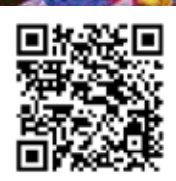


Plumbing SA

The Masters Plumbers Association of South Australia Inc.



November/December 2014



- Link between poor sanitation and stunted growth
- Why we need to educate plumbers in business
- Big changes in regulatory standards required





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Cover: Hindu devotees bathe in the polluted waters of the Ganges River

Published by

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Editorial

Efficiencies proposed for Plumbers in SA

Name Change for Association

To all members of the Association, the Executive Board of the PIA has discussed the profile of the Association at a consumer, member and government level for some time.

A decision was made to engage a professional marketing company to conduct market research to identify where the PIA sits within the marketplace. The survey also gave options on various names that have been used over time. The results from consumers were decisive:

Survey of consumers indicated that:

The current name is poorly recognised or understood by consumers (Only 18% of the consumers were aware of the name Plumbing Industry Association of SA – PIA SA).

A number of other names were presented to the consumer to identify the one with the highest level of recognition. The name "Master Plumbers Association of SA" had very strong recognition. The name "Master Plumbers Association of SA" also rated highly in the following areas; master/professional/expertise/reputable/ skills / clear concise/ formal and conveys accreditation.

Consumers are seeking more information on selecting a plumber ie; Accredited or member of an Association.

Based on the following survey results, the Executive Board feel that returning the name to a recognised brand will provide a number of additional benefits. One, the consumers recognise the strength of the brand and two the members will be acknowledged for their involvement in a professional, reputable and accountable Association.

On Tuesday 14th October at the PIA AGM, the proposed change was voted on and was unanimously supported. We are now proud to return to a name that will lead the Association into the next 100 years and remain strong with the remainder of the country. We once are again the Masters Plumbers Association of South Australia Inc.

Modernising the Association Rules

The Rules of the PIA have over several years been altered and amended by various writers. The effect of this is that several inconsistencies appear in the current Rules in respect of terminology used.

In 2014 the Executive Committee of the PIA decided to invest funds in the Rules and have them reviewed and revised to: Delete inconsistencies in the existing Rules;

Modernise the Rules; and Ensure that the Rules are structured and easy to read and follow. This process was also voted on at the October AGM and there was unanimous level of support going forward with a more current framework for which the Association will work under. A copy of the new Rules are available on the website.

Training to Improve

We have all heard about learning to improve in life, but the saying "You will never stop learning in life" has never been more relevant in today's environment. Whether, it is in business, working for an employer or in one's general life activities.

"Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young." Henry Ford. "Intellectual growth should commence at birth and cease only at death." Albert Einstein.

So, I ask the question to members of the Association, should you be faced with difficulties in your business; do you believe that by learning more about the problem, you may help solve that problem?



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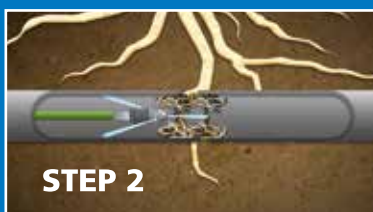
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Editorial Cont...

Construction or Deconstruction?

You may also ask yourself this question, is my / our problem one that only I have? Well, when it comes to running a service based business, in more cases than not, the answer is probably NO.

In today's environment where the economy is struggling to come to grips with tight margins, fluctuating cash flow, global uncertainty, unstable stock markets, and money in general, the pressures on business have never been greater.

So, if you provide a service to a client that requires collection of payment then you fall into the category of debt collector. Personally, I don't know of one company (that is a service provider) that has never had any debt problems. The PIA held a number of training sessions during the month of September, but one course stood out as a winner in more ways than one.

The course was titled "Debt Night" and it focused on the following areas;

What is Debt

Effective Credit and Collection Policies

Managing Debt

Effective Contracts

I attended the course and I have to say without any bias it was probably one of the best training sessions I have attended. So good was the course that we will be implementing the systems and processes into the Association. One attendee stated that every Plumbing Company large or small should be attending this course.

If you are interested in joining the more educated, please contact the Master Plumbers South Australia.

Changing Environment

We often talk about changes in the business environment, with improvements in technology or changing practices to meet new stringent compliance regimes, but one change that seems to be sweeping through a whole range of industries is the increase in mergers / takeovers of businesses and the diversification of business models.

Businesses such as architects, lawyers, accountants and trade service groups are merging other business divisions within their businesses to build a more sustainable product. For instance some companies are merging building, refrigeration, electrical and plumbing, so they can provide a holistic solution in the construction industry and create longevity within their business.

One day you will see a plumbing company with a plumbing van driving around town, next time you see the van it will have electrical and refrigeration advertising on the side. They know that the market is seeking these types of services and why ring three separate companies when you get the whole lot from one provider (one stop shop).

Donaldson Walsh Lawyers joined with Fox Tucker Lawyers (DWFoxTucker Lawyers) to increase their scope and to create efficiencies.

Large accounting companies are now sending their book keeping tasks overseas to complete, why, because it is more cost effective and more efficient in getting work done in a shorter period of time.

The challenge for all business owners is to keep up with the changing environment, and move with the times, that's why we are investing in the Businessmate System, which provides a system for the total management of a plumbing business to ensure plumbers of today have sustainable businesses for the future.



Andrew Clarke
Executive Officer



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Financial Advice

Eight Steps to a Best Practice Australian Building Act

Given the extent of reform happening across various jurisdictions in Australia, along with significant levels of disquiet from both the industry and the consumers it serves, now seems like an important time to step back and think about the key elements which form the basics of effectively functioning building legislation that delivers positive outcomes for all stakeholders.

Taking the interests and needs of all parties into account raises the question: what would a best practice Australian Building Act look like? Here are eight suggestions:

1) Clear objectives.

The core objectives of any construction industry legislative regime are not difficult to understand: adequate protection for consumers and aspiring property owners; deliverance of a quality, safe end product and built environment at reasonable cost; and adequate levels of professionalism and accountability and insurability throughout the building process.

These should be clearly stated up-front.

2) A Minister and Ministry of Construction

The building sector is vital not only in terms of the economy but also in providing safe and healthy environments for people to live, work and play.

Because of this, there should be a dedicated Minister or Ministry and arm of government responsible for overall building regulation, which would benchmark regulation against international standards, work with the industry and consumers to address failings (including implementing timely and sensible corrective action where systematic failure occurs) and ideally, benchmark itself against world best practice technology and systems.

Although this would be a governmental body, a peak committee which includes industry and consumer representatives would need to report to the head of the executive on the effectiveness of the regime and the legislation.

3) A Practitioner Registration System

Any actors involved in the building process who are not adequately qualified, experienced and insured for the level of work they perform or who fail to carry out their work satisfactorily represent a threat to consumers and the industry's reputation and should not be allowed to continue to practice.

What is needed, therefore, is a robust system of registration, practitioner oversight and discipline overseen by a board comprising both industry peers and consumer representatives which has sufficient power to investigate, prosecute and censure where necessary.

This includes any key practitioners involved in the process: builders, construction managers, architects, plumbers, building surveyors, building inspectors, draftsperson, electricians, engineers and expert witnesses that give evidence in building disputes – all of whom should be suitably qualified and appropriately insured.

4) A User Pays Auditing Regime

At the moment, investigations into building practices happen only when a complaint is made or building failure occurs and even then, these take place only after the event.

A more proactive approach would involve subjecting practitioners to a compulsory system of random and annual audits – the cost of which would be paid for by the practitioner in question via an auditing fee.

Such a system could be used to identify and rectify problems before damage occurs. For practitioners, fees incurred would be part of the cost of doing business, and would be more than worth it in light of current amounts being spent on damage control, litigation and rectification.

5) A strong regime for building surveyors.

Whether employed by the council or in the private sector, the importance of building surveyors to the general public cannot be understated and as such these practitioners should be subject to a strong regulatory regime.

This would include:

- Being appointed by property owners only, not by building practitioners
- Limiting private surveyors to assessing approvals on the basis of compliance with prescriptive regulations (no room for discretion) and prohibiting them from sanctioning performance based designs
- Regulating fees to ensure these are adequate so as to enable performance of duties in a satisfactory manner (no fee cannibalisation)
- Ethical requirements which are codified in the act of parliament (New South Wales already does this, other states should follow)
- Mandatory inspection junctures following the issuance of permits
- Appropriate powers to issue compliance notices and enforcement

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Financial Advice

Eight Steps to a Best Practice Australian Building Act

orders – copied to the practitioner oversight body where non-compliance with such orders occurs.

- A changed name – outside the building industry, no one knows what a building surveyor or principal certifier is. Call them construction regulators or building code enforcers instead.

6) A strong building approval process

This is an area we have pretty much got right at the moment. Building approvals cannot be granted until planning permits are issued and the designs are considered compliant with the relevant technical codes and standards and occupation cannot be sanctioned until the building is fit for occupation. There is not much change required in this area.

7) A Building Permit Appeals Board

Staffed by part-time experts and lawyers along with a complement of consumer representatives, such a body would need to be independent of any other arm of the regulatory executive and should preside over building consent disputes in a prompt and cost effective manner. The Building Approvals Board in Victoria is a good example.

There could also potentially be fast track procedures where, subject to having at least one consumer representative on every panel, applicants could pay significantly higher sums in order to get hearings expedited. Whilst some feel this responsibility could be migrated to tribunals, others remain concerned doing so could push out decision times and costs and add to the taxpayer cost associated with decision making, as tribunal members generally demand higher levels of remuneration compared with reputable industry practitioners and consumer representatives, whose primary motivation for assuming such responsibilities revolves around contribution to the industry and society in general.

8) Clear and Fair Liability laws

Whilst sensibly, time limits for the initiation and conclusion of law suits currently sit at 10 years around most of the country, and a fair system of proportionate liability is in place, what is not common outside Victoria and the Northern Territory is compulsory insurance for building practitioners. Proportionate liability is one thing, but without mandatory practitioner insurance, consumers remain exposed and may not be able to recover costs for rectification even when judgements are awarded in their favour. If all of the above are in place, then the Building Act should deliver positive outcomes for all concerned.

Policy makers should take note, and act in areas where our laws are not delivering.



Professor Kim Lovegrove FAIB

Kim lovegrove FAIB is a partner at Lovegrove Solicitors, a conjoint professor in building regulation and certification and the Chair of the Centre for Best Practice Building Control. Kim has also been recently elected as President of Northern Chapter, NZIOB...

