

# Determination 2026/024

**An authority's decision to issue a notice to fix for a change of use of part of a mixed-use building**

**83 Hutt Road, Pipitea, Wellington**

## **Summary**

This determination considers an authority's decision to issue a new notice to fix for a contravention of sections 114 and 115 for a change of use and following the reversal of an earlier notice to fix by Determination 2025/042.

The determination considers whether there were grounds to issue the new notice to fix for a change of use, and the content of the notice.

In this determination, unless otherwise stated, references to:

- “sections” are to sections of the Building Act 2004 (“the Act”)
- “regulation” and “the Regulations” are the Building (Specified Systems, Change of Use, and Earthquake-prone Regulations 2005).

The Act, the Regulations, and the Building Code (Schedule 1 of the Building Regulations 1992) are available at [www.legislation.govt.nz](http://www.legislation.govt.nz). Information about the legislation, as well as past determinations, compliance documents (eg, Acceptable Solutions) and guidance issued by the Ministry, is available at [www.building.govt.nz](http://www.building.govt.nz).

## 1. The matter to be determined

- 1.1. This is a determination made under due authorisation by me, Hazel McColl, for and on behalf of the Chief Executive of the Ministry of Business, Innovation and Employment (“the Ministry”).<sup>1</sup>
- 1.2. The parties to the determination are:
  - 1.2.1. Wellington Commercial Investments No1 Limited, the owner of the property (“the owner”), who applied for this determination.
  - 1.2.2. Wellington City Council (“the authority”), carrying out its duties as a territorial authority or building consent authority.
- 1.3. The matter to be determined, in terms of sections 177(1)(b) and 3(e), is the authority's decision to issue the owner a notice to fix dated 7 November 2025 (“the notice”) for contravening sections 114 and 115 in relation to a change of use of part of a building.
- 1.4. Previous Determination 2025/042<sup>2</sup> issued 24 September 2024 (“the first determination”), considering an earlier notice to fix issued by the authority for an unnotified change of use of the unit<sup>3</sup>, concluded there were grounds to issue a notice to fix for a contravention of section 114. However, the earlier notice to fix was reversed as it did not meet the requirements of section 165 for the form and content of the notice.
- 1.5. This determination has arisen following the owner considering they have made changes following the first determination so that the use has been reverted, and the authority issuing the notice to fix that is the subject of this determination.

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<sup>1</sup> The Building Act 2004, section 185(1)(a) provides the Chief Executive of the Ministry with the power to make determinations.

<sup>2</sup> Determination 2025/042 *An authority's decision to issue a notice to fix for a mixed-use building* (24 September 2025).

<sup>3</sup> The first determination used the term ‘unit’, given that it is a residential unit which is part of a larger mixed-use building which spans the owner’s and adjoining property, so I have also used this term. The earlier notice to fix was dated 18 March 2024 and did not allege a contravention of section 115.

- 1.6. As the first determination concluded there had been a change of use of the unit from 'SR (Sleeping Residential)' to 'SA (Sleeping Accommodation)', I must consider whether the use was still SA as at the date the notice was issued, being 7 November 2025, and therefore whether there were grounds for issuing the notice.

## 2. Background

- 2.1. The unit concerned is an existing two-storey structure that includes a mezzanine level situated above the first floor. The unit shares structural elements, including the masonry veneer façade and party walls, with an adjoining property to the south, which is occupied by a commercial business, forming a building across the two properties.
- 2.2. The owner purchased the property in 2021. Since then, the unit has undergone a number of alterations. The chronology of events provided in the first determination outlines the building consents issued for the unit, the building work carried out and the various uses of parts of the unit, up until early 2024.<sup>4</sup>
- 2.3. On 24 September 2025, the first determination was issued.<sup>5</sup> It concluded there had been a change of use group of the unit from SR to SA as set out in Schedule 2 of the Regulations, which resulted in additional or more onerous Building Code requirements<sup>6</sup>. Therefore, there had been a change of use, in terms of regulation 5, for the purposes of the Act.
- 2.4. On 3 October 2025, the owner sent a letter to the authority setting out changes made to the way the unit operated. The owner stated these changes included a single residential tenancy agreement for the entire unit (rather than room by room) signed by all flatmates lodged with Tenancy Services, for a 12-month fixed term period and a maximum occupancy clause of 19 occupants. The owner stated cleaning was no longer provided, or any other limited assistance or care, and there were no transient occupants. The owner also advised there was no head tenant making decisions on behalf of others or offering others limited assistance or care, and that "The flatmates all provide self-care towards one another, as any other normal household flat".
- 2.5. Along with the (redacted) tenancy agreement, the owner also provided the authority a proposed floor plan layout dated 3 October 2025, which included converting one of the 17 bedrooms into a living area. The owner stated that, when calculated in the same manner as in the first determination, the proposed new layout indicates a maximum number of 19 occupants<sup>7</sup>, matching the same amount stipulated in the tenancy agreement. The owner also said the proposed new layouts

