TRADE LEADER

AUG-SEP 2023 ISSUE

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In the frame

BY MIKE GUY CARTERS CHIEF EXECUTIVE

It's safe to say we're looking forward to the spring season here at CARTERS. I hope it will bring some drier weather for those regions who've had wet sites for many months now. With our country being smashed with the worst weather in recent memory and tough economic times, 2023 hasn't been an easy ride so far.

As an industry, it is important to ensure we're looking after not only ourselves and each other, but our environment. With the construction industry accounting for at least half of New Zealand waste, there is a growing recognition that we all need to review our practices and processes to better protect our planet. Supplier Marley has shared a bit about their plastics recycling programme with us this month, and at CARTERS, we have recently released our ESG report and are working on our own sustainability initiatives.

Our cover feature shares a recent Construction Sector Accord case study and related seminar on Building Out Waste in our industry. The trial was successful not only in significant waste reduction, but brought some surprising cost-saving results. Discover ways your business can progress on the path to building out more waste in this issue.

Industry news this season includes an announcement on building code updates relating to fire protection, plumbing and drainage, following 'mixed feedback' received by MBIE on proposed changes. Updates of the existing documents used to comply with the Building Code, aimed at improving the quality and reliability of plumbing and drainage services and to protect people from fire in their homes, will be published in November this year to allow a 12-month transition period.

Professional learning and development through CODEWORDS content and quizzes this month helps ensure builders are abreast of the latest H1 insulation requirements, as well as providing valuable information on working on rebuilds following flooding.

We're pleased to present insights and information from a range of experts each month, with topics and tips to help you and your business. In this issue, 'Next Level Tradie' Daniel Fitzpatrick shares advice on parenting while running a business, while professional risk advisor Ben Rickard from Builtin Insurance gives us a guide to managing risk at a boardroom level. We also value the economic updates produced for CARTERS Trade Leader by Rodney Dickens, even if the news isn't always what we want to hear!

Our new-look Trade Leader online platform is now live providing an easyto-use guide to industry happenings and presents articles of interest to those in the Kiwi construction sector. Take a look, subscribe and bookmark our new website at tradeleader.carters. co.nz

Our next Advantage loyalty trip for 2024 has also been announced on the final night of our recent trip to Turkey. We invite you to join us in Prague next August and experience this magical European city for yourself.

Lastly, I eagerly await the next stage in the Registered Master Builders Apprentice of the Year competition, sponsored by CARTERS. The regional awards will be held throughout August and September to uncover the Top 10 going through to the final competition in November.

Mike



MIKE GUY CARTERS Chief Executive

TRADE LEADER.

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REDUCE RUBBISH, CUT COSTS

With the construction industry accounting for half of New Zealand's waste, find out how a waste reduction plan can not only be good for your reputation and the planet but save your business money.



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Rebuilding in the aftermath of the severe summer weather

BY KATE LEES, ADVISOR, INFORMATION AND EDUCATION, BUILDING SYSTEMS AND PERFORMANCE, MBIE

The summer of 2023 has proven to be one of New Zealand's most challenging, with severe weather hitting most of Te Ika-a-Māui, the North Island, affecting the lives and livelihoods of thousands of New Zealanders. In the month of January, Tāmaki Makaurau Auckland received 45% of its annual rainfall, according to the National Institute of Water and Atmospheric research (NIWA), with many areas of Te Ika-a-Māui receiving over 400% of normal January rainfall.

In February came ex-tropical Cyclone Gabrielle, bringing widespread flooding and damage to land and buildings across Te Ika-a-Māui, cutting off several communities from the rest of the country.

We know the road to recovery will be long and will bring many challenges. The Ministry of Business, Innovation and Employment (MBIE) is here to support home and building owners, and those in the building sector, as our communities look to start their journey. MBIE has developed and updated a number of resources to provide information and guidance to help Licensed Building Practitioners navigate the remediation and recovery of buildings that have been damaged by flooding with links to the resources at the bottom of this article.

Placard information

If the building you are working on has a rapid building assessment placard you need to know what this means. MBIE has produced information on what rapid building assessment placards are and what they mean.

You must not start repair work on a building with a red or yellow placard without first contacting your local council to discuss this. The council will, if appropriate, issue authorisation to access the building. In some cases, access may be refused, for instance due to a high risk to life safety. In the case of a red placard, it is likely that a Detailed Damage Evaluation (DDE) will need to be undertaken. This may also be recommended for a yellow or white placard.

Flood damaged buildings

The guidance below provides advice on what to consider before undertaking repairs and how to minimise future damage.

It includes some helpful information about how to identify potential flood damage to different building elements, and a suggested list of building areas that should be inspected for damage to help you identify what remedial work may be needed.

It also talks about some of the risks associated with such damage, to help you carry out the remedial work safely.

Damage to plasterboard

Flood damage frequently means that the plasterboard wall linings in a building are damaged. This may be due to direct exposure to water which could see the lining become mouldy or discoloured, or could also occur if there has been movement of the building due to foundation settlement caused by instability of the land under or around the house. This may lead to cracking at corners or other junctions.

MBIE has produced information to help check for potential damage, clarify why it's important to repair plasterboard, identify the types of plasterboard you may be working with, and explain the regulations surrounding the use of plasterboard.

Slope stability

MBIE has created a quick guide which provides direction for designers, and home and building owners on how to go about remediating any damage done to their buildings or surrounding areas where the foundations or the ground have been affected by flooding or landslides.

