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2010/002: The refusal to issue a code compliance certificate for a dam

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Abbreviation

2010/002

Valid from

21/01/2010

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

This determination arises from the refusal of the BCA to issue a code compliance certificate for a dam. The refusal arises from a situation where an earth dam, that was initially exempt from the need for a building consent, increased in size during its construction.

The increased size triggered the need for a building consent which was applied for retrospectively and issued by the TA. The BCA took over responsibility for issuing the code compliance certificate after the dam was completed, but it declined to issue the certificate as it believed the building consent had been issued in error.

The matters for determination in terms of sections 177(b)(i) and 188 are: whether the decision of the TA to issue the building consent is correct; and whether the decision of the BCA to decline to issue a code compliance certificate for the dam is correct.

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