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2013/045: Regarding the issue of notices to fix for a rest home

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Abbreviation

2013/045

Valid from

05/08/2013

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 notices to fix for a rest home because it is not satisfied that the building work complies with the requirements of certain clauses of the Building Code. The authority's concerns primarily relate to the weathertightness of the exterior building envelope, durability, surface water and protection from fire. The applicant is of the view that the notices to fix are not reasonable in their requirements and that the items listed in the notices either have already been addressed or are trivial matters that do not affect the building's compliance with the Building Code. The matter to be determined is therefore whether the authority correctly exercised its powers in issuing the notices to fix. In deciding this matter I must also consider whether the authority correctly identified the particulars of contravention in the notices to fix.

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