

BUILDINGTODAY

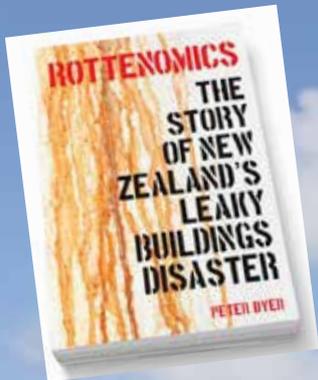
THE OFFICIAL MAGAZINE OF THE REGISTERED MASTER BUILDERS ASSOCIATION



VOLUME 30 NUMBER 3

APRIL 2020

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Book Review: the revealing story of NZ's leaky buildings saga



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WINS SUPREME
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APRIL 2020

VOLUME 30 NUMBER 3

10-14

COVID-19

Building sector has vital role to play in kick-starting economy; Protecting your work site from Covid-19; Transitioning to Alert Level 3

17

BACK IN TIME

Read what made the news 20, 15, 10 and 5 years ago

23-26

COLUMNISTS

From desire to necessity; Conflict of interest non-disclosure; Covid-19: Don't panic — it won't help your business; Communicate, communicate, communicate

FROM THE EDITOR

Thanks to some swift work by the Prime Minister and her government, New Zealand has managed to mostly avoid the horrific effects of the Covid-19 pandemic sweeping the globe.

At time of (digital) publication, there is hope that Level 4 restrictions can soon be eased, paving the way for a return to work for those in the construction industry.

In this issue we outline how the sector will have a vital role to play in kick-starting the national economy, and some helpful tips for protecting your work site from Covid-19 — because construction, like most other industries, won't quite be the same as it was for a while to come yet.

We at BT wish readers well in your future endeavours to get your businesses and livelihoods up and running again as quickly as possible.

Andrew Darlington, Editor

4-9
RMBA NEWS

Locked down — life in a bubble: RMBA president Darrell Trigg outlines how he's been using his time without the pressure of site works; HoY regional judging delayed

16
INDUSTRY OPINION

Book Review: Former *Building Today* columnist Mike Fox runs his eye over an enlightening book he says clearly explains the unfolding leaky building disaster

20-22
TIMBER DESIGN AWARDS

All the winners, pics and judges comments from the 2020 NZ Wood-Resene Timber Design Awards competition

27
BUILDING CONSENTS/COMPETITION

Building consent information for February 2020. Plus, go into the draw to win a Senco SpeedDrive worth \$795!

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Locked down — life in a bubble

By RMBA president Darrell Trigg

I'm writing this article from my dining room on Day 10 of the Alert Level 4 lockdown — as we are adjusting to the new norm for the immediate future, and wondering what the long-term outlook will be for our businesses and the industry as a whole.

There are so many questions that we in the construction industry will be asking:

- What happens to my project being out in the weather?
- What if lockdown is longer than four weeks? Will I get paid by my client?
- How do I deal with my subbies?
- What about my staff? And many, many more.

With all this information and uncertainty around, I have been doing a lot of thinking, learning, planning and keeping in touch with people.

The opportunity

Without the pressure of site works happening I have found more time to work on the business.

There is plenty of business information out there, including the Elevate Education series for members on the Registered Master Builders web site.

There are more than 160 short videos tailored for construction businesses, so it's a great place to refresh, learn and grow your knowledge.

Try a Stop, Start, Keep survey with your team — ask them what should we stop doing, what should we start doing, and what should we keep doing.

We did this recently, and it gave me great feedback on how we are going, and also paved the way to do things in a far better way than we were.

Once you have the feedback in, put it all in one document as it is written, and then share it with your team.

Then you can organise a video meeting to discuss the survey and agree to some changes.

From that, we started a project called Trigg 2021, where we are planning for our next big project and how we will better manage it



RMBA president Darrell Trigg

— with better systems, processes and comms.

But be careful not to complicate things — our overarching theme is “keep it simple”.

Follow Covid-19 advice

There is plenty of advice and commentary, and I am trying to make myself as familiar as possible with all of it.

We are staying home and only going out for exercise and food, and we have applied for the wage subsidy and been paid out.

There are numerous sites that are issuing daily updates, and there is a huge amount of work going on behind the scenes to manage the return to work.

Registered Master Builders are flat out working with the Government to ensure builders are in the best shape possible to return to work.

They have also developed a Covid-19 resources section on their web site, which is updated on a daily basis. This has relevant information for the building sector.

I have also subscribed to the Government's daily update newsletter on the Covid-19 web

site: <https://covid19.govt.nz/latest-updates/daily-newsletter/>.

I encourage you to look at the information that interests you and learn from it, as it will help you plan for life after lockdown.

Keep in touch

I think the most important advice I have been given is to keep in touch with your building team. Keep in regular contact with them, even if you form a Messenger or WhatsApp group where you can have a video catch-up with them.

Help them understand what you are going through, and what you are doing about planning for the return to work.

I guarantee they will all be very interested because their livelihoods depend on it!

Keep in contact with your subcontractors — call them as they will have costs too, and will potentially be looking to invoice you for the lockdown period.

Work with 'good intent'

It is important that we all approach this suspension of work with “good intent”, as we all have costs and will look to recover as much as we can.

I suggest you also contact your clients and keep them up to date with your planning, and help them understand what you are planning for the return to work on their project.

They will be extremely grateful to hear that you are looking out for their best interests.

I think the reality with this suspension of works is we are all going to suffer a bit of hurt. But constant “good intent” communication will minimise that damage.

Look after yourself

Our psychological well-being is of the utmost importance during this period, and to aid us during the return to work.

I encourage you to exercise regularly, share any issues you have with someone you trust, do some gardening, and do those things you said would have to wait until you weren't so busy. Now is that time!

Stay safe and see you on the other side.

House of the Year regional judging delayed

This year's House of the Year judging will not be able to start in late April as planned, which means regional events scheduled in July and August will not now proceed at that time.

The Registered Master Builders Association Board has agreed that the regional events are to be postponed until November and December.

However, this will be dependent on judging being able to take place in July and August. And regional judging will depend on how soon the Government moves the country to lower alert levels, and when domestic airline travel will once again be possible.

The postponement will obviously affect the timing of the national gala dinner, which is normally held in November.

The RMBA says it is important to continue with House of the Year for 2020 and to deliver the benefits of the competition to all its entrants and stakeholders.

It says the health and safety of entrants, judges, sponsors, staff and the community will always be the top priority — and that it will be doing everything it can to make this year's competition happen.

Combined Canterbury team wins inaugural memorial cricket match

Fun at the cricket — but optional boxes should have been worn!

Around 30 participants enjoyed a fun afternoon of laughs at the inaugural Ian Gould Memorial Cricket Challenge Match at the Ashburton Cricket Oval in March.

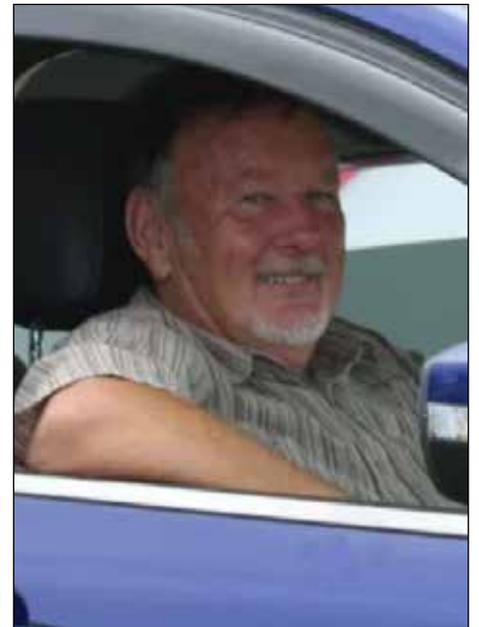
The new challenge match was played between the Ashburton RMBA and a South Canterbury/Canterbury combined RMBA team in memory of former long-time, South Canterbury-based regional service manager Ian Gould.

By all accounts, there was some excellent batting and fielding skills displayed, along with a few ducks, silly mid-ons being silly, bruised and polished balls, trips and falls.

While the first "Laws of Cricket" were written around 1744, the unofficial laws for the first-ever Ian Gould Memorial Cricket Challenge Match were:

- 1 Boxes for privates optional (but in one case should've been worn!).
- 2 Ashburton (the hosts) bat first.
- 3 Six bowls to an over (unless someone loses count).
- 4 Do not leave any empties on the pitch.
- 5 Bowler changes per over (better bowlers don't bowl more than those less skilled — yeah right).
- 6 20 overs — yes 20, not 19.
- 7 No one argues with the umpire (of which there wasn't one).

Thanks went to the Ashburton Branch for hosting everyone and arranging the venue and food. And which team emerged victorious? South Canterbury/Canterbury. But really, cricket was the winner on the day!