- See more at: <http://sourceable.net/eight-steps-best-practice-australian-building-act/#sthash.Z8amJJgt.dpuf>

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Financial Advice

Education of the Industry

It is clear that many people starting up a small business are generally ill prepared for what they are taking on. The whole industry has a responsibility to better train employees in business management. Employees who understand the complexities and cost structures around running a business will be more attuned to why they are tasked to do their work in the way it is organised.

An example of this is, that a few years ago I was tasked with analysing why a business arm, of the parent company I worked for, was losing money. The manager of the business unit was not happy that I chose to spend time in the business, observing what people did and why they did it. The company did electronics repairs and quite simply they were losing money quoting jobs that would never be done because the cost of repair was too high.

I also learnt that employees didn't understand or weren't told that to spend more than 20 minutes identifying a consumer electronics fault was uneconomic. There were a range of other problems and the solution was quite clear. Get out of consumer repairs; concentrate on professional equipment repairs, which meant downsizing the business appropriate to the viable part of the business. One employee in that business understood they were going broke because the technicians spent too much time trying to find the fault in the item in for quoting and repair. Their ignorance of the costs of their work ultimately cost them their jobs.

Educated employees may well choose to remain an employee. There are a number of plumbers I know who have told me that they do not want their own business because they can make as much money or more, have a better work life balance and no stress as an employee, so why become a sole trader?

The third reason that we need to better educate all plumbers about running a small business is that, the more who understand the true costs, the more who will not lower their rates to levels that hurt the whole industry. At the Master Plumbers Association we commonly hear plumbers have left their boss because he's making a hundred bucks an hour charging me out and I want to earn that rather than him.

We need to break this fallacy in the minds of those who believe this. The first question to raise is, if you are charging \$100.00/hour, who collects the biggest portion of that money? The answer is the government, through the taxes you will be liable for on that \$100.00/hour. Assuming you pay 30c in the dollar tax and GST, the government takes 40% so your \$100/hour is now \$60.00.

We need to look at all of the insurances, particularly public liability insurance, that are necessary for a properly structured and protected business to have. It is frightening to hear how many sole traders have no income protection insurance. We commonly hear them say that it is too expensive. But if you are not insuring yourself against injury and loss of income that can result from an accident or illness, you are effectively discounting your charge out fee to your customers. You are taking the risk in order to cut your price for the customer. Employees must have Work Cover Insurance so why would you leave yourself unprotected?

Employees must be paid Long Service Leave, Superannuation etc, yet again many do not have it. If you are extremely disciplined, as some members are, they have regularly put money aside to invest as an alternative. The reality is that most of us aren't that disciplined so need to be more structured about planning for the future.

Income protection insurance, Work Cover, Business Insurance, Long Service Leave and Superannuation all adds up roughly to between \$10.00 - \$15.00/hour based on a 40 hour week. So my \$100/hour is now down to \$45.00/hour and we still have overheads to consider.

I'm a young plumber and into cars so I have to have a top of the range dual cab 4WD ute. I get a great deal so I am able to fit it out for \$50,000 on the road. I buy a drain cleaning machine and sundry other tools which add up to \$10,000.

I get the Ute sign written, print business cards, fridge magnets and get a web site for another \$2,500. Mum and dad help get me started with a gift of \$10,000 and I get \$4,000.00 trade in for my Nissan Silvia. So all up I have to borrow about \$50,000. I get a personal loan with dad as guarantor which is going to cost me about \$1,000/month. That's another \$7.00/hour. Now I've just got to cover my running expenses. We'll be generous and say they're only \$3.00/hour. Gee I'm earning a whole \$35.00/hour and if I get enough work for forty hours/week I will earn \$67,000 over a 48 week year, provided I stay healthy.

We have by no means covered all of the costs, such as accountancy fees, computers, licence renewals, legal fees, software etc.

We also start to see why plumbers when faced with the twin competitors of:

- Other plumber and
- DIY

The plumbing industry is its own worst enemy. Young naive plumbers starting up and fierce competition from many in the industry has driven many into a downward price spiral. There are numerous outcomes but for many plumbers it has already ranged from going broke to working for less money than you can earn pulling beers in a pub. Education of the industry about the true cost of doing business is a responsibility of the entire industry to the industry itself and to the customers be they the general public or builders.

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Poor Sanitation in India May Afflict Well-Fed Children With Malnutrition



Above: Hindu devotees bathe in the polluted waters of the Ganges River

SHEOHAR DISTRICT, India — He wore thick black eyeliner to ward off the evil eye, but Vivek, a tiny 1-year-old living in a village of mud huts and diminutive people, had nonetheless fallen victim to India's great scourge of malnutrition.

His parents seemed to be doing all the right things. His mother still breast-fed him. His family had six goats, access to fresh buffalo milk and a hut filled with hundreds of pounds of wheat and potatoes.

The economy of the state where he lives has for years grown faster than almost any other.

His mother said she fed him as much as he would eat and took him four times to doctors, who diagnosed malnutrition.

Just before Vivek was born in this green landscape of small plots and grazing water buffalo near the Nepali border, the family even had electricity.

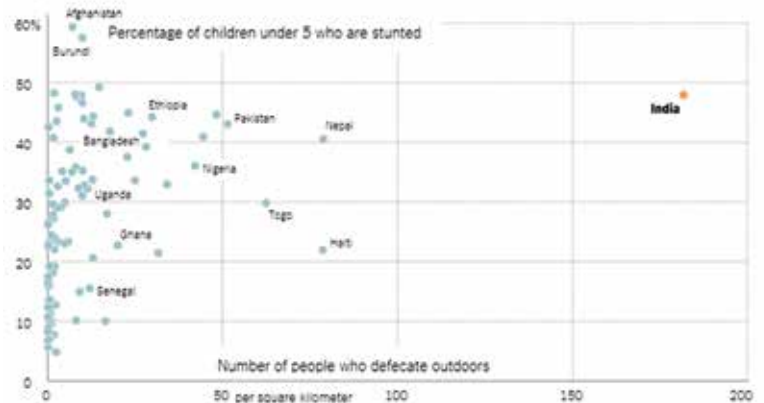
So why was Vivek malnourished?

It is a question being asked about children across India, where a long economic boom has done little to reduce the vast number of children who are malnourished and stunted, leaving them with mental and physical deficits that will haunt them their entire lives.

Now, an emerging body of scientific studies suggest that Vivek and many of the 162 million other children under the age of 5 in the world who are malnourished are suffering less a lack of food than poor sanitation.

Poor Sanitation Linked to Malnutrition in India

New research on malnutrition, which leads to childhood stunting, suggests that a root cause may be an abundance of human waste polluting soil and water, rather than a scarcity of food.



Above: Demographic and Health Surveys, USAID (stunting data, latest year available); World Health Organization, Unicef (defecation data, 2012)

Like almost everyone else in their village, Vivek and his family have no toilet, and the district where they live has the highest concentration of people who defecate outdoors.

As a result, children are exposed to a bacterial brew that often sickens them, leaving them unable to attain a healthy body weight no matter how much food they eat.

“These children’s bodies divert energy and nutrients away from growth and brain development to prioritize infection-fighting survival,” said Jean Humphrey, a professor of human nutrition at Johns Hopkins Bloomberg School of Public Health.

“When this happens during the first two years of life, children become stunted. What’s particularly disturbing is that the lost height and intelligence are permanent.”



Above: Children defecating outdoors in Varanasi.

Poor Sanitation in India May Afflict Well-Fed Children With Malnutrition

Two years ago, UNICEF, the World Health Organization and the World Bank released a major report on child malnutrition that focused entirely on a lack of food.

Sanitation was not mentioned. Now, UNICEF officials and those from other major charitable organisations said in interviews that they believe that poor sanitation may cause more than half of the world's stunting problems.

“Our realisation about the connection between stunting and sanitation is just emerging,” said Sue Coates, chief of water, sanitation and hygiene at UNICEF India. “At this point, it is still just an hypothesis, but it is an incredibly exciting and important one because of its potential impact.”

This research has quietly swept through many of the world's nutrition and donor organisations in part because it resolves a great mystery: Why are Indian children so much more malnourished than their poorer counterparts in sub-Saharan Africa?

A child raised in India is far more likely to be malnourished than one from the Democratic Republic of Congo, Zimbabwe or Somalia, the planet's poorest countries.

Stunting affects 65 million Indian children under the age of 5, including a third of children from the country's richest families.

This disconnect between wealth and malnutrition is so striking that economists have concluded that economic growth does almost nothing to reduce malnutrition.

Half of India's population, or at least 620 million people, defecate outdoors. And while this share has declined slightly in the past decade, an analysis of census data shows that rapid population growth has meant that most Indians are being exposed to more human waste than ever before.

In Sheohar, for instance, a toilet-building program between 2001 and 2011 decreased the share of households without toilets to 80 percent from 87 percent, but population growth meant that exposure to human waste rose by half.

“The difference in average height between Indian and African children can be explained entirely by differing concentrations of open defecation,” said Dean Spears, an economist at the Delhi School of Economics.

“There are far more people defecating outside in India more closely to one another's children and homes than there are in Africa or anywhere else in the world.”



Above: A typical village in India.

Not only does stunting contribute to the deaths of a million children under the age of 5 each year, but those who survive suffer cognitive deficits and are poorer and sicker than children not affected by stunting.

They also may face increased risks for adult illnesses like diabetes, heart attacks and strokes.

“India's stunting problem represents the largest loss of human potential in any country in history, and it affects 20 times more people in India alone than HIV/AIDS does around the world,” said Ramanan Laxminarayan, vice president for research and policy at the Public Health Foundation of India.

India is an increasingly risky place to raise children. The country's sanitation and air quality are among the worst in the world. Parasitic diseases and infections like tuberculosis, often linked with poor sanitation, are most common in India. More than one in four newborn deaths occur in India.

Open defecation has long been an issue in India. Some ancient Hindu texts advised people to relieve themselves far from home, a practice that Gandhi sought to curb.

“The cause of many of our diseases is the condition of our lavatories and our bad habit of disposing of excreta anywhere and everywhere,” Gandhi wrote in 1925.

Other developing countries have made huge strides in improving sanitation. Just 1 percent of Chinese and 3 percent of Bangladeshis relieve themselves outside compared with half of Indians.

Attitudes may be just as important as access to toilets. Constructing and maintaining tens of millions of toilets in India would cost untold billions, a price many voters see no need to pay — a recent survey found that

Poor Sanitation in India May Afflict Well-Fed Children With Malnutrition



Above: Uma and her 1 year old son Sandeep is severely malnourished despite a good diet. many people prefer going to the bathroom outside. Few rural households build the sort of inexpensive latrines that have all but eliminated outdoor waste in neighboring Bangladesh.

