWs being banned, simply because for some the alternatives remain out of reach financially. The PIA has a range of other initiatives that are being developed / prepared that will also support the longevity of the industry.

The PIA has also prepared a number of brief recommendations to the government and the opposition on how to improve the current plumbing environment, and is meeting all parties prior to the forthcoming election to push for the changes that the industry wants.

Some of the key elements include;

- A collaborative review of some practices within the Office of Technical Regulator (OTR), these include inspection processes, auditing of COC's, liability of work, tracking of plumbing specific products that are installed by unlicensed tradespeople and a voluntary Continuous Professional Development (CPD) process to ensure standards are maintained
- Since the National Licensing scheme has now been abandoned, the PIA are seeking introduction of a number of conditions to ensure plumbers are protected and that any unlicensed people are easily identified and prosecuted
- More attention on the protection of subcontractors being paid for work completed, with minimal chance of principal contractor bankruptcy disrupting payments
- A review of why insolvent businesses can restart and conduct business in the same field ie; A builders goes into administration then starts up again after not paying off their previous debt
- PIA wants to see a greater level of support to South Australian companies to meet tender eligibility requirements.

The PIA needs to work closely with members and gain as much data / information pertaining to all these issues as well as any other concerns raised by industry.

We often don't convey the processes which we must use to tackle these issues as it is sensitive and often confidential information. Members and potential new members can rest assured that all the changes we attempt to make gives the industry more security and provides greater opportunities for you to gain more business.

We act in good faith for all in the industry, it is up to you to see whether we meet your expectations as an industry leader. We have an open door policy that gives you the right to come in at any time and voice your concerns or raise new issues.

The change to the hot water legislation is just one example of providing you (a key industry member) with greater opportunities in the market place.

If you are a member – money well spent, if you are not a member, think when you next install a 250L hot water service who made this possible.

## Free Business Training

Over the past four years, the PIA has been locked in an arrangement to provide business training to our members, the course was titled; Build A Better Business. The course was partly funded to reduce the cost of the course and give businesses a chance to seek advice and guidance to improve profitability and increase business efficiencies.

Now the PIA can advertise the course as a freely available course conducted online via trainer Philip Arnfield.

Additionally, we have arranged for Ian Novak to provide business coaching for those who wish to take their business to the next level or to develop succession or exit plans.

See the article in this issue outlining Ian's services see page 23. If you feel a need to review current business practices and increase profitability, contact Crystal Balazs for more details. Cheers and I hope 2014 is a better year for you and your business.



Andrew Clarke  
Executive Officer



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# Residential Plumbing

Australian Housing Starts Rise Above 163,000



In further confirmation of the recovery in residential construction throughout Australia, the latest data shows a further surge in housing starts throughout the nation.

[Housing Construction Finance Remains Strong](#)

[Northern Territory Tops Construction League Table](#)

[Housing Comeback Fuels Construction Industry Confidence](#)

The latest figures from the Australian Bureau of Statistics (ABS) show that ground broke on 40,331 homes throughout the nation (seasonally adjusted) in the September quarter.

Those numbers are slightly down on the previous quarter (41,772) but still above the 39,304 starts which occurred in the same quarter one year earlier and mark the fourth consecutive month on record for which the number of commencements has come in at over 40,000.

All up, construction started on 163,250 homes in the 12 months to September last year, up from 146,343 in the year to September 2012.

Housing Industry Association chief economist Harley Dale welcomed the latest figures, saying start numbers over the 12 months to September are at their highest levels since 2004 if the post-GFC stimulus related spike is excluded.



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# Residential Plumbing Cont..

Australian Housing Starts Rise Above 163,000

Still, he cautioned the recovery was being geographically driven by New South Wales and Western Australia and also by growth in the multi-residential sector as well as detached housing.

Detached housing did record moderate gains in starts over the September quarter, however, while multi-residential eased back.

“The overall recovery in new dwelling commencements since the trough in March 2012 is still being driven by New South Wales and Western Australia. Although Queensland is showing clear signs of improvement,” Dale said in a statement.

“The recovery is also being driven primarily by other dwellings (multi-units) rather than detached housing. Both segments are growing, but annual commencements for detached houses are 9 percent below their 20 year average while commencements of multi-units are running 35 percent above their 20 year average.”

“This compositional change has an influence on the extent of the boost that domestic manufacturers and retailers will experience from the new home building recovery.

[However,] Overall, the upward trajectory in new dwelling commencements is still clearly a positive factor for the broader domestic economy.”

New South Wales and Western Australia recorded seasonally adjusted gains of 8.6 per cent and four per cent respectively, while commencements also rose in South Australia (2.4 per cent), the Northern Territory (1.9 per cent) and Queensland (0.2 per cent).

Housing start numbers dropped, however, by 8.5 per cent in Victoria and 5.4 per cent in Tasmania, and plummeted 32.7 per cent in the Australian Capital Territory.

Andrew Heaton



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# Maintenance Plumbing

DIY Disasters competition for 2013



The unexpected discovery of makeshift laundry piping fashioned from a milk bottle has secured Sydney plumber Michael Downing the 2013 Reece DIY Disasters competition title and a \$5,000 prize.

The popular competition has been seeking out Australia's worst DIY plumbing gaffes for more than 15 years as part of Reece's ongoing efforts to highlight the risks of 'giving it a go' without enlisting a licensed plumber.

This year's competition invited the public to select their favourite, with Facebook voters naming Michael's amusing laundry plumbing surprise the 2013 winner from 10 DIY Disasters finalists.

Michael found his winning entry when called to fix the source of a mysterious leak at a client's new home. He traced the leak back to the laundry sink – and that was when the fun began.

"We cleared out the cupboard under the laundry sink, found that someone had cut a plastic milk bottle in half and taped it to the drain as a replacement for a missing section of pipe," said Michael.

"The owner had just bought and moved into the house and needless to say wasn't too impressed."

According to Michael, the discovery was one of funniest DIY plumbing disasters he's come across in his 18-year career but also reinforces the risks involved.

"People do it themselves without regard for the rules and regulations. As long as it fits and works for them, they're happy. They don't think about the risks," he said.

Reece Plumbing's Business Development Manager Adam Watson has seen hundreds of entries over the years and says the competition remains an integral part of Reece's efforts to educate would-be

amateur plumbers on the frightening implications of going it alone on plumbing jobs. "All too often, people don't realise the risks to both safety and health that DIY plumbing jobs pose," said Adam.

"Most think they are saving themselves money but don't realise that doing the plumbing themselves can end up costing more in the long run, not to mention putting lives at risk, causing damage, and ultimately devaluing their homes."

Other finalist entries in this year's competition highlighted the many dangers of amateur plumbing attempts like the explosion and burn risks from homemade or repaired hot water systems or the sanitation risk from cross-connecting pipes and appliances.

All 10 DIY Disasters finalists received a Big Dog Pack valued at \$500. Entries for the 2014 DIY Disasters Competition open around August – September.

The number of photographs we receive here at the PIA makes it a "no brainer" that SA plumbers can make the finals if not win it. A very nice bonus for taking a few moments to photograph and lodge an entry. Visit [www.reece.com.au/diydisasters/finals](http://www.reece.com.au/diydisasters/finals) or the Reece Plumbing Facebook page to see all 2013 finalists and keep an eye out for the 2014 competition.



# Plumbing Advisory Note

## Thermal insulation for heated water services

The National Construction Code Series Volume Three, Plumbing Code of Australia (PCA), Part B2 specifies the objectives and performance requirements related to the installation of heated water services.

AS/NZS 3500.4 Plumbing and drainage Part 4 Heated water services, is the "deemed to satisfy" document listed in Part B2 of the PCA which contains a section on water and energy efficiency requirements for heated water installations.

This includes the thermal insulation requirements for piping associated with the heated water Services.

### Building Classification

The requirement to install thermal insulation in South Australia applies to all classes of buildings.

### Climate Regions and R-Value Requirements

Piping shall be thermally insulated to achieve a minimum R-value in South Australia which complies with the Climate Region A or B as defined in AS/NZS 3500.4 Section 8.

- 13mm of closed cell polymer, R-value =0.3
- 25mm of closed cell polymer, R-value =0.6
- 38mm of closed cell polymer, R-value =1.0

The region for Adelaide, Port Lincoln, York Peninsula, the Riverland and West Coast is categorised as Climate Region A which requires 13mm of closed cell polymer to be installed on heated water piping and 9mm of closed cell polymer to be installed on valves associated with the water heater.

The region for Port Augusta, Murray Bridge and Mt Gambier is categorised as Climate Region B which requires 25mm of closed cell polymer to be installed on heated water piping and 9mm of closed cell polymer to be installed on valves associated with the water heater.

### Piping Associated with Storage Water Heaters

Thermal insulation complying with the Climate Regions as identified in AS/NZS 3500.4:2003 Fig 8.2(d) and Appendix L shall be installed as follows:

- The inlet and outlet pipes, including valves, for a storage water heater for at least the first 500mm or, where an external heat trap is fitted, to a point 150mm down the heat trap vertical leg closest to the water heater.
- All relief valves fitted directly to the storage water heater.
- The primary flow and return pipes, including valves, between an auxiliary heater and a storage water heater.
- All vent pipes to 300mm above the maximum operating water level of the heated water system.
- On multiple installations, the whole heated water manifold, including valves, to a point at least 500mm past the heated water outlet branch from the last water heater.
- On a solar water heater installation, the pipework between a solar pre-heater and an in-line supplementary water heater.
- The insulation shall not impede the operation of any valve.

### Minimum Thermal Insulation of Heated Water Piping

The requirement for the provision of Thermal insulation for heated water piping depends on if the heated water piping is associated with a circulator or non-circulatory system.

#### For Non circulatory systems the following applies:

- All heated water piping that is buried or is within a conduit encased within a concrete floor in Climate range A or B requires 13mm of closed cell polymer thermal insulation.
- All external piping from the water heater to the primary kitchen sink in a Climate A region requires 13mm of closed cell polymer thermal insulation and in Climate B regions requires 25mm of closed cell polymer thermal insulation.

#### For Circulatory Systems the following applies:

- All heated water piping that is buried or is within a conduit encased within a concrete floor slab in Climate range of A or B requires 13mm of closed cell polymer thermal insulation.
- All external flow and return piping, including 500mm along any branch from the flow and return piping in Climate range A, 13mm of closed cell polymer thermal insulation and in Climate range B, 25mm of closed cell polymer thermal insulation.
- All internal flow and return piping, including 500mm along any branch from the flow and return piping in Climate range A and B 13mm of closed cell polymer thermal insulation.

### Protection of Insulation

- Where insulation on piping is exposed to the weather, it shall be of a weather-resistant type or surrounded by a weather-resistant enclosure.
- Thermal insulation on buried piping shall be protected against moisture penetration by an outer cover made of a durable waterproof material and where the insulation is cut for jointing purposes, the joint shall be wrapped with a durable inert waterproof tape.

