

28 January 2015

Our ref: AS/L1498/1510
*Please quote above reference on all
future correspondence*

Paul Gee

By email: gasnsolarservices@gmail.com

Dear Mr Gee

Email dated 19 December 2014

Official Information Act requests

Attached are copies of the emails the Board holds from you in relation to your concerns about Legionnaires.

The Board does not hold any letters to Mr Darnley that fall within the scope of your request.

Other matters

With regard to the other matters in your email, I can advise that nothing you have raised changes the view I expressed in my letter of 25 November 2014.

Email dated 11 January 2015

I am unable to answer the question about the identity of the people in the photograph you provided. The photograph is insufficiently clear to allow me to identify Mr Jackson and I have never met Mr Darnley.

Yours sincerely



Max Pedersen
Chief Executive / Registrar

From: Gas, Solar & Plumbing Services [mailto:gpservices@xtra.co.nz]
Sent: Thursday, 13 May 2010 1:52 p.m.
To: Registrar
Cc: 'Bruce Fraser'
Subject: Nelson MP Meeting

Dear Kern,

Thank you for taking the time to speak to me last night, after the Master Plumbers talk in Nelson and for allowing me to apologise in person for my use of foul language in a text to the board, as I have explained I genuinely thought the text was an April Fool's joke and someone was trying to "wind me up".

I totally agree with your speech that an ambulance at the bottom of a cliff is a waste of time and resources. It does concern me however that I have in fact tried to raise such safety concerns over an extended period and when I mentioned it to Tony Hammond he replied words to the effect that, "before I do any one in I should make sure that my own house is in order"; this was said in the presence of my lawyer and myself at my voluntary interview.

In view of your speech, I repeat the advice previously given to Tony Hammond and to yourself, last night, when I expressed concern about a central heating system that has radiators on a ring main with the hot water taps off the same ring main, the radiators have TRV heads on them, which means that the water in them will be stored at room temp through the summer and when they open for winter will release the stagnant water out of all the hot water outlets, which means that the customer will be bathing and preparing food in 6 month old stagnant water, it seems to me that legionnaires disease is a serious concern.

I have tried repeatedly to highlight my concerns about John Darnley since January 04, after leaving his employment, because of safety concerns, in December 03, and what I consider to be a misuse of certificates. Also ordering certificates in my name without my permission (which according to Tony Hammond is a common practice and regularly done, as per his letter). As you kindly assured me that you would look at my file when you return to Wellington, you will see all the correspondence I have submitted.

There are many other concerns which I am happy to go through with anyone from the board, of which I told Tony Hammond in our interviews. I am still willing to take a day off and take an impartial investigator around these jobs before any one else gets hurt. You said that the Board's stance was that if you had evidence then you would act, I am offering to take you to the houses in question.

There is also one comment that you made last night in response to me saying that, "if the labour dept had not made a complaint then who did?", your reply was that it was one of the other government bodies involved, there being three. I would have thought that this would have been disclosed when I applied for disclosure of information and records. Please could you let me know where the complaint came from?

I was told that I would have a reply when Tony Hammond returned from his trip abroad in early May; it is now the 13th of May. Please could you let me know when I might get a detailed response?

Thank you for your time.

Best Regards
Paul Gee, Managing Director
Gas, Solar & Plumbing Services Ltd
PO Box 249, Takaka
Mob: 0274 33 33 50
A/H & Fax: 03 525 9889

Information from ESET Smart Security, version of virus signature database 5110 (20100512)

The message was checked by ESET Smart Security.

<http://www.eset.com>

From: Gas, Solar & Plumbing Services [mailto:gspservices@xtra.co.nz]
Sent: Tuesday, 18 May 2010 4:22 p.m.
To: Kern Uren
Subject: RE: Nelson MP Meeting

Hi Kern,

Please can you clarify your advice on going to the ESS about a dangerous installation that I have tried to draw to the Board's attention?

As I understand a ring main off a califont, that supplies both radiators and hot water outlets would be a plumbing problem not a gasfitting problem. My concern is that the customer has a build up of stagnant water in the radiators and associated pipework when the TRV's isolate the radiator from the system, mostly during summer. Then with the system firing up for winter that stagnant water will come out of his hot outlets, the biggest worry is things like a shower because anything that causes a spray will spread any bacteria to be inhaled, legionnaires' disease is a big worry as it breeds best between 25 and 50 deg c, after a whole summer of standing and then being used for bathing and preparing food.

As this all involves water, I would have thought this a plumbing problem and not an energy concern. Which I thought came under the Board's jurisdiction. Please could you let me know whom I should get on to this because as we head into winter and the TRV's are opening I feel time is of the essence.

Regards

Paul Gee, Managing Director

Gas, Solar & Plumbing Services Ltd

PO Box 249, Takaka

Mob: 0274 33 33 50

A/H & Fax: 03 525 9889

From: Paul & Emma Gee [gasnsolarservices@gmail.com]
Sent: Friday, March 11, 2011 2:40 PM
To: Paul Costelloe; Max Pedersen
Subject: Dangourous work

Follow Up Flag: Follow up
Flag Status: Completed

Hi Paul,

Sorry for the delay in getting back to you. I have neither the resources nor time, especially after the situation that the Board has me in now and for the previous 2 years, nor the will to police your system for you and am writing this to let you know that I won't be following this up with any local bodies. I believe it is the Boards responsibility to act and investigate, I am not doing this to cause any trouble, but as we are heading in to winter the radiator valves on this system are about to open and bacteria infections are a huge concern, I am not comfortable gambling with peoples lives. Please see below for the correspondence that I refer to. Please pass this on to Kern also, I can wait until he gets back in to his office. Some body could get hurt this winter, if it isn't sorted.

Hi Paul,

Further to your correspondence with Kern U'ren.

As Kern is away from the office he has asked me to respond on his behalf.

Compliance with the Building Act and the Building Code is determined by the territorial authority. If you have concerns about compliance, these should be brought to the attention of the Territorial Authority in the first instance.

If you have specific concerns about a particular practitioner's competency, then you may wish to consider making a complaint to the Board. Information on this can be found on the Board's website, www.pqdb.co.nz

I trust this assists you with this enquiry.

Kind regards.

Paul Costelloe

Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
PO Box 10655
Wellington 6143

paul@pqdb.co.nz

+64 (0) 4 4942970
www.pqdb.co.nz

-----Original Message-----

From: Paul & Emma Gee [mailto:gasnolarservices@gmail.com]

Sent: Thursday, 12 April 2012 12:05 p.m.

To: Max Pedersen

Cc: 'Wal Gordon'; 'Allan Day'; 'Lyndon Moffitt Building Ltd'

Subject: Legionnaires disease

Max

Please can you advise on the action to remedy the dangerous plumbing mentioned below, please view this in the light of the recent outbreak of Legionnaires' disease in Auckland, also see below for news items.

If this has gone un-remedied, I warn you again Max that this is a very serious problem, we are entering the time of year that these Radiators are opening, also see numerous emails to Kern Uren on this subject.

Yours sincerely Paul Gee

From: Paul & Emma Gee [mailto:gasnsolarservices@gmail.com]
Sent: Thursday, 12 April 2012 8:25 p.m.
To: Max Pedersen
Cc: 'Wal Gordon'; 'Allan Day'; 'Lyndon Moffitt Building Ltd'
Subject: Drinking Water

Max,

On my previous Email about the bacterial risk of stagnant water, please can you consider the following along with the attached standard?

Please look under definitions at the end of the standard.

“Drinking water”..... Water intended to be used for human consumption, food preparation, utensil washing, oral hygiene or personal hygiene.

These people are showering and preparing food in this hot water supply that has sat at room temperature for probably over 6 months, every year since installation. Legionnaires' disease better contracted by the “atomising”, or spraying of stagnant water, as in this person's shower, which is then inhaled and spread to others, especially in the high risk parts of society, i.e. the elderly and the very young.

The owners at this property were older at the time of installation and not open to my comments. Apparently an older person has died in Auckland according to the news reports.

If this dwelling is as it was, the last time I was witness to it. With no action or alterations made, then the very real risk of a fatality is on the hands of those who know.

