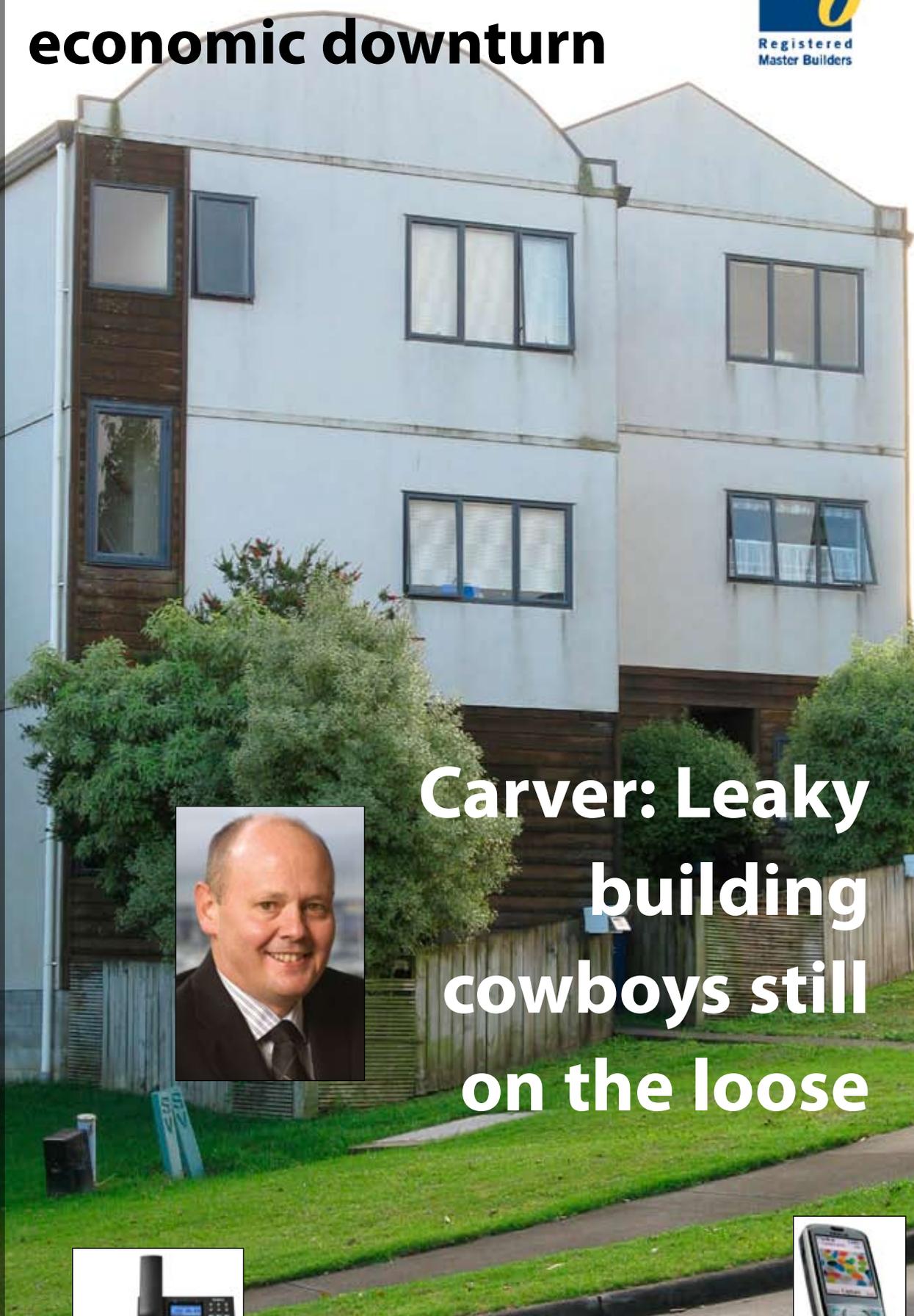


# building today

THE OFFICIAL MAGAZINE OF THE REGISTERED MASTER BUILDERS FEDERATION

## Navigating the economic downturn



### Carver: Leaky building cowboys still on the loose



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# building today

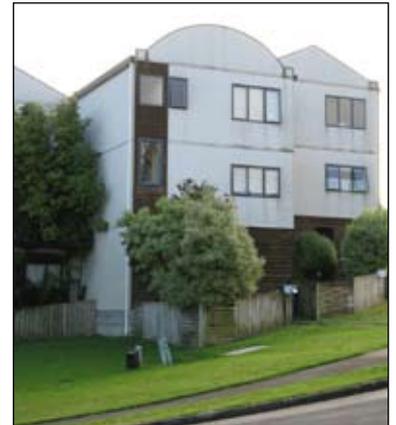
When the going gets tough, the tough get going. OK, it's a well worn cliché but one that is going to sort the men out from the boys in the coming months.

RMBF president Brent Mettrick has some very handy advice on how to navigate the economic downturn, while Jennian Homes director Richard Carver warns of the cowboy builders that have been allowed to build again after their companies have failed.

He is of the opinion that the New Zealand construction industry urgently requires an independent licensing system to keep poor builders out.

In the meantime the new National Government has provided some good cheer with the fast-tracking of various infrastructure projects which will help keep some in work at least.

**Andrew Darlington**  
Editor



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**Win these fabulous phones online! See page 31**



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# chief's chat

by ceo warwick quinn

## RMBF calls for industry stability

**H**appy New Year to you all. I hope you had an enjoyable and restful break, and that the weather was kind wherever you were.

At the National House of the Year Gala Dinner, the Minister announced his support for the licensing of builders and got a rousing applause for his endorsement.

However, just prior to Christmas he was receiving mixed messages from the sector. I want to assure you that the RMBF fully supports licensing as an important mechanism to lift skill levels across the industry and, thereby, continue the lift in overall building quality.

We have reinforced our support for licensing to the Minister but accept that, over time, the regime can be refined and improved. The industry has worked hard on licensing over the past few years and to dismiss it now would be a backward step.

Volatile volumes continue to plague the construction



industry. You will all be well aware of the drop off in new residential consent numbers over the past 18 months — the lowest since 1992.

Getting stability is paramount. Sure, it's difficult but there are things the Government can do, including:

- stable immigration policies so we have a steady influx of immigrants,
- stable interest rates, and
- well planned Government capital expenditure programmes, not only on linear infrastructure (roads, highways, bridges, transmission etc) but in buildings such as schools and hospitals.

They can do other things too — review the RMA and Local Government Act so that territorial authorities can, and must, ensure sufficient development land can

be held and released to meet the increased demand when it eventuates.

There is a lot of talk about affordability (or non-affordability), a significant contributor to which is the lack of land to build on.

It's simple 101 economics — when demand for houses goes up you need to be able to build more of them quickly to meet the demand and stabilise prices. If this takes too long, and is too expensive, up go the prices.

The Government can also streamline resource and building consent processing, reduce compliance costs, introduce an energy efficiency rating to all houses so the market can differentiate efficient and inefficient properties, old and new, and place a real value on them (see the NZ Business Council for the sustainable development report *Better Performing Homes for New Zealanders — Making it Happen*).

This will drive an upgrading of our housing stock over time and stimulate the sector.

There's plenty that it could do — the Government just has to have the will.

We can do things too — such as promote ourselves.

It is likely that in 2009 it will never be cheaper to build or renovate a house. The Official Cash Rate is now 3.5%, land values have fallen, margins are being reduced, and there is plenty of competition. But downturns don't last forever!

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# Residential Castles takes on ‘small’ challenge and come up trumps

**W**hen Residential Castles Ltd managing director Karl Eastmond first saw the four by six metre section in the Sumner hills near Christchurch where a two-bedroom villa was to be built, his first thoughts were that it couldn't be done.

Never one to turn down a challenge, Karl and the Residential Castles team decided to take on the project which would ultimately test the initiative and creativity of everyone involved.

The site itself is second to none, with spectacular views out to the Pacific Ocean. However, creating a liveable space on such a small plot was a real concern.

“The actual square meterage of the site was the biggest problem for us,” Mr Eastmond says. “When people initially saw the site, they asked if we were putting in a garage.”

The building itself is a two-bedroom villa spread over three levels, with the first level housing a separate bedroom, bathroom and garaging. The second level has an open plan living area with kitchen, and the third

level a bedroom with ensuite bathroom.

In order to make use of what limited space it had, the team first set to removing part of the rock face to allow for a six by eight metre ground floor area.

For the first level, valuable space was added by offsetting the building to the right on to existing ground, creating deck space on the left hand side.

By adding a two metre deck to the front, this created a valuable six by six metre first floor open plan living area housing the lounge and kitchen areas, with large bi-folding doors onto the deck creating indoor-outdoor flow.

The upper level consists of an impressive studio bedroom with ensuite and balcony.

