

TRADE LEADER

FEB - MAR 2024 ISSUE

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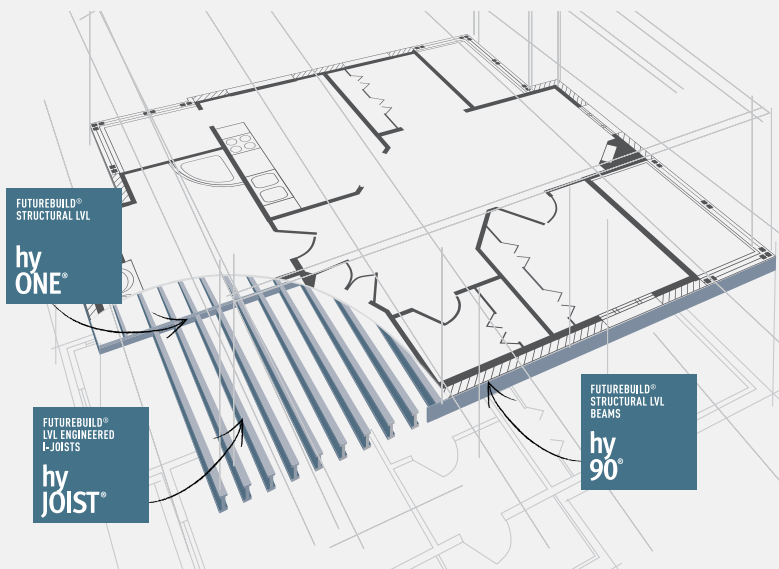
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LICENSED
BUILDING
PRACTITIONERS
Building confidence

Lessons learned from board decisions

BRUCE DUGGAN, SENIOR TECHNICAL ADVISOR,
OCCUPATIONAL REGULATION TEAM, MBIE

The Building Practitioners Board recently concluded an investigation which demonstrated the limitations of clause 3A of Schedule 1 of the Building Act.

The Board's investigation looked at whether a building consent should have been obtained for a salon to be constructed at the complainant's address before building work was carried out. This required the Board to determine whether an exemption under clause 3A of Schedule 1 applied, specifically an exemption for certain stand-alone buildings up to 30 sqm.

The respondent knew that a business was to be conducted from the salon but believed that a building consent was not required because it was an outbuilding between 10 and 30 sqm being constructed by a licensed building practitioner (LBP) and came within the provisions of clause 3A of Schedule 1.

Section 40 Building Act 2004

Section 40 requires that all building work must be carried out in accordance with a building consent. The process of issuing a building consent and the subsequent inspections under it ensure independent verification that the works meet the performance requirements of the Building Code. In doing so, the building consent process provides protection for owners of works` and the public.

There are limited exceptions to this requirement, one of which is building work described in Schedule 1 of the Building Act.

Schedule 1, Building Act

Schedule 1 of the Building Act includes a list of building work which is exempted from requiring a building consent. The exception being relied on in this instance was clause 3A.

This clause allows for a detached building exceeding 10 sqm but not exceeding 30 sqm in floor area and constructed of lightweight building products to be built without a building consent, with some limitations. These limitations include certain requirements in relation to building height and height in relation to a boundary or to another residential building. It is also not allowed to contain sanitary or cooking facilities or facilities for the storage of potable water and cannot include sleeping accommodation unless the building is used in connection with a dwelling. If it is used for sleeping, must have smoke alarms installed.

The Board investigation

Each element of an exemption must be satisfied for it to apply to the building work. In this case the height, area, and products used were satisfied, and the sleeping accommodation and smoke alarm issues were not relevant as the intended use was a salon.

That left clause 3A (1)(d) – does not contain sanitary facilities or facilities for the storage of potable water. The salon included sanitary facilities, and the respondent was aware of this – his quote included the supply of a shower base, a vanity, and a kitchenette unit.

The Council issued a Notice to Fix recording that as a bathroom, along with the associated plumbing and drainage works had been installed, a building consent was necessary. On this basis, the exemption was not available.

The Council also noted in the Notice to Fix that the building was closer than the measure of its own height to the existing residential building (clause 3A (2)) Again, this means that the exemption was not available.

Finally, correspondence from the Council noted that because members of the public would be using the building if it was a salon, under s363 of the Building Act, a building consent was necessary.

The respondent's response

The respondent stated that because he was not going to carry out the plumbing work, he did not have to make sure a building consent was in place before the building work was carried out. In essence, his defence was that a building consent would have to be obtained when plumbing work was carried out.

The finding of the Board

If the respondent's view was correct, then some form of retrospective building consent would have to be granted for the work that had already been completed. The Building Act does not provide for retrospective building consents. Rather, it provisions for Certificates of Acceptance, which are an alternative to a Code Compliance Certificate, and which note unconsented work without providing an assurance that the building work meets Building Code requirements.

The Board does not accept that an LBP can segment the whole of an intended build and form the view that, if they do some, but not all the work, they need not ensure a building consent is in place.

Further, the Board considers that an LBP should know of and correctly apply the exemptions in Schedule 1, or if there is any doubt, at least seek further professional advice or a written acknowledgment from a Building Consent Authority that an exemption does apply.

CODEWORDS QUIZ

- 1 **Where can the exemptions from requiring a building consent be found?**
 - A. In the Building Code
 - B. In Schedule 1 of the Building Act 2004
 - C. In the council long-term plan
 - D. In the LBP Handbook

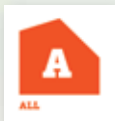
- 2 **If a 25m² sleepout that is 2.7m high is built 2.4m away from the boundary, does it require a building consent?**
 - A. Yes, it is closer than its own height to the boundary
 - B. No, it's less than 30m²
 - C. Only if it has smoke alarms installed

- 3 **If an LBP is unsure if Schedule 1 applies to a project, what could they do?**
 - A. Seek further professional advice
 - B. Ask the Building Consent Authority for written acknowledgement that an exemption does apply
 - C. Both the above



COMPLETE QUIZ ONLINE

Answers: 1.B 2.A 3.C



Codewords 116: December 2023

The Building Code update and what it means to you

GEMMA GRENNAN, SENIOR ADVISOR, INFORMATION AND EDUCATION, MBIE

ON 2 NOVEMBER 2023, THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT (MBIE) PUBLISHED UPDATES TO A SERIES OF ACCEPTABLE SOLUTIONS AND VERIFICATION METHODS.

THE CHANGES INCLUDED:

- **PLUMBING AND DRAINAGE**
- **PROTECTION FROM FIRE**
- **STRUCTURAL STABILITY OF HOLLOW-CORE FLOORS.**

What has changed and how is it important to you?