It covers safety issues, what to look for, what to do if the work is urgent, and exemptions that might apply.

Building consent exemptions

This quick guide provides information on what building work may not require a building consent following a severe weather event or earthquake. It focusses on exemptions that apply when remediating flood damage. The guide covers everything from fences and outdoor structures through to windows and internal walls, including a section on plumbing.

Helplines and resources

The months ahead will require a lot of tough mahi. If you notice you or people around you are struggling, particularly if you are living or working in areas affected by the January floods or Cyclone Gabrielle, the Ministry of Health has a wealth of free helplines and resources for anyone to use.

Noho mai rā i roto i ngā manaakitanga katoa (Stay well, take care)

CODEWORDS QUIZ When might a Detailed Damage Evaluation be required or recommended? A. When there is a red placard on the building (following a rapid building assessment) B. When there is a yellow placard on the building C. When there is a white placard on the building D. All the above What are some of the signs that plasterboard wall linings may have suffered flood damage? A. It is mouldy B. It is discoloured C. It is cracking at corners or other junctions D. All the above Can some building work connected with the remediation of flood damage be carried out without a building consent? A. Yes, there are some exemptions that apply B. No A.E G.S G.F : answers

For further information see: Placard stickers tinyurl.com/placard-fact-sheet Plasterboard damage tinyurl.com/plasterboard-damage Slope stability tinyurl.com/slope-stability Consent exemptions guide tinyurl.com/consent-exemptions-guide Mental health & wellbeing tinyurl.com/moh-get-help



Achieving H1 Energy Efficiency compliance when altering an existing building

BY LIZ ASHWIN, SENIOR ADVISOR, INFORMATION AND EDUCATION, BUILDING SYSTEMS AND PERFORMANCE, MBIE

On 29 November 2021, the Ministry of Business, Innovation and Employment (MBIE) released the biggest energy efficiency updates in more than a decade.

The changes included:

- an increase to the number of climate zones from 3 to 6
- increased insulation requirements for roofs, walls, floors, windows, doors and skylights.

They also provided a new compliance pathway for heating, ventilating and air conditioning (HVAC) systems in commercial buildings.

These changes will deliver warmer, drier and healthier buildings that cost significantly less to heat and will also generate carbon savings through improved energy efficiency.

The H1 Energy efficiency acceptable solutions and verification methods provide ways to comply with the Building Code, and are straightforward to use when dealing with a brand new building. However, things get a little more complicated when you want to make an alteration or addition to an existing building.

The Building Act 2004 requires all new building work to comply with the Building Code, both when a building consent is required or if the work is exempt. However, if you

are carrying out building work to alter an existing building, sections 42A and 112 of the Building Act make provisions for the building to comply with the energy efficiency requirements of the building code to at least the same extent as it did immediately before the building work began. In a nutshell, the performance of the building needs to be at least as good as it was before you altered it.

So, how can you confirm that an alteration to a building will comply with the energy efficiency requirements of the Building Code?

When determining what thermal resistance is required for repaired or replaced building elements, you should consider the existing performance of the building, the extent of the element being replaced, and how the element contributes to the overall performance of the building. You can then use judgment to ensure that the replacement will perform to at least the same extent. The extent of the building envelope that is altered or replaced will influence how closely the repair/ replacement should match the R-values specified for new buildings in the acceptable solutions.

Adding an extension or making a large alteration

For an addition or larger alteration to an existing building, all new construction must meet the requirements of clause H1, but the rest of the building that is not being altered does not have to be upgraded to comply with the current requirements. The altered building as a whole must comply with clause H1 to at least the same extent as it did before the alteration. In other words, all new work must comply fully with current code



requirements, and the energy efficiency of the building as a whole must not be made worse by the alteration.

A simple way to achieve this is to ensure that the new construction complies with the acceptable solution or verification method, and any parts of the existing building that are affected by the alteration do not achieve lower thermal performance than they did before the alteration.

If the energy efficiency performance of the building is reduced because of the addition or extension, some existing parts of the building may need to be upgraded. However, the upgrade is not required to meet the levels set in the relevant H1 acceptable solution but should ensure that the building, as a whole, continues to achieve the level of thermal performance it enjoyed before the addition or extension. If the building was originally constructed to exceed the minimum performance levels specified in the building code, and the alteration will not lower the performance to below the code requirements then you would not need to upgrade the envelope, as it will still comply with the current requirements.

An example of this is an alteration where a new skylight is installed in an insulated roof. The R-value of the skylight is likely to be less than that of the existing roof structure that it replaces. To ensure that the overall performance of the building is not reduced, you will need to add sufficient insulation elsewhere in the thermal envelope to offset the loss in thermal resistance at the new skylight, such as installing additional roof insulation in other areas.

Smaller repairs or replacements

For repairs or replacement of a small part of the building envelope you should simply ensure the overall thermal resistance of a building is not diminished. An example of this is the replacement of an older, single glazed window or door. The replacement joinery will need to perform to at least the same extent as the one being removed but will not be required to comply fully with the current code requirements. For any work that alters an existing building, the main thing to remember is that the building's overall compliance with the energy efficiency requirements of the Building Code must not be less than it was prior to the alteration taking place.

You can find more information about how to comply with the H1 Energy efficiency requirements when altering an existing building on the website links below.

Don't miss opportunities to improve building performance

Renovations and alterations oftentimes provide once-ina-generation opportunities to significantly improve the performance of existing buildings cost effectively. Examples are retrofitting insulation to building elements that are otherwise inaccessible, or choosing high-performance double-glazing when single-glazed windows need replacing. In such situations, it makes sense to go beyond what the Building Act requires.