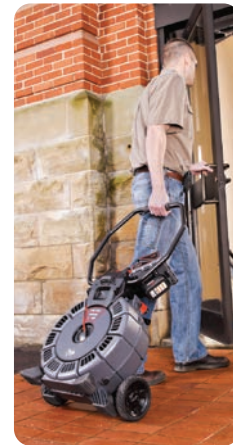
*Editor's Note: This advisory note was published at the request of the PIA because members have been failing to comply with this standard.*

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# Commercial Plumbing

40 years of Water and Wastewater Treatment



Above: Nijhuis DAF plant

With environmental legislation and the value of water on the rise, water and wastewater treatment technology has never been more important and is increasingly included as part of the scope of hydraulic packages for new builds as well as existing facilities.

Technologies which may have previously been almost unheard of in the plumbing industry, such as Dissolved Air Flotation (DAF), are becoming more and more commonplace as they are specified in order to achieve compliance with regulatory requirements.

Celebrating 40 years of supporting industry and communities across Australia with their water and wastewater requirements, Environmental Water Services (EWS) has developed the knowledge and capability to assist with a wide range of water and wastewater treatment challenges.

Originally a plumbing company, EWS has developed expertise in water treatment with a firm foundation in technical knowledge and a culture of innovation and ongoing development.

With a manufacturing facility and head office in Mount Barker, SA and offices around Australia, EWS is ideally located to respond quickly to the water and wastewater treatment needs of plumber's clients.

## Industrial Wastewater Treatment

EWS represents Nijhuis Water Technologies in Australia and New Zealand, a global leader in industrial water treatment with over 2,400 references in a wide range of industries including food and beverage, oil, gas, and mining.

Working with Nijhuis, EWS is able to supply, install, commission, operate and service a wide range of industrial water treatment technologies, including:

- Dissolved Air Flotation (DAF)
- BOD/COD reduction
- Biogas generation / Waste to Energy
- Sludge treatment
- Screening
- UV and Ozone disinfection
- Water recycling to improve the client's operational sustainability and reduce operating costs.

Customers can be sure that they are getting a treatment system that is installed and supported by an Australian company that understands the process and is fully affiliated with the manufacturer.

Dissolved Air Flotation (DAF) technology is used for separating non-dissolved materials, such as suspended solids, oils & greases and coagulated and flocculated particles from waste water. For decades, the Nijhuis Water Technology Dissolved Air Flotation unit has been known as the best and most robust DAF on the market.

To remain ahead of the game in DAF technology, Nijhuis have recently redesigned their DAF concept and developed an even more efficient system, the Intelligent DAF, to maximise sustainability and minimise operational costs by introducing:

- An intelligent aeration system gives 30% lower energy consumption
- A more efficient flow pattern, smoother internal plate packs and dynamic level control result in higher removal efficiencies and sludge loading capacities

For applications where floor space is at a premium such as shopping centres and hospitals, a compact range of DAFs is available with an internal plate pack which increases the efficiency of the DAF, reducing plant footprint.



Above: Nijhuis DAF plant at night

# Commercial Plumbing

40 years of Water and Wastewater Treatment



Above: Argyle Fly Camp

## Municipal and Remote Site Wastewater Treatment (CWMS)

EWS designs and manufactures sewage treatment plants for remote and municipal locations at its head office in Mount Barker.

The plants are proven, packaged processes designed to run with the minimum of operator input in the remotest of locations, and EWS have over 200 references from councils and communities in SA and across Australia.

EWS recently built and installed a 1500 person 375kL/d MBBR plant in a remote location within the particularly challenging lead time of just four weeks from the date of order. As such, EWS take pride in achieving quick response and deployment times.

Different models are available including GO TREAT RD (Rapid Deployment) which was specifically designed for running with minimal operator input in the remotest of locations, and GO TREAT MBBR which minimises plant footprint and as such is ideal for larger populations or can be containerised for smaller populations for maximum ease of transport and installation.

EWS also supply polishing systems for achieving high quality recycled water for reuse, as well as systems for potable water production including media filtration, chlorine/UV/ozone disinfection, and membrane systems.

## Service and Maintenance

Water and wastewater treatment systems represent important health and environmental investments, and having them serviced by an authorised EWS technician is the best way to ensure their ability to perform to the required standards for as long as possible.

EWS has developed a full service package which is delivered with every plant, containing a full operating manual, troubleshooting



Above: Argyle Fly Camp Tank Farm

guide and servicing booklets. This simplifies servicing requirements and ensures a clear chain of custody when it comes to keeping the plant operating at its best.

As part of its GO CARE commitment to Customer Service, EWS offers a range of service/maintenance contract programs including extended warranties, quarterly servicing (or as required), emergency callouts, consumables and replacement parts. These packages are available for all plants supplied by EWS, in industrial, municipal or other markets.

## Environmental Water Services

Environmental Water Services have the experience and the know-how to meet your water and wastewater needs quickly and efficiently.

From initial advice on meeting regulatory requirements to installation of a plant which meets those requirements to ongoing servicing and maintenance, EWS can supply the right solution for the right environment.

Please visit [www.goews.com.au](http://www.goews.com.au) or [www.nijhuis-water.com](http://www.nijhuis-water.com) or contact Environmental Water Services for further information or advice on your water and wastewater needs.



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Environmental Water Services

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p: 1300 4 GO EWS (1300 4 46397)

# Maric Celebrates 50 Years of Manufacturing



Above: Grant Schroder

Australia's population has more than doubled over the last 50 years, but staff numbers at Maric Flow Control Australia, have been through stages of both good growth and decline during this time. In October 2013, Maric proudly celebrated not just 50 years of manufacturing products for the water industry, but record sales and exports as well.

Maric Flow Control valves are highly respected for their simplicity and effectiveness by hydraulic engineers, particularly in the mining and pumping industries, and Maric is now regarded internationally as a leading manufacturer and supplier of constant flow rate valves. Customers include water authorities, filtration companies, pump manufacturers and resellers, and mining companies. The history of the Maric Valve is an evolving local success story.

The company was formed as Maric Products in December 1963 by Eric Schroeder, to manufacture his self designed water heaters. The business operated from a factory in Prospect, SA. The Maric heaters were a significant improvement over the existing instantaneous water heaters of the day, and had become the market leader in Adelaide.

Mr Schroeder saw an opportunity to improve the design of his heaters. If a constant flow of water could be maintained despite the fluctuating water pressures, then water temperature would be constant. At the time, the only flow control valve on the market was a very expensive American product. Mr Schroeder set about designing his own. He studied rubber chemistry, and designed and patented his own valve, named the Maric Valve. The Maric valves had applications beyond the water heaters; they were good for saving water. Including costly hot water in the bathroom. Mr Schroeder re-packaged his invention into a 1/2" BSP chrome plated valve which sold well into the hotel/motel market, both nationally and internationally, throughout the 1970s. Sales of the Maric Water Heaters declined in the 1980s, as they were superseded by mains pressure storage water heaters. Grant Schroeder joined the business in 1987. The business was at a low point, but with machinery upgrades



Above: Flow control valves flashing

and Grant's concerted marketing commitment, sales of the Maric Flow Control valves continued to grow. The name change to Maric Flow Control Australia in 2003 acknowledged that the Maric flow control valves had become the core product. Expanding applications for the valves necessitated adaptations to suit different environments. Recently, a patented non-return feature was incorporated into the valve to create Maric flow control check valves for use in the mining sector, both nationally, and internationally. The use of EPDM, Viton, and High Pressure control rubber materials has increased for more aggressive industrial environments.



Above: Steve Coster holding a 300 mm 316 stainless steel wafer style Maric Flow Control valve.

Further developments have also included manufacturing valve bodies in Titanium and Super Duplex stainless steels. Markets for Maric Flow Control now include industries such as water treatment, municipalities, mineral processing, pumping, and irrigation. 40% of total production is for export, and includes Europe, the United Kingdom, the US, South America, New Zealand, South Africa, the Middle East, and China and Scandinavia.

If any part of your business requires moving water, there's a good chance that A Maric constant flow rate valve is there, or could be used, to ensure constant flow rate.

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Website: [www.maric.com.au](http://www.maric.com.au)



Above: A Maric flow control valve



Above: Maric's Factory



Above: Paul on the lathe

# Legal Advice

Security of Payment – Alive and well in south australia

## Summary

The Full Court decision of ROMALDI CONSTRUCTIONS v ADELAIDE INTERIOR LININGS (No 2) on 19 November 2013 is the first significant decision by the South Australian Courts relating to the Building and Construction Industry Security of Payment Act 2009. The decision shows that the South Australian Courts will give effect to the intent of the Security of Payment Act but will maintain the Court's inherent jurisdiction to grant injunctions or stays in appropriate circumstances. The decision has substantial implications for anyone considering challenging a determination made by an adjudicator.

## Background – Adjudication Award and District Court Injunction

In February 2013 an adjudicator determined that Romaldi should pay Adelaide Interior Linings (AIL) a sum of \$48,194.00 plus interest plus adjudication fees. In February 2013 Romaldi issued a claim seeking more than \$100,000.00 from AIL and also sought an injunction to stop AIL from enforcing the adjudicator's determination. In March 2013, a District Court Judge granted an injunction preventing AIL from taking steps to enforce the adjudicator's determination. A significant reason for the decision to grant the injunction was because the judge accepted that AIL was in financial difficulties and that the adjudicated sum would be spent before Romaldi's claim against AIL had been heard.

## Supreme Court Appeal

In April 2013, AIL appealed against the District Court decision to grant an injunction. In July 2013, His Honour Justice Anderson discharged the injunction. Justice Anderson found that the District Court judge had given too much weight to the evidence which suggested that AIL was in financial difficulties (the evidence was an affidavit from Romaldi's solicitors) and not enough weight to the main purpose of the SOP Act, namely to ensure that interim payments are made promptly after any determination by an adjudicator.

## Full Supreme Court Appeal and Application for Stay of Judgment

In August 2013, Romaldi appealed against Justice Anderson's decision. By this time AIL had obtained a judgment in the Magistrates Court based on the adjudicator's determination. Romaldi sought a stay of Construction Law Update #1: 6 December 2013 DISCLAIMER that judgment but the magistrate refused to hear the application on the basis that granting a stay would be effectively the same as reinstating the injunction which Justice Anderson had just discharged. Romaldi then appealed against the magistrate's refusal to stay the judgment. The appeal against Justice Anderson's decision and the appeal against magistrate's decision were heard by the Full Court.

## Full Court Decision –19 November 2013

The Full Court upheld the decision of Justice Anderson and the decision of Magistrate Millard, but for different reasons. The Full Court:

1. Found that since Romaldi could always have sought a stay on

any judgment, there was no demonstrated prejudice to Romaldi at the time that it sought the injunction, and therefore no basis to grant the injunction.

2. Observed that in order to get a stay on the judgment Romaldi needed to establish that:
  - 2.1. It had a decent chance of succeeding in its claim against AIL; and
  - 2.2. AIL would not be able to repay the judgment amount.
3. Found that Romaldi had failed to show that its claim against AIL had reasonable prospects of success.
4. Noted that even if Romaldi had established points 2.1 and 2.2 above, then the question of whether or a stay would be granted would be a matter of discretion which would involve a balancing and weighing all relevant considerations.
5. Noted that the relative risk of insolvency of the judgment creditor was just one of the factors to be considered, but that it was not correct to say that such risk must be "very high" before granting a stay or an injunction.
6. Noted that the effect of the SOP Act was another factor to consider, and a factor against granting any stay.
7. Held that the magistrate was wrong in refusing to hear the stay application, but if he had heard it, he would or should have dismissed it because Romaldi had failed to establish that it had a decent chance of succeeding in its claim against AIL.

