

# BUILDING TODAY



THE OFFICIAL MAGAZINE OF THE REGISTERED MASTER BUILDERS ASSOCIATION

VOLUME 24 NUMBER 12  
DECEMBER 2014

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### NEW CENTRE CONSENTED IN 10 DAYS!

TRIAL CONSENT  
PROCESS GETS BIG TICK

ALSO INSIDE:

NEW STANDARD FOR NZ WINDOWS > CHRISTCHURCH'S HAGLEY OVAL PAVILION >



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As plasterboard is the internal lining of choice for NZ residential and commercial construction, the 'GIB® Welcome Pack' is a handy tool to have. It includes important information on installing GIB® plasterboard systems and all the resources available to tradespeople, like free on-site technical training.

If you know of someone who's just arrived in NZ, tell them about [www.gib.co.nz/welcome](http://www.gib.co.nz/welcome)



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**FROM THE EDITOR**

New RMBA chief executive David Kelly writes his first column for *Building Today* this month, and focuses on the challenges and opportunities the Association faces in the year ahead.

He says the RMBA must be ready to respond to the Government's thoughts around trying to improve areas such as housing affordability, the Building Act and the Resource Management Act.

President John Macdonald says it's time to start investing in training the future workforce now, and to make sure building companies' systems are adequate enough to cope with looming increased workloads. And make sure you read about a trial consenting process that approved a commercial building consent in just 10 days in Christchurch.

Finally, have a Merry Christmas and a prosperous New Year!

**Andrew Darlington** — Editor

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# 2015 will bring challenges — and opportunities

## Chief's Chat

By CEO David Kelly



At the time of writing, this is week three in my new role as chief executive, and I am really pleased to be on board with Registered Master Builders.

Over the years I have had a lot to do with Registered Master Builders in various ways, and have always had the highest regard for what the organisation and members deliver.

So it is a pleasure to be part of the team and it was a great way to start off with attendance at the House of the Year gala dinner in Auckland. A number of people have said it is the best House of the Year event they have ever attended.

I want to acknowledge the hard work put in by the judges and all those associated with

organising the competition. A special mention goes to Bev McKay for the tremendous effort in putting it all together.

We are looking forward to providing some new innovations for next year that will help members get even more value from entering.

Over these past three weeks it's been apparent that there are a number of challenges, but also opportunities for the organisation right now.

President John Macdonald, Board chairman Anthony Leighs and I recently met with Minister for Building and Housing, Dr Nick Smith. It is probably no coincidence that he is also Minister for the Environment.

As such, he combines oversight of the Building Act and the Resource Management Act, and also looks after legislation on residential tenancies. This should result in a more co-ordinated approach across the three areas.

As the Government develops its thoughts around trying to improve areas such as housing affordability, we will need to be ready to respond so that we understand the implications for the industry and what it means for your businesses.

The immediate focus is on changes to the Building Act and requirements for written contracts for amounts over \$30,000, as well as increased disclosure requirements. The release of government regulation detail has been slower than we would have hoped.

However, we have been working with BRANZ on its recent series of seminars, and we would also remind our members that Registered Master Builders has a range of standard contracts available that are a good starting point.

I hope everyone takes the opportunity to have a relaxing and enjoyable break over Christmas and New Year. Be safe, and I look forward to getting around the country to meet as many of the branch executives and members as possible in 2015.

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# Get training, improve systems — and safe travels!

By RMBA president  
John Macdonald

Well, that's another year gone — they seem to go by quicker every year! Hopefully you will all be taking a well-earned break over the Christmas period.

I have spent a lot of time traveling around the country visiting the branches, and I must say that most of you are embracing the new ideas very well, although there are still a few branches needing to adjust to the new structure. I'm sure we will get there.

## Merger update

Just to update you on the merger — we are just waiting for a couple of branches to sign the trust deed and then we can finally put that behind us.

I'd like to say a big thank you to everyone who has been involved with the process as, at the time, it felt like we were in a battle. But I know everyone had Master Builders' best interests at heart.

Also, in my travels I have asked members about their workload, and it seems there is a real upturn in work, particularly in the bigger cities, which is great news.

This then brings another problem which is the backbone of our industry — a skilled labour force.



My view on this is that we need to focus on training, now. There are plenty of keen young men and women ready to start a new career, but it will take time for them to get qualified and gain real-time experience.

## Time to start investing in training

If we don't start investing in training the future workforce now, the problem will only be exacerbated, due to the volume of housing required in Auckland and, of course, the Christchurch rebuild.

Another item to consider with an increased workload is systems. I believe it is fundamental to any building business to understand the

true cost of a job from the outset.

This means rigorous planning and careful scheduling, with up-to-date costing using a qualified quantity surveyor, and having contingency strategies in place.

I know I have said it before, but I cannot recommend enough using the "Best Practice Guide" on the Master Builders web site.

## Comprehensive schedule

In it you will see that there is a very comprehensive and detailed schedule of how to calculate your labour rates, as well as your on-site and off-site costs.

Most of us are not aware that all these costs add up, and if they are not allowed for in your costings at tender time, then they will come out of your bottom-line profit — something most builders can ill-afford, working on such tight margins as most of us do.

Having said that, I hope everyone has a wonderful, peaceful and relaxing Christmas with their families and loved ones.

Please be patient and kind on the roads — we all have families we want to be with — and, oh, I hope the fish will bite, too!

With my warm wishes to all of you ... Merry Christmas!

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## Northland apprentice thrilled with second place

Kyran Vaniperen from Coastal Homes was “stoked” when his name was announced as the second winner in the Registered Master Builders Carters 2014 Apprentice of the Year.

The 25-year-old from Mangonui, who placed first in the Northland Region, says he was pleased with the result, particularly as he was one of the few apprentices in the competition who wasn’t qualified.

He says it was a workmate who had placed third in the national event a few years back, and his BCITO training advisor, who ultimately convinced him to enter the competition.

“The competition was such a valuable experience to be a part of — working with the pressure of the public and charities watching and the other apprentices competing next to you was definitely a learning curve,” he says.

“Being part of a competition like this is a real confidence boost. The positive encouragement from the judging panel and just the recognition of being among the best in the country is huge.”

The judges were impressed by Kyran’s passion and focus throughout the competition.

“Kyran impressed us with his passion and enthusiasm for his submitted project about which he spoke knowledgeably and cheerfully. He was very positive throughout his interview and spoke keenly about his love for his job,” they said.

“During the practical challenge we applauded Kyran’s intense focus and concentration. His ability to work well under pressure is something to be proud of.”

Kyran says he is working towards getting signed off and, one day, being as successful as his boss, Glen.

“We’ve got a project coming up which I’ll be running. It’s my first time running a project, so



Kyran Vaniperen from Coastal Homes was “stoked” when his name was announced as the second winner in the Registered Master Builders Carters 2014 Apprentice of the Year.

it will be another learning curve for me,” he says.

“In the future I hope to own my own company, and purchase my own home. I’ve got two little girls who want to be builders too!”

Kyran says the competition is an experience that all apprentices should get involved in.

“I’d encourage any apprentice to enter Apprentice of the Year. Don’t hold back — really go for it, you never know how you’re going to get on until you get there,” he says.

“I’d like to thank all the sponsors involved, and everyone who pulled the competition together. It was really well set up and was an awesome experience — I’ll never forget it,” he says.

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 Ministry of Business, Innovation and Employment (MBIE).



# Green focus for new-look supermarket

A new design concept for Foodstuffs (South Island) Ltd with a focus on sustainability won dual awards for its builder, Robinson Construction Ltd.

The Pak'nSave Marlborough project, the first of its kind, won Robinson Construction the Retail Category and the Silver Award in the 2014 New Zealand Commercial Project Awards.

The effort to be green has seen the new-look Pak'nSave adopt many energy saving and eco-friendly concepts. This included the use of solar panels for the car park lighting, systems to reuse rainwater for irrigation, and using as much natural lighting as possible through the walls and roof.

The heat recovery of the non-CFC refrigeration system is also used to provide hot water to the market, and heating throughout the building is managed through high insulation standards and double glazing.

"Rather than having what previously was the 'big yellow box', they've gone for a much more sophisticated design, and a lot of green and locally-sourced products," Robinson Construction Ltd director Philip Robinson says.

"An example is the gabion stone baskets with stones collected from the Wairau River, which has resulted in a really attractive building. It's blending in with the region while marketing the Pak'nSave brand," he says.

The detailed contract documentation, extensive planning and collaborative approach from project partners McCoy and Wixon Architects Ltd, Powell Fenwick Consultants Ltd and Chas E George and Sons and Foodstuffs (South Island) Ltd meant that any issues were dealt with swiftly and did not adversely impact the timetable of the project.

Sequencing techniques were used to ensure deadlines were met, including precasting work being completed off-site, mechanical equipment installed prior to the roof-on stage, and a concrete floor slab following the roof-on stage.

