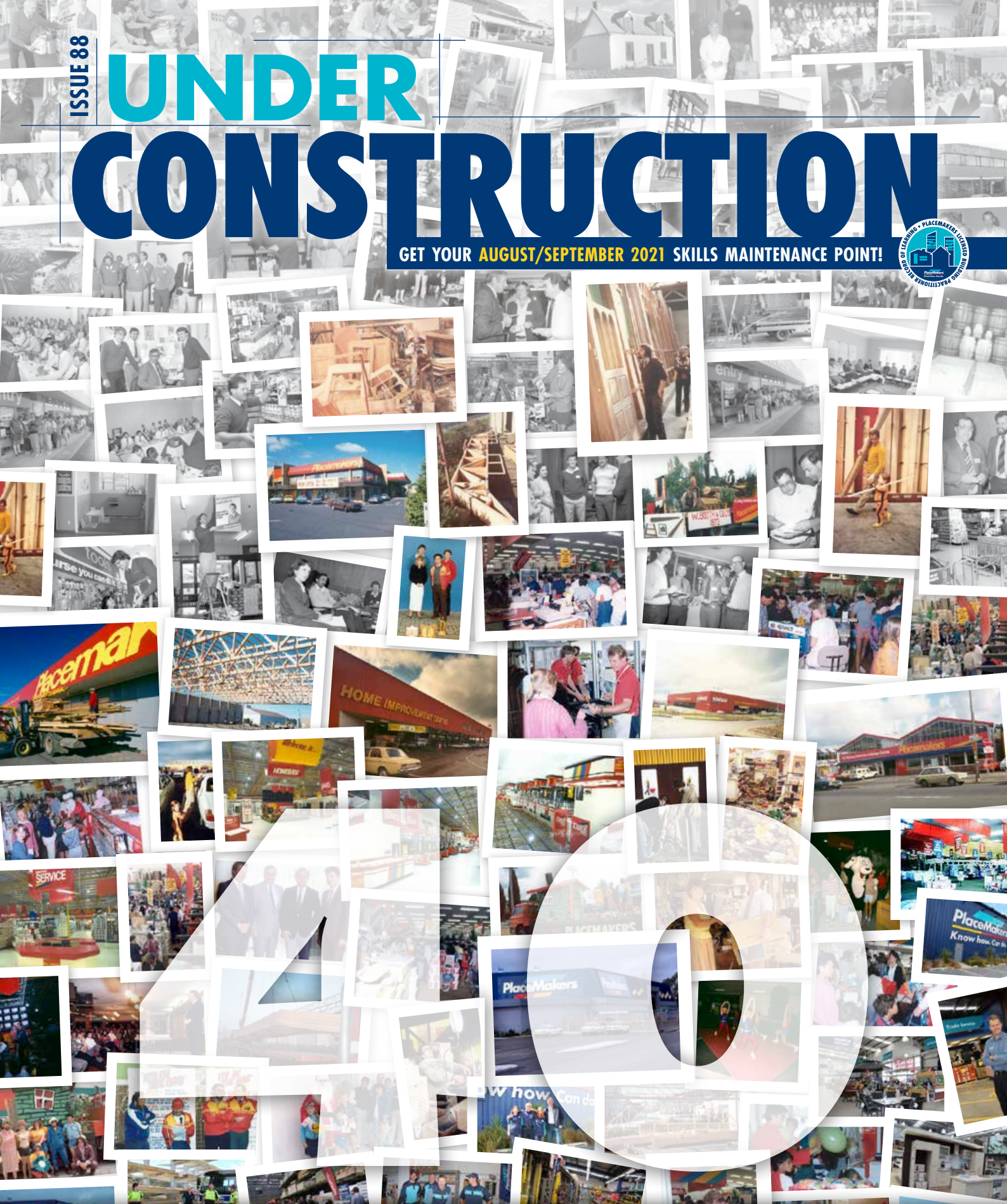


ISSUE 88

# UNDER CONSTRUCTION

GET YOUR **AUGUST/SEPTEMBER 2021** SKILLS MAINTENANCE POINT!



## CELEBRATING 40 YEARS OF SUPPLYING NEW ZEALAND BUILDERS

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## 40 YEARS OF CUSTOMER COMMITMENT



**I'm proud to announce that PlaceMakers has reached an impressive 40-year milestone, so this edition we have three long-term staff from Kapiti, Christchurch and Dunedin stores telling you what's been happening since Fletchers launched the big blue business in 1981**

The veterans who share their stories on page 4 have all been 'true blue' bastions for four decades, so they're able to look as far back as the days of paper accounting and 'brick' phones and tell us how they've seen PlaceMakers consistently put customer service and staff satisfaction first.

Continuous improvement is a recurring theme in this edition. As the Licensed Building Practitioner scheme heads for reform, three current and former LBPs tell us what the scheme's shortcomings mean for their business and suggest how tighter licensing could mean better builds on page 3.

On page 28, we cover the topic of infrastructure investment, finding out why critics are saying large amounts of money released by the government might not easily facilitate houses and jobs.

Improvement is also a focus of the latest CodeWords articles, which look at why the LBP scheme was set up in the first place and how the licensing board deals with those who bring the scheme into disrepute.

As always, we're here to empower and upskill our builders across every aspect of their business, so in this issue you'll also find advice on when statutory liability insurance can be essential, how the Covid travel bubble affects employment law, and guidance from BRANZ about which renovations can earthquake-strengthen a dwelling.

We've been committed to making life easier for our customers for the past 40 years – helping them upskill and earn points towards relicensing by reading *Under Construction* is just another part of that – and we look forward to continuing the same commitment and service into the future.

**Gary Woodhouse**

General Manager Operations

**// Veterans in our Kapiti, Dunedin and Christchurch stores look back from the days of paper and brick phones and tell us how PlaceMakers always put customer service and staff satisfaction first**

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## GROUND-LEVEL VIEW OF THE LBP SCHEME

Builders' Business is a column by builders for builders. Its objective is to provide a forum, particularly for small business operators, in which to share knowledge, experience, tips and ideas

**Q:** *What changes would you like to see made to the LBP scheme?*

**Firm:** Universal Homes Ltd  
**Interviewee:** Sunil Prasad  
**Role:** Project Director  
**Location:** Auckland  
**Staff:** 62; builders are contractors

When issuing an LBP licence, work experience needs to be more thoroughly verified. Does two or three jobs constitute enough experience to become an LBP? In the days when NZQA did trade certificates, you had to do 200 hours and prove that experience. I had 20-odd years' experience when I became a Design LBP. Some guys now are three or four years out of uni and they are an LBP. I would ask: 'Have they done it totally under supervision? Can they do those projects on their own?'

Once, a nephew of mine was building a house, designed by a non-LBP but signed off by an LBP. I could see the standard of work wasn't up there to be signed off. When the drains exited the foundation slab, they hadn't checked the levels, then they dug the trenches and the drains wouldn't work. It shouldn't have been signed off. The solution would be higher entry requirements.

Another thing – an LBP retains responsibility on a project even once they are no longer employed by a company. But as an employee, you're unlikely to have liability insurance. That's a grey area and needs to be looked at.

**Firm:** Versatile Pukekohe  
**Interviewee:** Wenny Lubbers  
**Role:** Owner / Director  
**Location:** Franklin / North Waikato  
**Staff:** 10

I'm not sure what I would do to change it, but I don't think the current scheme is very good. I let my Site LBP registration lapse in 2020, because I would have had to record nearly double the hours of on-the-job learning and elective activities compared to a basic LBP registration. And basically, as a Site LBP, I can run the site but not supervise restricted building work or issue Certificates and Records of Work. Before ceasing my registration, I had thought: 'What's the point of having Site LBP registration if you don't have any legal standing over the actual build?' Site LBPs should have some power to our credentials.

Also, the threshold to being an LBP must be too low, because being an LBP doesn't make you a good builder. I know of one company – the owner was an LBP and didn't even know how to use a hammer. He was signing off his builders' work when he wasn't a builder, only a business owner and telling a nice story so that he got his LBP credentials. You put in your application, your referees say they trust you, and then LBP vetters believe it. But you might not be suitable, so the process should actually check your building ability.

Also, you need to do a lot of hours online to keep your LBP licence – that system needs to be reviewed. One of my builders is really good but he's dyslexic, so his wife helps him put in the computer study hours. That's open for fraud, basically.

**Firm:** Broswick Builders Ltd  
**Interviewee:** Todd Wickenden  
**Role:** Director  
**Location:** Central Auckland  
**Staff:** 20

As a current LBP, I made a submission on this. I would like to see more discipline. If people are messing up, the Board needs to take their licences off them.

There are some pretty terrible LBPs out there. I'm pretty sure there's not enough people to discipline them. I've heard there are thousands of complaints against LBPs and nothing happening.

**I don't think you should be able to have a building company if you aren't LBP-qualified yourself**

Also, I don't think you should be able to have a building company if you aren't LBP-qualified yourself. Some companies aren't run by builders and they hire LBPs in and just pay them a labour-only rate but put all the liability back on the LBP. They sub-contract the whole thing out so when something goes wrong, the LBP will be liable for it.

There should also be a limit on how many people an LBP can oversee.

## PLACEMAKERS MARKS 40 YEARS



**PlaceMakers is lucky to have 2,100 hard-working and passionate staff across its 62 stores nationwide – some of whom have been with the company since Fletcher Distribution introduced its new, blue one-stop shop in Manukau way back in 1981. Three of those loyal veterans share what it's like to have been part of 40 years of ongoing business and customer service improvement**

**F**our decades ago, a number of New Zealand construction-related companies merged to form PlaceMakers, bringing Dunedin Estimator Paul Thornton (51 years in the job), Kapiti Estimator Richard Parker (45 years), and Christchurch Account Manager Simon Buckenham (45 years) under the brand they've all worn on their shirts ever since.

Among a number of changes over the years, all three agree that two key aspects of working at PlaceMakers remain unchanged – commitment to the customer and the quality of the people on their team.

### SO WHAT HAS CHANGED?

Paul, who started as an on-the-road sales rep, was front and centre when it came to the gradual change in communication methods. Starting with radios, it wasn't long until reps were given the newest technology on the market – “the brick cell phones that were so heavy you could practically hammer a nail in with them!”

He said uptake wasn't instant – some builders resisted, as it cost 39 cents a minute to call a cell phone, and would instead call him at home at 10pm.

“Funny to think about now,” he says.

“People call or text you on your mobile all day every day, but no one would ever ring a home phone at 10pm!”

Simon, who started as a sales rep in 1983, adds that just because PlaceMakers reps had cell phones didn't mean anyone else did – reps still called their builders at home the night before to plan visits.

But both Paul and Simon agree that mobiles were a game-changer, as it meant the builders could get hold of them with any updates – such as a new site or product order.

Richard started as a truck driver and “has done pretty every job you can do at PlaceMakers” over the years. He says brick-like cell phones weren't the only cumbersome items back in the day.