Key dates for H1 Energy efficiency updates

On 1 May 2023, there was an increase to the insulation performance requirements for walls, floors, roofs, windows and doors in new housing. This was the next step in the staged transition for insulation requirements in housing.



For more information see: Acceptable solutions & verification methods tinyurl.com/h1-energy-efficiency Alterations and additions to existing buildings tinyurl.com/h1-repairs-replacements

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Counting the cost of waste reduction

Construction and demolition waste is estimated to make up half of all New Zealand waste. With the majority of this going to landfill, there's growing recognition that, as an industry, we need to do better.

On average, every Kiwi home constructed generates four tonnes of waste, with an Auckland study finding that construction waste, by weight, is made up of timber (20%), plasterboard (13%), packaging (5%), metal (5%) and other (45%). Realising there is work to be done, more and more Kiwi construction firms are integrating environmentally sustainable practices into their business.

A recent case study carried out by the Construction Sector Accord, in conjunction with Naylor Love and Auckland Council, found that not only did adopting waste reduction practices make sense environmentally, but financially too. Researchers and projects participants agreed it was a win-win, with Naylor Love reducing its operational costs by diverting over 90% of its construction waste away from landfill.

Naylor Love environment manager Annie Day prompted the project. With the company for over 19 years, Annie's passion

for protecting the planet sparked an interest in reducing amounts of waste being sent to landfill.

Like many other construction businesses, Naylor Love initially had no road map for how it could adopt more environmentally sustainable practices. Annie started upskilling herself, completing training courses with Otago Polytechnic Sustainable Practice Level 5, Green Star and Homestar training courses with New Zealand Green Building Council. This training helped Naylor Love plan the steps it needed to become more sustainable. Building materials and waste management were two areas that the company decided it needed to focus on to reduce its environmental impact.

In collaboration with Auckland Council, Annie instigated a waste trial at Naylor Love's construction site on the Auckland University of Technology (AUT) North Campus. This involved separation of resources on site and changes to how the

"The ultimate aim is for companies to design out waste from the outset. We need to shift perspectives to get people seeing that waste is an asset."

company used and disposed of its leftover building materials. At the end of the trial period, the company found it had diverted over 90 percent of its construction waste away from landfill. On top of this significant leap, the new approach had allowed the company to make a saving of 40 percent on their usual landfill costs.

Annie told a 'Building out waste in the construction' seminar this winter, that the results of the trial had exceeded expectations on several fronts. "We saw we were reducing waste but also saving money, and just how much we were saving surprised us.

"The ultimate aim is for companies to design out waste from the outset. We need to shift perspectives to get people seeing that waste is an asset."

Current statutory requirements

The Building Act 2004 includes sustainability principles that MBIE and building consent authorities must take account of, including 'the efficient and sustainable use of materials and the reduction of waste during the construction process.'

In July 2021, the Government began to expand the cover of the waste disposal levy. Construction and demolition fill (class 2) now attracts a levy of \$20 per tonne, which will rise to \$30 per tonne by July 2024. The levy will be increased in stages until it reaches \$60 per tonne at municipal landfills by then.

In December 2022, the Government proposed amendments to the Building Act that will include making it mandatory to create a waste minimisation plan for certain building or demolition work. A bill will go before Parliament this year and the changes will be phased in over time.

The Homestar rating tool for residential buildings currently awards points for diverting waste from landfill and the Green Star rating scheme for commercial buildings also rewards waste diversion.

What can company leaders do to make a change?

Do a sustainability course to upskill key people in your business. Naylor Love picked one of their environment managers to do several training courses with the Sustainable Business Network and the New Zealand Green Building Council. Their environmental manager also gained a Certificate in Sustainable Practice (Level 5) from Otago Polytechnic.

Educate others in your company about sustainable business practices. Not everybody may be onboard at the beginning



of a company's sustainability journey, so it's good to use tools, research, and data to showcase the environmental and commercial benefits of going green.

Consider developing a company sustainability strategy. This does not have to be a complicated or prolonged exercise. For example, Naylor Love's sustainability strategy fits on one short webpage.

Changes to handling material waste

During the project, Naylor Love made the following changes to the way they handled material waste:

Cable ties

Cable ties - a ubiquitous presence on most worksites. Traditional cable ties are made from nylon and are nonrecyclable. Naylor Love estimated they would need approximately 8000 cable ties on two of the buildings on the AUT North Campus. After searching online, Annie found and imported a cable tie that was able to be unclipped and reused. The reusable cable ties have been working well on the AUT North Campus worksite and Naylor Love is now using them on another worksite for attaching temporary scrim to fencing and the climbing formwork. Naylor Love is currently working with engineers at Beca and others in the industry to explore how to integrate reusable cable ties into specifications and make them available for retail purchase in New Zealand.

Soft plastics and cardboard

Soft plastics and cardboard were the bulk of the materials that were diverted from the general bin by volume. Naylor Love got in touch with Saveboard, a supplier utilising circular economy principles to upcycle packaging (soft plastics and tetra packs) to manufacture low carbon building materials. Naylor Love sends its leftover soft plastics too, and purchases hoardings from them. Once they are no longer needed, hoardings will be returned and remade into new building materials, helping to create a fully circular economy product.