Robinson Construction Ltd was involved with the project through every stage, from land development through to the grand opening. The project ran so smoothly that completion



*The Pak'nSave Marlborough project, the first of its kind, won Robinson Construction the Retail Category and the Silver Award in the 2014 New Zealand Commercial Project Awards.*



ended up ahead of schedule by about a month.

"For a project of this scale to be so far

advanced that it was completed a month ahead of schedule is a real achievement," Robinson Construction Ltd project manager Nick Robinson says.

"It was the result of great teamwork, not just within Robinsons, but with the consultants and the client, and the interaction we all had together," he says.

Mr Robinson says the new look Pak'nSave was an exciting project to be a part of as the architectural and design elements were truly unique and unexpected of a supermarket.

He says they are eager to be involved in more projects as they are set to roll out across the country.

## Fast Facts:

- **Project:** Pak'nSave Marlborough
- **Project Team:** Robinson Construction Ltd, McCoy and Wixon Architects Ltd, Powell Fenwick Consultants Ltd, Chas E George and Sons
- **Client:** Foodstuffs (South Island) Ltd
- **Budget:** \$18 million



## Devonport home transformed into a Supreme Award-winning success

Mike Jamieson of Absolute Building Services was “absolutely stoked” when he heard their name read out as the winner of the Future-Proof Building Renovation Award over \$500,000 and the Supreme Award for Registered Master Builders 2014 Renovation of the Year.

Mr Jamieson says the team was pretty surprised it won due to the tough competition, despite the fact that Absolute Building Services Ltd were up for two awards in the same category.

He says teamwork is what made this renovation so successful, with everyone involved contributing to the big win.

“Winning an award like this is a team thing — a combination of architects, painters, suppliers and all the subcontractors working together to deliver an awesome result,” he says.

“This renovation was a real challenge. The house had gone through many alterations over the years by lots of different companies and owners. Once we started to pull it apart, we found there was job after job that hadn’t been finished properly.

“It ended up taking over double the planned time of eight months, growing into a 19-month project.”

The judges called the winning home a renovation of major proportions with numerous challenges for the builders.

“The builder was faced with a difficult building environment, including a steep site requiring scaffolding over 10 metres high, and a narrow shared drive providing the only access to the site,” they said.

“The kitchen was removed and placed in storage before being reinstated in the existing position. Clever cavity sliders allowed the entry foyer to be closed off from the large living area, and the balance of the home was incorporated into three levels.

“What has resulted can only be described as a beautifully functional modern home with faultless attention to detail, situated in a breathtaking area of Auckland’s Stanley Bay.”

Mr Jamieson says there is great professional satisfaction for their team in competing in House of the Year, but one of the main benefits



Absolute Building Services won the Future-Proof Building Renovation Award over \$500,000 and the Supreme Award for the Registered Master Builders 2014 Renovation of the Year with this Devonport, Auckland, entry.



From left: Bruce McLachlan (home owner), Andrea Bruce, Sandra McLachlan (home owner), Kevin Bruce and Mike Jamieson.

is promoting the business and getting your name out there.

“Everybody researches everything on the internet these days, and anywhere you can get your profile out there is going to help your business,” he says.

“The House of the Year awards is a great event to bring together builders from all over the country to celebrate great craftsmanship.

“We are working towards entering another two homes for next year’s competition, which we’re looking forward to already!”

The Awards are made possible through the support of PlaceMakers, GIB, James Hardie, Nulook, Ministry of Business, Innovation and Employment, Future-Proof Building, Carters, ITM, Plumbing World, Resene, Westpac and Master Build Services.

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# PSL Construction takes out Supreme Award for third time

Phil Leach from PSL Construction was “taken aback” when he heard his name read out as the winner of the Supreme Award for the Registered Master Builders 2014 House of the Year.

He says although PSL has won the Supreme Award twice previously, it’s hard to know where you stand until the results are announced.

“Winning the Supreme Award this year was completely unexpected, but it is confirmation that we continue to produce good quality work,” he says.

“It’s a massive achievement for the home owners and our team. It is reinforcement of the consistently high standard of work we maintain, and reassurance that our clients can put their trust in us.”

Also taking out the Westpac New Homes over \$2 million category and the Craftsmanship Award, the judges called the winning home “meticulously built” and a “testament to this builder’s construction ability”.

“Situated close to the beach, this well-designed home gives the owners various living options, with a guest wing, a separate bunk room with adjacent living, and a private bedroom retreat for the parents,” they said.

“As you walk in the front entry, the hallway meanders down gentle ramps to beachfront views, passing a giant outdoor fireplace and chimney that protrudes into the hallway and incorporates a curved recess.

“The high standard of workmanship and attention to detail PSL Construction has constantly achieved makes the business a worthy recipient of this year’s Supreme Award.”

PSL Construction has been a member of Master Builders for 15 years. Mr Leach says he has found there are a range of benefits in being a member, and that the support he gets is extremely useful.

“We originally joined Master Builders because we felt we needed to keep up with all the news in the building industry,” he says.

“We’ve found that the opportunity to collaborate with other businesses is invaluable.



PSL Construction won the Westpac New Homes over \$2 million and the Supreme Award for the Registered Master Builders 2014 House of the Year with this Waipu, Northland, entry.



Gail and Phil Leach of PSL Construction.

Being able to discuss jobs and building practice with peers, backed by the support structure of the association, is a massive benefit offered by Master Builders.”

Mr Leach says business is thriving for PSL Construction.

“We really enjoy the process of building the big homes but we also do a range of other projects. We have a good team so we don’t really have any limits!

“The exposure we get from House of the Year is a big advantage — it helps to put us in front of the right people and promote PSL as a key player in the building industry.”

The awards are made possible through the support of PlaceMakers, GIB, James Hardie, Nulook, Ministry of Business, Innovation and Employment, Future-Proof Building, Carters, ITM, Plumbing World, Resene, Westpac and Master Build Services.

# Trial-consenting process gets big tick from Christchurch construction company

Armitage Williams Construction's latest project — the PwC Centre — recently received a building consent in 10 days thanks to a new Christchurch City Council consenting process.

The council is piloting a new scheme that aims to reduce the current delays commonly experienced under the existing process.

Under the existing consenting process consenting can take anywhere up to six months.

Armitage Williams director Ben Harrow says the pilot provided a streamlined, efficient process which will ensure that construction of the PwC Centre can get underway as scheduled.

"We have been particularly impressed at the speed of consenting under the pilot. A 10-day turnaround is amazing. It will give us a greater level of certainty to our clients around timelines," Mr Harrow says.

Armitage Williams construction senior project

manager Graeme Jones is overseeing the PwC Centre, and says it has encouraged greater collaboration between the council consent team and design team to achieve both parties' requirements.

"The process also ensured a more complete and thorough level of documentation for purposes of tendering," Mr Jones says.

The PwC Centre, located on 56-64 Cashel Street, is now set for construction and is expected to be completed by mid-2016.

Designed by Warren and Mahoney, the building is designed to 130% of the current building code (IL3) using a structural steel frame with an eye catching facade.



Armitage Williams Construction's latest project — the PwC Centre — received a building consent in 10 days thanks to a new Christchurch City Council consenting process.

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## Comprehensive H&S on in March

Answers to some of the most pressing issues around improving workplace health and safety, occupational health and well being, and managing hazardous substances will be found at Safety 360 — a comprehensive workplace health and safety event — on March 15-16, 2015, at SkyCity in Auckland.

The WorkSafe New Zealand-endorsed event brings managers and directors, health and safety specialists, and human resources and well being professionals from large and small organisations together with regulators, researchers and practitioners in one inclusive format designed to increase understanding and support culture change across all levels of organisations.

Four parallel conferences will address the impact of the new Health and Safety at Work Act on different roles, including those people responsible for Hazardous Substances and New Organisms (HSNO). It will also cover industry-specific occupational health best practice and the latest research into physical and emotional well being in all workplaces, including bullying.

In addition, members of the public can visit a free industry exhibition which will showcase

the latest innovation and technology from suppliers to the health and safety sector.

Tim Bentley, director of the NZ Work Research Institute and Chair of the Health and Wellbeing Conference at Safety 360, says building a positive health and safety culture and promoting healthy work is a priority for all New Zealand organisations.

"Safety 360 is an opportunity for people to learn from their peers, and also to hear first hand about the challenges and responsibilities faced by others in their organisation."

The four conferences are:

- Safety Leaders' Summit,
- Hazardous Substances and New Organisms (HSNO) conference,
- Occupational Health conference, and
- Health and Wellbeing conference.

A full floor at SkyCity will show off the latest innovation and technology in health and safety products. The expo is free to attend, and includes expert seminars running on both days.

