Plumbers, Gasfitters and Drainlayers Board

ROBINSON v DENNIS

Plumbers, Gasfitters & Drainlayers Board Disciplinary Decision (2025/11)

Summary

Stephen Dennis, Certifying Gasfitter, was charged with carrying out negligent or incompetent gasfitting work and issuing a false or misleading gas certificate. The charge related to the installation of a gas fireplace at a residential property in Wellington | Te Whanganui-a-Tara.

Mr Dennis pleaded guilty to the charges but did not accept the investigator's assessment of the risk associated with the defective gasfitting work.

The Board considered Mr Dennis's offending was moderately to highly serious given the scale of the job and the extent and level of the defects. It considered the work was high risk. The Board accepted that Mr Dennis was entitled to credit for his guilty plea, cooperation during the disciplinary process and lack of previous disciplinary offending, and acknowledged his personal circumstances.

The Board ordered Mr Dennis to pay a fine $3,375 and $5,800 towards costs.

IN THE MATTER OF a disciplinary hearing pursuant to section 101 of the Plumbers, Gasfitters, and Drainlayers Act 2006

BETWEEN **CHARLIE ROBINSON**

Investigator

AND **STEPHEN DENNIS**
Certifying Gasfitter of Wellington |Te Whanganui-a-Tara

Registered Person

DECISION OF THE BOARD
26 JANUARY 2026

Hearing:	Held on the papers on 8 October 2025
Members sitting:	Martin De Gouw (Chair), Selwyn Hikuroa, Beth Healy, James Smith, Tofa Suafole Gush
Counsel:	Sean McCusker for the investigator Mr Dennis was self-represented
Legal advisor:	Juliet Philpott

Disciplinary hearing

1. On 8 October 2025, the Plumbers, Gasfitters and Drainlayers Board (**Board**) held a disciplinary hearing on the papers to consider a complaint by Jane Krause against Stephen Dennis, Certifying Gasfitter. The complaint related to the installation of a gas fireplace at a property in Wellington | Te Whanganui-a-Tara.

Guilty plea

2. On 27 August 2025, Mr Dennis pleaded guilty to carrying out negligent or incompetent gasfitting work and issuing a false or misleading return, and signed an agreed summary of facts, the material parts of which were as follows:

    a. Mr Dennis holds a registration as a certifying gasfitter and is authorised to carry out plumbing under supervision. He is currently licensed as a certifying gasfitter.

    b. In 2021, Brady and Walsh Developers Ltd engaged Mr Dennis to install a gas fireplace in a new build residential property at 64A Para Street, Miramar, Wellington (**property)**.

    c. The work was gasfitting as defined by section 5 of the Plumbers, Gasfitters and Drainlayers At 2006.

    d. On 31 January the owner of the property, Ms Krause, made a complaint to the Board about the gasfitting work carried out by Mr Dennis. Megan Jury was appointed to investigate the complaint. Charlie Robinson was subsequently appointed to complete the investigation.

    e. During the investigation, Duncan Forsyth, a technical advisor engaged by the Board identified a number of compliance issues with the gasfitting work carried out by Mr Dennis at the property.

    f. The gasfitting work Mr Dennis carried out, or caused to be carried out, was negligent or incompetent because:

        i. the flue terminal did not meet the clearances as required by either the manufacturer's installation instructions, or in accordance with clause 6.9.3 of AS/NZS 5601.1:2013(**Standard**).

        ii. the flue inside the cavity housing the gas fire was not adequately supported or restrained in accordance with cl 6.8.2 of the Standard.

        iii. the appliance had not been commissioned correctly, which did not comply with clause 6.11.4 of the Standard.

        iv. the installation of gas pipework from the gas meter into the Property:

(A) was not supported in accordance with clauses 2.4.5 and 5.8 of the Standard;

(B) was not protected from UV degradation in accordance with Table 4.1 of the Standard and

(C) was laid on the ground, which did not comply with cl 5.3.7 of the Standard.

g. Mr Forsyth assessed the work as posing a high risk, because:

i. he considered there was the possibility of damage to the building as a result of the flue terminal clearances not being achieved; and

ii. it was likely that the unsupported gas pipe was at risk of damage which could cause gas to escape from the system.

h. Mr Dennis disagrees with Mr Forsyth's assessment that the work done was high risk, because:

i. the gasfitters who subsequently visited the Property to undertake the warranty work did not disconnect the gas supply, and there could not have been immediate danger of damage to the property when the gas was never actually turned off (i.e. if there was danger of damage to property, the gas should have been turned off at the supply); and

ii. the work was not done in a trafficked area so there was limited risk of damage occurring (i.e. the pipe was underneath a deck and was not at risk of being walked over by people or run over by cars).

i. Mr Dennis issued a false or misleading return because:

i. On 1 July 2021 Mr Dennis issued:

(A) a Certificate of Compliance (**CoC**) in accordance with the Gas (Safety and Measurement) Regulations 2010 (**GSMR**) certifying that this gasfitting work had been done lawfully and safely in accordance with the Standard, and that the information on the certificate was correct.

