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2015/006: The code compliance of, and whether consent was required for, a 1.0m high retaining wall adjacent the boundary

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Abbreviation

2015/006

Valid from

25/02/2015

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

This determination arises from the construction of a retaining wall as part of works carried out to construct a minor household dwelling. The issue arose because:

- a) the retaining wall was not included in the consented building work and the authority now requires the building consent be amended to include the retaining wall, and
- b) the authority is not satisfied that the building work complies with certain clauses of the Building Code, in particular in regard to the surcharge.

The matters to be determined are:

1. Whether the retaining wall as constructed complies with the relevant Clauses of the Building

Code;

2. Whether the authority was correct in the exercise of its powers of decision in requiring the building consent be amended to include the retaining wall.

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