See the full programme, ticket prices and how to register for the free expo at [www.conferenz.co.nz/safety360](http://www.conferenz.co.nz/safety360).

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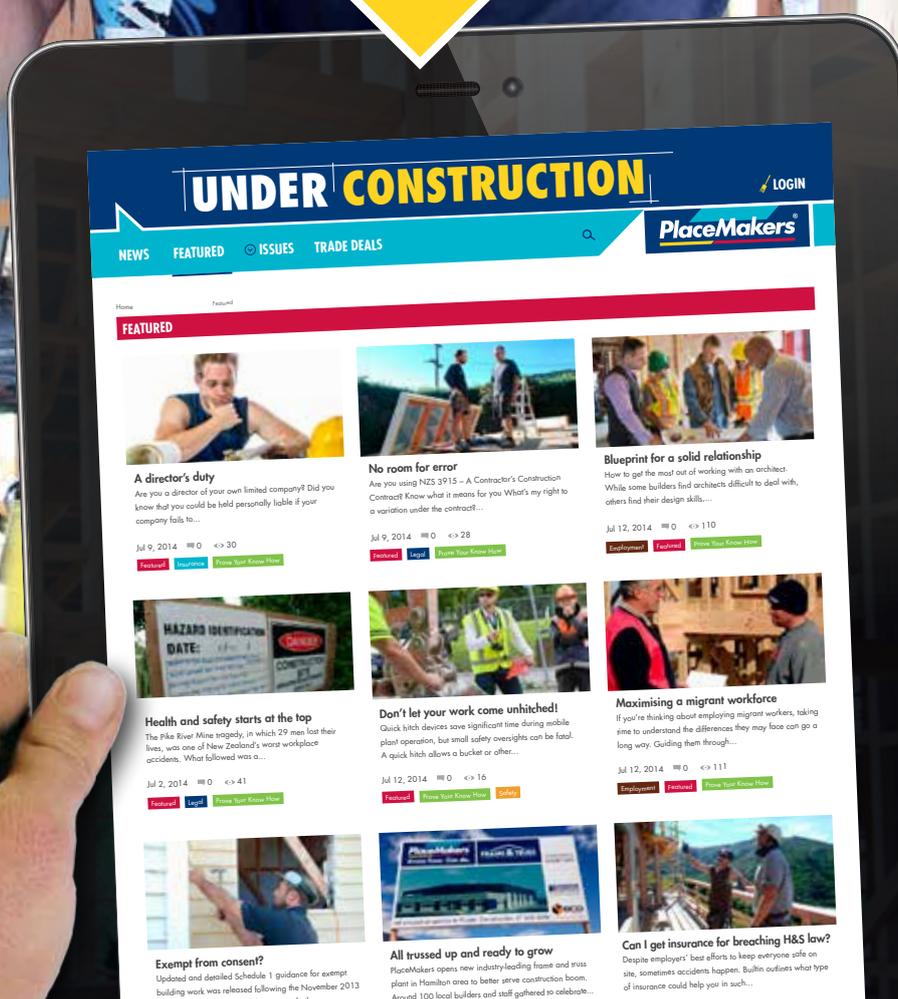
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## PlaceMakers to open new Hawke's Bay branch

PlaceMakers Hawke's Bay will open the doors on a newly-built store in mid-January, complete with a new set of customer service promises setting the standard customers can expect.

Local builders Stead Construction have substantially refurbished an existing building to create the new PlaceMakers store at 43 Corunna Bay, with Mackersey Construction delivering the fit-out, including:

- An expansive and easy access drive-through area with a much larger undercover area. The drive-through and yard covers an area larger than 6500sq m.
- A larger showroom with room to display the latest in building solutions, kitchens and bathrooms.
- Sustainable building practices which mean a reduced carbon footprint.

Andrew Milne is internally promoted to head up an experienced team that is focused on delivering the newly rolled out PlaceMakers Customer Service promise charter. Mr Milne knows the 24-strong team, who have more than 300 years' experience between them, is committed to giving the customer an experience they'll keep returning for.

He says the team is right behind these promises because "we want to make it easy for the trade to do business with us. We know that getting these things right means our trade customer will save time and money. It just makes sense".

Mr Milne has developed a strong career in distribution, established through various roles in the construction industry, with Saint Gobain Building Distribution in the UK and, latterly, PlaceMakers in New Zealand.

Most recently he has been part of the Silverdale team where he had held the role of operations manager.

Mr Milne has a strong understanding of the building supplies industry, as well as a sound practical grounding in construction, having completed a trade qualification in carpentry.

The new store offers an overall enhanced experience, particularly in the yard, especially when compared to the old site in Taradale Rd (set to close on January 16, 2015), where the drive through and yard constrained mobility and access owing to a busy arterial road.

The new site at Corunna Bay removes all of that, and offers great street frontage along with a two-lane undercover drive-through, with the latest PlaceMakers range in the trade

hall, drive-through and yard.

The new store itself is offering a more intuitive layout than previously experienced. Low level racking makes finding your way around easier and more efficient.

There's refreshed bathroom and Peter Hay kitchen displays for the home owner and builder alike. PlaceMakers has had great success with its kitchen offering in the past 18 months, and looks set to repeat that with bathrooms.

The new purpose-built store will use "green" building initiatives such as daylight harvesting, and next generation energy efficient LED and automated dimmable lighting, all designed to minimise PlaceMakers' carbon footprint.

PlaceMakers operations and marketing general manager Gary Woodhouse says every new store the company builds will be built to a standard that is energy efficient, and in line with sustainable building practices.

"In terms of the customer service promises and the commitment to the trade, PlaceMakers is pledging that the core trade lines will never

be out of stock," he says.

We know that delivering in full and on time is crucial to a successful project for our customers, and we are committed to making sure that the core trade lines are always in-stock.

"We will be measuring our success in this area, and we will get this right — it's a priority. We're also standing behind our frame and truss offer by 'making good' if we don't meet the agreed time frame — a make-good that will cost us \$200 a day for every day we go over, so we're very serious about getting it right!"

Accurate invoicing, answering the phone and offering an urgent "pick up" service for those emergencies means the store team knows what to prioritise when it comes right down to it. We think these promises are a real point of difference, and demonstrates our "customer first" ethos."

PlaceMakers Hawke's Bay serves an area from Gisborne south to Central Hawke's Bay.

### What Kiwis want — and need — in a home

Forget a spa pool, central heating and landscaped gardens like they push on *The Block NZ*. What Kiwis really want when they are renovating or choosing a new house is for it to be insulated.

According to the *State of the Home Survey*, commissioned by HRV, insulation was rated "very important" by 84% of those surveyed when choosing a house. This was well ahead of a garage (47%), and around a quarter of people believed ventilation, a heat pump and double glazing were essential in a home.

When respondents were asked what the Energy Efficiency and Conservation Authority (EECA) outlined as the key elements that go into creating a warm, dry and healthy home, 92% said insulation, 69% ventilation and 59% heating.

In contrast, central heating and a landscaped garden were a lowly 12% and 8% respectively (although just over half said they would be "nice to have"). A spa pool was rated very important by just 2% of respondents, but a quarter also said a hot tub would be "nice to have" in the backyard or on the deck.

According to the survey, the priorities people have when they are renovating their house

are similar to when choosing a home to live in. However, a higher number of people consider ventilation, double glazing and a heat pump a more important priority when they are doing up their homes.

The drive behind the *State of the Home* survey was to shed light on the poor state of New Zealand's housing stock, and increase awareness around creating healthy homes. It also provided some interesting insights into New Zealander's attitudes when it comes to their home.

Other key findings included:

- Mould is prevalent in 59% of homes and condensation in 31%.
- 1 in 5 Kiwis have moved out of a house because it was cold, damp or mouldy.
- 63% would be happy to have their home undergo a housing Warrant of Fitness.
- 61% will put another blanket on the bed rather than turn on a heating source.
- The financial costs of living in a mouldy, damp home are significant. Renters and those who have a mortgage are significantly more likely to suffer damage to carpet, walls, furnishings, clothes and shoes than those who are mortgage-free.

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# New standard for NZ windows

Helping home owners choose higher performing windows for their new build or renovation is now easier with the launch of Energy Star qualified windows.

The Energy Efficiency and Conservation Authority (EECA) has launched Energy Star qualified windows in consultation with the Window Association of New Zealand (WANZ) and Building Research Association of New Zealand (BRANZ), to ensure a technically robust certification process.

EECA senior technical advisor Christian Hoerning says Energy Star qualified windows will give home owners assurance about the energy efficiency of their windows.

"Energy Star qualified windows are a step up in thermal performance over standard aluminium framed double glazing, and will make houses warmer and more comfortable," Mr Hoerning says.

BRANZ senior scientist John Burgess says the



Energy Star qualified windows programme is open to all manufacturers and suppliers. He says BRANZ is a qualified provider of verification, and can verify Energy Star-qualified windows.