Ian Gould

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Scott Construction

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• Master Build 10-Year Guarantee Multi Unit category



Successes

Scott Construction's Lisette Nelson was thrilled to win the company's first National Category Award for its eight high-end units in Stoke.

"We wanted to create warm and comfortable spaces that were well positioned in the sun for each of the townhouses' private courtyards. The higher ceilings in the living areas give a great sense of space as do the wider passage and higher doors.

"We take pride in the eight homes we produced, each with quality finishes and high attention to detail."

Challenges

The units were a Scott Construction Development carried out under the HASHA legislation which came with additional town planning expectations.

"The main challenges were not so much in the construction but in the development process of resource consent, meeting town planning expectations for the HASHA legislation, the subdivision and having presales to satisfy funding requirements."

Judges' comments

Judges described the build as a unique development that demonstrated great planning, with the site being used to its maximum potential.

"It offers a pleasant and functional environment and includes eight contemporary designed townhouses. Each townhouse has been created with a sensible choice of contrasting materials requiring minimal ongoing maintenance. The well-constructed and presented creation has made this a standout project."

House of the Year is made possible through the support of the following sponsors:



Show home shows up the competition

Urban Homes

National Winner

• GIB Show Home Award



Successes

Urban Homes' Daniel Klinkenberg appreciated how the award showed how their growing company could consistently deliver innovative designs and build them to a high standard.

"What made this project stand out was the workmanship. I think our builders and our project team have done a great job tying everything together and finishing it to the highest of standards."

Challenges

The home took a lot of time and thought. The building had a number of technically challenging elements. It was a design that Daniel knew would expose poor workmanship if they didn't execute it properly.

"The toughest part was the cladding and how it had to fit with every other aspect of the home. This included a flat screen that went over the windows. We also had Abodo vertical timber that went from the outside to inside and through a whole gallery wall."

Judges' comments

The judges commended the slick design, clever use of materials and fantastic workmanship which made this build a standout in GIB Show Home category.

"With a contemporary external theme, the home is very inviting for anyone wanting to view. The moody and intriguing interior was well designed and executed throughout. The attention to detail and crafting of the builder was the icing on the cake for this successful project. Congratulations on a job exceptionally well done."

House of the Year is made possible through the support of the following sponsors:



APPRENTICE OF THE YEAR



THE COMPETITION

The search is on for New Zealand's top carpentry apprentice as the Master Builders Apprentice of the Year in partnership with CARTERS competition kicks off again. Apprentice of the Year is the leading apprentice competition for the building and construction sector. The competition recognises the country's top talent and raises awareness of the industry's great career opportunities. Every year, a Kiwi builder takes out the national title – launching their career and establishing them as one of New Zealand's top carpentry apprentices. Are you or someone you know ready to take on the challenge?

WHY ENTER?

Apart from the chance to win some fantastic prizes, previous Apprentice of the Year entrants get some great benefits:

- Recognition for being a great apprentice
- Build your skills to fast-track your career
- Meet industry leaders and other apprentices
- Get a free membership to Registered Master Builders for a year – loaded with free training and social events
- Over \$100,000 of prizes to be won including CARTERS Business Tool grants and a Nissan Navara for a year

COVID-19: We know with COVID-19 things can change quickly. Registered Master Builders is closely monitoring the situation. Rest assured, the health and safety of everyone involved in the competition will always be our top priority. Entering only requires written work – there is no physical contact needed.

The regional practicals remain scheduled for 20 June at this stage. If the competition changes due to COVID-19 your entry will automatically carry over to the 2021 competition – even if you no longer meet the entry criteria for 2021.

If you have any questions please email aoy@masterbuilder.org.nz



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Any questions?

Contact 0800 762 328 Aoy@masterbuilder.org.nz



WIN AWESOME PRIZES!

REGIONAL WINNERS:

- \$2000 business tool grant from CARTERS
- The opportunity to attend an Outward Bound Leadership course
- Represent your region as one of the Top 10 at the National Finals
- Attend the National House of the Year event with travel and accommodation paid

NATIONAL WINNERS:

- \$5000 business tool grant from CARTERS
- Use of a brand new Nissan Navara for one year courtesy of our principal partner CARTERS



WHAT'S IN IT FOR EMPLOYERS?

Apprentice of the Year also celebrates the employer for investing in apprentices and giving back to the industry. It showcases the benefits of mentoring the sector's future leaders to their business. The range of benefits include:

- Recognition as a great employer for helping your apprentice realise their potential
- Meeting industry leaders and getting acknowledged for encouraging future leaders
- Attracting talent by showing you value staff and the future of the industry
- Gaining exposure for your business for having a top apprentice
- The opportunity to win the Employers Award for mentoring winning apprentices



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This awesome pack consists of:

- 1x CARTERS Retro Tee
- 1x CARTERS Cap
- 1x CARTERS Lunchbox+Knife and Fork Set
- 1x CARTERS AOY Cooler Bag



"We have had an apprentice in Apprentice of the Year for the last nine years, so we have a long history of entering apprentices. Our company gets a lot of recognition locally and our clients are always impressed with the quality of work from them".

Cameron Isles – Isles Construction, Employer of Apprentice of the Year finalist Atigiapa "Tingi" Meyric



ENTRY CRITERIA

- 30 years old or younger on 31 December 2020
- Completed at least two years of your National Certificate in Carpentry on-site by 29 April 2020
- 1st or 2nd time entering competition

NEW for 2020

- You must still be an apprentice at time of entries closing on 29 April 2020

Sector has vital role to play in kick-starting economy

The construction sector will have an important role to play in kick-starting the New Zealand economy when Covid-19 Level 4 restrictions are lifted.

To support this, the Construction Sector Accord has temporarily shifted focus from industry transformation to industry resilience and recovery.

The Accord is a collaboration between construction sector leaders from across government and industry.

The Accord Steering Group (ASG) has been asked by government to act as an adviser to Ministers on how the industry can best be supported, and confidence maintained during and after the Covid-19 disruption.

The construction industry now faces many new challenges, including lack of cashflow, workforce retention, and additional pipeline uncertainty.

The group has responded with urgency, meeting twice weekly, and additional sector leaders have been brought into the group to broaden the perspective and ensure greater sector coverage.

The sector is diverse and complex, and Ministers have emphasised “all parts of the industry matter”. It is imperative the full supply chain is ready to quickly restart on an accelerated work programme once restrictions are lifted.

The ASG is focused on how the Government can support the construction sector and ensure resilience for the benefit of the industry, its workers and the whole economy.

This response plan will continue to evolve and be reshaped as issues become clearer and as it is discussed with the sector and Accord Ministers.

Specific actions and achievements will be shared with the sector as they are agreed with government.

While the response plan is largely focused on government actions and its leadership by example, it places similar expectations on the private sector that it will act likewise where possible.

Plan summary

The plan has been divided into three response phases:

Phase 1: Maintain – retain a viable sector during the shutdown.

Phase 2: Restart – ensure readiness to restart works and accelerate projects.

Phase 3: Transform – refocus on high performance.

Actions across the phases are focused on:

- Maintaining and accelerating the pipeline of work and removing barriers to restarting works.
- Keeping cash flowing in the sector.
- Ensuring a fair and consistent approach to how contractor costs are covered and/or reimbursed during the shutdown.
- Additional financial and other support that could be available for employees and business owners.
- New health and safety guidelines to ensure the safe return to work.

Phase 1 — Maintain industry

The ASG is working on options for government to consider implementing to maintain the industry during shutdown. These include:

Maintain the pipeline of construction projects:

- Encourage existing projects to continue. While construction sites are closed down, other work such as planning, procurement, design, consenting and maintenance works planning can all be progressed.
- Identify additional “shovel ready” projects that could begin when restrictions are lifted.
- Remove barriers to a swift restart, including in legislation and allowing flexibility in the Government Procurement Rules.
- Identify projects at risk of being paused or cancelled, and provide advice on options to keep them going.

Maintain cashflow in the sector:

- Require agencies to pay contractors promptly or early, and ensure that they, in turn, pay subcontractors promptly.
- Require government agencies to take a consistent and fair approach to the costs incurred from work stopping and site shutdowns.
- Consider providing rent subsidies to commercial tenants to help sustain businesses and employment.
- Consider other options, including changes to the management of bonds, retentions and stand-down payments.

Additional government support:

- Explore options for further business and employee financial support and consider these as part of the wider economic relief package.
- Support for the large labour hire market and migrant workforce.
- Consider the impact of site deterioration during the shutdown on compliance with building regulations.
- Help with maintenance of closed sites that might lead to environmental issues such as silt run-off.
- Consider options to stimulate house building to support the residential sector.
- Consider how best to maintain skills and rebuild the workforce when works resume.