The most important changes affecting Licensed Building Practitioners (LBPs) are the updates to protection from fire for low-rise residential buildings in Acceptable Solution C/AS1. This acceptable solution now requires interconnected smoke alarms throughout new residential buildings. This change will significantly improve life safety without a big increase in construction costs. This update provides clarity on requirements for door lock devices, external safe paths and measuring travel distances to a final exit.

INTERCONNECTED SMOKE ALARMS

Following the feedback MBIE received during consultation, we have introduced interconnected smoke alarms as the minimum fire safety system in household units. Interconnected smoke alarms work by sending a signal between the smoke detectors. If one smoke alarm detects a fire, all the smoke alarms in the home will sound an alarm. This update aims to bring New Zealand in line with the latest industry standards. We have cited NZS 4514:2021 which

sets out the requirements for the installation, maintenance and commissioning of interconnected smoke alarms. Smoke detectors will need to be installed in all bedrooms, living spaces, hallways and landings and in multi-level dwellings there must be at least one smoke alarm on each level. The standard provides recommendations on different types of detectors that can be used in different areas of a house to avoid nuisance alarms (such as in a kitchen).

The standard also provides options for different power supplies and includes wired smoke alarms or wireless smoke alarms with long-life batteries. A hard-wired interconnected smoke alarm system can be installed during construction while the house is being wired.

The new acceptable solution can be used today and has a one-year transition period ending in November 2024. Until then, the previous acceptable solution can be used for new building work. Homes or buildings which are renovated or have a change in use will also have to consider compliance with new requirements. For existing buildings, battery-operated interconnected smoke alarms can be installed without the need to rewire the home. This is a cost-effective solution that saves lives.

MEANS OF ESCAPE

We have updated Part 3 of C/AS1 relating to means of escape and escape routes. In C/AS1 escape routes include open paths, safe paths and final exits. There are limits on the height, width and length of escape routes in Sections 3.2 and 3.3. Open paths are generally the portion of the escape route inside the house or unit where occupants may be exposed to fire or smoke while making their escape. There is a simplified method for measuring the length of open paths in paragraph 3.3.2.1. This generally occurs with multi-unit dwellings or sites with multiple buildings on them where occupants may have to travel past other units or buildings while making their escape. There are different ways an external safe path can be protected as these are given in subsection 3.3.5 and



figure 3.3.5.3. Final exits are located at the end of open paths or at the end of the external safe path when people can safely disperse, such as onto a public street. It is important to identify where the final exit is to ensure that open path lengths are not exceeded and that external safe paths are adequately protected along their entire length.

DOOR LOCK DEVICES

As part of the update for C/AS1 we have issued clarification regarding door locks on escape routes. This means the door must be able to be opened from the inside without a key. This is something to consider when carrying out a renovation as there are a lot of modern locking devices on the market.

PLUMBING AND DRAINAGE

We have made changes to E1 Surface Water, G12 Water Supplies and G13 Foul Water. All plumbing work should be carried out by a qualified plumber, however it is important to be aware of these changes if you are managing a project. Changes to Acceptable Solution G12/AS1 include measures to lower the maximum hot water temperature delivered at the tap for most buildings from 55°C to 50°C, and the introduction of additional temperature control devices to give plumbers more ways to limit hot water temperatures. These changes do not apply to the hot water used for kitchen or laundries, nor do they apply to the temperature of hot water in the storage tank. The changes apply only to personal hygiene taps and baths in new buildings and new plumbing work. The G12/AS1 update also includes reducing the lead content in plumbing products.

New Documents

The updated acceptable solutions and verification methods can be found on Building Performance along with further information.

 For more information see: www.building.govt.nz/2022-building-code-update

CODEWORDS QUIZ

- 1** What standard sets out the requirements for the installation, maintenance, and commissioning of interconnect smoke alarms?
A. NZS 4514:2021
B. NZS 4512:2021
C. NZS 4541:2020
- 2** Where are interconnected smoke alarms required to be installed in a new home?
A. Within 3 m of each bedroom
B. Only in bedrooms on the ground floor
C. In each bedroom, living room, and on each level of a house
- 3** When can the new acceptable solutions start being used to comply with the Building Code?
A. November 2024
B. They can be used today
C. Depends on whether it is new building work or alterations to existing buildings



COMPLETE QUIZ ONLINE

Answers: 1.A 2.C 3.B



Women in trades: Where are we at in 2024?

Women in construction currently make up around 14% percent of the industry, with around 24,000 employed in the sector. Most of these are in support services, however, only an estimated three percent working on the tools, according to Women in Trades NZ.

Tradeswomen make three times fewer ACC claims compared to their male counterparts, more than half of female trade apprentices are still engaged in an industry related to their training ten years later, and one in three women in the trades are businessowners. These figures come from the not-for-profit organisation set up to promote trade careers to women and employers in New Zealand.

WAIKATO-BASED BUILDER JESS NIELSEN MADE HISTORY LATE LAST YEAR AS THE FIRST WOMEN TO PLACE IN THE 2023 REGISTERED MASTER BUILDERS CARTERS APPRENTICE OF THE YEAR COMPETITION. THE BACHELOR OF CONSTRUCTION UNDERGRADUATE AND VOLUNTEER FIREFIGHTER WAS WORKING IN TAUMARUNUI WHEN SHE CAME THIRD IN THE NATIONAL COMPETITION. IN THE EVENT'S 20-YEAR HISTORY, SHE IS THE FIRST TO REACH THE TOP THREE.

Jess was one of an increased number of female entrants this year, supported by the gradual rise of women choosing trades. The 22 year-old carpenter started out labouring to earn extra cash, while working part-time as a ski instructor, and is now two and a half years into her apprenticeship.

Competition judges called Jess 'a highly impressive person'. "Jess's building knowledge shone through in her interview, and she also showcased a great level of skill in the national practical competition where she scored very highly."

Having Jess gain recognition and exposure is a great step forward, a reason to celebrate not only Jess herself, but also how far women have come in the industry in recent years. But what's the lay of the land for female tradies as we enter 2024?

The National Association of Women in Construction (NAWIC) and its 'Building Belonging' campaign aimed to find out. 'Diving into the barriers holding women and minorities

back', the Building Belonging podcast series explored why Aotearoa's trade industry is still lacking diversity. Co-founder and past president of NAWIC New Zealand, Stacey Mendoca says she formed the Kiwi branch of the international organisation in 1995, initially to make female friends in the construction industry. Working as a quantity surveyor in Wellington, Stacey attended a women's business networking event only to find she didn't feel as welcome once she shared what she did.