WANZ executive director Stewart Knowles says the programme will encourage home owners,

new home builders and the residential building industry to actively seek and adopt higher thermal performance window frames and glazing technologies.

"Energy Star is widely recognised and an easy way for home owners to identify higher performing energy efficient windows."

Mr Hoerning says over the next five years about 21,000 new homes are expected to be built per year, especially as a result of population growth in Auckland and the Christchurch rebuild.

"Increasing the uptake of energy efficient windows installed in new and existing homes has the potential to make a significant difference to improving the energy efficiency and comfort of homes," he says.

For more information about Energy Star qualified windows visit [www.energywise.govt.nz/products-and-appliances/windows](http://www.energywise.govt.nz/products-and-appliances/windows).

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- Have good knowledge of Architectural & Building specifications.
- Able to relate well to people.
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- Quality control during construction.
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- Use appropriate software to record and manage maintenance items and variations to contract

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## Careers Expo aims to help construction, engineering and trade sectors meet fast-growing workforce requirements

Immigration New Zealand's long-term skills shortage list features more than 50 occupational groups, including construction, engineering and trades.

Increased demand for workers in these sectors is being fuelled by the Canterbury rebuild, large roading and infrastructure projects, a recovering commercial building sector, and Auckland Council's plans to ensure 39,000 additional residential houses are consented over the next three years.

However, there is a shortage of workers in many of the areas required to meet the requirements of the construction, engineering and trade sectors.

"The building industry alone needs 5000 new skilled tradespeople, and that figure omits related trades such as scaffolders, gasfitters or those skilled in air conditioning," according to Careers Expo director Mark Gillard.

"The Careers Expo provides an ideal platform

to engage with young people entering the job market in New Zealand, inform them about the possible career paths available, and recruit them into apprenticeships and on-the-job training programmes to make sure those future skills requirements are met," Mr Gillard says.

The Ministry of Business, Innovation and Employment forecasts that employment in the construction and utilities industry will grow at 2.6% per year between 2011 and 2016, compared to total employment growth of 1.6%.

No other major industry group is expected to grow this fast.

"A lack of suitably skilled employees available to meet employment requirements can hamper the effectiveness of an organisation in a multitude of ways, and on a wider industry level can restrict economic growth. It is crucial that businesses and industry address short and long-term skill shortages.

"Identifying skills requirements, and investing in the training and upskilling of young New Zealanders entering the workforce will help solve employment issues now and in years to come", he says.

The Careers Expo presents the widest range of exhibitors of any careers expo in New Zealand, comprising employers, tertiary providers, training institutions, industry representatives, government departments and corporates.

It provides organisations the opportunity to connect directly with tomorrow's workforce, and presents employment and career information and guidance to prospective employees.

"Large and small employers can make a difference by ensuring they are planning for the future and identifying and communicating jobs skills needed in the next three to 10 years," Mr Gillard says.

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## Mitre 10 opens new store in Westgate development

Mitre 10 is expanding in Auckland's new Westgate development, with its latest Mitre 10 Mega store opening at the end of October.

The store is co-owned by experienced retailers and Auckland locals Dave and Elaine Hargreaves, in conjunction with brothers Stephen and Graeme Ricketts.

The Ricketts family also owns the Mitre 10 Mega Hastings and Napier stores, and has been part of the Mitre 10 group since 1975, while Mr Hargreaves joined the company two years ago as an operations manager at the national support centre.

The Hargreaves' will oversee the day-to-day management of the store.

With more than 30 years' experience in retail for blue chip New Zealand brands, Mr Hargreaves is excited about the new opportunities the Westgate development affords retailers and consumers alike.

"It's an exciting new opportunity for the whole area, and Mitre 10 is the first cab off the rank within the retail development," Mr Hargreaves says.

"West Auckland is growing rapidly, and the new, bigger Mitre 10 Mega will be well positioned to service the DIY and trade needs of the many new West Aucklanders as well as those who have called the area home for many years.

"We're pleased to be doing our bit for the local economy, with more than 80 local people employed in the new Mitre 10, including 22 people who came across from the previous Mitre 10 Westgate store.

"Mitre 10 has been part of New Zealand's DIY culture since 1974, and is proudly New Zealand-owned and operated."

Mitre 10 chief executive Neil Cowie says the Ricketts family has a long history with Mitre 10, and the Hargreaves' have a huge amount of retail experience.

"We're looking forward to watching the success of our newest store in the network — and I'm sure Westgate locals are too. Our stores are always closely involved in their communities, and Westgate will be no exception," Mr Cowie says.

### 38th Mitre 10 Mega

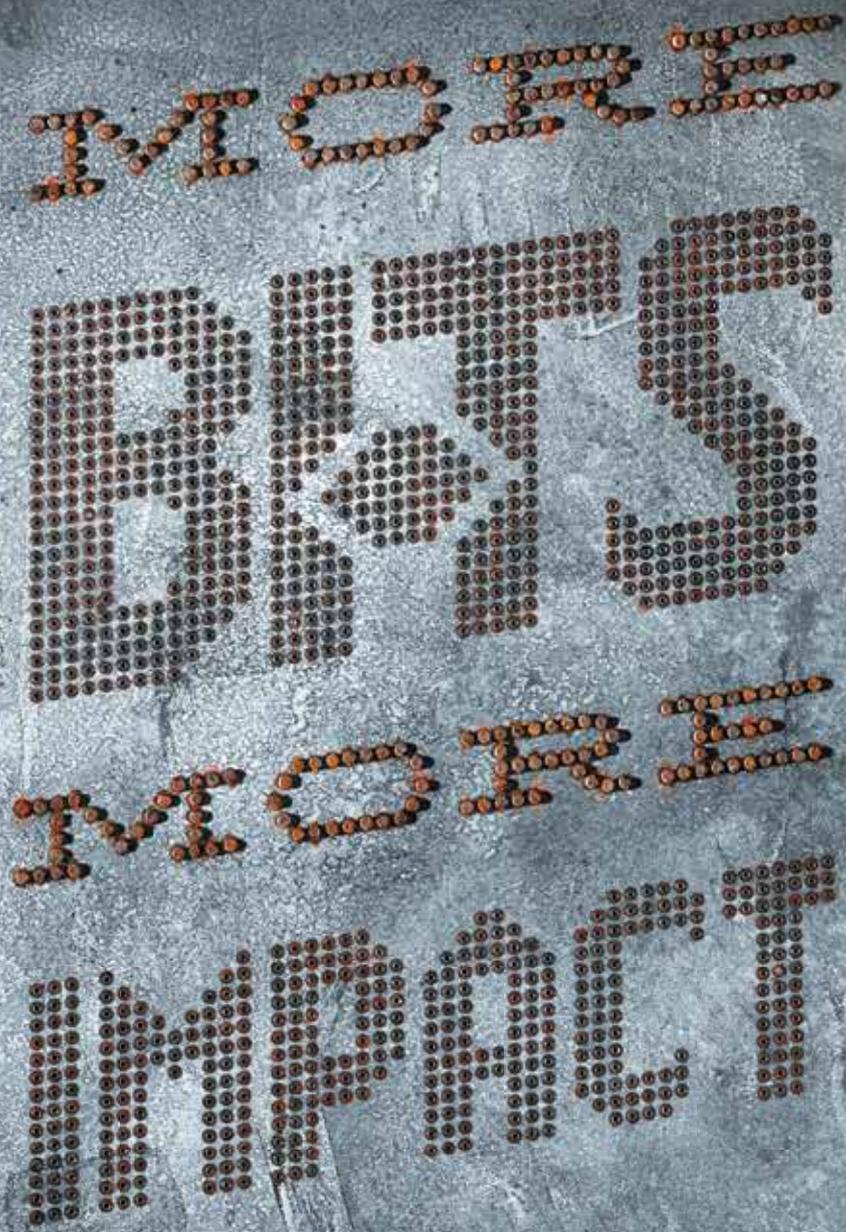
Mega Westgate is the 38th Mitre 10 Mega store to open. It will be fully equipped to service the region's trade professionals as well as its retail offering.

It will also have the biggest garden centre in the area, as well as a Columbus Coffee, drive through for trade customers, 240 car parks and a children's playground.

This year Mitre 10 also opened new Mitre 10 Mega stores in Taupo, New Lynn and Porirua, and is aiming to add another three stores to its network in the coming year.

The 56ha Westgate development is managed by New Zealand Retail Property Group, and includes commercial, street-based retail, entertainment, dining and office spaces.

It features a \$6 million town square, a \$15 million library and six hectares of public open space, including parks and walkways. It is estimated that it will create an extra 8500 jobs in the area.



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# University approves \$650 million worth of long-term development plans

The University of Otago Council has approved a list of building developments with an approximate value of \$650 million that will further cement the University as a leading force in teaching, learning and research within New Zealand.

