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PRO ACT. NEWS

November 2016

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BARRY GOOLD WE SALUTE YOU

The death occurred recently of the building surveyor who taught most other building surveyors how to be professional. He was a key person in the Building Surveying and Town Planning professions. As a Life Fellow of the AIBS, that organization sent its first ever widely distributed tribute email to all members. Seventeen building surveyors attended his recent funeral, to cap his 50 years of building surveying.



WE SALUTE YOU

Welcome to our Cup Day / Pre Christmas / Pre dangerous Bush Fire Season Edition.

I have heard that some newsletters are being written by computer (Think how creative the prescriptive text phrases are on your mobile phone), but I can assure readers, this newsletter is hand crafted.

Whilst office work may be the easiest to automate to robots, a Building Surveyors is anything but robotic, even if readers might think that my phrasing of letters looks routine, or repetitive or predictable.

Building Surveyors are entirely motivated by LIFE SAFETY, HEALTH and AMENITY (e.g. 6 star/ Part J).

START WITH A QUOTE (with a nod to the US Election candidates). Donald Trump said over 5 years ago ...

Getting things done in this country, if you want to build something, if you want to start a company, it's getting to be virtually impossible with all of the bureaucracy and all of the approvals.

DESK CALENDER QUOTE SAYS:

Your first house should cost less than you can afford. (You can trade up on the next one!). Life's Little Instruction Classics.

FROM WHERE DO WE GET OUR SUCCESSORS?

As to Apprentices – a World Skills Australia National Competition with all the glitz and glamour was held last month at the Melbourne Showgrounds. The participants became the glam models on the front cover of the Competition Magazine. In all construction areas, the statements built pizzazz into crafts for teenagers, e.g. *"Check out the extraordinary young men and women who are striving for excellence"*.

If you have an opportunity – give your support to the Regional Trades & Skills Competition starting again in 2017.

INEXCUSABLE

A Council bus driver in Brisbane killed doing his duty; a Building Surveyor I taught and Town Planner I respected narrowly avoided being killed when investigating illegal sheds at a rural property in South Gippsland.

Readers; do not support or allow this negative societal shift which the Municipal Association CEO says is due to reduced respect towards authorities.

ASBC – BUILDING CONSULTANTS LOOK INTO WINDOWS

The Society of Building Consultants were told at its September meeting that Victoria had the worst record of installing flashings/or omitting flashings in Australia. The guest speaker was from the Australian Window Association, and AWS (Architectural Window Systems P/L). Which is surprising and disappointing, because Victoria probably has the worst weather as well.

OUR WORLD VISION CHILD **NOW FROM SRI LANKA**

Our new sponsor child is aged 4 ½ and he is from a province in Sri Lanka. We are looking forward to watching him grow for the next 10 or so years.



EXTRACT FROM TED SPEECH – CHANGING WORLD



We've been trained to think that the way to look at every dispute, every issue, is a matter of kind of individual rights. And so we peer through a legal microscope, and look at everything.

And of course the hindsight bias is perfect. There's always a different scenario that you can sketch out where it's possible that something could have been done differently.

And yet, we've been trained to squint into this legal microscope, hoping that we can judge any dispute against the standard of a perfect society, where everyone will agree what's fair and where accidents will be extinct, risk will be no more. Of course, this is Utopia; it's a formula for paralysis, not freedom. It's not the basis of the rule of law, it's not the basis of a free society. How you simplify the law: You've got to judge law mainly by its effect on the broader society, not individual disputes.

Trust the law? Because it gives us the worst of both worlds: it's random – anybody can sue for almost anything and take it to a jury, not even an effort at consistency – and it's also too detailed. In the areas that are regulated, there are so many rules no human could possibly know it. Well how do you fix it? Trying to prune this legal jungle. But the challenge here is not one of just amending the law, because the hurdle for success is trust.

Trust is an essential condition to a free society. Life is complicated enough without legal fear. But law is different than other kinds of uncertainties, because it carries with it the power of state. And so the state can come in. It actually changes the way people think. It's like having a little lawyer on your shoulders all day long, whispering in your ear, "Could that go wrong? Might that go wrong?"

There are two essential elements of it: we have to simplify the law. We have to migrate from all this complexity towards general principles and goals.

We have to rehumanize the law. To make law simple so that you feel free, the people in charge have to be free to use their judgment to interpret and apply the law in accord with reasonable social norms.

Have good values. It doesn't mean that people in authority can do whatever they want. They're still bounded by legal goals and principles: the teacher is accountable to the principal, the judge is accountable to an appellate court, the president is accountable to voters. But the accountability's up the line judging the decision against the effect on everybody, not just on the disgruntled person.