Accordingly the Full Court dismissed both of Romaldi's appeals.

## Nick Anderson

*O'Loughlins Lawyers*

## DISCLAIMER

This newsletter is merely an overview and accordingly it is not to be relied on as legal or other advice or on any other basis whatsoever. All legal liability arising from use of information contained in this article is disclaimed to the maximum extent permitted by law. Readers should obtain independent legal and other professional advice suitable to their individual circumstances.

## Comments

There will only be very limited circumstances in which it will be appropriate to seek an injunction seeking to prevent an adjudicator's determination from being registered as a judgment. The applicant will have to show that the entry of judgment against them (as distinct from the enforcement of such judgment) will cause them prejudice. If an applicant seeks but does not obtain an injunction, there is no legal principle which stops them from then seeking a stay to prevent the enforcement of the judgment.

## Further details

For further details please contact Nick Anderson at [nanderson@oloughlins.com.au](mailto:nanderson@oloughlins.com.au)

# Legal Advice Cont...

“I’m being bullied!” – Are your Performance Management practices going too far?

It’s not uncommon for an employee to claim that they are being bullied or unreasonably micro-managed when being subjected to performance management. In light of recent amendments to the Fair Work Act 2009, we revisit this issue and provide tips for employers when taking disciplinary action against an underperforming employee. As of 1 January 2014, the Fair Work Act 2009 has been amended to allow a worker to apply to the Fair Work Commission for an order to stop any bullying occurring in the workplace. The Commission will be required to consider whether the conduct complained of falls within the definition of being “bullied at work”, where an individual or group of individuals:

- repeatedly behaves unreasonably towards the worker, or a group of workers of which the worker is a member; and
- that behaviour creates a risk to health and safety.

Bullying doesn’t include reasonable management activities carried out in a reasonable manner. This provision is similar to the Workers Rehabilitation and Compensation Act 1986, which provides that a psychiatric injury, ie. stress, will not be compensable where the injury arose wholly or predominantly from reasonable action taken in a reasonable manner to discipline or counsel the worker.

Therefore, in the event that an employee claims that their employer’s performance management practices have crossed the line, the employer will need to show that their actions have been reasonable in the circumstances. However, neither piece of legislation referred to above offers any guidance as to what constitutes reasonable performance management. The 2013 case of *Choi v Country Fire Authority* sheds some light in this respect, with the Fair Work Commission finding in favour of an employer accused of implementing a “distressing” performance management plan leading to dismissal. However, the FWC found that the performance management plan implemented was fair on the following bases: “The Respondent made it clear to the Applicant that there were concerns about her performance and explained the nature of those concerns. This occurred on a number of occasions and in respect to a number of specific projects. The required changes to conduct and performance are clearly set out in the performance management plan. The requirements in the performance management plan are in my assessment:

- Clear
- Link to matters which had been raised directly with the Applicant on earlier occasions and often in relation to specific projects or incidents
- Reasonable in all of the circumstances.

Even if the Applicant strongly believed that every one of the performance concerns raised earlier was unjustified the Applicant clearly understood... what was required of her in the future.”

## Tips for Employers

An effective, fair performance management process must be reasonable in terms of its content and the time allowed to “reach” the targets set therein. For example, if an employee was told that they had to complete an exorbitant number of jobs within a short timeframe when compared against typical workflows, this would unlikely be viewed as reasonable by the FWC. Further, employers must make their expectations clear to the employee to show that he or she was given a fair chance to improve. If you require any assistance with performance management or disciplinary proceedings generally, please contact a member of Lynch Meyer’s Workplace Relations team.

### Sonia Bolzon

Partner

### Lynch Meyer

T > 8236 7655

E > sbolzon@lynchmeyer.com.au



### Cassie Burfoot

Solicitor

### Lynch Meyer

T > 8236 7664

E > cburfoot@lynchmeyer.com.au



Gas Works is Adelaide’s largest gas appliance and air conditioning retail network started in February 1998 by former agents of S.A. Gas Co. Annual turnover is fast approaching \$16m. Seven stores serve the Adelaide metro, south coast and north to the Barossa Valley. A rare opportunity currently exists for an energetic, motivated, owner operator to join this exciting group. Present owners of the well established Salisbury store are retiring to spend more time with family and pursue other interests. Offers around \$300k + SAV are invited. Contact Pat Bennett 0402 790 107 for further information



# Legal Advice Cont...

## When Will You Be Liable For The Doctor's Mistakes?

Employers may not be aware that the liability for workers who receive negligent medical treatment for compensable injuries, which aggravates pre-existing injuries and causes new ones, could ultimately rest with them.

A recent case in New South Wales, reported in the Sydney Morning Herald, has highlighted the importance of employers, when managing WorkCover claims, to ensure that they obtain early and competent medical and rehabilitation advice.

In *CHEP Australia Limited v Strickland* the worker was receiving treatment for a work-related repetitive strain injury to her wrist. The worker was prescribed Mobic, an anti-inflammatory drug, as part of the treatment for her injury.

Shortly after beginning to take Mobic the worker started to complain of headaches and, as a result of medical advice, stopped taking Mobic on the basis that she would resume taking it again if the pain increased.

The worker began to take Mobic again and shortly after reported "extreme pain in her head and eyes" which was found to have been caused by an aneurysm in the brain.

The worker made a claim for income maintenance and medical expenses as a result of the aneurysm, which was declined by the employer's insurer.

The New South Wales Workers Compensation Commission found, on appeal to a Presidential Member, that the Arbitrator's finding that the consumption of Mobic was causally linked to the worker's aneurysm was correct and the worker had established an entitlement to income maintenance and medical expenses.

In South Australia the authority is derived from the decision of the Full Bench of the Workers Compensation Tribunal in *Antoney v WorkCover/GIO Australia (Winsford Pty Ltd) J.D.9/1999*.

In this case a worker was unaware of a spinal tumour until activities at work caused an aggravation to the tumour which resulted in symptoms developing in the worker's left arm and neck.

The worker underwent surgery to remove the tumour and also relieve the symptoms in his left arm and neck. As a result of the surgery, the worker was then totally incapacitated for a period of time.



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# Legal Advice Cont...

## When Will You Be Liable For The Doctor's Mistakes?

The Full Bench found that:

- One of the reasons for the surgery was the alleviation of symptoms attributable to the work injury;
- Without the work related injury, the tumour would have gone undetected and the surgery never performed; and
- There was a direct causal link with the work caused aggravation.

Essentially, this makes employers liable (registered employers through their premiums and self-insured employers directly) when the medical treatment for injured workers goes wrong, provided that the work related injury was a significant reason for the medical treatment.

Employers should always strive to engage with injured workers as early as possible to ensure that they are receiving the appropriate treatment they need in respect of their injuries and rehabilitate them back into the workforce as soon as practicable.

Clearly it's not always possible to ensure that treatment of injured workers goes smoothly and employers seeking to recover the costs incurred as a result of inappropriate, or negligent, medical services provided to a worker should seek advice.

For further information, please contact

**Patrick Walsh**

*Associate*

Direct +61 8 8229 0926

PWalsh@dwlaw.com.au

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Above: Paralysis: Michelle Strickland complained about the drug she was prescribed but was told to keep taking it once her headache had passed. Photo: Dean Sewell

A Sydney grandmother who suffered permanent neurological damage from painkillers she was prescribed for a relatively minor work-related repetitive strain injury has won a landmark worker's compensation case against her employer.

Michelle Strickland was working on the crate-cleaning process line at Chep Australia's Wetherill Park factory in November 2010 when she suddenly felt an extreme pain in her head and eyes. Then she blacked out.

In hospital a CT scan revealed that an aneurysm hidden in Mrs Strickland's brain had ruptured, causing potentially fatal bleeding.

"They tried to send me home from the hospital but I just said, 'No, there's something seriously wrong'," Mrs Strickland, 53, said from her Macquarie Fields home. "I thought I was gone."

Mrs Strickland had two big operations in the next year but she was left with serious injuries, including facial paralysis, difficulty holding a conversation, memory loss and widespread weakness in her body. She will never work again.

Soon afterwards, a GP made a connection between the ruptured aneurysm and a particular type of anti-inflammatory medication Mrs Strickland was prescribed, three months before the rupture, to treat a repetitive strain injury caused by 10 years on Chep's process line.

The medication, Mobic, prescribed by doctors contracted by Chep Australia, produced a sudden and significant increase in Mrs Strickland's blood pressure, which caused her aneurysm to burst.

"Every time I took the Mobic I got a massive headache," she said. "I complained and [the doctor] said 'Just stop until your headache's gone and start again'."

# Legal Advice Cont...

When Will You Be Liable For The Doctor's Mistakes?

Chep Australia, which is self-insured for worker's compensation, did not accept there was any connection between Mrs Strickland's aneurysm rupturing and her employment.

It maintained that the rupture was inevitable, given the woman's history of high blood pressure and smoking.

Struggling to meet their mortgage repayments on one income, Mrs Strickland and husband Tai contacted law firm Turner Freeman, which agreed to represent them pro bono.

They were successful at the NSW Workers Compensation Commission and Chep was ordered to pay weekly compensation and Mrs Strickland's full medical expenses. Chep immediately appealed against the decision and ultimately took the matter to the NSW Court of Appeal.

On October 25, that court rejected Chep's final appeal, handing down a decision that has ramifications for worker's compensation cases and personal injury claims.

"There have been a few cases where people have suffered stomach problems as a result of medications prescribed to treat work injuries but there hasn't been a decision which draws the connection to this extent," Mrs Strickland's lawyer Richard Dababneh said.

"It could also potentially apply to any kind of personal injury. If you're in a motor vehicle accident, for example, and suffer an injury as a result of the treatment you receive, that could also involve liability."

Mrs Strickland's victory is bittersweet, however. The cap on worker's compensation claims recently introduced by the state government means her compensation payments will cease in 2½ years, forcing her onto a Centrelink disability pension.

Her weekly benefit will fall by up to 35 per cent and she will no longer get free medical treatment that is not covered by Medicare.

**Paul Bibby**  
Court Reporter

**Sydney Morning Herald**



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# Workcover Scheme



While the state government ponders options for a new Workcover scheme, self insurers SA's manager Robin Shaw has some advice on how to keep it simple and effective. Whatever replaces the soon-to-be decommissioned Workcover will need to be free of the two fundamental defects that have dogged the corporation since its creation. The first is a flaw in the founding act of 1986. The second is the shortcomings in delivery. Firstly, since its inception, the SA scheme has developed a 'tail' – a small percentage of long-duration claims that carry a large percentage of scheme liabilities. This continuous thread through the scheme can be traced to the political compromise of the original Act. No rhetoric, restructuring, management reform, outsourcing, in-sourcing, or marketing can alter this defect, since it is statutory in nature.