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<sup>4</sup> Refer to Determination 2025/042 sections 2 and 3.

<sup>5</sup> The determination was originally issued on 29 August 2025, and was subject to a clarification under section 189 on 24 September 2025.

<sup>6</sup> Building Code requirements for buildings or parts of buildings vary according to their classified use.

<sup>7</sup> The proposed plan shows 13 single occupant rooms and 3 double; the owner says "single beds currently what occurs on site from single flatmates in these rooms and has been over last 2.5 years".

of living spaces “clearly show a normal level of social cohesion for all occupants can be achieved”.

- 2.6. These changes, the owner said, supported the position that “the building operates as a single household”.
- 2.7. On 7 November 2025, the authority issued the notice to the owner for a contravention of sections 114 and 115 in relation to a change of use.<sup>8</sup> The particulars of contravention or non-compliance, required remedial action and further particulars as set out in the notice are reproduced in Appendix A.
- 2.8. The authority’s letter accompanying the notice, also dated 7 November 2025, stated:

... The [first] determination found and confirmed the [authority’s] view that a change of use has occurred at 83 Hutt Road. The old use was “Sleeping Single Home” and the new use is “Sleeping Accommodation”.

... [The authority] has reviewed the [information provided by the owner on 3 October 2025] and remains unsatisfied that it demonstrates the building use has reverted to the old use and the last lawfully established classified use.

... The tenancy agreement and supporting property information, which outlines the building layout, show the building will now contain 16 bedrooms and accommodate 19 occupants. While the overall occupancy has been reduced, the scale and structure of the living arrangements continue to reflect a commercial accommodation model. [The authority] considers that the current scale of occupancy, prevents the development of social cohesion typically found with a single household or family. ...

- 2.9. The parties exchanged further correspondence over the following months but were unable to resolve the issue, and the owner subsequently applied for this determination on 3 March 2026.

### 3. Submissions

#### The owner

- 3.1. The owner has submitted that various changes have been made to the unit and its management since the earlier notice to fix and first determination, and “that the building has not changed from the previously determined current (SR) use”. These changes have been summarised above.
- 3.2. The owner submits, in summary, there is no number stipulated in the Act as to the number of occupants that can be in a single household, and that as long as there is

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<sup>8</sup> The notice is not numbered, but states it relates to ‘Service request no.541315’, which is the same reference as on the 18 March 2024 notice to fix the subject of the first determination. The cover letter dated 7 November 2025 refers to the notice as “Notice to Fix\_02”.

no service or care, or transient accommodation being provided, and the occupants live as a single household, then the property falls within the SR use group. The owner contends that the unit is a single household with flatmates living together and “demonstrates the behaviors (sic) of a single household, with the revised plans validating significant communal space and the accommodating furniture for social cohesion”.

- 3.3. As of the date of the notice, “none of the [items listed in the notice as supporting information] actually happen on site, and the items decisive in the conclusion of Determination 2025/042 no longer occur on site either”.

### **The authority**

- 3.4. The authority has submitted that it considered the information provided in the owner’s letter of 3 October 2025 and concluded that it was insufficient to establish that the building use had reverted to that established under previous building consent SR6145-AP01, being SR building use and ‘detached dwelling’ classified use<sup>9</sup>, because:

3.4.1. The tenancy agreement provided by the owner was a generic template and lacked sufficient detail for assessment or verification, and in the absence of that information the authority could not verify the information as to where the unit falls within the scope of a single household.

3.4.2. The revised plans still contain 16 rooms and, using the calculations relied upon in the first determination, could be capable of accommodating 27 occupants.

3.4.3. Changes made (or proposed) to the living area do not materially alter the overall configuration or adequacy of the communal areas, and the limited size is “insufficient to allow all residents to socialise comfortably as a single household”.