The list and information about the projects was presented at the Vice-Chancellor Professor Harlene Hayne's staff forum recently.

University chief operating officer John Patrick revealed details of the projects listed on the University's Priority Development Plan which will be evaluated for construction progressively over the next 15 years.

The plan includes the following projects (in order of priority):

- A new dental school for New Zealand to replace ageing facilities. This recognises the importance of Otago's dental school as the only tertiary training facility for dentists in New Zealand.
- A major renovation in the science precinct involving significant redevelopment of the multi-storeyed Science 1 and II buildings on the west side of the Dunedin campus. This includes the construction of new teaching and research laboratories.
- A major upgrade of research project facilities, mainly for health sciences in Dunedin.
- The construction of teaching, learning and research space at the Portobello aquarium as a medium-term replacement for space lost due to the closure of an earthquake-prone building at that facility.
- A new arts building, replacing the older multi-storey concrete building in Albany Street. The aim is to develop a more co-ordinated and functional humanities precinct. Related to this is the replacement of the property services building in Albany Street to free the site for the humanities precinct.
- A new biomedical research building, concentrating research that is currently spread throughout the Dunedin campus in the one development in the south campus area — which is south of the museum reserve where medical school facilities are mostly concentrated.
- A new marine science teaching facility and

aquarium, preferably in the harbour basin area.

- A new music facility, including a new centre of performing arts, to be developed in the east precinct near the existing music studio in Albany Street east.
- New facilities and additional space for the Department of Botany.
- A new research facility in the Christchurch health precinct for the University of Otago, Christchurch. The timing of this project is dependent on the development timeline of that precinct.
- The redevelopment of the former Unipol building in Anzac Avenue.
- A new student and academic services hub to be built in the area of the Union Lawn, in the heart of the Dunedin campus. The plan is to concentrate services and provide an opportunity for student-related retail development and social spaces in this important area.
- A number of landscaping projects are detailed on the plan. These include the landscaping of Castle Street, from Dundas Street to St David Street, the landscaping of Castle Walk on the west side of the Leith opposite the Clocktower, and also Union Street from the Staff Club to University College, including renovation of the Union Street footbridge and the immediate area to the north of the Clocktower building.

A number of health and safety projects are also included on the plan. These have a high priority and include the following:

- Improvements to access and safety in the commerce building, including a new entrance directly into the atrium, removal of the existing external stairs, new internal stairs providing access from the atrium, and replacement of the atrium roof.
- The completion of the refurbishment of the University of Otago, Wellington, facilities, and some further seismic strengthening.
- A continuation of the seismic strengthening work and improvements to fire safety resulting from building seismic assessments completed over the past two years.

The plan also includes reference to a number

of major maintenance projects, such as refurbishment of buildings in the historic precinct, including the Clocktower.

"The intention of the Priority Development Plan is to show the university community, the public and contractors, what we will be looking at, and focusing on, over the medium term when it comes to our built environments," Professor Hayne says.

"We want to improve what is already a first-class experience for students, for teachers and for researchers, and we want the campus to be enjoyed by the communities in which we live.

"Many of these projects were signalled in the Campus Master Plan released in 2010. This was a strategic and guiding vision of how the university should be developed in coming decades across all its three campuses, and this plan follows the guiding principles in that strategic document," she says.

Professor Hayne says the council agreed to the priority development plan and projects within it "in principle". However, the plan is a living document and other projects may yet be added or removed as situations and needs change.

Mr Patrick says the estimated cost of the projects in the plan came to \$649.9 million. This figure includes projects that have already been approved or are under construction, such as the redevelopment of St David II for the Department of Applied Science, new space for food science in the Gregory Building, and the university's share of the costs of the enhancement of the Clocktower precinct as part of the Leith Flood Protection Scheme.

"While we do have cost estimates for each project on the plan, we do not intend to disclose these because some projects have not been sufficiently defined and the costs are commercially sensitive."

Mr Patrick adds that the Priority Development Plan has been prepared with the intention that it is funded without resorting to large-scale borrowing.

"Currently the university does not use debt to fund capital projects but, looking ahead, may want to do this," Mr Patrick says.

"Funding decisions will be made as we progress planning for these projects," he says.

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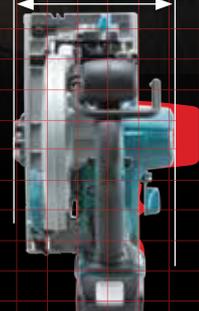
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# BCITO: Building New Zealanders who build New Zealand



Adon Burkett participates in a BCITO Outward Bound Scholarship.

The Building and Construction Industry Training Organisation consistently supports employers and apprentices to help set even higher standards within the industry, and to provide access to advanced training programmes as a path towards professional success.

Chief executive Ruma Karaitiana says the BCITO Board has set aside specific funds in its reserves for various grants and scholarships.

“While our core function is training apprentices, the BCITO is also interested in ways we can contribute to the further development of the industry people we work with,” Mr Karaitiana says.

“Outside of the technical trade aspects we hope that the grants

and scholarships encourage the construction people we work with to further develop themselves in business, leadership, supervision and management.

“This is part of our goal to contribute to building industry capability, as well as helping to build the capability of individuals.”

In this regard, each year the BCITO commits to various incentives that support an individual or business to have an opportunity to participate and benefit from higher qualifications.

### Employer Development Grants of up to \$3000

The BCITO gives construction industry employers access to study programmes which will help them develop and grow their business. This grant is available to employers of current BCITO trainees.

The BCITO believes this support helps employers to run successful long-term businesses, better placing them to provide ongoing investment in training and employment within New Zealand’s construction industry.

*Continued page 24*



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Jarrod Richardson participates in a BCITO Outward Bound Scholarship.

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## Waterproofing membrane 'saves' flood-prone house in Christchurch

Four hundred houses in Christchurch — under threat of flooding as the Avon river, swollen by liquefaction after the earthquakes, pushes up the water table — have been “saved” by a new liquid membrane which insulates the ground floors, turning an \$80 million job into a manageable \$6 million one.

Now one of the main contractors applying the new membrane in Christchurch is to begin applying the new technology to examples of Auckland’s leaky building problem.

Wellington-based Seamless Coatings specialises in high-technology coatings for difficult applications, and was one of three companies applying BEP Blue Barrier on a sample house in the Flockton Basin in Christchurch — the worst affected area — in mid-July.

Christchurch-based Aecon Consultants offered it as a solution to Christchurch City

Council for their 400 threatened Christchurch houses, and contacted importer ABEP whose Tim Gregory-Hunt recommended Blue Barrier, and nominated the companies qualified to apply it.

Christchurch City Council workers created a moat around one of the worst affected houses after the material was applied, and flooded it to test the product’s waterproofing qualities.

It was demonstrated as able to “save” a significant number of houses whose foundations and floors would otherwise have had to be virtually rebuilt to raise the floors to safe levels.

Seamless Coatings’ Terry Archer says he’s already using the product on stucco-type walls on houses all over Wellington, and will be completely covering a Monolithic-clad high-rise in Auckland.

But, ironically, while it’s great for coating large areas, as in Auckland and the Christchurch

projects — and with a specific Elastomeric coating in any colour and any surface finish — its designed use is as a rigid moisture and air barrier for the pre-lining of new builds or re-cladding.

“We also use it as a gap filler caulking around window surrounds, joint seams and problematic areas of all kinds,” Mr Archer says.

“It’s magic stuff — you can trowel it on, roll it on, and even apply it under water. By using it first you won’t get expensive rebuilding or refurbishment to do.”

Mr Archer makes the point that the product’s many applications make it suitable to sort out the leaks in many of the afflicted Auckland structures.

Blue Barrier got its New Zealand Code Mark accreditation a few months ago, but has been well proven in the US on many applications over a number of years.

## BCITO — building New Zealanders who build New Zealand

From page 22

Employers can select any training or development assistance which best suits their personal or business development needs. Some examples include:

- BCITO courses such as Leading Hand, Site Supervisor or Diploma in Construction Management
- Consultation with a business advisor
- Short courses or seminars on small business management, estimating or contract management
- Higher level business-related qualifications.

See <http://bcito.org.nz/employers-and-industry/employers/employer-development-grants> for information about how to apply.

### Graduate Scholarships of up to \$3000

Every year the BCITO awards five scholarships to recently completed (or soon to be completed) graduates looking for an opportunity to further their career.

These scholarships encourage graduates to further their qualifications, and encourage a view of ongoing training as a path to professional success.

BCITO Graduate Scholarships help set a benchmark for continuing excellence and life-long learning in the construction industry.

To be eligible for a Graduate Scholarship in any year, applicants need to have graduated or be graduating from a BCITO-supported training programme within the year of application.

