

What Doesn't Require a Building Consent

This booklet explains issues related to exempt building work under Schedule 1 of the Building Act 2004 (The Building Act). If you are intending to start a building project, it is recommended that you check whether the building work requires a building consent. If the work, or part of it, does not require consent you may save time and money.

Building owners are generally required to obtain a building consent from a building consent authority to carry out building work. In practice a builder, designer or architect acting as the owner's agent may also obtain a consent on behalf of the building owner. The consent is necessary to ensure that proposed building work complies with the New Zealand Building Code (e.g. building, plumbing, fire and accessibility requirements) and is therefore safe, sanitary and otherwise suitable for its intended use.

The Building Act does allow a limited range of building work to be carried out without a building consent. Such 'exempted work' is listed in Schedule 1 of the Building Act.

Why are the exemptions included in the Building Act?

Because the Building Act covers such a broad range of building work, it was anticipated that some low risk building work should not be subject to the normal requirements of the building consent approval process. Exempted works are generally works that will not impact on the structural integrity or safety components of the building. For example, repair and maintenance work is exempt provided the work is lawful and comparable materials are used; or the work is a replacement with a comparable component or assembly in the same position. However, even exempted building work must comply with the Building Code.

Seeking advice on exempted building work?

Obtaining a building consent for building work is the responsibility of the building owner. It is important therefore to obtain good advice before deciding that the building work is covered by the exemption provisions set out in Schedule 1 of the Building Act.

If you are experienced in the building industry and understand the technical requirements of the Building Act and the New Zealand Building Code, you should easily recognise whether exemptions apply to your project.

If you are unsure, you should contact your local building consent authority (your local city or district council) for advice. Building consent authorities have a wide range

of building control expertise and information about exemptions and the building consent process.

All building work (regardless of the need for a building consent) **must** comply with the Building Code.

While the Building Act provided for exemptions there might be other laws that you need to comply with. These include but are not limited to the following:

- the Building Code
- the Resource Management Act 1991
- the Plumbers, Gasfitters and Drainlayers Act 1976
- the Electricity Act 1992
- the Health Act 1956
- and local government Bylaws

Further information

If you have any further questions about exempted building work or are uncertain whether the work you wish to undertake is exempt work, you should contact your local building consent authority (city or district council).

Even though some work may be exempt under Schedule 1, owners may wish to submit records of the changes to the building consent authority to be placed on the property file.