Phase 2 — Restart

When restrictions are lifted, the industry must be in a good position to restart works while, at the same time, keeping the workforce safe.

Essential construction services:

- Advising on the types of work that can be restarted at each level.
- Provide guidelines for working safely on building sites while Covid-19 is still in the community.

Maintain the pipeline of construction projects:

- Position “shovel ready” projects across urban centres and the regions to begin works, and facilitate their acceleration.
- Develop a strategy to support the distribution of work across the civil, vertical and residential construction subsectors, as well as across the supply chain and the regions.
- Provide stimulation for the residential market, including through Kainga Ora.
- Consider further medium and long-term stimulus measures to help the sector move to long-term resilience.

Maintain cashflow in the sector:

- Rapidly mobilise multi-party collaborative projects through ensuring procurement strategies and commercial frameworks are developed and ready to go (eg, the Stronger Christchurch Infrastructure Rebuild Team).

Phase 3 — Lift performance

Once works have fully restarted, the focus will shift back to how we can work together to create a high performing sector.

In this phase, the Transformation Plan will be revised in light of the changed environment and initiatives reprioritised. The focus is likely to be on:

- Raising business performance through an enhanced pipeline and the promotion of better business practices.
- Supporting mental well-being programmes.
- Creating a new, more efficient consenting model.
- Improving procurement skills and practices with a focus on rapid mobilisation of projects.
- Providing greater assurance for subcontractors around prompt payments and security of retentions.

• People working in the industry are invited to contact the Accord with their suggestions for actions to support the sector, either by connecting with their relevant representative on the Steering Group, or their industry body, or by emailing accord@mbie.govt.nz.

Free online Smoko Room helps workers beat lockdown isolation

Being isolated for four weeks is not an easy feat for anyone. This is why MATES In Construction NZ, the charity set up to aid mental wellness and prevent suicides, has set up a free online "Smoko Room".

Designed to help people in the construction industry come together for a chat, it is designed to help them cope with anxiety, stress and worries amid the uncertainty of the Covid-19 lockdown.

It went online via the Zoom online meetings platform from 10.30am on April 1, and will run daily for one hour from 10.30am on Mondays to Fridays.

The Smoko Room will be open for anyone in the industry looking for support by talking to each other.

Each session will enable five people to enter, with the ability to set up more than one smoko room per day if needed.

To sign up, all people need to do is:

- Visit the MATES In Construction NZ web site at

www.mates.net.nz and register online. They will be asked to fill in four details — name, email, phone and occupation — and then press Send.

- They will then receive a phone call from one of the MATES Field Officers to confirm their registration, check in on their wellness, and offer a one-on-one session if necessary.

- Then they will get sent a link to join a Zoom meeting. The only thing they'll need then is an internet connection on their phone or computer.

"We are aware of how men and women in our industry may be feeling right now, and we are keen to help them," MATES In Construction NZ chief executive Victoria McArthur says.

"We know that guys who work on construction sites six days a week are working with their mates, but all of a sudden they have been thrown into a situation at home with no mates around them — a very different environment with its own pressures.

Don't 'do it tough on your own'

"We don't want the guys to be doing it tough on their own, so we have created the Smoko Room to bring anyone in our industry — from building sites, commercial and civil site workers to senior professionals — into a safe environment where they can chat about what's going on and get peer support.

"They will be talking to people who understand their work and their lives."

McArthur adds that the Smoko Room will be a very structured and safe place, but the participants will find the atmosphere relaxing.

"We will always have two facilitators in the 'room', which will allow five other participants. If anything occurs in the room, MATES people can contact the person direct, and are able to pass on information to emergency services if needed."

This is part of a wider suite of resources MATES is rolling out to help people doing it tough, including multiple resources on their web site, including step-by-step guides to getting financial or government help.

Other key resources and avenues of communication available to anyone in the industry right across New Zealand include:

- Phone: Call MATES on the helpline 0800 111 315 where one of the MATES team will be ready



MATES In Construction NZ, the charity set up to aid mental wellness and prevent suicides, has set up a free online "Smoko Room".

to pick up calls every day, 24/7, thanks to increasing the number of available lines.

- Text: Text MATES for free on 5353 and be messaged straight back.
- MATES Instagram and Facebook pages.
- Regular updates through direct online communications.

MATES In Construction field officer Slade McFarland says all these services are available to everyone in the construction sector, regardless of whether they have met MATES on site or their company is a supporter.

"Being isolated for four weeks is not an easy feat for anyone, let alone for guys and girls who might be struggling anyway. In these times we know humans do better with community around them," McFarland says.

"The Smoko Room is free for everyone. It will give people an opportunity to keep in touch with what's going on, to find out what's happening with everyone in the industry, and to know that it's ok if you're struggling. Being able to talk about what we can do about it is the most important thing."

MATES Field Officer B (Berhampore) Peleti adds: "Establishing relationships online will potentially save lives. It's only going to get tougher out there, and men tend to shut down when they're stressed.

"That's not good, so MATES is giving men an opportunity to talk. We know men communicate better with each other in a group setting, so we're providing men with a safe place to talk and engage, so they are more likely to open up.

"Our kaupapa is to provide a pathway to support, and engagement comes first. Once we get out there and invite them along, the Smoko Room will pick up momentum, particularly as more people struggle as the weeks go by."

Local wood: Help environment, reduce Chinese problems

The Forest Owners Association says the Government should be looking at more wood use in New Zealand, which would have environment and trade benefits.

Association president Peter Weir says it's time the Government turned the negative log market situation in China into a positive outcome in New Zealand.

Lack of space in Chinese ports, due to cheap insect-damaged logs flooding in from Europe, and Covid-19 induced construction downturn, is looking to bring a virtual halt to New Zealand log exports to China.

But Weir says that creates opportunities here.

"All the Government needs to do is introduce the wood preference policy that the Labour Party promised in the last election," he says.

"And at the same time it should target the worst fossil fuel users in New Zealand to encourage a transition to renewable biofuels."

The Labour Party manifesto in 2017 stated a Labour government would "support wood manufacturing and processing by favouring wood for new government building projects . . ."

Protecting your work site from Covid-19

It won't quite be 'back to normal' as the country looks to return to work . . .

By Building Today writer Jo Bailey

Like many industries in New Zealand, the construction sector has been hit hard by the Covid-19 pandemic, with tools downed and building sites locked up and deserted as the country headed into lockdown.

Canterbury Master Builders Association president Ivan Stanicich says even once the lockdown is lifted and builders and contractors can return to their work sites, there will be a "new normal" everyone will have to adapt to.

"We can't think we're going to drop from Level 4 restrictions to Level 0 overnight, and that everything will return to normal. Far from it. The restrictions and monitoring at various levels and the risks of Covid-19 could be with us for some time," Stanicich says.

"Having strict health, hygiene and safety practices on our work sites is going to be vitally important to ensure we are protecting ourselves, our employees, our contractors and our clients."

Best practice guidelines

Stanicich has spoken to several industry colleagues, and has sought advice from HazardCo and SiteSafe to come up with a list of best practice guidelines all company owners and tradespeople should follow once they are able to return to the work site. They are:

- **Stay away:** If you are sick do not enter your workplace until you are well, or have self-isolated for 14 days.
- **Everyone must register:** Anyone coming on to the building site must register at the site entry. This enables the risk to be managed, and if someone does fall ill, the documentation is already in place to trace their contacts.

Names can be collected on paper, or through a HazardCo or SiteSafe app on a device at the site entry, which allows people to sign in and out using a QR code.

"Commercial sites are already very good at this, but the residential building sector is nowhere near where it should be. We need to ensure there is a much higher level of recording when we go back to work," Stanicich says.

- **Better communication:** A toolbox meeting at the start of the day can provide a clear outline of the day's plans, who is working on-site, how risks will be managed, how safe working distances will be maximised, what the expected hygiene practices are, and deciding



who might need PPE gear.

HazardCo and SiteSafe apps can record details of toolbox meetings, and even save a photo of the team to show who attended each day.

- **Physical distancing:** It is important that physical interaction guidelines are put in place to ensure tradespeople continue to maintain the two-metre physical distancing rule once back on the work site.

When carrying out tasks such as installing a vanity, which requires closer contact, wear PPE equipment such as masks and disposable gloves.

Split shifts, staggered meal breaks

Site managers could also consider running split shifts, staggered meal breaks, and flexible working arrangements, while ensuring employees use separate vehicles. All visitors to the site should be made aware of the physical interaction guidelines.

- **Don't share tools:** Try not to share tools. However, if this is necessary, wipe the tools down with antiseptic wipes between uses, or use disposable gloves when using the tools, which can be discarded after use.