The proposed design was incredibly tall and thin, so a unique exterior was required. Standard techniques and materials weren't an option for the upper two levels, and the team needed to apply some lateral thinking to come up with a solution to create a rigid and durable structure.

Eventually, Eterpan — a solid fibre cladding fixed on a ventilated cavity system — was chosen as it was the only material up to the task.

To maximise every inch of the extra space created, a simple approach was taken in the design, both inside and out, using sharp lines



and open plan spaces.

All doors were fitted with bi-folding aluminium joinery, increasing the flow to the outside and effectively creating more liveable space. A decorative slate finish was added to the terraces, and stainless steel balustrades without handrails were used throughout, adding to the minimalist aesthetic of the project.

So far the reaction to the property has been overwhelmingly positive, with the client and the team thoroughly impressed with the end result.

Mr Eastmond praised the practical initiative and flexibility of the workers on site as they rose to each challenge that the project presented to them.

“Everyone involved went out of their way to create usable solutions to unusual problems. It was this kind of attitude that made the project so successful,” Mr Eastmond says.



# Well Happy New Year!

RMBF president **Brent Mettrick** takes a look at what construction companies need to do to navigate the economic downturn

**M**ost of us will have come back to a mixture of news. It's good that interest rates have gone down once again — but why hasn't the business overdraft dropped?

Most people I talk to have experienced an increase in foot traffic to the showhome doors, albeit to look rather than to sign, and real estate sales are more positive.

In these times those that put the work in will be rewarded. Increased foot traffic will move to increased sales, and then construction.

I guess we have had downturns every five to seven years, and this one will pass for most. To still be here when it does you will need to have in place some standard items in your business as listed below:

- Develop your team — give them all A, B or C grades. Support your As, train your Bs and replace your Cs. Don't abandon your training as this is the time your people will value the need to train.
- Manage and renegotiate your suppliers and trades. Again, grade them and stick with the best (it is not all about price).

Use trade applications, interview the applicants and prepare a list of questions, speak less and listen more, check references and then train them the way you need them to operate.

- Control your costs by developing very accurate



costings and budgets for each building. Implement a good purchase order system and insist on accuracy with your invoices received to the quote and orders.

This area is crucial. Many companies have fallen over on what seemed like a little slippage that eventually pushed the company over the cliff.

And always try to minimise waste for you, your trades and clients.

## Tightening your schedules

- Tightening your schedules is an easy way to trim waste and bolster your bottom line. Be conversant with Critical Path Method (CPM) and have a chronological list of construction activities.

Time spent reworking how and in what order a task can take place can be repaid many times.

- Develop formal quality control and formal safety training, develop your systems with checklists for each stage and get your trades to fill out and attach with their invoice.
- Working with home owners or customers has never been more important in these tough times. Improve communication to either daily or at least twice a week, monitor your communication and, above all, keep your promises.

As well as the good business practice above, marketing yourselves in a tough market is also vitally important.

The channel that the House of the Year and Commercial Projects Awards provides to Registered Master Builders gives us a significant advantage over other builders, so use it!

Entries are open now — go online to [www.houseoftheyear.co.nz](http://www.houseoftheyear.co.nz) to give your business the edge that this competition offers.

Also, don't forget the RMBF Annual Conference in April this year. The theme is *Smart Moves for Success*, and is aimed at giving members some tools to run their businesses better.

It's also a great opportunity to spend a couple of days catching up with fellow members and sharing ideas. I look forward to seeing you there.

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# Exceeding expectations

Apprentice of the Year competition a 'good networking opportunity for the future'

**T**auranga carpentry apprentice Shane Swan says what he loves about building is the satisfaction of finishing a project which you know you have worked on from start to finish.

Shane was named runner-up in the Registered Master Builders Carters 2008 Apprentice of the Year competition in October. He and winning Apprentice of the Year, Joe Dobson, were presented with their awards at a ceremony in Wellington.

Shane was introduced to the building trade through his wife's extended family, many of whom are builders.

"I wanted a career which would allow me to be both active and creative — so I chose building," he says.

Shane started his apprenticeship in Auckland three years ago, and after working with a couple of small building companies there, he returned to his home town of Tauranga with his wife and began working with Gary Riddell of Riddell Construction.

It was his BCITO training officer, Tim Buxton, who suggested he enter the Apprentice of the Year competition. He was also persuaded to enter partly by the age limit of the competition. In his third year of an apprenticeship, and at 25 years of age, 2008 was his last chance to give it a go.

He puts his success down to being actively involved in all areas of the construction projects he has worked on, as well as dedicating time to completing his entry form and preparing for the competition interviews.

"I think the judges wanted to see that entrants had demonstrated a level of leadership on their jobs. I also spent a lot of time preparing my entry material, researching aspects of the Building Code and talking to people in the industry. You can never be too prepared!"

As the regional winner from Tauranga, Shane was flown to Wellington in October 2008 with the nine other finalists from around the country. The finalists attended the national awards ceremony along with other activities, including morning tea with former Minister for Building and Construction Shane Jones.

"It was a real privilege to go to Wellington and meet the other regional winners. I had no idea how I would go though. In my mind I had picked Joe (Dobson) as the winner, but I didn't think I would come in second!"

Shane said the opportunity to meet the other apprentices that shared his motivation and positive attitude was fantastic and a "good networking



*Registered Master Builders Carters 2008 Apprentice of the Year runner-up Shane Swan from Tauranga.*

opportunity for the future".

And while he is optimistic, Shane is realistic in his major goal for 2009 — to keep his job.

"I know there are tough times ahead which makes it all the more important we ensure our customers are happy with the work we do.

"Any experience is a good experience though, and I

think I'll learn a lot from this downturn that will help me later in my career when I hope to establish my own business."

Entries in the Registered Master Builders 2009 Apprentice of the Year, in association with Carters, will open in April 2009.

For further information, visit [www.masterbuilder.org.nz](http://www.masterbuilder.org.nz).

## Building icons

**B**ig successful projects aren't unusual for Mainzeal Property and Construction, which took out the 2008 RMB Commercial Project of the Year for Sovereign House – an innovative new office building in Takapuna, Auckland.

As one of New Zealand's leading construction companies, Mainzeal secured the project partly from a past relationship formed with the clients, who had used Mainzeal for a previous job.

Mainzeal project director John Hemi says while it was put through a limited tender process, the client, ASB Group Property, had appointed the same team of consultants and associates who had worked with Mainzeal on a past project.

"That gave us a definite advantage when going for Sovereign House."

The project team was on site from November 2005 preparing for the \$63 million job, which took 19 months to complete.

Mr Hemi says the project was particularly interesting because of its unique design. Acclaimed Australian architect James Grose, of Bligh Voller Nield, used the philosophy of a village – an inclusive, social place – to produce a sense of ownership and encourage maximum interaction between the occupants of the building.

"The building is a one-of-a-kind office space designed from the inside out. One of its aims is to promote informal interaction among the people working in it," Mr Hemi says.

The building's innovative design was a challenge for project manager Murray Svendsen and his construction team, partly because few of the plans had been completed when construction started.

"We were working to a very ambitious time frame, and the fact that the design was not finished when each stage of construction began certainly added to the complexity of the project," Mr Svendsen says.

Mr Hemi maintains that much of the success of Sovereign House can be attributed to the strong relationship between all parties involved in the project.



"Open and co-operative partnerships gave us the ability to quickly and efficiently work through problems and issues.

"This sort of relationship holds a certain level of risk, and it was crucial that all parties had a high degree of trust in each other."

Mr Hemi, whose 25-year career in the construction industry includes 15 years with Mainzeal Property and Construction, says being involved in projects such as Sovereign House is one of the reasons he enjoys working for the company.

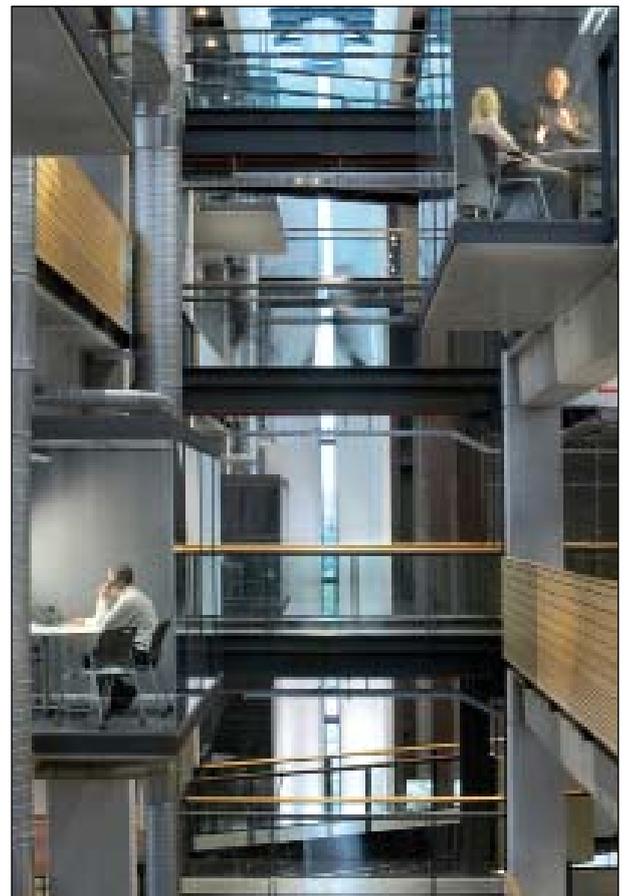
"Mainzeal has had the privilege of building a range of high-profile and iconic buildings in New Zealand, Sovereign House being one of them. It's a real buzz to work hard on these projects, and then to be recognised for the work we've delivered makes it even more worthwhile."

