

# building today

THE OFFICIAL MAGAZINE OF THE REGISTERED MASTER BUILDERS FEDERATION

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**Cranston:  
A tough  
industry to  
operate in**

**MOTAT scores  
another award**

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# building today

RMBF president Blair Cranston signs off with his final column in this issue of *Building Today* by noting that construction is an incredibly tough industry to operate in. Read his views on page 5.

We also take a look at RMBF company Mackersey Construction, which has been training apprentices in Hawke's Bay for 62 years.

Again, Christchurch stories are to the fore, including comment by architect Don Bunting who says time is running out for the central city which is going to lose more people and businesses unless someone instils confidence by standing up and saying "this is where the new Christchurch will be built". No ifs, no buts.

**Andrew Darlington**  
Editor



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# chief's chat

by ceo warwick quinn

## Impact of the Act No 4 Bill



**T**he Building Act Amendment Bill No. 4 has been referred to the Local Government and Environment Select Committee, with submissions having closed on June 11.

This is the second instalment in a series of reforms, and is aimed predominantly at providing consumers with greater protections (along with a host of changes to how dams are regulated — which doesn't concern us too much).

So what does it all mean for the average residential builder? Well, a whole lot if the Bill gets enacted without some changes. We summarise some of the key points and comment as follows:

### Definition of building contractor and client

There is some confusion over this, as our reading of the Bill suggests that anybody who contracts for building work is a client, and anyone who undertakes building work is a building contractor (including a designer /architect).

Given the Bill has a whole host of obligations on these parties around disclosure, written contracts and warranties, then virtually everyone is both a client and building contractor. So this needs to be clarified.

### Introduces mandatory written contracts over a prescribed amount

We agree in principle with written contracts except we can see a few fish hooks in having a mandatory written contract over a prescribed amount. For example, what if there is some scope creep so the job started out under the amount but ended up over it?

Or if a home owner has a whole lot of contracts that

individually are under the prescribed amount but collectively are significantly higher?

We think it is best practice to always have a contract, but the size and extent of that contract can be tailored to the size and extent of the job.

Furthermore, the Bill provides for certain things to be in the contract and we agree with this principle, but do not think it is a good idea for the Government to have its own contract or write specific clauses, as this will cause problems for all the current contracts (and potentially NZ Standards) out there that have been years in the making.

### Introduces mandatory disclosure of certain information by building contractors

There will be a requirement for a building contractor to provide "prescribed information" and/or a "prescribed checklist" to the client prior to entering into a building contract.

While it is not unreasonable to provide a client with certain information so they can make an informed decision as to which contractor to use, it is not up to the contractor to tell them how to go about selecting a building contractor, eg, obtain several quotes etc.

Such information needs to be available on consumer web sites and the like. If you don't provide the information above you can be fined.

### Increases the maximum penalties for the offence of doing building work without a building consent from \$100,000 to \$200,000

While we do not condone anyone undertaking building work without a building consent we question what mischief such a large increase is trying to remedy.

### Introduces and clarifies a series of statutory-implied warranties

Many of these warranties are carried over from the principle Act, and ensure things such as the building work is carried out in a proper and competent manner, is done in accordance with the plans and specifications and the relevant building consent, that the materials supplied will be suitable for the purpose and, unless otherwise agreed, will be new.

### Requires the building contractor to remedy defects notified within one year of completion of the work

If there is a fault then the building contractor is required to go back and fix it if that fault was discovered within one year from completion. The problem here though is the process in which culpability is asserted.

The Bill stipulates that the onus is on the building contractor to prove the cause of the defect, and if the work is still underway then the contract can basically be cancelled.

We think that a building contractor should fix problems but the manner in which the Bill is crafted means there is no fair process for the building contractor to contest an unreasonable cancellation of contract, particularly when the Bill also introduces wider general damages that can be claimed if the defect is not remedied.

But the real matter to contemplate is whether all the building reforms do what they originally intended.

Given the fact that the changes have been introduced in stages, it was always our contention that they needed to be viewed as a package, and that it was difficult to agree with the first set of amendments without seeing the second.

One thing is clear though — there has been a significant shift in accountability away from the councils and onto the building contractor.

Councils will argue that they have shouldered too much of the financial burden from the leaky homes problem, and that is probably fair comment.

But by removing them altogether does not mean the public is better off, because the building contractor is not suddenly able to fill the void as the residential sector consists of 90%+ of small-to-medium enterprises with less than half a dozen staff, most of whom have no insurance or ability to pay as they are highly under-capitalised.

# A tough industry to operate in

Industry has become overly complex in some areas

By RMBF president  
Blair Cranston

**A**s I near the end of my tenure on the board of the RMBF, it has given me cause to stop and think about our industry.

I am extremely appreciative of the opportunity I've had to meet so many more of my peers than I might have, had I not got involved with the RMBF.

While we are all clearly passionate about our craft, in many ways ours is an incredibly tough industry to operate in.

There are lots of reasons for this, but in my opinion these three are the most important ones:

- Our customers are (in residential building anyway) making a very emotional purchase. Because of this, they are much more sensitive to cost, quality and performance than they might be with most other products.

Sometimes the reality of the building process does not match the end result that a client expects, and this can lead to a perception of under delivery.

In my own case, on a number of projects a relatively minor outstanding issue or a situation of poor maintenance by the home owner has potentially cost us financially, or with referral business.



An example of this would be a small defect in a concrete paved area that irritates the owner but does not really warrant the disproportionate cost to remedy.

To combat this, good communication and high quality documentation throughout the project is vital.

- Most of our buildings are built after the sale is made. In essence, our customers are purchasing a product that is planned, but not produced at the time of

contract signing. I know many builders who prefer to build homes on spec, so they sell only after construction is completed.

Obviously most other consumer products are able to be kicked and touched prior to being purchased.

Again, good communication and high quality documentation is key to bringing both parties through the process unscathed.

- Our industry is heavily regulated. In my opinion, it has become overly complex in some areas. The sheer volume of technical information and paper we have to deal with has got significantly worse, and will probably continue to do so.

However, we are aware that the current Minister is keen to introduce innovations such as electronic building consent applications and processing. Any improvement on the current machinations would be welcomed by our industry.

While I don't necessarily have a silver bullet for dealing with these challenges that will create an environment of 100% satisfaction for all parties, it is important that we recognise they are not new challenges.

The better we arm ourselves with up-to-date information, good record keeping and good relationship management with our clients, the better placed we'll be to survive and succeed in our exciting but incredibly tough industry.

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# Ability to deliver client's dream is the key to achieving

Lindesay Construction has made a name for itself as one of New Zealand's premium construction companies, dedicated to building architecturally-designed, award-winning buildings.

The company was given a Platinum Award in November 2011 for winning eight National Awards in the Registered Master Builders PlaceMakers House of the Year.

The Platinum Award signifies outstanding success, presented to those companies which have achieved five or more National Awards over the course of the competition.

Director Philip Lindesay says an appreciation for design and excellence, and the ability to deliver a client's dream is the key to achieving at national level.

"You've also got to have the qualities that it takes to work with some of New Zealand's leading architects — excellence, an appreciation for design, and an appreciation of some of the new materials that are available and how to use them," Mr Lindesay says.

Having won National Awards since 2006, Mr Lindesay says the company consistently takes part in the competition to stay in that league of excellence, and be the best.

"[Winning awards] gives me great satisfaction, and it definitely does the same for my team," he says.

Lindesay Construction won the Supreme Award for the House of the Year in 2008 with a Bay of Islands home in the New Homes \$650,000 - \$1 million category, and again in 2010 for a property in Remuera in the New Homes over \$2 million category.

Judges said the Remuera home "simply blew us away".

"With attention to detail in every area of the home, it was quite simply faultless, and a deserving winner," they said.

The company added two further awards to its tally in 2011, winning the PlaceMakers Bathroom Excellence Award and the Future Proof Building Outdoor Living Award for a secluded waterfront property on the Russell peninsula.



Lindesay Construction Ltd of Auckland won the PlaceMakers Bathroom Excellence Award and Future Proof Building Outdoor Living Award in the Registered Master Builders PlaceMakers 2011 House of the Year with this entry located near Russell.



The holiday compound, designed for three generations of one family, is an extensively landscaped beachfront property featuring a swimming pool and spa, golf green, tennis court, and boating and fishing facilities. Located 30km from the closest township, the home has total privacy.

Mr Lindesay also commends the work of the architect, Simon Carnachan.

"It was one of his last projects before he retired, and it is outstanding," he says.

Praised for its outdoor living and luxurious bathrooms, this home contains open plan living areas ensuring more than adequate space for the entire family to enjoy everything the region has to offer.

Judges say the home has been beautifully integrated with the outdoor living areas around the outside of the building.