2014’s Graduate Scholarship recipients were:

- Robert Pinder, Downes Decorating Service Ltd, Rolleston
- Campbell Findlay, Isles Construction Ltd, Palmerston North
- Billy Stansfield, Devo Construction, Auckland
- Sol-Jah Tino, Sol Tino Builder, Waitakere
- Ryan Smith-Pilling, Nailing It Ltd, Feilding

The five scholarship recipients were able to show evidence of their successes in the industry to date, and all expressed a clear commitment to their trade.

They each demonstrated clear drive and determination to succeed and showed solid career planning, detailing the courses and training they hope to complete during the next 12 months using the scholarship grant.

BCITO Graduate Scholarships are an ongoing initiative. For more information, and to know when to apply, keep an eye out at <http://bcito.org.nz/apprentices/bcito-graduate-scholarships>

### Outward Bound Scholarships

Annually, the BCITO is pleased to offer 10 of these incredible scholarships to specialist

trade apprentices from across all sectors.

Designed to encourage self-confidence, self-awareness, self-motivation and personal responsibility, this unique programme physically and mentally challenges participants.

Past winners have returned from their adventure happier, fitter, more motivated and confident, with increased tolerance and compassion for others and excited about their futures. This 21-day course can seriously change a life!

Scholarship winners represent the BCITO, alongside apprentices from across the construction industry, as part of the annual joint initiative between Outward Bound and the Built Environment Training Alliance (BETA) group.

Keep your eyes peeled at [www.bcito.org.nz](http://www.bcito.org.nz) in late February/early March for details of how an apprentice can apply to be a part of this programme in 2015.

To be successful in applying for any of the above valuable opportunities, applicants will need to show evidence of success in the industry to date, and show commitment to their trade. The BCITO looks for individuals and businesses with drive and determination to succeed when awarding successful applications.

For more information about BCITO grants and scholarships, contact the BCITO at 0800 4 BCITO.

# New brushless circular saw impressive



When the team at Makita was first supplied with the specifications for the new brushless 165mm (6.5in) circular saw, they instantly recognised this tool was a game breaker.

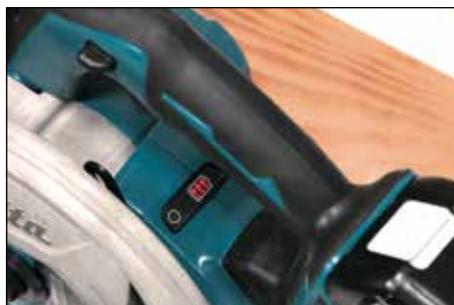
Impressive power output was packed into an incredibly compact size, with plenty of other superior features to get excited about.

But when the tool recently arrived, they were quite frankly “blown away” by its incredible levels of performance. Put through its paces, the team described its cutting power as absolutely awesome, with “that much grunt it will wow even the tool’s toughest critics”.

On-site tool tests saw it flying through wood like a hot knife through butter and, according to Makita tech spec man Graham Norris, it punches well above its weight, delivering the kind of power you would normally see in something like a corded Makita 5007MGK 1800 watt circular saw.

So the DHS680 does the job. Using Makita’s new brushless technology to best use, which allows the motor to operate at cooler temperatures without friction, this saw operates at lower amperage, enabling the motor to put all its efforts into increasing performance and true cutting power.

The brushless motor not only increases the amount of power it can deliver. By lowering the heat produced by the motor, this technology also increases the work output



and run time for every single battery charge.

Because the temperature at the housing surface is also reduced, these tools can also operate continuously for long periods of time, even in hard working applications.

Cutting power aside, there is much more to this saw, such as its first in industry\* automatic torque control\*\*.

In effect, this controls the power delivered to the cutting task, dependent on the material work surface. This has the very important benefit of preventing overload and battery harm.

An LED indicator panel indicates at what level the tool is operating, and when overload protection has activated to stop the motor. This is accompanied by a 3-stage battery fuel gauge which indicates when recharging is required.

Perhaps one of the most surprising factors of the new DHS680 is its compact size. All this power and impressive technology fits into a

saw that is just 160mm wide — around 42mm smaller than its predecessor — and weighs just 3.3kg with battery included. Yet it easily cuts to 57mm depth at 0°.

## Thoughtful extras

A very handy blower function which clears the cut line ahead makes sawing even easier, whilst the rear dust exhaust port accepts an optional dust nozzle for use with a Makita vacuum cleaner.

Thoughtful extras such as the tool hanger, twin LED job light and large lock-off lever that’s easy to operate, even when wearing gloves, make this circular saw a very tidy package all round.

It comes as standard with fast charger (36 minutes for 4.0Ah battery), battery, TCT saw blade, hex wrench and rip fence. It’s also available as Tool (Skin) only.

The DHS680 is the latest release in a series of brushless tools which now include driver drills, impact drills, impact drivers, jigsaws and grinders. There will be more to come in 2015, with all making the most of Makita’s stunning new brushless technology and range of 3, 4 and 5.0Ah batteries.

\* In 14.4V & 18V class, based on Makita research, July 2014.

\*\* Automatic adjustment of torque and speed according to work load.



## Strengthening existing brick and masonry buildings against earthquake loads

Many older brick and masonry buildings now must be structurally upgraded or face an early retirement at the hands of the demolition contractors. Other buildings, such as those damaged by earthquakes need to be strengthened as part of their reinstatement to safe habitable buildings.

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## BT's Back in Time

### 20 years ago:

- Development began on the \$500 million Albany Regional Centre on Auckland's North Shore in what was to become the largest multi-functional, single city development in New Zealand.

Plans for the 127ha site contained commercial, retail and residential components, as well as landscaped recreational areas and civic, cultural and leisure facilities. It adjoined the new North Harbour Domain (including what is now QBE — formerly North Harbour — Stadium) which was also under construction at the time.

The development was to provide 5000 permanent jobs, and gross floor areas of the retail centre and office park exceeded 175,000sq m, comparable to the Manukau City Centre.

The concept was innovative for New Zealand, but the success of the philosophy had been proven in Australia, where the creation of "new cities" — as opposed to piecemeal developments — had resulted in areas that were self-contained, well designed and environmentally sympathetic.

### 15 years ago:

- The preferred site for a desperately needed indoor arena in the Auckland region — Quay Park, next to the inner city's heritage Railway Station building — had been identified by the Hillary Commission.

If built, the 10,000 to 14,000-seat arena would cater for sports and entertainment events too big for venues such as the Aotea Centre but not suited to outdoor arenas such as North Harbour and Mt Smart Stadiums.

It was chosen as the preferred site because of its proximity to the central city and its hotels and restaurants, as well as being easily accessible by road and public transport.

### 10 years ago:

- PlaceMakers hosted the largest incentive group ever to leave New Zealand in 2004, with more than 1000 builders and their families attending the LIFT Rewards Loyalty programme key event held in the Cook Islands.

The event was held over a nine-week period late in 2004. PlaceMakers sponsorship and events manager Darlene Thomas said the Cook Islands was the ideal destination as it provided the group with a huge variety of unique activities and entertainment options.

### 5 years ago:

- New Zealand's largest annual sporting event, the V8 Supercar street race in Hamilton, was to be sponsored by ITM for the next three years.

The announcement was an exciting development for the event which was set to take place on April 16-18, 2010.

To be known as the ITM 400, the New Zealand sole round of the V8 Supercar Championship had attracted 300,000 fans in the first two years.

ITM, then with more than 90 branches nationwide, was delighted with the new sponsorship.

"The whole team at ITM is thrilled to be the naming sponsor for the ITM 400," ITM chief executive Gordon Buswell said.

"We have built our brand to attract customers, build credibility with suppliers and excite our people. The ITM 400 undoubtedly achieves all three," he said.

# 20 years ago

Architect Don Bunting muses over how much the construction industry has changed in 20 short years — and how, in some ways, it has not moved nearly far or fast enough.

Two documents that recently landed on my desk show how much things have changed or, conversely, have not changed, over the past 20 years.

The first was a flyer from the “Red Shed” advertising the sale of copies of Mies Van der Rohe’s iconic Barcelona Chair for a mere \$299.

The Barcelona Chair was created some 90, and not just 20 years, ago for the German Pavilion at the 1929 exposition in Spain. However, it is still recognised by some — but clearly not by the buyers for the “Red Shed” — as arguably the finest example of early 20th Century furniture design.

Now you can at least pretend to own one for less than the cost of a good meal for four people.

Important? Not really, but a sign that even the very best in design icons can be dragged down to the level of a cheap import from wherever.

The second document was a 1994 Australia and New Zealand Standard entitled AS/NZS 1388 Guidelines for technical information for building and construction products.