I just want to know that this has been addressed and fixed. I was told you had passed it to the local council; I tried to make contact with the person mentioned and left messages. As I have had no response from him, I am asking you to confirm this has been done. The longer this goes on then, literally along with the bacteria, the risk grows.

Yours Sincerely Paul Gee

From: Paul & Emma Gee [<mailto:gasnsolarservices@gmail.com>]

Sent: Tuesday, 17 April 2012 9:39 a.m.

To: Max Pedersen

Subject: FW: Google Alert - Legionnaires disease

Council asks 15000 building owners to treat for legionella

Radio New Zealand

The Auckland Council has sent 15000 letters to building owners, asking them to immediately shock-treat all cooling towers to prevent Legionnaires' disease. In the past two months, there have been 12 reported cases of the illness in Auckland, ...

[See all stories on this topic »](#)

From: Paul & Emma Gee [mailto:gasnsolarservices@gmail.com]

Sent: Tuesday, 1 May 2012 10:26 a.m.

To: 'Paul & Emma Gee'; Charlotte Miller; Alan Bickers; Max Pedersen; 'Mission Chambers'

Cc: 'Wal Gordon'; 'Allan Day'; 'Lyndon Moffitt Building Ltd'

Subject: FYI

FYI, Please can you let me know if the potential risk of this happening has been addressed at the property that I have tried to repeatedly warn you about. If it has, I can rest assured that no one will get hurt.

If you are aware of the potential consequences and it then happens then you are, in my eyes, responsible.

he environmental professionals at Sussex Environmental Health Consultants help prevent outbreaks and identify the source of Legionella bacteria.

Lewes, DE, April 30th, 2012 -- Last October, *The Baltimore Sun* reported that three people had been hospitalized for Legionnaires' disease. The Maryland Department of Health and Mental Hygiene announced the illnesses, which occurred after the individuals stayed at an Ocean City hotel.

The hotel was later closed for several days to perform tests on the water systems to try and locate the bacteria that cause the disease. Earlier this month, it was reported that one of those who contracted Legionnaires' disease while staying at the hotel has filed a lawsuit against the hotel.

The lawsuit seeks damages of \$6 million dollars, \$5 million for negligence and \$1 million for loss of consortium. The Virginia resident who filed the claim reportedly spent 6 weeks in the hospital suffering a number of severe medical conditions and that cost hundreds of thousands of dollars in medical bills.

Each year, between 8,000 and 18,000 people are hospitalized with Legionnaires' disease in the U.S. It is believed that many infections are not diagnosed or reported, so this number may be significantly higher. More cases are usually found in the summer and early fall, but it can occur any time of year. On average, the state of Maryland sees 100 to 130 cases annually.

"Legionnaires' disease is caused by *Legionella* bacteria," reported Susan White, Ph.D., CMC, President of Sussex Environmental Health Consultants (SEHC), a leading Mid-Atlantic indoor air quality (IAQ) and infection control consulting firm. "*Legionella* bacteria can sometimes be found in manmade environments that contain

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warm water. These may include hot tubs, cooling towers, hot water tanks, large plumbing systems, or parts of the air-conditioning systems in large buildings. Proactive testing for *Legionella* can help prevent outbreaks of the disease. If an outbreak has occurred, testing for the bacteria can pinpoint sources of the potentially deadly pathogen to prevent further illnesses," she continued.

From: Paul Gee [<mailto:gasnsolarservices@gmail.com>] **On Behalf Of** Paul & Emma Gee

Sent: Thursday, 4 April 2013 10:31 a.m.

To: Max Pedersen

Cc: Andrew.McCaw@ombudsmen.parliament.nz; brendan.horan@parliament.govt.nz; b.english@ministers.govt.nz; barbara.stewart@parliament.govt.nz; chris.auchinvole@parliament.govt.nz; 'Carol Yung (MIN)'; clayton.cosgrove@parliament.govt.nz; cheryl.hill@parliament.govt.nz; david.cunliffe@parliament.govt.nz; enquiry@oag.govt.nz; greenmps.dunedin@greens.org.nz; gareth.huges@parliament.govt.nz; holly.walker@parliament.govt.nz; hone.harawira@parliament.govt.nz; 'J Key (MIN)'; jacinda.arhern@parliament.govt.nz; 'Maryan Street'; maurice.williamson@national.org.nz; Nicola.White@oag.govt.nz; 'Nick 4 Nelson'; Registrar; tao.ran.chen@gmail.com; teururoa.flavell@parliament.govt.nz

Subject: Paul Gee personal file

To all copied in I write this so as I can reference it in the future, please take the time to read and I thank you in advance for doing so. I apologise for continually asking these questions, but until they are answered, how can you have confidence in the people involved? I believe the bigger question, the elephant in the room as it were, is why have these worrying and valid concerns gone un-answered?? What if it happens again??

Dear Max,

Please can you update the notes on my personal licence file, these notes of which the public has access to are out of date. See Below.

Additional Register Information

On 3, 4 and 5 May 2011, the Board convened to consider disciplinary charges against Paul Gee. Having found a disciplinary charge proven, the Board, by decision dated 4 November 2011, ordered Mr Gee to successfully complete a specified competence course.
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Please can you update them and perhaps add to these notes - that I successfully completed my assessment and was found to be in the top 10% of those tested. Please max, I am trying to re-build my business.

The words above speak volumes but apparently I will be paying a public price for as long as these notes stay on my file. I believe a level headed person would see my treatment as unfair. Especially in light of the British Standard that proves that out of 44 charges laid and amended to fit just two weeks out from my hearing, the ONLY ONE that was "proven" was actually safe.

Remember Max I had warned quite a few times about dodgy certs covering dodgy work for 6 years before the explosion and then all evidence available appeared to point to John Darnley but he was never even questioned about the near fatal explosion and still no one to this day has been held accountable for this explosion or potential fraud that my case highlighted, why is that Max?

When the massive cost to me personally and the potential threat to the public's safety is taken in to consideration I believe these are more than fair questions and need to be asked until they are answered. I believe that the responsibility ultimately rests with you as the CEO, please correct me if I am wrong and I will redirect to the proper person.

would like to reiterate that I am not against regulation and order in our industry but I am against cowboys in the industry. That is why I tried to warn about it, I believe I acted with the best intentions. From my perspective it appears I am the only one involved with my case to have put the public's safety first and foremost.

This process I have been subjected to has actually added weight to my warnings. What is going to be done about it Max? You have been warned many times over the last decade, what will happen if this, god forbid, happens again.

Are you comfortable that someone suffers severe injuries, apparently due to negligent work and then no one is held accountable? The Board's mandate is that the Board's primary role is to ensure the Health and Safety of the public, do you believe that this mandate has been upheld?

The radiator system, strangely enough also installed by John Darnley, with the legionnaire's disease risk is still out there and as far as I know still not remedied, those TRV's are opening as we enter the winter; I have exhausted all avenues to warn about this. The customer is showering in stagnant water, I tried telling the customer but he, like you think I am over reacting, I hope I am. It was another reason I left Allgas. I have left messages with the TA, but received no replies; the Board have claimed to have contacted the TA too, what was done? Why, if the plumbing at this site is contrary to regulation, hasn't it been followed up by the Board??

I was taught that water stored in radiators and water used for potable means were to be kept separate. Water atomised (as in the spray of a shower) is easier to breath in and the greater risk of infection is a result. This dwelling has water stored all summer in its radiators (we have had a very warm summer), when the thermostatic radiator valves open the water will spray out of the shower along with all the other hot water outlets. Bacteria grows best in the dark between 25 and 50 degrees centigrade, the dark interior of a c/h radiator at a warm room temperature is ideal. I can forward all the emails about my warnings and your inaction if required. What about the poor sod who buys the house off this unconcerned customer?? Perhaps if John Darnley had done an apprenticeship he would be aware of the risks. Why are you on the face of it protecting this John Darnley, Max?

Please can you advise when I might get a reply at your nearest convenience.