"Some women literally turned on their heels when I told them I worked in construction," she says.

So, she set about creating a local community for women in construction careers. Now, NAWIC has over 1200 members in New Zealand, with seven different regional branches across the country: Auckland, Waikato, Bay of Plenty, Manawatū, Wairarapa, Wellington, Canterbury, Queenstown Lakes, and Otago. "The numbers have grown hugely," says Stacey. "We have had a huge growth in mid-career women have a career change and coming into construction. We also have a lot more women clients and consultants, as well as women in the sheds and on the tools.

Times and attitudes have changed since NAWIC's inception, says Stacey. "I had an old dude phone me recently, for example, who said they didn't want to take on a female chippy apprentice previously. But he had called me to say he wished he'd done it sooner, as they are the best worker they have ever had."

CHAMPION OF WOMEN IN TRADES, QUALIFIED JOINER ANDREW BELLAMY IS GM AT WOOD SOLUTIONS. HE PRIDES HIMSELF AS BEING ONE OF THE FIRST TO EMPLOY FEMALE JOINER, 23 YEARS AGO. FEMALES NOW MAKE UP A QUARTER OF HIS WORKFORCE. HE ECHOES STACEY'S CALLER. "WITHIN A MONTH OF HIRING A FEMALE JOINER, WE SAID SHE'S THE BEST HIRE WE'VE EVER MADE," SAYS ANDREW, WHO HAS BEEN IN THE TRADE FOR OVER 30 YEARS.

Andrew says, "I recommended a friend in Invercargill hire a female apprentice after he was complaining about not being able to hire any apprentices down there. He rang me to say, 'She's great, I should have listened to you earlier!'"

Fear of the unknown has held employers back in the past Andrew feels. "We're all human, and often, humans don't like change," he says. "There's been a fear among some people to employ a female tradie. And strength has probably been the excuse for some.

"If you're worried about that, you need to look at your techniques and processes because it's a learned skill and a learned strength. You could have a male first IX rugby player straight out of school who may get injured because he may not be able to lift as well as a much smaller female because he's not got the correct techniques. It's a learned strength.

"We are pleased to say a quarter of our staff are female, with many in senior roles who have worked their way up through the business. It makes you realise how far we've come."

At board level, women are taking more seats at the table. Qualified builder, Niamh Barraud, runs her own company, Windy City Builders, and is on the board of NZ Certified Builders. She's a former NZCB Wellington President.

Last year, NZCB launched a programme to provide support to apprentices and their employers, including matching female trainees up with mentors. Niamh told Radio New Zealand last year that increasing female numbers was a focus for many businesses in the sector.

"It's a battle that every institution in the industry is focusing on now because diversity is becoming a much more important part of the industry," she said.

"WE HAVE TO SHOW GIRLS THAT THIS IS A VIABLE CAREER OPTION... WE HAVE TO SHOW THEIR PARENTS THAT IT'S A VIABLE CAREER OPTION... AND WE HAVE TO NORMALISE THE PRESENCE OF WOMEN ON SITE SO THAT EMPLOYERS AND COLLEAGUES VALUE WOMEN ON SITE."

Elsewhere in the Kiwi construction sector, director Liz de Kort was appointed to the board of Registered Master Builders' Association in 2022. She is currently the only female on a board of eight. Whereas, Infrastructure NZ has a majority female board membership. Tracey Ryan serves as Chair, as one of seven female board members, compared to six males. It launched its Women's Infrastructure Network in 2016, to increase numbers of women in leadership roles, grow the visibility of women, provide networking and a support group for women in the infrastructure sector. It now has six regional chapters and over 2100 members.

Jess Nielsen made history by placing third in the 2023 Registered Master Builders CARTERS Apprentice of the Year Awards.



The work of more women in trades will be celebrated at this year's NAWIC Excellence Awards. Nominations opened on Tuesday 23 January and close on Friday 15 March at 7pm. The national awards ceremony will be held on Friday 19 July at Tākina Wellington Convention & Exhibition Centre, with tickets going on sale after the finalists are announced.

A handy roadmap tool for better diversity and inclusion in your construction business has also been created by Diversity Works NZ and the Construction Accord. It is tailored to your situation and downloaded by answering some quick, simple questions.



For more information see:
www.nawic.org.nz/nawic-excellence-awards
www.simpleandengaging.com/ConstructionDiversityRoadmap-tool.html

The infrastructure sector requires more certainty of pipeline, not just for a couple of years, but for the decades ahead.

Infrastructure issues - wish list for 2024

The construction sector has sent strong messages to the coalition Government, with leaders of industry voicing their hopes for the industry for 2024 and beyond to Prime Minister Christopher Luxon.

Infrastructure New Zealand Chair Tracey Ryan and Chief Executive Nick Leggett sent a joint letter to Luxon, titled, Getting New Zealand's infrastructure back on track. In it, the pair said they spoke on behalf of New Zealand's infrastructure, in suggesting Infrastructure New Zealand works with government to identify quick wins and outline medium-to-long-term priorities.

“THE INFRASTRUCTURE SECTOR REQUIRES MORE CERTAINTY OF PIPELINE, NOT JUST FOR A COUPLE OF YEARS, BUT FOR THE DECADES AHEAD. THIS WILL ALLOW THE PRIVATE SECTOR TO PLAN, PARTNER AND PREPARE FOR THE PROJECTS THAT ARE COMING. FOR YOUR ADMINISTRATION TO BE SUCCESSFUL IN INFRASTRUCTURE DELIVERY, THE PUBLIC SECTOR NEEDS TO DELIVER,” THEY SAID.

Recommendations included ‘a careful examination of the public sector infrastructure advisory and delivery eco-system.’ Adding, “Speeding up the process, avoiding siloes and injecting independence into the system will be key.”

On funding infrastructure, Infrastructure NZ recognised the fiscal challenges the incoming Government faced, but suggested, ‘alternative funding and financing mechanisms are readily available to widen the opportunities for government to deliver projects swiftly.’

“We recommend the Government draws on funding beyond its own balance sheet to deliver projects, and better utilises the market to drive efficiency and productivity so New Zealanders receive value for money.”

In terms of mitigating the effects of climate change, Infrastructure NZ urged the Government ‘to not lose sight of

the agenda to reduce emissions, decarbonise our economy and adapt to our increasingly extreme weather events.’ There “The resilience of our key infrastructure cannot be overlooked, and it is vital that this long-term work to improve these assets and safeguard communities continues,” said Ryan and Leggett.

Further recommendations included:

- Examining the public sector infrastructure advisory and delivery eco-system.
- Seeking alternative funding and financing mechanisms to deliver infrastructure projects.
- Enabling faster consenting of renewable energy infrastructure.
- A ‘system reboot’ for local government and the way central government relates to it.