PVC

Naylor Love's PVC supplier agreed to take back off-cuts so they could be remade into new pipes. The supplier, Marley, has partnered with Waste Management and Unitec on a project to minimise construction waste by breaking down PVC pipe off cuts made of PVC and HDPE and using the material to make new pipes. Waste Management arranged the logistics to pick up the leftover PVC from the AUT North Campus worksite.

CONTINUED OVER...

Buckets

Naylor Love worked with a plastering manufacturer to take back their clean buckets and make them available for customers to reuse when mixing its dry plastering mixture. The company, STO, is now setting up a nationwide takeback scheme to ensure its buckets can be reused multiple times.

Hi-vis vests and branded clothing

Used and damaged branded work clothing was turned into a repurposed resource that had a new use on site. An innovative new product called ReTex was created. ReTex is a thick rigid sheet that is used as temporary protection for finished products (for example, for protecting timber balustrades while construction work is still ongoing). Once ReTex reaches the end of its useful life, it will be sent back to Textile Products to be remanufactured and used again.

Plastic drink bottles

The number of plastic drink bottles thrown away on site surprised those involved in the trial. Auckland Council agreed to pick up used drink bottles from the AUT campus worksite as part of their municipal curb side collection. As part of its induction training, Naylor Love now encourages its staff to refill and reuse their plastic drink bottles.

Timber

In collaboration with its concrete sub-contractor, most of the formwork untreated timber was de-nailed, stacked and sent to the next job to be reused. The Resource Sorters stacked lengths of timber that were longer than their arm to be reused on site.

Polystyrene

The AUT North Campus site foundations were designed to include polystyrene, as a lightweight fill between ground beams. Naylor Love partnered with the University of Auckland to research polystyrene waste. It found that the polystyrene could be remanufactured, and that the manufacturer could complete shop drawings and manufacture pre-cut shapes to reduce waste on site. As a result, Naylor Love has developed a new operating methodology to bag the polystyrene offcuts and transport them back to the manufacturer.

Waste sorting tips

Clear a space on the worksite to make a sorting area so resources can be separated easily.

Organise different bins or skips (depending on size of the worksite) for different building products and materials.

Create clear signage that informs what building products and materials can be put in which bins/skips. Use WasteMINZ guidelines to develop signs.

Keep excess building products and materials as clean as possible because dirty, dusty, or contaminated goods can be rejected by recyclers and upcyclers.

Train people to sort waste, whether it's existing staff and contractors or new labourers hired specifically for the task. It helps to find people who will take ownership of the work. Naylor Love has now developed a NZQA micro-credential for Resource Sorting, delivered nationwide by an independent facilitator. Observe how resource sorting is being implemented on site. Annie and Auckland Council monitored what their resource sorters were doing and suggested changes along the way to ensure that building products and materials were being separated and distributed correctly.

Listen to feedback from trainees - they may find opportunities to improve resource sorting processes.

If you are not able to sort waste on site, use a skip provider that offers waste sorting offsite.

Diverting resources from landfill

Conduct an inventory of the building products and materials you are using, including any packaging. Identify opportunities to reduce, reuse, recycle or upcycle the building materials in your inventory.

Here are some questions you can ask to get started:

- Will our clients/contractors work with us to reduce construction waste from this project?
- Are there reusable alternatives for building products or materials that we usually throw away?
- Can our engineers/architects change the design to create a more sustainable outcome?
- O Can we change our building consent to accept an alternative product?
- ⊘ Do the products we're using have a product stewardship scheme in place?
- If there's no existing product stewardship scheme, can we talk with the product manufacturer and/ or supplier to consider developing a product stewardship scheme?
- Can we change to building products and materials that are more environmentally sustainable?
- Can we get creative and find a second life for products that we were going to throw away?
- Which of the products we're currently throwing away could we keep for later use?
- Can we work with waste collectors, including council, to divert building materials away from landfill?
- Build relationships with clients, contractors, architects, engineers, product manufacturers, suppliers, waste collectors and local councils. Welldeveloped relationships with these project partners will allow your business to improve your ability to reduce, reuse, recycle and upcycle excess building products and materials.
- Have an environmental champion/s to drive this work. One way to do this is to find people within your company who are already passionate about environmental issues - people like Annie. She adds, "As an industry, we're not there yet on sustainability. This is the start of a big conversation we all need to have."



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Fire protection and plumbing Building Code changes

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The Ministry of Business, Innovation and Employment (MBIE) is making amendments to the Building Code after 'mixed feedback' from consultation on proposed changes to plumbing, drainage, and protection from fire.

"In response to mixed feedback received in the submissions, we are withdrawing portions of the fire proposal regarding protection of other property from fire spread in townhouses and low-rise multi-unit dwellings," said Dr Dave Gittings, Manager of Building Performance and Engineering.

"SUBMISSIONS GENERALLY SUPPORTED THE INTENT TO INCREASE THE LEVEL OF LIFE SAFETY FROM FIRE IN OUR HOMES BUT THERE WAS NO CLEAR CONSENSUS ON WHAT THE TECHNICAL DETAILS OF THE CHANGE SHOULD BE."

"By announcing these decisions prior to the publication of the revised Building Code documents, our aim is to provide certainty and direction to the sector, to give manufacturers, suppliers and installers time to comply with the new requirements, and to prepare information and education to support the sector and public with the changes. Gittings said the changes 'are updates of existing documents used to comply with the Building Code' and aimed to improve the quality and reliability of plumbing and drainage services and to protect people from fire in their homes.