What the world needs now is to restore the authority to make common choices. It's the only way to get our freedom back, and it's the only way to release the energy and passion needed so that we can meet the challenges of our time.

What do readers think? Please let us know

COWBOYS DON'T RIDE HORSES THESE DAYS.

Case 1. Cowboy developers illegally demolished the former Corkman Hotel / Carlton Inn. The community and the courts will want it replaced identically.

Case 2. It seems that new apartments built throughout Melbourne, are being shoddily built. Three thousand complaints have been made to Consumer Affairs Victoria in 1 year, according to The Age (25.9.2016). Strata Community Australia says 58 apartment buildings in Melbourne have defects worth \$49 million. The Age says "cracked and leaking; glass that falls out of high rises; diluted paint, windows not square, sinkholes; car park fumes discharging into living areas. Rather than fix, rebuild. It would be cheaper".

NEW BUG SEEN ON SITE

New house. Discussion at front door with builder after ringing door bell. (Door bell linked to owners mobile phone, so owner can answer door remotely. Also triggered by movement sensor at front door). Owners did not speak, but heard and recorded the entire conversation of the Inspector with the builder on their phone!!! For yours and my information.

AS IF WE DIDN'T HAVE ENOUGH TURMOIL

In September, local government minister Natalie Hutchins said she was open to amalgamating some of Victorias 79 Councils. (Twenty three years since the last amalgamations).

"We are on the cusp of our review of the local government Act" she told 3AW. Mayors, and the Lord Mayor, developers and planners ... be prepared.

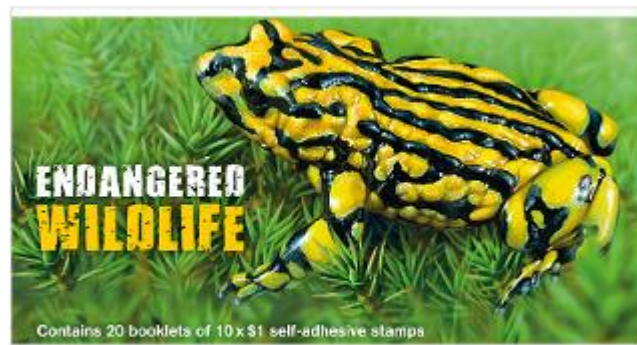
THANK YOU AUSTRALIA POST

Building Surveyors are obligated to send out a large volume of official mail. Australia Post stamps presently depict our brand - THE FROG (albeit as a critically endangered wildlife species - Frogs (as well as Building Surveyors!)).

FROM THE COURTS

Designers, builders and authorities need to be aware of court decisions which may affect them in the future.

Suicides appear on the rise from open hi-rise car parks. Coroner John Olle recently said that the next review of the National Construction Code should consider suicide prevention measures.



WHO'S WHO

Dr. Owen Donald appointed Building Authority Chief. The new Chief Commissioner to the VBA is the holder of a doctorate in urban research. He has held board and directorial positions across housing, health, research and social services. He has considerable experience in governance, change management and leadership. The VBA interim chief Brian Welch will remain until February, following Bill Kuszniarczyk who was the inaugural chief.

Jeremy Turner has commenced at AIBS National Technical Manager, a new position. It follows his voluntary chapter role, and one of his first tasks will be to review and further develop AIBS practice notes.

QUOTING NOW

FACTOR IN FEE

INCREASES

Governments raise fees on 1st January. Product suppliers raise fees also. Consultants adopt January 1 for fee increases. Rather than ratepayers bearing the costs of planning assessments and fighting at VCAT Victorian Planning Minister Richard Wynne said developers (ie. Everyone who makes a Planning Application) will pay "thousands of dollars more for permits with a range of new fee categories" .

INSURANCE – Our unhappy marriage

We all have to have insurance – both professionally and personally.

Most readers derive work from insurance companies. We should be "best buddies;" but we are not.

It is known that Home Owners Warranty is not great.

Now comes the news, being an example of the insurance industry, that ASIC highlights a life insurer who declines one in three claims, and that at two insurers, staff bonus were tied to the "decline claims rate" (Age 13.10.16).

ASIC has warned the insurance industry sector to clean up its act, or ASIC will name names. It said "This review is about the performance of the industry as a whole.

SHODDY MATERIALS SOLUTION ELUDES

There are fires. There are investigations. Parliamentarians skirt around the issue. Minor approvers but not specifiers are shamed. Form a diplomatic committee!!