The flaw is how and why the scheme moved from being an intended simplification of process to one where it paid long-term pensions to people who are not permanently incapacitated for work to any large degree – people who are, in reality, unemployed. Two reports were the blueprint for the 1986 Workers Rehabilitation & Compensation act – the Byrne Report and the 1985 white paper – yet when translated into law their principles were skewed and “unintended consequences” evolved. The Byrne Report proposed that long-duration compensation payments should be provided after a decision on the permanence of incapacity.

The report's authors assumed that permanent incapacity could be quantified quickly and simply, and a return to work would follow successful rehabilitation as a matter of course. The 1985 white paper retained the Byrne report recommendation that payments would be at 100 per cent of weekly earnings until a decision on permanence of incapacity was made.

It did, however, also propose a range of other payment structures defined by time off work and levels of incapacity. Workcover was to have clear powers to set and pay entitlements over defined periods with a charter of fairness to the injured and a focus on return to work. What emerged from Parliament in 1986 was so badly expressed that the intentions drawn from Byrne and the white paper were lost. The root cause of the claims liability problem for the South Australian Workers' Compensation Scheme is its inability to deem earnings by reference to the worker's capacity for work. The scheme could not deliver on the intent that high levels of long-term entitlements would be delivered only to those who suffered high levels of permanent incapacity for

work. There is another statutory feature that is linked with the duration defect – redemption. The original intent was to redeem the liability to make small residual payments over a long period through the payment of a lump sum. Over time, redemption gained another purpose which had, at best, a shaky legal basis. As the claims tail grew, the corporation sought an alternate means to curb its income maintenance liabilities. Redemption was the chosen course.

Workers were selectively offered redemption lump sums in exchange for a voluntary cessation of weekly payments. The theory was that the lump sums represented significant savings in liabilities, as they may well have done if they also terminated the claims being redeemed. The completion of a redemption came to be equated with a legal claim discharge. This was not the case.

The offer of a redemption could not require a worker to waive all remaining entitlements under the act – it was not a legal discharge. Until recently, the scheme had imposed on itself a ban on all redemption, as imperfect a liability reduction solution as it was. But the inability to legally discharge claims remains a major flaw in the legislation. Redemption, regardless of how it is used, remains an unsatisfactory tool to conclude claims when used in isolation. Secondly, the scheme faces service delivery problems. Outsourcing has delivered none of the benefits expected of it since 1995.

Workers' compensation claims are still managed by a group of administrators in an office receiving, determining and administering claims from a distance based on paperwork, phone calls and so on. It is a model suited to types of insurance where all claims are broadly similar and fit within a fixed linear process. Why do we continue to be tied to a model that is so ill-suited to personal injury when the evidence is that schemes are damaged by the exceptions that it generates? In any mass-management model, exceptions are managed retrospectively. The undetected risks are usually apparent after the event. If the claims management system is to learn to reliably detect and manage human risks before they become exceptions, it must understand the issues and know how and when to respond to them.

In conclusion, this interplay of flaws is, to my mind, the root cause of the problems of the south Australian workers compensation scheme. Slogans such as 'improving the return to work rate' are just euphemism to cover these harder matters. These issues have existed and continue to exist like an unbroken thread since 1986. Without clear laws, there is no clear understanding of what a person's rights and obligations are. Without intelligent application of the laws, there is no guarantee that those rights and obligations, and the limitations on them, will be delivered. Robin shaw is manager, Self Insurers of South Australia Inc and secretary, National Council of Self Insurers Inc.

Robin shaw  
Indaily 24 october 2013

# Financial Advice

Not paying tax is a dangerous game

The recent report that the ATO is chasing a back-log of \$18 billion in debt, with small business tax payers accounting for more than 60% of outstanding debt, should ring alarm bells with all business owners. Not paying ATO debts is a dangerous game.

The reason being, the ATO have powers far greater than other business creditors, as detailed below. For starters, overdue tax is subject to penalty interest rates which are higher than standard bank interest (currently 9.59%) and the ATO interest is not tax deductible - whereas bank interest is.

For tax debts against individuals exceeding \$5,000 the ATO have a general policy of proceeding to bankruptcy, even if it may not be commercially viable to do so. The reason being it then effectively passes the power to the trustee in bankruptcy to flush out any assets which have been improperly disposed of or may form part of the bankrupt estate.

For company tax debts, the ATO is the major petitioning creditor for wind up of companies. The ATO have powers to pursue directors of failed companies personally, in circumstances which go well beyond the powers of other creditors. For example, directors who allow a company to trade whilst insolvent face a real risk of becoming personally liable for unpaid tax debts of the company. Businesses which are unable to pay their tax debts need to seek urgent help from an accountant, in order to come to an arrangement with the ATO quickly. If the position is severe, help should be sought from an insolvency practitioner.

Businesses which have outstanding tax debts generally operate poor financial systems and controls and this usually includes billing and collection of their own accounts is handled poorly. As part of the solution, such businesses need help to set up and operate tight billing and collection systems to prevent further problems down the track.

*By Roger Mendelson, CEO of Prushka Fast Debt Recovery Pty Ltd*



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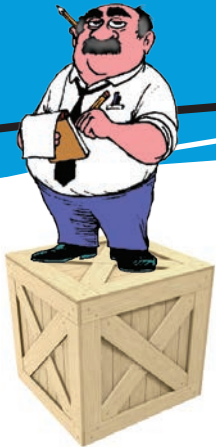
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# JB'S SOAP BOX



As you may recall, in JB's column in the last issue, he related some memories about working at height. In this issue we conclude his article with two more memories. Installing rain heads. A city building of four levels, with external downpipes and rain-

heads, was extended vertically by one floor and due to the lack of trade co-ordination. The scaffolding was taken down before the down pipes were extended and the rain-heads repositioned. An oversight one could say. The roof work had been completed and the box gutters left with their outlets protruding through the external walls. One such box gutter was left discharging like a gargoyle to the roadway some five floors below and another two discharged in a similar manner onto the roof of an almost inaccessible light court, a drop of some three floors. There were no onsite tower cranes in those days or mobile cranes about with extendable booms.

**Solution:** - The roof was opened up by each box gutter outlet to expose the lower roofing purlins and a length of timber (termed "a needle") about 100 x 100mm was placed at 90° to the roof purlins. One end was under the second purlin up from the box gutter and the other, extended out over the external parapet wall. A double pulley block with sisal rope falls, which were hard on the hands, to a single pulley block was secured to the outboard end of the needle. A piece of board about 200mm wide, 50mm thick and 600mm long with rope bridles, similar to a playground swing formed the basis of the work site.

The centre section of each bridle was brought together and bound in place to form a loop of two ropes which were then lifted over the hook of the single pulley block. That became my work place for the duration of that particular job. Such an item in nautical terms is called a "bosun's chair". In this instance, it was not sea below it was a roadway and it was a long way down. I often reflect on that episode and wonder what the alternative would be today. A long boom "cherry picker" or perhaps a sophisticated electric winch to aid descending and ascending rather than "heave-ho" and a half hitch loop around the hook of the single pulley block at one's head to secure it in place. Incidentally there was no safety line from me to a tie off point above should I have fallen backwards off my swing seat.

Another point of interest was that electric drills were few and far between in those days and such were not electronic controlled either. They were either on or off. In my circumstances at the time, all fixing points into the masonry walls were with a star drill, in short, with a hammer and a cross blade pointed chisel. Hanging down the side of building under those circumstances was not comfortable and from time to time my illustrious supervisor (a qualified trades person ??) would, for a joke and his amusement only, sit atop the purlin the needle passed under and bounce up and down.

This caused the bosun's chair to move up and down two or three centimetres or maybe more. To me tangling below it felt like a metre. Today I'd probably be able to lay charges against him for irresponsible behaviour. A swinging scaffold, (gondola, my terminology), was chosen to undertake the required works in the light well of the building.

The gondola in question was a knockdown version and for ease of movement within the building it was made up of readily assembled pieces. Overall it was as basic as could be, best described as a two plank decking of about 3metres long bolted to a steel frame of sorts at each end. The planks were set side by side with a kickboard along each side and a hand rail set at about 800mm above the deck. There were no ends, which also meant no end hand rails or kickboards and things could roll out if one was not careful, especially during raising and lowering operations.

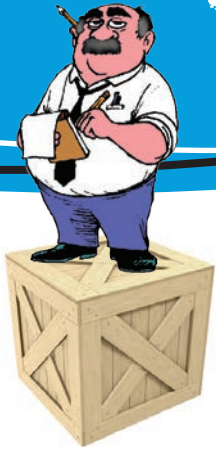
The top of each frame terminated in the form of an 'A' with a large metal eyelet at the apex capable of fitting two pulley block hooks side by side at the same time, each complete with the respective associated rope tackle falls. The method of overhead support was a little more elaborate than a Bosun's chair which could, with extreme care be boarded from on-high. The suspension methodology for the gondola was slightly superior with the support coming from two needles or more if overhead sideways travel was required.

Sideways travel, with multiple needles fitted out with identical blocks and rope, was performed by changing over pulley hooks from the respective neighbouring suspended block and tackle. It meant that during the changeover there was a time when two pulley hooks were engaged in the same frame eyelet from the needles above. This was common practice to save time by avoiding having to 'go to ground' to do the changeover.

Needless to say the operation of ascending or descending required much manual effort. The top block had a triple pulley arrangement and the lower one a double. All of this was connected with seemingly kilometres of sisal rope. It was a nightmare just sorting out the ropes before hook up. Knots or splicing of the ropes was not permitted as they could become jammed in the pulley sheath.

When one considers the weight of the swinging scaffold itself, the operators, usually two – one at each end, tools and required equipment, the exercise was a physical undertaking that would not be given a second of thought in today's world. Once again there were no secondary safety measures in place in the form of safety harnesses. In fact I didn't even get issued with a hard hat. Come to think of it there was no pre-assignment training in place either.

# JB'S SOAP BOX CONT



**As for gloves:** A request for such an item was declined with the comment; "It'll toughen up your hands." For those who have handled sisal ropes they'd know that it can abrade and cut up the skin on your hands very efficiently.

## Fixing a Rainhead from a ladder

I was given the job of refixing a rain-head on the outer face of a building some ten or so metres high while working off a wooden extension ladder. From ground level it appeared that one side of the rain-heads had simply come adrift from the wall for reasons unknown. An easy job to rectify, but off a ladder??

To get the picture in its proper perspective, this was in the days before aluminium, fibre glass and carbon fibre ladders. This was in the days of wooden ladders. Such items were made up from selected fine and straight grained timber. However as a method to reduce the overall weight of the ladder the cross section mass of timber used was cut down.

To compensate a high tensile galvanised steel wire of 3.1mm (1/8") diameter was recessed into the underside of each side rail. This was a common practice. When the ladder had been assembled this wire was fitted, tensioned up and the ends turned back into the side rails at each end of the ladder. Over time though the wire settles into the timber at the ends of the ladder and with use the wire stretched. Enough said.