Mainzeal Property and Construction started its relationship with Registered Master Builders in 1975. Mr Hemi recognises that the RMB Commercial Project Awards are about innovation, quality and delivering building excellence, which he says Mainzeal always strives to

achieve.

"I know of at least a handful of projects that Mainzeal will be entering in the 2009 awards.

"I think the company realises what an achievement it is to obtain a top award in New Zealand's most prestigious commercial building awards and, as a result, we'll definitely be giving it another shot this year."





# Working with the best in the business

Working with one of Australasia's most highly regarded architects was reward enough for Philip Lindesay when he took on a complex holiday home project in Russell.

Taking out the Placemakers Supreme Award at the Registered Master Builders 2008 House of the Year was the icing on the cake.

Lindesay Construction, which has worked hard to build a strong reputation in the Bay of Islands since the company was established in 1987, was asked by a new client to have an initial meeting with a Sydney-based architect in Auckland.

"When they mentioned the name James Grose, I was blown away," company owner Philip Lindesay says.

"James has a fantastic reputation across Australasia, so it was very exciting to be given one of his projects."

Te Whare Hoiho, as the home was named, was built for a Californian couple who wanted a holiday home that could be left for



months at a time, and required no garden maintenance.

Designed with an Australian outback feel, the house is positioned to make the most of the site's rural and sea views.

"From the outside it looks like a simple construction but, in fact, it was one of the most complex projects I have ever worked on because of the intricate steel structure. But the architect did warn us!"

Another challenging aspect of the project was adapting the complex construction specifications to meet the New Zealand

Building Code, without compromising the style and design.

"The home was designed to meet Australian building standards, where there aren't earthquakes or high winds and it doesn't rain often. The architect was adamant that the style and design shouldn't be changed at all, which was a bit of a challenge."

Mr Lindesay says Te Whare Hoiho was one of the most rewarding projects his team, led by Scott Sinel, has worked on, as it gave them the opportunity to work with great architectural design.



"I've always been passionate about architecture, which is why I got into building in the first place. We are lucky to have worked with some top architects, and it's great to now be able to add James Grose to that list."

Other recent projects Lindesay Construction has worked on include a property at Eagles Nest Lodge in Russell designed by Simon Carnachan, the Two Rooms Art Gallery in Grey Lynn, Auckland, and many more.

"After years in construction it's hard to name a favourite project as each home has its own amazing feature — but this Russell property would come close."

# Leaky homes reflect poor quality builders

**J**ennian Homes director Richard Carver says today's leaky homes are more than likely built by cowboy builders that have been allowed to build houses again after their companies have failed, and by builders that are still taking short cuts.

"What we have here are shonky builders reinventing themselves, rising yet again from the ashes as phoenix companies, or simply restarting after previous failures, because company rules have not been changed to prevent it," Mr Carver says.

"Under current legislation and regulations, anyone can set up a building company — they don't require any capital or licensing or any basic building or business skills. As a result they have poor business practices and non-existent quality systems," he says.

Poor design not suited to New Zealand conditions — for example, buildings with no eaves, cantilevered decks and parapets, or flat roofs — combined with low value, risky building materials and poor workmanship result in leaky homes.

Mr Carver says he would hope that today no builders would be producing potentially leaky homes, but, unfortunately, there is no way to be certain of that.

Councils have a key role to play in ensuring that houses are built properly through their inspection processes.

"We still have a system where anyone can call



*Jennian Homes director Richard Carver says the New Zealand construction industry urgently needs an independent licensing system to keep poor builders out.*

themselves a builder and build a home — there is no screening or licensing in place — and when customers are after the cheapest price and there is so much

competition in the marketplace, they may be drawn to low quality builders.

"Customers need to stick to tried and proven building brands that have stood the test of time, and accept the fact that quality may cost more. In the long run it will bring them peace of mind."

Mr Carver says the key is to address the fundamental issues underpinning failure within the sector.

"Companies such as Jennian have been investing for more than 30 years in quality systems and people. Quality is everything we do.

"We urgently need an independent licensing system run by the Government to keep poor builders out, and company legislation that prevents them from re-entering the building industry when they fail," he says.

"I am very sorry for the home owners in Christchurch who have been forced to demolish their leaky home. Their home was built 15 years ago and, essentially, it's not worth trying to repair a flawed design or redo poor workmanship.

"In this case, it is better and cheaper to knock it down and build again. Putting a stop to the building of leaky homes once and for all will save others from having to go down this traumatic route."

• For more info: Ph Richard Carver, 021 310 094

 On the web: [www.dbh.govt.nz/leaky-building-and-weathertightness](http://www.dbh.govt.nz/leaky-building-and-weathertightness)

## Concrete sector welcomes Government infrastructure package initiative

**C**ement & Concrete Association of New Zealand chief executive Rob Gaimster has praised the Government's fast-tracking of \$500 million worth of infrastructure projects announced recently.

"The education, roading and state housing initiatives will assist in alleviating concerns over job security by providing work within the concrete sector, and the construction industry in general, as well as within

local communities," Mr Gaimster says.

"I applaud the Government for this series of initiatives. While the construction industry is clearly hurting in the current economic climate, this immediate commitment to infrastructure investment will provide much-needed stimulus to New Zealand's struggling economy, assisting us to move into a period of growth."

He says the emphasis on implementing projects without delay, along with their nationwide focus is

very pleasing.

"The Cement & Concrete Association of New Zealand looks forward to the increased construction funding over the next three to four years, and contributing to the Government's infrastructure development strategies and investment plans," Mr Gaimster says.

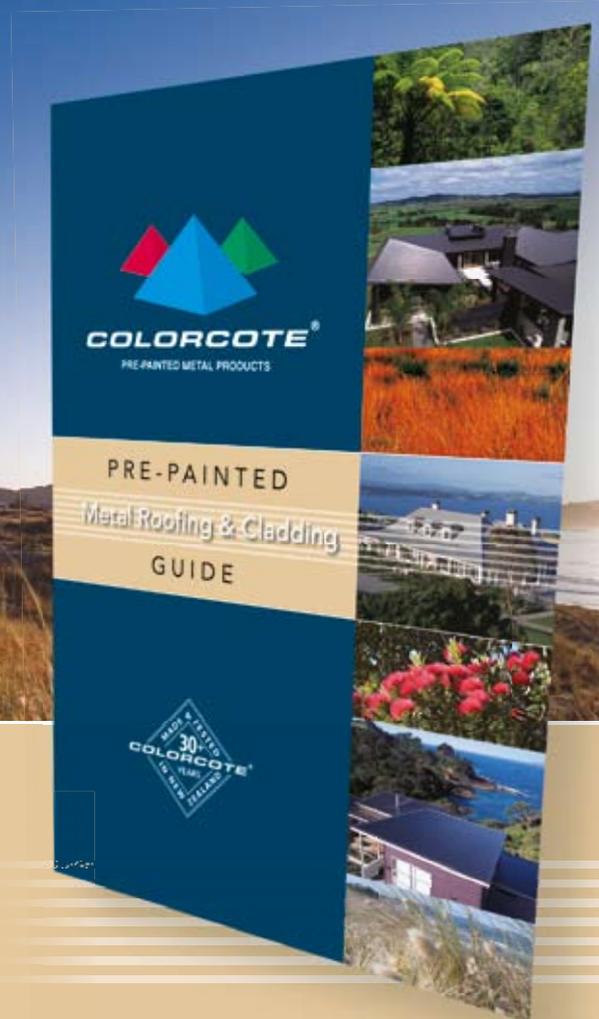
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# Industry facing 'nosedive'

Construction sector desperately needs a kick-start to pull out of the current nosedive into deepening malaise

**T**he construction industry will face a "nosedive into deepening malaise" unless something more is done to kick-start it, an economist says.

The warning by Goldman Sachs JBWere analyst Shamubeel Eaqub comes after building consent figures showed the number of residential housing consents hit new lows in November last year.