"The verandahs provide protection from the

elements, and are inviting transitions to the outdoor living and play areas," while they say the bathroom is "an ensuite to die for".

While Lindesay Construction does not have any entries in this year's competition, Mr Lindesay says the company will continue to enter the House of the Year so long as they have a home that is finished, and the client is happy to have it showcased.

Judging for the Registered Master Builders PlaceMakers 2012 House of the Year is currently underway.

The Awards are made possible through the support of PlaceMakers, James Hardie, Gib Living Solutions®, Nulook, the Department of Building and Housing, Future-Proof Building and Master Build Services Ltd.

For more information about the competition, visit the Registered Master Builders web site at [www.masterbuilder.org.nz](http://www.masterbuilder.org.nz).

# House of Year crucial part of marketing

Cliff Erskine Builders Ltd attributes its success in the Registered Master Builders PlaceMakers 2011 House of the Year to its team's passion and craftsmanship.

The Queenstown-based company, which specialises in architecturally-designed homes, has had two successful back-to-back years in the competition, and director Cliff Erskine is hoping for a third in 2012.

The winning company took out a Gold Award for the Southern Region in 2010 for a property in Queenstown, and the PlaceMakers Heart of the Home Kitchen Award and the GIB Living Award in 2011 for a property in Arrowtown.

This year the company has another Arrowtown property in the New Homes \$1 million - \$2 million category.

"The home looks over Michael Hill's golf course and gives about 240° views of the Queenstown basin, from Arrowtown all the way around the other side of the Remarkables," Mr Erskine says.

The House of the Year competition is a crucial part of Cliff Erskine Builders' marketing programme.

"Since we don't do any marketing outside of the competition, doing well is paramount.

"The Awards give us the opportunity to say, hey, this is what we've done and this is what we've achieved," he says.

The company's 2011 award-winning home at Millbrook Resort was built to embrace its surrounding environment through its use of earthy materials to complement the theme of the resort. It took 13 months to build from start to finish.

The brief was to create a crisp, clean family home, which was achieved seamlessly by the architect and the builder.

"When you walk in, you know it's a homely home — it gives you goose bumps. It has a comfortable feel, and that has a lot to do with the materials and products we've put in," Mr Erskine says.

He says he did his best to create an attitude within his team to be passionate about



Cliff Erskine Builders Ltd of Queenstown won the PlaceMakers Heart of the Home Kitchen Award and GIB Living Award in the Registered Master Builders PlaceMakers 2011 House of the Year with this entry located in Arrowtown.

craftsmanship and proud of the finished product.

"It's not what the best outcome is for us — it's what the best outcome is for our client. You're only as good as your last job, so let's always do the very best we possibly can for our clients," he says.

Judges were also impressed with the home.

"The interior living environment suits the home and works well, matching the needs of the home owners. With carefully designed lighting highlighting the builder's immaculate craft, this is interior living at its very best," they said.

Mr Erskine says he enters the House of the Year competition because he wants to keep striving to improve, and to continue to produce a good product.

"To get two National Awards was sublime. We thought it was just fantastic," he says.

Judging for the Registered Master Builders PlaceMakers 2012 House of the Year is currently underway.



The Awards are made possible through the support of PlaceMakers, James Hardie, Gib Living Solutions®, Nulook, the Department of Building and Housing, Future-Proof Building and Master Build Services Ltd.

For more information about the competition, visit the Registered Master Builders web site at [www.masterbuilder.org.nz](http://www.masterbuilder.org.nz).

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# Mackersey Construction: Investing in apprentice training for 62 years

**C**arpentry apprentices are the future of the New Zealand construction industry, and Mackersey Construction is leading the way in apprentice training and development.

Founded in Hawke's Bay by John Mackersey in 1948, one of the company's policies has always been to train and support young people within the construction industry. Over the past 62 years, it has invested in more than 200 apprentices.

Mackersey Construction construction manager and dedicated apprenticeship mentor Mark Adams says he gets "a real hoot" out of seeing his apprentices progress through the programme.

"You see them on their first day when they arrive at work, and then you see them after four years when you're handing them their completed certificate in carpentry. The look on their faces is fantastic," he says.

Mr Adams has been working with apprentices for more than six years, and is well invested in the industry, currently overseeing the work of 11 apprentices.

"I try and have an apprentice in the office at 7am to go through their books. They each come in at least once a month, before they head off to wherever they've got to go at 7.30am," he says.

Mr Adams says the Apprentice of the Year is a valuable experience, and he encourages all his apprentices to strive to achieve within the competition.

"It's a great way to finish off an apprenticeship. It sets them up for the rest of their lives," he says. "A lot of them have never been in an interview situation, so it's a good test run for their future employment, and teaches them how to present things."

"We expect high standards from our guys. They're encouraged to set goals to get into the competition right from the day they're signed up. We say this is what's going to happen in three years' time, and this is the level you're going to get to. We want them to be in the top three of the Apprentice of the Year competition."

Last year Mackersey Construction had three apprentices in the top eight, with two being placed second and third for the region.

Mr Adams says, as an employer, the fact that an apprentice has placed in the competition is a clincher.

"I'd say, wow, let's give this guy a go."

Mackersey Construction has had success with its

[www.buildingtoday.co.nz](http://www.buildingtoday.co.nz)



*Nathan Biggs, formerly of Hawke's Bay's Mackersey Construction, won the Registered Master Builders Carters 2009 Apprentice of the Year. He now owns his own construction company in London.*

apprentices in Apprentice of the Year every year since 2007. In 2009, Nathan Biggs won the East Coast regional competition before taking out the top prize at the national finals.

Mr Adams says Nathan, who now owns his own construction company in London and is working as project manager on multi-million dollar jobs, was a

standout.

"Nathan was mature, had great people skills, and he was clever at what he did."

Mackersey Construction has three apprentices entering this year's competition — two in Hawke's Bay, and one in Wellington.

"The goal is to win both regions!" Mr Adams says.

The company's intensive training programme has mock interviews and site visits mimicking the style of the competition, so the apprentices are well prepared by the time they take part.

"We use all of our resources to make sure they are prepared for the competition. We put as much effort as we can into it, because we believe the more effort that goes in the more recognition they're going to get."

Entries for the Apprentice of the Year are open until June 28, 2012. For further information, or to download an entry form, go to [www.apprenticeoftheyear.co.nz](http://www.apprenticeoftheyear.co.nz). Entry forms can also be collected from Carters stores nationwide.

Apprentices, employers and those young people aspiring to be a part of the construction industry are encouraged to join up to the Facebook page at [www.facebook.com/apprenticeoftheyear](http://www.facebook.com/apprenticeoftheyear).

The Apprentice of the Year competition is made possible thanks to principal sponsor Carters, the Registered Master Builders Federation, the Building and Construction Industry Training Organisation (BCITO), and supporting sponsor the Department of Building and Housing.



*From left: Mackersey Construction apprentices Trent Hulena, second place, and Johnny Meechan, third place, in the East Coast Registered Master Builders Carters 2011 Apprentice of the Year.*

*Mackersey Construction construction manager and dedicated apprenticeship mentor Mark Adams.*

# Awards keep flying in for MOTAT



MOTAT's Aviation Display Hall in Auckland has picked up yet another award — the New Zealand Institute of Architects New Zealand Architecture Award for Sustainable Architecture.

Following on from the array of architecture awards won last year, MOTAT's Aviation Display Hall in Auckland, which opened last November at a cost of \$18.5 million, has picked up yet another gong.

The New Zealand Institute of Architects has awarded the hall with a New Zealand Architecture Award in the category of Sustainable Architecture, which was presented at a dinner at Te Papa, Wellington, last month.

The Aviation Display Hall, created for MOTAT by Studio

of Pacific Architecture Ltd, was also in the running for the overall winner of the New Zealand Architecture Medal which was eventually won by the Auckland Art Gallery.

MOTAT museum director Jeremy Hubbard says winning yet another architecture award is such fantastic recognition for the museum and for the exhibition.

"It's especially significant to have won the Sustainable Architecture award as MOTAT is synonymous with technology, and the award credits the green technology used in the building," he says.

The building has many sustainable features, including a translucent skin on the northern facade which assists in providing temperature regulation, plus a rainwater harvesting system, gas management strategies and natural ventilation.

This award follows several other architecture awards presented last year, including two Institute of Architecture awards for Public Architecture and Sustainable Architecture in Auckland, as well as two NZ Wood Timber Design Awards for Clever Wood Solutions and Sustainability.



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## New aluminium factory to make significant contribution to Christchurch

**"A** big boost to the rebuild". That's how Christchurch-based Fletcher Aluminium South Island window and door manager Darrell Gane is describing a new multi-million dollar aluminium factory in Wigram.