“We used to visit sites carrying a big red book with information and pricing on every product we sold,” he says. “It must have weighed at least 10kg!”

Richard, who is fondly known as ‘Product Google’ at PlaceMakers Kapiti, says there's no way it would fit in a book these days, and he believes everyone is grateful to computers for carrying that burden.

However, the end of the product book did signal the end of something he quite enjoyed – bartering with the suppliers about pricing.

### BEHIND THE SCENES

PlaceMakers commitment to new technology, equipment and training has always influenced operations.

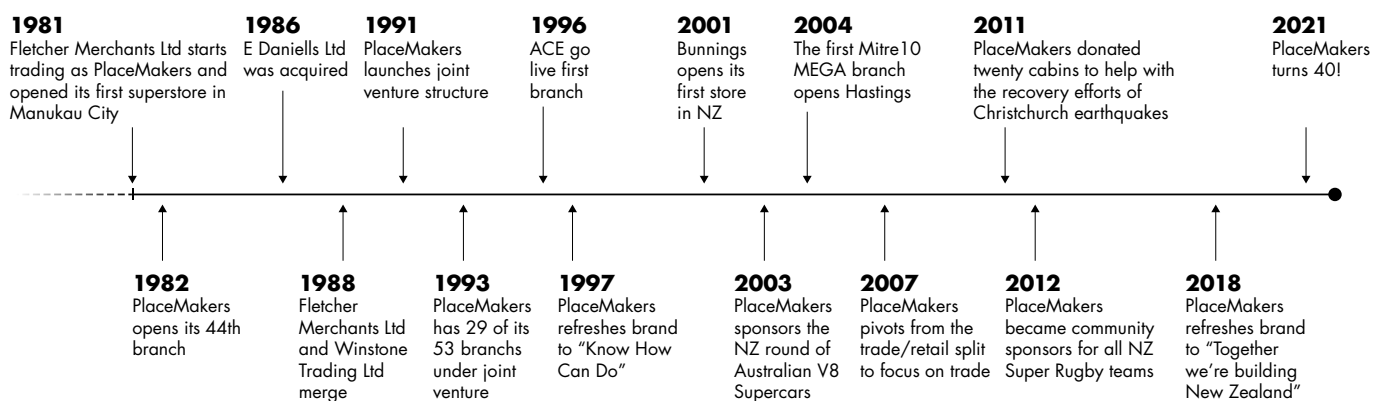
Simon started his creditor clerk job at Fletcher Merchants as a long-haired 18-year-old – later becoming 2IC to Branch Manager Grant Close – and recalls spiking and filing paper invoices.

He says going from mountains of paper to digital business management is the biggest change he's seen and, combined with PlaceMakers progressive attitude, is the backbone of its success.

“PlaceMakers has always been willing to evolve with the times and invest in the business, as long as the end result was better service for our builders,” says Simon. “This has meant introducing a wide variety of services over the years, from pre-nailed frames and trusses to LBP seminars to the more recent app tools – we're always evolving.”



## PlaceMakers 1981 – 2021 Timeline...



Despite the changes over the years, Paul says one thing that's stayed the same is the importance of the relationship between the rep and the builder.

"Sometimes a good relationship is more important than a good price, but the relationship extends to everyone the builder interacts with. Something as 'small' as a negative interaction with someone sweeping the yard can sour it, which is why training that ensures everyone is on the same page is so important."

### TRUE BLUE

When asked what's kept them under one roof for all these years, the answer doesn't vary from Christchurch to Kapiti

to Dunedin – it comes down to people and progression.

At age 73, Paul enjoys the co-workers and customers so much that he still works three days a week, and has only recently started training a replacement, whose dad and grandad he both worked with!

Good career options and a role in which his talkative sociable nature has been able to thrive are what's kept Simon in blue. He says it ultimately comes down to how he feels after each day of positive interactions – "you can do a good day's work and go home feeling satisfied".

Richard says he's worked with wonderful people – co-workers and customers

alike – over the years, and values PlaceMakers investment in people, resources and technology.

"It feels good to work for a company that's invested in its people and customers, and committed to evolving with the times." ■

### THANKS!

A massive thanks to all those who have been with PlaceMakers for 40 or more years!

Allan Cormack	Doug Manu
Tony Hunt	Marcel Schepers
David Black	Paul Thornton
Stuart Miles	Richard Parker
Ron Campbell	Simon Buckenham

## WHAT'S ON

## PLACEMAKERS PRODUCT PICKS

## STONE WALLING SLIPS



Urban Paving's new range of sawn natural stone veneers has been designed to clad existing or purpose-built flat walls and they coordinate beautifully with the natural paving range to convey a simple, contemporary elegance.

These 'slip' veneers, to add to stone walls, are extremely durable and resistant to chipping and breaking.

The slips are precision-cut for that clean, contemporary look as well as ease of installation. Made of Indian Sandstone, the veneers have been lightly surface-honed to emphasise the natural movement and character of this quartz sandstone.

Available in three gorgeous colours – Silver, Caramel Cream and Autumn Bronze (pictured) – these slips come in mixed packs of 20: four each of 500mm, 400mm, 300mm, 200mm and 100mm.

## LEVENE® INTERIOR PAINT

PlaceMakers has you covered for interior painting projects with Levene®. The legendary paint brand is back, made right here in New Zealand with the latest paint technology.



Levene® Interior Broadwall is designed for the Kiwi tradie. Hard-wearing, fast drying, with great coverage, Interior Broadwall is available in Low Sheen and Semi Gloss. Levene® is tintable to colours from the Dulux® colour wall, featuring the iconic Colours of New Zealand®.

For best results, properly prepare your surfaces with an appropriate primer such as Levene® Multiprep Water-Based Undercoat.

To complete your interior project, pair your primer with Levene® Ceiling, tintable with great touch-up and a dead-flat finish to hide surface imperfections.

Only from PlaceMakers.



## SCRUFFS SAFETY FOOTWEAR



The new and improved 2021 range of Scruffs Safety footwear is available now from PlaceMakers. Made 'for the trade, by the trade', these hard-wearing safety boots and trainers are built with quality materials and technologies to ensure maximum comfort and protection, all day, every day.

Poron® cushioning materials are used in Scruffs insoles. The shock-absorbing material ensures an even distribution

of pressure through the foot to reduce discomfort, aches and pains. Micro-Fresh® technology is also incorporated to prevent the growth and spread of harmful bacteria. It reduces unpleasant odours, whilst being kind to human skin and the environment, and lasts the lifetime of the product.

Check out the new Scruffs range at [www.shop.placemakers.co.nz](http://www.shop.placemakers.co.nz).

# TUFF-N-LiTE

If you are looking for a lightweight, comfortable-to-use stepladder that helps you safely reach those high places, the TUFF-N-LiTE is the ladder for you, offering a 150kg commercial load rating and meeting the standard AS/NZS 1892.1.

The TUFF-N-LiTE stepladder is ultra-safe, featuring Ground Cue®, which audibly clicks when you step on the bottom rung, alerting you that you have safely reached the ground. Extra-wide rungs with tread prevents slipping and the large platform reduces the risk of falls.

The TUFF-N-LiTE is lightweight, weighing 15% less than traditional fibreglass ladders. The innovative top cap features hooks, port holes, slots and grooves to keep your materials within reach while atop the ladder.



TUFF-N-LiTE STEPLADDER

Austral Masonry retaining blocks and capping units are created by blending fine sand, cement, aggregate and quality colouring agents to produce unique coloured blocks that are ideal for straight walls, curved walls, corners and steps. Available in three styles, including Hayman, which has a smooth finish to suit contemporary colour schemes; Heron (pictured), which has a textured finish and is great for all landscaping projects; and Moreton, which features a V-shaped groove and complements any landscape with a unique, timeless appeal. Hayman and Heron do not require mortar and are virtually maintenance-free. All three blocks are available in charcoal and limestone colours.

**australmasonry®**



AUSTRAL MASONRY



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DEWALT® XR® FLEXVOLT ADVANTAGE™ BATTERY

# PLACEMAKERS APPRENTICE CREW



## DIAMOND IN THE ROUGH



Conrad (pictured left) says he is lucky to work for Jacob (pictured bottom middle), who has decades of experience and the expertise to carry out complicated work, such as building trusses from scratch (pictured on other photos)

**Conrad Kotze turned to building after struggling to break into the New Zealand job market. Two years later, he's been crowned Apprentice of the Month twice and is thriving in the industry**

**F**our years ago, Conrad left his job as a diamond specialist in South Africa and moved to New Zealand with his wife, who got a job as a teacher.

After hundreds of unsuccessful job applications, Conrad was at a dead-end when his luck finally turned. Someone at his wife's school knew a man who gave Conrad a few weeks' work as a general labourer, a stint which turned into an apprenticeship with Carterton builder Jacob Aperloo.

Already in the second year of his apprenticeship, Conrad admits he never pictured himself on the tools, but is enjoying his work and has taken his new life in his stride – winning two Apprentice of the Month awards in the process!

"I enjoy gibbing, because it's not super complicated and you can see quick progress, but I also love the challenge of the more delicate, nitty-gritty type of work. We recently needed to slightly alter some shiplap cladding to fit an awkward space,

and it's rewarding to make it look like it wasn't altered, but you know it was."

Conrad works closely with his boss, who, at the age of 64, has been building most of his life and is a true jack of all trades.

"Jacob does it all – from cabinetry to painting to trusses – and we're one-on-one, so I'm learning heaps. It's challenging but also really valuable, as apparently apprentices on bigger crews sometimes only learn one thing."

This has led him to some interesting projects, including building double trusses from scratch. Fully engineered and made from 200x45mm macrocarpa wood to span 6m, it's not a skill most builders these days have, or at least don't use very often.

While Netherlands-native Jacob and Conrad have both made New Zealand their home, it doesn't mean they are on the same page with everything. Their cultural differences have led to some interesting challenges, but Conrad says

his boss is bringing the best out of him.

"Communication can be difficult at times, and I don't mean speaking English! I needed to learn that each of us thinks differently, but he's a brilliant person and problem solver. Where I see problems, he sees solutions."

Jacob isn't the only character setting an example for and working with Conrad – he is completing his studies at BCITO under the tutelage of ex-military man Peter van der Veen, who understands Conrad and pushes him to be the best he can be.

"He was also an adult apprentice and it's great to work with someone who understands what it's like," explains Conrad.

"I've learned that an apprenticeship is a partnership between you and your trainer. As apprentices, we need to show trainers we're willing to learn, and we need to push them to push us." ■

## JUNE APPRENTICE OF THE MONTH

**New Plymouth apprentice Ashley Knowles has demonstrated outstanding building aptitude for the second time this year, again earning himself the Apprentice of the Month accolade**

Ashley's burgeoning skillset didn't lapse after becoming April's Apprentice of the Month – in June, the first-year apprentice carefully planned and carried out the installation of a new membrane roof.