Also, when might I receive my apology for the disadvantaging letters sent by Mr Uren, the letters that ruined my business? A business that I am trying to re-build with the above file notes that are working against my recovery, along with my attempts to mend my reputation.

People have said I should get on with my life, my answer to that is when I get my life back I will, quite happily.

I have laid a formal complaint with the Ombudsman about this and want to ensure that you are fully aware of this state of affairs.

Thank you, Regards Paul Gee

Paul Gee Plumbing & Gas Ltd

From: Paul & Emma Gee [gasnsolarservices@gmail.com]
Sent: Thursday, March 17, 2011 11:34 AM
To: Paul Costelloe
Subject: RE: 8 Matuku Pl Atawhai Nelson

Follow Up Flag: Follow up
Flag Status: Completed
Hi Paul,

What ever gets it checked and stops people being put in harms way.

Best Regards
Paul Gee
Managing Director
Gas, Solar & Plumbing Services Ltd
PO Box 249, Takaka 7142 NZ
03 525 9889 / 0274 33 33 50

From: Paul Costelloe [mailto:Paul@pgdb.co.nz]
Sent: Thursday, March 17, 2011 8:20 AM
To: Paul & Emma Gee
Cc: Kern Uren; Melanie Phillips
Subject: RE: 8 Matuku Pl Atawhai Nelson

Dear Paul

Thank you for your email regarding 8 Matuku Place, Atawhai, Nelson.

I note your request to communicate in writing and, in addition, your request to be kept informed of progress in relation to this matter. Where appropriate, the Board will keep you informed, however, where this information interferes with the privacy of any person, such communication may not be appropriate.

Ultimately, the purpose of the Board is to protect public health and safety by the effective regulation of the trades, and ensuring the competency of the trade to carry out restricted work. The Board has jurisdiction over people who carry out work; it is not a technical regulator. As such, it may be that an alleged breach relates to a matter which falls under the jurisdiction of another agency, such as DBH (Building Act or Building Code) or Energy Safety (Gas Act or Gas Regulations), and it is therefore more appropriate for another agency to enforce the relevant provisions of their legislation. If you forward information to me which you believe to be in breach of health and safety requirements, I am happy to look into the matter and where appropriate, forward this information on to another agency to action.

In this instance, it appears that your concern relates to an alleged breach of the Building Code and, accordingly, I have asked the local Building Consent Authority to look into the matter as they have jurisdiction over enforcing the provisions of the Building Act 2004 and Building Code.

I hope this clarifies the Board's role, however, please do not hesitate to contact me should you have any concerns.

Kind regards,

Paul Costelloe

Acting Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
PO Box 10655
Wellington 6143

paul@pgdb.co.nz

+64 (0) 4 4942970

www.pgdb.co.nz

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From: Paul & Emma Gee [mailto:gasnsolarservices@gmail.com]
Sent: Wednesday, March 16, 2011 12:35 PM
To: Paul Costelloe
Subject: RE: 8 Matuku PI Atawhai Nelson

Hi Paul,

Please can you keep me informed of the findings at 8 Matuku PI, whether the finding is that it is safe or otherwise, I hope it is safe and the people involved heeded my prior warnings, I always err on the side of caution, as I am sure you would agree is good practice . Please could you keep all correspondence in writing and not phone me again, I have made this request before to the Board before, via Kern.

Best Regards
Paul Gee
Managing Director
Gas, Solar & Plumbing Services Ltd
PO Box 249, Takaka 7142 NZ
03 525 9889 / 0274 33 33 50

From: Paul Costelloe [mailto:Paul@pgdb.co.nz]
Sent: Monday, March 14, 2011 4:07 PM
To: gspservices@xtra.co.nz
Subject: 8 Matuku PI Atawhai Nelson

Dear Paul,

Further to your email in regards to 8 Matuku PI Atawhai Nelson.

I have forward your concerns to Mr Winton Griggs, Nelson City Council, who has undertaken to look into this matter.

Kind regards,

Paul Costelloe

Acting Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
PO Box 10655
Wellington 6143

paul@pgdb.co.nz

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From: Paul Costelloe
Sent: Thursday, April 07, 2011 2:43 PM
To: 'Paul & Emma Gee'
Subject: RE: 8 Matuku PI Atawhai Nelson
Hi Paul,

Thank you for your email re. 8 Matuku PI, Atawhai, Nelson.

I contacted the Nelson District Counsel today and talked with Mr Gary Stevens the Team Leader Building Services. He has informed me that he will look into this matter and that he will contact you after reviewing any notes on the property file.

I have requested that Mr Stevens also inform me of his findings.

I trust this information keeps you informed as to where this matter is at to date.

Kind regards,

Paul Costelloe

Acting Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
PO Box 10655
Wellington 6143

paul@pqdb.co.nz

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From: Paul & Emma Gee [mailto:gasnsolarservices@gmail.com]
Sent: Thursday, April 07, 2011 9:52 AM
To: Paul Costelloe; 'Nick 4 Nelson'; enquiry@oag.govt.nz; Max Pedersen
Subject: RE: 8 Matuku PI Atawhai Nelson

Hi Paul,

What were the local Building Consent Authority's findings at 8 Matuku PI?? I have rung and left a message at NCC but no one got back to me. I have copied in Nick Smith (and others) as he is the MP for the area and I believe that if the place is as I have witnessed and previously warned about many times, it is a health risk and an indication of the potential health hazards in Nelson and surrounding areas and require prompt and serious investigation. I believe there are many more and I am willing to show an "impartial" investigator proof of such, before we have another incident. As you have said-

Ultimately, the purpose of the Board is to protect public health and safety by the effective regulation of the trades, and ensuring the competency of the trade to carry out restricted work. **(My highlight).**

My old boss and signatory on the cert for this address above was granted full gasfitter craftsmanship after holding a limited licence for several years and sitting one oral exam which enabled him from that time to work totally unsupervised for many years

and sign off others, some of which aren't even tradesman. I list Tony Hammond's (the Board's Impartial Investigator) recent statements for my reference for such facts, who should know as he held the oral exam.

Please look into this properly before we have another incident, I have said it before and I repeat, it is a recipe for disaster to have someone with no formal training or apprenticeship to work unhindered and to sign off other potentially untrained people, these are serious concerns and to date I don't believe that the Authorities have given it the serious consideration that it definitely deserves.

**Best Regards
Paul Gee
Managing Director
Gas, Solar & Plumbing Services Ltd
PO Box 249, Takaka 7142 NZ
03 525 9889 / 0274 33 33 50**

From: Paul Costelloe [mailto:Paul@pgdb.co.nz]
Sent: Thursday, 17 March 2011 8:20 a.m.
To: Paul & Emma Gee
Cc: Kern Uren; Melanie Phillips
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In this instance, it appears that your concern relates to an alleged breach of the Building Code and, accordingly, I have asked the local Building Consent Authority to look into the matter as they have jurisdiction over enforcing the provisions of the Building Act 2004 and Building Code.

I hope this clarifies the Board's role, however, please do not hesitate to contact me should you have any concerns.

Kind regards,

Paul Costelloe

Acting Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
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Best Regards
Paul Gee
Managing Director
Gas, Solar & Plumbing Services Ltd
PO Box 249, Takaka 7142 NZ
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To: gspservices@xtra.co.nz
Subject: 8 Matuku Pl Atawhai Nelson

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I have forward your concerns to Mr Winton Griggs, Nelson City Council, who has undertaken to look into this matter.

Kind regards,

Paul Costelloe

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From: Paul Gee [mailto:gasnsolarservices@gmail.com] **On Behalf Of** Paul & Emma Gee
Sent: Monday, 12 May 2014 6:00 p.m.
To: 'Paul & Emma Gee'; csu.palmerstonnorth@justice.govt.nz; OfficeoftheChiefCoroner@justice.govt.nz
Cc: 'Wal Gordon'; 'Allan Day'; 'Colleen Upton'; 'Janis Adair'; 'Jude Hutton'; 'Nicola White'; Max Pedersen; 'Lyndon Moffitt Building Ltd'; 'Hon. Maryan Street'; 'Nick 4 Nelson'; 'Raymond Huo'
Subject: RE: legionaires risk

Max,

Just to be clear I would like you to read the newspaper article below, this is the case I am on about in my OIA request mentioned in the email below this one.