Clothes washers work near a sewage pipe in the Ganges in Varanasi, India, where no city has a comprehensive treatment system.

One analysis found that government spending on toilets pays for itself in increased tax receipts from greater productivity, but the math works only if every member of a family who gets a toilet uses it. “We need a cultural revolution in this country to completely change people’s attitudes toward sanitation and hygiene,” said Jairam Ramesh, an economist and former sanitation minister.

India’s government has for decades tried to resolve the country’s stubborn malnutrition problems by distributing vast stores of subsidised food. But more and better food has largely failed to reverse early stunting, studies have repeatedly shown.

India now spends about \$26 billion annually on food and jobs programs, and less than \$400 million on improving sanitation — a ratio of more than 60 to 1.

“We need to reverse that ratio entirely,” Dr. Laxminarayan said. “India’s problems are bigger than just open defecation and a lack of toilets,” Dr. Laxminarayan said.

Daniel Berehulak
New York Times.



Dumping of Imported Stainless Steel Sinks



Above: Oliveri sinks in production at the Regency Park facility in Adelaide

The Australian Government Anti-Dumping Commission's announcement on Preliminary Affirmative Determination (PAD) and Imposition of Securities on China-imported, pressed stainless steel sinks. The Commission have stated that they are satisfied that dumped goods have caused material injury to the Australian industry. As a result of this preliminary finding, the Australian Customs and Border Protection Service will take securities on future exports of deep drawn stainless steel sink from China. The rates of security range from 19.4% to 61.5%.

Adelaide-based Tasman Sinkware is Australia's sole manufacturer of pressed stainless steel sinks under the Oliveri brand. Earlier this year Tasman Sinkware lodged an anti-dumping application alleging that the Chinese stainless steel sinks industry benefits from the subsidies and policies of the Chinese Government that reduce the cost of stainless steel sinks made in that country, and that pressed stainless steel sinks were being exported to Australia at dumped prices. Tasman Sinkware General Manager Mark Freeman says "that after a lengthy investigation process to reach this stage, the preliminary decision vindicates our position and supports the allegations that we have been competing against unfairly priced imports in the Australian market".

"The level by which Chinese exporters have undercut us in the Australian market has substantially reduced sales of Australian-made sinks since July 2009, and our profitability has declined significantly" Mr Freeman says. "This decision improves the business case and increases our confidence to re-invest in our Australian operations to boost local production levels and to create more jobs. We are encouraged that we can move forward with new product innovation and development, and now plan to release a new locally made sink range later this year".

"We are a proud Australian manufacturer and determined to fight for our local manufacturing base and to keep providing local jobs for our people across Australia. The investigation is not due to be completed until later this year and we hope that the timeline outlined by the Commission can be met without any further delays to ensure we can implement a new investment and growth strategy." Recently, Canada's anti-dumping administration, the Canada Border Services Agency, determined Chinese Government subsidies account for up to 60% of the export price of stainless steel sinks exported from China to Canada. Tasman's



Above: Employees are hoping that anti-dumping measures will protect the future of the factory and continue to provide local jobs.



Above: The Oliveri brand is well known for being an Australian made product of high quality and design

hope remains that the investigation will help achieve a level playing field in the market, ensuring the Oliveri brand continues to be synonymous with Australian manufacturing into the future. Tasman Sinkware had assistance from the Australian Industry Group in making its application to the antidumping commission.

About Tasman Sinkware

- Established in 1948
- Manufactures the Oliveri brand
- Employs 65 people involved in manufacturing, design, sales and administration
- Average tenure of a Tasman Sinkware employee is 10 years.
- Part of the Building Products Division of Fletcher Building

More information on anti-dumping activities is available on the Australian Government Anti-Dumping Commission website www.adcommission.gov.au

Why the Construction Industry

How will you adapt your business?

The past month has been notable for the number of conferences dealing with off-site construction. UK-based organisation Buildoffsite has launched an Australasian offshoot with seminars in Auckland and Sydney, presenting a northern hemisphere insight into what's going on. Last month, PrefabNZ held its annual conference in Auckland. Its speakers offered insights into what's happening down under and included multi-sector presentations on new product technologies and how these may apply to construction's off-site future.

Both offered terrific insights into goings-on in construction and other transformative industries around the world. Cases were made for substantial improvements to be made in construction productivity and in lowering the industry's costs. The recurring theme was about reducing waste in the construction process; not just wasted construction materials and processes on-site, but across the board.

If it's so obvious, why is this not a national priority?

From the sub-texts of many of the presentations I heard and in all of the conversations I had with attendees at these events, there seems to be a lot of "Dead Hands" in the mix who are just as happy with the status quo. The challenge will be breaking through to drive the industry-wide changes that everyone knows should be being made.

Construction costs must be brought down by at least 20 per cent and then set on a path of better, faster, cheaper on an industrial scale for two decades. Buildoffsite chairman Richard Ogden MBE has a bit of experience in improving construction outcomes. He was responsible for the business transformation of McDonald's UK construction projects. Ogden told Auckland and Sydney events that construction has some heavy lifting to do.

He compared the UK's increase in construction costs of 89 per cent between 1997 and 2006 with the increases in the general economy of only 25 per cent. He also noted that housing construction costs had increased by a staggering 180 per cent in the same period, compared with motor vehicle price increases of just 1.5 per cent.

The current cost of construction in Australia is unsustainable. It is understandable that companies such as Incitec Pivot are taking their new US\$850 million ammonia plant off-shore. CEO James Fazzino has been reported as saying "the labour costs of the plant to be built in New Orleans only represent 35 per cent of the build cost there, whereas in Australia they would represent 60 per cent."

The project will generate 750 construction jobs over three years. This is not an isolated story, and it's not just about whole projects. Increasingly, Australian construction is witnessing much of its progressive moves to off-site fabrication mostly becoming off-shore. If these trends continue, I believe it could mean a loss of over 70,000 Australian construction jobs by 2023.

Ogden points to the recognition that the UK government is giving to its construction sector. He quoted the UK 2025 Construction Strategy as having set goals to lower construction costs by 33 per cent, speed up the delivery of construction projects

by 50 per cent, lower construction driven CO2 emissions by 50 per cent and improve the UK construction export performance by 50 per cent.

He cites early achievements on a number of projects claiming as much as 60 per cent reduction in on-site field-force inputs and 30 per cent reduction in construction times. His claims for projects cited were weakened by a lack of independently verified benchmarks either against their peers or business as usual baselines.

PrefabNZ's 2014 Conference in Auckland saw the launch of the case for off-site (prefab). What's clear is that the NZ government and the industry are getting right behind the potential of off-site in NZ. In a jointly sponsored publication by NZ's Building Construction Productivity Council and BRANZ, the case for increased off-site construction was made by modelling how as much as 60 per cent could be taken out of the construction time for a 157 square metre house and its cost reduced by 15 per cent.



Above: Offsite prefabrication is the only way to reduce construction costs

There is a lot of innovation evident in construction in NZ especially in the Christchurch re-build, and PrefabNZ CEO Pamela Bell has helped to get these wheels turning. It all looks like a one-country, one-industry approach all getting set for the construction world game. So who or what are the Dead Hands? Well, they are the behind the scenes interests who seem happy with the status quo and frustrate change. They are policy makers and heads of enquiries that look more to business as usual. They overlook the opportunity to investigate the potential to lower construction costs by at least 20 per cent in the short term and even more after that.

They are the industry associations who are not prepared to redefine their futures at the expense of possibly thousands of their members, whose current business models need to be recalibrated. They are the unions without a plan for their members' future. They are regulators who are captive of those interests. And if they listened to Joe Hockey's 2014 Budget Speech, they would be the 'leaners not the lifters.'

What's clear from those promoting change such as Buildoffsite and PrefabNZ is that the status quo is not sustainable in construction. Construction is now a huge global business. It's reportedly headed for a US\$15 trillion global turnover by 2025. Defining the future in my view, are three clear forces. Construction is going off-site, it is becoming industrialised and it is going global.

The key to making a future in construction is to innovate on an industrial scale, to drive down costs by at least 20 per cent in the short term and construction durations down by at least 50 per cent in the medium term with commensurate improvements in construction quality and on-site safety.

Measuring construction productivity achievement must become a central plank to every client's procurement strategy. Clients must start asking for evidence based affirmation of the improving construction performances of their contractors. Individual acclamations by parts of the construction industry do not make for improvement of the whole.

Initiatives such as BIM and Lean are of little benefit if they have not embraced Designed for Manufacture and Assembly (DFMA) and if their achievements are not benchmarked against universally adopted comparators. These can be simply deployed.

Measuring the trends in reducing on-site field-force fabrication and on-site construction durations provide the early indicators that a new approach to construction organisation is afoot. The current Productivity Commission Inquiry into Infrastructure has made a number of compelling observations about the state of infrastructure costs in Australia.

The Commission reports that "data problems beset the detailed analysis of the costs and productivity of public infrastructure construction, and of the effects of various policies. A co-ordinated and coherent data collection process can address this and improve future project selection decisions."

If the Productivity Commission has not brought the relationship of off-site's construction productivity potential into the framework of what's happening on-site in infrastructure considerable future public value will be lost.

There is nothing more seminal than the calculations of Net Present Value (NPV) in a new project's business case than the impact of initial construction costs. If new infrastructure project costs are not reduced by 20 per cent for a start and their delivery times reduced by 50 per cent, then the current regime of project assessment comparators will continue to build into the economy financing and user pays expenses that should and could have been avoided.

The massive infrastructure commitments made in the 2014 Budget must pass this filter. Beyond these projects, national adoption of new construction selection criteria will have a positive industry wide impact on the viability of future public and private sector project investments.

Until this occurs, the future for construction in Australia will deteriorate and its wasteful practices will continue uncontested. It's now a national priority.



Construction News
David Chandler

"We're sure you noticed the PIA logo was missing on the front cover."

We're sure you did not PIA logo missing on the front cover. At the AGM on Tuesday 14th October it was agreed by members to return to the previous name of the Master Plumber's Association of South Australia. Research has clearly identified that members and the general public recognise and connect with the brand. It is the value of the brand that the association plans to grow for the benefit of its members. In the coming months we will progressively roll out our plans for the return to Master Plumbers, as our brand.