Faced with the challenge of setting out the frame for a new membrane roof with an apex, two valleys and a gutter over an existing membrane roof, Ashley's first action in the June job was looking at the existing roof and creating a plan to improve it.

Next, Ashley needed to remove seven existing skylights and find the point for the roof's apex in accordance with the plans. He then went about finding

the point at which the gutter started, dropping the height 50mm. Ashley then ran the valleys at a 45° angle from the starting point of the gutter to the edge of the new roof. Lastly, he made the new trusses with the correct fall as the plans stated.

The outcome was a nicely framed-up roof – ready for the structural roofing ply to be screwed onto, with 3mm gapping between each sheet to allow for expansion and allowing the membrane to be applied onto that.

"Taking the time to plan and set out a job at the beginning makes it easier and saves a lot of headaches," says Ashley. "Plus, it gets the job done



Ashley Knowles concentrating on the job

quickly and correctly the first time!"

Ashley was thrilled to win a \$160 Swanndri gift voucher for his efforts and recommends other apprentices make sure to enter. ■

## MAY APPRENTICE OF THE MONTH

**Wellington apprentice proves himself truss-worthy by building trusses for a fully engineered home from scratch**

Only two years into his apprenticeship, Wellington-based PAC member Conrad Kotze was given an opportunity not many builders have these days – the chance to build trusses from scratch. He rose to the challenge impressively, earning himself another Apprentice of the Month title in the process.

The double trusses Conrad had to create for the engineered home were to span 6m and would be made from 200x45mm macrocarpa wood. Conrad (who is profiled on the opposite page) cut and completed the king posts, then put the rafters into place over the template. Next, Conrad had to drill straight through 220mm wood, all the while ensuring the holes met up at the right place.

"It wasn't easy," says Conrad. "To insert the rods and bolts as per the building plans, we had to move the trusses by hand from one place to another to free up the template."

Once all the rafters and king posts were in place, Conrad and his boss used templates to mark the holes from both sides of the trusses. To do this, they suspended the trusses off the template, then used an extended boring bit (customised for the project) and drilled the holes halfway from each side to get it to line up. They also used a speed square next to the drill to check they had drilled straight. To move the trusses into place, Conrad and his boss had to use 2x4s and 300mm cut-off poles for leverage.

Out of all the holes they drilled, Conrad

says only one was a bit off.

"Pretty amazing, given the complexity of drilling 64 holes, and it wasn't too hard to fix – we managed to redrill it in the same place to meet in the middle and get the nail plates, rods and nuts lining up," said Conrad.

"The experience taught me I need to allow myself the liberty to potentially screw up, and yes that does happen too!" Conrad says.

"However, the chance to learn and get it right is more valuable than opting out without trying."

Conrad – who was also October 2020 Apprentice of the Month – wins a \$150 Hunting & Fishing voucher. ■

# PRODUCT NEWS

## PAVING AT PLACEMAKERS



Porcelain pavers are ideal for areas that experience a lot of wear and tear



Natural Indian Sandstone pavers are unique in colour and texture



Natural Bluestone pavers look great when matched with Natural White Granite

**The right choice of paving can really refresh and rejuvenate any garden or outdoor area and transform it into an outdoor space your client can truly be proud of – one the homeowner will always want to enjoy and show off**

One ideal option is the Urban Paving range of Natural Pavers (Sandstone, Granite and Bluestone) and Porcelain Pavers available from your local PlaceMakers branch, which offer more glamour and beauty than concrete pavers.

### NATURAL INDIAN SANDSTONE

Natural Indian Sandstone is available in three unique colours: Cloud, Walnut and Tawera. The beauty of sandstone is that no two pavers are the same – they are unique in colour and texture and this really makes for an interesting and diverse paved area. Natural Split (Cloud & Walnut) is a bold, rugged texture, which blends well in any outdoor area, while Blasted (Tawera) has a modern and elegant finish. Sandstone brings quality and durability to the client's outdoor area and weathers beautifully in our natural environment.

### NATURAL BLUESTONE

Natural Bluestone has a honed finish, which provides a contemporary feel, while still retaining its natural charm

and character, including the honeycomb that runs through the stone. Extremely hard-wearing and easy for the property owner to maintain, it's recommended that Bluestone is sealed, and looks stunning when matched with Natural White Granite.

### NATURAL FLAMED GRANITE

Natural Flamed Granite is available in black, white and grey and creates a modern look, while still retaining its individual character. The texture of the flamed granite maximises slip resistance and makes it ideal for around freshwater pools and steps.

### PORCELAIN PAVERS

Porcelain Pavers are a relatively new addition to the range and available in four beautiful colours. Made from tough, compressed material that is glazed and fired in a kiln at over 1000°C, these pavers are dense, strong and highly stain-resistant, meaning spills can be cleaned up easily so the pavers will look good for years to come!

The fired glaze is tough and designed with a special texture that creates a highly slip-resistant surface, making it a safe option for homeowners with a young family or around a pool.

Porcelain paving is a great option for spaces that experience a lot of wear and tear, and perfect for barbecue areas or any entertainment space. If you or your customers are looking for a low-maintenance landscaping option, then Porcelain Pavers are the ideal choice.

For more info, visit [placemakers.co.nz/landscaping](http://placemakers.co.nz/landscaping) or pick up a landscaping catalogue instore. ■



## LADDERS TACKLE STAGGERING STATISTICS



Little Giant ladders account for human behaviour, and include patented safety features that make sense for various real-life ladder uses

### Little Giant Ladders bring safety and innovation to working at height

A 2012 NZ government analysis on construction industry falls found that falls from a temporary structure (ladders, trestles and scaffold) made up half the total number of cases examined. Of this group, more than half of these falls were from ladders.

These statistics are staggering, and highlight just how crucial it is for your equipment to be of the highest standard when working at height, whether on a step ladder or several metres off the ground.

Little Giant are driven not by the number of ladders they build, but by the individuals who use them. If we can help one or more of these people get home safely each day, we have done our job.

In an era of worldwide progress and innovation, traditional ladder designs have remained mostly unchanged, even though the incidence of ladder injuries

increases each year. The ladder industry can do better, which is why Little Giant are leading the charge, creating ladders that are engineered to protect the users. The designs account for human behaviour and are revolutionary, with inbuilt and internationally award-winning and patented safety features unique to Little Giant Ladder Systems®.

PlaceMakers is proud to bring Little Giant Ladders to New Zealand, and offer our customers a superb range of ladders, along with the commitment and service that has become synonymous with the Little Giant brand! ■

**Little  
Giant**  
Ladder Systems



# MBIE

## THE HISTORY OF THE LBP SCHEME – PART TWO

This is the second article in the series looking at the history of the Licensed Building Practitioners Scheme with MBIE's Bruce Duggan

Starting in the late 1990s and continuing for the next several years, the building industry was in turmoil trying to figure out what was going wrong. The regulator of the day, the Building Industry Authority (BIA), commissioned a report – more about this later – and the Government Administration Select Committee published *Weathertightness of buildings in New Zealand* in 2003, mainly in response to a recommendation in the BIA-commissioned report.

One of the first signs of the seriousness of the problem was that the BIA excluded face-sealed cladding systems in high-risk areas from the *Approved Document E2/AS1 External Moisture*.

A new term appeared in the NZ vocabulary, and it quickly became a dirty and loaded phrase...

### LEAKY BUILDINGS

'Leaky building syndrome' was a problem where moisture was getting into the wall framing of our houses, and then seeping further.

Unlike a roof leaking due to damage or age, this was about water getting in through the wall claddings – mainly, but not limited to, at penetrations through the cladding. Insufficient clearances below the claddings, and the difference in height between the finished levels outside in relation to the floor level inside, were other critical weathertightness areas.

With the widespread practice of using sheet material claddings to give a monolithic look, there was not enough care around the flashing systems – for example, at the top corners of the exterior joinery.



Leaky building issues are still being resolved years later in homes such as these in Evans Bay, Wellington

Level entry areas into houses were also a problem.

### WHO WAS TO BLAME?

A subsequent report called the problem a "systemic failure", meaning that it wasn't just one section of the industry or a particular product that was at fault – it appeared as though a large part of our thinking hadn't caught up with the new freedoms that the Building Act 1991 had given us.

House design was tending to be somewhat false – for example a client might want their house to look like something from the Mediterranean. The problem then was that, to keep costs down and make other factors such as insulation possible, the design called for timber framing and a plaster finish – often on a rigid sheet substrate. This is the false design referred to – making a light timber-framed building look like a solid, monolithic structure and the inherent weatherproofing design issues that come with that.

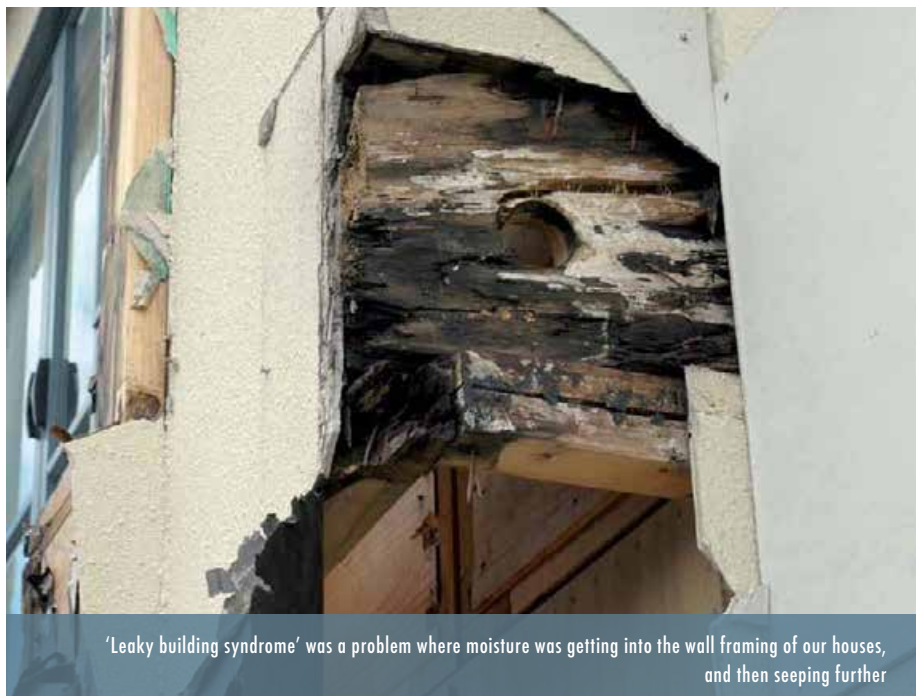
The issues identified included:

- A lack of essential detailing and installation practices at critical joints and junctions.
- Installers not keeping up with installation instructions from manufacturers, the classic example being the changing of nailing patterns for the fixing of bracing sheets, or how a new product needs to be installed.
- Critical flashings being omitted for aesthetic reasons – a window head flashing for instance, which would compromise the monolithic look.
- Materials and products being accepted as fit-for-purpose when they hadn't been tested for that situation, for example the paint coating on a rigid sheet cladding material that required face sealing to make it weathertight.