I believe it is the same case that resulted in all my customers, where the 44 charges were laid, being given the impression that I could act illegally, in effect prejudicing all the sites by a letter that the Board has apologised for "giving the impression I was capable of acting outside the law".

Police and safety authorities are investigating an alleged scam where illegal gas connections that could be lethal have been fitted in homes and businesses. More than 570 blank safety certificates have been signed by a registered gasfitter over the past three years, then sold on to unqualified tradesmen who carried out work in Auckland and Northland.

The alleged scam was uncovered when a homeowner last year noticed her gas certificate looked bogus and laid a complaint with the Plumbers, Gasfitters and Drainlayers Board, which then launched an inquiry and discovered the scale of the alleged offending.

The board audited more than 370 commercial premises and private homes and found more than **90% failed to meet compliance tests**, with 16 found to be dangerous or unsafe. Energy Safety, part of the Ministry of Economic Development, and the Department of Labour are also investigating the potentially explosive gas fittings. A complaint has also been laid with police.

Board spokesman John Debernardo says the work has the potential to create danger or pose a health and safety risk. The internal investigation will be completed in a few weeks and a disciplinary hearing is likely for the gasfitter at the centre of the audit.

Criminal charges are also possible for the man signing the blank certificates and those who paid money for them. The board is refusing to say who is at the centre of this, but ONE News understands it is a man by the name of Richard Oldfield.

When approached by ONE News, he at first denied signing all of the permits himself, claiming someone has been forging his signature. Discussing the permits, Oldfield says they come in books of 10.

"I sign the books. That's it, finished, as far as I'm concerned," he says. "But **I always inspect the jobs.**"

Also both the letters that you claimed to have sent days apart have arrived today, but one is dated the 7th and one dated the 9th.....but on the emails the Board sent **AFTER** I had asked where my reply was.....both attached letters are dated the 9th, please can you clarify how this can happen. Perhaps the same person who lost my licence application sent the emails, it is a joke, but it not funny....this is the publics safety that you play with, protecting your mates and persecuting the innocent.

As far as I know this man mentioned in the article above wasn't prosecuted.....why was that Max? Are the two lines highlighted by myself true? If so why wasn't he persued with the relentless vigour that I was subjected to?

You are not playing fair and are putting the public at risk. As you have "carefully considered my concerns".....what are you going to do about it?

Best Regards Paul Gee

63 Takaka Valley Highway

Upper Takaka

Takaka 7183

Mobile: 0274 33 33 50

A/H: 03 525 9889

From: Paul & Emma Gee [<mailto:plumbngas@gmail.com>]

Sent: Monday, 12 May 2014 6:43 a.m.

To: 'Paul & Emma Gee'; 'csu.palmerstonnorth@justice.govt.nz'; 'OfficeoftheChiefCoroner@justice.govt.nz'

Cc: 'Wal Gordon'; 'Allan Day'; 'Colleen Upton'; 'Janis Adair'; 'Jude Hutton'; 'Nicola White'; 'Max Pedersen'; 'Lyndon Moffitt Building Ltd'; 'Hon. Maryan Street'; 'Nick 4 Nelson'

Subject: RE: legionaires risk

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Under a OIA request please can you tell me the out come of this terrible state of affairs below, I already know who it is so the privacy issue isn't a problem and I assure you it is neither frivolous nor am I being vexatious in asking, I believe all those copied in should know the double standards shown by this Board.

Thank you.

Last updated 08:52 19/09/2009

Police and safety authorities are investigating an alleged scam where illegal gas connections that could be lethal have been fitted in homes and businesses.

More than 570 blank safety certificates have been signed by a registered gasfitter over the past three years then sold on to unqualified tradesmen who carried out work in Auckland and Northland, The New Zealand Herald reported.

The alleged scam was uncovered when a homeowner last year noticed her gas certificate looked bogus and laid a complaint with the Plumbers, Gasfitters and Drainlayers Board, which then launched an inquiry and discovered the scale of the alleged offending.

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Energy Safety, part of the Ministry of Economic Development, and the Department of Labour are also investigating the potentially explosive gas fittings. A complaint has also been laid with police.

Board spokesman John Debernardo said the work had the potential to create danger or pose a health and safety risk.

The internal investigation would be completed in a few weeks and a disciplinary hearing was likely for the gasfitter at the centre of the audit.

Criminal charges were also possible for the man signing the blank certificates and those who paid money for them.

The board is calling on the public to trace the unlicensed work.

Best Regards Paul Gee

63 Takaka Valley Highway
Upper Takaka
Takaka 7183
Mobile: 0274 33 33 50
A/H: 03 525 9889

From: Paul & Emma Gee [mailto:plumbngas@gmail.com]

Sent: Sunday, 11 May 2014 8:44 p.m.

To: 'csu.palmerstonnorth@justice.govt.nz'; 'OfficeoftheChiefCoroner@justice.govt.nz'

Cc: 'Wai Gordon'; 'Allan Day'; 'Colleen Upton'; 'Janis Adair'; 'Jude Hutton'; 'Nicola White'; 'Max Pedersen'; 'Lyndon Moffitt Building Ltd'; 'Hon. Maryan Street'; 'Nick 4 Nelson'

Subject: legionnaires risk

Coroners Carla na Nagara, Tim Scott

Covering: Hawera, Levin, Kaikoura, Marlborough, Marton, Motueka, Nelson, New Plymouth, Ohakune, Palmerston North, Taihape, Taumaranui, Wanganui, Waverley

tel (06) 350 0083 (06) 350 0083 FREE
Fax (06) 350 0084

Level 3, The Square Centre
478 Main Street
DX Box PX1000
Palmerston North

Email: csu.palmerstonnorth@justice.govt.nz

Dear Coroners office,

I am most sincerely sorry for bothering you with this, as I am sure you are all very busy and your time is of a premium. I assure you I do not do this lightly.

Please find attached a copy of a schematic for a badly installed central heating system. I am terrified by the risk of legionnaire's disease. As I understand it, the legionella bug grows best at between 25 and 45 deg C and is more easily inhaled when it is present in atomised water, such as water from a domestic shower.

As far as I know this system shuts off the radiators with thermostatically controlled valves, off a ring main. This ring main is heated by a calfont....the **hot water outlets come off this ring main** !!!!! with no isolation/separation of this stagnant water from the potable hot water outlets, including the shower.

As these TRV's open for winter, the stagnant water (stagnating for up to 9 months) will rejoin the hot water circuit and come out of all the hot water outlets, including the shower where the water will be dispersed and potentially atomised to finer, more easily inhaled droplets. We have had a warm summer and the weather is now becoming cooler.

Please can you check your cases for any pneumonia outbreaks. Specifically from the Atatwhai area in Nelson, address of Matuku PI, a man called Mr Kraak, an elderly Dutch gentleman (I did try to warn him at the beginning of the install but he didn't want to know).

If you haven't had any cases please can you note the address and be aware of such, just in case any thing of concern comes up. There is always the risk that the man responsible for installing this system, the man being protected by the Board, has installed other central heating systems in a similar manner, and a review of other pneumonia cases where this man worked might be prudent. People have a signature way of putting things together.

I have numerous times, over many years tried to get the Plumbers Board to look into it. They are not even the ambulance at the bottom of the cliff, more a kin to a hearse. Legionnaires' will strike regardless of who you know at the Board.

You may remember the explosion in Milton Street in Nelson, the Board framed me for that. Made me the scape goat and protected the person who all the evidence pointed to, it is the same person who installed and certified this dire C/H system. It appears we have a Plumbers Board who are prepared to protect a "mate" at the risk of the public's health and safety. Please see attached examples of correspondence, I apologise for the terse language in the latter one sent but I am very frustrated with this corrupt Plumbers Board.

I am happy to provide more information if required (I have a huge amount). Again, I am so sorry to bother you with this but I am at my wits end to get someone to look at this. I have copied in others for clarity and transparency for them and is no reflection on your office, I also apologise for this.