Up to 70 people will be employed at the factory, the first of its kind in New Zealand. The new facility will powder coat mill-finish aluminium product produced in Auckland, which will then be distributed to the franchisees in Christchurch and the rest of the South Island.

When it is fully underway, the factory will also have the capacity to produce up to 135 square metres of windows per day — the equivalent of three average sized homes.

This will assist Fletcher Aluminium's local window and door fabricators in continuing to supply their clients as the rebuilding of thousands of Christchurch homes begins.

The franchisees are long-time Christchurch businesses in their own right — Nebulite, Rylock, Vistalite and Fisher — and they manufacture the well-known window and door brands Atlantic and Pacific.

Mr Gane says the new facility means local Fletcher Aluminium franchisees and their clients can be sure there is product available when they need it.

"Late last year Fletcher Aluminium and the Canterbury franchise owners discussed setting up something like this in Christchurch," he says.

"The franchisees produce doors and windows in their own facilities, but the demand for aluminium doors and windows will increase massively in the coming months and years, and we wanted to make sure they could hit the ground running."

Mr Gane adds that the Wigram factory will also reduce delivery time of aluminium doors and windows considerably, not just for Christchurch but the entire South Island.

"Ordered product has previously been coming into Christchurch from Auckland. Having product available in Christchurch will reduce lead times by as much as half, and eliminate most transportation issues."

The operation has multi-shift capability and, depending on the pace of the rebuild and the availability of staff, can move to 24 hours a day, seven days a week operations if necessary.

Mr Gane says all of the Fletcher Aluminium franchisees are looking forward to being a key part of the rebuild of their city, and that the support from Auckland has been fantastic.

"This is a real team effort. We have all worked extremely hard over the past year or so to make this a reality.

"There's no doubt things will get busier, and the new Wigram factory will support us and our clients during this time of growth, and ensure they get what they need when they need it."

# I've got mine – have you got yours?

Martin reckons a scheme like LBP is long overdue – so he was pretty quick to get in and get his licence.

A proud Registered Master Builder for over 15 years, for him ready access to info on what's happening in the industry and useful tools like the online LBP form are a real drawcard.

And he's pretty keen on all the other great benefits too – House of the Year, the Master Build Guarantee and big savings on a huge range of products and services.

Don't miss out – call us today to be a part of New Zealand's number one industry organisation.

**DID YOU KNOW?**

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**Go Further**

# Call for entries highlights new partnership

**N**Z Wood has announced that Resene, the New Zealand-owned and operated paint manufacturer from Lower Hutt, has committed to a naming rights sponsorship of the 2012 Timber Design Awards.

The competition brings together architects, architectural designers and engineers in a showcase event that builds the passion for timber construction in New Zealand.

Resene marketing manager Karen Warman highlighted the affinity between timber and paints and stains — whether for dynamic effect or longevity and protection.

“Resene has always enjoyed partnering with the best, and the Timber Design Awards enables us to develop new relationships with those that value excellence in timber design — like we do,” Ms Warman says.

“We are especially pleased that this year’s Awards includes a Canterbury Rebuild category to highlight the significance of the rebuild.”

In announcing the sponsorship, NZ Wood chief executive Jane Arnott highlighted how the Timber Design Awards celebrate excellence across

functionality and aesthetics.

“The versatility of timber offers infinite possibilities for professionals keen to blend beauty and form,” Ms Arnott says.

“We have to remember that it was only a few decades ago that brutalism ruled. Now, fortunately, we have a better appreciation of design as well as the integrity of

construction.

“From curves to filigree, and veneers to engineered timber beams, only timber can excite, challenge and change to meet every landscape and every client.”

The first stage call for entries closes on Friday, June 22 at 5pm. Entry forms are available from [www.nzwood.co.nz](http://www.nzwood.co.nz).



*The showcase Nelson Marlborough Institute of Technology Arts & Media building scooped two major awards for commercial engineering and commercial architectural excellence in the 2011 NZ Wood Timber Design Awards.*

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# Developer re-affirms target of 1000 Christchurch apartments

In 2007, Legacy Corporation director Gary Gordon predicted his company would build 1000 residential apartments in Christchurch within 10 years.



*Legacy Corporation Christchurch development manager Mitchell Jefferson outside the Cashel Street development of 36 apartments.*

The company was approaching the 300 mark when the first of the

Canterbury quakes struck. In September 2010, the time of the first big quake, the company had just started a 36-unit development in Cashel Street. Mr Gordon reports there were quite a few interesting shakes during its construction.

Around 10 apartments remain to be sold of Legacy's pre-quake activity, and now the company has turned its attention to new sites.

Legacy's Christchurch development manager Mitchell Jefferson says the new developments are likely to be designed within three and four levels and located in or near the central city zone. A Riccarton site has been located for the probable first development.

Mr Jefferson says the demand for apartments has shifted from owner-occupiers to investors who will serve rental customers.

"If the rebuild is expected to last a decade and as many as 26,000 people will be moving here for the rebuild, good quality apartment living will be in high demand," he says. "Our early evidence is clearly pointing that way."

He has just leased five fully furnished apartments for an initial one-year term to a corporate which needs to house management staff for the rebuild.

He says insurance is obviously a big point of interest for any buyer, and this is already dealt with when buying into a body corporate. He also says the leases recently signed show a gross return of 8.9%, based on current valuations.

"Because some of the city's population will be transient and bringing their different skills to the rebuild, this creates a good market for investors. I have been surprised by the interest even now, when I am told the rebuild has hardly started."

But longer term, Mr Gordon says 1000 apartments are only a part of Christchurch's housing solution.

"With so much damage to replace I guess our goal could be swallowed up tomorrow. Of course we can't work that quickly. But we do have established relationships with builders, bank and real estate agents. So we will play a valuable part by re-energising those relationships," Mr Gordon says.

He says joint venture developments may be possible to speed up the company's activity.

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# Mesh now available for reinforcing concrete slabs-on-ground

**G**rade 500E reinforcing mesh, specified in the Department of Building and Housing's latest version of Acceptable Solution B1/AS1 for the reinforcement of concrete slabs-on-ground, is now widely available.

Designers should be now specifying Grade 500E reinforcing mesh when designing to B1/AS1.

B1/AS1 now requires that concrete slabs-on-ground, constructed to NZS 3604:2011 on good ground, be reinforced with a minimum of 2.27 kg/sq m of Grade 500E reinforcing mesh. The mesh must conform to AS/NZS 4671.

The change to require a minimum of Grade 500E mesh was made because of the poor ductile performance of reinforcing mesh in the Canterbury earthquake sequence.

Grade 500E reinforcing mesh allows better ductile performance to reduce damage during earthquake shaking and ground movement.

As Grade 500E reinforcing mesh was not initially available, the Department issued two satisfactory solutions of equivalent capacity. One was based on a lower-strength ductile reinforcing mesh, and the other on lower Grade (300E) ductile reinforcing bars.

Since then, the Department has worked with the industry to ensure Grade 500E reinforcing mesh is available. In particular, the Department liaised with Pacific Steel Ltd, which manufactures the wire for the mesh, and members of the Welded Wire Reinforcing Market Development Alliance (WWRMDA), which manufactures the mesh.

Grade 500E reinforcing mesh is now widely available, and designers who follow Acceptable Solution B1/AS1 should be specifying it.



From left: DBH advisor building standards Graeme Lawrance, Pacific Steel steel plant materials and training manager Hennie Reyneke and DBH building standards group manager Peter Thorby.

However, the Department's guidance ([www.dbh.govt.nz/earthquake-concrete-slabs-guidance](http://www.dbh.govt.nz/earthquake-concrete-slabs-guidance)) still offers the alternatives above if needed.

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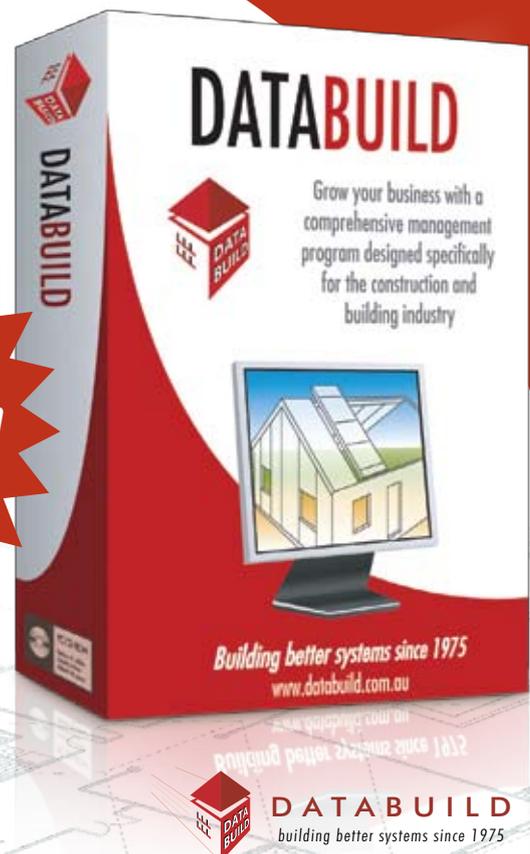
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# New web site sifts out potential employees

**A**uckland builder Glen Beh found himself facing a real problem when he was looking to hire builders to staff his sites.