Research also indicated that we need a logo that we can use to develop strong brand recognition that members belong to the Master Plumbers and that employing you is a safe thing to do. The old MPA logo is not readable at any distance and was seen as dated. The new is currently being designed with extensive consultation as part of that process. If we are to succeed in branding members as Master Plumbers, we need everyone to place them on their vans.

Electric Shock and Fire Hazard

The cable tie on a HWS caused a hot spot that had begun to melt and burn the electrical cable insulation. It's hard to know who the bright spark was that put it or left it on the cable.



Above: Cable Tie Creating Electrical Fire Risk

Correction

We stand corrected on the incorrect word selection in the article that appeared in the last issue. We meant to write cross contamination

Dear Editor of PLUMBING SA, SEPTEMBER/OCTOBER 2014

Page 25 Article "Cross Connection"

Statement is questionable. Example

Did you mean Cross Connection or Cross Contamination???

- Non return stopcock solves the issue
- Back inlet toilet are available with left hand or right hand back inlet connections and pose no risk to cross contamination or back flow risk to household water, if, connected correctly by accredited plumber.
- Australian approved toilet suite should have internal overflow. When water in the cistern reaches certain height water drains into an overflow and in to the pan.

We stand by the rest of the article because it is a plumber's role to install to the manufacturer's specifications and to Australian Standards. Modifying a toilet cistern which compromises the manufacturer's warranty is not part of a plumber's role. Purchasing additional product to make the modifications safe is an unnecessary expense.

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Why the New Vic Building Legislation Must go Through

For the past 12 years, the domestic building industry in Australia has suffered under a draconian regime of alleged consumer protection that has seen various governments initiate review after review in their struggle to satisfy their public policy and those opposed while retaining the status quo to satisfy the powerful trade associations.

In Victoria however, legislation is currently before Parliament, which will overhaul current arrangements and introduce a one-stop-shop for building industry regulation and will in fact deliver genuine protection for consumers as well as industry management that supports responsible practitioners whilst cracking down on unscrupulous operators.

This is a positive step and the legislation should be passed.

Indeed, the present system in Victoria has seen the industry decline into what the public now sees as a cowboy sector, which is lacking in integrity. Consider, for example, the case of Charles, a consumer who resides in an outer eastern suburb and sought compensation of \$196,000 for a failed project.

Despite assurances from his lawyers that his action would be successful, this was in fact not the case and he was forced to settle earlier this month for only \$80,000. As his legal bill came to \$120,000, he remained \$40,000 out of pocket whilst the \$196,000 failed project stares him in the face each morning as a reminder of a system that is broken beyond repair.

This is just one example, but similar cases occur time and time again as consumers grapple with a system that appears in their eyes to favour builders but in fact does no favours to any disputing party in most cases.

From the perspective of builders, meanwhile, the current system – an outgrowth of the HIH collapse and events of 9/11 – has the ability to suppress good builders by the insurer restricting annual turnover and project limits whilst simultaneously allowing those prepared to fiddle the books to thrive.

If the system does finally catch up with wrongdoers, they simply close the business and reopen under a new entity.

Finally, from the Victorian Government's perspective they have recognised the failures of the past 12 years while taking the views of the Auditor General and the Ombudsman reports into account and addressed them through their one stop shop principle contained in the Building Legislation Amendment Bill 2014 that is now before the Parliament.

One of the key elements of this legislation is the removal of the influence of the private sector that currently sees some 75 per cent of all home warranty premiums directed to private enterprise, leaving only some 25 per cent for the intended purpose, which is consumer protection.

This fact alone will ensure premiums remain at the same level and may even reduce under the one stop shop principle.

Unlike with the previous regime, this legislation is based on correct principles and will deliver genuine consumer protection as well as an industry management regime that supports good practices.

It must be accepted and become law.

Construction News
Contributor: Phil Dwyer -

Editor's note:
Victoria is not unique in these problems. SA has similar issues until the government thats these issues seriously the consumer and reputable tradespeople will continue be the losers.



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. Expressions of interest are invited by phone to Pat Bennett 0402 790 107 or email pwbenett@gmail.com

No Winners

This story is an indictment of the plumber who did this work, not the manufacturer and not the owner who had the problem of a door opening to the utility space being only 440mm x 1605mm and the need to replace the HWS. It would have been nice if the original builder had used a standard door size.

Mistake no.1: Failure to carry out research or seek advice from a manufacturer to determine the best solution for the customer. Dux or any manufacturer will bend over backwards to identify the best solution to a problem.

Dux would never recommend units be installed on top of another as the weight of the unit would be over 100 kg when full of water and capable of crushing the outer casing of the lower unit and causing an unsafe environment. These units would not be covered under warranty as they are not installed as per Dux Hot Water manufacturing specifications.

As there are no larger capacity tanks to fit that door dimension in the market, the customer would have to look at the costs of replacing the door frame or at product relocation.

Depending on their actual requirements and available power supply they may be able to go to a small instantaneous electric unit.

The member who recently passed on this story came across it when he was called to a block of flats to repair a kitchen sink tap. Whilst trying to locate the flat's isolation valve he found the stacked HWS's in the utility space

Our Member, "Clearly this has been done as a get around of the problem of the cupboard door size but I feel this to be unsafe and very poorly done.

The two tanks have been linked via bare copper crimped pipes and both are top to bottom connections, even if this were to be an acceptable linking of cylinders the theory of gravity circulation is that hot water is lighter than cold water and the hook up by a professional would have been top to top and bottom to bottom so that they would gravitate.

That said the installation is bad on so many other levels, the lower cylinder has no over temp/pressure relief valve so is relying on the linked cylinder which is not acceptable. The upper cylinders temperature cannot be correctly maintained and could be a legionella trap.

Heat loss is pouring from the connection pipes. Kinco type connections have been used on the hot water outlet pipe, where it is recommended these days that compression unions be used.

Given the bends in some of the pipes and the crimped connections it would lead you to believe that an industry person has done this installation."

Professional plumbers install to the manufactures specification. Failure to do so may void the manufacturer's warranty as it would with this installation but it doesn't void the plumber's obligations to warrant this work. This is another reason that completing COC's is so important. It says I have done the work to Australian Standards, to the manufacturer's specifications and it is a professional installation that I will warranty. We really do need to have the public demanding a COC for every job, then we might start to weed these poor practices out of the industry which can only benefit consumers and ethical plumbers.



Above: An inappropriate solution to a problem



Building the NT Plumbing Sector

The first series of committee and member meetings were conducted on Tuesday 23rd September and it was refreshing to see the passion and enthusiasm to steer the industry in a more proactive direction.

I must stress that there is plenty of work that needs to be done and it is going to be a slow and arduous task, but the emphasis will be on making decisions based on long term benefits for the industry.

The scope of the meetings focused on key elements that will influence the industry, from early engagement in apprenticeship training processes through to ongoing sustainability of the sector.

Training is paramount to the growth of the plumbing community and it is clear that there is a demand for more quality apprentice outcomes and ongoing development of tradespeople. Specialist training programs have also been raised, and this will be a key objective in the future.

Communication with key stakeholders such as Power and Water, Plumbing Licensing Board, Health Department, Building Practitioners Board and NT Worksafe is critical for the resurgence process.

The Association sees a lot of similarities between South Australia and the NT and being part of the Master Plumbers Australia group will enable us to view other state and territory practices. There are common issues that we all face around compliance, regulation and protection of the industry and these will be worked through in the coming 12 months.

The key message from the meeting was that we need to start the process and start moving forward from this point. I wish to thank all those that attended the meeting and those members who have helped in bring a unified approach to improve the sector.

I look forward to working with all the NT members and feel free to contact the Association at any time.

Committee

Name	Company	Contact Details
Andrew Clarke	Master Plumbers SA	0438 282 448
Tim Shaw	Selter Shaw Plumbing	8931 3093
John Mousellis	Mousellis and Sons	8947 0181
Peter Naylor	Excel Pty Ltd	8947 4008
Bruce Perry	Rhino Industrial	8947 3400

Members

- Centre Plumbing
- Reece Plumbing NT
- G.J. Wigg Plumbing Specialists Pty Ltd
- Ausplumb NT
- Selter Shaw Plumbing Pty Ltd
- Rhino Industrial Pty Ltd
- Architectural Water Solutions
- Tradelink Plumbing NT
- Gold Medal Services (NT) Pty Ltd
- Territory Plumbing Supplies Pty Ltd
- Symonite Pty Ltd t/a Tap and Drain Doctor
- Peter Rintel
- Aldirect Plumbing and Gas Fitting Pty Ltd
- Excel Pty Ltd
- Stockwell Water & Gas Pty Ltd
- Mousellis and Sons Pty Ltd
- Think Water- Winnellie & Virginia
- Solahart - NT
- Wilson Hire
- KSB Australia
- Greg Harwood Plumbing and Gasfitting Pty Ltd

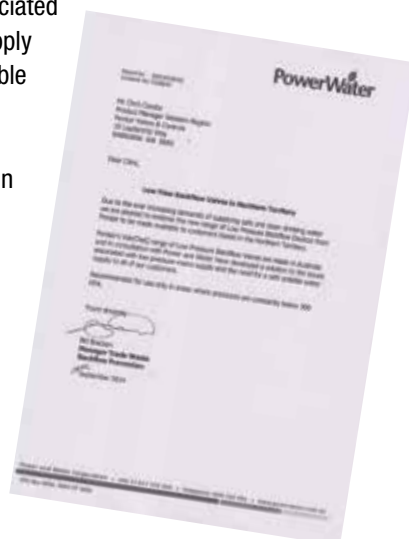
Low Flow Backflow Valves in Northern Territory

Due to the ever increasing demands of supplying safe and clean drinking water we are pleased to endorse the new range of Low Pressure Backflow Devices from Pentair to be made available to customers based in the Northern Territory.

Pentair's ValvCheQ range of Low Pressure Backflow Valves are made in Australia and in consultation with Power and Water have developed a solution to the issues associated with low pressure mains supply and the need for a safe potable water supply to all our customers.

Recommended for use only in areas where pressures are constantly below 300 KPA.

Bill Bracken
 Manager Trade Waste
 Backflow Prevention
 14th September 2014



Northern Territory

Transitional Arrangements for Construction Work Ended

Under the Work Health and Safety (National Uniform Legislation) Regulations (the Regulations) a Person Conducting a Business or Undertaking (PCBU) will need to comply with the new provisions of the Regulations.

These transitional arrangements were included in the Regulations to provide duty holders with a period of adjustment to enable them to gain an understanding of the Regulations, assess their current practices against changed or new requirements and make changes as necessary. This Bulletin will assist a PCBU in the construction industry to consider current practices and assess whether changes are required to meet the Regulations.