If the Board were to honour their responsibilities then I would not have to contact you, I assure you it is as a last ditch effort to not to have to actually call on your services.

I have attached a submission made by me to a Parliament Select committee for some more background. My submission is more specifically about the explosion, but it gives an idea of the level of cover up.

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Mobile: 0274 33 33 50

A/H: 03 525 9889

Renee Riddell-Garner

From: Max Pedersen
Sent: Monday, 12 May 2014 7:22 a.m.
To: Renee Riddell-Garner
Subject: FW: legionaires risk

From: Paul Gee [mailto:gasnsolarservices@gmail.com] **On Behalf Of** Paul & Emma Gee
Sent: Monday, 12 May 2014 6:43 a.m.
To: 'Paul & Emma Gee'; csu.palmerstonnorth@justice.govt.nz; OfficeoftheChiefCoroner@justice.govt.nz
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A/H: 03 525 9889

Renee Riddell-Garner

From: Max Pedersen
Sent: Monday, 12 May 2014 7:23 a.m.
To: Renee Riddell-Garner
Subject: FW: legionaires risk
Attachments: schematic of faulty CH System.jpg; cert for legionaires.jpg; correspondence about legionaires risk.doc; most recent correspondence May 2014.doc; Select Committee Submission Paul Gee 25th March 2013 the one sent.doc

From: Paul Gee [<mailto:gasnsolarservices@gmail.com>] **On Behalf Of** Paul & Emma Gee
Sent: Sunday, 11 May 2014 8:44 p.m.
To: csu.palmerstonnorth@justice.govt.nz; OfficeoftheChiefCoroner@justice.govt.nz
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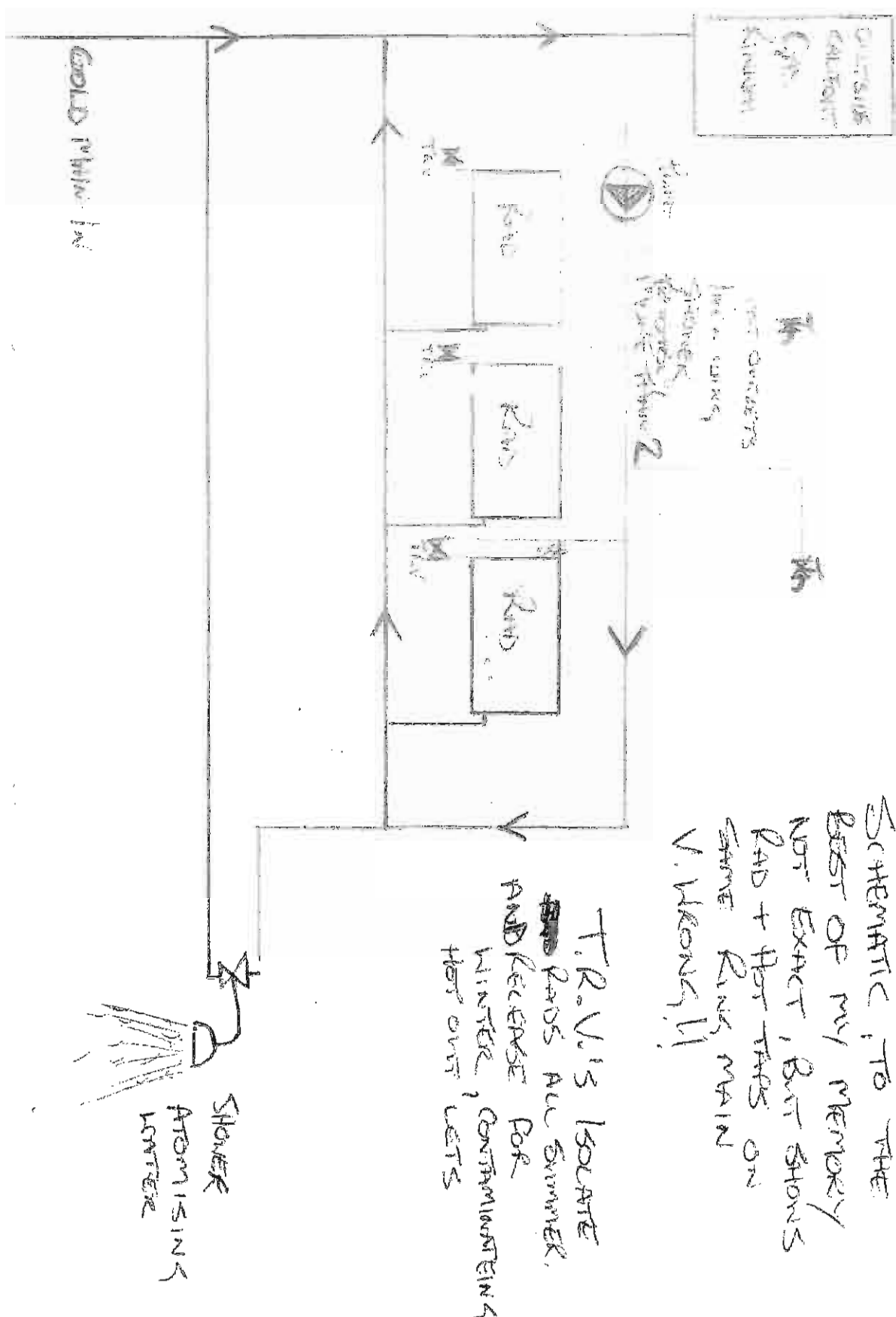
Upper Takaka

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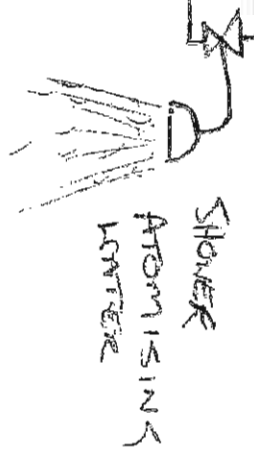
A/H: 03 525 9889

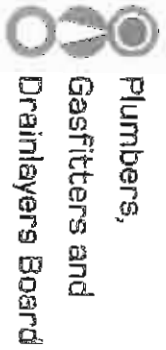
• No Pressure Recovery if over heat, possible expansion May 2012
 • No TRV in Radiators, Controlled by TRV. (Thermostatic Radiator Valve)



T.R.V.'S ISOLATE RADS ALL SUMMER, AND REVERSE FOR WINTER, CONTINUING HOT OUT LETS

SCHEMATIC, TO THE BEST OF MY MEMORY NOT EXACT, BUT SHOWS RAD + HOT TAPS ON SAME RING MAIN V. WRONG!!





GASFITTING CERTIFICATION CERTIFICATE
(Pursuant to the Gas Act 1992 and the Gas Regulations 1993 and amendments)

ENERGY WORK CERTIFICATE
(Pursuant to the Building Act 2004)

This certificate is not transferable

Level 9, 70 The Terrace

PO Box 10555, Wellington

Tel 04 494 2970, Fax 04 494 2975

www.pgdb.co.nz

Consumer: None Specified

Installation Address: 4 MATUKU PL

NNM

ATAWHAI

Certificate Number: 303629

Gas Supplier: ALL GAS

Category: Domestic

Type (Regulation 24(1)): NEW

Test Results: 1 min Duration

0.00kPa test pressure

0.00kPa Loss / Gain

0.00kPa Working pressure

Vehicle Registration:

Gas Type: LPG

Other Testing:

Vessel Registration:

Test Date: 01 May 2004

Certification Date: 01 May 2004

DESCRIPTION OF GASFITTING TO WHICH THIS CERTIFICATE APPLIES

1 HWC NRTH WALL RIN REUV3226 PWR NRTH WALL COMPLIES
1 HOB KIT ARISTON PH 640 UNFLUED COMPLIES

I certify that:

Signed:

Registration No: 16844

Name: Darnley, John Henry

Registered Gasfitter / Supervised by certifier

Certificate Owner

Registration No: 16844

Registration No: 16844

Name: Darnley, John Henry

Name: Darnley, John Henry

Registration No:

Company: DARNLEY J

Name:

----- Forwarded message -----

From: **Paul & Emma Gee** <gasnolarservices@gmail.com>

Date: 14 March 2011 14:10

Subject: RE: Dangerous work

To: Max@pgdb.co.nz

Hi Max,

The address of the unsafe work that I have previously told Colleen Singleton, Kern Uren, Paul Costello and Tony Hammond about, over the years and many others more is,

The physical address is 8 Matuku Pl, but the cert says 4 Matuku Pl Atawhai Nelson, the customers name is a Mr Kraak, PG&DB cert number 303629.

