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2011/119: The issue of building consents and code compliance certificates for three buildings on land that has subsided

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Abbreviation

2011/119

Valid from

23/12/2011

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

This determination arises from the decisions of the authority to issue building consents and code compliance certificates in respect of three residential buildings on land that has subsided. The matter to be determined is therefore whether the authority was correct in its decisions to issue the building consents and subsequent code compliance certificates. In making my decision the following must be considered: 1-whether the building work completed in accordance with the building consent complies with the Building Code given the nature of the land on which it has been constructed; 2-whether the authority correctly exercised its powers when it issued the various code compliance certificates, specifically in respect of Clause B1 Structure and Clause B2 Durability; 3-whether the deficiencies in the building consent are such that the building work cannot now be brought into compliance with the Building Code; and accordingly whether the building consents should be confirmed or reversed. The matters under dispute also involve actions taken by the authority under the Resource Management Act.

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