Transitional Arrangements – Construction Work

There are a number of Chapters within the Regulations that impact on construction work. The following transitional arrangements finished on 1 January 2013, and if a PCBU has not already done so, compliance is now required to meet the transitioned Regulations.

Principal Contractor Duties – Chapter 6

A principal contractor is defined by Regulation 293 and can be:

- the PCBU who commissions a construction project; or
- where the person who commissions a construction project engages and authorises another PCBU as principal contractor, that person so engaged, or
- if the owner of a residential premises is an individual who directly or indirectly engages a PCBU to undertake the construction project in relation to the premises, the PCBU so engaged is the principle contractor.

A construction project can only have one (1) principal contractor at any specific time.

While the duties of a principal contractor are the same as under the previous legislation, the trigger for those duties has changed from a construction project that requires five (5) permanent workers to be on the site, to a construction project that involves construction work where the cost of the construction work is \$250,000 or more.

This new trigger for principal contractor duties has been transitioned and commenced on 1 January 2013. PCBUs who undertake construction work and may find themselves as a principal contractor, must consider the steps they need to take to meet their obligations.

Requirements when trenching being undertaken – Regulation 306

Regulation 306 provides specific control measures that must be taken into account when trenching is being undertaken.

PCBUs who undertake trenching work must consider whether their current practices will meet the requirements relating to the prevention of unauthorised access to the trench work and shoring the sides of the trench.

Duty to provide first aid – Regulation 42

Regulation 42 requires that a PCBU at a workplace must ensure they provide first aid equipment and access to facilities for the administration of first aid. The regulation also requires the PCBU to ensure that an adequate number of workers are trained or have access to adequate numbers of people who have been trained to administer first aid. This is a change from previous requirements under Regulation 52 of the now repealed Workplace Health and Safety Regulations where only one first aid officer was required at a workplace.

The Code of Practice for First Aid in the Workplace has been approved under the Work Health and Safety (National Uniform Legislation) Act (WHS Act) and is available on the website to assist a PCBU in assisting compliance with the requirements.



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Duty to prepare, maintain and implement emergency plan – Regulation 43

Regulation 43 requires a PCBU at a workplace to ensure that an emergency plan is prepared for the workplace. The requirements under this regulation are more detailed compared to the requirements under the repealed Workplace Health and Safety Regulations, where the development of an evacuation procedure which was practiced at reasonable intervals was sufficient.

The Code of Practice for Managing the Work Environment and Facilities has been approved under the WHS Act and is available on the website to assist a PCBU in complying with this regulation.

Inspection of Scaffolding – Regulation 225

Regulation 225 requires a competent person to inspect scaffolding:

- when the scaffolding is erected and before its use;
- after an incident that may have affected the stability of the scaffolding;
- after any repairs to the scaffolding; and
- every 30 days from the date of erection.

A competent person is a person who has acquired through training, qualification or experience the knowledge and skills to carry out the inspection.

This requirement must now incorporate this into their normal procedures when working with scaffold.

For further information please contact NT WorkSafe on 1800 019 115 or go to www.worksafe.nt.gov.au

This article was written in response to discussions with workers in the building trade, which attempts to explain the difference in policies, particularly at claim time – Ross Forsyth, Local Life Insurance Broker

An Overview of Income Protection Policies

Income Protection Insurance provides a replacement wage and ensures continuity of income while you are unable to work due to sickness or accident. It helps you meet your personal expenses, which are currently paid from your income.

Income Protection Insurance is possibly the most critical of all insurance policies, as it protects your most important asset, your income.

You can insure up to 75% of your earned income from your main occupation. The level of benefit you choose should cover your personal 'day to day' expenses. This includes everyday living costs, food, mortgage payments, bills etc.

If you already have an Income Protection Policy, is it a Cancellable or Non-Cancellable Policy?

If you cannot answer this, don't wait until you have to claim on your policy. You need to know now what would happen if you claimed on your policy. For example, after your claim has been finalised and you return to work, will your .

- Policy now have an Exclusion?
- Premium be increased with a Loading?
- Insurance Company even renew your policy?

The best way to know this is to understand the difference between Cancellable and Non-Cancellable Income Protection Policies.

What is a Cancellable Policy?

Simply, it's where the Insurance Company lets you purchase an Income Protection Policy for 1 year, as it is renewed on a yearly basis. A Cancellable Income Protection Policy can be altered by the Insurance Company whether you claim on your policy or not.

With a Cancellable Policy there are ongoing disclosure requirements every year. If your personal circumstances changed in any way in the previous 12 months, such as:

- Has your health changed? Were you sick or did you have an accident?

Example – You strained your muscles in your lower back, went to the physiotherapist once or twice and you had no time off work

- Did you take medication for a medical condition?

Example – You doctor prescribed for you to take medication to manage your cholesterol and you had no time off work

- Did your occupation change?

Example – You changed your occupation from a wall floor tiler to a builder

- Have you taken up any new pastimes?

Example – You took up diving

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D. J. HARGREAVES

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To ensure that any future claim is paid and not voided through non-disclosure, it's important that you notify your Insurance Company of any changes before your policy renews

Now ask yourself – “Who has the time today to keep records of all of this?”

Cancellable Income Protection Policies give the Insurance Company the opportunity to ‘minimise’ the impact from substandard risks and improve the profitability of their client portfolio.

What is a Non-Cancellable Policy?

In a nutshell, a Non-Cancellable Policy can be guaranteed to Age 65 and not for 1 year. Once you have your policy it cannot be altered, no matter what your changes in your personal circumstances are.

If your health has changed, or you are taking medication, or changed occupations, or you are now hang gliding - your policy terms cannot be changed. A Non-Cancellable Policy is guaranteed renewable each year until the expiry date of your policy.

A Non-Cancellable Policy is your guarantee of cover and income security. Once you have your policy, as long as the premiums are paid, your policy is guaranteed renewable and cannot be cancelled by the Insurance Company, no matter how many claims you make!

After almost 30 years of providing insurance advice, I am still surprised at the number of workers in the Building Industry who have Cancellable Income Protection Policies. Be aware that Cancellable Policies may be packaged with your General Insurance Policies such as your tool insurance or public liability.

Give ‘Yourself Peace of Mind’

Speak to your Insurance Adviser today to ensure that your policy is Non-Cancellable. The last thing you want to be worrying about should you end up in hospital is, “Will my policy cover me?”

About Ross Forsyth - *Is the Director of Straight Through Insurance, a full service accredited and authorised Life Insurance Broker, which has no alliances to any particular insurer. Having access to the widest selection of products in the market, Straight Through Insurance is able to provide policies with the best definitions at claim time, superior policy wording and the lowest premiums. They offer Non-Cancellable Income Protection Policies.*

Ross Forsyth is one of Australia's longest serving Life Insurance Advisers, who has supported many industry bodies in the building trade for many years and one of only a handful of local Life Insurance Brokers.

The information that has been given is General Advice and does not take into account your personal financial situation, needs or objectives. Therefore before you decide to buy this Plan or keep a similar product you already hold, it is important that you consider the Product Disclosure Statement to make sure the product is appropriate for you.

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Legal Advice

ACCC takes action against Electrodry alleging fake testimonials or reviews

The Australian Competition and Consumer Commission (ACCC) has instituted proceedings in the Federal Court against A Whistle (1979) Pty Ltd, the franchisor of the Electrodry Carpet Cleaning business, alleging that it was involved in the posting of fake online testimonials. Electrodry is a franchised business that provides carpet, drapery, grout, upholstery and mattress cleaning services with over 100 franchises in Australia.

The ACCC alleges that Electrodry:

- made false or misleading representations by a contractor, acting as Electrodry's agent or at its direction, posting fake testimonials relating to Electrodry Carpet Cleaning on the internet; and
- induced or attempted to induce its franchisees to make false or misleading representations by posting fake testimonials on the internet.

The ACCC alleges that Electrodry's conduct resulted in fake testimonials that appeared on a number of review sites, including Google, True Local and Word of Mouth.

It is alleged that the testimonials were written and posted by people associated with, or contracted to, Electrodry, and not by its genuine clients as the testimonials implied.

"Consumer issues in the online marketplace continue to be an ACCC priority," ACCC Deputy Chair Michael Schaper said.

"While online testimonials can be a useful and genuine marketing tool, it is important that online businesses understand that making or inducing false or misleading representations about testimonials breaches the Australian Consumer Law."

The ACCC is seeking declarations, penalties, injunctions and corrective notices. This is but a drop in the ocean but highlights that if enough people complain about bogus testimonials that the consequences on a business can be very significant.

The legal fees to defend this matter alone will be in the tens of thousands of dollars.



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Legal Advice

How to deal with restraint of trade

How to deal with a break up: restraint of trade

From the recent outcome of the case of RNTT Pty Ltd v Constable [2014] SADC 78 (the RNTT Case), we are provided with an opportune moment to remind our readers about 'restraint of trade' post-employment.

The RNTT Case sets a good example on how courts, particularly in the South Australian jurisdiction, will approach restraint of trade post employment.

Facts

Mr Constable (the Employee) was employed as a State Manager by RNTT Pty Ltd (the Employer) from 6 December 1994 until 28 June 2011. On 15 August 2008 a 'more detailed' confidentiality and restraint agreement (Restraint Agreement) was signed, which was in addition to the employment contract. One of the key terms of the Restraint Agreement was that the Employee would not solicit the Employer's clients for six months following termination of his employment.

The Employer claimed that the Employee during his employment and the restraint period under the Restraint Agreement had worked on his own account for at least one of the Employer's clients.

There were also issues regarding the Employee's fiduciary duties, and breach of implied terms of his employment contract for servicing his

own account with the Employer's client while he was still employed by the Employer. However, for the purposes of this article, we will deal solely with the post-employment restraint aspect of this case.



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Legal Advice Cont...

How to deal with restraint of trade (cont...)

What is a reasonable restraint of trade clause?

It is important to note that Courts will only enforce a restraint of trade if it is deemed reasonable. In determining what is reasonable will often be dealt with on a case-by-case basis as it depends on a number of factors.

In the RNTT Case, the South Australian District Court was guided by Australian and English case law in determining the standard of reasonableness to be applied to post-employment restraints. The following three key factors were determined:

First, the protectable interests of the employer must be identified. The nature and geographical spread of the employer's operations, the location of clients and the goodwill of the business are relevant.