## // A new term appeared in the NZ vocabulary, and it quickly became a dirty and loaded phrase... Leaky buildings

- Councils approving a product shown on the site documents when, in fact, it may not have been approved for use in this situation.
- The use of new materials – a prime example would be the 1996 decision to allow untreated pine to be used for the structural framework of a house.

Untreated pine was not a direct cause of water entering a house, but it did create a very significant structural problem once the moisture got to it. The cost of repair of a leaky building was, and still is, greatly increased where this timber – marketed as chemical-free – was used. Remember the collapsed cantilevered deck from the previous article? It turned out the joists were untreated!



Building inspections were still being carried out as they had been for years – the new Building Code didn't bring about a more thorough regime for inspectors to follow in checking areas critical to the structural and weathertightness integrity of the building.

The BIA commissioned a report into what happened and why, and in the second half of 2002, the *Report of the*

Overview Group on the Weathertightness of Buildings, better known as the *Hunn Report* – the name of the chairman of the Overview Group – was released.

This is when we knew we had a real problem...

See the next issue for the continuation of this series. ■

**This article is an excerpt from Codewords Issue 101. Reading Codewords articles that are relevant to your licence class is a mandatory requirement for Licensed Building Practitioners. These questions can be answered through the LBP portal, online at [underconstruction.placemakers.co.nz](http://underconstruction.placemakers.co.nz) or recorded on the magazine, then provided at the time of renewal.**

## CODEWORDS QUIZ ISSUE 101



- |  |  |  |
|--|--|--|
| <p>① What is the definition of a leaky building?</p> <ul style="list-style-type: none"> <li>a) A problem where moisture is getting into the wall framing and then seeping even further.</li> <li>b) A leak caused by rusting or damaged roofing.</li> <li>c) A leaking pipe in the wall behind the shower.</li> <li>d) A house that won't keep flood water out.</li> </ul> | <p>② What were some of the causes of the leaking problems?</p> <ul style="list-style-type: none"> <li>a) Lack of essential detailing at critical joints and junctions.</li> <li>b) Flashings being omitted.</li> <li>c) Not following manufacturer's installation instructions.</li> <li>d) Inspections not sufficiently thorough for modern building practices.</li> <li>e) All of the above plus others, as it was a full systemic failure.</li> </ul> | <p>③ Why was untreated timber framing a problem?</p> <ul style="list-style-type: none"> <li>a) It caused the leaks through the claddings.</li> <li>b) Major structural repairs were necessary once the moisture got to it.</li> <li>c) It cost too much.</li> <li>d) It wasn't strong enough to support the roof.</li> </ul> |
|--|--|--|

# MBIE

## LEARNINGS FROM BOARD COMPLAINTS



Bringing the LBP scheme into disrepute stems mainly from communication issues

**Annually, around 1% of Licensed Building Practitioners will have a complaint made against them. Anyone can make a complaint about an LBP to the Building Practitioner Board, who then investigate and determine the seriousness of the complaint and decide on any penalties following a hearing**

A complaint can relate to building work (including design work) or poor behaviour related to building work. The Board cannot hear complaints regarding payment disputes, or commercial or contractual disputes, including employment disputes.

To be able to make a complaint about an LBP, you need to ensure that:

1. The person you are complaining about was an LBP when the conduct occurred.
2. The conduct you are complaining about is covered by one or more of the 'grounds for discipline' listed in section 317 of the Building Act 2004.

3. You can provide sufficient evidence to support your complaint.

4. Your complaint is made on the approved form.

There are a number of grounds for discipline, but the majority of complaints are in relation to a lack of supervision, poor workmanship, not building to the plans or bringing the LBP scheme into disrepute.

### DEFINING SUPERVISION

An LBP is needed for the design, supervision, and the physical carrying-out of any restricted building work. For design work, supervision could mean undertaking a thorough check of the drawings and documents once they

have been completed by a non-licensed person. But on-site, supervision means the work must be closely supervised while it is being carried out, to the extent that the LBP who is completing the Record of Work (ROW) is satisfied that the work has been completed as per the plans and to a good level of workmanship.



**The Board cannot hear complaints regarding payment disputes, or commercial or contractual disputes including employment disputes**

This can be difficult if you, as the LBP, are not onsite when the work is being carried out – best practice is being ‘proximate’ to the work. Of course, if you know the skill level of the person doing the work and have seen them carry out similar work in the past, then the supervision can be a bit less constant.

However, remember – if the work fails at some point in the future, your name is on the ROW. Why would you want to jeopardise your licence because someone else did not do their job properly? There is a Registrar’s practice note on supervision which can be found at [lbp.govt.nz](http://lbp.govt.nz) under ‘For LBPs’ to provide guidance on supervision.

### WORKMANSHIP WOES

Poor workmanship is not something any LBP ever wants to be accused of. LBPs should be proud to put their name to their work, as one of the principals of the scheme is ‘you have been assessed as being competent at your trade or profession’.

However, workmanship is a hard thing to define. If unsure, one approach is to ask yourself ‘If someone had carried out work to that level of workmanship on my house, would I be happy to pay for it?’ A guide to tolerances, materials, and workmanship can be found at [building.govt.nz](http://building.govt.nz) by searching ‘guide to tolerances’.



Complaints about LBPs not following plans and using BCAs as quality assurance are becoming more common and the Board is not being forgiving about it

Complaints about LBPs not following the plans, or using the Building Consent Authorities (BCA) as quality assurance (“You tell me what’s wrong, and I’ll make sure I fix it for you...”) are becoming more prevalent, and the penalties handed out to respondents who have been found guilty of doing so reflects the Board’s stance on this type of complaint.

Bringing the LBP scheme into disrepute stems mainly from communication issues – not answering calls from clients who may have an issue with something you have or have not done, arguing with the client, or not complying with a lawful request from the Board are among the cases that we are seeing.

### FAILING TO SUPPLY A ROW

And last, but definitely not least, is failing to provide a ROW. The main excuse for not providing the ROW seems to be trying to use it as a lever to ensure the final payment is made.

Using a ROW in this manner is not acceptable LBP conduct. The ROW should always be completed and given to your client and the BCA as soon as possible after the restricted building work has been completed. The average fine being handed down for this offence is \$1,500, along with \$500 towards costs. So ask yourself, is it really worth \$2,000 not to provide it? ■

## CODEWORDS QUIZ ISSUE 101



- |  |  |   |
|--|--|---|
| <p>④ How do you make a complaint against an LBP?</p> <ul style="list-style-type: none"> <li>a) Talk to your local Building Inspector.</li> <li>b) Phone your lawyer.</li> <li>c) Use the approved form available at <a href="http://lbp.govt.nz">lbp.govt.nz</a>.</li> </ul> | <p>⑤ Why could someone make a complaint against an LBP?</p> <ul style="list-style-type: none"> <li>a) Inadequate supervision resulting in mistakes being missed.</li> <li>b) Because of poor workmanship.</li> <li>c) Due to the LBP not following the plans.</li> <li>d) All of the above.</li> </ul> | <p>⑥ When must a record of work be issued?</p> <ul style="list-style-type: none"> <li>a) Following completion of the RBW.</li> <li>b) When you’ve been paid.</li> <li>c) When someone asks for it.</li> <li>d) At the end of the financial year.</li> </ul> |
|--|--|---|

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## ALWAYS LOOK FOR QUAKE IMPROVEMENTS



A chimney that collapsed during one of the major Canterbury earthquakes

**When builders are on site to carry out home renovations or repairs, it is a good time to suggest strengthening the property's earthquake resistance with actions ranging from removing chimneys to securing the foundations**

**Y**ou only have to look at recent events to know that natural hazards are a fact of life in New Zealand.

Fortunately, potential building hazards don't need to translate into disaster scenarios. Some seismic improvements, such as replacing heavy tile roofs with new lightweight roofs, are extremely effective but relatively expensive. There are cheaper cost-effective steps that can be taken to make homes safer and stronger for when events like damaging earthquakes occur.

#### **COST-EFFECTIVE ALONGSIDE EXISTING WORK**

Some work can be undertaken by anyone and other work by confident DIYers. However, much of the work

with the most positive impact in an earthquake requires the skills of a building professional. Doing this at the same time as other work will be more cost-effective and time-efficient for a homeowner.

Here are some key actions that can be recommended to homeowners when building works are planned to be carried out on site.

#### **REMOVING BRICK AND CONCRETE CHIMNEYS**

From the time we first built chimneys on New Zealand homes, earthquakes have been removing them. The magnitude 8.2 Wairarapa earthquake in 1855 is estimated to have damaged most chimneys in Wellington.

Thousands of chimneys also collapsed

or were damaged during the 2010 and 2011 Canterbury earthquakes. Certain types of chimneys pose a real risk to the safety of people and can cause significant damage to homes during a large seismic event.

The most hazardous chimney types are those that extend above the roofline and are constructed from unreinforced brick or concrete masonry. These are most commonly found on homes built before the 1970s.

Look for chimneys that are twisting, leaning or showing signs of cracking, as these require immediate attention.

#### **SOME OPTIONS FOR MAKING CHIMNEYS SAFER:**

- If the chimney is no longer used, the best option is to remove it down to

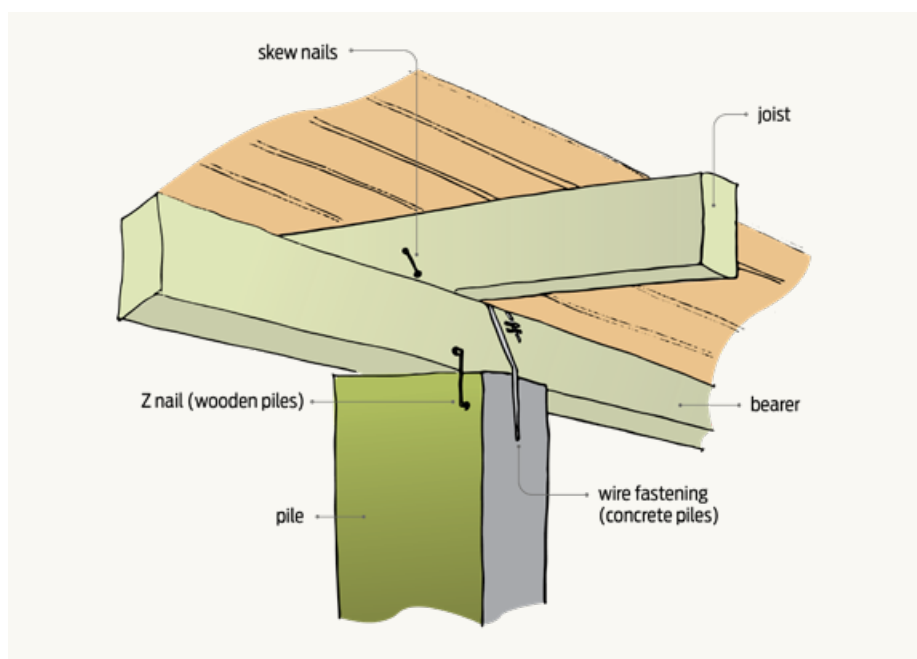


Figure 1: Typical subfloor configuration for a pile to bearer connection

**Because of experience from recent seismic events, we are aware of the risk of building movement off its supporting foundation system**

the floor level, but an alternative is to remove it down to the ceiling line.