From a single online or newspaper advertisement headed "Seeking Hammerhand" for example, he would receive hundreds of applications, with a large percentage of the job hunters clearly not having read the requirements. He then needed to sift and filter hundreds of CVs and applications.

"They were giving any ad a go, and I wasn't prepared for this to be at my expense," Mr Beh says.

He wondered if other industry employers faced the same problem so, together, he and his sister Danny spent weeks on the phone calling building companies and asking questions of them regarding their hiring processes and issues.

## Eye opener

This was an eye opener for them, showing just how difficult the recruitment process seemed to be for building companies.

"The role they're filling often doesn't justify the time and cost they need to spend on hiring," Ms Beh says.

"Not to mention the nature of the building industry means staff turnaround can be high and, often, employers need to go through this process time and time again."

In addition, like Glen, the majority of employers are builders themselves, not recruiters, and they're taken off the tools to recruit.

Danny and Glen have spent the past two years researching the issues the construction industry faces when staffing sites, and it's very clear the majority of small-to-medium businesses find it a time-consuming and costly nightmare.

Danny has had conversations with more than 100 employers establishing exactly what they need to know when hiring, what issues they face and how they go about hiring currently.

From this they came up with JobJam — the idea of offering an online database to building companies of job hunters actively looking for work.

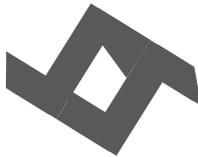
The idea was simple: job hunters register, employers search and find job hunters who have the skills they need. They then make contact with each other, allowing the employer to fill his role without having to open himself up to hundreds of unwanted phone calls and emails.

Over the past two years they have built a solid local start-up tailor made for the construction industry. JobJam has run the service as a test site for a number of months, and has had 400 job hunters register with them.

More recently they went live with a full service site focusing on the Auckland and Christchurch residential building market, so are now available as an alternative hiring option for construction companies in those areas.

They're offering to credit all employers who register with them before June 30 two free CVs, which will allow construction companies to trial the site without risk.

For more information visit [www.jobjam.co.nz](http://www.jobjam.co.nz).



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# Ex-tradespeople ready to help guide your business

By Trades Coaching New Zealand director Terry Sage

**W**hen was the last time you sat on your deck, stared up at the stars and wondered if we are actually alone?

Okay, I know romantic thoughts and the nature of a stereotypical construction boss are not normally found in the same sentence so let's try again. How often do you find yourself hiding out on your deck, with a strong drink in your hand just hoping there was some one out there you could call? Well, there is, and they didn't just drop from the stars.

Trades Coaching New Zealand didn't drop from the stars because we are ex-New Zealand tradespeople, which means we know what you need, what you want, and what you are going through, and can talk to you in your language.

A Trades Coaching New Zealand business coach does not show you how to use your tools on site, but specialises on the business side of your company.

However, being ex-tradespeople, we do know all aspects of construction, including the Building Act and building law.

Traditionally, business support has come from seminars, books, casual advice and accountants. While this may all be relevant and worthwhile, this passive style of support has one major fault.

You go back to work with all the best intentions of putting the advice in place and then the phone rings — materials have not been delivered, the van's broken down, John is sick today, and Mrs Jones wants to see you because she thought the kitchen was going to be blue.

Sound familiar? And it's only Monday! If Tuesday, Wednesday and the rest of the week proceeds in the same vein, the changes you had the best intentions of initiating keep getting put back and back and never actually happen.

The most effective method of business support is a system of active coaching. This means the advice is given, tailored to suit your business, plus a Trades Coaching business coach is sitting beside you helping



Terry Sage

you put it into place.

There are two sides to business coaching. One side is the areas of the business we work on with you, including planning, team, systems, marketing and financial.

The other side is the support side. It can get very lonely being the boss, but with a Trades Coaching New Zealand coach on your team means having somebody on your side to talk to, pat you on the back when it goes well, pull you back when your direction is questionable, get a second viewpoint on an idea or decision, or just to let you rant and rave to get it out of your system.

## Looking at all aspects of business

Our coaches will look at all aspects of your business without the emotional attachment you have when you try and make a decision. They will make a decision and offer advice based purely on what's best for you, your business, the future and making sure it is financially viable.

By far and away the biggest part of business coaching is what we term the "accountability factor".

Business does not have to be rocket science. Bring it back to basics, keep it simple and your business will be successful. As business owners, you are the experts — you know your business better than anybody else.

The accountability factor means that a Trades Coaching New Zealand business coach makes sure you actually make the changes that are necessary to make.

So who will benefit from our services? The answer is everybody. There are coaching packages to suit all levels of a company's maturity.

We can help if you:

- Have an idea and want it turned into a viable business,
- Want to grow your company to the next level,
- Have grown too fast but your systems and structures have not caught up,
- Want to sell,
- Have lost motivation or are just tired, or
- Have problems or issues within the business.

Being ex-tradespeople ourselves and having an extensive support system within Trades Coaching New Zealand, there is nothing we have not seen nor experienced.

I am a qualified carpenter and joiner. One question I am asked on a regular basis is "why do I need a business coach?"

My answer to that is that New Zealand has some of the best sporting stars in the world, but none have got to the top on the back of their extraordinary skills alone — they all have a support network and coaches behind them.

Put a Trades Coaching New Zealand coach next to you in your office and with our experience you can take your business and your extraordinary skills to wherever you want them to go.

The first step of business coaching is to request a no-obligation, complimentary business analysis session which will allow your coach to look at your business, uncover with your help the path forward, and explain where Trades Coaching New Zealand can support you.

There is one major challenge facing Trades Coaching New Zealand though, and that's the issue of having more clients than coaches — a nice position to be in.

In order to keep the quality of service demanded by the company owners and to cover the whole country, more coaches are needed.

So see the page opposite to find out if being a Trades Coaching New Zealand coach could be your future!

• **Next month: Read about how Trades Coaching has benefited Northland Registered Master Builder Darrell Trigg.**

# Become a trades coach!

**T**rades Coaching New Zealand Group is a company that is 100% Kiwi-owned, and is a subsidiary of Business Coaching New Zealand which has been working with New Zealand business owners for more than seven years.

Opportunities exist throughout New Zealand for business coaches and area leaders.

Working with Trades Coaching New Zealand means you are in a tight group. We provide extensive training with ongoing support, and head office is never more than a phone call away.

Becoming a Trades Coaching New Zealand coach means you are making a clever decision to enter a low-cost franchise with a high return on your investment.

A Trades Coaching New Zealand coach is more than a teacher or a mentor. We become a part of our client's business and more often than not we become a part of our clients' lives.

It is the personal involvement that sets us apart from the rest, and makes us the true "kiwi coaches" with a real understanding of what it means to do business in New Zealand.

Does the following sound like you?

- Are you looking for a change in lifestyle?
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- Do you have good communication skills?
- Do you want to own a company that has exceptional earning potential?
- Do you want job satisfaction that others only dream of?



If this sounds like you, or has sparked your interest, then get in touch with Trades Coaching New Zealand as there are only a limited number of opportunities available throughout the country.

Call 09 4343180 or email [info@tradescoachingnewzealand.co.nz](mailto:info@tradescoachingnewzealand.co.nz).