Second, the status, functions and duties of the particular employee must be determined. The degree of contact between the particular employee and the clients, the level of seniority and responsibility within the structure of the employer's operations and possession of (or access



to) trade secrets and confidential information belonging to the employer are all relevant factors.

Third, a decision must be made as to whether, in the light of these matters, the particular restraint imposed goes no further than to safeguard the employer's protectable interest.

Findings

Based on the aforementioned approach, the Court held that the Employee had been a long-time senior employee and was the principal contact between the Employer and many clients. Accordingly the Restraint Agreement was not unreasonable given the clientele of the Employer and the position of the Employee. In this case, preventing the Employee from working for clients of the Employer irrespective of the geographical location was held to be a reasonable restraint. Furthermore, the Court held that the six month restraint period was reasonable given the Employee's position and the ability to solicit clients, which did occur.

The Court found that the Restraint Agreement entered into by the Employer and the Employee was reasonable and enforceable.

Decision

The Employee had breached the terms of the Restraint Agreement by working for one of the Employer's clients during the restraint period.

The Employee was ordered to pay damages to the Employer for work he did during the restraint period, and account to the Employer for the monies he had received from the Employer's client during the restraint period.

Take home messages

Employers are in a difficult position when trying to enforce a restraint of trade clause, as there are many hurdles to prove. Furthermore, even though not an issue in the RNTT Case, restraint of trade clauses are time dependent – if the employer waits too long to act upon such a clause, the Courts are less likely to grant an injunction. Also, a restraint of trade clause must be specific in identifying the legitimate business interests of the employer. It is important to remember that each case should always be dealt with individually.

A carefully drafted post-employment restraint clause is a valuable tool for employers in protecting their legitimate business interests.

For more specific information on any of the material contained in this article please contact Lincoln Smith on 08 8210 1203 or lsmith@normans.com.au or Ganesh Krishnan on 8217 1395 or gkrishnan@normans.com.au.

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Legal Advice Cont...

Return to Work Bill Introducing A New WorkCover Scheme

The State Government has begun taking steps towards an overhaul of the current WorkCover Scheme as we know it. The Return To Work Bill 2014 (the Bill) was introduced to Parliament this August and touted as “the most significant reform of workers’ compensation in more than 25 years.” But what does the Bill really mean for employers?

In a news release by Premier Jay Weatherill, it was stated that the new scheme “would benefit workers, reduce business costs and cut red tape.” The focus of the new legislation is said to be early intervention and better support for workers. These changes are reflected in the corporation’s new name, changing from WorkCover Corporation South Australia to Return to Work Corporation South Australia. We’ve identified some of the most important features of the Bill, as follows:

While the Workers Rehabilitation and Compensation Act 1986 (the Current Act) provides that an injury is compensable if it arises from employment and the employment contributed to the injury, the Bill raises the eligibility requirement and notes that an injury is only compensable if:
It arises out of or in the course of employment; and
The employment was a significant contributing cause of the injury.
Under the Current Act, an injured worker is generally entitled to income maintenance for 130 weeks (2.5 years), being 100% of his or her average weekly earnings for the first 13 weeks, 90% for the next 13 weeks and 80% for the proceeding 2 years. The Bill provides for income

maintenance of 100% of the worker’s average weekly earnings for the first year, and 80% for the subsequent year.

Secondary injury claim costs will impact employer’s premiums under the Bill, unlike the Current Act where a secondary injury claim has no such effect.

Premium rates will be reduced from 2.76% to 1.5-2%.

There will be more intensive case support for workers assessed as being less than “seriously injured” (ie. less than 30% whole body impairment). On the whole, it is projected that injured workers will be no worse off than under the Current Act or see an increase in benefits, while registered business in South Australia will save more than \$180 million per year.

The Bill is likely to undergo some changes as it passes through the Parliamentary process – we will keep you updated!

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Solicitor

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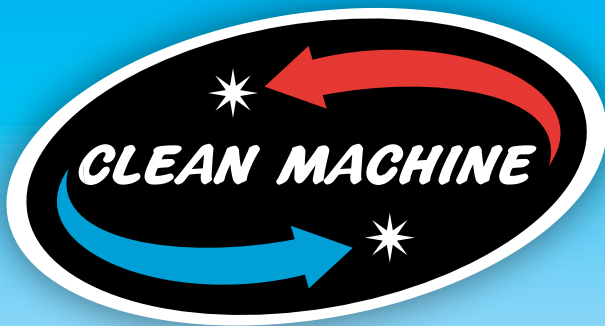
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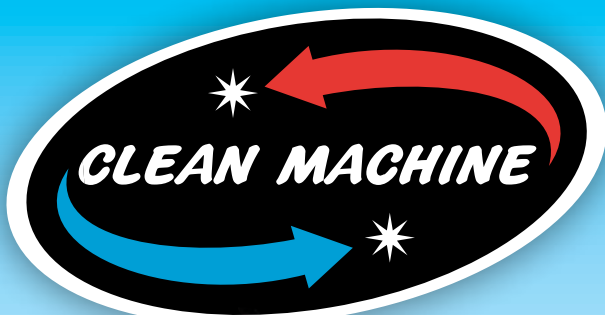
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SAFE WORK

Barricading Work Sites

A member recently asked what barricading he needed to put around drain cleaning jobs in order to minimise his risk in providing a safe place of work. The question was an interesting one given that the very next day there was an article about the prosecution of the Grocon and the contractor who erected the sign on the brick wall of the building site, that collapsed in Melbourne, killing two members of the public.

Plumbers like the answers to all be in black and white but the law is different. In the first instance a risk assessment on the work to be carried out should be conducted, which incorporates the environment surrounding the work area.

The legislation is such that you need to make the decision based on your understanding of the risks. If you were cleaning a drain or digging a hole in the Simpson Desert you would not need to erect barricading because the possibility of someone even being out there is so unlikely, there is no risk to anyone but yourself.

If you are in Rundle Mall on Christmas Eve you will need to physically barricade off the area to keep people safe. This sliding scale of actions is based on a reasonable person assessing the risk and providing suitable level of protection. The benefit to you is that the majority of time you will need to do very little which minimises the time and cost.



You do need to consider if:

There is a school, shopping centre or playground in the near vicinity as you may have the possibility of children running around. This may require a higher level of control. Or you may arrange to do the work outside of school drop off and pick up times.

If the work is being carried out which requires the footpath to be totally blocked, this may require signage to direct use of the other footpath to prevent pedestrians walking in front of traffic around the work area depending on the type of road (main road/side street).

Ensuring there is clear access for people who may be in a wheelchair, scooter or have a pram depending on the work, the road and surrounding area it may require a person with a traffic management ticket.

NOTE: All sites will have different levels of risks, which would be identified by conducting a risk assessment and will require different levels of controls.

The most important thing as with any Work Health Safety issue is to think the problem through and determine a safe course of action before you start, which means doing a Site Risk Assessment.

Section 35 of the WHS Regulations 2012

35-Managing risks to health and safety

A duty holder, in managing risks to health and safety, must-

- (a) eliminate risks to health and safety so far as is reasonably practicable; and
- (b) if it is not reasonably practicable to eliminate risks to health and safety-minimise those risks so far as is reasonably practicable.



SAFE WORK

WA employers have a duty to warn night shift staff of safety risks of driving home

Fraser v Burswood Resort (Management) Ltd [2014] WASCA 130

In an important decision, the Western Australian Court of Appeal found that companies that employ night shift staff in WA have a common law health and safety duty to warn of the safety risks associated with driving home.

Other states in Australia may follow suit in future cases where a shift worker is injured.

This decision also puts employers on notice that failing to identify and warn night shift workers of the specific risks associated with their jobs could also amount to a breach of their obligations under the WA occupational safety and health legislation.

While WA has not signed up to the harmonised work health and safety laws that all other states (excluding Victoria) have passed, the duty to ensure the safety of workers is very similar.

The accident and the claim

On 10 December 2001, Ms Fraser (Plaintiff), who was employed by Burswood Resort (Management) Ltd (Company) as a casino croupier, was seriously injured when she crashed her vehicle while driving home after her night shift.

The Plaintiff sustained debilitating injuries and brought a common law claim for damages against the Company in the WA District Court for more than \$1 million.

The basis of the Plaintiff's claim, heard by Judge Stevenson (DC Judge) in 2012, was that:

- a duty of care under the Occupational Safety and Health Act 1984 (WA) (OSH Act) and her contract of employment, to not expose her to health and safety hazards
- the Company breached this duty by failing to warn the Plaintiff of the risks associated with driving in the dark after a nightshift, and
- the Company's breach caused the Plaintiff to crash her car, which resulted in the injuries (the Plaintiff claimed that she had fallen asleep just before crashing).

The DC Judge found that the Company owed a duty of care to warn its workers, including the Plaintiff, of the risks associated with driving straight after a night shift, and the Company breached this duty.

However, the Plaintiff's claim for damages was denied on the basis that she could not prove on the balance of probabilities that the Company's failure to warn its workers actually caused her to fall asleep and crash.

The Plaintiff appealed the decision on the basis that the DC Judge erred in finding the breach by the Company did not cause the accident.

The Company cross-appealed on a number of grounds, asserting that it did not have a duty to inform the Plaintiff of the risks of driving at night after a night shift, as these risks were obvious.

Decision on appeal

The Court of Appeal agreed with the original decision of the DC Judge, finding the Plaintiff had not proven that the Company's breach had caused her to fall asleep and crash her vehicle.

Notwithstanding this decision, there are still a number of important findings for companies that employ night shift staff.

Company's duty of care

It was accepted by the Court of Appeal, and both parties, that:

- the Company owed the Plaintiff a common law duty of care to take all reasonable care to ensure her safety in the course of her employment, and
- the Company owed the Plaintiff a duty, under s 19(1) of the OSH Act, to so far as is practicable, provide and maintain a working environment that did not expose employees to hazards. Sub-section 19(1)(b) requires employers to provide such "information, instruction, and training" to its employees as is necessary to enable them to perform their work in a way that does not expose them to hazards.

Incident occurred outside of work

The Court of Appeal agreed that a company cannot avoid liability for a health and safety duty that causes the employee loss and damage, on the basis that the employee had physically left the workplace and completed their shift when the event occurred.

It is irrelevant that the risk may not manifest until after the employee has left work.

Risks were obvious that did not require warning

The cross-appeal by the Company was made on the ground that its duty of care did not extend to informing the Plaintiff of the risks of driving at night after a night shift, as these risks were obvious.

This was denied by the Court of Appeal. The Chief Justice found that it could not safely be assumed that all night shift workers would be aware of:



SAFE WORK

WA employers have a duty to warn night shift staff of safety risks of driving home Cont..