3.4.4. The revised plans are labelled ‘proposed’ and there is no evidence to demonstrate the work has been completed.

- 3.5. The authority therefore contends that the residents do not live together as a single household unit or a family as defined in Building Code Clause A1.2.0.2 for ‘Detached dwellings’<sup>10</sup>, and that the current use of the building is consistent with an SA use group.

- 3.6. The authority acknowledged that “care services, such as cleaning, have ceased.”

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<sup>9</sup> Classified uses refer to Building Code clause A1 *Classified uses*

<sup>10</sup> Building Code Clause A1.2.0.2, “Detached dwellings: Applies to a building or use where a group of people live as a single household or family. Examples: a holiday cottage, boarding house accommodating fewer than 6 people, dwelling or hut”

- 3.7. The authority also asserts it issued the notice in line with the recommendations given in the first determination.

## 4. Discussion

- 4.1. Notices to fix are governed by sections 163 to 168. Section 164(1)(a) provides for an authority to issue a notice to fix if it considers, on reasonable grounds, that a specified person is contravening or failing to comply with the Act or its regulations.<sup>11</sup>
- 4.2. First, I will consider whether there was a contravention of the Act, and therefore grounds for the issue of the notice, followed by whether the notice meets the requirements of section 165.
- 4.3. The purposes of the Act that are particularly relevant in this determination, and which I have taken into account in making my decision, are section 3(a)(i) (“people who use buildings can do so safely and without endangering their health”) and (iii) (“people who use a building can escape from the building if it is on fire”). Likewise, I have considered section 4(2)(a)(i), which establishes that one of the principles of the Act include that territorial authorities must take into account “the role that household units play in the lives of the people who use them”.

### Whether there were grounds to issue the notice

- 4.4. The determination has arisen as the owner believes they have made changes to the unit that revert it back to SR. The first determination found there had been a change of use for the purposes of the Act from SR to SA, so in this determination, the current use is SA, and I therefore must consider whether the changes made by the owner constitute a change in the use group back to SR.
- 4.5. Sections 114 and 115 deal with the change of use of a building in a manner described in the Regulations, and the processes that must be followed.<sup>12</sup> Section 114(2)(a) requires that an owner notify the territorial authority in writing of a proposed change of use. Section 115 sets out that an owner can only change the use of a building if a territorial authority gives the owner written notice that it is satisfied that the compliance requirements set out in that section have been met.
- 4.6. It is not disputed that the owner has not notified the authority of a change of use of the unit from SR to SA in terms of section 114. Nor has the authority given the owner written notice that it is satisfied the unit will comply in that use to the extent required by section 115. Rather, the owner maintains that the changes made to the way the unit operates since the first determination means that it now operates under a SR use, so that there is no longer a change of use.

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<sup>11</sup> Section 163 defines a ‘specified person’ to whom a notice can be issued, and this includes the owner of the building.

<sup>12</sup> The legislative framework for changes of use are discussed in Determination 2025/006 *The decision to issue a notice to fix for a change of use of a building* (5 February 2025) at 4.1-4.7.

## Building use

- 4.7. The building use SR as set out in the Regulations is defined as “attached and multi-unit residential dwellings, including household units attached to spaces or dwellings with the same or other uses, such as caretakers’ flats, and residential accommodation above a shop”. The examples provided are “multi-unit dwellings, flats, or apartments”. SR applies to multi-unit residential buildings (such as apartment blocks or units attached to other uses) where people reside as a household in separate, self-contained units, and is distinct from other sleeping-related uses such as standalone houses and temporary or commercial accommodation. The description of SR and the examples given are all household units, distinct from ‘SH (Sleeping Single Home)’ because they are attached to either another household unit(s) or spaces with other uses.
- 4.8. The question to resolve is whether the information provided by the owner about the changes to the operation of the unit is sufficient to conclude that the unit, at the time the notice was issued, was no longer within the SA use group, but rather an attached residential dwelling in terms of the SR use group.
- 4.9. The first determination found that the building use was SA based on the cumulative effect of the size of the occupancy (capacity of 29 occupants), the limited opportunity for social cohesion, the lesser degree to which there is agreement to reside together as a single household (including head tenant making decisions on new occupants without input of other occupants), commercial style tenancy arrangements, and the provision of limited support and care (cleaning).<sup>13</sup>
- 4.10. In submitting that the use has reverted to SR, the owner largely relies on the residential tenancy agreement, which has tenant’s names and contact details redacted, together with all dates.<sup>14</sup> The tenancy agreement stipulates the total occupants permitted to reside in the unit is restricted to 19. The owner also states that selection of future flatmates is done together by tenants rather than by a ‘head tenant’, and that the owner no longer provides cleaning and this is paid for by the tenants.
- 4.11. However, the layout and features of the unit can support a greater number of occupants than the 16 that the owner says has been the maximum in the last two to three years, and the maximum of 19 specified in the tenancy agreement. There are 17 bedrooms (I acknowledge the owner proposes to convert one bedroom to living space, however at the date the notice was issued there were 17 bedrooms), and six bathrooms, eight toilets and six showers.
- 4.12. The information provided by the owner has focussed on ‘disproving’ the SA use confirmed by the first determination by making changes to the tenancy agreement and removing care and assistance such as cleaning. However, as set out by section