- If the chimney is still in use, a portion of the hazardous section above the roofline or ceiling line can be replaced with a lighter-weight metal flue.
- The most cost-effective option is likely to be the addition of extra bracing in the roof space between ceiling rafters or ceiling joists to reduce the risk of a brittle failure or partial overturning of a chimney structure in a large seismic event. This will help protect the home's occupants from debris falling into the living space. However, injuries could still occur from the chimney collapsing to the outside of a home, and the home could be damaged.

## SECURING THE DWELLING TO THE FOUNDATIONS

Many Kiwi homes built prior to the current Building Code era do not have a connection between the timber frame superstructure and foundation system. This practice came from a time when the seismic risk associated with residential dwellings was not well understood. Now, because of

experience from recent seismic events, we are aware of the risk of building movement off its supporting foundation system.

When a dwelling subfloor is accessible, there are several actions that could be taken to connect the superstructure to the foundations:

- Fix timber or concrete piles to a dwelling subfloor using the details in NZS 3604:2011 *Timber-framed buildings* (see Figure 1).
- Fix framed subfloor walls to a foundation system with bottom-plate anchors. The widespread existence of unreinforced perimeter foundation elements means a careful assessment is required to check if the concrete substrate is in adequate condition to receive such an anchor.

NZS 3604:2011 provides several details but usually it would be preferable to engage a structural engineer who will be aware of the benefits and risks of altering the load path of the superstructure through the foundation system to the supporting soil.

## ADDING BRACING TO FOUNDATIONS

Sloping sites or hillside sections can be prone to dwelling foundation movement during seismic events.

Retrofitting lateral bracing elements in the subfloor can significantly improve foundation performance. Diagonal timber bracing installed between piles, or piles and bearers where ground clearance is above 600mm, is particularly beneficial.

Cases of floor deformation and partial rotation of singularly cantilevered timber poles with shallow footings is well-documented following large lateral movements.

It is helpful to refer to NZS 3604:2011 subfloor bracing configurations when considering the best approach with retrofitting elements.

## ADDING WALL LINING BRACING

When a wall lining has been removed, there may be an opportunity to upgrade the bracing configuration and performance.

Dwellings constructed prior to the plasterboard era rely on timber

## QUAKE IMPROVEMENTS CONT.



members to resist lateral loads transmitted into the foundation. Examples of these bracing systems comprise let-in braces, singular or double diagonal braces or fully horizontal matched plank linings (see Figure 2). BRANZ Study Report SR305 *Bracing ratings for non-proprietary bracing walls* has more details.

The horizontal loads will eventually transfer to these timber bracing

elements but only after the lining material is deformed and displaced to a point of cracking and failure. While it is beneficial to replace lath and plaster or similarly brittle lining materials, adding modern plasterboard bracing will assist in transferring loads to the foundation.

An NZS 3604:2011 wall configuration may be required to correctly transfer loads along wall geometry safely to the foundation.

Some early New Zealand colonial dwellings will have balloon wall framing. These require the addition of dwangs at ceiling level to create an equivalent top plate (and likewise for bottom plates) to enable the installation of modern sheet bracing.

A structural engineer can assess the condition of the wall framing connections and produce a bracing plan based on values in SR305. ■

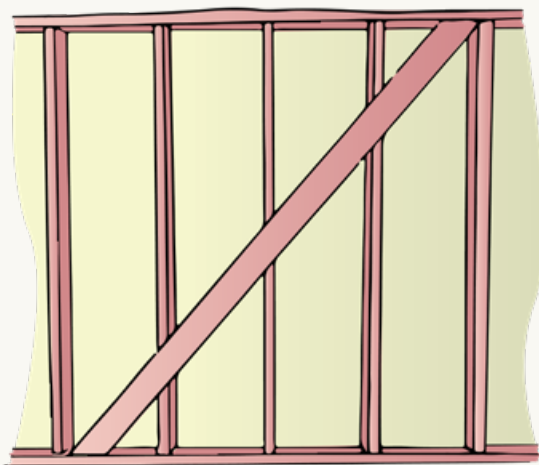


Figure 2: A typical let-in brace wall configuration

**Look for chimneys that are twisting, leaning or showing signs of cracking, as these require immediate attention**

Article by Martin Connell, CPEng Structural, The Earthquake Commission. First published in Issue 184 of BRANZ Build magazine [www.buildmagazine.org.nz](http://www.buildmagazine.org.nz). Words, images and figures supplied by BRANZ.

## PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!



- 1) What is the correct way to connect a dwelling's superstructure to its foundations?
  - a) Fix framed subfloor walls to foundation with bottom plate anchors (check with engineer if the concrete substrate can tolerate an anchor).
  - b) Fix framed subfloor walls to the foundation without bottom plate anchors.
  - c) Fix framed subfloor walls to the foundation with timber and bolts.
- 2) Which chimneys are most in need of immediate attention or removal?
  - a) Chimneys built with reinforced brick/concrete masonry.
  - b) Chimneys made of iron or steel showing signs of rust.
  - c) Chimneys that extend above the roofline, are constructed from unreinforced brick or concrete masonry and are twisting, leaning or cracking.
- 3) When a dwelling has balloon wall framing, how can the framing's seismic resilience be improved?
  - a) Add extra joists inside ceiling to transmit seismic force through the frame.
  - b) Add another layer of plasterboard, to transmit seismic stress to the foundation.
  - c) Add dwangs at ceiling level to create top and bottom plates to enable modern sheet bracing to be installed.

NB: The questions and answers in this section have been produced by the publisher and do not necessarily reflect views or opinions of the contributing organisation.

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## EMPLOYMENT LAW IN COVID BUBBLE



Travel bubbles have brought about a new wave of uncertainty and raised fresh Covid-19-related questions for employers and employees

**On 19 April 2021, the New Zealand Government announced the opening of the trans-Tasman bubble, raising questions about how travel during Covid affects employment law, sick leave, salary and privacy**

**T**he bubble softened border control measures to allow for two-way quarantine-free travel across the Tasman for the first time since the Covid-19 pandemic began. From 17 May 2021, quarantine-free travel was also opened to the Cook Islands.

Between 19 April 2021 and 7 May 2021, there were 46,226 departures from New Zealand to Australia, indicating that Kiwis are taking up

the opportunity to hop across the ditch. However, Covid-19 outbreaks in Australia have resulted in temporary suspensions of quarantine-free travel at short notice, both during that time and since then.

While celebrated, these travel bubbles have brought about a new wave of uncertainty and raised fresh Covid-19-related questions for employers and employees. We

address what can and cannot be done when employees want to travel.

#### **DO EMPLOYEES HAVE TO TELL EMPLOYERS THEIR PLANS?**

At the centre of every employment relationship is the obligation for both employers and employees to act in good faith. Both parties must be responsive and communicative, and not mislead or deceive each other.

Under the Health and Safety at Work Act 2015 (HSWA), employees also have a duty to comply with any reasonable health and safety policy, procedure, or practice set by their employer to allow their employer to comply with the HSWA.

As such, an employer has the right to ask employees the purpose for their leave and to ask if they are travelling overseas (as they are at a greater risk of contracting Covid-19). While in most circumstances an employee should disclose their travel plans, an employee does not have to disclose personal information.

Employers need to keep in mind that any personal information collected from an employee relating to their health and Covid-19 must be kept confidential as required under the Privacy Act 2020.

### CAN AN EMPLOYER REFUSE AN EMPLOYEE'S LEAVE REQUEST?

An employer can withhold consent to an employee's request for annual leave. However, if an employee wants to take entitled annual holidays, employers cannot unreasonably refuse this request.

The decision to refuse a leave request must be made on a case-by-case basis. For example, an employer couldn't make a blanket rule refusing leave to all staff who wish to travel to Australia. A circumstance where an employer may reasonably restrict when an employee can take time off is if it is a particularly busy period for the business.

An employer may also refuse an employee's leave request if they want to take annual holidays in advance, as the employee is not yet entitled to this leave.

In the case of bubble travel, the risks associated with travel overseas may be too high for specific workplaces. This is unlikely to apply to the construction sector, but may apply if employees are required to work in close proximity, or where they interact with a vulnerable population (such as aged care facilities/populations).

In most cases, these risks can be mitigated through precautions, such as requiring the employee to self-isolate for a period before returning to work.

We advise employers to discuss, in good faith, alternative working options, contingency plans and return-to-work requirements with employees requesting leave for overseas travel. We discuss this further below.

### HOW CAN EMPLOYERS PREPARE WHEN EMPLOYEES INTEND TO TRAVEL OVERSEAS?

Employers should engage with their employees, in good faith, to arrange alternative working options and contingency plans prior to an employee traveling abroad. This clarifies the expectations of both parties if anything unexpected occurs and minimises the risk of a dispute in the future.

Employers should consider discussing:

- Payment entitlements and work obligations if the bubble status changes and the employee is unable to return to the workplace when planned.

- Remote working options, including the requirement that the employee travels with devices and equipment necessary for remote work, and ensures accommodation has an internet connection.
- Whether employees returning from overseas will be required to obtain a negative Covid-19 test result before returning to work (all information surrounding the test results must be kept confidential in accordance with the Privacy Act).
- If the employee contracts Covid-19, that they can take available sick leave.
- Dates where agreed plans may be revised if the employee is unable to return to work for a prolonged period, for example how long their role will be kept open for them.

The obligation on both parties to consult and keep in regular contact is particularly relevant to bubble travel.



Employers need to keep in mind that any personal information collected from an employee relating to their health and Covid-19 must be kept confidential as required under the Privacy Act 2020

## EMPLOYMENT LAW IN COVID BUBBLE CONT.

**DO EMPLOYERS HAVE TO PAY AN EMPLOYEE IF THEY GET STUCK OVERSEAS, OR IN MANAGED ISOLATION?**

If an employee gets stuck overseas, or in a managed isolation facility, they may be entitled to payment. The key considerations are whether the employee is ready, willing, and able to work.

If the employee is no longer on annual leave, is well, and can carry out their work remotely, they should be paid as normal for every hour that the employee works (this must be at least the applicable minimum wage).

Where the employee is no longer on annual leave, is not sick but cannot work remotely, an employer may not be required to pay the employee for the period where they are unable to work. The employer could offer for

the employee to take further annual leave, or unpaid leave to cover the period where they are unable to work. This is dependent on the specific employment agreement and further advice should be sought.