(B) A Gas Safety Certificate (**GSC**) in accordance with the GSMR certifying that the installation was safe to use.

ii. Those certificates were given without confirming that the gas pipework had in fact been buried and that the gasfitting work referred to at paragraph 6.4 above complied with the Standard.

3. The Board was satisfied that the facts in the agreed summary of facts meant that Mr Dennis had committed disciplinary offences under sections 89(a)(i) and 89(g) of the Act.

Summary of investigator's submissions on penalty, costs and name suppression

4. On behalf of the investigator, Mr McCusker submitted that the purpose of disciplinary proceedings was not to punish but to ensure public protection and maintenance of proper industry standards through both specific and general deterrence. He submitted that the penalty imposed on Mr Dennis should correct his behaviour while being consistent with other decisions of the Board and be the least severe penalty appropriate to achieve the relevant principles and purposes.

5. Mr McCusker submitted that Mr Dennis' offending was moderately serious, given the extent and level of the deficiencies in the gasfitting work undertaken by Mr Dennis. He submitted that the gas certificate issued by Mr Dennis not only certified the work complied with the Standard when it did not but was also issued without proper basis given his failure to confirm before certifying that the gas pipework was buried. He further submitted that Mr Dennis failed to recognise that the issues with the gasfitting work posed a high risk of harm to persons or property.

6. Acknowledging the importance of consistency with other similar cases, Mr McCusker referred the Board to its previous decisions in the cases of *Cannell v Ratliff* (2024/2), *Cannell v Stokes* (2024/2) and *Radovich v Langford* (2023/3). In *Ratliff,* Mr Ratliff pleaded guilty to carrying out negligent or incompetent gasfitting and filing a false or misleading gas certificate for gasfitting work carried out on a fireplace installed in a tent at a glamping site. The Board imposed a starting point for a fine of $4,000. In *Stokes,* Mr Stokes carried out negligent or incompetent gasfitting work involving the installation of a gas hot water heater at a commercial property and also issued a gas certificate confirming the installation was safe and compliant when it was not. The Board adopted a starting point for a fine of $4,000 in this case. In *Langford*, Mr Langford pleaded guilty to undertaking negligent or incompetent gasfitting involving the installation of two gas hot water heaters on commercial premises and two temporary gas hot water heater in the premises' car park while the work was carried out. He was also pleaded guilty to issuing a false or misleading gas certificate and failing to issue a gas certificate within the legally required timeframe. There were defects with the installations and none of them complied with the manufacturer's instructions. The Board adopted a starting point fine of $4,500.

7. Mr McCusker submitted that the offending in *Ratliff* was less serious than the present case, as unlike Mr Ratliff, Mr Dennis was responsible for installing as well as certifying the gas fireplace and pipework which ultimately did not comply with the Standard. He submitted that Mr Dennis's case was comparable with the *Stokes* and *Langford* cases in terms of seriousness. In *Stokes* the gasfitting defects were similar to the present case although there was no additional charge of filing a false or

misleading gas certificate as with Mr Dennis' case. In *Langford*, the extent and level of defects associated with Mr Langford's and Mr Dennis' work were similar.

8. Accordingly, Mr McCusker submitted that an appropriate starting point in this case was a fine in the vicinity of $4,500.

9. Mr McCusker submitted that the investigator was not aware of any aggravating factors personal to Mr Dennis. However, Mr McCusker submitted that Mr Dennis' cooperation during the investigation, guilty plea and lack of previous disciplinary history, were mitigating factors. He acknowledged that the Board may wish to consider a discount to the starting point fine given those mitigating factors.

10. Mr McCusker submitted that under section 107 of the Act, the Board could require Mr Dennis to pay a reasonable sum towards the costs and expenses of the investigation, prosecution, and hearing. He submitted that the starting point for an order of costs was typically half of the costs though it was a matter for the Board in its discretion to determine. Mr McCusker submitted it was open to the Board to make a reduction to that contribution to recognise that Mr Dennis' guilty plea had saved the costs of a hearing.

11. In response to Mr Dennis' application for name suppression, Mr McCusker outlined the relevant case law on name suppression in a disciplinary context. Referring to relevant case law, Mr McCusker submitted that the principle of open justice meant the starting point was publication. However, it was open to the Board to order suppression if it was of the opinion that it was proper to do so having regard to the interests of the person and the public interest.

12. Mr McCusker also referred to two previous Board decisions, *Radovich v J* and *Jury v X*, where the Board ordered the suppression of the practitioner's names. In these cases, the Board recognised that the potential consequences for the practitioners involved went beyond the ordinary stress and anxiety experienced by practitioners found guilty of disciplinary offences. In closing, Mr McCusker submitted that it was ultimately a matter for the Board as to whether the factors identified by Mr Dennis in his submissions met this high threshold.