- **Hand washing:** Regular, thorough hand washing and drying is proven to be one of the best defences against Covid-19. While building companies should implement a good hygiene plan, it is up to the individual tradespeople to take responsibility for their personal hygiene and supplies, Stanicich says.

"Individuals should bring their own soap, hand sanitiser, paper towels and a bucket or bowl to work. If there is no water on site, they should bring bottled water for hand washing instead.

"It goes without saying that sanitising or washing the hands before eating food or after using the site Portaloo is critical too."

- **Other basic hygiene rules:** Continue to follow protocols such as sneezing or coughing into your elbow or a tissue, washing your hands straight away, and not touching your face.

Also frequently wipe down high touch work surfaces such as door and window handles, taps and benches.

Designated delivery areas

- **Contactless deliveries:** Hiab operators making large deliveries who need to come into the workspace must be registered. A designated area on the worksite should be set aside for smaller courier parcels.

Anyone collecting a smaller parcel should wear disposable gloves, open it in an appropriate place, dispose of the packaging in the site skip, discard the gloves and wash their hands.

- **Going home:** Have some hand sanitiser in your vehicle to use as soon as you leave the work site. Have a shower as soon as you get home, and put at least the outer layer of your work clothes through the washing machine.

If tradespeople listen to the science and health advice, and make a few sustainable changes to manage the ongoing risk of Covid-19, this will help to ensure everyone goes home from work safe and healthy, Stanicich says.

"These changes start at the top, but just like during the lockdown, everybody needs to play their part. As well as looking after ourselves and our workmates onsite, if we follow these protocols, we're ensuring our families and friends stay safe too."



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Transitioning back to Alert Level 3

As we transition back to work when alert levels are lifted, health and safety must be the top priority for all construction businesses and workers, Registered Master Builders Association chief executive David Kelly says.

The Government will announce the possible drop from Alert Level 4 to Alert Level 3 on Monday, April 20, as Prime Minister Jacinda Ardern outlined Alert Level 3 allowing for the opening of some businesses, including those in the construction sector.

Workplaces must operate safely — keeping distance between workers, recording who is working together, limiting interaction between groups of workers, disinfecting surfaces, and maintaining high hygiene standards.

“The Prime Minister also referred to business self-accreditation, which means businesses will need to provide a plan for working on sites,” Mr Kelly says.

“These plans will refer to the protocols, which you can use as a basis for the plan.

New Covid-19 health and safety standards and protocols

“Strict safety standards and protocols are essential to protect workers and stop the spread of Covid-19, and to give people confidence that it is safe to return to work.



Registered Master Builders Association chief executive David Kelly.

“Through the Construction Sector Accord, we’ve been part of a cross-sector group that has developed standards and protocols for all residential and commercial builders to use once they go back on site.

“The standards lay out the key principles and requirements for healthy and safe construction-related operations under Covid-19 Alert Levels 2 and above.

“There are two protocols, one each for commercial and residential builders. These will

guide how to implement the standards.”

Joining forces with organisations such as Site Safe, CHASNZ, Certified Builders, Specialist Trades, and Master Plumbers, as well as builders like Fletcher Living, Jennian, Classic Builders, Calley Homes, Generation Homes, Milestone, and Universal shows the ability to come together and develop support for the betterment of the sector,” Mr Kelly says.

Working with suppliers once lockdown finishes

“We recommend starting to think about what products you need for your projects now for when lockdown finishes.

“Contacting your suppliers early helps them manage products, and can assist in reducing any further disruptions once you’re back on site.

“Suppliers have told us that depending on products, they may need time to get products back in stock,” Mr Kelly says.

• **Download copies of the standards and protocols here.**

• **More information about what Alert Level 3 means can be found here.**

Safety goes online — Site Safety Card/Passports now renewable online

Site Safe has responded to the challenges of the Covid-19 lockdown by launching its first-ever fully online course.

Site Safe chief executive Brett Murray says it’s critical that construction is back in business as soon as possible once Covid-19 restrictions are eased.

“Online learning gives construction businesses the opportunity to keep their workers engaged and up to date with health and safety while we wait out the lockdown,” Murray says.

“Now’s a good time for businesses to look at upskilling and getting on top of their training requirements.

“That way workers won’t face any delays when they go back out on site, and the industry can hit the ground running.”

The Passport Plus - Flexi (Online and Webinar) course is now available for registrations. Successful completion of the webinar coupled with two online modules will renew Site Safety

Cards (Passports).

The webinars will be run remotely, and trainees will log on and take part in the two-hour group section of each course.

They will focus on the behavioural side of Site Safe’s training, and aim to improve the behaviours known to improve on-site health and safety.

Learners then add two online modules of their choice from any of the following topics: asbestos awareness, noise, worker health, manual handling, mobile plant, electricity, consultants: legislation and consultants: influencing safety.

Site Safe will be releasing further online and



Successful completion of Site Safe’s new online webinars coupled with two online modules can now be undertaken to renew Site Safety Cards (Passports).

webinar-based options in order to provide ongoing choice for learners and businesses.

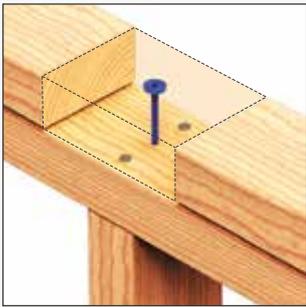
Learners are encouraged to download the Site Safe app so they can receive their new Site Safety Card (Passport) electronically.

To register, go to sitesafe.org.nz.

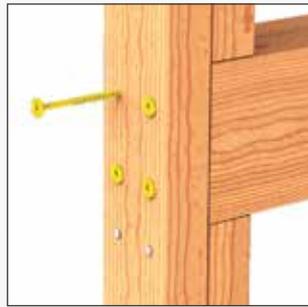
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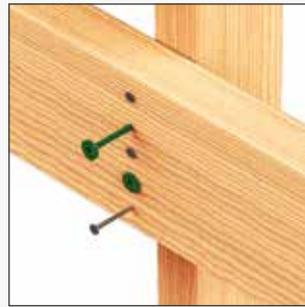
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COMING SOON

Book Review — Rottenomics: The Story of New Zealand's Leaky Buildings Disaster, by Peter Dyer

Former *Building Today* columnist Mike Fox runs his eye over an enlightening book he says clearly explains the unfolding catastrophe of New Zealand's leaky building disaster.



Mike Fox

I managed to read this book over the Christmas break and found it thoroughly enlightening.

It is a must read for anyone aligned to the industry as it clearly explains what went wrong and who caused it — and, not surprisingly, most roads lead to the Beehive.

Few New Zealanders and those within the industry have remained untouched by the unfolding catastrophe of the leaky building disaster.

Getting drawn into a claim, getting sick through mould-infested homes, losing one's life savings trying to fix them or in defending yourself, or simply through having to pay the astronomical national bill for this avoidable crisis — none of us have come out unscathed, and it's not over yet.

Dyer describes it as our biggest human-made disaster and, in financial terms, he's probably right. He puts the cost, based on an unpublished government report he dug out, at more than \$49 billion, with more to come.

All of us are paying higher rates because our local councils have ended up footing the bill for the careless incompetence of our national politicians and those who advised them, who took a functioning building regulatory system and wrecked it.

Every politician should be made to read this insightful book. The lessons exposed in this must not be lost in the transition of time.

This is a perfect example of the catastrophic consequences of shoddy law making and then the subsequent cover-ups and duck shoving that ensues.

In reality, the industry and consumer have been hung out to dry by the politicians. The first and only comprehensive investigation into the disaster, it is meticulous, painstakingly researched, well-sourced and referenced.

New Zealanders and, in particular, our industry, owe Dyer a huge thank you for exposing the hard-fought truth of the situation. We can return that favour by purchasing his book as it was a labour of love.

What went wrong? Dyer, a self-taught American and now a proudly Kiwi investigative journalist, has done an outstanding job in getting literally to the roots of the issue — namely our reliance on *Pinus Radiata*.

Promoted post-war as a solution to a timber shortage, it was also prone to rot. Fortunately, far-sighted research by the Department of Scientific and Industrial Research (DSIR) and sensible regulation literally found a solution, in the form of boric treatment.

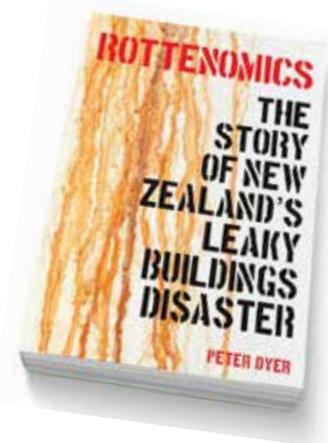
Unfortunately, by the 1980s, although this carefully regulated treatment regime ensured buildings were rot and insect-proof, there were calls — no doubt genuine by timber suppliers — to remove treatment.

