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2013/029: Whether access and facilities for people with disabilities are required at a private campground

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Abbreviation

2013/029

Valid from

20/05/2013

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The determination arises from a dispute about whether an ablutions block, proposed to be built as part of a campsite development on the applicant's property, is required to comply with the provisions of the Building Code with respect to the requirements for access and facilities for people with disabilities. I take the view that the matter to be determined is whether section 118 applies to the proposed ablutions block and accordingly whether the proposed ablution block without access and facilities for people with disabilities will comply with the Building Code. I note that this determination turns on whether the intended users of the ablution block are considered members of the public in terms of section 118 of the Act, and the use of the ablution block is restricted to individuals who have membership rights. This determination considers only matters relating to the Building Act and its regulations. I have not considered any other aspects of the Act or the Building Code apart from matters relating to access and facilities for people with disabilities. I have no jurisdiction under other enactments that may apply in this case. I note here that the authority has made several submissions

about the adequacy of the documentation supplied in support of the building consent application, and the delays attached to this application. It is the applicant's responsibility to provide adequate documentation with a building consent application to show how the proposed building work complies with the Building Code. It is the authority's responsibility to assess the adequacy of the application, and to request further information as needed. The authority is also responsible for managing the timelines associated with this process. These are matters between the parties and are not relevant to the matter being determined. The authority has also made a submission about the proposal's compliance with camping ground regulations. This is not a Building Code matter and I have no jurisdiction with respect to these regulations.

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