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## 2009/036: Dispute over the code compliance of a proposed balustrade system to be fixed to a deck

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### Abbreviation

2009/036

### Valid from

22/05/2009

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### Information provider

Ministry of Business, Innovation and Employment

### Information type

Determination

### Format

PDF

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### Description

The application is in respect of a decision by the authority to refuse to approve a proposed method of fixing a balustrade to deck as an amendment to a building consent.

The matter for determination in terms of section 177(a) and 177(b)(vi) is whether the authority was correct in its decision to refuse to amend the building consent because it was not satisfied that the balustrade fixings of the proposed balustrade system, when installed on the existing deck, would comply with Clauses B1, B2 and E2 of the Building Code.

The authority has confirmed that its concern with the proposed balustrade system is the performance of the balustrades fixings themselves and the weathertightness of the deck.

Therefore, the matter to be determined will not consider the code compliance of the proposed balustrade system itself, other than the code compliance of the proposed detail to fix the balusters to the deck.

This determination is limited the code compliance of the balustrade fixing with respect to the Clauses B1, B2 and E2 only. The code compliance of the deck or the balustrade itself is therefore not considered in this determination.

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