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<sup>13</sup> See 2025/042 paragraphs 5.7.1 to 5.8.

<sup>14</sup> I note that the owner offered for the Ministry and the authority to sight the unredacted tenancy agreement; the owner advised it was redacted for reasons relating to tenants’ privacy.

115, a change of use should consider the aspects of the **new use**, which the owner wishes to be SR; “attached and multi-unit residential dwellings, including **household units...**” (my emphasis).

- 4.13. As established in *Queenstown Lakes District Council v The Wanaka Gym Ltd*, for a group of this size to be a household, there would need to be some “necessary connection”<sup>15</sup> between the occupants that goes beyond simply happening to reside together. This connection could be, as an example, a shared purpose or reason for living together, such as a group of international students attending school together, as was the case in Determination 2014/043.<sup>16</sup>
- 4.14. Considering the information provided by the owner, and weighing that against the layout and features (as above) I am of the opinion that there is insufficient evidence to support the claim that the occupation of the unit has reverted to SR. There are a large number of people occupying the unit and capacity for this to increase, and there is no necessary connection between occupants that would satisfy me the unit is occupied by a household.
- 4.15. As there is insufficient independent information to support a finding that the unit had reverted to SR at the time of the notice, it remained the use decided in the first determination, that is SA.
- 4.16. Therefore, there had been a contravention of sections 114 and 115, as the correct processes were not followed after a change of use as set out in those sections, and therefore there were grounds to issue the notice.

### **Form and content of the notice**

- 4.17. Section 165 sets out the requirements for the form and content of a notice to fix. A notice to fix must be in the prescribed form and must sufficiently describe the particulars of the contravention so that the recipient is “fairly and fully informed” and can address the identified issues.<sup>17</sup>
- 4.18. The text of the notice is reproduced in Appendix A. I will deal with each of the three relevant parts of the notice in turn.

### **Particulars of contravention or non-compliance**

- 4.19. The particulars set out in the notice have adequately specified how and why there has been a change of use and therefore how sections 114 and 115 have been

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<sup>15</sup> See *Queenstown Lakes District Council v The Wanaka Gym Ltd* [2013] NZHC 2662 at [27].

<sup>16</sup> Determination 2014/043 *Regarding the authority's exercise of powers in issuing notices to fix about the change of use of four collectively-owned residential buildings in Manakau, Auckland* (19 September 2014).

<sup>17</sup> See *Andrew Housing Ltd v Southland District Council* [1996] 1 NZLR 589 (which related to a ‘notice to rectify’ under the Building Act 1991, the equivalent of a notice to fix in the current Act); *Marlborough District Council v Bilsborough* [2020] NZDC 9962 at [106]-[107]; and Determination 2024/029 *An authority's decisions to issue a series of notices to fix* (27 May 2024) at [4.2]-[4.3].

contravened. However, as established in the first determination, the previous building use had been SR rather than 'SH (Sleeping Single Home)'.<sup>18</sup>

- 4.20. A notice to fix should set out the particulars specific to the contravention being alleged. In this case the notice does not refer to the further information provided by the owner and the authority's assessment of that information, rather it is only referenced in the cover letter. Where circumstances have moved on it is appropriate to refer to the information as at the date of the decision to issue the notice to fix. Anything that is then not directly relevant to the contravention but is necessary or useful for the recipient to be aware of, such as historical background or authority processes associated with remedies, can be included in a cover letter.