I have for years tried to get this looked into, along with the dodgy certs. It was at this job, when the apprentice was dropping off the crimping tool for the gas line's Pexal pipework, John Darnley was already commissioning the system, i.e. firing up the califont, with out crimping the pipe!! Apparently the apprentice gave him the tool and ran, because of the smell of raw gas.

I told all involved with this job, that running radiators off a ring main used for hot water was totally out of order and against all that I had been taught, and when I asked for a specification to follow I was told by John Darnley "it was all about poker face, you just make out you know what your doing!!" I have for years tried to get all this looked into, but now I am face being ruined, by the very people that I was trying to tell all this to, before the explosion. These jobs are still out there ticking, it is terrifying. Please send someone that is really impartial to check this out, someone totally uninvolved, I'll go with them if you want. I note that the cert is signed off May 2004, which is a good 4 months after I left, and that the test procedures aren't filled in, see scan 0004.

Please Max, just check how many certs have been signed off by John Darnley, license # 16844, it will give you an idea of the size of the problem and show his willingness to make money out of doing it, then compare this to the amount of people I have signed off. He would sign off all and sundry. If you have someone who isn't trained and don't care and is prepared to sign off people who don't know what they are doing, it is a lethal combination. I have worked on some major petro / chem sites; there was a formula for working out possible incidents against time. Basically, for every near miss that you have it brings you nearer to an actual incident. I have seen so many near misses it is just a matter time. Sometimes, someone with half an idea is more dangerous than someone who knows nothing.

Another example, I was told by another gasfitter that when he went to John Darnley and said you can't fit this type of heater in a bedroom, John took hold of the plans and crossed out "bedroom" and wrote "study". There are many, many more jobs like this. It is a matter of time before we have more incidents. I have repeatedly tried to alert the Board, since 2003. This same fitter believes that he has been treated in the same manner concerning his certs, by John Darnley's firm, but do not want to highlight himself and end up in the same position as I now find myself, which is a very common theme in my experience.

I am now being investigated by the very man, Tony Hammond, who enabled John Darnley to gain full craftsmen status by holding just one oral exam.

Everyone else I have ever met in NZ, has had to do everything from scratch and start again, some of whom have been qualified gasfitters/engineers and run businesses in other countries, but have been reduced to an apprentice in NZ. You have to ask how and why was he able to do this and obtain his full craftsmanship. The Board has ruled that both the investigator and the Board are impartial, even though the investigator had, by his own admission, played a big part in starting the very self cert system that I am trying to show has some major faults, and is according to the OAG Report open to abuse. The Board was aware of this openness to abuse in 2005/6, exactly when I was trying to tell them about it, see scan 0003 for just one example of many. Most are members of the same industry groups, with the impartiality hearing presided over by 3 out of 5 of the very people I was complaining about.

It's just plain wrong Max. My family will be out on the street soon and all I have done is acted in the best interest of the public's safety. My business has suffered, especially after the letter's issued by the Board/Kern saying I was issuing illegal certs in the North Island, I am South Island based and have never even visited the areas mentioned, but no one seems to have a problem with this. Have you seen the photos of them all at training seminars 3 years in a row, I believe John Darnley was being protected up until the explosion, he resigned from the same institute the month after the explosion, but now they are covering their own tracks.

Ruining me will not make all the unsafe work go away, I'll offer again to show you the extent of it, I have kept extensive records, the unsafe work I have come across I have made safe, which hasn't endeared me to many people, it needs someone totally impartial to investigate it. I would be a fool to make these offers/accusations with nothing to back it up.

Please can you reply as I feel that this is all being ignored and swept under the carpet, my wife and I are at our wits end. I am not confident of a fair go at the upcoming hearing and the Judicial Review will probably take another 2 years. We have two boys one aged 6 and the other aged 4. My house is up for sale and I am attempting to cash in my pension, please Max all I ask is for you to look into this with a fair and open mind, which I believe no one has to date.

Best Regards

Paul Gee

Managing Director

Gas, Solar & Plumbing Services Ltd

PO Box 249, Takaka 7142 NZ

03 525 9889 / 0274 33 33 50

From: Paul Costelloe [mailto:Paul@pgdb.co.nz]

Sent: Friday, March 11, 2011 4:55 PM

To: Paul & Emma Gee

Subject: RE: Dangourous work

Dear Paul,

Further to our previous correspondence, to assist me in forwarding this information to the local Territorial Authority could you please provide to me the address details, and if possible contact details, for this site.

Kind regards,

Paul Costelloe

Acting Trade Competency Manager
Plumbers, Gasfitters and Drainlayers Board
PO Box 10655
Wellington 6143

paul@pgdb.co.nz

[+64 \(0\) 4 4942970](tel:+64044942970)
www.pgdb.co.nz

Max,

Well we have entered that time of year, yet again, where I tell you about the dangerous hot water/ central heating system, installed by Darnley, god these years are flying by where does the time go?

I have done this every autumn because this is the time when the biggest risk is, i.e. when the stagnant water from the radiators is released in to the ring main by the Thermostatic Radiator Valves. The risk is actually year round and grows the longer you leave it. I have attached an email stream from just **before** my kangaroo court, for but one example. The water atomised out of this guys shower head will be more easily breathed in, with the legionnaires' in the atomised water.

It has a huge legionnaires risk, but you have fobbed me off **every** year I tell you about it. I have formally complained to you specifically about this dwelling, and you have done nothing. I have heard through the grapevine that several of the rads have had to be replaced already!!! Installed properly they should last for at least 20 years.

The thing is continually injecting fresh aerated water through a CH system makes the corrosion much more aggressive, because the oxygen from the fresh water feeds the corrosion (not forgetting the legionnaire bugs!!!). Hence why a CH system fitted properly has "dead water" in it and is treated with an inhibitor, **TOTALLY** isolated from the **POTABLE** water. Please don't get confused by me using the words "fresh water", because when it is stored for 6 months in a radiator it is, I assure you, no longer fresh.

Now Max bearing in mind all the bullshit correspondence spewed by you and the so called "Plumbers" Board. Why has this other person in the attached document been pursued and fined \$2000.00 but Mr Darnley the "Teflon" fitter (who couldn't fit a ducks arse to a pond), who **all** the evidence for the explosion at Milton Street points at, goes un-investigated for this dire install, and not to forget the explosion too?

He started this system just before I left Allgas and signed it off 4 months after I left. When I realised what he was doing I asked to see a technical schematic, because it contradicted everything I knew about C/H and hot water systems. His chilling reply was, "you don't need a schematic, just use poker face", he not only doesn't know what he is doing (the very scary part) he doesn't even care.

I have attached a diagram of how I saw him fitting it, please let me know if this is still the case. I tried to tell the occupier, before I left Allgas, at the roof shout, but he didn't want to know. What happens if this occupier sells this dwelling and someone totally innocent gets ill or worse. Paul Costello in the email stream attached said he was contacting the TA, what happened there? Actually the time between this attached email stream and now is very telling.....as far as I am aware you have done sweet FA about this, please correct me if I am wrong.

EVERYONE OF AUTHORITY COPIED INTO THIS EMAIL GAMBLES WITH THE LIVES OF THE OCCUPIERS OF THIS DWELLING, BOTH THE PRESENT AND THE FUTURE OCCUPIERS. You need to do something, under an OIA request why don't you ask Max for all the info on this correspondence, I got no problem with it.

I have attached also the cert for the dwelling (yet again Max).....you'll notice that the gas leak test results are empty, and if you go on line you'll see the Boards electronic copy of this cert it carries a disclaimer on its accuracy.....FFS, it is beyond a joke.