National MP Chris Bishop starts the New Year as Minister of Housing, and Minister for Infrastructure, sitting within Cabinet. Chris Penk MP sits outside of Cabinet in his role as Minister for Building and Construction, as well as Minister for Land Information.

NICK LEGGETT
CHIEF EXECUTIVE
INFRASTRUCTURE NZ



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Back to work? Keep your cool

Entering the new year with a fresh pair of eyes when it comes to health and safety on site is a wise way to begin the year. Taking collective responsibility to assess and manage risks as you return to work this summer not only reduces the risk of workplace tragedy but can prevent long-term damage to your business and the people in it.

In summer, the elements add an extra dimension to health and safety considerations in making businesses manage working in heat. The immediate and cumulative effects of heat exposure can prove catastrophic and mitigating these is a key part of health and safety on site, especially at this time of year.

New Zealand is in the unenviable position of leading the world in its melanoma figures, with over 6,000 detected each year, according to Melanoma NZ. Protection from UV is a well-known summer essential. But it isn't just damaging UV rays businesses need to consider; working in heat can bring many challenges.

Heat puts the body under stress. If people need to work too hard to stay cool, it can cause heat-related illnesses and injuries, which can be fatal if ignored. Outdoor environments during summertime bring obvious risk, but indoor environments with high humidity or radiant heat can be equally taxing.

Regulations require the PCBU (person conducting a business or undertaking) to make sure, so far as is reasonably practicable, that workers' health and safety is not put at risk while carrying out work in extreme heat.

HEAT - A RISKY BUSINESS

Businesses should do a heat risk assessment if:

- ✔ workers are uncomfortably hot or sweating while working
- ✔ there is high humidity
- ✔ workers are exposed to radiant heat (such as direct sunlight or heat-producing plant)
- ✔ workers are working in confined spaces during hot or humid weather
- ✔ work is physically demanding

CONTROL MEASURES TO REDUCE RISK

Eliminating the source of heat is the best option, of course. If elimination is not possible, WorkSafe recommends you consider the following control measures outdoors:

- ✔ use mechanical aids to reduce worker effort
- ✔ provide protection from the sun if working outdoors
- ✔ schedule work for cooler times of the day or year
- ✔ rotate workers frequently on tasks
- ✔ allow extra rest breaks and provide cool rest facilities away from heat and sun
- ✔ encourage workers to stay hydrated and make cool drinks available at all times

WorkSafe encourages every workplace in New Zealand to start the year by discussing health and safety and taking positive steps, such as discussing workplace risks with teams, and checking all Personal Protective Equipment including, hearing protection, safety glasses or face shields.

"Starting the year by discussing health safety is part of ensuring that we can all go home safe and healthy at the end of the day."

WORKSAFE

Mahi Haumarua Aotearoa



For more information see WorkSafe's guidelines: www.worksafe.govt.nz/working-safely-in-extreme-temperatures-gpg



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- Made in Japan



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Second chance learners embracing construction



Mature students, later life learners, 'Second Chance Charlies', there are plenty of terms applied to those who choose to pick up new skills and career pathways later in life than the post-school norm.

For many, the Building, Construction and Allied Trades Skills (BCATS) programme, which provides learning resources and assessment opportunities to support later life learners, has provided a welcome, path-changing boost.

A mix of theory blended with on-the-job practical learning, BCATS is a collaboration between community initiatives and BCITO, Te Pūkenga, which develops programmes tailored to need. Local initiatives approach BCITO, often through the Ministry of Social Development, for support and resources. BCITO then equips these initiatives with the resources that support the learners to be able to move forward with employment.

IN NAPIER, THE BCATS PROGRAMME WAS RECENTLY USED BY A COMMUNITY PROJECT CALLED, 'BUILDING FUTURES TO AID SECOND CHANCE LEARNERS'. THE PROGRAMME WAS SET UP WITH FUNDING FROM THE MINISTRY OF SOCIAL DEVELOPMENT TO PROVIDE MORE SUPPORT FOR PEOPLE WHO HAD LITTLE WORK EXPERIENCE ON THEIR CV, TO HELP THEM IN THEIR SEARCH FOR WORK. BCITO TAILORED NZQA ACCREDITED UNIT STANDARDS FOR THE PROGRAMME.

Firstly, the learners were evaluated so that the unit standards would meet their specific needs, time was then spent analysing which learning approaches would be best suited. Six standards were then developed which included workshop-based projects to provide the appropriate skills, which would be recognised under a formal qualification.

Paul McDowall is a Kaitohutohu Māori, a Māori learning advisor who has been directly involved with 'Building Futures' project. He highlighted how these short duration programmes benefit those transitioning into the construction industry.

"The collaboration between BCITO and 'Building Futures' has been really beneficial for the learners in the community, as it's provided opportunities for people who perhaps weren't suited to the traditional school system," Paul says. "We're able to give them the confidence to apply themselves and learn valuable skills that lead to employment."

BCITO's Implementation and Transition Manager, Mark Chalmers, has been key to several initiatives.

Mark said, "These initiatives combine industry related learning with community programmes, to provide excellent pastoral and educational support. Such opportunities improve learning outcomes; learners are equipped with skills and a pathway to gaining meaningful employment."

"The collaboration between BCITO and 'Building Futures' has been really beneficial for the learners in the community, as it's provided opportunities for people who perhaps weren't suited to the traditional school system"

It is a widely held belief across the sector that Aotearoa New Zealand needs more people to upskill and grow their knowledge to create much-needed quality homes and infrastructure. Giving opportunities to later life learners and career changers is one strand that can be woven into the bigger picture of making a richer, better resourced Kiwi construction industry.

CLEVA POD® IS A REVOLUTIONARY PATENTED FORMING SYSTEM FOR CONCRETE SLAB FOUNDATIONS MADE FROM RECYCLED AND WASTE PLASTIC.

Building better foundations for the future

A nine-year innovation journey has culminated in a ground-breaking product landing on the New Zealand market, poised to change the way foundations are laid and create a more sustainable future.

Born from the need to develop a more environmentally friendly alternative to the current polystyrene void forming pods, co-founders and directors of CLEVACO®, Andrew Minturn and Grant Brown officially launched the CLEVA POD® in New Zealand in September, following a March launch in Australia. Dubbed 'a circular foundation for the future', the CLEVA POD® is a like-for-like replacement, for the traditional poly pods within the standard AS 2870:2011.