Statistics New Zealand said only 1168 units were authorised during the month — the lowest monthly total since January 1992.

When apartment consents were taken out of the figures the number of new houses authorised fell to 1052 units, the lowest level since Statistics New Zealand began monitoring consents in January 1990.

The year to November saw total consents falling 26% to 19,068 — the lowest annual total since the April 1994 year.

The trend for the number of new housing consents has now dropped 48% since its peak in June 2007.

Mr Eaqub says the data suggested there would be a

major decline in construction activity in the first half of the year, with much of the weakness in the residential housing sector.

"While falling interest rates are a positive, they have not yet been fully passed on to borrowers with sufficient ease to catalyse a recovery in our view."

Mr Eaqub says more needs to be done. "The construction sector and the economy more generally desperately need a kick-start to pull out of the current nosedive into deepening malaise."

UBS senior economist Robin Clements says it was possible the housing sector would continue to have a negative impact on growth in the 2009 year.

## Not all doom and gloom

But not all were down on the sector.

ASB economist Jane Turner says it is not surprising to see consents at a weak level given the economic environment, but she believed it would pick up.

"The medium-term outlook for construction should be more positive, with ongoing population growth likely to

provide a base for construction activity."

The value of residential consents for the November year was down 19% to \$6.338 billion. In 14 of New Zealand's 16 regions the number of consents fell, with Auckland dropping the most by numbers.

Auckland was down 189 units or 37%, followed by Canterbury, down 181 units or 49%, and then the Waikato dropping 138 units or 45%.

Tasman and the West Coast were the only regions not to fall with authorised units up 5 and 1 respectively.

But the picture was better for non-residential consents. They were up 6.5% to \$4.472 billion, although the November month was down 0.8% on November 2007.

Mr Eaqub says falling business profitability is having an impact on new investment in non-residential initiatives, but infrastructure should be strongly supported by a pre-committed pipeline of work.

• **For more info: Ph Statistics NZ, 0508 525 525**

 **On the web:**  
[www.stats.govt.nz](http://www.stats.govt.nz)

# Decision a victory for commonsense

**D**iversified investment firm Stevenson Group says the Commerce Commission's decision to allow Firth Industries' acquisition of its masonry business is a victory for commonsense.

Stevenson Building Products chief executive Frank Janssen says the Commerce Commission's decision to allow Firth — owned by Fletcher Building — to take over the masonry operations in Drury and Whangarei is a pragmatic business decision.

## Masonry not profitable

"The masonry business had not been making a profit for a number of years and the Stevenson board decided late last year to exit the business, either through closure or a sale.

"We've tried for years to make the masonry business work. The rest of the business used to absorb the losses but in the current economic climate, it's just not feasible to let that continue.

"Allowing the sale is the best outcome, as it means approximately 70 jobs are expected to be saved."

The Stevenson board of four directors — two of which are descendants of company founder William Alfred Stevenson — made the decision to exit the loss-making masonry business last September.

## Other offers

Mr Janssen says the company had received other offers for the masonry business, but in the current economic climate the proposal from Fletcher was the only deal that offered more than the masonry business' closedown value.

Staff, suppliers and customers were kept fully informed of developments.

"The commission had turned down a previous Fletcher bid for part of Stevenson's building products division in 2005, on the basis that there may be other interested parties.

"In the four years since that decision, no genuine

alternate bids have emerged, and we've incurred ongoing losses in the masonry business despite our efforts to restructure and turn the business around."

Mr Janssen says Stevenson's experience in the masonry business has shown that it was not economically viable for two operators in a market of New Zealand's unique size and geography.

The popularity of imported products and construction alternatives such as steel, timber and pre-cast concrete has only served to exacerbate this situation.

He says the board's decision always meant that a sole operator was going to be the inevitable outcome, whether through a sale or closure.

The sale does not affect the rest of Stevenson Group, which includes readymix concrete, pre-cast, aggregate, engineering, framing and mining. These will continue to service and supply customers as normal.

• **For more info: Ph Stevenson Group, 09 984 8400**

 **On the web:**  
[www.stevensons.co.nz](http://www.stevensons.co.nz)

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Te Kaporeihana Awhina Hunga Whara

## Timber producing 'elegant' structures

Innovative use of wood in building design produced elegant structures with an updated, contemporary feel, according to the judges for the 2008 Timber Design Awards.

Announced in Auckland late last year, the awards ranged across eight categories from residential architecture to outdoor infrastructure.

The winning entries included a Department of Conservation visitor centre, a lake house, the Meridian Energy building in Wellington, a footbridge and a fit-out for a film production company.

Lawrie Halkett from one of the award's sponsors, the Pine Manufacturers' Association, says the awards had attracted a record number of entries from architects, designers, engineers and builders.

"It's fantastic to see the growing interest in using timber in building design, often in non-traditional situations.

"Wood's environmental credentials combined with advances in timber engineering are encouraging new uses of wood in construction, moving beyond

residential and into low-rise commercial applications."

For instance, the Government now requires all its own new buildings of four storeys or less to consider wood options in the concept design stage, he says.

New Zealand is not alone in this trend. In London, a nine-storey residential high-rise is being built using wood for its core structure, and elsewhere in Europe a 14-storey wooden building is being planned.

Geoff Henley from NZ Wood, the main sponsor of the awards, says it was pleasing to see the traditional qualities and values of wood being reinterpreted to complement modern aesthetic taste and to answer the growing interest in natural, sustainable materials.

"Wood is something we've all grown up with. It was often treated as a commodity and, at times, taken for granted. But, increasingly, now it's seen by architects and designers as a cutting-edge material, imbued with warmth and natural beauty," Mr Henley says.

### Awards winners were:

**Sustainability:** Joint-winner: Mathew Waterfall from Mathew Waterfall Architecture jointly with Craft Architects for The Sub, Auckland; Marc Woodbury, Studio

Pacific Architecture, for the Meridian building, Wellington.

**Outdoor Infrastructure:** Shwan Alhasimi, from Beca Architects for the Onepoto Footbridge, Auckland.

**Cladding building envelope:** Richard Goldie, Peddle Thorp Architects, for Wharewaka House, Taupo.

**Interior Fitout:** Daniel Marshall of Daniel Marshall Architects, for Cinco Cine, Auckland.

**Residential architectural excellence:** Simon Twose of Simon Twose Architect, for Sheerwater lakehouse, Kaipara.

**Residential Engineering Excellence:** Paul Gladman of Paul Gladman GN<sup>2</sup> design for Mahurangi West Rd, Warkworth.

**Commercial Architectural Excellence:** Gavin Robins of Stiles and Hooker Ltd for the Kauaeranga Visitor Centre, Thames.

**Commercial Engineering Excellence:** Gary Newton of Structural Concepts Ltd and Peter Roil of Kanuka Engineered Wood Products Ltd for the Processing Factory for Kanuka Engineered Wood Products Ltd, Hastings.



On the web:

[www.timberdesign.org.nz](http://www.timberdesign.org.nz)

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# Injuries needn't stop employees working

As an employer, you can play a big role in helping your employees recover from injury. And it's not just your employees who will benefit — there's also a spin-off for you and your business.

**N**ot so long ago, the advice commonly given to those recovering from an injury was "go home and take it easy". However, these days most doctors advise their patients to keep as active as possible post-injury. In particular, an early return to work is considered beneficial to the recovery process. This is because the physical activity involved in work can actually be therapeutic, provided tasks that may aggravate the injury aren't attempted too soon.

Returning to work can also have psychological benefits. Being stuck at home after an injury with nothing to do can easily lead to feelings of isolation and even depression.

On the other hand, the mental stimulation and social interaction that work offers can boost confidence and self-esteem, which can assist with the healing process. For those of us familiar with the old approach, the notion that someone can still come to work when not 100% fit may require a bit of a mindset change.

Many employers are probably used to telling injured employees to "come back when you're fully recovered".

We've already seen how this may not be in the employee's best interests — and more often than not it isn't in the employer's best interests either.

## How an early return can benefit employers

Generally, an employee will still be able to make a significant contribution in the workplace, even if they can't perform all aspects of their usual role.

For example, an employee who normally does heavy labour may be able to do paper work or light manual tasks until they recover.

Alternatively, the injured worker may return to their usual role, with another employee helping out with any particular tasks (eg, heavy lifting) that the recovering worker can't do.

Although it may seem like a hassle having to reshuffle work roles or responsibilities, the alternatives are less appealing — operating "one worker down" until the injured employee recovers fully, or incurring the cost and hassle of recruiting, hiring and training a replacement worker.

Taking a proactive role in employee rehabilitation can have a further benefit too. It sends the message to staff that you care

about their welfare, and can help you achieve a greater degree of staff loyalty and commitment.

