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2013/074: Regarding the issuing of a section 124 Building Act Notice (relating to geotechnical hazards) on the property

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Abbreviation

2013/074

Valid from

25/11/2013

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The determination arose from the decision made by the authority to issue a section 124(1)(b) notice in respect of this property because the authority considered that there was a risk that rocks located adjacent to the property could collapse causing death or injury to any person in the house.

The applicants' disputed this finding as they considered that the authority has not adopted a robust methodology nor did they consider that their rock protection system had been sufficiently considered.

The matter to be determined was the authority's exercise of its powers of decision in issuing a section 124(1)(b) notice.

In making this decision it was considered whether the house was dangerous in terms of the Act.

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Description

The determination arose from the decision made by the authority to issue a section 124(1)(b) notice in respect of this property because the authority considered that there was a risk that rocks located adjacent to the property could collapse causing death or injury to any person in the house.

The applicants' disputed this finding as they considered that the authority has not adopted a robust methodology nor did they consider that their rock protection system had been sufficiently considered.

The matter to be determined was the authority's exercise of its powers of decision in issuing a section 124(1)(b) notice.

In making this decision it was considered whether the house was dangerous in terms of the Act.

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[2013/074: Regarding the issuing of a section 124 Building Act Notice \(relating to geotechnical hazards\) on the property](#)

Description

The determination arose from the decision made by the authority to issue a section 124(1)(b) notice in respect of this property because the authority considered that there was a risk that rocks located

adjacent to the property could collapse causing death or injury to any person in the house.

The applicants' disputed this finding as they considered that the authority has not adopted a robust methodology nor did they consider that their rock protection system had been sufficiently considered.

The matter to be determined was the authority's exercise of its powers of decision in issuing a section 124(1)(b) notice.

In making this decision it was considered whether the house was dangerous in terms of the Act.

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