**IN SUMMARY**

- In most circumstances it would be reasonable for an employee to have to inform their employer that they are travelling overseas.
- Unless it can clearly be shown that an employee's travel would result in significant risk to the workplace, and there are no alternatives, it is unlikely that refusing bubble travel would be considered reasonable.
- Employers should have open and constructive discussions with their employees prior to an employee's travel. This should include employer

**Unless it can clearly be shown that an employee's travel would result in significant risk to the workplace, and there are no alternatives, it is unlikely that refusing bubble travel would be considered reasonable**

expectations and employee entitlements around bubble travel.

- An employee's pay entitlements will be dependent on the specific employment agreement and circumstances. ■

**RESOURCES**

[www.employment.govt.nz/leave-and-holidays/annual-holidays](http://www.employment.govt.nz/leave-and-holidays/annual-holidays)

[www.employment.govt.nz/about/news-and-updates/doing-business-in-the-bubble](http://www.employment.govt.nz/about/news-and-updates/doing-business-in-the-bubble)

Need more information? If you have any questions or would like assistance please contact Alysha Hinton on (04) 471 9452 or at [alysha.hinton@duncancotterill.com](mailto:alysha.hinton@duncancotterill.com), or your local Duncan Cotterill advisor ([duncancotterill.com](http://duncancotterill.com)).

**PROVE YOUR KNOWLEDGE**

Tick the correct answers below and record what you've learnt in the record of learning on the back page!

- |  |   |  |
|--|---|--|
| <p>4) Can an employer stop an employee from travelling between NZ and Australia while the employee is on entitled annual leave?</p> <p>a) No, because self-isolation takes care of any infection risk.</p> <p>b) Potentially, if the employee is required to work in close proximity with a vulnerable population.</p> <p>c) Yes, but only in the construction sector.</p> | <p>5) Does an employee have to tell an employer if they are planning to travel overseas?</p> <p>a) No, it's none of their business.</p> <p>b) Yes, in most circumstances, an employee should disclose their travel plans.</p> <p>c) Yes, an employee should always provide a detailed trip itinerary.</p> | <p>6) Do I have to pay my employee if they get stuck in quarantine or overseas and can work remotely?</p> <p>a) No - the only option is to place the employee on unpaid leave.</p> <p>b) Yes - if the employee is not on holiday and is able and willing to work, pay the normal salary.</p> <p>c) Yes - the employee must be placed on sick leave and paid accordingly.</p> |
|--|---|--|

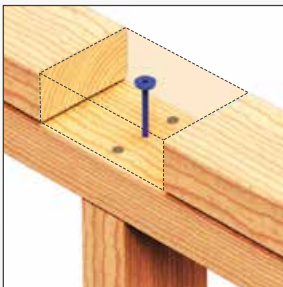


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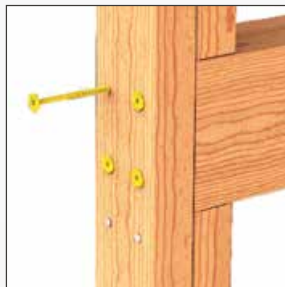
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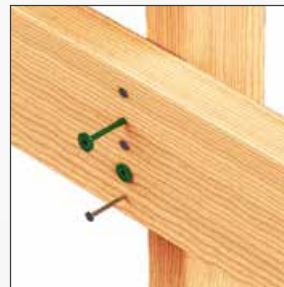
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## VISA EXTENSION IMPACT LIMITED



Border restrictions 'turning off the tap' of migrant workers is worrying employers – especially considering just 60 spots are available in MIQ

## Immigration New Zealand has announced six-month extensions to working holiday and seasonal worker visas, though numbers from BCITO and MBIE indicate more migrant workers being available is unlikely to improve NZ's construction worker shortage

**S**ix-month extensions to many visas, announced on 10 June, mean those on working holiday visas, employer-assisted workers and similar types of visas can remain in NZ an extra half a year – however, a chronic shortage of labour in the booming construction sector appears unlikely to be solved by these workers staying longer.

Despite an April figure of 18,000 BCITO apprentices now in training, BCITO has said repeatedly over the past four years that 65,000 new workers are needed to be able to complete builds launched by both the private and state sector. According to BCITO's Workforce Information Platform, as of 1 July, the construction

workforce is 28.35% short of the number of workers it needs to complete \$72 billion worth of projects.

Building boomed in the second half of 2020 and the trend continues into 2021, with total building volume in the March 2021 quarter rising 3.7% compared with December 2020. The number of construction workers also rose 3.8% from the previous quarter – meaning worker demand remains roughly the same.

Immigration New Zealand General Manager Border and Visa Operations Nicola Hogg told *Under Construction* in July that the number of migrant workers in building and construction was

28,377 as of May 2021 – far fewer than the 57,600 skilled construction workers MBIE predicted were needed back in 2018. However, Hogg explained that the real number of migrant construction workers would be higher because some visa types, such as Working Holiday visas, allow visitors to freely change occupation and potentially fill vacancies for construction staff. This information isn't recorded anywhere, so she was unable to suggest how many might do so.

Despite some migrants' ability to fill vacancies while staying in NZ longer, border restrictions 'turning off the tap' of workers is worrying employers –



## The construction workforce is 28.35% short of the number of workers it needs to complete \$72 billion worth of projects

especially considering just 60 spots are available each month in Managed Isolation and Quarantine (MIQ) for critical construction workers from overseas.

Southland Chamber Of Commerce CEO Sheree Carey told the *Southland Times* in June that there was a major shortage of tradespeople in the region – an issue that was being worsened by the lack of migrants.

“We have lost a lot of extra manpower [due to] migrants not being allowed to come in,” she told the *Times*.

“Southland businesses are deciding not to tender for contracts because they know they won’t have staff in the future.”

### ADVICE AROUND MAINTAINING MIGRANT WORKERS

Those in a position to employ migrant workers may find *Under Construction’s* *How to maximise a migrant workforce* guides helpful. The guides, originally published by Immigration New Zealand, offer advice around:

- Planning to employ migrant workers before workload peaks.

- The role of communication in management of workers.
- How employment laws cover migrant workers.
- Safety tips for those employing migrants.
- How to responsibly orient and induct migrant workers.

Full details of the six-month visa extension are available at [immigration.govt.nz/about-us/covid-19/in-new-zealand/visa-information/visa-extensions-and-visa-conditions](https://immigration.govt.nz/about-us/covid-19/in-new-zealand/visa-information/visa-extensions-and-visa-conditions). ■

## NEW HOUSE CONSENTS DRIVE BUILDING BOOM

**NZ’s building boom has driven consent numbers to a new high, with 43,466 new homes consented in the year ended May 2021 – the highest annual number on record, and up 17% on the year to May 2020**

**A**uckland drove consent increases, with a 28% rise, meaning 18,565 new homes consented in Auckland in the year ended May 2021.

1,380 new townhouses, flats, and units were consented in May 2021 – the highest monthly number since records began. In total there were 4,180 new homes of all types consented in the month.

Construction statistics manager Michael Heslop said while Covid disrupted consent issuance across many councils in the year to May 2020, annual new home consents have been generally increasing since mid-2011.

The number of new homes consented per 1,000 residents was 8.5 for the year ended May 2021, higher than the 7.8 per 1,000 reported in January 2021, though not quite hitting the record of 13.4 achieved in December 1973.

### MANY REGIONAL CONSENT DIPS; OVERALL RISE

Numbers of new dwellings consented

in May 2021 compared to May 2020 rose in both North and South Islands, led by Auckland and Christchurch and in particular Waikato, though small regional falls in consenting also occurred.

Waikato new dwelling consents were up from 341 consents in May 2020 to 525 in May 2021, which is a rise of 184 consents or 54%.

Strong rises also occurred in Auckland (up 341 to 1708 consents; +25%) and Northland (up 32 to 122; +35%).

North Island regions where consents didn’t rise in May 2021 compared to May 2020 were Hawke’s Bay (down 14 from 86; -16.28%), Taranaki (down five to 73; -6.85%), Manawatu-Whanganui (down 28 from 148; -18.9%), Wellington (down 10 from 325; -3%)

However, overall, North Island consents rose to 3,138 from 2,620 comparing May to May.

In the South Island, consents rose in every region apart from a tiny dip in Marlborough with a South Island May 2021 total of 1,042, up on 939 in May 2020.

A significant rise occurred in the lowly-populated West Coast, with eight consents in May 2020 rising to 24 consents in May 2021 (+200%).

### NON-RESIDENTIAL BUILDING CONSENTS

In the year ended May 2021, non-residential building consents totalled \$7.9 billion, up 21% from the May 2020 year. Non-residential building types with the highest values were:

- Education buildings – \$1.5bn (up 61%).
- Offices, administration, and public transport buildings – \$1.1bn (up 25%).
- Factories and industrial buildings – \$1.1bn (up 53%). ■

# INDUSTRY FEATURE

## \$3.8BN WON'T FUEL PIPELINE

**Industry bodies and economists caution the \$3.8 billion Housing Acceleration Fund may not serve its purpose – and cost construction businesses time in the process – unless it's part of a visible, longer-term pipeline of work**

**T**he Housing Acceleration Fund (HAF), announced on 23 March, is part of a raft of efforts from the Government to address a housing market that Infrastructure Minister Grant Robertson called “the least affordable in the OECD”. It aims to speed up the pace and scale of home building and was announced the same week as a four-month extension of the Apprenticeship Boost scheme, which subsidises employment of apprentices, including building apprentices.

The most significant component is the Infrastructure Acceleration Fund (IAF) – a contestable fund of at least \$1bn of the \$3.8bn – which is designed to accelerate a mix of private-sector and government-led developments, in locations facing the biggest housing supply and affordability challenges, by contributing to pay for infrastructure costs.

The HAF also includes additional funding for the Land for Housing Programme to accelerate the development of vacant or underutilised Crown-owned land, operate in more regions, and deliver a broader range of affordable housing options for rental and homeownership.

In addition to the IAF, Iwi and Māori will have access to a \$350 million Māori Infrastructure Fund.

The Ministry of Housing and Urban Development said the IAF will address some of the underlying barriers to supply by:

- Opening up more land for housing development, particularly in locations close to jobs and amenities.



The Opposition and commentators say far too few “shovel-ready” infrastructure projects are legitimately ready

- Helping to fund critical infrastructure needed for that development.
- Allowing for a wider mix of housing that is affordable for low-to-moderate-income households to own or rent.
- Freeing up development-ready land and accelerating housing development to moderate growth in house and land prices.

The Government said the HAF “will jump-start housing developments by funding the necessary services, like roads and pipes to homes, which are currently holding up development” and will accelerate housing supply.

However, immediately following the announcement, the Opposition and news media found examples around the country of megaprojects, regional infrastructure and commercial building

projects, which lacked infrastructure, which took far longer to commence than the government promised, or didn’t go ahead at all.

### EXTRA MONEY ISN'T EVERYTHING

Infrastructure NZ, an advocacy group which promotes best practice in national infrastructure development through research and public and private sector collaboration, cautioned that the fund would only address infrastructure barriers to housing “if it is integrated with a visible, committed and sequenced pipeline of projects that encourages industry to invest, scale up and lift construction sector productivity”.