The key to ensuring a successful return to work is to assign the employee suitable duties only at first, then allow them to gradually build up their hours and/or tasks over time.

If you're unsure what constitutes suitable duties, don't worry. ACC can offer lots of advice and practical assistance in this area. If necessary, they can coordinate a tailored "return to work plan" or "individual rehabilitation plan" for the injured employee.

Normally, this is done by bringing all interested parties together, including employer, employee, ACC, health professionals and, if appropriate, extended family/whanau.

Depending on the severity of the employee's injury, an occupational therapist or physiotherapist may be engaged to carry out a workplace assessment aimed at identifying what tasks the employee can do to help them recover safely.

If no alternative duties are available immediately, ACC can offer programmes that help injured employees resume fitness (so they can eventually return to their old role) or learn new work skills. As the employer, you can play a key role in recommending suitable new skills to learn.

Here are a few pointers on how you can help an employee achieve a successful return to work after injury:

- Contact the employee as soon as possible after they get injured.
- Encourage prompt treatment, which can help bring about a swift recovery. Delayed treatment, on the other hand, can prolong and worsen an existing condition.
- Reassure the employee they have your support and a job to come back to.
- Maintain regular contact with the employee while they're off work, as feelings of isolation can set in quickly. Keep them up to date with what's going on at work, and invite them to team meetings and work social outings.

Finally, it's worth keeping in mind that most employees will recover from injuries. With the right approach, therefore, you can come to an arrangement that, in the long run, will serve both your interests.

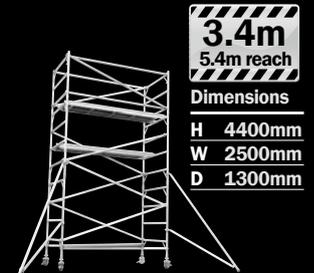
- For more info: Ph ACC, 0800 101 996



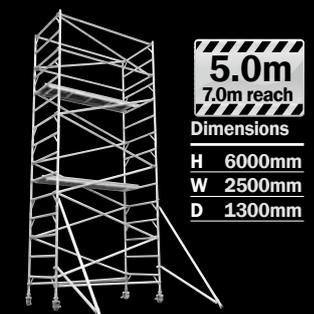
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# Green Star rating tool launched for industrial buildings



The new 21,625 sq m CourierPost building at Highbrook Business Park in Auckland will be rated under the PILOT tool.

**W**arehouses and factories will soon be able to achieve a Green Star rating with the release of the New Zealand Green Building Council's (NZGBC) new Green Star - Industrial rating tool out now in PILOT for public consultation and feedback.

More than 200 of New Zealand's property industry leaders turned up at the launch of the PILOT tool recently to hear how this new tool in the Green Star suite of tools will assess the unique environment opportunities for new and refurbished industrial and light commercial buildings.

Like Green Star for Office Buildings, industrial buildings will be assessed against the eight categories of Green Star, including energy, water, emissions, materials, indoor environment quality, ecology, management and transport plus innovation.

Green Building Council chief executive Jane Henley says the release of this tool is significant for the property industry. "Green Star unlocks opportunities for all building types to meet and exceed best practice green building targets, and creates a common language for all users to communicate with.

"Industrial buildings are different in many ways from the needs of office

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## Green Star rating

buildings, and this new rating tool considers how these projects can deliver high performing, environmentally friendly and future-proofed buildings.

"Expanding on the current Green Star tools available for offices buildings, the Green Star - Industrial PILOT tool includes a number of credits unique to the industrial sector.

"For instance, credits will address the indoor environment quality issues for workers in industrial facilities such as factories, with projects awarded for designated breakout areas free of emissions."

The new 21,625sq m CourierPost building at Highbrook Business Park was the venue for the launch event, and will be used to test the rating tool, by aiming for Green Star certification under the Industrial PILOT.

This purpose-built facility will be the hub of CourierPost's Auckland operations and incorporates the latest technology and various sustainable design principles.

• For more info: Ph Green Building Council,  
09 379 2673



On the web: [www.nzgbc.org.nz](http://www.nzgbc.org.nz)

## When is a galvanised nail a galvanised nail?

From page 25

other external acidic compound is present.

High grade stainless steel nails may very likely outlast the timber substrate.

In summary, many collated nails might be identified as galvanised on their packaging but are they code compliant? Identifying the right fastener is crucial for building professionals and inspection officers. How can you know?

One method is to request producer statements from the fastener manufacturer, while another method is to identify whether the fasteners have been BRANZ appraised.

Paslode remains the only BRANZ-appraised nail programme in New Zealand, and has incorporated a clever way of identifying that its galvanised nail has been used after nailing.

Paslode has stamped its "P" logo into the head of every D-Head galvanised nail so it can be identified as code compliant even after the nail has been embedded into the timber.

Zinc is a precious metal and hot dip galvanising is an intensive process that adds cost to the fastener.

However, the price of having to repair or replace low grade galvanised nails because of structural integrity, inspection rejection or unsightly corrosion marks on timber and decking is reason enough for builders and industry professionals to take a second look at fastener construction.

Product certification and tighter regulatory controls place a burden on all industry stakeholders to shoulder responsibility to exceed industry standards — after all, they are the minimum requirements.

When is a galvanised nail a galvanised nail? When it meets the New Zealand building code standards of compliance.

• **Note: A review of the code is currently under way, with industry stakeholders expected to clarify elements relating to the durability of galvanised nails within the code and supporting standards.**

• For more info: Ph Paslode NZ, 09 477 3000



On the web:  
[www.paslode.co.nz](http://www.paslode.co.nz)

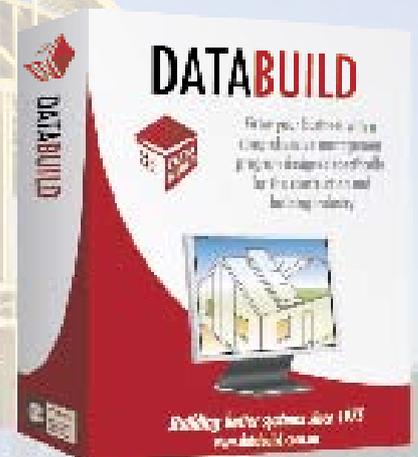
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# Right House signs up

**R**ight House Ltd has joined the Future-Proof Building stable to offer New Zealanders complete energy efficient solutions to residential homes and businesses.

The partnership between Future-Proof Building and Right House is a significant step towards consolidating an increasingly crowded market, making it easier for consumers to find complete energy efficient solutions for residential homes and businesses.

With climate change and sustainable living becoming a significant global trend which is influencing buying decisions and lifestyle choices, Future-Proof Building and Right House are heading the charge in providing sustainable building options that are kinder to the environment and consumers wallets.

### Specialist knowledge

The partnership will see Right House and Future-Proof Building teams combine specialist knowledge to provide builders, specifiers and consumers an integrated energy efficiency solution by combining their resources and running a series of targeted seminars representing a marriage of the energy and building industries.

Future-Proof Building education manager Jamie Fear says the expertise Right House brings is a key driver for the union.

"As leaders at driving change within the building industry, we need to partner with like-minded companies, such as Right House, who understand the challenge of achieving and providing sustainable building options," Mr Fear says.

"These changes will not only raise the standard of our homes today, but will also deliver a more sustainable living environment that will endure well into the future."

### One-stop shop for energy efficiency

Right House is New Zealand's one-stop shop in providing energy-efficient homes. A Right House consultant analyses home building plans and creates a solution that integrates the house's aspect, design, systems and products to achieve the greatest comfort and energy efficiency.

Right House also installs the specified products and systems to deliver a start-to-finish service.

"Right House's service offers practical solutions for creating energy efficiency, and their values complement the Future Proof vision of providing sustainable principles that will add long-term value to homes.

"We view Right House as taking big steps in the right direction within the building industry as it delivers real and attainable solutions for home owners. We are looking forward to working with Right House in jointly educating and providing easy-to-use energy solutions to the building industry and home owners," Mr Fear says.

Right House CEO Hamish Sisson says working alongside an equally innovative company is a major step forward for the expansion of achieving sustainability within the building sector.

Continued page 25

# Fast-track decision welcomed by FPB

Government decision will help industry

**F**uture-Proof Building has welcomed the recent announcement that the Government will fast track various infrastructure projects.

In particular, the decision to improve the quality of state housing will significantly benefit Housing New Zealand tenants and have a positive impact on the construction industry.

The condition of New Zealand's housing stock has long been inadequate. Research has found that cold, damp and poorly ventilated homes have had a profound impact on the health of New Zealanders, creating a burden on the health system and reducing productivity across the business sector.

"Increasing the air quality and temperature of the homes owned by Housing New Zealand will produce health benefits for some of our most in need families, Future-Proof Building education manager Jamie Fear says.

