

Committee Secretariat  
Transport and Infrastructure Committee  
Parliament Buildings  
Wellington

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## **Christchurch City Council submission on the Building and Construction Sector Amendment Bills**

### **Introduction**

1. Christchurch City Council (the Council) thanks the Transport and Infrastructure Committee for the opportunity to provide comment on the Building and Construction Sector Amendment Bills.

### **Submission**

#### ***Overall concerns***

2. The Council has few comments on the Amendment Bills in of themselves. We anticipate our main concerns may be addressed in regulations to follow early next year.
3. The strengthening of occupational licencing is appropriate and is supported by the Council. We have minor suggestions that apply equally to both Bills being considered. As there is no certainty to whether either or both Bills will be enacted, we include these suggestions on both.
4. The self-certification of plumbers and drainlayers is more concerning. Although we consider that the Bill itself is generally appropriate, we do not believe that the savings anticipated will be realised, and there is likely to be long-term issues with the quality of buildings. Failures with plumbing and drainage can be undetected for a long time, by which time there may be significant consequential damage to a building like the disastrous damage from “leaky homes”.
5. The Council is concerned that most plumbers and drainlayers are not consistently reliable enough to self-certify their work with no third-party overview. The Council observed substantial non-compliant work carried out or supervised by Licensed Building Practitioners (LBPs) after the Canterbury earthquake sequence where there was no third-party overview by persons with no financial involvement (such as a Council). Although many LBPs are competent and reliable, it only takes a small number to create extraordinarily large, complex and costly issues, the resolution of which will fall on homeowners. We anticipate that this will be little different for plumbers and drainlayers.

### ***Experience with electricians and gasfitters***

6. Electricians and gasfitters already carry out self-certified energy work and have done for a very long time. This is a very well-established practice, but the consequences of failure are different to plumbing and drainage. The testing of electrical and gas systems gives a more immediate result with less likelihood of long-term failure. Electric and gas cables and pipes are also somewhat smaller than plumbing and drainage pipes, with a lower potential for installation to impact on the structure of a building. A plumber or drainlayer does not necessarily understand these structural systems to the extent necessary to avoid damaging them.

### ***Concerns about quality of plumbing and drainage work***

7. The Council is concerned about high failure rates of inspections for work carried out or supervised by certifying plumbers and drainlayers, even for work that would be considered “simple” under these proposed changes. We have particular concerns with plumbing within concrete raft slabs as drains within or under a concrete slab can impact the structure of the building.
8. The Council is also concerned that many tradespersons do not have a sound understanding of the regulatory environment. In our experience, a significant degree of training of existing tradespeople is required to reach a level of competence necessary to carry out inspections. We do not have confidence that most plumbers and drainlayers understand the difference between acceptable solutions, verification methods, and alternative solutions.

### ***Proposed changes may increase complexity of the building consent system***

9. What is not clear is if some work on the same building could be self-certified, with the rest being covered by building consent authority (BCA) approval and inspection. This may lead to additional complexities and misunderstandings by all parties. Electricians and gasfitters certify all work that they are involved in, which makes it significantly easier to discern responsibilities. Further, the Certificate of Compliance process, as proposed, adds further complexity with involvement of the Board and the homeowner in the process. It is unclear what the implications of a self-certifying practitioner not complying with the statutory 10-day timeframe for provision of these Certificates would be.
10. The Council questions whether these changes will result in any significant savings of time and costs. Unlike electricians and gasfitters, only some work will be self-certifying, so a BCA will need to be vigilant in checking that the work carried out is within the scope of simple plumbing and/or drainage and will retain liability if this is wrong. Although there may be a lesser number of inspections required, this may be outweighed by the additional documentation, quality assurance processes, administration and insurance required by the plumber and/or drainlayer.

### ***Incorrect work may have significant implications for homeowners***

11. Plumbing inspections are typically carried out at the “pre-line” stage along with other building elements, such as structural elements (fixings, member sizes etc.) so there is likely no impact on the number of those inspections. There may be a reduction in drainage inspections, however this may be limited to drains outside the building envelope, as drains within or under a concrete slab can impact the structure of the building. It is reasonably common for drainage work within or under a concrete slab to be carried out without appropriate

inspections, and as it is expected that this will need to be durable for a period not less than 50 years this is of concern.

12. If this legislation is to progress, we believe there should be limitations on the types of work that can be self-certified. For example, verification methods typically require a higher level of expertise to implement, and we believe should be out of scope for self-certification.

### ***Suggestions***

13. Within the *Building and Construction Sector (Strengthening Occupational Licensing Regimes) Amendment Bill* there is a definition of a “automatically licenced person” and associated changes referencing these persons. We suggest that this is also included in the *Building and Construction Sector (Self-certification Plumbers and Drainlayers) Amendment Bill* in case the other Bill does not progress.

### **Conclusion**

14. *The Building and Construction Sector (Strengthening Occupational Licensing Regimes) Amendment Bill* is appropriate, and we have only minor suggestions that we believe will be beneficial.
15. *The Building and Construction Sector (Self-certification Plumbers and Drainlayers) Amendment Bill* is also reasonably prepared, and we have the same comments on that Bill. However, we do not believe that the anticipated benefits will be realised and will be outweighed by both the short- and long-term issues for all parties, in particular building owners.

Thank you for the opportunity to provide this submission.

For any clarification on points within this submission please contact Steffan Thomas, Head of Building Consenting, [Steffan.Thomas@ccc.govt.nz](mailto:Steffan.Thomas@ccc.govt.nz)

Ngā mihi,



Phil Mauger  
**Mayor of Christchurch**