"We are proceeding with changes to cite the latest industry standards for fire sprinkler, fire alarm, and smoke control systems including the requirement for interconnected smoke alarms as the minimum fire safety system in new homes. By adopting the latest industry standards and aligning with similar requirements in other countries, we aim to improve the safety of our communities."

The revised solutions and documents will be published in November 2023 to allow a 12-month transition period. At the end of this transition period, the previous versions of the documents can no longer be used.

"We are committed to continuous improvements to ensure the compliance pathways for the Building Code are fit for purpose and up-to-date and support the delivery of safe, healthy and durable homes and buildings in Aotearoa New Zealand," said Gittings.



For more information on the changes and to read the full outcomes documents see **building.govt.nz/bcu22**

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Can SEO strategy benefit your business?

As businesses look for ways to increase revenue and save costs, SEO (search engine optimisation) strategy is something business owners may see as a valuable investment.

According to BrightEdge, in 2023, 68% of online experiences begin with a search engine. In addition, 60% of marketers say that inbound (SEO, blog content, etc.) is their highest quality source of leads, with SEO leads holding a 14.6% closure rate (via HubSpot).

Bruno Hebling is an SEO specialist and tutor with the New Zealand Institute of Education on how SEO can benefit businesses. He suggests businesses should initially invest in both Google ads and SEO strategies. They can then spend less on ads, over time, as SEO begins to work in directing online enquiry traffic their way.

According to Hebling, SEO is a valuable investment because it can bring website traffic, generate new customers, and drive sales.

"Businesses will save money in the long term. SEO is free traffic. So, if implemented well, a lot of traffic will come through the door freely, without any ads involved."

SEO can drive sales to a company by targeting different queries and areas of sales. Hebling suggests that businesses should invest in informational keywords first, which generate traction around a specific topic and generate more customers when they are ready to buy a related product.

He explains, "Firstly, companies should invest in informational keywords. That means customers land on your page when they try to find some information. Then later, when that customer is ready to buy the product, they might think of you as the leading source of information and purchase from you."

Businesses can also invest in transactional keywords that are focused on specific products but are harder to rank.

"MY RECOMMENDATION WOULD BE TO FOCUS ON INFORMATIONAL KEYWORDS FIRST. YOU CAN GET A LOT OF TRACTION AROUND A SPECIFIC TOPIC, AND YOU'RE GOING TO GENERATE MORE CUSTOMERS ALONG THE WAY WHEN THEY ARE READY TO BUY A RELATED PRODUCT."

A common misconception is that SEO works quickly, which can be frustrating for businesses that don't see results in the short term.

"It takes way more than three months for SEO to start giving you any results," says Hebling. "So, you have to be aware that it will take some time. Even today, many people may know what SEO is but don't know how it works and how long it takes.

While SEO requires planning and strategy, Hebling says companies can save money in the long term. "SEO is a long-term strategy, not a short-term strategy. With these skills, businesses can improve online visibility and achieve marketing goals."



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Over 700 builders, electricians, tradies, developers, architects, designers, and more from across the industry came together to connect and learn at the Asian Construction Expo.

Over 50 of the industry's leading brands, including CARTERS, shared what's new in the sector and provided information on product selection, installation, and compliance meeting requirements.

Attendees experienced three Industry Update sessions, hearing first-hand from Master Builders, Auckland Council, GIB, and HouGarden. Property market trends, intertenancy wall systems for use in medium density housing, and vital information relating to building in Auckland, including how to build flood-resilient buildings, were discussed.

The team at Productspec Mandarin also shared information about a new membership opportunity exclusively for Chinese trade businesses.

The next Asian Construction Expo will be held on 4 November at the Due Drop Events Centre in Manukau. This event is free and provides valuable CPD/LBP for anyone who operates in the construction sector in New Zealand.

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TAUPŌ	15 November
NAPIER	16 November



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'Cavalier' approach to working at height

Two construction companies have been held accountable for a cavalier attitude toward keeping people safe when working at height.

The lack of planning and implementation of safety measures from employer, Chunda Limited, and property developer, JMK Homes Limited, left a builder with life-changing injuries. The employee fell three metres from an unguarded second floor void on a construction site in September 2020, enduring a broken spine causing paralysis. The victim can no longer work as a builder as a result of their injuries and requires a wheelchair.

"THE INJURIES THE VICTIM SUFFERED WERE ENTIRELY PREVENTABLE IF CONTROLS, INCLUDING EDGE PROTECTION HAD BEEN IN PLACE TO ADDRESS THE RISKS OF A FALL FROM HEIGHT. THEY ARE INEXPENSIVE, EASY TO OBTAIN, AND EASY TO SET UP," SAYS WORKSAFE'S AREA INVESTIGATION MANAGER, DANIELLE HENRY.

"This was demonstrated in the immediate aftermath of the incident when edge protection was installed by workers using construction materials available on site. It was confirmed to WorkSafe this only happened after the incident. This is an indictment on the business and further underlines how avoidable this injury was." Both companies were charged under sections 36(1)(a) and 48(1) and (2)(c) of the Health and Safety at Work Act 2015 and were sentenced at North Shore District Court, where a fine of \$258,918.92 imposed and reparations of \$61,464.20 was ordered for Chunda Limited. JMK Homes Limited was fined \$175,000, with \$46,386.20 ordered in reparations. The maximum penalty is a \$1.5 million fine.

Henry said WorkSafe had taken several enforcement actions against Chunda Limited since 2017 to influence the company to do better. This included seven prohibition notices, two sustained compliance letters, one directive letter, and two improvement notices.