"Additionally, this work programme will extend the life of these dwellings, reducing costs to the taxpayer in the long term," he says.

Future-Proof Building is an advocate for insulation, ventilation and energy-efficient heating in New Zealand homes, and is encouraged to see the Government addressing the quality of state-owned housing stock.

This increase in housing standards will have a positive effect on the whole property market as more New Zealanders become aware of the health benefits of warmer, drier homes.

This initiative also provides much needed momentum and work for an industry which has seen a decline in demand over the past few months.

• For more info: Ph CMS Group, 09 589 2050 or 0508 FUTURE



On the web:  
[www.fpb.co.nz](http://www.fpb.co.nz)

## Right House signs up

From page 24

"We are delighted to be working with Future-Proof Building to help deliver energy efficiency solutions to further improve the lifestyles of New Zealanders," he says.

• Right House is a subsidiary of Meridian Energy that is New Zealand's first home comfort and energy efficiency specialist. It is a nationwide service providing the expertise to analyse any home or building project and provide and install a total solution package.

Right House brings together assessment experts, product specialists, installers and more. Customers have one point of contact from initial enquiry through to project completion for all their energy-efficiency requirements

• For more info: Ph Right House Ltd, 0800 744 484



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# Trade to trade one-stop shop

**T**he Harvey Norman Commercial Division is a mecca of comparative shopping for its customers.

The company offers construction industry professionals a wide range of products at preferential commercial pricing. Products include cookware, dishwashers, heating, laundry, refrigeration, security alarms, and audio visual products such as plasma and LCD TVs and home theatre systems, including installation advice.

Some of the brands available include Ariston, Bosch, Delonghi, Electrolux, Ilve, Miele, Panasonic, Samsung, and Westinghouse.

Harvey Norman Commercial Division's core markets are architects, construction companies, developers, kitchen designers and manufacturers, and volume builders. On larger projects the company deals directly with property developers and project managers.

Harvey Norman Commercial Division commercial proprietor Mark Sneddon says the company's strong identity in the commercial sector is the result of its ability to create rapport on multiple levels with its



*Harvey Norman Commercial Division supplied the kitchen for this newly built house.*

customers and their staff.

"This competitive advantage is directly related to the size of our ground force, Mr Sneddon says.

"We can get to many key decision makers and manage that ongoing relationship because we're committed and dedicated to building solid business relationships with our clients in the long term," he says.

The company has three branches and 25 staff in New Zealand. Staff focus on establishing direct day-to-day relationships with the industries they serve.

The branches operate closely with Harvey Norman retail outlets, using the shop floors to showcase their range of products and brands.

"We offer clients several advantages. The benefits of our commercial buying power get passed on to our clients. They get not only excellent pricing and expert advice, but a top-class delivery and support system. We work hard at project managing our clients' requirements to meet their time lines.

"We accommodate all builders and developments based on budget and quality requirements. We work alongside the client to understand exactly what they want to achieve, and then provide options to suit."

He says the quoting system "is easy to understand, with convenient links directly from our suppliers' web site, which can then be forwarded to the likes of kitchen manufacturers and joiners for dimensions and fitting instructions."

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# Company launches new T3 wet-stone grinder

**S**wedish grinder manufacturer Tormek has launched its new T3 model — the next in a line of renowned wet-stone grinders the company pioneered in 1973.

With a compact, powerful design, the T3 grinder is ideal for sharpening cabinet making hand tools, knives, scissors and wood carving tools.

Offering a 200mm (8in) stone, stainless steel shaft and an input 120W motor running at 120rpm, the T3 offers the same quality and precision as previous Tormek products.

And, usefully, it provides an economical way to access Tormek's renowned jig system, where a large range of jigs and accessories allow you to sharpen almost anything.

Using Tormek's grinders, tools are guided in jigs — and you remove only a minute fraction of the steel at each sharpening, which makes it fast. An extra benefit is that your tools last longer.

Even complicated shapes such as spoon carving gouges and oval skew chisels with a radiused edge are easily sharpened.

Once the shape is created, you can re-sharpen the edge in less than a minute. The water-cooled slow speed grindstone means the edge does not overheat and lose its hardness. The sharpening process is finished on a leather honing wheel, which lets you polish the edge to a razor sharpness.

No grinding dust is produced to pollute the air, and there is no fire risk as the steel particles are deposited

into the water trough.

Tormek's T3 model follows in a tradition of award-winning grinders that have inspired a raft of cheap imitators. Launched in 2007, Tormek's T7 model — suitable for HSS turning tools and other hard materials — was described in *Woodturning* magazine as "the best yet. For beginners or experienced users who want to save steel by accurate repeat grinding, this is a most worthwhile investment".

The latest generation of edge tools are harder and contain alloys that can make them tough to grind.

Tormek's new Blackstone Silicon SB-250 is designed for hard materials and fast shaping. It delivers fast steel removal on HSS and exotic alloys, and can also touch up tungsten carbide.

The key to removing material efficiently at low RPM is very sharp grains with high hardness and relatively fine grit size. The SB-250 is made in the same grit size as the original Tormek grindstone, and can be graded with the stone grader for fast material removal or a fine surface finish.

Its faster material removal is an advantage especially when shaping tools with a large bevel surface where the grinding pressure is limited — for example, planer



The Tormek T3 — the next in a line of renowned wet-stone grinders.

blades and woodturning skewers.

The new Japanese Waterstone SJ-250 delivers an extra fine surface finish, and its unique composition gives the stone an extremely long life. It excels at sharpening hand tools where a minimum of steel removal is needed and a superior surface finish is demanded.

The stone is 4000 grit and is ideal for carving tools, scissors, knives and well maintained cabinet making tools.

Tormek grinders and accessories are available exclusively from W & R Jack in New Zealand.

• For more info: Ph W & R Jack, 0800 332 288

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## When is a galvanised nail a galvanised nail . . . ?

The simple answer is when it meets the 50-year durability standard set out in the New Zealand Building Code.

The New Zealand environment presents unique challenges to manufacturers of construction products. The traditional kiwi lifestyle engages the great outdoors, and New Zealand homes reflect this passion with demand for indoor/outdoor flow areas and desire for coastal living.

The salty air dramatically increases the acidity of our natural environment and, when combined with the volcanic nature of New Zealand's central North Island, the resulting recipe places extreme demands on New Zealand building materials.

The New Zealand Building Code is among the most thorough construction regulations in the world. With a continued focus on quality building, evolving construction methods and timber treatments, it is critical that builders and inspectors understand the implications for fixings and fastenings.

Stakeholders such as manufacturers, builders,

territorial authorities and home owners are all potentially affected by issues surrounding nail durability — after all nails are a critical element in the construction of New Zealand timber homes.

In recognition of this, the New Zealand Building Code sets out a durability standard for fasteners used in structural applications. It is:

*NZBC B2.3.1 (a) 50 years durability on structural building elements including fasteners that cannot be easily accessed for maintenance and repair.*

One method of protection for fasteners is galvanising. Galvanising is the process of bonding a protective layer of zinc to a bright steel object. The zinc forms a sacrificial barrier allowing the corrosive mix of air and salt laden moisture to react.

This reaction corrodes the zinc rather than the bright steel, extending the life expectancy of the fastener.

Treatments such as LOSP (Light Organic Spirit



*Galvanised nails are not all created equal so New Zealand builders must know the code requirements.*

Preservative), CCA (Chrome Copper Arsenic) and Boron can have a dramatic effect on the life expectancy of nails and other fasteners.

By far the most common timber treatment in New Zealand is CCA. Unfortunately for nail manufacturers, CCA is one of the more aggressive treatments and can corrode some types of galvanised nail well within the specified 50-year durability requirement.

The industry must also consider the newer treatments becoming available that contain greater levels of corrosive material. These treatments include Copper

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Azoles and ACQ (Alkaline Copper Quaternary).

In New Zealand only the Paslode brand of collated galvanised nails has a BRANZ appraisal to exceed the building code. Senco has also been batch tested and meets the minimum standard.

However, some nails marketed as galvanised may not meet the 50-year durability code requirements as they stand today.

One reason for this is because there are various methods of galvanising that often progressively add cost to the manufacturing process. Complicating the issue is the application in which some of the lesser-coated galvanised products can be used.

Timber staining, unsightly rust streaks and structural failure all result from wrong nail selection. Wrong nail selection may not be evident for some period after the job has been completed, and by then it may be difficult to rectify easily.

There are also other nail types available. Bright nails offer no protective coating and cannot be used for many permanent external structural applications. However, bright nails will exceed the 50 years durability test for interior applications.