“Designers, architects, contractors, subbies and the raft of other critical service providers, who take each project from idea to reality need to understand what’s coming up – not just in the next six months, but over three to five years,” Infrastructure NZ told

*Under Construction* shortly after the fund was announced.

The organisation added that a clearer sightline of the infrastructure programme ahead is needed, because uncertainty costs businesses money through time wasted on tendering to build infrastructure.

Civil Contractors New Zealand chief executive Peter Silcock agreed, telling *Under Construction* "delays and uncertainty regarding the pipeline of work, as well as delays and conditions of resource consents, are impacting on contractor confidence to build our capability and capacity".

He added that a lack of investment infrastructure isn't new.

"Underinvestment in water and transport maintenance is a major issue with infill housing," he said. Poor productivity is also a related issue facing the construction sector, according to a November 2020 BRANZ-funded report from GS1 New Zealand.

The report found the building and construction industry's annual output was \$64bn (11.5% of NZ's total economic output) in 2018 but low productivity growth (0.9% a year for the past 25 years; much less than Information Communication Technology or agriculture) needs to be addressed.

On top of concerns with the Housing Acceleration Fund, Infrastructure New Zealand said it is essential the \$6.8bn to be invested in the NZ Upgrade Programme for road, public transport, walking and cycling infrastructure is actually delivered so millions of dollars aren't wasted by businesses preparing for work contracts which don't eventuate, as happened with preparations for Auckland's cancelled East-West Link.

Infrastructure New Zealand added there has been too much reluctance by local government to pay for the pipes and roads they are obliged to provide for new residential land.

Chief advisor Claire Edmondson published the first edition of *InfraRead* in June and spent 15 pages in the white paper criticising the government for – amongst other things – running an infrastructure deficit of around \$20 billion for decades (due to underinvestment) and doubling the projected cost of the New Zealand Upgrade Programme, resulting in adjustments and cutbacks, in Edmondson's opinion.

### REPORTS CONFIRM DYSFUNCTION

Infrastructure New Zealand's concerns are echoed in a Construction Sector Covid-19 Recovery study, published by Te Waihangā / the NZ Infrastructure Commission and Deloitte in January 2021, which found that confidence in the construction sector is being hindered by uncertainty around the pipeline of projects.

Despite Te Waihangā introducing the Infrastructure Pipeline tool, MBIE publishing the National Construction Pipeline report every two years, and Stats NZ providing monthly building consent data, the study found the infrastructure pipeline is being hindered because of a lack of "a single source of the truth" for construction sector market activity (disaggregated across public, private, BRANZ, Pacifecon, MBIE and Stats NZ).

Also, the study found that "policy shocks driven by electoral cycles that lead to changes in strategic direction make it hard to plan adequately for the future".

Other hindrances cited in the report were local government under-funding and poor procurement.

### CONCERNS INFRASTRUCTURE PROJECTS NOT SHOVEL-READY

An example of a project criticised for being over-promised was the government's pledge to pump money into shovel-ready projects, "with more than 150 projects worth \$2.6 billion being approved in principal" according to the 1 July 2020 announcement of the funding.

The \$2.6bn is part of \$3bn apportioned from the Covid Response and Recovery Fund announced in July 2020. That \$3bn was repeatedly described in Government communications as being for "shovel-ready projects".

However, ten months later, NZ Initiative economist Dr Eric Crampton said he was skeptical about the shovel-readiness of new home builds and their infrastructure, given just 44% of the Government's 'shovel-ready' infrastructure projects had begun by their deadline of February 2021.

 **Building is booming, meaning infrastructure will need to be created, whether or not government funding is reliable**

"The projects never received any adequate cost-benefit analysis," he said. "The Infrastructure Industry Reference Group just threw together a list of things that they might be able to get out the door in a hurry.

"Thousands of other shovels could surely be ready to go. Easing the rules so we can all get on with our own shovel-ready projects may make a bit more sense."

On 4 May, the Infrastructure Minister announced the Department of Prime Minister and Cabinet would set up an Implementation Unit to help the Government deliver on key promises, which opposition parties criticised as "an admission of failure".

Newly released Stats NZ figures show building is booming, meaning infrastructure will need to be created, whether or not government funding is reliable. Meanwhile, despite calling for caution in business decisions contingent on infrastructure going ahead, critics appear unanimous in their desire to get on with putting shovels into the ground. ■

# THE SUCCESSFUL BUILDER

## BUILDING WHILE RESOURCES ARE TIGHT



Delays and holdups can be extremely frustrating if you don't have anything else to which you can move your team

**Have you heard the expression 'Make hay while the sun shines?' The sun appears to be shining on our booming building industry, though business coach Graeme Owen says it's important to make contingency plans, so resource scarcity doesn't derail your success**

**N**ow is a great time to be a builder. Demand is high and pay rates are good. Tradespeople know their value and many are prepared to jump ship if the rewards are there for them, so attracting them to join your team, while hard, is not impossible.

While builders are thriving, the other side of the coin is that clients are beginning to recognise that there is no better time to build than the present – even if it means a higher price than if they had done the same work just a year ago. So, there is no shortage of demand for work from clients.

Moreover, because cost-plus or charge-up contracts are now becoming more

common, it is becoming harder to lose money on a job. Sure, there may be a little less gross profit than with a fixed-price contract that goes to or better than planned, and you do have to reveal your costs, but certain profit is good to have in these uncertain times.

However, as the environment is different, you do need to do some things differently. Here are some things you can do to adapt well.

### 1. BUDGET ADDITIONAL TIME TO GATHER SUPPLIES

I am sure you are finding that managing projects is taking much more time now than in previous years. The industry in which you do business is fraught with

delays and price uncertainties. As a result, organising supplies for a job can feel like a nightmare.

Whereas not too long ago a phone call could secure most materials, now you might call four or five suppliers (more in some cases) before you can get what you want – let alone when you want it. In some cases, what you want is just not available and you will need to make a substitution. This will require sign off from the client and may require a variation in design and even a new building consent. Delays are inevitable!

So, if you are spending much more time on project management than you expected, then keep a record, so that next time you prepare an estimate

you will know how much additional time you'll need to allow for sourcing supplies.

## 2. HOLD ONTO SMALL JOBS

Sometimes delays and hold-ups mean that you may have to leave a job for several days, or even weeks, while waiting for critical supplies or subcontractors. This can be extremely frustrating – especially if you don't have another project to which you can move your team. It's in cases like this that having a few small jobs on your books – which you can start at short notice – may be just what you need to fill unexpected gaps.

So, don't ignore the calls for small jobs, even if you can't see yourself doing them soon. Explain your situation and add them to your waiting list. They are welcome to try other builders, but the thing is, most builders are also busy, just as you are, so it's likely that some on your list will still be waiting for you when you have an unexpected delay.

## 3. RENT STORAGE FOR ESSENTIALS

If you have the financial resources available, it may be possible to rent a space and store some of your critical materials for future use. If you

make a list of regular things that you use and are able to chip away at, and build a reasonable supply that you keep replenishing, you are less likely to run out at critical times. Sure, this is capital-intensive, but it may save you money in the long run by avoiding price increases.



**Having a few small jobs on your books – which you can start at short notice – may be just what you need to fill unexpected gaps**

## 4. ENCOURAGE CLIENTS TO BUY AHEAD

At a lower cost (to you) than purchasing and storing your own materials, you may want to offer a service to your clients where you purchase all their critical materials in advance. You invoice them and they pay you for them on delivery, so there is no real cost to you, and potentially a saving for your client.

Of course, clients will likely want to ensure that they have ownership of the materials if they are not stored on their

property, but that should not be too difficult to arrange (talk to your lawyer).

And sure, your clients are paying in advance, but by doing so, they are insuring against at least two unwelcome situations. These are substitutions, where specific items are simply not available, and future price increases.

In fact, it may not cost them any more over the course of the build if they do this. Also, if there are no supply delays, then the actual build time may be considerably less, which could be a real selling point for a renovation.

## 5. DELAY THE START TIME

At the very least, you want to put off starting a job until you can be sure that you have the critical materials and the key subcontractors booked. This should likely reduce unexpected delays.

## IN A NUTSHELL

The thing is, you can't change the environment in which you do business, but you can change the way you go about working in this environment. So choose to enjoy the change, rather than fight it, and figure out how to work in it, with what you have available. ■

Graeme Owen is a builders' business coach at [thesuccessfulbuilder.com](http://thesuccessfulbuilder.com). Since 2006, he has helped builders throughout New Zealand get off the tools, make decent money, and get more time in their lives. Grab a copy of his free book: *The 15 Minute Sales Call Guaranteed To Increase Your Conversion Rate*: [thesuccessfulbuilder.com/book-15-min-sales-call](http://thesuccessfulbuilder.com/book-15-min-sales-call) or join Trademates and connect with builders who are scaling too: [www.facebook.com/groups/TradeMates](http://www.facebook.com/groups/TradeMates)

# PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!



- |  |  |   |
|--|--|---|
| <p>7) If you plan to buy a client's building materials for them in advance, you should:</p> <ul style="list-style-type: none"><li>a) Pay the cost yourself and store materials on the client's premises for limited liability.</li><li>b) Pay yourself and receive the materials, then bill the client later.</li><li>c) Order the materials and invoice the client once received.</li></ul> | <p>8) Why should you keep a record of how much time you are spending sourcing materials?</p> <ul style="list-style-type: none"><li>a) So you include the correct amount of time in your next estimate.</li><li>b) Because you need to submit it to the IRD at tax time.</li><li>c) Because some suppliers will offer you a rebate on your time if you end up buying their product.</li></ul> | <p>9) What benefits of encouraging the client to buy supplies ahead of time are highlighted in the article?</p> <ul style="list-style-type: none"><li>a) The client will likely pay you extra for this service.</li><li>b) Discounts are assured for products bought ahead of time.</li><li>c) Your client gets some assurance against supply challenges and potential price increases.</li></ul> |
|--|--|---|

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## STATUTORY LIABILITY INSURANCE



Despite increased focus on health and safety at work, construction continues to account for a significant number of workplace injuries in New Zealand

**Having health and safety protocols isn't the same as protecting oneself from consequences if there are accidents in the workplace. Prosecution by WorkSafe over injuries could harm your business, so Ben Rickard of Builtin Insurance explains how statutory liability insurance can offer protection**

In the year to August 2020, the construction industry was second for injuries that resulted in more than a week off work. There were 5,070 incidents. That's over 100 per week!

### WORKSAFE PROSECUTIONS IN CONSTRUCTION

In 2020, there were nine prosecutions of construction firms by WorkSafe, with combined fines imposed of \$259,000.

The prosecutions in 2020 ranged from the electrocution of a scaffolding worker to breaching a WorkSafe prohibition notice relating to asbestos. A case that concluded in early 2021 saw the company found guilty when a worker died after being hit by a falling beam.

