

The Safe Side



Developments in health and safety from New Zealand and around the world

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Last year, New Zealand's poor safety performance cost the country \$5.4 billion according to a new report by economist Shamubeel Eaqub for the Business Leaders' Health and Safety Forum. In this issue, we look at some of the key findings from the Forum's report. We also have articles about the recent sentencing of a scaffolding company after a nine-metre-high scaffold fell on a busy road in Auckland; and the tragic death of a 16-year-old Queenslander while gaining work experience. Finally, we briefly cover the just published "Approved code of practice: Safe practice for forestry and harvesting operations" which aims to increase the safety of workers in New Zealand's most deadly industry.

Scaffold collapse onto a busy Auckland road results in conviction

On a windy day in January 2024, a nine-metre-high scaffold fell sideways onto a busy road in Remuera, Auckland. A witness described how the scaffold "started to curl like a wave" before coming down. Three workers were nearby, and drivers were left traumatised from swerving to avoid the structure.

Dashcam footage on [YouTube](#) shows the collapse. WorkSafe said that it was nothing short of "miraculous" that the collapse did not end in tragedy. "This was a seriously deficient setup, and a blatant risk to public safety," said its regional manager.

The scaffold had been erected for a group of townhouses being built on the boundary of the Ellerslie Racecourse. The [WorkSafe investigation](#) found the scaffold was effectively freestanding and lacked minimum safety features to anchor it. For example, it was not tied down. Neither were "rakers" or diagonal braces used to increase the width of the base for greater stability.

The company did not carry out a risk assessment for the scaffolding along the roadside, nor for installing the scaffolding without any rakers.

The company was sentenced and ordered to pay \$8,500 in reparations in the Auckland District Court earlier this month. No fine was reported – possibly because the company could not afford to pay one.

Scaffolding collapses have the potential to cause multiple fatalities to both workers and the public. The deadliest construction accident in the U.S. resulted after a massive collapse of scaffolding at a [West Virginia power plant](#) that was under construction in 1978. Fifty-one workers died when they fell 170 feet to their deaths. There were no survivors.

In 1957, the collapse of a scaffold on the [DIC department store](#), Lambton Quay, Wellington, killed two women. Eight others were taken to hospital. If the collapse had occurred during lunchtime, there would almost certainly have been more casualties. A subsequent Royal Commission led to a tightening of rules and regulations around scaffolding.

WorkSafe has [comprehensive guidelines](#) on how to keep workers (and others) safe when erecting, dismantling and working on scaffolding.

New approved code of practice for forestry and harvesting operations published



"For goodness sake, I don't need to do a new risk assessment each time I cut a new tree..."

Forestry can be a deadly occupation. The [fatality rate](#) for workers in the industry is 20 times higher than the average for workers in all industries, with 16.58 deaths per 100,000 workers in 2024. This is the highest fatality rate of any sector in New Zealand.

New guidance has now been published to "simplify" safety for forestry businesses and workers. The development of the Approved code of practice: Safe practice for forestry and harvesting operations ([ACOP](#)) was led by WorkSafe, in collaboration with the Forest Industry Safety Council, the New Zealand Forest Owners Association and the Forest Industry Contractors Association.

The ACOP outlines the responsibilities and legal expectations for operators and helps workers know what good practice looks like. An update to the good practice guide for small forestry operations has also been published, along with educational resources to aid understanding. New information is included on machine safety, planting and pruning (silviculture), managing work-related health and manual tree felling.

The updated ACOP is the first key deliverable from WorkSafe's priority plan for forestry. The organisation will be undertaking targeted assessments to help embed the guidance in the coming months.

New research highlights the massive cost of NZ's poor health and safety performance

New Zealand's poor health and safety performance cost the country \$5.4 billion in 2024, says a new report for the Business Leaders' Health and Safety Forum. That equates to 1.3% of GDP.

The [State of a Thriving Nation report](#), produced by economist Shamubeel Eaqub, found that while workplace injuries are decreasing, time off work per injury has risen sharply due to more severe injuries, constrained health system capacity leading to delays, and injured people presenting with multiple comorbidities.

The report outlines how our workplace fatality rate remains stubbornly high. Averaged over the last 5 years, it is 1.7 times higher than Australia, and 6.5 times higher than the UK. The higher fatality rate is spread across most industries. New Zealand today is where Australia was 16 years ago, and where the UK was 40 years ago.

The report was also able to link productivity and lower workplace deaths. New Zealand's productivity has slipped behind Australia for nearly 40 years, as has our workplace fatality rate. Of the 25 OECD countries with higher productivity than New Zealand – 80% have a lower workplace fatality rate.

"At a time when New Zealand is searching for growth and a thriving economy, leadership of health and safety has never been more important, and feels like an untapped resource we can deploy," said Forum Chief Executive

Francois Barton. "We know from Forum members and other leading businesses that an investment in safety is an investment in operational excellence that leads to profitable, safer performance," he said.

The report gives examples of safety investment leading to significant gains in staff retention, and technological and mechanisation producing efficiencies. One business had seen a 20% improvement in staff turnover, equivalent to a \$500k benefit; another company indicated an employee trained to its highest competency level was 54% more profitable for the business than a new hire doing the same role.

The report also provides four practical lessons for business leaders to drive stronger safety and operational performance: to secure and sustain funding for safety; to track and value hidden benefits of improved safety, such as less obvious metrics such as staff turnover; to keep people at the core of work design and delivery, by, for example, making unsafe shortcuts harder to take; and to integrate safety into daily operations so that safety is "how we work" not just "what we say".

The [Forum](#) is a coalition of business and government leaders committed to improving the performance of workplace health and safety in New Zealand. The full report can be downloaded from the Forum's [website](#).

Queensland company fined AU\$400,000 after death of 16-year-old volunteer worker

A Queensland asphalt laying business has been [fined](#) AU\$400,000 after a 16-year-old was struck and killed by an unmanned multi-tyred roller while asphalt was being laid on a residential driveway. The victim had been gaining work experience with the company as an unpaid volunteer for three months before their death to learn the business and hopefully obtain a job.

The investigation found the victim was carrying out a variety of work in the days before the incident including labouring duties and operating the roller to compact the newly laid asphalt. Despite the company having a safe work method statement (SWMS) that said only authorised operators could operate plant, the victim had not been assessed or authorised to operate the roller. Neither were they shown the SWMS.

The roller itself did not have an interlock device fitted which meant that it could be started, placed in gear and would commence travelling without an operator remaining in the operator's seat. An interlock of this type is a well-known safety feature.

[Young people](#) are at risk of workplace injuries because of their lack of experience and limited awareness of risks. They may be overly keen to please, reluctant to ask questions or over-confident in their abilities. A summary of rules that apply to young people at work is available [here](#).

This newsletter is published as part of Vero Liability's commitment to supporting better work health and safety outcomes for all New Zealanders. We want everyone to go home safe.

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