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# 2013/052: Regarding the refusal to issue a code compliance certificate due to the lack of a producer statement for drainage work to a house

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Abbreviation  
2013/052  
Valid from  
16/09/2013

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

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Description

The application for determination arises from removal of carpet to one of the apartments in the complex and changing the floor covering to tiles. The building work was undertaken without a building consent being sought. The authority's initial view expressed in the documents accompanying the initial application was that the new flooring does not comply with the building consent that was granted in 2008 for the installation of the flooring, does not comply with the Building Code, and that contrary to section 112 of the Act the building does not comply to at least the same extent as approved under the 2008 building consent. In its amended application, the authority has requested that the determination consider: 1-Whether the replacement of the carpet and underlay, with tiles and a [proprietary] underlay system, required building consent under s40 of the [Act], or whether they were exempt under s41(1)(b) and Clause 1(ah) of Schedule 1 of the Act 2-

Whether s112 of the [Act] is applicable in this case 3-Whether section 18 of the [Act] is applicable to the building works, or whether the building works are required to achieve performance criteria additional to clause G6 of the Building Code? And 4-Whether the building works comply with the Building Code requirements in relation to Clause G6 (airborne and impact sound) I consider the matter to be determined is therefore whether the building work complies with the Building Code to the extent required by the Act. In considering this matter, I have also discussed whether building consent was required for the work or whether the work was exempt under Schedule 1 paragraph (ah), and the application of section 112. I have received no information in regard to any other building work carried out during the refurbishment. This determination is therefore limited to the building work as described above.

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