A visit to the plant store confirmed that they had a ladder long enough to reach the elevated worksite. It was an extension ladder comprising two six metre sections. The item was termed the "man killer" by all and sundry because it was so heavy to move about.

On close inspection, the timber itself looked fine however the wire reinforcement was raised up out of its rebated slot slightly between the many retention staples. I posed the question; "Is it safe?" "It must be" was the reply. "It keeps coming back into the store." Thereafter the pipe rack on the ute was put under load and the ladder, with a couple of sand bags tossed in, was delivered to the site and I was left to it.

Standing the ladder up was a task on its own, nevertheless it reached the point required of it with length to spare. However as I climbed up the ladder it bowed inwards such that I had to get down and moved the base a little further from the wall in an effort to retain some angle. A second attempt proved the point that the wire reinforcement along the ladder was stretched considerably, almost to the breaking point of the timber rails. In fact in hindsight it would be fitting to say that even when used by a light weight apprentice the ladder bowed well beyond normal safe working limits.

When I was halfway up the top, three metres or so of the ladder was almost parallel with the wall. On the third attempt, I took a short length of rope with me and tied myself to the ladder in order that at least I had one arm free to move the rain-head to assess the repairs required to refix it.

At the fourth ascent the problem was rectified. Strangely enough the ladder disappeared from the plant store a short time after it was returned. I think my boss had a few words with the storeman. The "man killer" ladder was to that date known in name only and remained that way.

"Someone up there must have been looking after me."

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# Business Advice

## Are your “Contractors” really “Contractors”? – Managing the Risk

The PIA has written previously about the complexities around whether or not you are employing someone as a contractor when you should have them as an employee. The Fair Work Commissioner and the Australian Taxation Office (ATO) both flagged that they have identified sham contracting as a significant problem. It is reasonable to assume that such practices will be investigated and prosecuted with more energy. It is an offence under the Fair Work Act 2009 (“FW Act”) to represent that you have an independent contractor arrangement with a worker when what you actually have is an employment relationship. This type of offence is called “sham contracting” and is punishable by a fine of up to \$51,000 for a company, per offence. Company directors and other “involved persons” can also be prosecuted. The maximum fine for an individual, for each offence, is \$10,200. It is important therefore for all companies and parties who engage (or who are involved in engaging) workers, to be aware of what will constitute an offence of the sham contracting provisions in the FW Act. What the FW Act prohibits is as follows:

- representations to a worker that a contract of employment is a contract as an independent contractor;
- the dismissal of, or a threat to dismiss, a worker who is an employee in order to engage the individual as an independent contractor to perform the same/substantially the same work as an independent contractor;

A sham contracting charge can be defended if it can be proven that at the time the agreement was offered, the employer did not know, and was “not reckless” as to whether, the worker was in fact an employee. The Fair Work Ombudsman (“FWO”) recently prosecuted a NSW homewares company, Metro Northern Enterprises Pty Ltd, for alleged breaches of the sham contracting provisions. In that case, the FWO

alleged that four sales promotion workers were paid as independent contractors on a commission-only basis but should have been classified as employees. The court found that the director of the company (who was the company’s “controlling mind”) had not demonstrated that he was not reckless as to whether the worker was an employee or contractor because:

- The director was aware that there was a distinction between employees and contractors, and he knew the distinction was significant because it would affect the company’s obligations;
- The job advertisements, position descriptions, training and other related materials suggested to the worker that he/she was an employee; the work practices of the company’s employees and contractors were the same and the director knew that those circumstances presented a risk that the contracts with the “contractors” were contracts of employment.

Despite this, the court determined that the director was not reckless because the director had disregarded the risk in reliance on:

- Legal advice that had been obtained; and
- The fact that the contractor agreement which the company had with the workers had “labelled” the legal relationship as one of principal/contractor rather than one of employee/employer.

These things were the “saving graces” for the company in that case and they lead to a simple conclusion: If you engage contractors you should get legal advice, review the arrangements that you have with them and ensure that appropriate written agreements are in place. Doing this will not only manage the risk associated with sham contracting but also the risks which arise with contractors in relation to things like superannuation, workers compensation and payroll tax.

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# Business Advice Cont...

## Business coaching

- *Malcolm Blight coached the Adelaide Crows to two premierships.*
- *Mick Malthouse has coached two AFL Clubs to four premierships.*
- *Paul Annacone has coached both Pete Sampras and Roger Federer.*

### Everybody needs coaching

Even people in business, need coaching for the same reason athletes need coaching. When you are in the daily grind, it's hard not to lose perspective and not see the forest for the trees. You need someone to help focus you on the big picture and pick up on some of the improvements you can make to your technique.

The PIA has now found Ian Novak to become your business coach. He has owned his own businesses and has been both successful and made some mistakes. He therefore knows from a practical level what you experience. Ian can provide you with his academic, business and life knowledge, in order to help you become more successful.

This mentoring opportunity is not about telling you how to run your business, nor is it about financial accounting for compliance reporting. This is about management accounting.

The objective is to assist business owners or managers to develop financial management skills and knowledge, in order to be able to interpret and use that information to control, plan and monitor to meet long term business and personal goals.

A number of participants of the Build A Better Business training program have requested business coaching, and we are now able to offer this through Ian Novak. Specific outcomes include:

1. Understanding the financial information generated by the business.
2. Ability to evaluate the performance of your business in the past and against industry and competitor benchmarks
3. Ability to use financial tools to
  - a) Manage and control:
    - Cash flows, costs, profitability, short term working capital, creditors, debtors, labour and compliance costs, capital, prices and other important strategic drivers.
  - b) Measure break even sales and individual product viability
  - c) Improve decision making by using financial tools to undertake a cost benefit analysis of the impact of decision alternatives, should you lease or purchase capital outright?

How much to increase income for a new employee developing long term business and personal life goals, before a decision is finalised?

d) Improve long term business performance

4. Undertake planning to achieves short, medium and long term financial stability as well as long term personal security.

The overall outcome objective is to improve the quality of life and long term financial security for business owners or managers and their families. These outcomes are not guaranteed.

Achievement of these outcomes depends largely on the commitment of business managers and immediate stakeholders to setting and achieving these long term goals. Further, this is not a short term fix it program. This mentoring program should be viewed as a long term partnership between stakeholders and the mentor.

### EXPRESS YOUR INTEREST NOW!

- \*\$120 Per Hour (1-2 people) for 6 hours
- Mentoring will be in 2 hr blocks
- Or \*\$170 for a group of 3 businesses

\*Fees must be paid in advance. Ian will come to you free of charge if located within 25km of the CBD (charges are 50c per Km for areas located outside of this radius).

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# Business Advice Cont...

## Giving quotes

Whether you are giving a quote verbally or in writing, be clear about what it covers and give a careful estimate of how long the work will take. Sometimes it can be very hard to determine how long some jobs will actually take. Give the customer a best case and worst case scenario. One member is currently in dispute with a customer because he was given advice by the plumber to fix a leak but it later turned out that whilst it resulted in the source of the leak being revealed, it could possibly have been done at a lower cost, without all the additional work recommended by the plumber.

In this case it may have been better to give staged options. If this is the source of the leak we can do x, if that is not the source of the problem then we need to do y. Hindsight is a wonderful thing but what is important is to learn from these situations and not repeat them.

The ability to read your customer's values and attitude is also important. If you think a customer has no money or doesn't like spending it, consider whether or not you want to quote. If you do these customers need to be handled very carefully, give them options and warn them of the consequences of each option. You need very clear payment terms and no room for them to wriggle out of their debt.

The PIA recommends that all quotes should be in writing and should include your terms and conditions. Acceptance of the quote should be confirmed with the customer's signature. Inform the customer whether your quote includes:

- Transport to and from the job
- Time and transport to obtain materials during the job
- Cost of materials
- Labour and apprentice costs
- 'Call-out' fees and any weekend or public holiday rates.

Before you agree to do the job, make sure the customer is aware how you will handle:

- Any changes to your quote or the time frame that arises during the job, have the customer sign that they accept the changes. Keep a simple carbon copy book to document the changes and give the customer a copy
- Any delays to your quoted completion time
- Late payments, and how any late payment fees will be calculated
- Any concerns they have about the quality of the work or materials.

Document your quote and any conversations with your customer about the quality or cost of work. You have a contract with your customer, whether your agreement was verbal or in writing. You guarantee to provide services:

- With due care and skill
- Which are fit for any specified purpose
- Within a reasonable time, when no time is set.

You also make certain guarantees about the products you provide with the service. In most instances when you supply a product which fails within the warranty period, you will bear the cost of returning it to the supplier for repair or replacement and will be liable for its reinstallation.

There are a few manufacturers who do cover the repair of products on location by their own service department and you need to immediately refer customers to these companies when they have a product related warranty problem.

It is therefore important to keep good records of all of the products you install, when you installed them and the length of the manufacturer's warranty. Consumer and Business Law requires you to warranty your workmanship for 12 months but certain liabilities for warranty in the construction industry can be up to 10 years.

There is no limitation to your liability if you fail to carry out work to Australian Standards eg, failing to fit expansion and swivel joints in a drain as specified by an engineer or failing to even glue the joints in an under floor drain as we were recently told about. On top of that, your public liability insurance will include a clause cancelling your right to make a claim if you did not comply with Australian Standards.

More than 95% of customers are great to work for but the other 5% not only do they cause a great deal of grief, they consume large amounts of time sorting out disputes. Such disputes can be costly and emotionally draining.

Quoting also means you are effectively in a bidding war with anyone else that quotes. Quoting is also very time consuming and costly even if you win the job. Consider other strategies to avoid quoting and that allow you to increase your profit margin.

Develop service bundles that:

- Emphasise value and personal service rather than price
- Offer attractive ancillary services eg, new hot water service installation includes checking and fixing leaking tap washers
- Streamline to eliminate less profitable areas of business
- Target advertising and promotions to reach the most likely customers
- Steer customers to the most profitable aspects of your business
- Establish your industry knowledge as an additional resource for customers
- Make intelligent use of price strategies such as price bundling.

The competition has never been fiercer than the last couple of years and the downward spiral in pricing has already seen some go broke or leave the industry. Bad quotes that have no margin of error in them are just one more ingredient that will lead to business failure.

## Redundancy Payments

Are you exposing your business to a financial blowout causing you cashflow problems? It is clear that many members are not aware that under the Plumbing and Fire Sprinkler Award 2010 that employees must be paid redundancy no matter how long you have employed them. If you terminate their employment. Furthermore, if they are employed by you for more than 12 months and they resign, they are entitled and must be paid the redundancy payment. The PIA along with all master plumbers associations in Australia believe that making a payment when someone resigns is absurd and through the Victorian Master Plumbers has been trying for several years to have this requirement removed. The matter is currently before the Federal Court with no date as to when it will be heard. Please call the PIA to check what your liability is likely to be if an employee resigns or you terminate their employment. The most logical thing to do is to pay into the Building Industry Redundancy Scheme (BIRST) like you do with the Long Service Leave Board to cover the payout cost. Little payments each week is much better than having to find thousands in one hit. Again contact the PIA about BIRST.