In addition to this, there were calls to reduce red tape to meet a demand for more buildings, more quickly and more affordably.

The solution two misguided Treasury officials suggested was a "performance-based" system — essentially one which replaced inspectors and regulation with the idea that the market would somehow police itself.

So key industry regulators were either scrapped or made toothless, and their budgets slashed.

The above combined with what Dyer calls a perfect storm of new building materials — such as monolithic cladding and sealants — architects, designers and builders who did not know how to use them properly, and the deliberate destruction of a local and national regulation and inspection system, in the name of freeing up a system which, admittedly, needed reform.



Not to mention hollowing out the training system for apprentices, so that when they were most needed, skilled tradespeople were thinner on the ground.

It is an allegory for our post-war trajectory — a brilliant home-grown solution to a timber shortage, provided it was treated and used properly, which was thrown away in haste.

If there is a lesson, it is the pitifully bad state of policy advice and political leadership of this industry.

Some of the most chilling lines in the book are the self-congratulatory quotes from MPs in 1991 as they passed the Building Act which unleashed the demise of the industry.

Perhaps the most telling statistic in the book is buried near the end. In 1988, we were spending 11% of our income on housing. By 2015, that had risen to 28% and the process was taking longer.

Dyer fails to mention that, without a doubt, rising land values account for some of this worsening, but his point is still valid. The "reforms" failed even at the one thing they set out to do — reduce costs.

Read this book, and you will find yourself nodding your head in agreement, and getting a feeling of some satisfaction when the blame for this fiasco is removed from the so-called shonky builder, and is delivered factually right back to where it all began — with the politicians.

• This article is based on a review on *Stuff* in October 2019 by James Hollings, and altered with permission.

BT's Back in Time

20 years ago — April 2000:

- The Tauranga Master Builders Association embarked on another Quickbuild Home, the fourth such home it had built.

Constructed over a week, the house was auctioned, with more than \$13,000 raised for the Tauranga Plunket Society to go towards the refurbishment of its resource centre in Devonport Road, Tauranga.

Association manager Joanne Buxton said the Quickbuild projects had three major benefits — they gave the association a great public profile when assisting a local charity, they brought together the allied trades, and they helped relationship building between association members.

15 years ago — April 2005:

- New Zealand could save hundreds of millions of dollars in resource and health costs with the release of the then most recent version of the Building Act, according to BRANZ.

BRANZ welcomed the new requirement that future building followed the principles of sustainable development, calling it a far-sighted inclusion.

Built Environment Manager at BRANZ, Chris Kane, said there was a bright future for those countries that embraced sustainable development.

“It’s not about tree-hugging — far from it. It’s about ensuring we extract maximum benefit from both our scarce, and our widely available,

resources. Improving resource usage of the existing housing stock of 1.2 million houses alone would save New Zealand householders about \$410 million annually,” Kane said.

10 years ago — April 2010:

- The Plumbers, Gasfitters and Drainlayers Act was being fully implemented, bringing in a legal requirement for people working in the industry to carry a licence card while on the job.

Plumbers, Gasfitters and Drainlayers Board chairperson Hazel Armstrong welcomed the move.

“We encourage people to ask tradespeople for their licence card. This will give customers an assurance that the work is being legally carried out by an authorised and competent tradesperson who is currently licensed by the Board,” Ms Armstrong said.

5 years ago — April 2015:

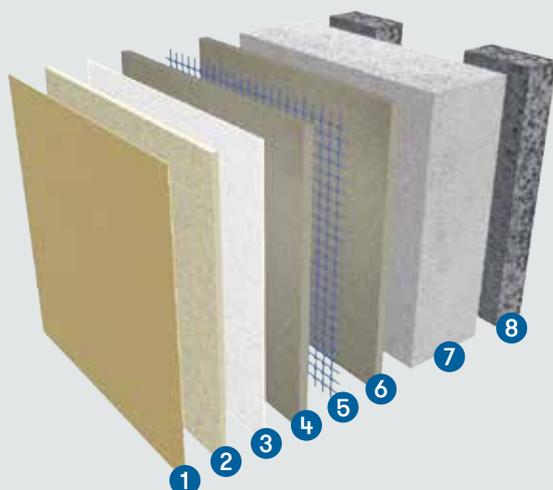
- The group representing community housing providers said government focus needed to shift from asset sales to investment in families and healthy communities.

Community Housing Aotearoa director Scott Figenshow said the Salvation Army’s announcement that it was no longer looking at purchasing state houses was no surprise.

“Many in the sector have been saying the only way they can make the sums work is if they are transferred at close to nil value. This will provide equity to the sector from which it can leverage regeneration, and deliver better outcomes for tenants and families,” Mr Figenshow said.



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Advertorial

Best brackets in a bush shed

Andrew Hine is building a shed in the bush near Clevedon, south Auckland. Sheds are not really Andrew's cup of tea — his market is middle to high-end home renovations usually in Remuera, but also in the south-east of the Big Smoke.

But this is not just any shed. It is a 480 square metre, single level, state-of-the-art building designed by the owner/architect, and incorporating a gymnasium and sound studio, as well as larger spaces for a collection of vintage motorcycles and automobiles.

Hine is constructing the "shed", which he started in October, with his three permanent team members, plus the odd temp.

With its full-sized tennis court, bush backdrop and design detail, it is a shed to be marvelled at and admired. The whole place has been engineered with laminated portals, girts and rafters. The roofing and cladding is from Australian supplier Kingspan, along with a few cedar touches.

The building is being constructed using MiTek Bowmac B177/8 angle brackets throughout the roofline.

The Bowmac product range of fixing brackets, supports and braces is specifically designed for use in all types of timber construction. All Bowmac products use high grade steel, and rigorous quality control ensures a quality product.

In addition, where required, MiTek Lumberlok JH47x12D joist hangers are used where a strong, rigid joint is required between members in truss/joist to beam, or rafter to bearer connections — all as nominated by the architect.

As would be expected with a construction of this quality, no expense has been spared. Although the floor level is marginally above the



Andrew Hine in the 480 sq m, single level, state-of-the-art "shed" designed by the owner/architect. The building incorporates a gymnasium and sound studio, as well as larger spaces for a collection of vintage motorcycles and automobiles.

requisite 600mm ground level, stainless steel Bowmac JH47x190 joist hangers have been used throughout.

Hine likes to deal locally, and has great support from the team at Mahia ITM in Takanini.

They hold good supplies of all the main fixings and framing required. "If they haven't got it, they'll get it — and quickly," Hine says.



"The shed in the bush" at Clevedon, south Auckland.

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SmartBuild is an online portal that comprises all of the Building Code's compliance tasks required of Licensed Building Practitioners (LBPs) during a building project.

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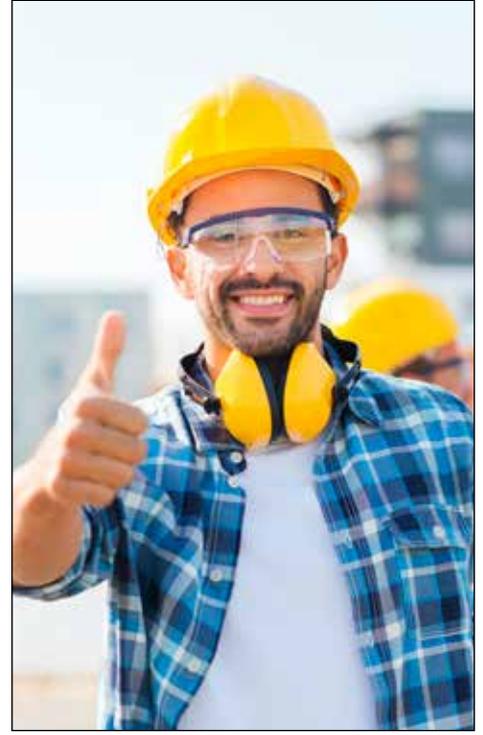
- SmartBuild Lite: Free to use and designed for LBPs working for themselves or working for others.
- SmartBuild Plus: A compliance management system ideal for larger building and design companies that employ multiple LBPs.
- A free and easy-to-use Skills Maintenance points recorder for keeping on top of LBP licencing points.

SmartBuild's many product features include:

- Simple and easy registration.
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- Additional tick boxes for everyday Restricted Building Work (RBW) tasks, and an option to add photos, helping to keep accurate records for years to come.
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Supreme Timber Design Award winner's



The entry for 48 Tuarangi Road in urban Auckland won the Resene Supreme Award in the recent 2020 NZ Wood-Resene Timber Design Awards.

The entry for 48 Tuarangi Road in urban Auckland has won the Resene Supreme Award in the recent NZ Wood-Resene Timber Design Awards.