"WorkSafe had a number of interactions with Chunda Limited, and they were on notice to up their game and keep workers safe. This included providing them with guidance and information related to risk management. This is why this incident is, in our eyes, unforgivable and inexcusable given the track record," said Henry.

For more information see: WorkSafe's guidance tinyurl.com/worksafe-at-height





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Shiny new CARTERS in Wairarapa

CARTERS will be opening its doors to a new branch this month, merging the previous Masterton and Carterton sites.

"Wairarapa trade customers in the business of constructing residential houses and commercial buildings will be served better than ever," says CARTERS Area Manager, Matt Williams. "There's more space, more quality products, easier access for our customers and great parking."

Merging the former branches into a new purpose-built site at 328 Ngaumutawa Road, Masterton, sets the scene for years to come says new CARTERS Wairarapa branch manager Steve Tasker.

"Our old store in Masterton was no longer functional for customers," says Steve. "Tradies big and small will appreciate the new racking, modern forklifts, the height of the building, spacious layout and our drive-through option for easy load-up of trucks, under cover."

This latest branch is one of 50 nationally, focused on supplying trade quality products, as well as leading industry supplier brands.

Mike Guy, CARTERS Chief Executive, says he's excited about the Wairarapa branch opening. "We're committed to building long-term value through innovation and service. Our team nationally has worked hard through many decades of change in the building industry. Wairarapa's new store, together with other new stores around the country, demonstrate how we are moving with the times to better serve our customers."

Branch Manager Steve adds, "We invite tradies in the region to head along to experience this new space and investigate the value of partnering with us."

The last trading day at the Masterton and Carterton branches will be Friday 11 August, with the team opening the new Wairarapa site on Monday 14 August.



At Marley, they care about reducing environmental impact and are committed to increasing recycled content in their products

Marley is accepting returns of used waste pipes, spouting, ducting and other plastic construction waste and offcuts. They currently have 39 PE & PVC recycling drop off locations nationwide – you can find the one closest to you on their website at the link below.

In 2022 they were able to recycle an impressive 625,000kgs of plastic. That's a significant reduction in the volume of product going to landfill and our target for 2023 is a substantial increase to 1,300,000kg.

The collected plastic will be used at our sites to manufacture our next generation of PVC and HDPE piping systems used in building infrastructure, and agriculture projects across NZ, completing the loop and reducing their overall plastic resin importation.

Additionally, they're now also taking back janitorial waste such as shampoo and conditioner bottles and re-using them in their Drainflo[®] and Drainflo[®] HD products. Drainflo[®] is also made up of significant amounts of recycled milk bottles and other HDPE recyclate.

In 2022, Marley announced that Aliaxis NZ (Marley), Waste Management NZ Ltd and the Plastic Innovation Fund will invest \$12.5m in our mission to reduce plastic construction and demolition waste. They are one of the first recipients of this new funding. Aliaxis and Waste Management have formed Plastics Recycling NZ who have in turn purchased recycling expert Compounding Specialists Ltd (Comspec). The plastic recycler, located in Christchurch, handles over 4,000 tonnes of plastic resins per year.

Marley is proud to be taking the lead in reducing PVC and HDPE plastic waste in the construction sector in New Zealand.



FOR MORE INFORMATION, SEE WWW.MARLEY.CO.NZ/SUSTAINABILITY





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NOW THE RESERVE BANK HAS SIGNALLED THE END OF OCR HIKES, THERE IS THE CHANCE FOR AT LEAST A MODERATE FALL IN INTEREST RATES OVER THE NEXT YEAR AS THE SCALE OF THE FALLOUT FROM THE MASSIVE INCREASE BECOMES MORE APPARENT.

Economic worst is still to come, but recovery will follow

BY RODNEY DICKENS, MANAGING DIRECTOR, STRATEGIC RISK ANALYSIS LIMITED

The worst of the fallout from the sharpest ever increase in interest costs is still to impact the level of residential building here in New Zealand. However, it should have already occurred in general for the level of demand builders are seeing from new clients.

Nationally, consents for new dwellings have already fallen 27% from the peak level in early 2022. With interest rates taking around 12 months to filter through to consents and, having peaked in December 2022, these should fall quite a bit further over the rest of the year.

Based on my analysis of the drivers of new housing demand, leading indicators like the ANZ survey of residential builders and feedback from a range of building contacts, consents are likely to fall at least 40% from the peak level, possibly 50% or so.

It will not be the same in every part of the country or for every segment of the new housing market, but few areas will avoid a major fall that most will already be dealing with. However, the tendency for a fall in building activity to be followed by upturns should hold true.

INTEREST RATES ARE THE MOST POWERFUL DRIVER OF UPTURNS AND DOWNTURNS IN NEW HOUSING DEMAND, WITH THE UNFOLDING FALL IN DEMAND, LIKE THE EARLIER BOOM, DRIVEN ESPECIALLY BY THE CYCLE IN INTEREST RATES SHOWN IN THE CHART (BLACK LINE).

Now the Reserve Bank has signalled the end of OCR hikes, there is the chance for at least a moderate fall in interest rates over the next year as the scale of the fallout from the massive increase becomes more apparent. Critically, the fallout will be quite a bit worse than the Reserve Bank expects, which is key to lower interest rates. For example, the unfolding fall in residential building activity will be around twice what the Reserve Bank is predicting. Net migration – immigrants less emigrants – is the second most important driver of new housing demand and has rebounded strongly following the opening of the border last year (green line in the chart). Like interest rates, net migration takes around a year, if not a bit longer, to impact on consents but is quicker to impact on demand seen by builders.