## Become a fully-trained Business Coach

**There is an opportunity to be a part of Trades Coaching New Zealand Group and become a fully trained business coach.**

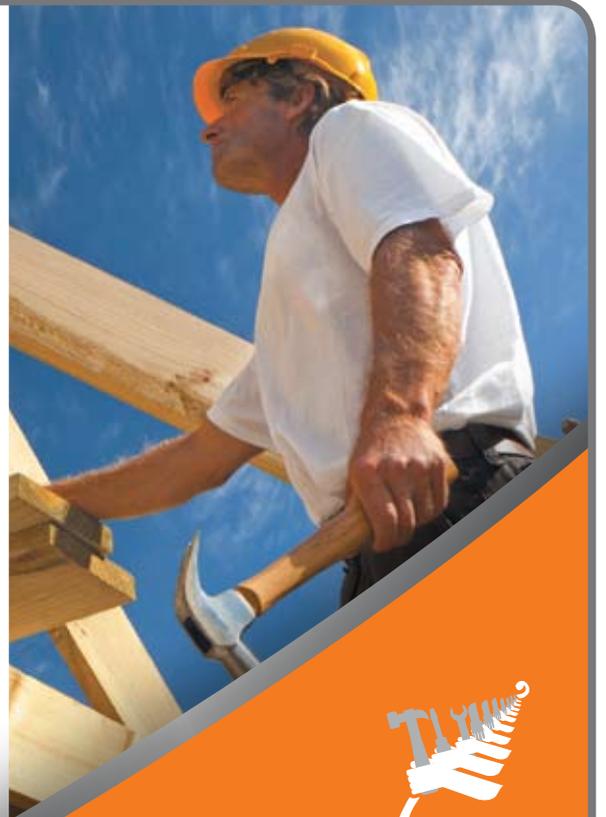
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bcito news

## Building sector in safe hands with Gen-Y apprentices

**N**ew research released by the BCITO shows the next generation of New Zealand builders are technology-savvy, professional and passionate about their industry.

The BCITO's annual customer satisfaction survey late last year asked more than 600 of its apprentices for feedback on job and training satisfaction, internet habits and factors that influenced their career decisions.

According to the survey, 92% of apprentices believe they are learning the right skills for successful career development.

BCITO chief executive Ruma Karaitiana believes the building sector is in safe hands.

"We are seeing a new trend emerging, with 89% of apprentices using the internet on a daily basis, which can be useful for accessing resources to help them with their careers," Mr Karaitiana says.

"They are utilising everything from social media sites to industry publications, and a quarter are doing it via smart phones.

"With the new licensing legislation now in effect, it is even more important that young tradesmen undergo formal apprenticeships, so it is great to see the level of proactive internet usage by these young men in their own career development.

"This is exactly the type of approach our industry needs in order to lift standards and give New Zealand confidence in their building industry."

Registered Master Builders Carters 2011 Apprentice of the Year Ryan Keogh says he is a frequent internet user, and believes it is a great way to keep on top of international building trends.

"I am not surprised to see so many apprentices using the internet. A number of young people use it for furthering study and accessing trade material, not to mention networking sites.

"As part of the new licensing laws, we are required to keep up with changing legislation and research trends, so the internet will serve as a powerful tool."

The research also found that most current apprentices decided to become builders at around the age of 16, which Mr Karaitiana believes shows that the next generation of builders has an early passion for the industry.

"There are a number of apprentices entering the construction sector because of its career development opportunities, which shows the professionalism and foresight of these young people.

"Apprenticeships also enable these young people to earn a wage whilst training, thus staying out of debt, often giving our young builders an edge over more academic pathways. And, of course, many builders these days end up doing diploma or degree-level study down the track anyway," Mr Karaitiana says.

"It is now up to employers to help train them and develop their skill sets. As the industry picks up, employers will be vying for accomplished practitioners."

If you are an employer in the construction industry and are looking at putting on an apprentice, the BCITO may be able to help you find the right person.

Simply call 0800 422 486 and they can put you in touch with motivated career-seekers on their national database.



# So, when's this building boom? happening ●

Everyone's calling a boom, but it hasn't happened yet. BCITO **researchers** forecast mid-2012, but no-one can be certain. *But it will come.* No doubt about it.

When it comes you will need **people** and **skills** to grow your business. BCITO apprentice numbers are down by 50%, so where will this skill come from?

It is up to you to prepare now. We know it's tough to take on extra people, but you're going to need them, especially in Auckland and Christchurch.

*BCITO can help you prepare.*

We can help you find apprentices from our growing database. We can help formally qualify your existing team. We have 85 people on the ground ready to help now.




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# back in time

## BT's Back in Time

Welcome to Back in Time, where we delve into our magazine archives and discover what was making news way back when . . .

### 20 years ago:

- The Housing Corporation of New Zealand was due to be restructured into two separate entities — Housing New Zealand and the Ministry of Housing. HNZ became a rental enterprise, taking over an existing 70,000 rental units administered by the Crown.

### 15 years ago:

- From September 1997 only products appraised by BRANZ or a similar authority were to be recognised under the Master Build Services (MBS) Ltd five-year new home guarantee.

Initially the appraisal requirement was to apply only to major items used in construction by Registered Master Builders.

MBS chief executive Trevor Allsebrook said the harsh reality for manufacturers is that if they don't get their products appraised, that Registered Master Builders would be likely to look elsewhere for similar products that had been checked.

- Shoddy construction quality and deadly building collapses had resulted from the corruption that is rife in China's booming construction sector.

Official newspaper the *Market Daily* said 27.6% of economic crimes in China in 1996 involved the construction industry. Building firms were involved in 39 of the 77 major bribery cases uncovered in boom city Shanghai.

### 10 years ago:

- More than 500 commercial and residential properties were entered into the 1997 Registered Master Builders House of the Year, reflecting the buoyancy in the economy and a growing interest in the annual competition.

A new category added to the competition was the James Hardie Show Home Award, while the Commercial Award was split into two levels — under \$1 million and over \$1 million.

### 5 years ago:

- The Department of Building and Housing contracted Assessment Systems Ltd (ASL) to be its assessment agent for the Licensed Building Practitioner scheme due to get underway in November 2007.

ASL was to recruit assessors who needed to be technically competent in the licence classes they assess, computer savvy, have good interpersonal and communication skills, and have credibility in the construction industry.

# A golden opportunity

By 2030 one quarter of New Zealand's population will be over the age of 65

By Lifetime Design Ltd general manager Andrew Olsen

**T**he benefits to your business by becoming a Lifemark-accredited provider are numerous, but getting ahead of the turning generational tide may be the most beneficial.

By 2030 one quarter of New Zealand's population will be over the age of 65. And as a well-documented consumer and financially-independent generation, the baby boomers will be one of the most influential demographics in New Zealand society.

As this generation ages, there will be more pressure on New Zealand's housing stock to accommodate a large percentage of the population that will want to remain independent and in their own homes for longer.

## Opportunity to adapt and respond

This unique situation provides the construction industry with an opportunity to adapt and respond ahead of the game, and look at new ways of building adaptable and accessible homes.

One of the solutions is to become Lifemark accredited, and build to the Lifemark Design Standards, a common sense approach to building homes that will last a

lifetime.

The Lifemark provides an independent stamp of confidence to demonstrate a compelling advantage over your competitors — that your residences are adaptable, accessible and reliable, and that you understand and deliver a "fit for purpose solution" to your clients.

A home awarded the Lifemark signals to a buyer that it will cater for their needs for their lifetime, and consists of Lifemark design features being more increasingly sought by an ageing population.

The 32 design standards, such as wider doorways and level entry, make homes adaptable and accessible as mobility becomes more of a concern.

"By becoming Lifemark accredited and constructing new homes with the baby boomer market in mind, builders and developers will be best placed to meet the approaching need for housing that is suitable for a growing and ageing population that demands only the very best," Mr Olsen says.

A recent survey of 2000 industry professionals found 70% of respondents were already designing housing projects for the 50+ age group, of which 85% are already including specific design features which will accommodate their clients as they age — because the clients are asking for it.

Now is the opportunity to increase your market appeal and become Lifemark accredited.

## Benefits to your business

**T**he benefits of Lifemark accreditation to your business will:

- Help to differentiate your business in today's highly competitive marketplace.
- Endorse your business as a premium provider to New Zealand's fast growing and financially-independent demographic — the over 65s.
- Provide potential clients with a third party endorsement of your commitment to designing bespoke fit-for-purpose facilities that are fully adaptable, accessible and designed for any age, stage or ability.
- Provide your business with credibility and peace of mind for your clients.

To find out more, including the marketing and communications, education and training support you will be eligible for as a Lifemark-accredited provider, visit [www.lifemark.co.nz](http://www.lifemark.co.nz) or call 0800 Lifemark.

Are you ready for this golden opportunity?

In 2011, 74% of new homes were designed for clients over 50 years of age. 85% of those designs included specific design features that will accommodate them as they age.

(\*source: eboss 2011 survey)



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# Carlton Butchery — still a Christchurch landmark

By Roy Kane

Prior to the earthquakes of 2010 and 2011, Christchurch developer Richard Diver had been making plans for the Carlton Butchery building. He engaged Modern Architecture Partners Ltd (MAP) to work on a design that was in keeping with the historical style of the building, intending to retain the existing structure.

Before these plans could be implemented, the September quake of 2010 struck, and the facade of the Daily Bagel and the Covent Fruit Centre fell away, leaving the old Carlton Butchery building unstable and dangerous.

Mr Diver made immediate arrangements for the rubble in the street to be cleared and the building demolished.

