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2015/057: Regarding the refusal to issue a building consent for stage one of remediation to an apartment complex

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Abbreviation

2015/057

Valid from

07/09/2015

Information provider

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The application for this determination arises from the following:

1. The apartment complex was originally completed in 2001 and suffered timber damage resulting in part from moisture condensing within the walls and roof structure. Design work for remediation of the units started in 2014;
2. The project manager applied for a building consent in February 2015 for the first stage of remediation work and in response to requests from the authority provided clarifications, test results and other information about certain aspects;
3. Despite the provision of further information, the authority was unable to be satisfied that the proposed building work would comply with certain clauses of the Building Code (First Schedule, Building Regulations 1992);
4. The authority's concerns about the compliance of the building work relate to the risk of

interstitial condensation recurring, given the complex's history, the lack of automatic ventilation and the type of occupancy of the units.

The matter to be determined is therefore the authority's exercise of its powers of decision in refusing to issue the building consent for Stage One of the remediation work.

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