### **Required remedial action**

- 4.21. The required remedial action(s) was to either comply with Point 1 and 2, or with Point 3 (see the appendix where the notice has been included).
- 4.22. Point 1 requiring notification to the authority in writing of the change of use is appropriate in relation to the section 114 contravention. Point 2 requiring information be provided to the authority to assess whether the unit in its new use complies with the requirements of section 115 is also appropriate. Together, these remedies address both the sections 114 and 115 contraventions for which the notice has been issued. It is then for the authority to assess whether the requirements of section 115 are met for a change of use.
- 4.23. Point 3 provides a separate remedy that refers to reverting the unit back to the previous classified use of 'Detached Dwelling'<sup>19</sup> and specified use SH. The first determination commented that the remedy given in the earlier notice to fix, to revert to building use SH, was not possible, as the relevant use prior to the 2022-2023 alterations was SR.<sup>20</sup> Despite this, the remedy here is similar and refers to reverting the unit back to a detached dwelling and SH use. As noted above, the unit cannot revert to a detached dwelling and SH when it is part of a larger building. This may have occurred due to an error in the authority's record keeping and should be corrected by the authority if so.
- 4.24. Point 3 also states consented plans SR6145-AP01 are attached to the notice. The authority has confirmed no plans were attached to the notice; if a notice refers to an attachment it is important it be attached.
- 4.25. The paragraphs following point 3, about the supporting evidence, additional work and inspections required does not relate to the remedies but to process and would be appropriate to include in a cover letter rather than in the notice itself.

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<sup>18</sup> It could not be SH as that relates to detached dwellings; the unit is not detached but part of a larger building spanning two properties.

<sup>19</sup> The issue of classified uses, as defined in Clause A1 of the Building Code, is not discussed in this determination, but is traversed in the first determination.

<sup>20</sup> Paragraph 5.23.2.

### **Further particulars**

- 4.26. The first two bullet points, stating that the authority must be contacted on completion of the required building work, and all building work must cease immediately (which are contradictory) are from the prescribed form in the regulations for notices to fix. In the form these have an asterisk, with “\*Delete if inapplicable”. Authorities must turn their minds to the particular contravention(s) alleged and delete the statements in the form that are inapplicable.
- 4.27. Whether building work is required to remedy a change of use contravention will depend on the circumstances; notification and information about current features of the building may be sufficient to satisfy section 115. If building work is required, it would be for the owner to propose and the authority to assess under section 115 and may require building consent.

### **Modifications to the notice**

- 4.28. In the circumstances, given that there were grounds to issue the notice and the notice itself is not inadequate but refers to the incorrect previous use and contains information which it is not necessary to include, I consider it appropriate to modify the notice as follows:
- 4.28.1. Amend the ‘Particulars of contravention or non-compliance’ in relation to the section 114 contravention, to refer to the change of use being from ‘SR (Sleeping Residential)’ to ‘SA (Sleeping Accommodation)’ (rather than from ‘SH (Sleeping Single Home)’ to ‘SA (Sleeping Accommodation)’).
- 4.28.2. Amend Point 3 in the ‘Required remedial action’ section to refer to ‘Sleeping Residential (SR)’ instead of ‘Sleeping Single Home (SH)’ (and the classified use as ‘housing category’ rather than ‘detached dwelling’) and delete reference to attached plans.
- 4.28.3. Amend the ‘Further particulars’ section to delete the first two bullet points.

### **What happens next**

- 4.29. If the owner intends to revert the building use of the unit to SR, the owner needs to provide sufficient information about how the unit is to meet the definition of SR for the authority to be satisfied the notice has been remedied.
- 4.30. If the owner intends to retain the unit’s use as SA, the owner needs to notify the authority (as required in section 114) and provide information for the purpose of establishing compliance in that use (as required in section 115).

## **5. Decision**

- 5.1. In accordance with section 188 of the Building Act 2004, I determine that there were grounds to issue the notice to fix dated 7 November 2025, and I modify the notice as set out in paragraph 4.28 above.

Signed for and on behalf of the Chief Executive of the Ministry of Business, Innovation and Employment on 6 July 2026.