The Christchurch Civic Trust, which had emerged as an action group of residents dedicated to the preservation of significant heritage buildings, was very supportive of what he had been proposing.

So when he determined that the Carlton Butchery would not be lost forever and forgotten, the Trust was delighted. Some re-design was undertaken, and construction was already underway when the second quake hit in February 2011. The building completed thus far withstood the quake, and construction continued.

MAP associate Andy Watson says the city's Civic Trust has another string to its bow in addition to preserving heritage buildings

"It's the encouragement of quality design in the future development of Christchurch, because what we build today will be our heritage tomorrow. Significantly, the new building was to be one of the city's first to re-assert itself with a strong steel-structured component," Mr Watson says.

A steel frame structure was proposed early in the concept stage, and provided a number of significant advantages, including:



*Damage sustained to the Carlton Butchery building by the September 2010 earthquake.*

- smaller sized columns resulting in more open plan space and rentable area than would have been possible with reinforced concrete,
- less weight in the floors resulting in reduced lateral earthquake loads, as well as reduced loads on the foundations, and
- the high-speed erection of the steel, frames and floors reduced the overall construction time and kept the programme economical.

Brett Gilmore, Director and Senior Structural Engineer with Structex Metro Ltd, describes the building's main earthquake lateral resisting system.

"Steel moment-resisting frames comprised of 350 welded column section provide the main lateral resisting system in the north-south transverse direction," Mr Gilmore says.

"These are supplemented by the pre-cast concrete frame to the front elevation of the building and an interior concrete shear-wall at ground level. The frames are designed as nominally ductile ( $\mu = 1.25$ ), and sized to limit the lateral drifts to the adjacent boundaries to less than 75mm.

"The steel moment-resisting frames, in combination with a composite concrete metal-

deck flooring system, have proved themselves by performing extremely well through the recent earthquakes, as Steel Construction New Zealand Inc and others have reported.

"Both the steel and the concrete columns and walls are supported on shallow foundation beams and steel screw piles that extend to a depth of 8m to 9m, and bear into very firm gravels.

"The suspended floors are comprised of composite concrete metal deck (ComFlor 80), supported on partial composite steel beams. The beams were installed unpropped for fast, economical erection, and are supported on the lateral resisting steel and concrete frames.

"The remainder of the gravity system consists of a light, steel-framed roof, with metal cladding over steel purlins supported on steel rafters."

Many of the steel-frame structural elements and some of the pre-cast concrete elements have been left expressed in the finished building to form a significant part of the overall architectural aesthetic.

The main superstructure has already endured several sizeable earthquakes with no damage observed. The piled foundations into firm



*John Jones Steel erectors make a quick start.*

gravels also provide the best mitigation against possible differential settlements that may occur with liquefaction.

Another feature of the building includes a swimming pool installed on the second floor as a single, pre-cast concrete element.

The design anticipates mixed uses, with hospitality on the ground floor, offices on the

first and, eventually, apartments on the second and third floors, which are initially to be used as offices.

John Jones Steel Ltd general manager Dave Anderson provides the steel constructor's perspective, saying that the moment frames were constructed as a full, clear span to suit the architecture.

"The size dictated that we use custom-made welded columns and beams, all fabricated in New Zealand. The floor decks were shear-studded on site, welding through the decking to the steel beams to get full composite action from the floor diaphragm," Mr Anderson says.

*Continued page 24*



*An artist's rendering of Carlton Butchery, complete with new signage provided by RTL.*



The ComFlor 80 steel decking was shear-studded to the steel beams to achieve full composite action from the floor diaphragm during an earthquake.



The moment-resisting frames were constructed as a full, clear span to suit the architecture and create free floor-space.

From page 23

"Not only does this system perform well during seismic acceleration, but it is also fast and efficient to build. The attributes of ComFlor 80 make propping unnecessary, and there is no need for additional formwork because the floor decks are provided with a steel edge.

"All that's required is to lay the reinforcing mat and pour — a quick and cost-effective building solution."

This is not the only project being driven by Mr

Diver in Victoria Street and other Christchurch locations, but it is probably closest to his heart.

"I was born and bred in the city," he says, "and after the loss of lives and the devastation, I just want to get good buildings up and running as fast as I can.

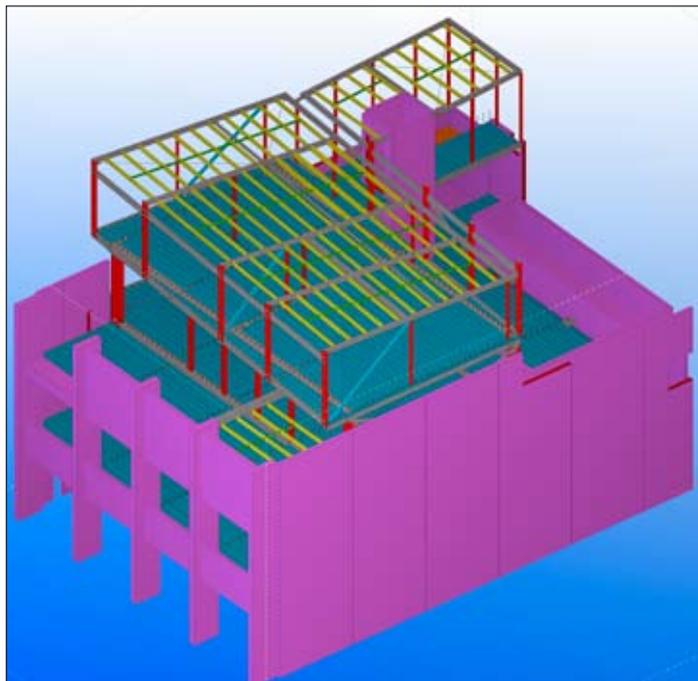
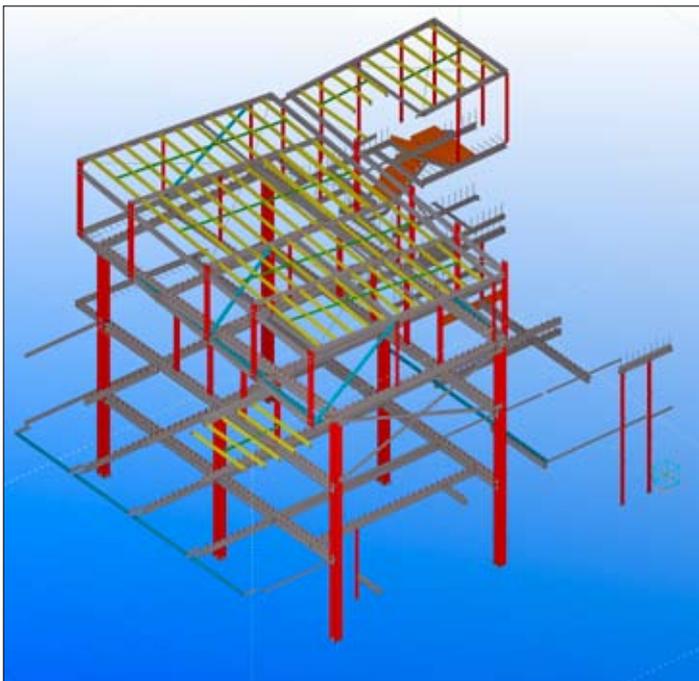
"No, we're not London, and this is the Carlton Butchery, not the 'Gherkin', so we don't have unlimited finance and we do have height restraints and fire-rating considerations.

"Critics who complain about concrete walls and bemoan what they perceive to be a lack

of character and aesthetics should visualise the future setting of our new buildings.

"I believe that when they are seen in their complete context, they will answer the nay-sayers. Meanwhile, there is the sheer economics of launching the rebuild enterprise, and here I'm very aware of the people who need work and incomes — the human capital that we risk losing if all we do is carp.

"We've got good architects and engineers, and good skills among our building trades. Christchurch needs them put to good use!"



These 3-D drawings by John Jones Steel Ltd show the steel frame and the concrete (purple shaded).



Construction proceeds, combining the best attributes of steel and concrete.

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## LED lighting the way to go

**N**elson-based LED lighting manufacturer Switch Lighting is welcoming new regulations and standards for New Zealand light fittings and insulation.

"LED lighting is the way of the future," according to managing director Gerard Woods.

"This becomes obvious when you read the Standards New Zealand new amendment for downlights. Our LED light is one of the few available in the country that performs within the required Standard, and the only LED luminaire made in New Zealand, specifically for the New Zealand market."

Mr Gerard, a mechanical engineer, and business partner Jon Maunsell started Switch Lighting three years ago.

An electronics specialist, Mr Maunsell has been working with LED lights since 2001, and has seen the product evolve and improve markedly in that time, so that today it is very difficult to tell the difference between an LED and a traditional light.

