

2019/017: Regarding a notice to fix and whether a structure on a trailer is a vehicle or a building

Document

Determination 2019/017

[PDF 256 KB]

<https://www.building.govt.nz/assets/Uploads/resolving-problems/determinations/2019/2019-017.pdf>

About this determination

Date issued 17 May 2019

Primary topic:

[Building Act Interpretation \(https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/?keyword=&topic=Building Act Interpretation&action_doSearch=Search#results#\)](https://www.building.govt.nz/resolving-problems/resolution-options/determinations/determinations-issued/?keyword=&topic=Building Act Interpretation&action_doSearch=Search#results#)

Council: Hurunui District Council

Section of the Building Act: 40

Summary

Note: The decisions in this determination were reversed on appeal to the District Court. See: Alan Dall v MBIE (District Court, Christchurch, 19 February 2020, CIV-2019-085-000404).

Read the appeal judgment (<https://www.building.govt.nz/assets/Uploads/resolving-problems/determinations/2019/appeal-judgment-civ-2019-085-000404.pdf>).

This determination considers whether a unit on a trailer is a building for the purposes of the Building Act, and whether the authority was correct to issue a notice to fix in relation to this. The determination discusses the definitions of building and vehicle under section 8 of the Building Act.

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