It is a revolutionary patented forming system for concrete slab foundations made from recycled and waste plastic, making it an environmentally friendly, cost-effective alternative to polystyrene raft waffle POD or slab on grade concrete foundations. Maintaining the same parameters of standard sized polystyrene pods, use of the product doesn't require any additional engineering requirements.

"It is installed exactly the same way as the traditional pods; therefore, contractors intuitively grasp the system installation," says co-founder Andrew Minturn. "In practice, we have found a CLEVA POD® floor to be quicker to lay than traditional poly pods.

"We have been extremely fortunate to be working closely with Firth to deliver the CLEVA POD® as the environmental alternative to traditional polystyrene pods, within the Firth Rib Raft Technical Manual and associated CodeMark. We have also completed our H1 Thermal modelling," he says.

Andrew has been involved in the building industry for over 20 years and has been advising the New Zealand Government in this sector for the past 15 years. Notable roles and achievements include developing the New Zealand Building Consent Authority Accreditation system, being the Department of Building and Housing representative and Principal Advisor on the Auckland Transition Authority and Chief Advisor to the Crown Manager in Christchurch for the Canterbury rebuild, as well as Chief Advisor to the Ministry of Business, Innovation and Employment (MBIE).

Fellow co-founder and director Grant Brown has over 30 years' experience in the building industry, relating to foundation design and construction. Grant is an innovator, with several patented products brought to market including EZI-YAKKA, Apache and Stunna. He is also the owner of Conqra NZ Limited, specialising in asbestos contamination identification and removal.

Grant has dedicated a large part of his professional career to the education and training of his peers and was recognised in 2015 and awarded a Life Membership of the Building Officials Institute of New Zealand, where he is also the Auckland branch convener of venues.

The pair are delighted to finally see their innovation take hold with the introduction of CLEVA PODs to the Kiwi market, on the back of its Australian launch earlier in 2023. Due to the vast size of the injection mould tool, there are few specialist companies across Australasia with the manufacturing capabilities to produce the pods. Therefore a 30-tonne mould creates the CLEVA POD® at a manufacturing base in Melbourne, by the company's partners Socobell, one of the Southern Hemispheres leading plastic injection moulding specialists.

Key advantages

- Stacks for easy storage and transport
- Highly durable
- Environmentally friendly, manufactured from recycled and waste polypropylene
- Easy to install and ideal for residential, commercial, and industrial buildings
- Zero waste on site
- Zero waste to landfill
- Removes polystyrene from sites
- Fully recyclable, can be reused creating a 'circular foundation'
- Assist designers in delivering sustainable features for GREEN and LEED certified building
- Air pockets trap heat beneath the slab and improve thermal efficiency

Several Kiwi building companies are already raving about their experiences using CLEVA POD®. One such builder is Auckland-based Grant Malone. He said, "It's a great building product for many reasons, one reason being that it's way better than having polystyrene blowing around all over the place!"

Grant has used CLEVA POD® on residential builds in Tāmaki Makaurau and wouldn't hesitate to use them again. "They are adjustable, so you can cut them for custom made sizes, say to work around pipes etc. I'd definitely use them again. It's a really, really good product."

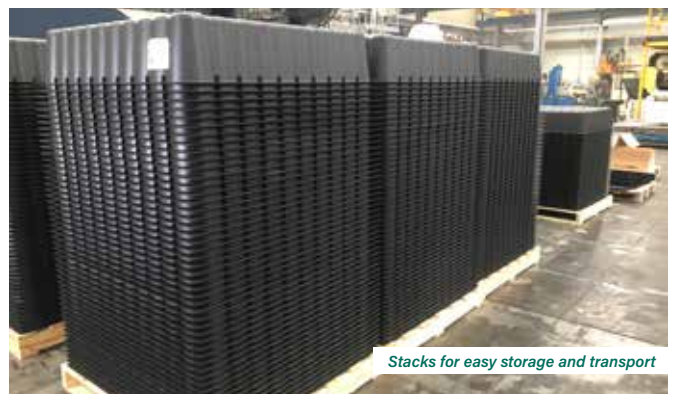
Ash McSkimming has also been impressed when using the new CLEVA POD® product on a high-end residential build in North Auckland. "We rate them highly. They're efficient to install, unlike other systems, and seem to have a lot of benefits. It seems they ironed out any potential issues and produced something that is now a favoured product. Especially on high-end residential builds, polystyrene wasn't a favoured product!"

Civil and structural engineering specialists Markplan Consulting Ltd have been keeping a keen eye on the development of the CLEVA POD® void former system over the last few years. The company has been involved in the design of raft slab foundation systems in New Zealand since the late 1990s.

"We welcome this alternative option of a void former that can be used to create the raft slabs we design," says Glen Cossey, principal engineer at the Albany-based civil and structural engineering specialists.

"Given the pod dimensions (1100mm x 1100mm x 220mm) match that of the polystyrene void formers that have traditionally been used, the suitability of the CLEVA POD® for a typical 80mm – 100mm concrete topping is noted, and the system is able to create modified pod sizes, it is our opinion that the CLEVA POD® void former is suitable for use as a direct substitution to the traditional polystyrene void formers to construct raft slab foundations with similar dimensional requirements as currently designed by Markplan or other suitably qualified designers."

CLEVA POD® is available from CARTERS.



For more information and to check out the video content on this innovative new entry into the Kiwi construction market at Trade Leader Online, see tradeleader.carters.co.nz

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Tech tools of the trade

Empowering construction businesses with practical tools to help their companies thrive is the aim of the Construction Activator, with tech tools to help businesses, the latest learnings to be shared with the sector through the scheme.



For the latest upcoming Construction Activator events, see: nz.linkedin.com/company/construction-sector-accord

Created through a partnership between the Construction Sector Accord and Callaghan Innovation, the online, Digital Tools for Construction Businesses, is part of a series of free Construction Activator Online Connect Events aimed at helping equip construction businesses with practical tools to help them succeed.

Digital Tools for Construction Businesses allows construction business owners and workers to 'get under the hood of successful businesses'. It enables participants to find out about the tools helping such businesses reduce costs and improve overall performance. Business leaders and service providers share how a similar approach could help take other businesses to the next level. Topics covered include:

Optimising business operations

Explore construction job and business management digital systems that track all aspects of construction administration from start to finish. Give your team the tools they need to reach new heights of efficiency as they perform their day-to-day tasks.

Efficient design solutions

Learn about a platform tailored for commercial interiors, streamlining the design and engineering process. Generate consent documents within a remarkable 15 minutes, a significant improvement from the usual five-day wait.

Getting paid on time

According to Xero, late payments cost Kiwi small businesses \$456 million annually. Construction Activator Online Connect event participants learn about tools to help tackle late payments.