- the risk of accumulating a sleep debt as a result of repeatedly failing to get enough quality sleep
- the effects of the circadian cycle and the increased risk of accidental injury when driving home pre-dawn, due to inattention or tiredness, and
- the masking effect of exposure to stimuli and bright lights while at work, with the result that their true state of fatigue might not be apparent to them at the time they set out to drive home.

No duty to provide alternative roster

The Court of Appeal accepted that the Company did not have a duty of care to provide the Plaintiff with an alternate roster that would enable her to commence driving home at or after sunrise.

Company ought to have known about risks

The Court of Appeal also affirmed the DC Judge's conclusion that the Company knew or ought to have known of the risks associated with nightshift work that ended pre-dawn.

It found there was sufficient evidence to conclude that the effect of the circadian cycle, the risk of accumulated sleep debt and the masking effects of workplace stimulation fatigue, were "well-known phenomena" that the Company should have been aware of.

Failure of Company's safety procedures

The finding that the Company knew or ought to have known about the specific risks faced by nightshift workers, points to a failure in the Company's risk assessment and hazard identification procedures.

The Occupational Safety and Health Regulations 1996 (WA) (OSH Regs) sets out a company's duties regarding hazard identification, assessment and reduction of risks. Regulation 3.1 requires a company, as is far as is (reasonably) practicable, to:

- (a) Identify each hazard which a person at the workplace is likely to be exposed;
- (b) Assess the risk of injury or harm to the person resulting from each hazard; and
- (c) Consider the means by which the risk may be reduced.

The Company failed to satisfy these requirements, which exposed its nightshift workers to safety hazards.

Lessons for employers

Although this was a common law claim for damages, this decision puts employers on notice that failing to identify and warn night shift workers of the specific risks associated with their jobs could also amount to a breach of their obligations under the WA occupational safety and health legislation.

This could result in prosecution by the regulator, WorkSafe WA. The maximum fine for an employer under the OSH Act is \$500,000 for a first offence.

What is the duty owed to night shift workers by employers?

- To warn workers of the foreseeable or identifiable health and safety risks associated with working a night shift that finishes before daylight. This includes providing them with adequate information, instructions and training to ensure that they can carry out their work in a safe manner, in accordance with sub-section 19(1)(b) OSH Act.
- To conduct a proper risk assessment that identifies the increased risks faced by night shift workers when travelling home before daylight after a nightshift. The night shift workers should be informed of these risks.

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SAFE WORK

Faulty Roof Anchor Point Installation Almost Causes Death



The worker was part of a team of professional abseil specialists who access the facade of buildings by connecting to anchor points installed on the building's roof. The building owner had contracted a Brisbane company to install and certify the anchors for the upcoming project. The anchor points – which were part of a surface-mounted anchor and rated to 15kN – visually appeared fine. The young man was about to attach when his supervisor stopped the operation and requested further information about the anchor points and how they had been installed.

Upon further investigation, it was discovered that the building had been re-roofed using a technique where a second roof or 'skin' is installed directly over the existing roof sheeting. This cuts down on cost and installation time compared to removing the old roof first. However, second 'skins' such as that one are not suitable for attaching anchor points to unless they have been properly tied into the original structure and certified by an engineer.



The height safety installation company did not know this and mistakenly installed the anchors under the assumption that it was a standard roof. Believing they had secured the anchor into the structural purlin, they certified the anchor as compliant and safe. In reality, the fixing screws were only screwed into the roof sheeting. When put under load, the chance of this anchor point failing was extremely high. While no one was hurt, this near miss raises two important questions.

1. Who was ultimately responsible for ensuring that the anchor point was safe?
2. How can this situation be avoided?

Under the Work Health & Safety Act 2011, all parties involved had a primary duty of care. This duty cannot be transferred and more than one person or company can hold the same duty at the same time, each with a responsibility to ensure they comply with that duty.

In this example, the building owner, the height safety installation company and the abseil company all jointly held a duty to ensure the workplace was free of hazards that may affect the safety of workers and others. This raises the question as to how the building owner and abseil company can ensure that the height safety company has installed the anchors correctly and avoid this situation.

This starts with the building owner choosing a height safety company who asks the right questions. When designing a height safety system the following questions should be answered at the very start:

1. What is the roof material? i.e. colourbond etc.
2. What is the structure underneath the roof material?
3. Have any modifications been made to the roof?
4. What is the anchor to be used for? i.e. abseil or fall arrest
5. Has that anchor been tested on that type of roof material according to AS5532?

If the above questions are asked and answered at the design stage, issues like the above example can be avoided.

Chris Burrows
Construction News



Apprentices

Rheem Apprentice Plumber Grants

Juggling a mortgage, a personal loan, a car loan and young children on top of TAFE fees and expensive tools sounds like a recipe for financial stress, but for a lot of Aussie apprentice plumbers, this battle is all too real.

However, life for 25 apprentice plumbers has become a little easier thanks to Rheem Australia's 2014 Apprentice Plumber Grants scheme, which has awarded these hardworking apprentices \$1000 each. Over the past three years, Rheem's Apprentice Plumber Grants scheme has given financial assistance to 125 apprentice plumbers.

"The number of applications we receive each year makes it obvious to us that many apprentice plumbers do struggle to pay for their training and the equipment they need," says Matt Sexton, CEO of Rheem Australia. "This year we have seen a significant number of applications citing the axing of the Federal Government's Tools for your Trade scheme as a reason for their need of a grant; this has placed further financial strain on apprentices who are often on low wages. "This is where our grant scheme comes in; Rheem wants to provide assistance to encourage more apprentices to complete their training and become the next generation of plumbers."

The 25 recipients of this year's grants impressed the judges with their displays of dedication to the trade and impressive ambitions for the future.

Some of the most remarkable entries included two apprentices who travel 1000km to get to and from trade school, two who persist with their training despite hearing impairments, and a young apprentice / volunteer firefighter who now commutes a further 60km a day to get to work after a fire and flood destroyed the road from his property!

Here are more details about some of the outstanding apprentices to each receive a \$1000 grant:

- Waikerie resident Peter Baker is one of just 25 apprentice plumbers from around Australia to receive a 2014 Rheem Apprentice Plumber Grant. These grants are awarded to apprentice plumbers most in need of financial assistance and are designed to help them pursue their plumbing career. Each apprentice is awarded \$1,000 to spend as they need – e.g. on tools, travel to/from TAFE or work, to pay bills or education expenses.

Peter, a 19-year-old second year apprentice, thought he had missed out and was excited by the good news. "I'm totally thrilled! The grant will be a huge help for me," he said. "The grant will help ease my financial struggle in a big way, especially with my TAFE expenses and plumbing tools. I live two and half hours away from TAFE which costs me a lot in

fuel and accommodation as I stay away in one and two week blocks." Peter struggles to survive on a minimum wage. He lives out of home and battles to pay his living out of home expenses, as well as buying extra tools for general plumbing. He's also trying to save for his wedding next year.



L-R Mick Kemp and Peter Baker

Peter will use the grant to pay for travel costs, TAFE fees and for extra tools needed to finish his apprenticeship.

After an electrical apprenticeship didn't work out, Peter decided to give plumbing a go, and he hasn't looked back since. "I really enjoy plumbing and working outdoors where I get to meet many people around town. There is a wide range of activities to learn and tasks to complete. Plumbing gives me the opportunity to develop skills that I can use in my local community," says Peter.

Peter's boss says, "I know he is under a bit of financial strain trying to live out of home on a low wage and save for a wedding. He needs to be able to purchase tools to complete his apprenticeship."

Peter would like to eventually operate his own business.

- Thomas Meaghur-Colson, age 31, first year apprentice from Semaphore SA (works for Doherty Trade Services)
Thomas has always wanted to complete a trade, and believes plumbing will give him skills for life. "I really like the idea of working towards a trade I can use anywhere I go. After completing my training I'd like to go work in the Aboriginal communities up north where I am from." Thomas is a father of three so taking on an apprenticeship was a difficult decision for him. The grant would help Thomas pay for his car rego, car maintenance and some new tools for work.

Apprentices (cont)

Rheem Apprentice Plumber Grants



Thomas Meaghur-Colson

- William Pratt, aged 19, first year apprentice from West Lakes SA (works for Scott Master Plumber)

William likes that he isn't stuck in front of a computer all day: "I enjoy plumbing because I am always doing something different in a different place every day. I can see myself pursuing this career for a long time." William would like to purchase new tools so he doesn't have to borrow his boss's all the time. He lives out of home and works weekends to pay for tools, petrol, food and rent.

William's employer says the grant would be put to good use, buying some more tools to further his trade and become a "further asset to our company."



William Pratt

- Matthew Telfer, aged 18, first year apprentice from Mount Gambier SA (works for MetalWerx Pty Ltd)

Matthew chose plumbing as a trade because he has always been keen to get a trade. "I've always enjoyed seeing the completed work and having that sense of fulfillment." Matthew would use the grant to pay for travel and accommodation expenses to and from TAFE. Matt travels 450km for trade school each way.

- Hamish Wardrop, aged 18, first year apprentice from Wongyarra SA (Benson Plumbing)

Hamish has had to deal with a great deal of barriers lately: a volunteer fire fighter, Hamish attended a fire that could not be put out that burnt most of his own property. The road he travels on to work has been closed for months now due to that fire, and a flood destroyed the replacement road just before it opened. He now has to travel an extra 60km a day to work. This grant would help Hamish with the petrol costs.

Hamish's employer says he shows his dedication to the job by travelling a long distance every day.



Hamish Wardrop

Entries such as these were of stand-out quality to this year's judges, who included Murray Thomas of Master Plumbers Association of WA, Brian Coates of Canberra Institute of Technology and Jon Palfrey, training manager from Rheem Australia.

The full list of the 2014 Rheem Apprentice Plumber Grant recipients are on the Rheem website – www.rheem.com.au/apprentice

Apprentices

The apprenticeship system within the Australian construction industry is in a state of crisis, according to a report prepared for the Construction, Forestry, Mining and Energy Union (CFMEU), the Weakened foundations: The crisis in apprenticeships and training in the Australian construction industry report warns that the nation's building sector faces emerging skills shortages.

The report states that the number of new apprentices starting out has slumped by 28 per cent over the past three years, while the ratio of apprentices to trades people is at its lowest level since 2003, at 12.4 per cent.

Toner says the problem has a number of causes, including public sector cuts to TAFE funding and structural changes which were seeing increasing numbers of self-employed people and very small firms operating within the industry along with an increasing push toward 'short-termism'.

