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Property editor of the NZ Herald

NZ's biggest leaky building case begins



The Victopia, a high-rise apartment block at 135 Victoria Street West. Photo / Geoff Dale

New Zealand's largest leaky building litigation, with a claim of \$40 million, has opened in Auckland this morning.

Justice Susan Thomas is hearing the action brought by Victopia's Body Corporate 346799 in the High Court at Auckland against various parties including KNZ International, Auckland Council and contractors who worked on the building.

Gareth Lewis, acting for the body corporate, said in his opening submissions that the high-rise apartment block at 135 Victoria Street West suffered from "defects in the cladding, balconies and podium.

"The body corporate estimates costs will be \$42 million," he said but some savings had reduced that to \$40 million.

Lewis said remedial works will include replacement of the cladding, new waterproofing for the balconies and works to rectify fire safety issues.

The owners are working towards a repair start date of next year, but realistically it might be later than that, Lewis said.

He told the judge a settlement agreement had been reached with one of the defendants, Facade Design Services, before the hearing began.

The first defendant is KNZ International Co Ltd, formerly named Ganada Development Co Ltd and Dae Ju Developments Co Ltd.

"Things started in 2002. The developer was Ganada Development which had a couple of name changes. The building is 16 levels with the two basement so 14 levels of apartments.

"From 2002/2003, the developer engaged ADC Architects," he said, showing the court plans which had been submitted for the building.

"All the apartments have a balcony and on level 14, there are some with two balconies.

"In November 2003, the developer engaged Brookfield Multiplex as the head contractor."

Lewis then presented the building consent application which he said was issued by Auckland Council in May, 2004.

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Owners began making investigations into issues with the building, engaging contractors to examine defects, Lewis said.

The case is continuing.

- NZ Herald

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