The most durable fastener is one constructed of stainless steel (304 grade or higher). Stainless steel nails are required for external structural use in sea spray zones (less than 500 metres from the coast), geothermal locations or environments where some

*Continued page 19*

## Know your galvanising treatments

*Below is a guide to nail galvanising treatments to help builders choose the right nail for the job.*

*The most common galvanising treatments are electromagnetic galvanising, mechanical galvanising and hot dipped galvanising.*

**Electromagnetic Galvanising:** *This is a zinc-plating process where chromate reacts chemically with zinc when drawn through a special chemical bath. The result is a smooth finish with a galvanised layer typically up to 72g per sq m (10 µm) on small profile fasteners.*

*When used in H3 treated timber in the New Zealand environment a nail coated in this manner would have a life span of approximately six years when the fastener could then be expected to corrode as a result of a loss of the protective zinc layer. This coating type is ideal for interior applications where finishing nails are used.*

**Mechanical Galvanising:** *This is a cold process of tumbling bright steel components together with zinc, effectively beating the galvanising onto the bright steel. This is a very cost-effective method of coating very fine wire products such as screws or nails.*

*It is easy to determine whether a fastener has been mechanically galvanised by looking at the surface. It will appear relatively smooth and shiny with what appears to be flattened scales across its surface.*

*Typical mechanically galvanised fasteners have a*

*thickness of up to 181g per sq m (25 µm) with an approximate life expectancy in H3 timbers of 10 to 25 years depending on the level of exposure to corrosive environments.*

*This method does not provide 50-year protection on some parts of the nail, including the head and point. These areas, if not entirely protected from the elements, can trap moisture, resulting in nail degradation.*

*Another limitation of this manufacturing process is a cracking of the galvanised coating during the tumbling process that creates a pathway for moisture to attack the bright steel beneath. Mechanically galvanised fasteners do not meet the 50-year durability standard.*

**Hot Dipped Galvanising:** *This is a heated process where nails are dipped into a bath of molten zinc. This ensures that all areas of the nails are coated. To meet the New Zealand code the fastener is left to soak for longer in the zinc bath, which has the effect of increasing the surface area of the nail and the quantity of protective zinc.*

*This extra time increases cost and is likely to be repeated for very high grade galvanised nails. With the greatest thickness, hot dipped galvanising can achieve a typical layer thickness of 360g per sq m (50 µm) or more.*

*This is currently the only galvanising process for small steel components that will provide an adequate level of protection to meet New Zealand building code requirements.*

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# Site showcases steel sustainability

**N**ew Zealand Steel (NZS) occupies a unique place in steel making. It uses immense ironsand reserves from the North Island's west coast to provide the raw material for the high-quality steel made at the company's Glenbrook plant — the only plant in the world to make steel from ironsand.

But NZS's commitment to sustainable practices isn't a response to recent events. It actually began when the company was born more than 40 years ago when it established an environmental lab in the 1970s, and has had an environmental management system in place ever since.

What is new though is the impressive new web site devoted solely to the company's sustainability philosophies, policies and practices. It contains:

- archived industry articles profiling NZS's approach to sustainability,
- sustainable steel manufacturing and building processes using steel in various applications,
- a technical explanation of the recycling of steel,
- the sustainable processes carried out in the production of steel from ironsand, and



NZ Steel's new web site is devoted solely to the company's sustainability philosophies and policies and practices.

- an overview of the company and its commitment to sustainability.

The web site is a new medium to inform those in the industry of this commitment. For instance, you'll find out that as a member of the World Steel Association (formerly the IISI), NZS actively participates in world steel policy commitments. One such policy commitment is NZS's zero waste vision.

Steel generates minimal production, manufacturing, construction site and demolition waste. And all steel waste has scrap value — steel is 100% endlessly

recyclable and suffers no product degradation in the process.

NZS has reduced the waste stream going into the on-site landfill by 60% in the past three years due to targeted recycling and reduction programmes.

The company also tries to keep its utility bills down. By recycling hot gases from the manufacturing process, it generates 70% of its electricity needs.

Only 1% of the water it uses is discharged each day after being treated, while the remaining water is recycled and recirculated.

The site at [www.sustainablesteel.co.nz](http://www.sustainablesteel.co.nz) will go live at the end of February.

- For more info: Ph NZ Steel, 09 375 8824

On the web:  
[www.sustainablesteel.co.nz](http://www.sustainablesteel.co.nz)

## Case of the failed exclusion clause!

From page 30

building envelope resulting in cracking of the external plaster cladding and damage to the timber framing. Again, the metal flashings were not deemed to be part of the exterior cladding or roofing system.

- Downpipes — at the top of the wing walls, stormwater downpipes penetrated the top surface of the cappings. Water entered the wing walls through the penetration made by the downpipes, causing serious damage to the timber framing beneath.

His Honour determined the stormwater downpipe penetrations were also not part of the exterior cladding or roofing system.

- For more info: Ph Francesca Collins, 09 360 2415

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## Hear what the local residents have to say about our underground pipeline.

1.4 million tonnes of ironsand makes the 18 km journey every year from the Waikato North Head mine to the steel mill at Glenbrook. In between is a beautiful rural landscape of gently rolling farmland studded with trees, home to thousands of native birds, and one or two humans. Rather than disturb their environment, we chose to invest millions of dollars in an underground ironsand slurry pipe. The alternative was huge dump trucks thundering through every three minutes, 24 hours a day - and you can imagine what the locals would have had to say about that. The underground pipeline is just part of New Zealand Steel's sincere commitment to sustainability. For the full story about the measures we've taken, visit [www.sustainablesteel.co.nz](http://www.sustainablesteel.co.nz)

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**New Zealand Steel  
Kiwi to the core.**

# The Carters Calendar 2009

It looks to be yet another action-packed year on the Carters calendar. Here are just some of the fantastic events and entertainment Carters has lined up in 2009!

## Carters Kids Gone Fishin

Carters Kids Gone Fishin days were a terrific success in 2008 and 2009 will not disappoint. Carters Kids Gone Fishin (CKGF) are collaborative events between Carters, Police Bluelight, Graeme Sinclair and the Gone Fishin team and the local community.

The aim of these events is to get all the kids having fun in an outdoor marine environment and to encourage parents to spend quality time with their kids. Keep an eye out for a CKGF event near you this summer!

## Beach and Boat Competition (27-28 February 2009)

The Lion Red Carters Beach & Boat Competition is New Zealand's largest fishing tournament, with 2000 senior and 100 junior anglers competing in 2008.

The competition offers two days of fishing in beautiful Bream Bay and top quality prizes from a huge prize pool. Help us celebrate our varied recreational fishing community.

It doesn't matter if your boat is big or small, your rod old or new, or if you are young or old — you are guaranteed a great weekend. For further information visit [www.beachandboat.co.nz](http://www.beachandboat.co.nz).

## Advantage Barefoot South Africa 2009

For the ultimate hassle-free adventure join Carters Advantage on their Barefoot trip to spectacular South Africa in September 2009. South Africa conjures up the ultimate frontier of ancient cultures, vast landscapes and dazzling wildlife.

Every last detail is organised for you, from flights and accommodation to special events, so why not take advantage of this once in a lifetime experience.

Barefoot South Africa 2009 is open to Carters customers who are members of the Advantage programme. If you would like further information on this trip or on becoming an Advantage member contact your local Carters branch or phone 09 272 1440.

## Mystery Creek Fieldays (10-13 June 2009)

Once again Carters will be exhibiting at the National Agricultural Fieldays at Mystery Creek, Hamilton. With our comprehensive range of quality products and services for building, fencing, rural products and home maintenance, we can effectively cater for everyone's needs.

We are serious about our positioning as Your Building Partner. That's why we offer more than just high quality building supplies. Visit the Fieldays to discover how we can make building easier for you!



## Boots 'N' All Bledisloe Cup Tour 2009

Join Carters Advantage as they watch the All Blacks take on the Wallabies in Sydney from Thursday 20 August to Sunday 23 August 2009.

The package includes:

- return economy class airfares ex Auckland, Wellington or Christchurch to Sydney,
  - all associated travel/airport taxes,
  - three nights twin share accommodation including breakfast,
  - return airport-hotel transfers and game,
  - Carters tour events,
  - match tickets to the Bledisloe Cup test on Saturday 22 August 2009, and
  - dedicated tour managers and tour supporters gear.
- If you would like further information on this trip or on becoming an Advantage member contact your local Carters branch or phone 09 272 1440.