The three major benefits of LED lights over traditional lights are their enhanced reliability, reduced energy consumption and long life.

Switch Lighting is experiencing strong growth and demand for its energy-efficient LED light fittings, and not just because of the change in Standards.

"A 13W LED light is equivalent to a 50W Halogen bulb. In a typical four-bedroom house, you need 6000W to power incandescent lighting. With LED that drops to 600W so that's a huge saving in resources and dollars.



You can have lots of lights, down to a 1W LED, without using lots of energy, Mr Gerrard says.

"The lifetime of an LED is determined around when the lumen (light) output has diminished to 70% of the original output," he says.

Switch Lighting Luminaires are designed to last for 50,000 hours. At five hours a day, this equates to around 27 years.

The amended Luminaires Standard (AS/NZS 60598.2.2:2001 — incorporating New Zealand only Amendment A — Recessed Luminaires) requires recessed downlights to comply with one of four new Standards.

The IC classification requires Luminaires to run at less than 80° Celsius, which allows building insulation to abut and cover the luminaire.

"It means the light fitting is not breaking the thermal barrier," Mr Gerard says, "Our latest LED product has

been designed to meet this new Standard, and will be on the market in mid-2012."

Switch Lighting's current 13W downlight is compliant with the CA135 classification, which means insulation can abut but not cover.

The beauty of the LED system is that it can be retrofitted into existing recessed lighting, and homes built after May 10 this year must comply with the new Standard.

"Switch Lighting is gaining a lot of traction in the marketplace from people wanting to renovate and build new using our technology," Mr Gerard says.

"They are futureproofing their homes against rising electricity costs and also getting rid of the gaps in insulation that are a part of existing downlight installations."

With about 10% of a home's electricity bill going on lighting, Mr Gerard says LEDs can reduce that to 2%.

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# HRV brings world first to Kiwi homes

New Zealand home owners will be able to enjoy healthier environments following the introduction by leading healthy home specialist HRV of a world-leading ventilation system featuring innovative Seta filtration technology.

Developed and produced by Auckland-based company Revolution Fibres, the new ultra-sensitive air filter uses cutting edge nanofibre technology infused with the powerful antibacterial properties of manuka, creating pure air, free from bacteria, fungi and dust.

HRV chief executive Bruce Gordon says the company is very excited about bringing this product into Kiwi homes.

"It will make a significant impact on how we filter and purify the air in our homes, and help to significantly reduce the level of allergens and dust mites that create health issues for many New Zealanders, especially children," Mr Gordon says.

"The launch of the Seta filtration technology links in with our ongoing campaign to raise awareness of the unacceptably high level of unhealthy New Zealand homes, and highlights how innovative technologies such as Seta, combined with other heating and insulation solutions, can help address this issue."

## Nanofibres 1000 time thinner than hair

Seta nanofibres, found in the new HRV filters, are 300-500 nanometres wide — about 1000 times thinner than human hair — allowing for millions more fibres to be used in a filter. This provides much higher efficiency compared to previous filters.

Combined with the main filter, HRV is offering Seta Diffuser filters for extra protection room-by-room. This filter, a world-first and unique to HRV, is a completely natural filter.

It uses nanofibre spun from hoki collagen, along with antibacterial properties provided by plant extracts such as manuka. The fibres are held in place by a biodegradable potato starch base, which can be thrown away, guilt-free, at the end of its six-month life.

HRV is the only ventilation company offering this world-first technology, designed by Revolution Fibres, specifically for residential ventilation.

With this new technology, the improved HRV filter has a higher surface area across the filter with minimum impact on airflow, leading to greater efficiency with less pressure.

"The Seta Diffuser is unique to HRV and is developed

in New Zealand by Kiwis, for Kiwis. We are looking forward to the response from customers, and expect it to be very popular," Mr Gordon says.

The new ventilation system is available now. For more information, or to contact your local HRV supplier, visit [www.hrv.co.nz](http://www.hrv.co.nz).

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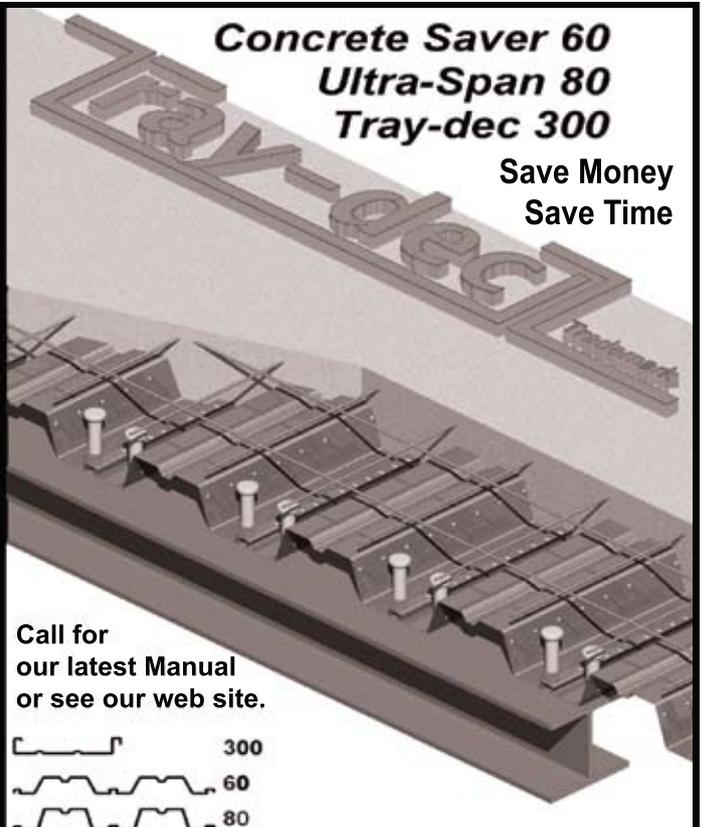
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# Game of two halves

Architect **Don Bunting** rattles off some more random observations about the construction industry at large. This month: Christchurch shows signs of a rebirth.

**C**hristchurch. Still battered and bruised nearly two years after the first earthquake. But as a visit in late 2011 showed, there are some signs of a rebirth. Still a very small and slow rebirth, but positive steps all the same.

Needing to visit 12 design offices in two days, I added a GPS to my car hire. Unfortunately the somewhat frustrating "Hertz Never Lost" system kept encouraging me to turn in towards the fenced off red zone.

This led me into some wide circuitous routes around central Christchurch, emphasising how the very core of the city has been — and once again is now being — torn apart. The only signs of life in what looks as much war zone as red zone, are signs of demolition.

A recent report noted that more than 1000 buildings need to be demolished in the central city, and that this work should be completed by May 2013. May 2013! Seems an inordinate amount of time, whatever health

and safety issues there might be.

Yes, safety is paramount and the continuing after-shocks have eroded confidence, but you might have hoped for more progress over a shorter time frame.

In contrast to the almost completely muted city centre, the people I met were positive, almost excited about the challenge of creating a new Christchurch. Often crowded together, sharing small, often marginal office space, the design fraternity are all doing the best they can to keep afloat, ready to help in the rebuilding work to come.

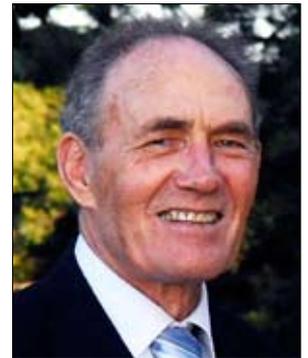
Some architects are directly assisting CERA, VERO and the EQC (don't bureaucrats love acronyms) with assessing existing buildings for repair or demolition. Others are taking the opportunity to look further afield for commissions, and thriving accordingly.

The September 2010, February 2011 and later, smaller quakes may have found many of the older masonry buildings wanting — and tragically a few of more recent vintage — but Christchurch will rebuild and thrive again.

The most positive sign of confidence and design excellence is the Cashell Street RE:START retail centre. A cheeky British developer has tried to claim copyright over using shipping containers to create instant shopping centres, but the bland, boxy British effort is nowhere near as bright and vibrant as this small Christchurch gem.

Complete with Christchurch's much-loved wizard, the new shopping and cafe area buzzes with life, helping to feed shoppers into the adjoining and last remaining department store in the central city.

The view through the adjoining hurricane wire fence down deserted Lichfield Street is hardly inspiring, and becoming less so as more and more buildings are demolished.



But people seem happy just to enjoy a small spot of normality in the middle of the dust and demolition.

Driving out of central Christchurch towards the mouth of the Avon and Heathcote Rivers at Ferrymead, the contrast between quiet, leafy streets apparently untouched by the events of the past two years and the many broken roads and unstable river banks is striking.