Another case in 2020 saw a \$50,000 fine imposed for breach of a prohibition notice, despite no-one being injured. In fact, there were multiple prosecutions in 2020 for breaches that involved failures to observe a prohibition notice but without an actual accident.

In another prosecution, fines of \$26,000 were imposed after a mini crane collapsed but the Person Conducting a Business or Undertaking (PCBU), did not preserve the scene or notify WorkSafe of the notifiable event. They simply arranged for the removal and replacement of the collapsed crane overnight and then continued working. It was a member of the public who witnessed the crane collapse that

called WorkSafe. The fines related to failing to preserve the site and failing to notify WorkSafe.

### STATUTORY LIABILITY

You cannot insure for health and safety fines; however, statutory liability insurance will cover the investigation and legal defence costs and any reparations awarded to an injured party or their family. These last two can often be the most expensive parts of the whole process.

As an aside, statutory liability insurance covers fines in other legislation, such as those in the Building Act, Resource Management Act and Fair Trading Act. In a recent prosecution, a building

company was found guilty of misrepresentation under the Fair Trading Act when their initial estimate of build costs was found to be substantially lower than the eventual quoted price. If they had had statutory liability, it would have covered the cost of that fine.

**You cannot insure for health and safety fines; however statutory liability insurance will cover investigation and legal defence costs and any reparations awarded to an injured party or their family**

## PCBU RESPONSIBILITY WIDE-REACHING

The High Court has clarified that a business does not need to be contractually tied to an activity to have health and safety responsibility as a PCBU.

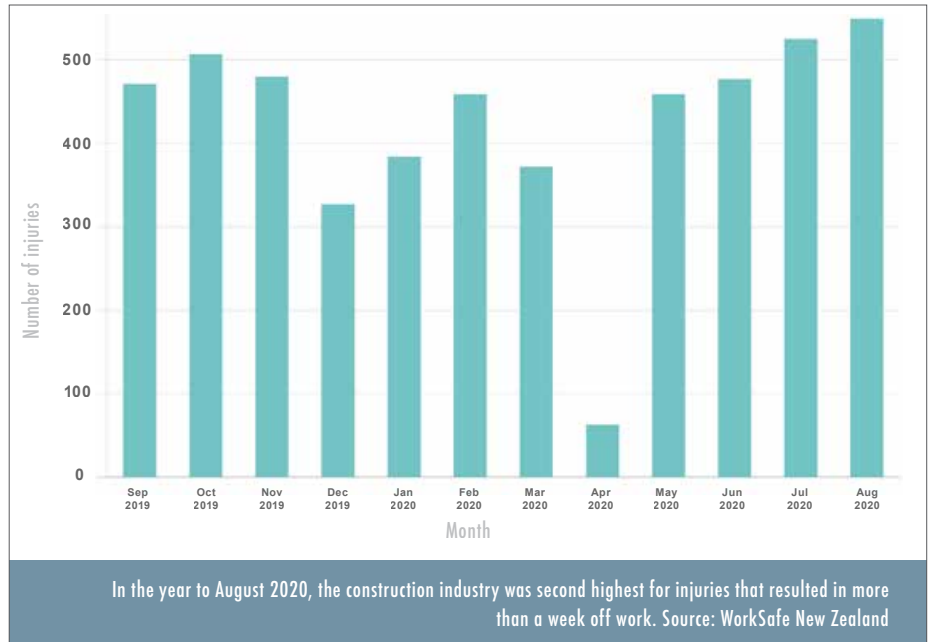
The coverage of the Health & Safety At Work Act is very broad, as was demonstrated by a case where the demolition of a house in 2017 went badly wrong. During the work, a wall fell onto a neighbouring house,

damaging it and rupturing a gas line (WorkSafe later prosecuted Quick Earth Moving Limited; you may remember the video!).

While the demolition company pleaded guilty, a second company that expected to project manage the work later was also charged. This second company had no contractual ties to the demolition company when the event happened. It had fenced the site and arranged for the services to be cut off. The District Court found in favour of the company, but WorkSafe

appealed to the High Court and won. The High Court found that a business does not need to be contractually tied to an activity to be a PCBU in relation to it. The question was more if the second company was actually managing or supervising the work, with or without a contract to do so.

This decision highlights that even a business that is only involved in a small way in work that causes serious injury or death might still get caught in the WorkSafe prosecution net. ■



Builtin are New Zealand's trade insurance experts.

For more information visit [www.builtininsurance.co.nz](http://www.builtininsurance.co.nz) or contact Ben at [ben@builtin.co.nz](mailto:ben@builtin.co.nz) or 0800 BUILTIN.

## PROVE YOUR KNOWLEDGE

Tick the correct answers below and record what you've learnt in the record of learning on the back page!

- |   |   |  |
|---|---|--|
| <p><b>10)</b> Will Statutory Liability Insurance cover my fines if I breach health and safety laws?</p> <p>a) Yes, that's what insurance is for.</p> <p>b) Yes, you will be covered for health and safety fines, investigation and legal defence costs and reparations.</p> <p>c) No, however, the insurance will cover investigation, legal defence costs and reparations costs.</p> | <p><b>11)</b> Can a business with only minor involvement in a workplace injury or death be prosecuted?</p> <p>a) Yes – even a business that is only involved in a small way might still get caught in the WorkSafe prosecution net.</p> <p>b) Yes – because every single business associated with a work contract is always considered party to any injury or death.</p> <p>c) No – WorkSafe prosecutors only focus on a single main culprit.</p> | <p><b>12)</b> In a recent prosecution, a building company was found liable over their initial estimate of build costs being lower than the eventual quoted price. Which legislation was the company liable under?</p> <p>a) The Health and Safety at Work Act.</p> <p>b) The Fair Trading Act.</p> <p>c) The Building Act.</p> |
|---|---|--|

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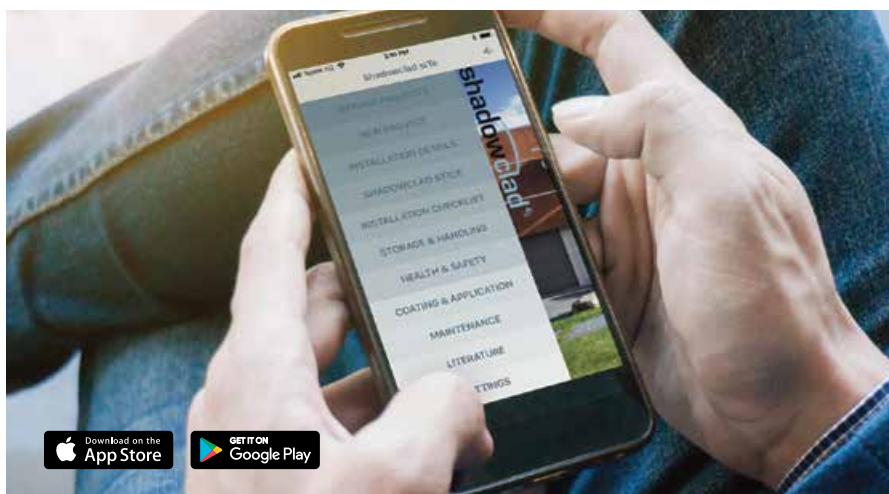
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# SPONSORSHIP NEWS

## SECURING SEA SCOUTS HUB FOR THE FUTURE



The Aotea Sea Scouts were thrilled with the outcome of the project, which provided much-needed renovations to the iconic building's kitchen and bathroom

### Thanks to a PlaceMakers Foundation Big Build Grant, an iconic maritime hub in Auckland will serve the Aotea Sea Scouts for decades to come

Communities around the country thrive on facilities that bring them together, and PlaceMakers Foundation Big Build Project is committed to bettering or creating those where the community will benefit. For more than 100 years, Sea Scouts has provided youth aged 14 to 20 with an opportunity to challenge themselves, learn new skills and develop friendships, so investing in the renovation of the Aotea Sea Scouts' hub was a win-win all round.

Used frequently by the 30-60 Aotea Sea Scouts, the notable historic landmark has stood the test of time after being constructed in 1911 and

taken over by the group in 1967. Renovations of the kitchen and bathroom facilities, which had not been upgraded for 40 years, were desperately required to meet the needs of the Scouts, and enable them to also hire out the facility to other community groups to raise funds.

Stephen Lasham, one of the Aotea Sea Scout leaders, says that creating a safer, roomier and more functional kitchen and bathroom has been a goal for a long time, and the impacts extend beyond aesthetics.

"Thanks to this Big Build Grant, we can proudly hire out our building to help

fund our activities and allow even more local kids to participate in Sea Scouts."

The upgrade project, headed by the nearby PlaceMakers Mount Wellington, went very well according to Branch Manager Roger McRae, who was blown away by the support from suppliers.

"An incredible number of suppliers donated or discounted supplies, saving the project \$30,000, meaning we could fund a high-quality renovation that will provide a lasting result," said McRae.

"It was a fun project for a good cause, and our team found it very rewarding to be involved." ■

## PROVE YOUR KNOWLEDGE

Evidence of actual learning rather than just 'participation' is a key requirement of the LBP renewal process.



### CODEWORDS ISSUE 101

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### AUGUST/SEPTEMBER 2021

For ease of record keeping, use this coupon to collate your answers from within this issue of **Under Construction** and then sign and date it as proof of your own learning.

Signature

Date

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HUNTLY 828 2000  
MORRINSVILLE 889 8057  
MT MAUNGANUI 575 4009  
ROTORUA 347 7023

## TAUPO

TE KUITI 878 8149  
TE RAPA 850 0190  
THAMES 868 0130  
WHAKATANE 306 0320  
WHITIANGA 867 2000

## CENTRAL NORTH ISLAND

HAWERA 278 6013  
NAPIER 843 5816  
HASTINGS 842 2925  
NEW PLYMOUTH 755 9040  
OHAKUNE 385 8414

## PALMERSTON NORTH

353 5777  
WANGANUI 349 1919

## WELLINGTON

EVANS BAY 387 8692  
HUTT CITY 568 5042  
KAIWHARAWHARA 472 1616  
KAPITI 296 1086  
LEVIN 366 0960  
MASTERTON 377 7504  
PORIRUA 237 9189

## UPPER SOUTH ISLAND

BLENHEIM 520 6030

## MOTUEKA

528 8164  
PORT NELSON 548 9069  
SAXTON RD 547 9111

## CHRISTCHURCH

CRANFORD STREET 375 4119  
HORNBY 344 8950  
KAIAPOI 327 5860  
RICCARTON 348 2039

## CANTERBURY

ASHBURTON 308 9099  
TIMARU 687 4035  
TWIZEL 435 3133

## SOUTHERN

ALEXANDRA 440 0198  
CROMWELL 445 9202  
DUNEDIN 466 4617  
GORE 209 0055  
INVERCARGILL 211 0366  
MOSGIEL 466 4617  
OAMARU 433 0460  
QUEENSTOWN 450 9000  
TE ANAU 249 7774  
WANAKA 443 0080