**Hazel McColl**

**Principal Advisor Determinations (Acting)**

## Appendix A

### Extract from the notice to fix dated 7 November 2025

<b>Particulars of contravention or non-compliance</b>
<p><b>Notice of Contravention – Section 114, Building Act 2004</b></p> <p><b>Failure to Notify Change of Use</b></p> <p>You did not provide written notice to Wellington City Council of a change in the building's use, as required under section 114 of the Building Act 2004.</p> <p>Under regulation 5 of the Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005, a change of use occurs when a building's use changes in a way that increases or adds to the building code compliance requirements.</p> <p>Following an inspection on 25 January 2024, Council Officers determined that the building's use changed from Sleeping Single Home (SH) to Sleeping Accommodation (SA). Supporting information confirmed this assessment, based on:</p> <ul style="list-style-type: none"> <li>• 29-bed capacity, limiting the likelihood of a single household connection</li> <li>• Insufficient communal space for all occupants</li> <li>• Tenancy decisions made by a head tenant without group input</li> <li>• Individual bond payments</li> </ul>
<ul style="list-style-type: none"> <li>• Cleaning arranged by the owner, indicating limited care or assistance</li> </ul> <p>An MBIE Determination dated 29 August 2025 supported these findings.</p> <p>This change also altered the building's classified use under clause A1 of the Building Code to Community Service (3.0.2), which includes boarding houses.</p> <p>This classification requires more stringent building code compliance than the previous use.</p> <p>As such, a formal notice of change of use was required under section 114 but was not provided.</p> <p><b>Notice of Contravention – Section 115, Building Act 2004</b></p> <p><b>Code Compliance Requirements: Change of Use</b></p> <p>You changed the use of the building without receiving written confirmation from Wellington City Council that the building, in its new use:</p> <ul style="list-style-type: none"> <li>• Complies, as nearly as reasonably practicable, with all relevant building code provisions (including fire escape, protection of other property, sanitary facilities, structural and fire-rating performance); and</li> <li>• Continues to comply with other applicable building code provisions to at least the same extent as before the change.</li> </ul> <p>Council has not issued written notice under section 115 confirming compliance. The inspection on 25 January 2024 confirmed a change of use occurred without this approval, constituting a breach of section 115.</p>

### Required remedial action

To remedy the contravention or non-compliance, you must either comply with points 1 and 2 OR comply with point 3:

1. Notify the Council in writing of the change of use in accordance with the requirements under section 114 of the Building Act.
2. Provide information, for the purposes of section 115 of the Building Act, to enable Wellington City Council to assess whether, in its new use A1.3.0.2 Community Service and Sleeping Accommodation (SA), the building:
  - a. will comply, as nearly as is reasonably practicable, with every provision of the building code that relates to the following:
    - i. means of escape from fire, protection of other property, sanitary facilities, structural performance and fire-rating performance;
    - ii. access and facilities for persons with disabilities.(if this is a requirement under S118).
  - b. Will:
    - i. If it complied with other provisions of the building code immediately before the change of use, continue to comply with those provisions; or
    - ii. If it did not comply with the other provisions of the building code, immediately before the change of use, continue to comply at least to the same extent as it did then comply.

OR

3. Revert the areas of the building being used for as A1.3.0.2 Community Service and Sleeping Accommodation (SA) (those areas being the ground floor, first floor and mezzanine) to the previous Classified Use (Building Code Clause A1): 2.0.2 – Detached Dwelling and Specified Use (Building Regulations 2005, Schedule 2): Sleeping Single Home (SH). Attached are the consented plans (Building Consent SR6145-AP01).

Supporting evidence to consider:

- Size of occupancy, the number of residents is consistent with a typical single household arrangement.
- Social cohesion of occupants.
- No landlord involvement, support, supervision, or care services to the occupants.

Any additional work not yet undertaken must not be started until a building consent has been obtained from the Council.

The following inspections are required with respect to the remedial work;

- Conduct a follow-up site visit to verify that the building has reverted to the previous building use and obtain written confirmation from the Territorial Authority that the requirements of Notice to Fix have been satisfactorily met.
- Any inspection required under an approved building consent.

This notice must be complied with by; Wednesday 4 March 2026

#### ***Further particulars***

- You must contact the Council on completion of the required building work.
- All building work must cease immediately until the Council is satisfied that you are able and willing to resume operations in compliance with the Building Act 2004 and regulations under that Act.
- If you do not comply with this notice you commit an offence under section 168 of the Building Act 2004 and may be liable to a fine of up to \$200,000 and a further fine of up to \$20,000 for each day or part of a day that you fail to comply with this notice.