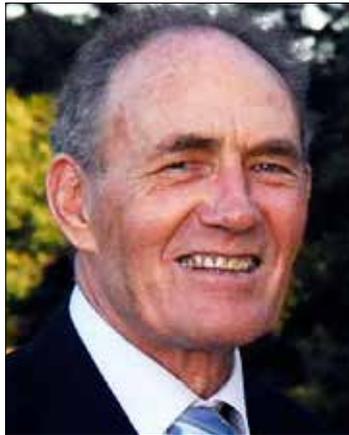
Still listed on the Standards New Zealand web site as “current”, it remains on sale to an unsuspecting public for \$61 + GST, for its rather thin 10 pages of text.

A quick flick through the list of definitions illustrates the rather dated nature of its contents. “Book” is grandly described as a document which has covers and a spine, while a “booklet” is described as a document which has covers but no spine.

Definitions also include a microfiche but fail to define anything within the bounds of electronic storage or delivery. There is also reference to a document P5: Punching patterns for round holes used in files and loose leaf binders. Clearly this was once critical information for anyone creating or using information on building products. Yeah right!

Clause 3.3 Electronic media: is just 27 words long, and at least it mentions the possibility of using a word processor.

This is prefaced by the statement that this provides users with greater flexibility of use, and allows the supplier or manufacturer simpler updating. Good advice, but in today’s more advanced electronic age it does rather



state the obvious.

The text includes some useful information, but as a guide for a company wishing to meet industry requirements for clear, accurate information on building products it falls woefully short. So what does this say about our industry in general, and Standards New Zealand in particular?

## Consistent information

Designers and contractors currently struggle to find information on products that is consistent in form and adequate in its ability to show how it meets the requirements of the New Zealand Building Code. Even finding data that has a date on it can be a challenge, let alone following a standard format.

As the industry moves further towards a modelling approach to design and documentation, to online consenting, and a digitally-based construction management and facilities management, the need for consistent, accurate product data is paramount.

Universal acceptance of a standard classification system would also be a positive step.

The MBIE has taken some steps towards promoting a consistent approach, and is currently reviewing the guidance provided to manufacturers on product assurance. This follows recent changes to the Building Act which clarified a manufacturer’s responsibility to show how products achieve code compliance.

Nevertheless, AS/NZS 1388 clearly falls well short of the level of guide information needed

to move our industry in the right direction.

1994 is, coincidentally, a significant date in the development of a Building Information Modelling (BIM) approach to design and construction.

BuildingSMART, the international alliance set up to advance the cause of BIM, was first established in Europe in 1994, while my own introduction to BIM came a little later at a conference in 2000.

Whether 14 or 20 years has passed since the first germ of an idea, it does show that real innovation can take time to mature. Some would even say that we may never achieve the full benefits of a BIM-based approach — much in the same way as the full benefits of 3D CAD were never realised.

A number of critical pieces remain, only one of which is agreement on the form and format of key data, and the presentation of information on construction products.

So why is progress so slow? Even today there are no real signs of any universal adoption of a digital modelling approach to design and construction.

The early adopters are in there struggling on their own, with significant challenges needing to be breached before real benefits can accrue. But for the majority, BIM remains only a slightly more sophisticated version of 3D CAD.

Among a host of practical reasons, the key challenge is achieving the necessary cultural change — a change in the way members of the construction industry act and interact.

There is currently little sign that individual organisations are seriously addressing this joint challenge, although the government-sponsored Productivity Partnership is determined to see it happen as part of their aim for a “20% improvement in productivity by 2020”.

The buzzword is collaboration, but what this really means is establishing a new level of trust among those providing input into the design and construction process.

The architect needs to trust the engineer needing to input their data into the developing project model, while the same applies to the estimator, contractor and all the other actors in the process.

If it’s ever going to happen we need to do a lot better than AS/NZS 1388.

# Construction Contracts Act 2002 — Court of Appeal upholds statutory demand

Timothy Bates, principal of Auckland law firm Legal Vision, reviews the very recent decision (November 10, 2014) of *Sol Trustees Ltd v Giles Civil Ltd*.

This was an appeal from a High Court decision which declined an application to set aside two statutory demands based on payment claims.

## The Facts

Sol Trustees Ltd (SOL) and Giles Civil Ltd (Giles) were parties to a construction contract. Sol was the principal and Giles was the contractor. The contract terms included the terms in New Zealand Standard 3910:2003 Conditions of Contract for Building and Civil Engineering Construction. Airey Consultants was the engineer to the contract.

The process for certification of progress payments was as follows:

- Giles was to send its payment claims to both SOL and Airey Consultants.
- Airey Consultants would then issue a provisional progress payment schedule certifying the amount due.
- SOL had three working days to respond.

Construction commenced on December 17, 2012. The original scheduled completion date was May 17, 2013. The work was not completed by that date.

The difficulties between the two parties began in October 2013 when Airey Consultants sent a provisional payment certificate to SOL in the sum of \$565,366.

By email, SOL asserted the claim was disputed. It also prepared a spreadsheet which itemised the costs SOL had incurred as a result of delays. The total loss attributed to the delayed completion was \$1,121,747.

A meeting took place as between SOL, Giles



and Airey Consultants as to this provisional payment certificate. No resolution was reached although subsequent to it, SOL paid Giles \$250,000.

Payment claim 11 was subsequently issued by Giles for the sum of \$365,520.32. Once again SOL advised that the claim was disputed and subject to be offset by the liquidated damages claim under the contract.

At that point Giles requested a formal decision on whether it was entitled to extensions of time, and whether SOL could prove damage as a consequence of any delays. Ultimately, Giles was granted its extensions of time, and no liquidated damages were found against it.

Payment claim 12 was then submitted. SOL notified the parties in a short email that it disputed Payment Claim 12.

Payment claims 13 and 14 were submitted, and nothing more than a short form response was received, stating that the amounts claimed were disputed. Two separate statutory demands were issued in respect of the amounts sought in the payment claims.

The issue before the High Court was whether, in fact, SOL had issued valid payment schedules within the requisite time frame. The High Court ruled that neither the spreadsheet nor the emails sent in reply were sufficient to be called payment schedules for the purposes of the Act. There was no basis to set aside the statutory demands.

The Court of Appeal (with three judges sitting) made use of the findings within the decisions of *George Developments Ltd v Canam Construction Ltd*, as well as *Marsden Villas Ltd v Wooding Construction Ltd*.

Whilst the Court of Appeal agreed that technical quibbles should not be allowed to vitiate a payment claim or a payment schedule, the issue at stake on appeal was whether the documents SOL relied upon substantially complied with the payment schedule requirements.

The Court of Appeal held that it is clearly insufficient to simply assert that an amount claimed is disputed, which is as far as SOL's email responses to the payment claims went.

SOL's attempt to incorporate the earlier spreadsheet as part of its payment schedule also did not assist as it did not qualify as a payment schedule. At best, it was SOL's calculation of a potential counterclaim or set off for delay.

It also held that the claim set out did not fall within the limited circumstances set out in section 79 of the Construction Contracts Act 2002 where a set off/counterclaim might defeat proceedings brought for an unresponded to payment claim, namely:

- judgment has been entered for a liquidated sum that equals or exceeds the claimed amount, or
- the set off/counterclaim amount is agreed by the parties.

The High Court decision refusing to set aside the statutory demands was upheld.

## To be noted

No doubt critical in the finding against SOL was the fact that it had made no or little effort to work through the items claimed in the payment claims in any systematic way, setting out reasons why the sums sought in the payment claims were not owed.

**Note:** This article is not intended to be legal advice (nor a substitute for legal advice). No responsibility or liability is accepted by Legal Vision or *Building Today* to anyone who relies on the information contained in this article.



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# Christchurch's Hagley Oval Pavilion

Dr Kerry Rodgers ruminates upon a southern 2015 World Cricket Cup venue

In September the building that precipitated a protracted Mainland argy-bargy was completed most successfully.

A southern-style stoush had been sparked when New Zealand was chosen, along with Australia, as host for the 2015 World Cricket Cup. Post-quake Christchurch was awarded the honour of providing the venue for the opening match on February 14, 2015.

Pre-quake, that venue would have been the former AMI Stadium, but this was now damaged beyond repair. A proposal was advanced by Canterbury Cricket to modify their plans for a redevelopment of Hagley Oval so it might host all forms of first-class and international cricket, including the WCC.

It was this suggestion that saw a Save Hagley Park group sprint to the barricades. Their principal grievance was that the park, the home of the Oval, had been "gifted to Christchurch to be reserved as a public park forever, and for the enjoyment and recreation of all. This proposal goes against that original intention and sets a precedent for the loss of open public space and further commercial development within Hagley Park."

Yet cricket has a long history at the Oval. The first recorded match was in 1867. The first Plunket shield game was in 1907 and the first one day international (ODI) took place in January 2014. The ground has hosted three women's test matches and six women's ODIs.