## Spiralling Upwards

The combined purchase cost of AS/NZS 3500 and AS/NZS 3500 in hard copy from SAI Global has now reached \$1243.57. Membership and a tablet will more than cover the cost of accessing the standards online and there are many more benefits members can access.

## Sales of New Homes

Sales of new homes jumped to a two-and-a-half-year high, adding fuel to hopes a recovery is underway in the residential construction sector. New Home sales grew by 7.5 per cent in November, according to figures released by the Housing Industry Association in January. More than 7,000 new dwellings sold during the month, a level not seen since May 2011. It was the fastest monthly growth rate since January 2010. Harley Dale, HIA chief economist said new home sales had been gradually improving since late 2012, which was a good sign for residential construction in 2014. "Both new home sales and private sector building approvals increased strongly over the three months to November last year," he said. "We need to see upward momentum in these leading indicators throughout 2014."

The Reserve Bank of Australia is counting on growth in residential construction in 2014 to help offset the effects on the economy of a decline in mining investment. There have been other positive signs for the sector recently, with Australian Bureau of Statistics figures showing a more than 22 per cent jump in building approvals in the 12 months to November. The HIA figures showed a 30.5 per cent jump in sales of multi-unit dwellings – such as apartments – while sales of detached houses rose 3.6 per cent. Detached house sales rose 19.1 per cent in South Australia, 8.1 per cent in New South Wales and 16 per cent in Queensland during the month. But that was offset by a 2.3 per cent fall in sales in Victoria and a five per cent in Western Australia.

I note page 14 of the November/ December issue of the Plumbing SA publication incorrectly states the distance requirements for a below ground waste pipe from a kitchen sink installation. Whilst most qualified plumbers should readily understand the minor error, there is potential for some confusion for the less experienced tradesman or apprentice. From page 14: "The client agreed to have it rectified so that it was compliant with AS/NZS 3500 which states a drain of that length cannot be connected direct to drain."

## From the AS/NZS 3500.2 Appendix D:

The issue appears to be the size of the drainage pipe, coupled with the absence of a disconnector gully. Interpretation from AS/NZS 3500.2, Appendix D: Maximum length (m) of fixture discharge pipe without venting.

- A kitchen sink waste can be connected up to 10 meters distance from a vented line of drain and at length exceeding this via the appropriate additional venting solution: provided the drain pipe is DN65mm
- A DN 50mm trapped sink waste, run below ground and directly to a vented line of drain is not permitted by the standards
- The distance of the drain (in this case measured at 6 meters length) would have been satisfactory had it been connected to a disconnector gully.

In any case the plumber in question has correctly assessed the drainage installation as being non-compliant; and chose what appears to be the most cost effective method of rectifying the problem for the customer by installing a compliant disconnector gully to the waste line.

Rhett Hardie *Design Manager - Hindmarsh Plumbing*

## Editor's Note:

Our Technical editor apologises for letting the error through to the keeper and thanks Rhett for the correction.

## Clayton's Plumbing Contractors

In speaking to a few plumbers in the industry, who are working to obtain their contractor's licence, whilst employed by a plumbing contractor, I have learnt that they have done some subjects through TAFE with lectures one night or two nights a week (which is how I did it and is the way to learn and get feedback etc.) However they are now going through another training provider and can do the remainder of their licence through correspondence in their own time. The fees are minimal, the training is poor by their own admission and they can do it in a very short time frame. This will not affect me very much as I'm not in the general plumbing field. However, these are the undertrained, straight out of the their apprenticeship plumbers becoming contractors that all my fellow colleagues have to compete against. They drive the market prices down. Yes, they may fail over a period of time as they are found out but this is not the point. It brings our industry down, lowers the quality of work, decreases prices and gives us all a bad name. I believe that we need place more emphasis on contractor training, this is why we are a licensed trade. We are professionals and charge a premium for our service. Other than just filling in some reading comprehension tasks and posting them back, what can we do to make our contractor's licence training deliver competent tradespeople? You would be disgusted that I know of contractors that didn't even personally do their licence, their partners did the projects at home. This is an interesting subject as all the non-contractors think that the correspondence training is great and any of the contractors I speak to disagree. Why do governments always think allowing "dumbing down" is good? How can we help the PIA get this message through.

Plumbing Contractor. Name and address supplied.

# SAFE WORK

## SafeWork Statements Will Be Required

The 12 month grace period to allow businesses and workers to come to terms with the state's new Work Health and Safety Regulations 2012 has now expired. This means the new requirements relating to construction, diving, electrical, hazardous chemicals, lead risk work, manufacturers, suppliers and importers, naturally occurring asbestos, noise and registration and accreditation are now in force.

Under the new laws, a safe work method statement will be mandatory for all high-risk construction work, with additional duties for the principal contractor. The laws also require: Audiometric testing for workers who frequently use noise-protection equipment, specific health monitoring for lead risk work and a requirement to notify SafeWork SA of any such work.

Workplaces exposed to lead risk will have to monitor the health of their workers and those involving asbestos exposure need to have a management plan in place under new work health and safety laws. A management plan including training for workplaces exposed to naturally occurring asbestos is also required.

The new measures come as the construction industry continues to grapple with challenges associated with workplace injuries. While on a national scale the number of fatalities recorded on building sites throughout Australia has fallen from 25 in 2012 to 19 in the first half of this financial

year. The industry still accounts for more than 10 per cent of all workplace deaths and is third behind only agriculture, transport and warehousing in terms of overall numbers of fatalities.

The penalties for serious breaches have increased three times under the new act. In December 2013, Adelaide-based Badge Constructions (SA) Pty Ltd was fined \$100,000, plus legal fees following an incident nearly two years ago.

This fine was under the previous act, in which workers were put in danger after a concrete staircase collapsed during the building of the South Australia Police Academy at Taperoo – the Adelaide Magistrates Court hearing found there was no steel reinforcing connecting the stairs to an adjoining first-floor concrete slab.

SafeWork SA executive director Bryan Russell says the transition year gave people time to familiarise themselves with the new changes and that the regulator is provided additional public information sessions to inform business industry and workers. "We are working with business, industry and workers to keep South Australians safe and healthy at work," Russell said.

Andrew Heaton



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# SAFE WORK

## Trip Costs St Peter's Bakehouse Plenty

Adelaide - It was an accidental trip, but it's cost Redleg's premiership player and St Peter's Bakehouse owner Damian Obst plenty.

Obst has just copped a hefty fine and paid compensation after an 81-year-old customer slipped while he was trying to repair a busted floorboard in the Stephens Terrace shop he's owned for 15 years.

The case goes back to 2011 when 81-year-old Joy Windsor fell into the entrance of an open cellar in the customer seating area of the Bakehouse.

On the day in question, Obst was trying a DIY repair job on a broken floorboard by opening the cellar door and repairing it from below. He positioned tables and chairs as a barricade around the cellar opening.

Joy Windsor didn't see the barricade and on her way out of the store, tripped and fell forward into the cellar's entrance. Obst took her to the QEH for emergency treatment, and remained with her until it appeared she would be okay.

Unfortunately the following day Windsor was taken to Ashford Hospital where she remained an inpatient for six days and has suffered ongoing problems with pain and mobility.

In the course of the next two years, she settled for a compensation payout of \$21,000.

The inspectors from SafeWork SA had a look at the incident and decided a prosecution was in order, to which Obst pleaded guilty. The ex-SANFL footballer-turned baker has paid \$5000 to implement better safety procedures at the Bakehouse and a couple of weeks ago was fined more than \$8600 by the Industrial Court.

"Safety depended on the best idea that occurred to Mr Obst at the time," the magistrate said in his judgement.

"Whilst Mr Obst was clearly well intentioned and implemented some safety measures, he did so without the benefit of any pre-existing carefully designed safety policy aimed at eliminating the hazard to the greatest extent reasonably practicable."

The maximum fine is \$300,000, so Obst's clean sheet worked in his favour.

Kevin Naughton  
In Daily  
29 January 2014

Editor's Note: Whether you are a sole trader working on your own or employ hundreds of people the law requires you to have policies and procedures to prevent such incidents from occurring. The legislation applies to protecting other workers or members of the public who may be affected by your activity. BusinessMate gives you the structures and systems to manage and protect your business from this occurring to you.



# SAFE WORK

## Urban Myths and Fear of Litigation



The expected flurry of panicked businesses occurred in December with the end of the transition period for the Work Health Safety Act. Builders in particular left it to the last minute and many have still not understood that the world is changing.

At the extreme end some builders are going overboard and are making excessive demands upon their sub contractors. It is inevitable that the pendulum will swing too far until people get used to the new requirements, read the legislation, receive consistent good guidance from SafeworkSA and become comfortable with the changes.

Few people like change and some react very negatively without understanding the intent. SafeworkSA do not want the sledgehammer and a walnut approach and have provided information to the PIA which we have and will continue to pass on to members. If you are unsure of what is or isn't required, call Safework SA or the PIA and we will clarify the matter. We're now going to dispel some urban myths:

### **You have to do a Safe Work Method Statement (SWMS) or Job Safety Analysis (JSA) for everything:**

**False** – SWMS or JSA's are only required for high risk work eg, for plumbers that means Working at Heights over 3m, using mobile plant, excavations and confined space. All other work can be covered by a Standard Work Procedure or Site Risk Assessment

### **All excavations must have a SWMS:**

**False** – Excavations dug by hand up to 1.5m can be covered by a Site Risk Assessment; we call them Standard Work Procedures (SWP) in our BusinessMate system.

### **Working on a roof that is 2.7m above the ground at the gutter is not working at height:**

**False** – It is still working at height but can be covered by an SWP. If that roof is pitched and rises to say 3.2m at the peak then it is working at height, over 3m and a SWMS must be completed.

### **You have to wear some type of fall restraint if you are working on a roof:**

**False** – There must be a control method in place to prevent a fall. If a scaffold with a toe rail, knee rail and hand rail has been erected round the roof, that is the control method to prevent a fall and that is the control you put in the SWMS to explain the method of fall prevention.

### **I have to pay a fee to complete a site induction to work for a company:**

**False** – PIA is currently investigating this practice and will be trying to have it stopped. In the construction industry, there are three induction requirements:

1. **General Induction** – This is covered by the White Card.
2. **Site Induction** – This should be a physical tour of the worksite where the facilities, emergency exits, fire, danger areas etc are all pointed out. It should not be an online induction.
3. **Task specific induction** – This is the responsibility of the sub contractor to ensure that his employees are trained in the tasks and tools in order to do their task safely.

### **Sub contractors must provide a Work Health Site Safety Plan for a site.**

**False** – The principal contractor must prepare a site safety plan, it is your responsibility to follow that plan.



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# SAFE WORK

## Managing Heat Safety in the Workplace



Summer is an important time to stop and think about the impact of heat in the workplace. Not only must the safety of your staff be considered when working in hot conditions, but the overall safety of others and the community needs to be considered. The Australian Defence Force has been investigating whether it is responsible for starting the bush fire near Lithgow – and the subsequent loss of homes, livestock and bushland. The ADF is facing a liability of in excess of \$5,000,000 for damage to the historic zig-zag railway.