For some reason the array of traffic cones and narrowed roadways seem to encourage Cantabrians to drive as fast as possible, especially along the once notorious boy racer strip of Fitzgerald Avenue.

While I did not venture over the Port Hills to badly damaged Sumner and surrounding hilltop and marine suburbs, Ferrymead offers a less obvious but just as graphic illustration of the challenges lying ahead.

A seven-storey block of brand new apartments stands as mute testimony to the earthquakes' more subtle power. With a partially collapsing and regularly flooding basement, the block now has a distinct lean off vertical, and will have to be demolished.

Hindsight might question why permission was granted to build such a substantial building so close to a sandy river estuary, but that doesn't help those living and working in the local area who just want to get on with life.

The real concern is whether Christchurch can rebuild — or recreate elsewhere — its city centre. Continuing procrastination, coupled with a "temporary is best" approach — such as the temporary Crusaders stadium and the planned cardboard cathedral — are not helping long-term confidence.

The "C-word" is critical for business' long term planning, and stop-gap measures, while understandable, don't send out a positive message.

Time is running out, as more people and more businesses are either leaving Christchurch completely, or moving to outer suburban centres.

Getting them to return will be increasingly difficult the longer the red zone remains locked off and a final decision on a new central city development plan is delayed.

Safety first yes, but for confidence to return someone needs to stand up and say "this is where the new Christchurch will be rebuilt". No ifs, no buts.

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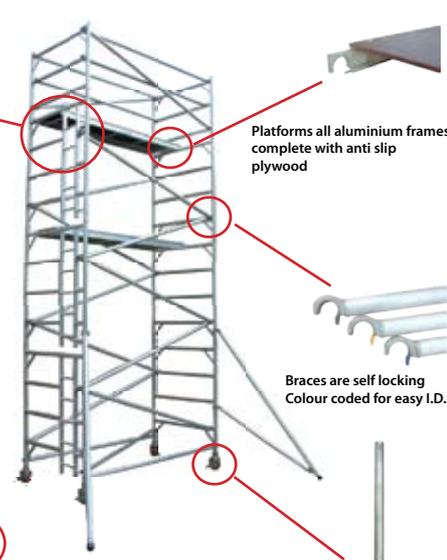
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# Saving light

Dr Kerry Rodgers ruminates upon the North Island's northern-most structure



Cape Reinga lighthouse, 2009

Image: Gadfium, Wikimedia Commons



Cape Reinga, October 2007

Image: Phillip Capper, Wikimedia Commons

**E**ach year more than 120,000 people visit Cape Reinga and its lighthouse. The Cape itself is certainly worth checking out as it is currently vying for UNESCO World Heritage Site status.

Cape Reinga lies at the northwestern-most tip of the Aupouri Peninsula, more than 100km north of Kaitiāia.

The Cape's name refers to the afterlife. It is the location where the spirits of the dead can leap off the headland, scale through the branches and roots of the ancient pohutukawa nearby, and descend into the underworld.

It is the separation marker between the Tasman Sea and the Pacific Ocean. A great turbulent tidal race can be seen seawards off the Cape where the two water masses clash. For Maori, these two seas are male and female respectively.

But the light itself is worthy of attention. Its location means it is one of the first New Zealand lights ships observe when arriving from either the Tasman Sea or the Pacific.

For shipping it is a most welcome site, with more than 120 wrecks littering Northland waters.

However, the full story of our northern New Zealand lighthouses is a saga of bungling bureaucrats and procrastinating politicians. It is too long to detail here. Suffice to say that the first northern-most light was built in 1879 on Motuopao Island, off Cape Maria van Diemen, some 25 years after it was advised.

Three resident keepers were required to service it, and the keepers' families struggled to survive on their tiny island. Among other things, the site was a pig to access and totally exposed.

In 1933 an assistant lighthouse keeper's wife was swept off the rocks and drowned. It took four years, but in 1937 a decision was taken to construct the present light on the mainland at Cape Reinga — in the interests of staff safety. It would be the last staffed lighthouse built in New Zealand.

The simple concrete tower for the relocated lighthouse was completed in 1941 when the first light was duly lit. However, up until the end of World War II it was little used due to war-time blackouts.

The new light required two keepers. For some 20 years it was one of the least accessible light stations in New Zealand, but when access improved in the 1960s 200 visitors a day stopped by.

Originally the Cape Reinga light was powered by diesel-generated electricity. In 1987 it was fully automated and the last keeper withdrawn.

In April 2000 the original light and related equipment was removed. It was replaced with a modern rotating white light beacon powered by a 50 watt tungsten halogen bulb that flashes once every 12 seconds.

The light's range is 19 nautical miles or 35km. Power now comes from battery banks charged by solar panels. While the lighthouse remains accessible to the public, there is no public admission to its interior.

And, in case any reader is geographically challenged, Cape Reinga is not the northern-most point of the North Island. That honour goes to Surville Cliffs, 30km east, on the North Cape headland.

# Can individual building inspectors be sued in their individual capacities for negligence?

Tim Bates and Katrin Saran Lee of Auckland law firm Legal Vision examine a recent High Court decision concerning a claim in negligence against individual building inspectors in their individual capacities.



**T**his case — *Body Corporate 318596 v Mathis* [2012] NZHC 373 — involved an application by the employees of Bay Building Certifiers Ltd (BBC) to have the causes of action in negligence against them struck out.

The employees attempted to argue that they were exempted from liability because the statutory exemption given to the employees of territorial authorities by section 89 of the Building Act 1991 should, as a matter of construction and policy, extend to the employees of building certifiers.

It originated as a strike out application in the High Court, which failed when read by Associate Judge Doogue. His decision was reviewed, and this article outlines the decision on review.

## Overview

This case involved claims arising out of the construction of two residential apartment complexes at Mt Maunganui between 2000 and 2003 (a nine-unit

complex called “Beachside” and a 39-unit complex known as “Cutters Cove”).

Those apartments were not weathertight (leaky). As a result, the respective Body Corporates representing those residential apartments sued the parties responsible for the defects in their apartments.

One of the responsible parties was the private building certifier, BBC. BBC was contracted by the Tauranga District Council to undertake inspection and certification work in the Cutters Cove development.

In terms of the Beachside development, BBC was engaged by the developer, and issued two code compliance certificates for that development.

At the time of the proceeding, BBC was in liquidation and had no insurance cover. It was worthless as a defendant and potential judgment debtor. As a result, the two Body Corporates sued the employees of BBC who were involved in the relevant inspections and the discharge of the compliance certificate obligations.

## The claim and decision

First of all, Judge Priestly looked at the wording of section 89 of the Building Act 1991 to ascertain if the statutory protection against the members and employees of the Authority/territorial authority extends to building certifiers.

Section 89 of the Building Act 1991 provides that:

No civil proceedings shall be brought for an act done in good faith under this Act against a member, building referee, or employee of the Authority, or a member or employee of a territorial authority, or a member of a committee appointed by the Authority or a territorial authority.

Looking at the wording above, employees of building certifiers are not mentioned in section 89. In fact, nowhere in the Act is there any protection afforded to building certifiers. Judge Priestly concluded that it would be “drawing a very long interpretative bow to justify the section 89 shield extending to an unmentioned class”.

He does not consider that the policy of the Act justifies an interpretation which requires a court to write words into a statute which are not there.

Apart from that, Judge Priestly noted that there was

force in Associate Judge Doogue’s observation that the “framers of the Act [Building Act 1991] and Parliament might well have deliberately decided to omit the employees of building certifiers to add an extra set of pockets beyond the undoubtedly legitimate targets of the building certifier and its indemnifiers”.

The Parliamentary materials shed no light on this topic. Nonetheless, it was observed that there are increased risks when private sector providers undertake work which, hitherto, had been carried out by a territorial authority.

This suggests that it is at least arguable that the legislature made a conscious decision not to intervene in the case of territorial authorities’ private sector counterparts (such as private certifiers).

Finally, the point raised by the employees, namely the proper construction of section 89 of the Building Act 1991, is novel. This means that the case would inevitably lead to an appeal to the Court of Appeal. Therefore, a strike out application is not appropriate to determine the point raised by the employees.

For these reasons, the strike out application is refused and the claims against the employees of BBC remain to be determined at trial.

## Concluding comments

This decision brings to the forefront the basic principle in torts, which is that “the primary tortfeasor is the natural person whose acts or omissions led to the harm in question”.

The practical position at least, within the leaky building proceedings that this firm has been concerned with, is that it widens the net of defendants to include employees of a company, which is especially helpful when the company is worthless as a defendant and potential judgment debtor.

As an aside, the decision is so decisive that one wonders whether this issue will be argued in a High Court.

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