

# Construction body calls for self-certification to overcome public sector bottlenecks

The Construction Covid-19 Rapid Response Task Team (CC19RRTT), formed during the height of the lockdown, collectively presented the minister of national public works and infrastructure, Patricia de Lille, with a medium-term plan for the activation of the industry post the lockdown.



Highlighting the crucial bottlenecks that had to be tackled to enable the South African property development and construction sector to recovery nationally post pandemic, the plan also looks to save the sector from the collapse it was heading towards even before Covid-19 struck.

One of the key features of the plan is to convince authorities at all levels for the urgent need to allow self-certification, looking towards countries such as the UK, Australia and New Zealand that are already actively engaged in this process to untangle their own public sector blockages.

## 'Ever-increasing regulations and legislation'

Deon van Zyl, chairperson of the Western Cape Property Development Forum (a founder member of the task team), elaborates: "We are certainly not the only country that encounters red tape, but for a number of years now we have watched a plethora of ever-increasing regulations and legislation being placed upon our sector by all spheres of government, requiring certification of processes at every step of the way and slowly strangling the development process.

Part of the problem, says Van Zyl, is that while these certification processes have increased, the essential employment of qualified staff within public authority structures to deal with these certifications has not taken place: "Indeed, it's gone seriously backwards as staff leave and are not replaced either at all or by suitably trained professionals in the field.

"In the Western Cape, even before a spade can hit the ground these days, standard approval processes now take an average of between four and eight years – double the time compared to a few years ago."

## Unlocking municipality blockages



Deon van Zyl, chairperson of the Western Cape Property Development Forum

Self certification enables municipalities to establish databases of qualified private practice professionals, in collaboration with the professional registration bodies, who are then able to assist with approvals and thus unlock the vast blockages municipalities face. Currently, only structural engineers are able to self certify and there is an urgent need to extend this to other engineering disciplines along with professions such as architects and town planners.

There is also general concern over the lack of will on the part of national, provincial and local government to work together to streamline and overlap approvals in the first place, let alone extend self certification to other professionals.

“And yet this overlapping is critical,” notes Simmy Peerutin, chair of the practice committee of the South African Institute of Architects, “because of the major time delays to project starts due to regulations such as the National Building Regulations (NBR), the National Environment Management Act

(NEMA), the National Heritage Resources Act (NHRA) and the City of Cape Town Planning Bylaws needing sequential rather than simultaneous action.”

## Need for efficient statutory approval processes

The document presented to De Lille by the 34 organisations stresses the need for efficient statutory approval processes, noting that the current situation across all spheres of government reflects: “... a fragmented approval process which is mired in long, drawn out processes and often characterised by the lack of transparency and dependence on the whim of officials who often flout their very own processes and Spatial Development Framework provisions. This causes risk and frustrates building and development opportunities in the sector, causing construction delays and costing the developer, in both private and public sectors, and design consultants valuable time and money”.

Calling for an urgent rethink, the document also notes that: “... Municipalities are understaffed with many vacant posts” and that “... officials, who are certainly not incompetent, some with years of experience, appear reluctant to make decisions or recommendations which may result in legal processes or reflect badly on themselves. There is too much political interference in the approval processes, accompanied by cumbersome and punitive Treasurer General’s auditing processes”.

## Planning and approval directorates

To deal with what it describes as institutional incapacity, the document further recommends that municipalities establish planning and approval directorates which co-opt registered and accredited professionals to help municipalities unlock the blockages they face.

Explains Van Zyl: “What we have recommended with self certification is not that professionals be allowed necessarily to approve their own projects, but that broader categories of private professional practitioners – beyond just structural engineers - be given this role to assist municipalities.”

Alwyn Laubscher, COO at project management company AL&A and himself both a civil engineer and previously an executive director of development at the City of Cape Town elaborates further: “Certification of a project ensures that an application adheres to the applicable legislation and regulations.

“However, it is a bureaucratic approach to say that only an official has the ability to apply such judgement. For example, it is generally accepted that a structural engineer can and will self-certify. Why then can this principle not be extended to cover other professions such as architects, planners, other engineering disciplines?”

## New approach to save time, money

With the administrative burden on local authorities becoming bigger every day, Laubscher agrees that a new approach is required to save time and money: “Not only for the developer applicant but for the local authority and ultimately the taxpayer.

“South Africa has a very good system of professional bodies and professional registration regimes. We have seen that in the coming together of the Rapid Response Task Team. Why not use it to our advantage?”

The WCPDF will be addressing this topic at its next 'In Conversation' webinar, which will be facilitated by architect Luyanda Mpahlwa – founder and director of Design Space Africa and the immediate past-president of the South African Institute of Architecture (SAIA). Leading the conversation will be Rudolf Opperman, the technical advisor for Architecture and the National Building Regulations to the National Regulator for Compulsory Specifications (NRCS).

Panellists will include Simmy Peerutin of Peerutin Architects and chair of the SAIA Practice Committee, and structural engineer Andre Ekermans, a director at Ekcon.

For more information or to register to attend, [click here](#).

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