I apologise for my terse language to those copied in, but it has been 5 years of this bullshit my wife and I have endured.

I want answers, sooner than later. **I WILL** push the envelope, please believe me on this. There is a real need for a public enquiry....the public is put at risk by the very people who

pontificate about protecting them, you are **all** charged with looking after the public. Do you want blood on your hands?

PS..... Please Max, under an Official Information Act request, can I have a copy of the original pink master copy of the cert 303629. No bullshit back dated stunts and don't loose anything in the post, by email will be fine. The time on your reply will be telling, I am guessing a back dated letter sent at the last minute, surprise me mate! Or you could just scan and copy it Monday and send it.....what have you got to hide?

Best Regards Paul Gee

63 Takaka Valley Highway

Upper Takaka

Takaka 7183

Mobile: 0274 33 33 50

A/H: 03 525 9889

Dear Select Committee,

1. Introduction

2. My name is Paul Gee, a certifying gasfitter and plumber from the Tasman/Nelson area. I am in full agreement with the Plumbers, Gasfitters and Drainlayers Federation's submission, and only offer this personal submission under my own steam and banner to go toward showing *how* the Plumbers, Gasfitters and Drainlayers Board (PGDB) have spent the illegally gained funds, needlessly savaging my life and terrorising my wife in doing so.
3. I have lost my business and reputation, my home and time with my young family, all for a situation that I had tried to warn about for 6 years previously, before an explosion nearly killed someone, i.e. dodgy certs covering dodgy work. With no one held accountable for this. As this situation spans almost 10 years of my life and is hugely personal to me I am truly thankful for all understanding and consideration shown for this lengthy submission and I thank you in advance for this.
4. I believe the Board have made a scapegoat of me to hide their own short comings and inaction.

5. Concerns

6. My concerns are centred on the illegally funded past and current prosecution and discipline systems of the PGDB within the gasfitting industry and the apparent covering up by the PGDB of either a badly designed gas safety certification system and/or incompetence/malpractice administering this system.
 7. I believe that the Board ignored conflicts of interest and acted in bad faith, with out duty of care and against natural justice; leading to an unfair and needless investigation and the resulting decision by the Board in respect to me. Please note that I strongly believe in industry regulation and the holding of "cowboys" to account within the industry, which was why I had tried to warn about all of this from the outset.
-
8. I believe they undertook a needless disciplinary action against me, utilising these illegally gained funds spending over \$200,000.00 on my case. What has occurred to me has since been made available to the Building and Housing Minister.
 9. In particular, my concerns are not just about the afore mentioned conflicts of interests that were ignored, but also the misrepresentation and withholding of evidence and the resulting decision of the Board, and in particular the way the investigation was carried out.

10. Background

11. I am a qualified gas service engineer in the United Kingdom, trained by British Gas in 1989. I was registered by the PGDB as a craftsman gasfitter on 15 February 1999.
12. I began working for a gas company in late February 2003 in Nelson. At the beginning of this employment, I was instructed by the manager to fill out the work sheets only and the office staff would fill out the gas certification certificate and I only had to sign them, then the office staff would file them. Note: The manger and office staff was a family and related, i.e. a husband (manager), wife (office manager), daughter (office girl) and son in law (limited licence gasfitter, who worked unsupervised most of the time).
13. After approximately five months of employment with this gas company, I became very concerned about how gasfitting work was being carried out and the possible safety implications of this apparent malpractice. I attempted to raise this concern verbally with the manager; however it was dismissed by him. Toward the end of the period of this employment I handed back certificates to the manager, refusing to sign them as they were unfinished or unsafe.
14. On 10 November 2003, I attended a meeting with the Manager. At this meeting, I submitted a written statement outlining my safety concerns; this written statement was later provided to the Board and appears in my Hearing's Bundle (HB).
15. On 13 November 2003, I was issued with a written warning by the manager for how I had expressed my concerns about safety to his son in law, (HB). In response to this written warning I indicated I would resign as soon as was practicable.
16. On 14 November 2003, four books of non-transferable gas certificates were ordered, for the one and only time, by some one at the gas company. It was done in my name, without my knowledge, (HB).
17. On 19 November 2003, I gave two weeks notice and resigned from this gas company, (HB).
18. I later found out, after the explosion, that on the 4th March 2004, three months after I left, someone from this gas company, on this company's letterhead, wrote a letter in my name to alter a gas certificate to the PGDB, which was apparently acted on, (HB).
19. I then began work as a subcontractor for a different gas company in December 2003 where I immediately became aware of improper use of gas certificates that were in my name, actually one of the certificates I had refused to sign because the job was unsafe/unfinished, (HB).

20. In response, I contacted the PGDB by telephone, which was when I became aware of the 4 books ordered in my name, and again in writing on 6 January 2004. In response, the PGDB replied to me, dismissing my complaint and providing what I believe are inconsistencies and incorrect facts. (HB)
21. A year later I came across yet another irregular certificate in my name, covering unsafe work. I contacted a lawyer, as the Board refused to talk to me without one, on 13 January 2005. (HB)
22. I also contacted my former employer, the gas company mentioned above, which had a new manager, on the 24 January 2005.
23. The outcome of my lawyer's inquiry to the PGDB was there were over a 1000 certificates in my name and it would cost \$25 per certificate to check. I could not afford this potential sum of \$25,000 and told them so by phone. The letter from the Board's lawyer had inconsistencies and incorrect facts. I had only worked at this gas company for some 10 months.
24. I approached a Member of Parliament on 24 May 2006 after hearing no further from the PGDB. A letter was written to the PGDB on 6 June 2006. No response was made to me. I followed up this letter by sending a fax to a member of the PGDB on 21 August 2006. Again, I had no response. I later contacted another Member of Parliament by email, outlining my concerns for health and safety. This was passed on to the Minister for Safety and Health at the time. This Minister replied indicating he would look into the matter; however I received no further contact. Most, if not all, of the proof of this correspondence is in the possession of the PGDB, (HB).
25. On 8 July 2009, the Board received a complaint from the Department of Labour, regarding a gas explosion at 136 Milton Street, Nelson. An "impartial" investigator was appointed according to section 40 of the Act.
26. I requested an impartiality hearing with PGDB, it was held on 22 February 2011 where I raised concerns about conflicts of interest. They were dismissed.
27. Disciplinary action was taken against me under section 42 of the Plumbers, Gasfitters and Drainlayers Act 1976 ("the Act") as a result of the investigation. The matter was heard between 3 and 5 May 2011 by the Board. The decision was given in July 2011 where I was found guilty under section 42(1)(c) of the Act in relation to only one of the seven properties that were investigated by the "impartial" investigator.
28. Out of 44 charges laid by the Board, I was found guilty of only two, neither of which was at the site of the explosion that initiated the complaint by the Department of Labour. No one else as far as I am aware was questioned about the site of the explosion, whether as part of the initial investigation or since.

29. The Board required I undertake a course of instruction as an extra condition of re-licensing as a certified gasfitter for the 2013/2014 licensing year.
30. This "course of instruction" had to be custom made for me at my expense. I have recently carried out an "assessment", rather than course of instruction. I passed with a 90% mark and was told by the assessor that I would be in the top 10% of the people he had ever assessed.
31. Of the "impartial" investigators initial audits of my work; none of his initial concerns made it to charges that later surfaced in a second audit. This second audit was ordered by him on the basis of these initial audits and "concerns". A letter from the Board's lawyer states that three years worth of my work was audited, but the "impartial" investigator only claims to have audited 10% of my work for that period.
32. On 2 October 2009, the then Acting Registrar of The Board sent letters to the owners of six properties where the PGDB alleged I had carried out gasfitting work and that were identified by the "impartial" investigator's investigation as having compliance issues.
33. These letters, which covered each and every area that I had ever worked in for my own business, from the West Coast to Havelock of the top of the south island, with Nelson and Motueka in between, one or two letters per area. By far the most damaging was the one to Motueka High school, the only high school in what WAS my main centre of business, and my business disappeared not long after these letters. I wasn't made aware of these letters until the Motueka High school contacted me.
34. These letters noted there was an issue with a number of gas certificates *illegally sold affecting a number of homes from Northland to Waikato and the Bay of Plenty, and that the certificate pertaining to their address was one of these*. I have never carried out work in these North Island areas and these letters caused me the loss of my business, distress and loss of reputation.
35. By far the worst event on a personal level was during the build up and preparation for my Hearing, the "impartial" investigator's lawyer sent to my home, unmarked child sexual abuse case notes to prove his point on probabilities. As they were unmarked of their vile content, my long suffering wife read them and I came home to find her hysterical. At this time she was facing living in a caravan for the winter with her husband working away, minding our two young sons, as we were financially forced to sell our home. This situation that my wife faced later happened and I have had to work away for nearly two years since. I have told the present CEO of the Board about this, he has no problem with it and another PGDB member's solution that he offered to me was "...had I thought of returning to the UK or going to Aussie".
36. I filed a notice of appeal to the decision of the Board on 16 November 2011. The appeal was heard in the High Court on 5 March 2012 and the decision given on 14 March 2012. The focus of this appeal was on the finding I was guilty of an act or omission contrary to the integrity of the gasfitting trade. The appeal was dismissed.

