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## 2014/047: Regarding the issuing of a section 124 Building Act notice (relating to geotechnical hazards) on a property

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{{ linkText }}

Abbreviation

2014/047

Valid from

29/09/2014

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Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

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### Description

This 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 assessments were incorrect, no rocks had fallen on their property, and mitigating features were not taken into account when considering the potential for future rockfall.

The matter to be determined was whether the authority correctly exercised its powers 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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