### Safety, the Public and Buildings

Regardless of your area of business, now is the time to review your plans and assess whether or not your workers will be safe, your work impacts upon anyone else, and adequate controls are in place. Here are a few questions to consider:

#### Do you work outdoors?

If your work includes being outside for any or all of the day, you need to consider the controls that are in place. Workers ought to be provided with the following controls: water, sunscreen, clothes that protect against UV, a hat, and shade. Ensure you have allocated regular breaks for heat recovery and check all workers are using the controls provided.

Can your workers work inside or under shade during the hottest part of the day? There is no legislative requirement as to when you cease work due to high temperatures. The responsibility stops at having a duty of care to your staff to protect them from injury whilst working in high temperatures. It is important to have a policy and to negotiate the circumstances in which staff work in hot conditions.

#### Do you have any smokers in your work place?

Ask yourself, will it be their butt or yours? You may allow smokers to smoke in your workplace but they may be creating a risk to your business. The worker flicking glowing cigarette butt from the taking ultimate responsibility.

#### A few questions to ask:

- Where do your workers routinely smoke?
- Do they routinely flick lit butts out of company vehicles and is your company logo on the side?
- Is it adjacent to a car park?
- What would happen if a key client/customer saw this?
- Can your smokers accidentally ignite a garden or grassed area adjacent to the car park?

Smokers are being investigated in the recent fire at Homebush Bay car park where there was an estimated million dollars in loss and damage to vehicles and property.

Check if your insurance policies cover third party property damage via negligence but also remind everyone about their responsibility to extinguish all cigarettes, and be sure to provide adequate receptacles for butt collection.

#### Do you work with ignition sources?

Regardless of whether you're doing a quick spot weld for emergency maintenance or need to weld all day long, if your work can create a spark you need to ask yourself:

- How quickly could that get out of control?
- What are the adjacent surrounds can they burn?
- How quickly will they burn?
- Do I have you adequate fire suppression to contain a fire?
- How far away is the fire brigade?
- How strong is the wind?
- Can I reschedule this work for another day?

Small things can have massive consequences – and you need to question if your business is structured to survive a crisis. Review your current safety systems.

Reassess your controls and make changes where required, ensuring your workers are aware of these and keeping a copy of all communication for your records.

Then get back to work, before it gets too hot!



Emma Bentton



# HELP EASE THE STRAIN ON OUR DRAINS

GOOD HOUSEKEEPING TECHNIQUES CAN LEAD TO INCREASED PRODUCTION AND MINIMISE TRADE WASTE COSTS



- > Put down your hose and pick up the broom/squeegee/scraper and put solid wastes in the bin.
- > Dispose of used cooking oils and fats correctly and let boiling water cool before pouring down the drain.
- > Make sure your strainers, drain baskets and silt traps are the right size - and empty them regularly.
- > Identify and reduce equipment issues that lead to regular spills.
- > Create an efficient cleaning schedule to reduce your cleaning requirements.

## KEEP UP THE GOOD WORK!

For industry specific wastewater management information, visit [sawater.com.au](http://sawater.com.au) or contact SA Water's Business Sustainability Group. Phone: 08 7424 3753 Email: [BusinessSustainability@sawater.com.au](mailto:BusinessSustainability@sawater.com.au)



# SA Water

## Changes to trade waste screening requirements

Requirements for trade waste screens, such as basket traps, sink strainers and silt traps, have changed.

- The maximum pore size of screens has increased from 1.5mm to 2mm
- All screening devices must now contain a secondary screen with a pore size no larger than 2mm. These screens must be permanently fixed and not removable (i.e. welded, bolted, etc)
- Dishwashers are the only exception to the rules as their in-built primary screens filter wastewater before it enters pre-treatment devices.

These changes aim to improve the operational efficiency of trade waste pre-treatment devices and reduce any confusion in industries associated with the varied screening requirements.

It's important to make sure solid wastes do not go down the drain. Waste, such as bottle caps, gross solids, bags and cutlery can significantly impact on pre-treatment devices (i.e. grease arrestors, settling pits, oil/water separators, etc.) from performing their functions.

For example - Grease arrestors are unable to effectively remove grease in the presence of excessive solid loadings, as it slows gravitational separation within the device. Solid waste can partially block the device or result in blockages further downstream in SA Water's sewerage infrastructure. If the discharger is found responsible for blockages SA Water may recover any costs associated with the event.

By adhering to the new trade waste screening requirements and using good housekeeping techniques, downstream impacts on SA Water's wastewater network can be minimised, sewer service reliability to downstream customers will be improved and the likelihood of fat chokes will be reduced.

For industry specific information on approved products or wastewater management information, visit [sawater.com.au](http://sawater.com.au) or contact:

SA Water's Trade Waste Branch:

Phone: 08 7424 1336

Email: [tradewastebranch@sawater.com.au](mailto:tradewastebranch@sawater.com.au)



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# 2014

## PLUMBING & GAS ROADSHOW

The PIA, in conjunction with the Office of the Technical Regulator wish to invite all licensed Plumbers and Gasfitters to attend the 2014 Plumbing and Gas Roadshow.

### PLUMBING AS/NZS 3500

- AS/NZS 3500 Plumbing and Drainage Standard Discussion
- Fire Service Installations
- Backflow Prevention
- Recycled Water
- Revised Water Heater Installation Requirements in South Australia
- Materials and Products Certification
- Plumbing compliance issues
- Common problems with plumbing installations

### GAS AS/NZS 5601

- Introduction of the new edition of the Gas Installation Standard AS/NZS 5601 published in September 2013 and the significant changes that have occurred since the 2010 edition
- Incident, accident and product recalls
- OTR's regular feedback on field audits and gas related incidents.

**We will also be holding one specialised Gas Only Session and one specialised Plumbing Only Session.**

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Department for Manufacturing,  
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# 2014 PLUMBING & GAS ROADSHOW

## REGISTRATION

Proudly supported by



### Course Fees:

- PIA member with CITB subsidy: \$25.00
- PIA Member without CITB subsidy: \$75.00
- Non member with CITB subsidy: \$40.00
- Non Member without CITB subsidy: \$90.00

\* Apprentices are not CITB eligible for this course

Please complete and return this form as soon as possible to register your place/s

Fax: 08 8292 4040 Email: [admin@piasa.com.au](mailto:admin@piasa.com.au)

Please Tick	Day	Date	Time	Location	Venue	RSVP BY:
	Tuesday	18 <sup>th</sup> March	3pm – 6pm	Mt Gambier	Quality Inn Presidential Motel	11/3/14
	Thursday	20 <sup>th</sup> March	3pm – 6pm	Berri	Berri Resort Hotel	13/3/14
	Tuesday	1 <sup>st</sup> April	3pm – 6pm	Moonta	Seagate Hotel	25/3/14
	Thursday	3 <sup>rd</sup> April	3pm – 6pm	Victor Harbor	Anchorage Hotel	27/3/14
	Tuesday	29 <sup>th</sup> April	3pm – 6pm	Murray Bridge	Murray Bridge Community Club	22/4/14
	Tuesday	6 <sup>th</sup> May	3pm – 6pm	Port Lincoln	Hilton Motel	29/4/14
	Wednesday	7 <sup>th</sup> May	3pm – 6pm	Port Augusta	The Standpipe Golf Motor Inn	30/4/14
	Tuesday	20 <sup>th</sup> May	3pm – 6pm	Seaford	Seaford Hotel	13/5/14
	Thursday	22 <sup>nd</sup> May	3pm – 6pm	Gawler	Gawler Arms Hotel	15/5/14
	Thursday	12 <sup>th</sup> June	3pm – 6pm	Thebarton	Thebarton Community Centre	5/6/14
<b>Specialised Session – Gas Only:</b>						
	Wednesday	18 <sup>th</sup> June	3pm – 6pm	Thebarton	Thebarton Community Centre	10/6/14
<b>Specialised Session – Plumbing Only:</b>						
	Thursday	3 <sup>rd</sup> July	3pm – 6pm	Thebarton	Thebarton Community Centre	26/6/14

### PLEASE NOTE THAT PAYMENT MUST BE MADE UPON ENROLMENT.

We will issue you with an invoice following enrolment. Your enrolment will be accepted once full payment has been made.

Name of Company: .....

Postal Address: ..... Post Code: .....

Phone: ..... Mobile: ..... Fax: .....

Email: .....

Names of Attendees	PGE Number	Date of Birth	CITB Number
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

\* Please note that whilst the PIA will make every effort to conduct the above courses, it reserves the right to cancel courses where there are insufficient numbers.

# Member Benefits

The PIA has a range of Member benefits available for members. Some benefits offer a considerable financial benefit to you. Others may be quite small due to the competitive nature of that industry. We recommend that you compare the deals with others and if the deal is not competitive contact the PIA so we can take the matter up with the provider. The BUPA Deal saves me \$400.00/year. So it is a great deal for me. Your savings will depend on the plan you select.

A good example of the benefits of the deals is the Bridgestone tyre deal. In 2012 I saved \$51.00/tyre for my wife's car. Last year when I went to buy tyres for my car, the deal was \$45.00 more than a competitor's best offer. The competitor had negotiated a

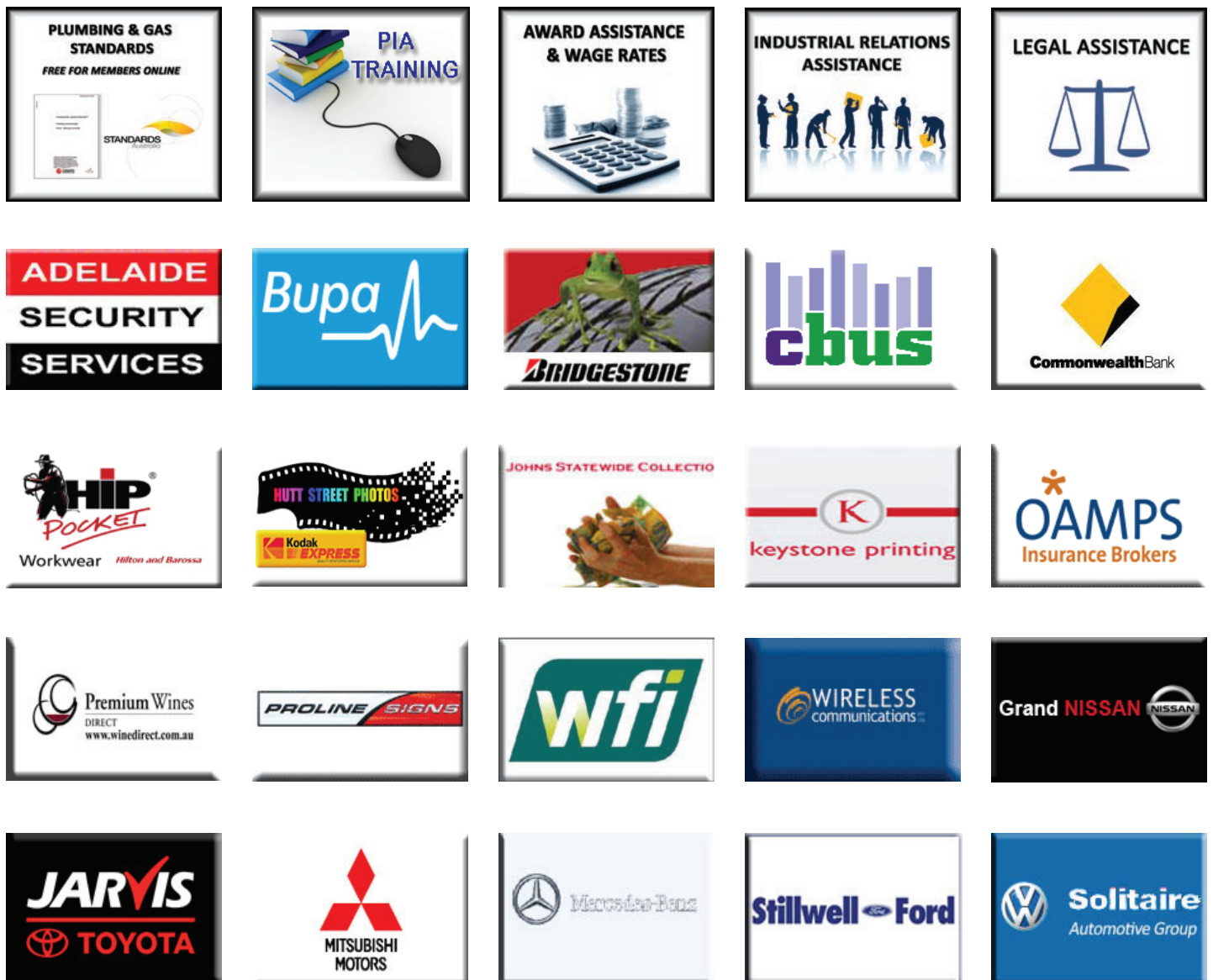
special deal with the manufacturer where they were able to offer four tyres for the price of three. In January this year I had a puncture that could not be repaired. I purchased a new tyre from Bridgestone for \$55.00 less than I could buy from their competitor.