The competition is held in association with the Wood Processors and Manufacturers' Association (WPMA). Judges called the project an "impressive integration of timber material and manufacturing precision".

TOA Architects designed the 156 sq m home on a sloping site with significant access issues, blending architecture, engineering and design with elements of nature to stunning effect.

Cross Laminated Timber (CLT) panels created a box beam which allowed the entire ground floor wing to bridge over and cantilever off the concrete cellar below it, creating the home's dramatic forms.

Strength, bravery and cutting new ground

"We speak about TOA being Maori for strength, bravery and cutting new ground, and it took those attributes in spades to be able to craft this project," TOA associate director Craig Wilson says.

"We wanted to be honest to the properties of timber, and this design could not have been achieved in any other material.

"We are therefore excited, honoured and very proud to accept the Futurebuild LVL New Zealand Residential Design Award and the Resene Supreme Award.

"We thank our TOA team, and would also like to thank the builders, Mike Greer Architectural, our engineers Engco, and DHC, XLam and Abodo — along with all the other companies and people within the industry who supported this project with their mahi, support and expertise."

Judges agreed that TOA's Tuarangi House has been designed to push the limits of what can be achieved with CLT in a bespoke, high-end residential concept.

"This is an excellent example of residential architecture where timber is used in ways that exploit the possibilities of what can be done with it," they said.

"CLT has been used extensively, allowing

project creates 'dramatic forms'

the first floor to twist and create the striking forms viewed from the street.

"This project shows the potential for what can be done with modern timber materials for designers who are not afraid to try something new."

Supplier Abodo NZ points out this home is one of the first modern applications of an ancient Scandinavian wood finishing method in New Zealand, using iron vitriol or iron sulphate.

This creates a low maintenance, weathered look that is also "self-healing" — generally cracks and damage to the wood will be naturally re-sealed by the stain.

Iron sulphate has low toxicity, and generally doesn't contain volatile organic compounds.

As Resene says, it's impressive to see what were once humble trees transformed into practical and beautiful buildings and spaces.



• Category winners, page 22.



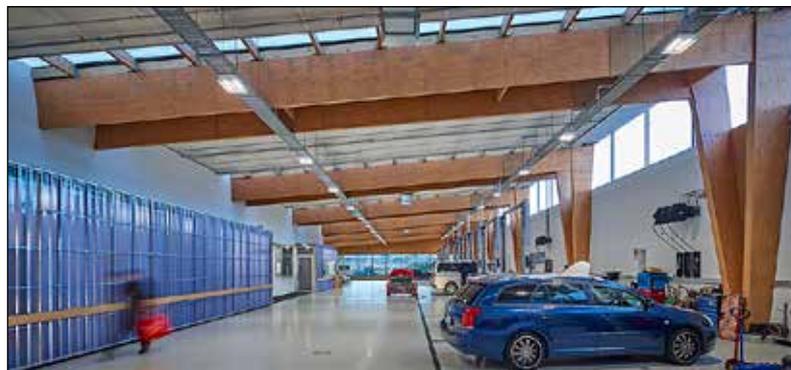
2020 NZ Wood-Resene Timber Design Award category winners

Winning entries in the 2020 NZ Wood-Resene Timber Design Awards were:

Resene Supreme Award:

Tuarangi Rd 'Outaspace' Auckland: TOA Architects

Judges' comments: This impressive integration of timber material with manufacturing precision shows designers what can be done with modern timber materials if they are not afraid to try something new.



Commercial Design Award winner Botany Toyota, Auckland.

Residential Design Award

Tuarangi Rd 'Outaspace' Auckland: TOA Architects

Judges comments: CLT walls allow the structure to create striking forms and spaces, resulting in a series of well executed areas throughout the house that sits on a challenging site.

Commercial Design Award

Botany Toyota, Auckland: Woodhams Meikle Zhan Architects and Blueprint Consulting Engineers

Judges comments: Timber products were chosen for their ability to enhance the workplace and visitor experience. The portal frame structure is practical, simple and elegant, and demonstrates the flexibility of engineered timber.

Public Design Award

St Patrick's Church, Lincoln (Canterbury): WSP Opus

Judges comments: This sensitive design references traditional church architecture, helping to preserve the memory of the building it's replaced.

The 3D timber roof and column support system contrasts with the precast concrete base walls and the repurposed timber altar and pews.

Interior Design Award

National Library Auditorium, Wellington: Warren & Mahoney

Judges comments: Taiwhanga Kauhau is designed to be an "instrument for the voice," and it plays with light and darkness as much as with sound and silence. Wood's unique properties create a fascinating space in which to observe performances and presentations.

Exterior Structure Design Award

Saltwater Creek Cycleway Bridge, Nelson: Jerram Tocker Barron Architects

Judges comments: The designers' material choice and component synthesis ensure the result is a beautiful and long-lasting structure. The angular timber slats reference a waka hull, and evoke a real sense of movement.

Student Design Award

Te Whare Wānanga o Nga Mahi Auaha, Adam Clark, Victoria University of Wellington

Judges comments: Strong conceptual thinking has been developed into an adventurous, well considered building which explores the connection between land, sea, sky and Wellington's taniwha. Timber use has developed interesting interior and exterior experiences for visitors and users of the building.

NZ Specialty Timber Award

Ron Ball Studio, CSO Centre, Christchurch Town Hall: Warren & Mahoney

Judges comments: The rich warmth of Southland Beech coupled with the acoustic wall detailing makes the Ron Ball Studio a unique space.

The design merges acoustic engineering and architecture to create an intimate shrine to music that people will be reluctant to leave.

Sustainable Development Award (new)

Boat Shed, Lyttleton: Christchurch City Council

Judges comments: This NZ Green Building Council 9 star Homestar building proves sustainability is achievable.

This project pioneers the use of wood fibre insulation (WFI) in New Zealand, which has

been applied to the exterior of the CLT structure for an optimised hygrothermal (heat and moisture flows) performance.

Engineering Innovation Award

Lindis Lodge, Omarama, Otago: Architecture Workshop

Judges comments: A high level of collaboration, knowledge blending, and ingenuity have achieved efficient and effective structural solutions.

Screw-laminated spotted gum forms a hybrid gridshell in unison with the steel beams, forming the topographic curves of the roof.

Wood & Fibre Products & Technology Innovation Award

Smith house roof, Queenstown: Potius Building Systems Ltd

Judges comments: A simple and effective prefabricated building system was used for a complex roof design that was originally designed in concrete.

The timber-based components meant a system that met the needs of the building and permitted rapid construction could be developed.

Engineered Wood Products Innovation Award

Concision house, Christchurch: Concision Panelised Technology

Judges comments: The designers exhibited a comprehensive understanding of where engineered wood products can be used to maximise their efficiency and potential. This enabled a remarkable speed of manufacturing and on-site assembly, combined with high quality control.

From desire to necessity

Architect Don Bunting wonders why we always seem to want more?

Some years ago I met British industrial product designer Jonny (now Sir Johnathan) Ive at the IAI (architecture) conference in Istanbul.

More than 6000 architects and designers were present at the conference which was headlined by superstar architect Zaha Hadid.

As a friend said at the time, “you could smell the ego in the air”.

At that time Ive was talking about his work with Airbus, and was still to gain public recognition as the Chief Design Officer of Apple Inc; responsible over time for the iMac, iPod, iPhone and iPad.

His design mantra, clearly illustrated in his designs for Apple products, was good design is as little design as possible.

He borrowed this principle from German industrial designer Dieter Rams, a protege of the Ulm School of Design (successor to the Bauhaus). Rams’ other nine design principles were:

- Good design is innovative.
- Good design makes a product useful.
- Good design is aesthetic.
- Good design makes a product understandable.
- Good design is unobtrusive.
- Good design is honest.
- Good design is long-lasting.
- Good design is thorough down to the last detail.
- Good design is environmentally friendly.

Ram’s greatest regret was not more strongly promoting his ideas about sustainable design and avoiding a culture of over-consumerism.

No fault of Jonny Ive’s, but this is something Apple appears to have conveniently overlooked with its continued development and promotion of new versions of its popular products.

You might say: capitalism equals consumerism, not conservation.

Why is more always best?

Not just more, it is also about the cult of the new, the latest, the sexiest the smartest, the most innovative.

This tends to be the case more with consumer products, including housing, rather than with art and collectables, whose appeal lies more in

a combination of potential monetary value and personal aesthetics.

Why, at least for those who can afford it (or think they can afford it), do we change perfectly good, serviceable and comfortable cars every three or four years?

But just try to find any useful advice on what is the optimum length of time you should keep a car, avoiding any long term problems and costs.

No, we just tend to lust after the latest model because of its shape and array of bells and whistles.

Is this about prestige, even down to displaying the fact you have a new car by the new number plate?