From having been super negative, the two main drivers of new housing demand are starting to signal the start of an upturn for next year. How strong and sustained it will be is debatable, but at least there is something positive to consider at a time when things are bleak for many builders.



Net Migration & Average Mortgage Rate

7 tips for parenting while running a business

BY DANIEL FITZPATRICK

Anyone who has kids and a small business deserves a medal. It's not easy. Running a business takes a lot of focus and energy, so how do you juggle all this and still look after your family, especially if both parents are working in the business?

I have five kids but I'm no expert on parenting. So I went looking for answers and found seven proven ideas to help all of us balance work and home:

Pick and choose

To improve your business, taking stock is the first step. Same here. If you're feeling guilt, pinpoint the root cause. Did you miss a birthday? Left them hanging while you took a work call? Worked on Sunday instead of going to the beach together like you promised?

Get clarity around what you're okay (and not okay) with missing out on. Figure out what's important and let yourself off the hook for other stuff. What's non-negotiable for you? Being there for Christmas Eve, the annual fishing trip, school performances, their Saturday games, weekly movie nights, or maybe it's just being home in time for dinner every night?

Protect that time by having a 'no' speech ready anytime something or someone tries to encroach on this time. Make sure to let go of other people's expectations. Weigh your own actions. Most people have no idea the amount of work and sacrifice it takes to run your own business.

2 Set the tone

What we expect is what we will see. Don't buy into 'terrible twos' or 'disrespectful teens'. Focus instead on the best each season of parenting brings.

Likewise, focus on what is good about being in business. How you talk about your business = how your kids will feel about it.

A good business makes you more money than a regular job would. It gives your kids better opportunities and a head-start in life. Heck, you've created flexibility to help out with the kids more and spend more time with them. You're providing for your family. That's badass. Own it.

Talk this through with your kids, help them see the reasons you work so hard.

Accept that it's messy

You can't do it all. Don't try. Get help with the kids, the house, the business.

We're not supposed to parent alone. Encourage healthy influences in your kids' lives that are not you. Find childcare options your kids love and don't feel guilty. Hire an online tutor, cleaner, lawn-mowing service, meal delivery, anything that makes it easier!

Work-wise, outsource and delegate as many of the low cost tasks as you can. To be a successful leader, spend your time on high-level tasks. Save time by systemising and streamlining as much as you can. Now is a great time to lean on technology.

4 Optimise the in-between

Research shows the in-between moments of regular family life (activities like chores or taking the car for a warrant) can



do as much for family bonding as any planned 'family fun'

Studies have associated the following with improved outcomes:

- Talking to and listening to your kids
- · Making it clear you have ambitions for their future
- Being emotionally warm
- Teaching them letters and numbers
- Taking them on excursions
- Reading to them daily (and encouraging them to read for pleasure)
- A regular bedtime

Easy ways to make the most of things you're doing anyway:

- Implement a 'no screens at the dinner table' rule
- Turn your phone on silent clients can wait an hour
- Practice timetables on car journeys
- Ask your kids what problems they want to solve in the world
- Listen to an audiobook together
- Cook, do the dishes, fold the laundry together
- Blast the family soundtrack
- Ask them about their current gaming choice.
- Take one kid along for some one-on-one time when you run an errand
- Bring the kids into the business and give them simple jobs in the office, or begin teaching them your trade

5 Make memories

For parents struggling with lack of time, Karthik Rajan shares this gem: Time doesn't matter. Memories do.

"What are some of your best memories of things your parents did for you?" Many will likely be simple moments that didn't cost any money. Maybe it was your dad tucking you into bed at night and making up stories, playing chase around the house, or enjoying family pancakes on Sundays.

I teach my clients the 80/20 rule to create more profit. Similarly, identify and focus on 20% of simple moments that matter most to your kids.

Play at 100%

One study found children were better off when parents' work was challenging and enjoyable, even if it limited time at home. However, this only held if, when mum or dad were home and off-duty, they were available, and not on their phones or distracted by work.

Gary Vee is known as a workaholic. Yet, he says, "I play in extremes. My daughter had a recital, I was the first parent in line for it. On weekends, I am all in, 100%. I'm not playing four hours of golf. I'm not doing things other people are doing. I'm all in on the kids."

CEO Sharran Srivatsaa has a good tip. "On my way home, I pull over, finish any calls, load my meditation app, change my state to 'father and husband'. When I get home, I walk through the door present and joyful. This simple six-minute statechange transformed my life."

Love your work, or quit

It's probably not possible to build a family business without your partner having some role.

However, it's important you're both playing to your strengths and are on the same page. Not all couples can, or should, work together (especially if there's an eroding baseline of respect). It's helpful to step back and assess, "Is this working?"

As we wrap up, here's a sobering statistic: 93% of the time we spend with our kids is over before they finish high school. Once they move out, we won't see them nearly as much and will have much less influence on them.

Time is short. Life has to be on your terms. Yes, your business is probably going to require more attention in some stages of parenting than others, but to avoid regrets, and your kids missing out, the key is to set your boundaries and schedule in advance to make sure work doesn't encroach on family time.

If you need help or just want someone to talk strategy with, hit me up for a free 45-minute coaching session here: www.nextleveltradie.co.nz/nextstep



Daniel Fitzpatrick is a New Zealand based business coach and the creator of Next Level Tradie.

