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2011/074: Regarding the refusal to issue a code compliance certificate due to a lack of inspections for an office/studio building

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Abbreviation

2011/074

Valid from

12/08/2011

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

This determination arises from the decision of the authority to issue a code compliance certificate for the 17-year old office/studio because, as it did not have the opportunity to undertake any inspections during the construction of the building, it cannot be satisfied that the building work complies with certain clauses of the Building Code (First Schedule, Building Regulations 1992). The authority has also indicated that, should the owners make a formal application, the authority would refuse to amend the building consent for the two buildings on the site so that the subject office/studio would have its own separate building consent and could be issued with its own code compliance certificate. The matters to be determined are: 1-whether the authority correctly exercised its powers when it decided to refuse to issue the code compliance certificate. In making this decision, It must be considered whether the elements that make up the building work comply with the various clauses of

the Building Code that was current at the time the building consent was issued; 2-whether the authority is correct in the proposed exercise of its powers to refuse to amend the building consent to allow for separate building consents for the two buildings on the site.

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