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2013/030: Regarding the authority's exercise of its powers of decision in respect of a refusal to amend a building consent for a relatocated house

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Abbreviation 2013/030 Valid from 28/05/2013

Information provider Ministry of Business, Innovation and Employment Information type Determination Format PDF

Description

The determination arises from the authority's refusal to apply an owner-builder exemption to all the work contained in a building consent, in circumstances where the consented work was underway and the foundations had already been supervised by the LBP. The owner-builder exemption was sought by the applicants as an amendment to the building consent. The refusal of the exemption arose because the authority is of the view that a Record of Work in respect of the foundations must be supplied by the LBP. I therefore consider the matter to be determined is whether the authority correctly exercised its powers of decision in refusing to amend the building consent. In considering this matter, I must consider the grounds on which the refusal was made.

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