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Boardroom Risk Management 101 for Construction Companies

BY BEN RICKARD, TRADE INSURANCE EXPERT AT BUILTIN

All large building companies will undoubtedly have a board meeting agenda standing item for health & safety. Aside from the very good reason that ensuring the safety of workers is the primary responsibility of every business, failing to do so can subject directors to significant penalties under the Health & Safety at Work Act.

The same is not true of other areas of risk, however, so they may take a lower priority among directors, despite having the potential to significantly affect the operation of the company. And yet, one of the most critical responsibilities for any board of directors is to anticipate and manage potential risk to the business.

For this reason, we advocate for a broader 'Business Risk' standing agenda item, under which health & safety would sit alongside a number of other areas of risk. These may be reviewed at different frequencies throughout the year but should nevertheless be considered and addressed on a regular basis.

At a high level, consider these topics:

Future Outlook Planning

Evaluate and plan for the economic, cultural, social, technological, environmental, legal and political/regulatory trends that may affect the ongoing performance of the business over the next 5-10 years.

Frequency: Annual

Asset Valuation

This is not just an accounting exercise, as it can have a material effect on the sums insured in the event of an insurance claim.

Frequency: Annual (in times of high inflation it may be prudent to do this bi-annually)

Hazard Identification

This might be where you have a subheading for health & safety (or you might choose to keep it as a high priority with its own item). Other items that sit within this section can include:

- natural hazards associated with particular locations your business is operating within
- workforce risks (eg. availability of trained staff)
- reliance on any particular suppliers or products that may affect your operation if they fail

The outcome of the hazard identification process is a risk register, quantifying all possible risks by their likelihood and severity, with mitigation strategies applied to each. This work will feed into your business continuity planning.

Frequency: Conducted annually, reviewed quarterly

In summary

A prudent board of directors should be regularly assessing risk across more than just health & safety. A good insurance broker should provide much more than simply renewing your cover each year. As a professional risk adviser, they can support clients to identify, manage and mitigate risk right across their business, with insurance just one strand of a good risk management programme.

TO READ MORE ON FURTHER BOARDROOM RISK MANAGEMENT TOPICS INCLUDING BUSINESS CONTINUITY PLANNING AND CYBER THREATS, SEE TRADELEADER.CARTERS.CO.NZ





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The power of trusts in protecting your assets

BY KATEE YUKICH, ASSOCIATE AND ANDREW SKINNER, DIRECTOR AT AUCKLAND LAW FIRM URLICH MILNE

There have been many headlines recently about changes to the trustee tax rate and whether it may signal the end of New Zealand's 'love affair' with trusts. While bringing the trustee tax rate into line with the top personal tax rate may mean some people no longer find them attractive, it is certainly not the end for trusts.

There are many different reasons for forming a trust and they continue to offer asset protection in a way that other legal structures cannot. If you are self-employed, have your own business or are going into business with others you should consider forming a trust. Particularly if you will be signing personal guarantees in the course of doing business or if you have employees.

You should consider forming a trust to protect your personal assets in the event that a claim is brought against you personally. During the course of business, you may face personal claims arising from:

- future creditors if your business fails where you have signed personal guarantees
- health and safety and employment law

What is a trust?

A trust is a legal structure consisting of a relationship between the trustees and the beneficiaries of the trust. The trustees must follow the terms of the trust deed when dealing with trust property and act only for the benefit of the beneficiaries.

The person who initially sets up the trust and transfers assets into it is called the settlor. Business owners commonly transfer their family home into trust, and the trustees will pass a resolution allowing the settlor and their family to continue living there (as beneficiaries of the trust). Other assets that are often transferred are rental properties (commercial and residential) and shares.

How does a trust protect assets?

When you move assets into a trust, the legal ownership of them transfers from you to the trustees. Generally speaking, you no longer own the assets. They are out of your control and therefore out of the reach of potential creditors.

Assets can be transferred outright by gift from the settlor to the trustees. Another method is for the settlor to sell the assets to the trustees. Each situation is unique and the method of transfer will be determined taking into account all of the circumstances.

Obligations of trustees

Trusts are not a set-and-forget creation. Depending on what assets a trust holds, annual accounts should be completed, and trustees must meet at least annually.

Trustees have disclosure duties to both the beneficiaries and the IRD. Compliance obligations have intensified in recent years with the introduction of the Trusts Act 2019 and changes to IRD reporting requirements. However, the increased responsibilities in this area do not outweigh the benefits that a trust offers in terms of shielding your assets from claims brought against you personally.

Timing can be important

It is generally preferable to form a trust sooner rather than later. When setting up a trust, you should be able to pass the solvency test as assets cannot be transferred into a trust with the intention of defeating the rights of a third party, such as a creditor. It is acceptable to transfer assets into a trust if you do not have any liabilities at the time of transfer, or if you hold onto enough assets to meet your potential liability. It is important to discuss the timing with your lawyer and accountant.

Despite the commentary, trusts remain a useful mechanism for protecting your personal assets if you own a business. Talk to your lawyer about whether a trust is right for you.

Katee Yukich is an Associate at Urlich Milne and is an experienced trusts specialist

Katee Yukich, Associate - Commercial Law katee.yukich@uml.co.nz.

Andrew Skinner has over 20 years of experience as a commercial lawyer. He is a partner in the Auckland firm Urlich Milne, as well as being Vice Chair of the Frame and Truss Manufacturers Association.

Andrew Skinner, Partner - Commercial Law andrew.skinner@uml.co.nz

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