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2009/014: Whether a building in close proximity to a dam is an appurtenant structure, and which regulatory body has jurisdiction in respect of a building consent to re-roof the building

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Abbreviation

2009/014

Valid from

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Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The matter for determination in terms of sections 177(f) and 1882 is the division of responsibilities between the regional authority and the territorial authority in the exercise of their powers in relation to dams.

The regional authority has set out the following matters that it considers to be relevant to its application:

1. Whether or not the structure(s), which are the subject of the determination, are part of a 'large dam' under the Act.

2. Whether or not the structure(s), which are the subject of the determination, are 'appurtenant structures' under the Act.
3. Whether the regional authority and/or the territorial authority have jurisdiction for the structure(s) under the Act.
4. Whether the compliance schedule items in the structure(s) are dependent on who has jurisdiction.

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