Although New Zealand’s inexplicable decision to import other country’s rejects rather confuses that.

Why do we continue to build larger and larger houses and apartments? Is it market forces alone, with developers realising they can make a larger profit on a four-bed rather than a two-bed home?

Or do we feel better, and more successful, if we own the best and largest home we can afford?

And why do we continually have to “improve” the home we have — not because the bathroom or kitchen no longer works, but because it doesn’t look “modern enough”.

No doubt we like to believe that a modern or modernised home will be more efficient, perhaps even more environmentally friendly, and more comfortable to live in and with more convenient services and equipment.

But how often do we carefully analyse the cost benefit of a larger, newer home against a more modest but still comfortable one?

I suspect the decisions are made on a much more emotional level.

The number of home improvement shows on television and the advertisements surrounding the programmes indicate that there is quite a sales pitch going on out there.

Help the planet

If we are to make any significant progress towards reducing our use of non-renewable



resources and the effect this is having on our planet, we need to accept the requirement for a dramatic change in approach to our individual, collective and governmental decision-making processes on what we do, build, buy and use.

Not a few minor adjustments alongside nonsensical symbolic statements like “zero carbon.”

Not a few more electric vehicles, each of which contain far too much embodied energy for there to be any significant saving in energy use. But real change, a real reduction in lifestyle.

Slumming it

A real estate article in the *New Zealand Herald* on financially attractive Auckland suburbs listed those suburbs showing the greatest increase in median house value over the past 20 years; about the same time period we have lived in our present 1880s cottage.

While the apparent seven figure gain might be gratifying in these uncertain times, I was a bit put out by the description of our home suburb Freemans Bay, as “the former slum wedged between the Auckland CBD and Ponsonby”.

Such median, average or mean values are not that helpful, as they are strongly influenced by the mix of housing found in a particular suburb.

For example, Herne Bay has a high percentage of large, attractive stand-alone homes and a very low percentage of small, downmarket flats and apartments, meaning that their median house price will be high.

I’m just pleased that Freemans Bay has retained at least some of its rather tatty charm, including a good mix of large, small, new and old housing. Long may it last.

And it will probably see myself and a surprisingly large number of other resident architects out, former slum or not.

Conflict of interest non-disclosure: High Court quashes adjudicator's determination

Timothy Bates of Auckland law firm Legal Vision reviews a recent case where an adjudicator's non-disclosure of a conflict of interest resulted in his determination being quashed by the High Court.

In this article I consider the implications of the recent case of *AAM Youssef & Another v R L Maiden & Bespoke Design and Build Ltd*.

It concerns a determination made under the Construction Contracts Act 2002 which the applicants were able to have quashed by method of judicial review.

Facts

The applicants engaged Bespoke to build a house on their site in Mangawhai. The contract was entered into on 17 or 18 August 2017. Works commenced in the second half of 2017, and the house was expected to be completed by mid-2018. Differences between the parties arose early in 2018, with matters coming to a head in a series of letters in April 2018.

In an April 3, 2018 email, the applicants advised Bespoke they considered it in breach of contract in several respects, and that they would not pay for costs they considered resulted from inefficiencies.

On April 6, 2018, Bespoke's lawyers notified the applicants that it was suspending work on site with immediate effect.

By letter on April 9, 2018, the applicants' solicitors purported to cancel the contract on the basis that Bespoke had repudiated the contract or committed a fundamental breach of it. They notified Bespoke they would engage another builder to complete the works.

On April 11, 2018, Bespoke rejected the applicants' cancellation, and cancelled the contract itself. Approximately four months later, Bespoke initiated adjudication proceedings, seeking approximately \$150,000,

of which \$61,000 was a loss of profits claim.

Mr Maiden was appointed as the adjudicator by the Royal Institute of Chartered Surveyors. The applicants also initiated adjudication proceedings seeking a determination that Bespoke was not entitled to any of the invoiced sums claimed, or to lost profits, that the suspension of work was unlawful, and that the applicants' cancellation of the contract was lawful.

The applicants also sought a determination that Bespoke was liable in the sum of \$142,000 on account of remedial work, and \$8000 for losses caused by the delay.

Both parties agreed that the two adjudications were to be consolidated, with Mr Maiden acting in both.

The adjudicator's determination

Mr Maiden overall found in favour of Bespoke as follows:

- The applicants' cancellation on April 9, 2018, was unlawful.
- Bespoke's cancellation was lawful.
- Each party was indebted to the other but, ultimately, the applicants owed Bespoke \$125,658.08, including lost profit of \$44,728.85.

The applicants then brought judicial review proceedings seeking review of the determination.

The first claim was that the adjudicator had breached his statutory duties. The most significant of the alleged breaches was a failure to disclose a conflict of interest.

The High Court ruled that the adjudicator ought to have disclosed the working relationship he had with Bespoke's lawyers, whereby he was acting as an expert in some significant leaky building litigation, albeit for a different solicitor at the same firm of solicitors.

By failing to do so, he was in breach of his duties — namely, sections 34(3), 35(3) and 41(d) and 41(e) of the Construction Contracts Act 2002, whereby he was required to disclose any conflict of interest to the parties to an adjudication, and resign unless the parties agreed otherwise.



His failure to adhere to his duties resulted in the High Court quashing the determination upon this ground.

But furthermore, the High Court also ruled that the adjudicator's consideration of whether the applicants were entitled to cancel fell short of what was required.

In the first instance he had failed to properly consider the specific clause contained in the contract that addressed Bespoke's ability to suspend works.

Clause 19.2 set out two strict situations where Bespoke would be entitled to suspend works.

It was also not apparent on the face of the determination whether Mr Maiden had considered the information both parties put before him as to when a party's actions constitute a repudiation or a breach of an essential term, so as to entitle the innocent party to cancel.

Accordingly, the determination was quashed in its entirety.

This judgment comes as a strong warning to adjudicators purporting to act, and solicitors agreeing to the appointment of adjudicators, to ensure they complete comprehensive conflict checks before embarking upon the work.

Any perceived conflict is likely to be enough to quash a determination, unless all parties have had it disclosed to them, and agreed to proceed nevertheless.

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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Covid-19: Don't panic — it won't help your business . . .

Terry Sage of Trades Coaching New Zealand is not keen to share his lockdown alcohol stash with you. But he does share three helpful tips to help you manage your way through the lockdown, and to quickly get back up and running on the other side.

Got to love unpaid holidays in the building game right? Luckily for most of us it's not quite unpaid — that recent \$12 billion Government infrastructure package will come in very handy soon.

However, writing a few words about the current situation we're in is not that easy. Yes, there's lots to say but it changes daily. I write it now but by the time you read it the Beehive folk have changed their mind, and then you think I'm a has-been for getting it wrong.

Plus, I guarantee you'll have heard every snippet of info, advice and the rules dozens of times already.

The only way not to get bombarded by the news overload is to run away to the bush, or go sailing with no cellphone coverage — but both have been outlawed, along with the sale of my favourite Vodka from the local store.

Yes, I might have succumbed to panic buying, but only on that one item — and only in order to maintain health and safety standards and my well-being.

So can I tell you anything new about Covid-19 and the lockdown? No, probably not, as you will know more than me in the 14 days between me writing and you reading this.

So, instead, I'm going to try and cheer you up. And, no, I'm not sharing my Stoli and Red Bull — don't even ask.

First point — it's not all doom and gloom. Well, maybe for some industries there will be more hurt than others, but for some there could be a Covid bonanza in the offing.

You need to look outside your normal box, throw away the blinkers, and see if there are alternative income streams.

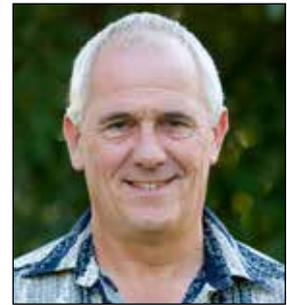
For example, I have been helping to set up a new business. They are odd jobbers, taking on the small stuff none of you like doing.

They have all the tools to fit locks, mend doors, patch a leak and everything else that breaks, but none of it is any good right now.

So now they are "adapting" — the hammer is swinging on a hook, the tool belt is replaced by head-to-toe PPE, and the saw has been replaced with a bottle of surface cleaning fluid.

Yes, they are cleaning surfaces in vehicles used by essential industries and public transport — a growth industry that could thrive for many many months.

Second point — panic will get you nowhere. It may have got you 400 toilet rolls last week, but



it won't help your business. Take a breath, step sideways and start working on two things:

- Manage the lockdown by reducing every possible expense and making use of every aid package offered, and
- Plan for Level 2 so you can get back to work as soon as possible. It will be different, it might be slow or it might be manic, and it will probably come with some supply issues.

You need to have a plan ready to manage these and any other possible scenario. For example, will there be enough in the company bank account to buy materials and pay the first week's wages?