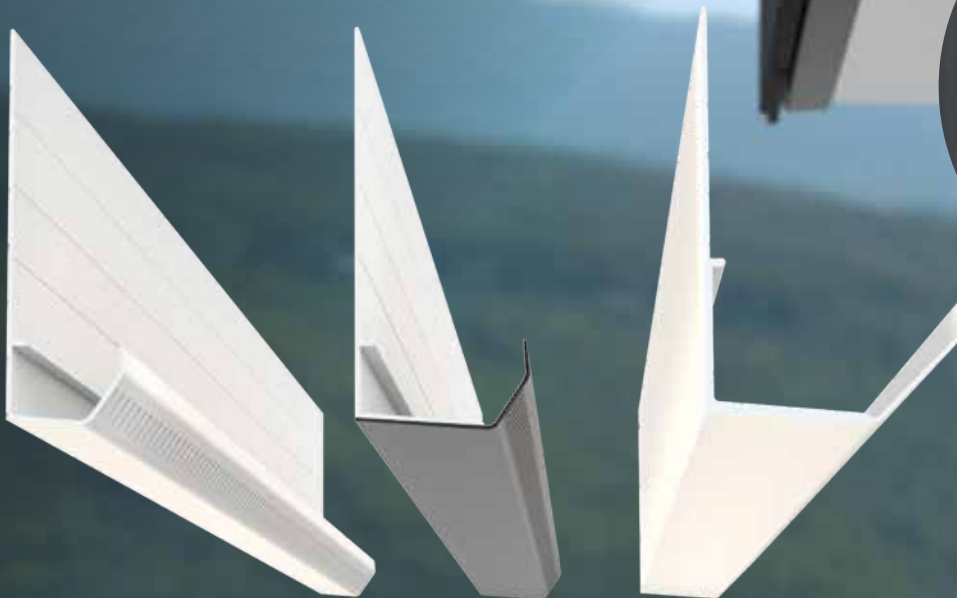
Information sharing between businesses is also a key part of the Construction Activator community. By finding out which tools have made a difference to Kiwi businesses, and why, can help business owners make informed choices and help grow a more resilient sector. Construction Activator is keen to provide opportunities for construction industry personnel to participate in discussions on how New Zealand can improve productivity in this sector.

A new Construction Activator website is being launched this year.

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Graphite	Available now	Available now	Launching soon

THE MARKET PROCESSES INFORMATION ABOUT ECONOMIC GROWTH AND INFLATION QUICKER THAN THE RESERVE BANK, WHICH IS QUITE SLOW TO RESPOND TO THE NEW INFORMATION IN MAKING OCR DECISIONS.

Understanding how the market drives interest rates

BY RODNEY DICKENS, MANAGING DIRECTOR, STRATEGIC RISK ANALYSIS LIMITED

Understanding interest rate behaviour is important because it is the major driver of residential building. The first chart shows the inverse relationship between the average mortgage rate and consents for new dwellings. The best fit is with the mortgage rate line shifted into the future by 13 months, with some threat still in the pipeline from the increase in mortgage rates over the last 13 months.

The bank economists focus too much on the OCR the Reserve Bank sets and have a poor track record at predicting it beyond the next few decisions. More important, is understanding the role the market plays in driving interest rates.

The second chart compares the average six-month and five-year fixed mortgage rates with the OCR. The six-month rate is quite closely linked to the OCR but increases in the five-year fixed rate have been well ahead of OCR in two cases, while in one case the OCR didn't subsequently increase, and the five-year rate reversed its increase.

Longer-term rates can move ahead of the OCR because they are based on what the market expects the OCR to be in the future. The five-year fixed rate at any point is based on what the market expects the OCR to be over the next five years.

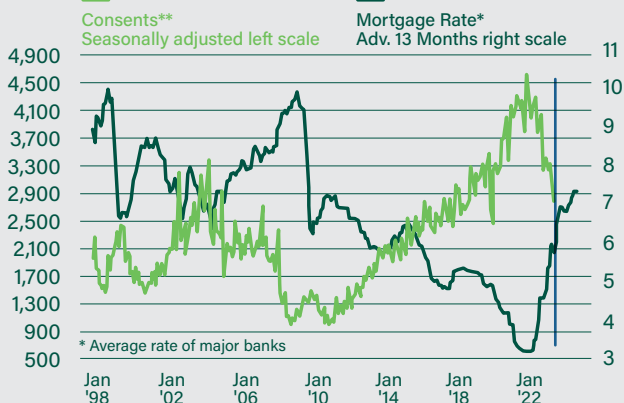
The market processes information about economic growth and inflation quicker than the Reserve Bank, which is quite slow to respond to the new information in making OCR

decisions. If there are signs the economy is improving, implying higher inflation, the market revises up what it expects the OCR to be in the future, boosting the current five-year rate. However, at times, the market gets it wrong as it did in late 2016 when the increase in the five-year rate was not subsequently vindicated by OCR hikes, so was subsequently reversed.

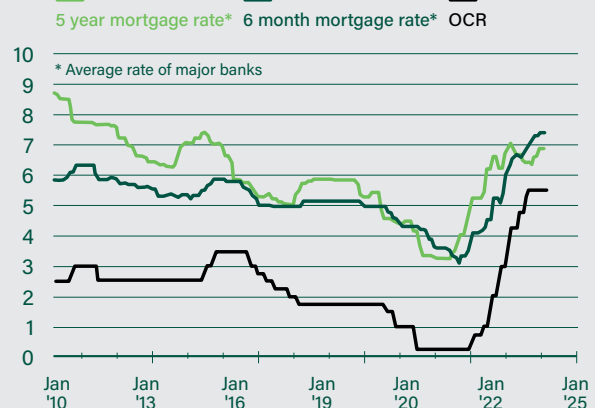
The six-month mortgage rate is based on what the market expects the OCR to be over the next six months, limiting how much it can move ahead of the OCR. The level of interest rates shown in the charts is based on what they were at the time of writing and may have changed a bit since.

With the six-month mortgage rate heading above the five-year rate, it signals the market expects the OCR to be cut at some stage over the next five years, but not much. This reflects an expectation the battle against inflation will be drawn out, but it could end up being less so than the market expects.

Consents for New Dwellings & Mortgage Rates



Mortgage Interest Rates & OCR





Time to expand your team?

BY DANIEL FITZPATRICK

You're busy as. You don't have the manpower to handle the current workload. Lead time is stretching out. And the work keeps coming.

Many tradies find it hard to say 'no' to customers. Or feel they can't knock back jobs as it will impact growth. So, they end up working longer and longer hours.

Is the answer to expand and try to do more? Or stick it out and do as much as you can with the team you've got?