Deals from suppliers to our benefit providers can make their offers very fluid because many markets are so competitive today.

Other benefits of the PIA include Industrial Relations advice, Human Resources advice, legal advice and business advice. If you have a problem or concern you call us and we will try to help. We're here to help but we need you to call us so we can assist

## Benefits

Details of who to contact can be found in the Members Area under benefits and services. Below are just some of the benefits:





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More than just meeting the increasingly common requirement for NDD/vacuum excavation on Australian job sites, Vermeer trenchless excavation tools will make risky and back-breaking traditional excavation practices a thing of the past—and that's just the beginning. The applications for vacuum excavation are as diverse as the jobs you'll encounter, from cleaning and clearing pipes, sewers and gutters, installation and dewatering of inspection pits and meter boxes, and exercising water valves and hydrants, to cleaning up the job site at the end of the day in a fraction of the usual time.

Contact us to arrange an on-site demonstration and see for yourself how Vermeer trenchless excavation products, backed up by our dealerships in SA and across Australia, can make a positive impact on your productivity and profit.



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# Gas Plumbing

## Changes to the South Australian water heater installation requirements

Simplified requirements that make the installation of water heaters in South Australia more affordable came into force from 9 January 2014.

The requirements on the types of water heaters that can be installed in South Australian homes have been in place since July 2008. After review in 2013, the requirements have been simplified, and will improve water heater affordability on a lifetime basis for households.

A Plumbing Advisory Note from the Office of the Technical Regulator was sent to licensed installers summarising the new requirements.

The South Australian Government website has additional information, including the Plumbing Advisory Note, a summary of the water heater installation requirements as well as the requirements in full, the Office of the Technical Regulator plumbing standard and frequently asked questions about the changes to the requirements.

To read the guidance visit [sa.gov.au/otrplumbing](http://sa.gov.au/otrplumbing), or if you would like paper copies posted to you or further advice phone the Plumber's Water Heater information line on 1300 883 019.

### Summary of the requirements

Below is a summary of how the requirements apply to the most common types of installations.

Please note there are a number of exceptions to these requirements, so check the requirements online, or seek advice from the Plumber's Water Heater information line on 1300 883 019 before deciding which water heater can be installed.

### Water heaters that service established houses

The new requirements apply South Australia wide. You no longer need to consider the post code, type of water heater being replaced, whether the home has an SA Water connection, or where the existing water heater is located.

What type of dwelling will the water heater service? A	Does the property have a reticulated gas connection? B	Type of water heater that can be installed
<ul style="list-style-type: none"><li>- A detached or semi-detached house</li><li>- A maisonette</li><li>- A row house</li><li>- A townhouse</li><li>- A flat or unit (not located above or below another dwelling)</li><li>- A small hostel</li></ul> <p>(Class 1A or 1B dwelling)</p>	Yes	A low emission type water heater
	No	Either: <ul style="list-style-type: none"><li>- A low emission type water heater, or</li><li>- An electric storage water heater no greater than 250 litres rated hot water delivery, or</li><li>- An electric instantaneous water heater up to 15kW (electrical input) and maximum storage capacity of 1 litre.</li></ul>
<p>An apartment or flat in a multi-storey building</p> <p>(Class 2 types dwelling)</p>	Not applicable	Any water heater type

### Water heater that service new homes, alterations and additions

If the installation is part of building works (new build or alteration) subject to development approval, any water heater installed must comply with development approval requirements.

# Plumbing SA Group Training Update

PIA Master Plumber GTS is the new brand for PIA's Group Training Scheme. PIA commenced the Group Training Scheme in 2006 and has been providing apprentices in training to hosts, large and small in metro and regional areas since then. PIA Master Plumber GTS is a registered Quality Group Training Scheme, compliant with national standards and as such is able to offer all the benefits that come with this, in addition to those offered by the association. This new branding is intended to raise the profile of the Group Training Scheme in the industry so that you know there is an association owned service available to non members and members alike. Supporting PIA Master Plumber GTS means you are supporting the industry association that represents you.

## Past Apprentice Profile

### Recent Events

PIA Master Plumber GTS recently held another apprentice forum at the Thebarton Community Centre. Apprentices were able to learn about the Mentoring Australia's Apprentice Project, entry to the Australian Training Awards, and were given some useful information by TAFE lecturers Mark Zeitz and Matt Hills on attending trade school at the new Tonsley Facility. This was followed by Mates in Construction providing their General Awareness Training (GAT) to many of the apprentices that had not done this through their host.

## Awards / Commendations

Commencements: Rein Coetzer, Brendan Cooper, Daniel Hart, Liam Hogg, Dominic Kalashnikoff, Aaron Mitchell, Brett Patman, Jared Seal, and Scott Warhurst

## Completions

Travis Wordsworth completed in October, Domenic Scarfo, PIA's first school based apprentice, completed in November, having been hosted by Hindmarsh Plumbing Service Division. Adam Cramp completed in January, was hosted by Jordan Plumbing and is now employed by them. Matthew Crisp completed in January and was hosted by Westside Plumbing. Calum Fulton completed in January and was hosted by Nagle Plumbing and Mechanical. Congratulations to all and to their hosts for their support and training.

## Safety

### General Interest

PIA Master Plumber GTS Field Officer Shane Blanden leaves us in mid January to start his new family life in Portland Oregon. We thank him for his contribution over the past 12 months and wish him well. I've been assured that if you find yourself in Portland, Shane will buy you a beer or 3, so let me know if you need his number! We are actively recruiting and by the time you read this will have a new Field Officer working to fill Shane's well polished shoes.



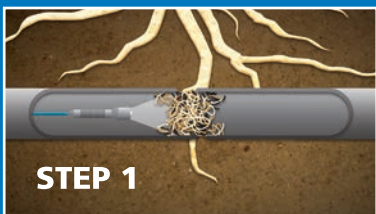
# SAPIPERELINING



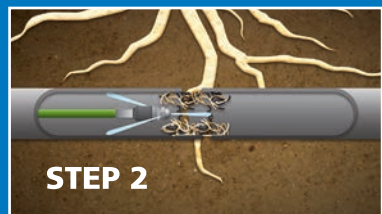
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[www.sapiperelining.com.au](http://www.sapiperelining.com.au)

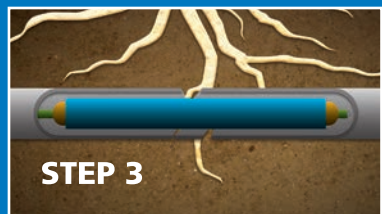
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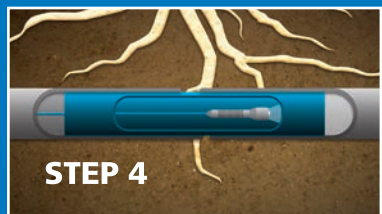
STEP 1



STEP 2



STEP 3



STEP 4



# *The President's Lunch*



*An entertaining networking lunch for plumbers, gasfitters  
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**FRIDAY 17th OCTOBER 2014**



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3M Purification  
Dial Before You Dig SA/NT Inc  
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## Executive Committee

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Phone: 8440 0400  
Email: dale.anderton@rajordan.com.au

**DEPUTY PRESIDENT:** Rob Pavan - *Hindmarsh Plumbing Services Pty Ltd*  
Phone: 8403 830  
Email: rpavan@hindmarshplumbing.com.au

**INDEPENDENT CHAIR:** Natasha Hemmerling Legal Practitioner  
Phone: 0417 806 217  
Email: nhemmerling@adam.com.au

**TREASURER:** Damon Hammond - *Perks & Assoc.*  
Phone: 8273 9300  
Email: dhammond@perks.com.au

**COUNCILLORS:**  
Steve Adams *Intelligent Plumbing Services*  
Phone: 8344 6104  
Email: iplumbing@bigpond.com

David Hurst *Smith Brothers Plumbing*  
Phone: 8234 5000  
Email: dhurst@smithbrothers.com.au

Louis Visintin *Maesbury Plumbers*  
Phone: 8261 7044  
Email: lvisintin@maesbury.com.au

Nathan Wundke *Nathan Wundke Plumbing*  
Phone: 0410 838 876  
Email: nathanplumbing@gmail.com

## Staff

Andrew Clarke - *Executive Officer*  
m: 0438 282 448  
e: andrew.clarke@piasa.com.au

Paul Worthington - *Marketing & Membership Manager*  
m: 0407 407 221  
e: paul.worthington@piasa.com.au

David Butcher - *Group Training Manager*  
m: 0447 010 812  
e: david.butcher@piasa.com.au

Crystal Balazs - *Training Coordinator*  
e: crystal.balazs@piasa.com.au

Marilyn Sheffield - *Field Officer*  
m: 0488 909 185  
e: marilyn.sheffield@piasa.com.au

Rob Kavanagh - *Training Officer*  
e: rob.kavanagh@piasa.com.au

Deirdre Boyd - *Administration Manager*  
e: deirdre.boyd@piasa.com.au

Siobhan James - *Administration Officer*  
e: siobhan.james@piasa.com.au

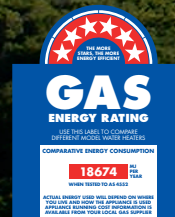
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