Third point — have you spent all the wage subsidy yet? Just remember it's for wages only and, technically, what you have not passed on after lockdown finishes might well have to be returned to sender. Ooops!

That payment came with a condition that we will be audited, but my guess is they haven't thought about exactly how they are going to do the audit. Can't wait to see how the PM manages this one.

I said I was going to cheer you up, so here's a story out of Jamaica.

The authorities there ran a survey to make sure nobody was capitalising on the lockdown and that there was no price gouging in the essential shops.

They checked the prices of frozen pies in four different supermarkets, and found the prices ranged from \$1.75 to \$4.50 for the same pie.

The survey was titled "Pie rates of the Caribbean".

Don't forget — if you've got a question about any of the above fire it through.

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THE BUSINESS SIDE OF CONSTRUCTION

Covid-19: Communicate, communicate, communicate

Tradie HR director Leigh Olsen says leadership transparency and communication rate among the most important drivers of company loyalty.



We know the value of effective communication and the benefits it brings — perhaps more so in times like these, where we have to try harder to be, and remain, connected with our people.

Is this the time for us to pay more attention to our words?

For example, I have heard the catchphrase “our new normal” so many times it is actually starting to make me feel more anxious.

Other phrases which, in my opinion are being over-processed are “unprecedented times”, and hearing “this is so important” repeatedly.

Yes, we are in unprecedented times, we know that. We get it! Let’s use this time to look at ways to stay connected as we enter our fourth week in lockdown, and explore initiatives to help us when we can get back to our work.

It is heartening to hear that a large number of New Zealand employers are committed to doing all they can to keep their workforce in employment or “on the books”.

Applying for the wage subsidy has helped to cushion the financial disruption to their business — for now.

This is not without personal sacrifice though, as a number have had to take out loans and are using personal funds to top up the 80% contribution to employees’ wages.

However, a large percentage of our business owners are not able to top up to 80% and, despite their best endeavours, are only able to pass on the wage subsidy to their staff.

What do you tell your staff at this time?

If you can, I would encourage transparency around the measures and actions your business is undertaking to keep the business solvent.

Some of my clients are discussing with their staff a number of the things they have done to try and proof their business against the downturn, and asking their employees for their ideas.

This has a number of benefits:

- Your workforce feels part of the solution.
- They gain an understanding as to the challenges you as a business owner face.
- They become aware of the overheads your business has, and that wages are just one cost to a business, with other outgoings such as leases, rents, insurances and subscriptions to be considered.

Research has shown that transparency from

leadership rates among the most important drivers of company loyalty, and goes a long way to help maintain the working relationship between employers and employees.

How do I stay connected with my team?

With the majority of our people in isolation, the opportunities to connect are proving better than ever for some.

Online meetings using Zoom, Skype or other providers are proving to be big hits, even if it is forcing some out of their comfort zone (me included).

A word of warning though if you are using an online meeting approach — ensure your background is appropriate. For example, an unmade bed is not the best backdrop — nor one I witnessed the other day where a cat was licking itself!

Having spoken to a number of employees, they are really enjoying these meetings, and it is providing a sense of community through the chaos.

I have mentioned in previous articles that a big factor in creating a great place to work is for everyone to feel valued, and that what they are doing is important.

For those employees who are unable to work (the majority of my trades clients), these calls are vital to reinforce their value to the team and your company.

Regular phone calls are also important. Pick up the phone and call your workers. Have your one-to-one meetings with them either virtually or over the phone.

Resist the temptation to communicate solely through email. Internal emails can lack a personal touch and create misunderstandings.

Nothing beats the personal touch, especially at this uncertain time.

What can I talk about with my team on these calls?

Earlier I mentioned how some clients are making use of this downtime to be stronger and ready to take advantage when circumstances allow.

Some ideas to discuss with your team could be:

- Ask them about anything they have invented to make staying in their bubble easier.
- Remind them of the importance of staying in their bubble.
- Look to develop or document new or current processes and procedures.
- Train or retrain staff for new tasks — it’s a great opportunity to re-think the ways things are done.
- Ask for ideas on how you can all get closer to your customers and suppliers to assist when their circumstances improve.
- Maybe it’s time to ensure your business has sufficient stock, or clear out surplus stock.
- Look at new markets you haven’t had time to explore yet.
- Review all marketing collateral and update anything out of date, especially social media.
- Update policy and procedure manuals.

Final note

At Tradie HR, we understand that this time is one of challenge and uncertainty for many. How businesses will be affected is on a lot of people’s minds, and it will be different for everyone.

If you want to talk to an HR professional in confidence, please don’t hesitate to call Tradie HR. For Master Builder members I am offering 15 to 20 minutes’ free HR advice at this time. I look forward to talking with you.

• **This article is not intended to be a replacement for legal advice.**

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Building Consents Information

For All Authorisations, February 2020

Dwellings	\$1,365,993,000
Domestic Outbuildings	\$16,661,000
Total Residential	\$1,382,654,000
Non-residential	\$481,297,000
Total All Buildings	\$1,863,951,000
Non-building Construction	\$116,473,000
Total Authorisations	\$1,980,424,000

Number of new dwellings consented

	Feb 2020	Jan 2020	Feb 2019		Feb 2020	Jan 2020	Feb 2019
Far North District	31	16	24	Horowhenua District	25	21	33
Whangarei District	29	20	50	Kapiti Coast District	10	15	24
Kaipara District	22	4	19	Porirua City	42	36	28
Rodney District	86	54	59	Upper Hutt City	35	17	11
North Shore/Albany Wards	248	188	273	Lower Hutt City	52	36	53
Waitakere Ward	134	107	72	Wellington City	162	76	99
Auckland Wards	243	148	433	Masterton District	10	7	27
Manukau/Howick Wards	308	211	273	Carterton District	12	12	10
Manurewa-Papakura Ward	159	123	143	South Wairarapa District	3	1	7
Franklin Ward	54	119	101	Tasman District	35	30	34
Thames-Coromandel District	29	20	28	Nelson City	24	56	7
Hauraki District	10	9	12	Marlborough District	14	21	16
Waikato District	65	58	70	Kaikoura District	3	6	3
Matamata-Piako District	35	19	24	Buller District	4	10	1
Hamilton City	136	58	117	Grey District	3	1	5
Waipa District	50	54	66	Westland District	5	1	3
Otorohanga District	0	3	3	Hurunui District	8	4	10
South Waikato District	4	2	2	Waimakariri District	44	52	47
Waitomo District	1	0	3	Christchurch City	209	245	252
Taupo District	17	18	17	Selwyn District	134	123	107
Western Bay of Plenty District	27	10	51	Ashburton District	12	10	7
Tauranga City	141	115	78	Timaru District	17	20	8
Rotorua District	17	9	13	Mackenzie District	16	6	13
Whakatane District	4	5	8	Waimate District	5	2	0
Kawerau District	0	6	0	Chatham Islands Territory	0	0	0
Opotiki District	8	1	2	Waitaki District	13	5	11
Gisborne District	3	6	8	Central Otago District	22	21	23
Wairoa District	2	0	2	Queenstown-Lakes District	120	80	107
Hastings District	62	55	18	Dunedin City	41	25	23
Napier City	52	21	13	Clutha District	4	7	3
Central Hawke's Bay District	10	10	5	Southland District	14	8	10
New Plymouth District	67	45	36	Gore District	1	2	0
Stratford District	6	2	1	Invercargill City	13	16	6
South Taranaki District	8	5	2	Area Outside TA	0	0	0
Ruapehu District	3	3	3				
Whanganui District	14	7	18	Total	3285	2564	3098
Rangitikei District	0	4	7				
Manawatu District	26	18	26				
Palmerston North City	51	34	30				
Taranaki District	1	5	0				

Source: Statistics New Zealand

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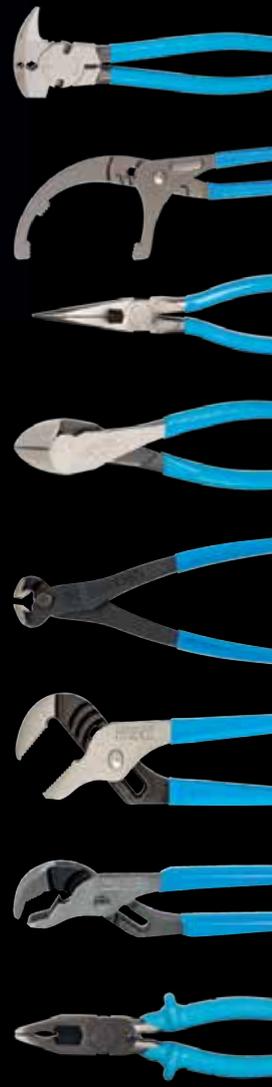
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