You may have been down this road before. You may have taken on extra staff, or seen others do it, and been worse off. You don't want to repeat those mistakes.

And isn't there a downturn coming? It's hard to predict.

That's why I'd recommend building your war chest while things are good. Create a cash cushion and increase efficiency now, so you can easily adapt - whatever happens next.

If you're getting geared up to take as much work as you can, great. Nothing worse than feeling like you're missing out on opportunities.

Want to know how you can tell if it's likely to work out well? It depends on your own situation.

ASK YOURSELF THESE QUESTIONS:

1. How many months of confirmed work do you have right now?
2. Are clients prepared to wait or are you losing jobs through long wait times?
3. How much money could you make off increasing your capacity?

1 Is the work profitable or is it work that has a low margin?

Being busy doesn't mean you're profitable. You might make more money by picking and choosing the best jobs and turning the others away.

When taking on more work and a bigger crew, ensure there are margins in the jobs. Otherwise, it's just endless stress and bad cashflow. Also, assess whether the work best suits you or if it's slowing you up. If jobs are taking longer than they should, that's affecting your margin too.

Do you see where I'm going with this? Let me say it straight: **The real answer is in your numbers, not in your workload.**

You're in business to make money. So, business decisions should (mostly) be based on the numbers. Numbers make things very black and white, so you can make smarter decisions.

2 Can you make money off another worker?

Consider how much it would cost you, and what you would need to get back.

Here's a rough guide: If you pay your new tradie on the tools \$65,000 per year (\$1,250 per week), then billable hours (not including materials) for them needs to be around 2-3 times that (ie \$2,500 - \$3,750 per week).

To get a more exact picture we'd also look at overhead costs and gross margins.*

Generally, if you get this right, you can aim to make \$40,000-\$80,000+ off each of your employees on the tools, depending on your trade. If you can't afford to put on another full-timer, it's likely your rates are too low, especially if you have minimal overheads.*

3 Does cashflow support it?

There'll be an initial dip in your bank account for at least a month or two, while you get them up to speed plus pay their



wages (before you can bill for the work they're putting out and get that money back). Look for any subsidies to help with initial costs.

The trick is to do a simple cashflow forecast to see what's going to be in your bank account over the next few months. Then you can make sure cashflow won't be stretched too far.

Warning: Many tradies have lost the ability to pay their staff when customers haven't paid. Ensure you have robust systems for minimising late/bad payers.

4 What if you get a bad apple?

This can happen. It will cost you money. It's a risk.

What can you do? You've got to bite the bullet. Invest in finding the right person. Play at 100%. Advertise the job well. Do due diligence. Interview well. Check references properly.

Get the right help, not just 'help'

Make sure you include a 90-day trial in their employment contract. (If you have less than 20 staff). During this time, you want to watch them closely on the job and, check in regularly. Test and push them a bit, to see how they respond, to see if they'll be a good long-term employee.

Remember that quality staff requires a quality leader. Train your crew properly. Give them structure. Build team culture. Grow the business this way and it will pay huge dividends down the track.

5 What happens if work dries up?

Finding a steady supply of the most profitable work takes effort.

Hiring will free you up to hunt for more work. Put the time in and you'll find it. You can't grow a business with a scarcity mindset.

Overwhelmed with work only some of the time? Make the decision to grow or stay small. You can't have it both ways. Sure - you don't want to pay someone to do nothing. But in

this environment, you'll only be slow if you allow yourself to be.

In the meantime, you'll find things for them to do: Use your downtime to train them. Get them into the office quoting, get them cleaning the van, filling it up, ask them to go get this or that.

Know your worst-case scenario numbers. How long could you go with no work for them? With a 90-day trial, you can always let them go if you don't have the work. Not ideal but keep it in mind.

More things to check:

How will the new hire fit into the current team? You don't want to upset the apple cart.

Can you speed up the office? A bookkeeper or office manager may be far more efficient than you.

Someone with experience costs more and gets more done. Someone who needs training costs less. Both can work. Return takes longer if someone is less skilled.

Would a foreman to manage the team be a better option than an extra pair of hands on the tools?

Does anyone need to get off the bus first? An existing crew member with a bad attitude creates ripples seen and unseen. That's something you need to take care of right away.

What if there's no shortage of work, but a massive shortage of skilled workers? What if you just can't find good, qualified people?

Well, quality people are employed somewhere. A few may be looking for change. Do it right, and you can become the employer they desire. More on that another time.

If you're busy, more workers will help. After all, there's a limit to how much work your current team can get out, even if you improve your productivity.

Conversely, more staff and more work won't make your life easier unless the numbers stack up. Employees should make you money.

If increasing your team makes sense - then go for it.



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



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

DANIEL FITZPATRICK
BUSINESS COACH



Is planning for nothing to go wrong a good business strategy?

Hoping for nothing to go wrong is a common strategy used by many unsuccessful businesses. A more effective strategy used by successful business owners is planning for nothing to go wrong.

It starts with a mindset of assuming that if something can go wrong, it will, so taking steps to prevent those things happening is simply a no brainer. Having eliminated or minimised threats, all that is left is the opportunities and a path to success. We've developed a checklist to help construction professionals plan for nothing to go wrong in their business.



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Protecting assets

Tools and equipment

- ✓ Are these engraved with your phone, LBP or driver's licence number? This helps Police contact you if they are recovered after a theft.
- ✓ Are they stored securely (eg. in a secure storage box while in vehicles or on site)?
- ✓ Can they be located if stolen (eg. via GPS tracking technology)?
- ✓ Do you have an asset register with details of the items, cost, serial number etc? (You can use a simple spreadsheet or an app like Hoist or Tool Protect.)
- ✓ Are phones, tablets and computers password protected and backed up? And is your virus protection up to date?
- ✓ Is your gear insured? Get an instant quote at www.builtin.co.nz/tools

Vehicles

- ✓ Do they have alarms/immobilisers installed?
- ✓ Do they have fire extinguishers on board?
- ✓ Are they parked securely overnight (eg. off street)?
- ✓ Are they visible during the day and locked while you're on site?
- ✓ Are trailers secured with a tow ball lock or wheel clamp?
- ✓ Have you checked that all drivers have a valid licence?
- ✓ Do you conduct driver safety training for your staff and promote a safe driving culture?
- ✓ Are your vehicles insured for the right amount?