NATSPEC may have found the solution. It has, as a joint government and industry hookup, set up a **NATIONAL CONSTRUCTION PRODUCTS REGISTER**.

CEO of Natspec wants the initiative to mitigate the risks posed by the increasing number of non-conforming building products.

e.g. High-tensile steel bolts, structural steel bolts, structural plywood products, copper pipe tubing, fire collars and glass sheets.

Also, electrical cable, combustible facade cladding used in a non compliant manner. And products containing asbestos.

Some non-conforming products have inadequate or false evidence of conformance to applicable standards and regulations.

Look out for it CEO Richard Choy said the on line searchable database will be available this year. Find it and use it.

50 Y.O. BUILDING FRONT STEPS

A HIGH-flying corporate banker who was left a quadriplegic after tumbling headfirst down a flight of steps and into a parked car is suing the historic building's owner.

Ms Enconniere, said she tripped while walking down the front door steps.

Her Supreme Court claim to the building owner for unspecified damaged includes loss of earnings.

She claims the company was negligent; creating a dangerous situation by failing to ensure the steps had a handrail and failing to heed their steep nature and risks.

Ms Enconniere claims that Misteme Pty Ltd owed her a duty of care to ensure the premises were in a safe condition for her use.



AIBS CONFERENCE SPOTLIGHT ON THE FUTURE

Commencing with the current VBA Chief Commissioner Brian Welch, speakers will look to the construction industry in the future. His snapshot will be followed by Planning Minister Wynne and the CEO from the New Zealand BOINZ speaking on the dramas of the Leaky Building Syndrome.

At night will be the Black Tie Gala Awards Dinner.

RURAL TRADIES

Young tradies in rural Australia are our biggest abusers of methamphetamine.

Research shows the drug, also known as ice, is most rampant among employed men in rural Australia.

According to the Flinders University National Centre for Education and Training on Addiction. "That the finding was unexpected and that suggests to us some rural communities are being specifically targeted and there's anecdotal evidence to suggest that bkie gangs and criminal groups.

Mates in Construction chief executive Jorgen Gullestrup said men in rural areas used ice as "self-medication".

STAY SAFE IN BUSHFIRE SEASON

Young readers have unlimited access to hints, rules, self preservation websites including "Red Cross - be prepared" and CFA and VicRoads Apps.

The state government has taken out full page dvertisements. Please don't glaze over now!! Avoid complacency. Influence your people. Stay safe.

Let our New Year open with your feedback.



This being our end of year issue, best wishes to all for the season, and for year 2017.

Thank you to those who would like to save the planet and have this Pro Act News emailed. If any others would also, kindly please forward your email address to dwadsworth@proactconsult.com.au with the subject line of "News Subscribe Me". We would only be too happy to oblige, as we will again keep in touch with urgent developments.
Holiday Greetings from:
Drew, Ainslie, Rory, Gaye, Di, Nikki & Melanie



HAPPY
HOLIDAYS
AINSLIE &
AMBER FOR
THERE
40TH AND
18TH.

PHUKET
HERE THEY
COME

CHRISTMAS JSA

Work Health and Safety Christmas Message During this festive season, anyone planning to dash through the snow in a one horse open sleigh, going over the fields and laughing all the way, is advised that a Risk Assessment will be required addressing the safety of an open sleigh...

This assessment must also consider whether it is appropriate to use only one horse for such a venture, particularly where there are multiple passengers. I would also advise against dashing and would recommend a maximum speed of 10MPH unless seat-belts are fitted....

Please note that permission must also be obtained in writing from landowners before their fields may be entered...

To avoid offending those not participating in celebrations, we would request that laughter is moderate only and not loud enough to be considered a noise nuisance....

Benches, stools and orthopaedic chairs are now available for collection by anyone working as shepherds during this festive season and are planning or required to watch their flocks at night. While provision has also been made to remote monitoring of flocks by CCTV cameras from a centrally heated shepherd observation hut, all users of this facility are reminded that an emergency response plan must be submitted to account for known risks to the flocks.

This must be briefed to all shepherds and copies of signatures recorded....

The angel of the Lord is additionally reminded that, prior to shining his/her glory all around, s/he must confirm that all shepherds are wearing appropriate Personal Protective Equipment to account for the harmful effects of UVA, UVB and the overwhelming effects of Glory.....

Following last years well-publicised case, everyone is advised that Equal Opportunities legislation prohibits any comment with regard to the redness of any part of Mr R Reindeer. Further to this, exclusion of Mr R Reindeer from reindeer games will be considered discriminatory and disciplinary action will be taken against those found guilty of this offence....

Chris Dal Santo. Feona Wadsworth