Summary of Mr Dennis' submissions on penalty, costs and name suppression

13. In his written submissions, Mr Dennis submitted that a formal warning was sufficient to address the offending, given it was his first time before the Board. He submitted that the process had been stressful for him and described the impact it had had on him personally and professionally, submitting that he had been let down by others and had allowed his relationships to influence his professional judgement. He

submitted that the offending was a mistake and not deliberate, and that he took pride in his work.

14. He submitted that he understood his responsibility as a certifying gasfitter was to check and ensure the work was compliant and submitted that he had changed his practices to ensure this was the case. While he agreed that the installation was defective, he disagreed with the investigator's assessment that the defects with the gasfitting work were high risk, submitting that just because the work not compliant did mean it was dangerous.

15. Mr Dennis submitted that he had taken steps on several occasions to rectify the issues with the owner of the property via the developer but was advised not to contact the owner directly due to an ongoing legal dispute between the owner and the developer. He submitted that the owner ultimately refused his offer to rectify the work.

16. Mr Dennis described his personal and financial circumstances for the Board, submitting his business was no longer trading and that he was under personal financial strain due to wearing the debt of not being paid by a local building franchise that had gone into liquidation.

17. Mr Dennis sought name suppression, submitting that publishing his name in connection with the case would adversely affect his family members who are also working in the industry, especially given they are relatively new to the industry.

Decision on penalty

18. When it comes to imposing penalties in disciplinary cases, the Board's primary considerations are the need to protect the health and safety of the public and maintain industry standards. Any disciplinary penalty should aim to ensure the competency of a practitioner by holding them to account, assist with their rehabilitation, and deter them and other practitioners from disciplinary offending.

19. Having considered the parties' submissions and the facts of the case, the Board determined that Mr Dennis' offending was a moderate to high level of seriousness given the extent of the work, the scale of defects and the seriousness of those defects. The Board agreed with the investigator's assessment that the gasfitting work was high risk and was concerned that Mr Dennis did not appear to recognise that it was high risk. The Board considered the case to be distinguished from *Stokes* given there was an additional charge of filing a false or misleading return in this case and that it was similar to *Langford.*

20. The Board acknowledged Mr Dennis' financial circumstances and considered Mr Dennis was entitled to credit for his guilty plea, cooperation and lack of previous disciplinary offending.

21. The Board considered that a fine was the appropriate penalty and adopted a starting point of $4,500. Recognising the mitigating factors in this case, the Board reduced the fine to $3,375.

Costs

22. Section 107 of the Act provides that, in addition to any penalty imposed, the Board may order a registered person to pay a reasonable sum towards the costs and expenses incidental to the investigation of the complaint, prosecution, and hearing. The Board was provided with a schedule of estimated costs for the investigation, prosecution, and hearing amounting to $14,648.01. It acknowledged the usual starting point for a costs order is half the costs.

23. The Board recognised Mr Dennis' personal circumstances and the fact that his guilty plea had avoided the costs of a full defended hearing. The Board determined that he should pay $5,800 towards costs which was around 40% of the total costs.

Name suppression

24. The Board acknowledged that the test when exercising its power to make suppression orders was guided by weighing the particular interests of the person seeking suppression against the principle of open justice and the right of the public to know if a practitioner had disciplinary convictions.

25. While the Board understood Mr Dennis' concerns and reasons for seeking name suppression in this case, it did not consider that those concerns were unusual or reached the threshold necessary to order name suppression. The application was therefore declined.

Publication

26. In accordance with the requirements of the Act, the Board ordered that details of the action taken against Mr Dennis should be recorded on the register of plumbers, gasfitters, and drainlayers in the usual way. Any other publication of the Board's orders would be at the discretion of the Registrar of Plumbers, Gasfitters and Drainlayers.

Board orders

27. Being satisfied that Mr Dennis was guilty of disciplinary offences under section 89(a)(i) and 89(g) of the Act, the Board made the following orders:

    a. Pursuant to section 106(1)(f) of the Act, Mr Dennis pay a fine of $3,375.

    b. Pursuant to section 107 of the Act, Mr Dennis pay $5,800 towards the costs of the investigation, prosecution, and hearing.

c. Pursuant to section 74(1)(c)(viii) of the Act, details of the Board's orders in respect of Mr Dennis be published on the register.

Appeal

28. If Mr Dennis is dissatisfied with the whole or any part of this decision or these orders, he may appeal to the District Court under section 162(1)(f) of the Act. Any appeal must be brought within 20 working days from the date on which this formal written decision is received, or within any other timeframe the District Court may allow.

Dated 26 January 2026

Signed



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Martin De Gouw
Chair
Plumbers, Gasfitters and Drainlayers Board