Construction sites

- ✓ Are these securely fenced?
- ✓ Are tools removed from site each day?
- ✓ Are materials and appliances installed as soon as they're delivered (not delivered on a Friday or left sitting around on site for days)?
- ✓ Have you ensured existing structures are protected from damage in the event of an unexpected storm/rain event?
- ✓ Are proper briefings given to all contractors working at the site? Not just on health and safety but also on awareness of good practice to minimise damage to the works (eg. storage and handling of materials)?
- ✓ Are cameras or alarms needed to prevent theft/vandalism?
- ✓ Are staff trained on how to handle/clean glass?

- ☑ What weather events are a risk to the site? Can additional measures be taken to reduce the risk of damage from an unexpected downpour etc?
- ☑ Are the works insured for the correct amount through until practical completion, including any existing structures on site?

Buildings

- ☑ Do you have fire extinguishers (and have they been regularly serviced)?
- ☑ Are battery units stored/charging safely in fireproof containers?
- ☑ Is rubbish removed from site and not stored in public view?
- ☑ Is wood dust vented and regular cleaning undertaken to avoid the build-up of flammable particles?
- ☑ Do you have fire alarms and/or sprinklers (and have they been serviced)?
- ☑ Are burglar alarms installed and monitored?
- ☑ Do all doors and windows have security locks?
- ☑ Are valuables stored in a safe?
- ☑ Have you had a recent electrical safety check?
- ☑ Have fences and gates around yards been inspected and reinforced where necessary?

Other

- ☑ Are there other assets you own that need to be reviewed?
- ☑ Are you insured for any increased costs of working or lost profit if something happened to affect your ability to continue trading?
- ☑ Do you have a business continuity/disaster recovery/back up plan in place, so that if a major event hits you can get back up and running quickly?

Preventing liability

Health and safety

- ☑ Are your policies up to date and regularly communicated?
- ☑ Are you complying with your obligations as a PCBU?
- ☑ Have you conducted an audit of your procedures & processes?
- ☑ Are staff adequately trained?
- ☑ Have you instilled a good culture of health & safety within your staff and with subbies that attend site?

Third party property

- ☑ Do you undertake a pre-start audit when working on, or around, property owned by other people to identify risk areas? Do you take proper precautions to prevent damage to it?
- ☑ If you perform hot work (eg. welding, grinding/cutting etc) are the right, compliant precautions being taken?
- ☑ If you're digging, do you always check plans, contact the Council and comply with best practice/standards if there are underground services nearby?
- ☑ Are the subbies you work with competent, experienced and

properly briefed before attending your jobs?

- ☑ Do you have appropriate insurance that properly reflects the work you perform (including work you have done in the past)?

Legal and contract compliance

- ☑ Are you supplying your residential building clients with the required checklist and disclosure statements if the total job is worth more than \$30k (incl GST) or on request?
- ☑ Are you using a comprehensive, professional written contract in all cases (legally required if the job is worth more than \$30k)?
- ☑ Are you complying with your obligations under law?
 - Companies Act
 - Building Act
 - Health & Safety at Work Act
 - Fair Trading Act
 - Resource Management Act
- ☑ Are you reading and fully understanding the terms of any contracts you are entering into, such as those with designers and engineers as well as main contractors or principals (and seeking professional advice if you don't)?
- ☑ Are all contract variations agreed in writing?
- ☑ Do you have a legal adviser you can rely on?
- ☑ Are all staff complying with their obligations as an LBP?

In a nutshell

This is a lot to consider, some will apply to you, and some won't. There's also stuff that isn't here that may be specific to your business. However, this checklist is a good starting point for most general trade businesses. Many of these items can also be drilled down into specific action points or have pre-existing solutions that can be applied to address them.

Taking the time to properly assess your business risk and identifying issues is a key responsibility of any company director or business owner. This can be a daunting task for busy business owners focused on the day-to-day operation of their business. But it is critical to success, so we recommend engaging a risk adviser to help make it happen.

By assigning all your existing risk management activity against all the risks you've identified you will also identify risks that you're not properly addressing with any of your current actions. Those are the gaps that can be filled, turning your piecemeal approach into a real plan for nothing to go wrong.



For our extended article, including detail on HR, quality control, communications, financial position, quoting and pricing, credit control and cashflow, income protection, health and life risk minimisation, see: tradeleader.carters.co.nz

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Lessons from WorkSafe prosecutions

BY ANDREW SKINNER, DIRECTOR AT AUCKLAND LAW FIRM URLICH MILNE



ANDREW SKINNER
PARTNER Urlich Milne

Two prosecutions that were reported at the end of 2023 provide a sobering reminder regarding the duties of PCBUs (person conducting a business or undertaking) in the building and construction industry. These incidents involved high risk activities with devastating consequences for the workers and families affected. PCBUs must remain vigilant by continually reviewing and monitoring their health and safety systems. This article summarises these two recent prosecutions.

Poor traffic management

In February 2017, a trucking company was engaged to load and unload palm kernel at a warehouse in Southland. One of the drivers was standing behind his truck when he was struck and killed as another driver was reversing a front-end loader. Mobile vehicles operating in close proximity to people is one of the key risks that many businesses face, including those in the building and construction industry where trucks and hi-abs commonly deliver building materials.

It is essential that there is a clear separation of workers and moving vehicles in the workplace. Designated safety zones for people, providing clear signage, bollards and barriers to control the traffic flow are cost effective ways to keep workers safe.

The WorkSafe investigation found that the trucking company should have had a more effective traffic management system in place and should have consulted with other third-party contractors on the site. There was an over-reliance on workers themselves to be vigilant as opposed to managing the risks and preventing incidents from occurring.

In this case the trucking company was convicted and ordered to pay a fine of \$577,500 and reparations of \$115,896.

Scaffolding training failure

In April 2022, a scaffolding worker was dismantling scaffolding near power lines on a site in Auckland when the scaffolding touched the overhead power lines. As a result of the incident, the worker received high voltage electric burns to his body and both of his arms were amputated to the upper bicep.

In November 2023, the worker's employer, CPA 2022 Limited, was sentenced for its health and safety failures.

The scaffolding work had been given a close approach consent, which is required when work is being done near overhead power lines. The subsequent investigation found that the consent required the scaffolding crew that put up the scaffolding to be the same crew that took it down as these workers were to receive a safety briefing. However, as it transpired, none of the dismantling crew were the same as those who put the scaffolding up so did not receive the briefing on operating near the high voltage lines. This failure to follow the safety system had tragic consequences for the worker.

This incident emphasises that health and safety is not a 'tick the box' procedure. Obtaining the consent was the administrative task but understanding the consent, training the workers and ensuring their safety was the duty of the employer.

Both of these incidents highlight the need for businesses to assess and give greater scrutiny to the most serious risks in their business. Once the systems and processes are put in place, they then need to be actively followed to prevent serious injuries from occurring.

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

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