Toner says TAFE funding cuts of 33 per cent over the past decade had led to a 25 per cent reduction in class teaching time and a decline in training quality, which he said had also been worsened by a push toward higher proportions of the reduced funding to private operators, many of whom he said delivered poor quality training.

In addition, the government had also sought to shift the cost of training onto students through fee increases and replacement of the Tools for Your Trade Scheme with a less generous scheme of income contingent loans.

Moreover, Toner says, the withdrawal of the public sector as a major funder of construction work (the public funded share of construction work has fallen from 36 per cent in 1987 to 19 per cent now) and increasing reliance upon global capital markets to fund projects has driven 'short-termism' within the industry, has weakened the government's traditional role in setting standards on training, health and safety and apprentices, and precipitated 'risk-shifting' toward smaller firms and self-employed contractors, many of whom were less likely to take on apprentices or invest in expensive equipment or research.

"Major 'risk shifting' in the industry has resulted in a proliferation of small firms and self-employed contractors" Toner said. "Such arrangements can be used to cut wages, other benefits, and workplace safety."

"Yet this 'low road' to profitability is constraining productivity and innovation in the industry. Small firms are less likely to take on apprentices, or invest in expensive equipment and research. And it contributes to the 'chaos of the construction site' where managing a large number of contractors, especially to improve quality and efficiency, is difficult."

The report follows an overhaul of funding arrangements for apprentice support in this year's Federal Budget, which saw a net of around \$1 billion over four years slashed from skills programs overall through the scrapping of the Tools for Your Trade Program and 10 other programs that dealt with areas such as apprentice mentoring and English language proficiency in favour of a new program of apprentice support loans and the establishment of a new Industry Skills Fund.

That brought a mixed response from industry groups, who raised concerns about the abolition of what they saw as important programs such as the Workforce English Language program as well as the restrictive and narrow focus of the new fund.

Toner takes particular aim at the reduction in TAFE funding cuts and teaching hours, which in New South Wales has seen the number of class time hours students are being given from 36 weeks per year (one day per week) to 30 and which he says has led to employment of teachers with inadequate qualifications and experience as well as insufficient teaching materials and equipment.

He says this impacts the quality of training and volume of knowledge and skills that can be imparted during the course of an apprenticeship and limits the capacity of off-the-job training to introduce students to important areas of construction practice to which they are not commonly exposed in the course of their work.

"It is generally accepted that it is highly desirable that more of society's resources be devoted to critical activities such as education and training," Toner concluded. "It is unclear why VET is being treated in such a radically different manner to school education and the universities."

Phillip Toner
Honorary Senior Research Fellow
University of Sydney Department of Political Economy



Apprentices

Teacher Skills Update

Rob Kavanagh from the Plumbing Industry Association and Andrew Richards from Auspex ran a workshop for teachers delivering VET in Schools Plumbing on the range of Auspex plumbing products.

The training involved the various applications of the product, range of fittings and practical workshopping of how to install the Auspex products.

Auspex products will be included in the VET Plumbing Plus course in Schools next year. This will expose students to a larger range of plumbing products before they start work experience or employment. All participants had the opportunity to use the equipment and fittings, taking samples back to their schools in preparation for 2015.

Harry Stazzinooulos, Deputy Principal of Hallett Cove R-12 SchoolCS, was invited to join the group to learn more about the VET training in Plumbing and the career pathways that are available to our students.

Harry stated that he has been a long term supporter of VET education as it provides a positive career path for students.

“Students are fully engaged in the VET plumbing courses learning new skills that are relevant to the industry. The practical nature of the course demonstrates the need for the application of maths in the real world.” Harry was impressed with the enthusiasm of the group and their willingness to learn about new products and introduce these products into their courses.

“The benefits to the students will be huge as they will be able to arrange work experience placements and have an understanding of the products and equipment used in the plumbing industry before they start their placements. They will also be better prepared to enter employment through their exposure to the VET courses.”

“Students who come out of the VET Plumbing courses are well prepared for the industry with an appreciation of safety, products and work ethics.” The benefits are very obvious to the students because they see their fellow students gain apprenticeships as a direct result of these VET courses.

“The employment outcomes have been good through these courses with a number of students taking up employment offers through the year.” Overall the day was a huge success with immediate benefits to the students and the plumbing industry.

Peter Wheatland

Coordinator Technology Studies
Hallett Cove R-12 School



Above: Harry Stazzinooulos and Rob Kavanagh.



Above: Michael Coggins, James Liappas, Greg Waldeck, Darryl Oliver, Rob Kavanagh, Toby Watts, Matthew Brinkley, Bob Phoumirath and Andrew Richards.



Above: Greg Waldeck, Darryl Oliver and Rob Kavanagh.

Hot Products

Milwaukee® Power Tools launches new M18 FUEL™ DEEP CUT BANDSAW

Milwaukee® Power Tools are excited to introduce the new Milwaukee® M18 FUEL™ Deep Cut Bandsaw. Using more than 90% of the same parts as the corded model, you'll be amazed how it performs. Equipped with Jobsite Armour Technology™ for better protection from drops and debris, the M18 FUEL™ Deep Cut Bandsaw is built with a proprietary composite material and crush zone barriers to absorb impacts. A tool free locking adjustable shoe allows you to switch from an extended shoe to no shoe in seconds. Other features such as; hang hook for easy storage, LED light to illuminate the cutting area, and balanced body for natural comfort during use all add up to a winning combination. The M18 FUEL™ Deep Cut Bandsaw is now arriving at Australian authorised stockists as a SKIN ONLY and in a KIT form with two 4.0Ah batteries, charger, blade and case included.



Quick Facts

POWERSTATE™ Brushless Motor: Increased cutting speed and power through the toughest applications

REDLINK PLUS™ Intelligence: Advanced system of cordless power tool electronics. Provides optimised performance and overload protection using total system communication between tool, battery and charger

REDLITHIUM™ XC 4.0 Battery: Provides superior pack construction, more work per charge and more work over the life of the pack.

CPT™ Constant Power Technology: Maintains cut speed in the toughest applications for optimal performance

Over 90% same parts as Milwaukee's Corded Deep Cut Band Saw
Jobsite Armor Technology™: Proprietary composite material and crush zone barriers provide long lasting rugged protection

All metal direct drive: Delivers maximum tool life with all metal direct drive gearing system, while requiring less servicing than a chain drive



Tool-Free locking adjustable shoe: Button actuated tool-free design allows user to quickly adjust from an extended shoe to no shoe in seconds

Versatility to cut up to 127 mm (5 in) by 127 mm (5 in) material in one pass and adjustable shoe allows for less tool rotation when cutting material above 127 mm (5 in.)

LED light: Illuminates work surface for increased accuracy and productivity

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M18CBS125-402C (kit) RRP \$899.00

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Specifications

Voltage: 18V

Motor Type: POWERSTATE™ Brushless

Max Cut Capacity: 127 mm (5 in) x 127 mm (5 in)

Speed: 0 - 116 m/min

Keyless Adjustable Shoe: Yes

Armor Technology: Yes

Hanging Hook: Yes

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Batteries Supplied: 2 x 4.0Ah (kit only)

Supplied in: Carton

Weight (skin only): 6.26 kg

Weight with 4.0Ah: 6.95 kg

Warranty: Tool 5 years, Battery 2 years (kit only)



For more information on the new M18 FUEL™ DEEP CUT BANDSAW please see the following link <http://www.milwaukeetools.com.au/power-tools/cordless/m12/show/m18cbs125-402c>

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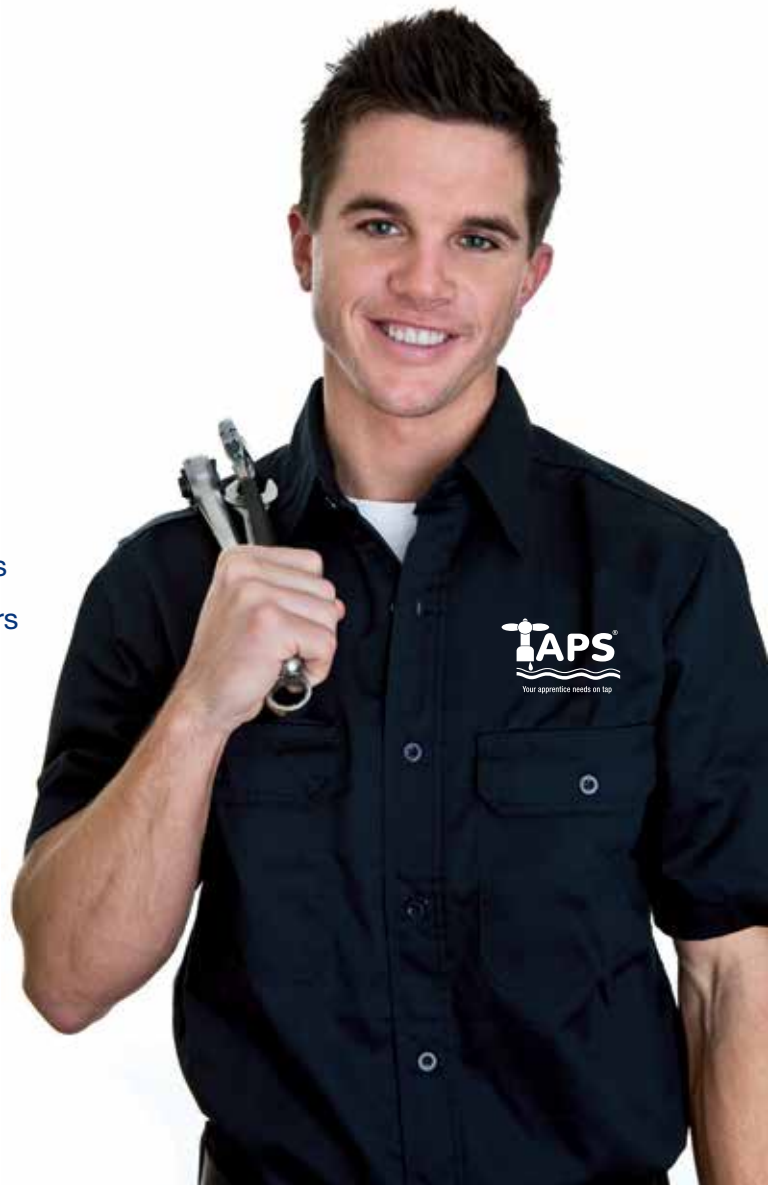
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