37. On 22 June 2012, the Board's external assessor and QC released an opinion on eight complaints I raised. She concluded that under the Board's Historical Complaints Resolution Policy, only one of my complaints fell within the scope of the Policy: that the letters sent by the Board's Acting Registrar on 2 October 2009 did cause me a disadvantage. I have heard nothing since.

38. Impartiality

39. My claim is that the "impartial" investigator was not an impartial investigator as is required for natural justice. He is a member and fellow of the NZIGE and a member of IPENZ, GANZ and the Kennedy Trust and at the time my old boss was also a member of NZIGE and other gas groups.

40. In addition, I believe that the "impartial" investigator was the person who granted my old boss his full craftsman status, after just one oral exam and with no apprenticeship served.

41. The "impartial" investigator also was nominated by GANZ to co-author the NZ 5261, the standard that I had offered an alternative to in defending against my two founded charges. This is a conflict of interest that should not have been ignored. I tried to raise the issue at the impartiality hearing in February 2011, where my concerns were dismissed.

42. I believe that the table 16 of NZ 5261, which he refers to within this Standard and is particular to my charges, is contradictory and confusing. Table 16 had also been amended which gives the tradesman the impression that the table is not strict in its application, not to mention it is in the non-mandatory part two of the standard.

43. The present Chairman of the PGDB and a panel member of my hearing is also a member of IPENZ, of which NZIGE is an arm of that according to a press release from IPENZ – "NZIGE collaborates closely with IPENZ". This same person released a press release just after my Hearing stating I lacked fundamental knowledge of my trade, this appeared in my local newspaper.

44. I also believe there was a conflict of interest between the "impartial" investigator and the Presiding Board Member at the disciplinary hearing. The "impartial" investigator and the Presiding Board Member have served together in numerous organisations, NZIGE, GANZ, and the Kennedy Trust, and have made numerous presentations together as a duo to the gas industry.

45. The Presiding Board Member was on the executive of GANZ, the nominating organisation for the "impartial" investigator to co-author the referenced standard NZ 5261.

46. The “impartial” investigator was the technical adviser to the Presiding Board Member at GANZ. I believe this would lead to the Presiding Board Member to put more weight in the “impartial” investigator’s opinion because of their personal relationship and their work on NZ 5261. They would both, in all probability, want the integrity of NZ 5261 to remain intact because of their involvement in developing it.
47. The “impartial” investigator was also heavily involved with the deregulation of the gas industry and a driving force behind self certification for gasfitting. In light of this I believe he would also have a vested interest in maintaining the integrity of this certification system he had helped create, which has some apparent serious flaws in its application and the PGDB’s administration of it, most if not all of this was raised at the impartiality hearing I had requested, but was dismissed.
48. Further, at the site of this explosion no one has been held accountable, although all copies of the last certificate issued for work carried out at this site of an explosion; lack any gas leak test entry which is a compulsory field on the now electronic website. This certificate is totally in my old manager’s name and was signed for a year after the initial installation and at least a year after my leaving the employment of the gas company mentioned above. The PGDB claim never to have received or registered this certificate, but an electronic version appears on the electronic register on their website. This electronic register also carries a disclaimer stating the inaccuracy of the register.

49. Unfair Investigation

50. I believe I was unfairly investigated, as were the charges brought against me regarding seven properties. Only two, out of 44 charges, regarding one property were upheld, which would be dismissed by a well used British Standard, if it was allowed.
51. As a result my business and reputation was damaged and my ability to earn an income suffered. I believe that the PGDB appointed investigator was not an impartial investigator and that serious evidence was misrepresented or ignored at the Hearing. I was presumed guilty, having to prove innocence and disadvantaged by not allowing me to submit further evidence, which would clear me of all wrong doing, for a situation I had tried to warn about for 6 years.
52. My appeal was dismissed because I could not, due to limiting PGDB policy, give any further evidence. The evidence I tried to adduce was a British Standard that would show what I had done was safe and a relevant alternative to the non-mandatory part two of the NZ 5261 standard that I was found guilty of contravening. Of note, the only other certifying gasfitter in the room at the hearing was on the panel for the PGDB, and he was British.
53. I also tried to adduce an email from another, co-author of NZ5261. This email said I could use a British Standard if it was relevant, and I believe it is. This would have left me completely innocent of any wrong-doing.

54. At the actual hearing I had offered other information and illustrated how I knew the fumes would behave on the appliance I had been later found guilty for installing and certifying. The owner of the same dwelling said he had no problems with it in the previous six years since installation, and it was the only obvious place to put the appliance in question. Even the "impartial" investigator also commented that if the fumes were not entering the building then I would have complied with Part one of NZ5261 which is mandatory, and so I would have done nothing wrong. All of this evidence was apparently ignored, with no further evidence put forward by the PGDB, other than the above mentioned "Table 16", to go to show what I had done was dangerous, which I still believe it was not.

55. In light of this treatment, and it is very brief and incomplete and a pick of the worst, I would like to ask a question and make a suggestion to the Select Committee

56. My question is-

- Is the Committee comfortable for the PGDB to enforce over a 1000% increase in discipline levies in under a decade and then claim it illegally from tradesman, BUT THEN (and this is my main point and reason for my submission) to use this ill gotten money as a fund to persecute and disadvantage innocent, well meaning, registered trades-people, using this illegal discipline levy as a war chest to bring down any opponents within the industry, or anyone they have a grudge with? As is evidenced by my treatment. They openly boast of a 100% conviction rate.

57. My suggestion is-

- While you are being asked to amend this Act, please consider changing the Act so that the Board is a liable entity or at least open to more than just recommendations, which they routinely ignore. As it is now the Board is non-liable under the Act, and accordingly the PGDB apparently acts with scant regard and impunity The PGDB have done this even while hiding behind, and trying to maintain, the façade of a registered charity, spending as far as I am aware over \$46,000.00 in appealing their de-registration as a charity, apparently using the same clause** that is limited to \$500.00 when used in making a compensation payment to me because of the letters sent to my customers.

**The Part 148 of the 2006 Act enables the Board in any financial year, to expend for purposes not authorised by any act, a sum not amounting to more than \$500.

58. I thank the Committee for your time. And ask with all due respect and humility are these the actions and the behaviour of an organisation that are moral or ethical? Are they the people best suited to lead our industry? Can you trust these people to have a blank cheque as it were, which is what will happen if this is bill is validated and acting with impunity as they are non liable for their actions.

59. There is a huge decline in the industry and training sector, of which I fear we are just seeing the tip of this huge iceberg, the future is bleak. The PGDB is still apparently acting in a corrupt, nepotistic and incompetent manner, continually acting against the best recommendations of the damning OAG report and in the face of the best practice recommendations of the NZ Law Commission, acting apparently in bad faith.

60. If you were in a position to, and are able to appoint a public enquiry, I will provide proof and substance to back my claims.

Yours Sincerely Paul Gee

PO Box 249, Takaka 7142

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