## Registered Master Builders Conference (16-19 April 2009)

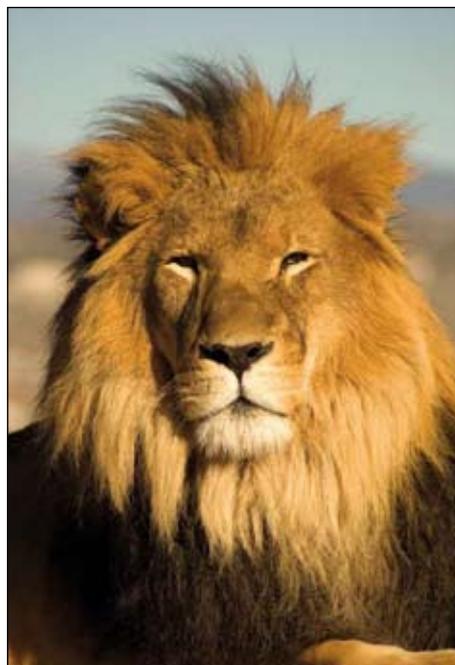
Carters will be attending the Registered Master Builders 109th annual conference in Blenheim at the Marlborough Convention Centre.

Carters is a gold sponsor of this year's event and is

- For more info: Ph Carters, 09 272 7200

On the web:  
[www.carters.co.nz](http://www.carters.co.nz)

# Advantage



# Programme builds confidence in apprentice assessment



If you are involved in training or want to get involved in training an apprentice then completing the Building and Construction Industry Training Organisation's (BCITO) Workplace Assessor Training programme could be for you.

The programme is suitable for all workplace assessors operating in the construction industry. Participants who successfully complete the two-day course and follow-up assessments will achieve Unit Standard 4098 Use standards to assess candidate performance.

The programme was developed to meet industry needs, and since its introduction has made a marked difference to the work practise of those who have achieved the unit standard.

The key to the programme is its practicality. The two-day course is custom designed for BCITO clients with a construction focus.

Following the course a BCITO training advisor visits onsite to observe assessors completing two assessments — putting into practice the theory learned on the course.

By taking part and completing the programme assessors will:

- gain an improved understanding of the assessment process,
- have greater confidence in your ability as an assessor,
- reduce re-assessment by getting it right the first time, and
- make assessment and time spent doing the books more productive and efficient.

In 2008 around 650 people attended the two-day course. Here's what some of the past attendees have had to say:

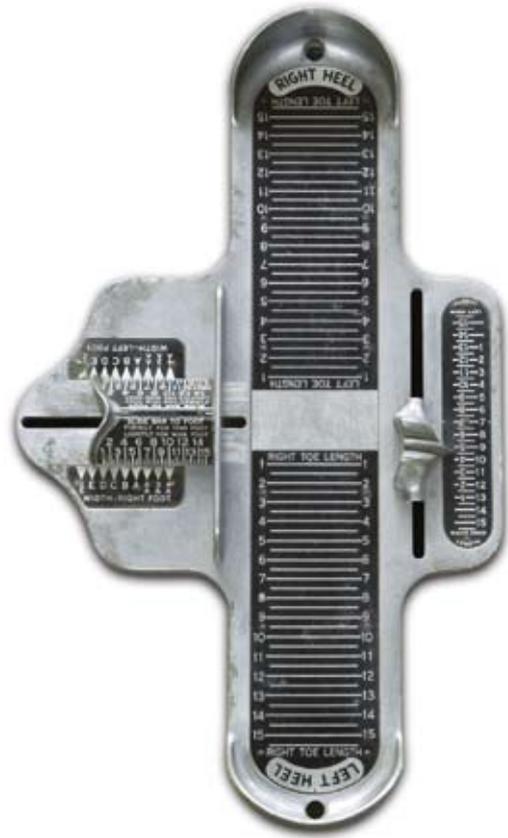
*"The course was great. I left with the reassuring feeling that apprentices can be assessed effectively."* (Wellington, March 2008)

*"The course was well set out and easy to understand, thanks!"* (Central Otago, May 2008)

*"I now have a lot more knowledge of the BCITO system, how it works, who is involved and what is required of me as an assessor."* (Palmerston North, March 2008)

The courses are open to BCITO-registered assessors, are free to attend and are available across the country. A course calendar can be viewed online at [www.bcito.org.nz](http://www.bcito.org.nz) or contact a local BCITO regional office on 0800 422 486 for upcoming course dates in your area.

• For more info: Ph BCITO, 0800 422 486  
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## Find the Perfect Fit

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and click on Career Launcher for details.

# Case of the failed exclusion clause!

**Francesca Collins** of Auckland law firm Legal Vision presents a leaky building case where the exclusion clause fails, leaving insurers liable.

**T**he recent Auckland High Court case — *Body Corporate No. 205963 & Others v Leuschke Group Architects Ltd (in Liquidation) & Others (CIV-2006-404-5572)* — required the presiding judge, Justice Stevens, to consider whether an exclusion clause contained in a professional indemnity insurance policy was sufficient to exclude the liability of two insurers for damage caused by water ingress to the plaintiffs' property.

As the insurers were the only remaining viable defendants, a determination that excluded their liability would have left the plaintiffs with no recourse at all.

## Background

The claim related to a residential complex, comprising 60 units, on Morningside Drive, Auckland, which was designed and built in 1999 to 2001. The complex suffered from leaky building syndrome to such an extent that in excess of \$3 million would be required to make it safe and weathertight.

The home owners (plaintiffs in this case) sought to identify and pursue remedies against those responsible for the construction of the complex, including the developer, builder and building certifier.

However, it transpired that the only solvent defendant was Leuschke Group Architects Ltd, who had prepared the plans, drawings and specifications for the complex, which were said to have been defective and to have caused loss to the plaintiffs.

After proceedings were commenced against Leuschke for negligent architectural services, the company was placed in liquidation. The plaintiffs then sought to join Leuschke's professional indemnity insurers, Lumley General Insurance (NZ) Ltd and Ace Insurance Ltd, as parties to the claim.

## Issue

Whilst the two insurers consented to being joined as defendants to the substantive claim, they first wanted the court to determine a question of interpretation, regarding clause 2.04 of their indemnity policy. Clause 2.04 said:

*"The companies shall not indemnify the insured against liability:*

*For loss or damage of whatsoever nature to any building or structure arising directly or indirectly from moisture or water ingress through any exterior cladding or roofing system (and any associated waterproofing treatment and flashings) designed, specified or approved by the insured, including but not limited to monolithic claddings and face sealed systems, fibre cement sheets, expanded polystyrene sheets, cellulose fibre sheets, PVC sheets, stucco plaster and proprietary plaster systems."*

The question before the court was whether clause 2.04 applied to exclude the liability of Lumley and Ace arising from damage to the plaintiffs' property from water entry and moisture damage via:

- metal balustrades that were fixed through horizontal surfaces on the decks to a number of units, causing the puncturing of the butyl rubber membrane,
- metal cappings that were fixed through the top vertical surfaces of the balconies with timber-framed balustrades,
- metal cappings on the tops of wing walls between units, and
- the penetration by stormwater downpipes at the top of the wing walls between the units.

It was always the plaintiffs' position that the damage to the units fell outside the policy exclusion in that the damage had been caused to the building or structure other than by water ingress through (a) the exterior cladding or (b) the roofing system. Conversely, the defendants contended that all the damage to the units was excluded by clause 2.04.

For the defendants' position to be valid, the word "system" would have to be read into clause 2.04 after the phrase "exterior cladding".

The plaintiffs maintained that if the insurers intended the exclusion to refer to an "exterior cladding system" it would simply have worded the clause in such a way.

Justice Stevens agreed with the plaintiffs and

accepted that, within clause 2.04, the words "exterior cladding" sat comfortably together without the word "system", which the defendants had sought to have read into the section.

His Honour was willing to accept, on the plaintiffs' evidence, that "exterior cladding" has a different connotation to the phrase "exterior cladding system".

Further, as the wording of the section was ambiguous, it was considered appropriate to adopt an interpretation that favoured the plaintiffs, following the *contra proferentum* rule.

His Honour could see no compelling reason to stretch the natural and ordinary meaning of the words in clause 2.04, as the court had been requested by the defendants.

## Decision

The plaintiffs alleged four types of damage to their property from moisture ingress. The defendants maintained that this damage arose directly or indirectly from water ingress through the exterior cladding and/or roofing system and, therefore, was excluded by clause 2.04.

In applying his interpretation of clause 2.04, Justice Stevens found that Leuschke did have cover for such liability, and that the clause was not effective to exclude it. In particular:

- Metal balustrades — the water ingress occurred under the plates of the metal balustrades through holes made by the screws through the cladding and then through the waterproofing membrane. The water did not enter by virtue of a defect in the exterior cladding or roofing system, nor through that exterior cladding or roofing system; it entered through a hole in the external cladding.
- Metal cappings — the balconies with timber-framed balustrades had metal cappings fixed through the top vertical surfaces. Water gained entry at these points which led to cracking of the plaster and extensive decay in the timber. The metal cappings could not be considered part of the exterior cladding or roofing system and, therefore, could not be excluded.
- Wing walls — the wing walls between the units on the top level of the building complex had metal flashings that were flat. The defects associated with the metal flashings led to water ingress into the

*Continued page 26*



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