It was only after a protracted legal heyhoe that Canterbury Cricket's development plans, including a pavilion, light towers and a grassed embankment, received the go-ahead from the Environmental Court and, subsequently, the Christchurch City Council.

The two-tier, 166m-long pavilion was a major part of the development. Construction commenced soon after final approval was received. The first sod was turned by Prime Minister John Key on December 17, 2013.

The intent had always been to provide a design sympathetic with the Hagley Oval setting. In this the building is undoubtedly successful. It is a credit to those involved: Athfield Architects (Trevor Watt & Tim Dewar), Southbase Construction, Project manager Athfield & RCP (Waren Warfield, Matt Allen and Kevin Long), Fabric Structure Systems, Holmes Consulting

**Mike Fox's Industry Opinion column returns in February.**

Group, Cosgroves, and Davis Langdon.

Construction used 120sq m of foundation concrete and 36 tonnes of structural steel, with 2.5 tonnes of fabric in the floating tensile roof.

Despite the subsequent vagaries of Canterbury's weather the contract came in on time. This saw John Key again report for duty on Monday, September 15 this year, to open the new Hagley Oval Pavilion. He was accompanied by Christchurch mayor Lianne Dalziel and 150 guests.

If you are passing by Christchurch on Boxing Day this year you could stop in at the Oval and help celebrate its becoming the eighth test venue in the country. The match that day is between Sri Lanka and New Zealand, and will be the first cricket international in Christchurch since the 2011 quake.

And next year, not only will the Oval host the opening match of the ICC Cricket World Cup



between New Zealand and Sri Lanka, the opening ceremony will also be held there plus two warm-up matches and two other pool matches.

Of course, for those addicted to leather on willow, with or without added flannel, there are membership packages now on sale.

A membership into the Pavilion secures a seat for the next five years with varying rights to all Canterbury Cricket Association games and New Zealand Cricket international games. Check out [www.hagleyoval.co.nz](http://www.hagleyoval.co.nz).

© K A Rodgers 2014



The setting: Hagley Oval from the air in 2007 looking north-west.

Image: Phillip Capper, Wikipedia Commons.



The completed Hagley Oval Pavilion, September 2014.

Image: Pam Carmichael.

# The secret to retaining that Christmas cheer? Don't forget the 'WOW' factor!

Terry Sage of Trades Coaching New Zealand implores you to change your mindset if you want a stress-free end of the year.

Oh the joys of the end of year — the time we are “supposed” to be looking forward to. And of course we do, but it can also, and does, bring with it so much pressure. Bah Humbug!

What kind of pressure is it though, and why do we let it build up? We have all the home stuff — prezies, holidays, kids off school, got to get the tent fixed and the boat serviced, and it's mother-in-law time again.

Why does buying “her indoors” a present create so much tension? It can be because she says something to the effect of “don't go overboard this year dear — just a little something to show you care”.

## 'WOW' factor

And, of course, you know all too well from three years ago that if it's not got the “WOW” factor then you're in the doghouse for the whole holiday, and your Christmas cheer will be withheld until well into the new year.

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Please, love of our lives, just tell us what the devil you want or drop a hint large enough to sink the Titanic, and I promise you the holidays will be the best ever. Trying real hard to help you here boys.

Actually, it's “her indoors” that proof reads these before I send them in so I am trying to help myself really. Happy Christmas dear.

Then we come to the work pressure — the jobs that have to be finished, staff away on holiday, materials out of stock, small jobs that come in that you don't want to say no to, the Christmas party to organise (and pay for), cash flow and demands for your time from 10 different angles — and what's more, it's still only Monday morning and two weeks to Christmas.

Here comes humbug number two. Next year it's going to be even worse if the predicted boom hits us as they are all saying it will. Yes, it's busy out there, but not quite to the levels banded around earlier this year.

Why? Why is every year the same? Why do you let it happen? It's because, at the end of the day, it is you who lets it. You make the choices, you plan your lives, you have the power to change.

No, it's not a Tui ad. If you plan for the end of the year at the start of the year I guarantee it will be a different story come Christmas 2015.

## Magic pill

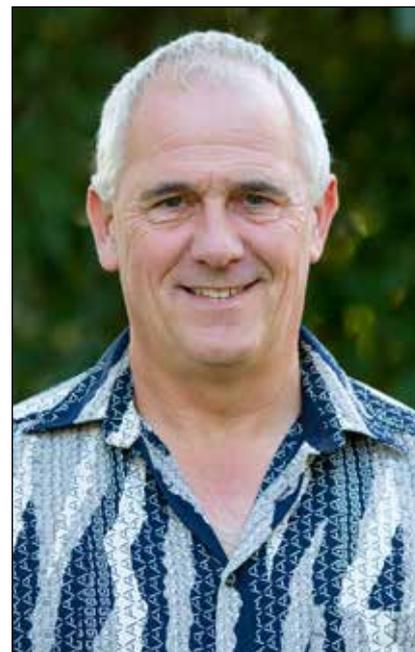
Stop laughing — I know your normal style is plan for tomorrow in two days' time, and trying to think 12 months ahead will take some magic pill. But if you want a different outcome then you have to have a different mindset.

Don't worry about it right now, just get those jobs finished, enjoy the Christmas party, don't stress over the bill, get the boat serviced and hope the wife drops a big hint.

But while you are relaxing over the break (yeah okay, that might be the Tui ad) write down all the things that stressed you out this year.

Don't lose that piece of paper because you will need it when you read the February issue when I will start helping you to plan your end of year for 2015.

Have a great and well deserved break, and I look forward to helping you again next year. Just keep in mind one thing — if you don't want to lose that Christmas cheer make sure it has the WOW factor!



# Building Consents Information

For All Authorisations, October 2014

Dwellings	\$863,290,000
Domestic Outbuildings	\$13,532,000
<b>Total Residential</b>	<b>\$876,822,000</b>
Non-residential	\$456,429,000
<b>Total All Buildings</b>	<b>\$1,333,251,000</b>
Non-building Construction	\$46,402,000
<b>Total Authorisations</b>	<b>\$1,379,653,000</b>

## Number of new dwellings consented

	Oct 2014	Sep 2014	Oct 2013		Oct 2014	Sep 2014	Oct 2013
Far North District	21	12	15	Horowhenua District	13	9	7
Whangarei District	39	19	36	Kapiti Coast District	14	36	28
Kaipara District	25	14	12	Porirua City	11	26	10
Rodney District	125	110	116	Upper Hutt City	7	8	14
North Shore City	107	54	50	Lower Hutt City	11	30	8
Waitakere City	76	66	65	Wellington City	45	81	96
Auckland City	105	99	108	Masterton District	7	5	2
Manukau City	131	103	78	Carterton District	10	5	8
Papakura District	31	77	38	South Wairarapa District	3	2	3
Franklin District	36	41	35	Tasman District	31	22	30
Thames-Coromandel District	17	14	12	Nelson City	16	35	25
Hauraki District	2	7	5	Marlborough District	17	20	11
Waikato District	24	34	20	Kaikoura District	3	4	4
Matamata-Piako District	5	8	5	Buller District	3	1	3
Hamilton City	75	48	73	Grey District	3	1	4
Waipa District	28	27	36	Westland District	4	3	3
Otorohanga District	5	1	2	Hurunui District	10	15	12
South Waikato District	3	1	5	Waimakariri District	77	56	116
Waitomo District	1	0	2	Christchurch City	425	361	280
Taupo District	13	9	15	Selwyn District	120	93	120
Western Bay of Plenty District	35	28	15	Ashburton District	18	9	13
Tauranga City	71	79	67	Timaru District	22	30	22
Rotorua District	9	3	3	Mackenzie District	6	5	1
Whakatane District	4	6	4	Waimate District	4	6	3
Kawerau District	1	0	0	Chatham Islands Territory	0	0	0
Opotiki District	1	0	1	Waitaki District	4	9	5
Gisborne District	9	3	5	Central Otago District	17	20	9
Wairoa District	1	0	1	Queenstown-Lakes District	75	58	38
Hastings District	11	15	20	Dunedin City	33	31	55
Napier City	17	13	8	Clutha District	8	5	4
Central Hawke's Bay District	2	2	2	Southland District	10	8	9
New Plymouth District	51	32	30	Gore District	1	0	5
Stratford District	4	2	3	Invercargill City	5	19	10
South Taranaki District	5	5	10	Area Outside TA	0	0	0
Ruapehu District	3	2	3				
Wanganui District	3	7	6	<b>Total</b>	<b>2152</b>	<b>1985</b>	<b>1862</b>
Rangitikei District	1	4	0				
Manawatu District	4	12	10				
Palmerston North City	16	14	16				
Taranaki District	2	1	1				

- Based on 2006 census areas
- Each dwelling unit in a housing project is counted separately
- Figures in these tables may differ from published statistics

Source: Statistics New Zealand

## What's On the Web?

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