

**Schedule 1 - Building work for which a building consent is not required by the Building Act 2004**

Schedule 1 shown below, is split into three parts, Part 1 (General), Part 2 and Part 3.

The changes do not affect exempt work that was started before this version came into force (prior to 28 November 2013).

Please remember that even if your building work does not require a building consent, all work must comply with the Building Code.

Part 1 - EXEMPTED BUILDING WORK**General****1. General repair, maintenance and replacement**

- (1) The repair and maintenance of any component or assembly incorporated in or associated with a building, provided that comparable materials are used.
- (2) Replacement of any component or assembly incorporated in or associated with a building, provided that:
 - (a) a comparable component or assembly is used, and
 - (b) the replacement is in the same position.
- (3) However, subclauses (1) and (2) do not include the following building work:
 - (a) complete or substantial replacement of a specified system, or
 - (b) complete or substantial replacement of any component or assembly contributing to the building's structural behaviour or fire-safety properties, or
 - (c) repair or replacement (other than maintenance) of any component or assembly that has failed to satisfy the provisions of the building code for durability, for example, through a failure to comply with the external moisture requirements of the building code, or
 - (d) sanitary plumbing or drainlaying under the Plumbers, Gasfitters, and Drainlayers Act 2006.

2. Territorial and regional authority discretionary exemptions

Any building work in respect of which the territorial authority or regional authority considers that a building consent is not necessary for the purposes of this Act because the authority considers that:

- (a) the completed building work is likely to comply with the building code, or
- (b) if the completed building work does not comply with the building code, it is unlikely to endanger people or any building, whether on the same land or on other property.

3. Single-storey detached buildings not exceeding 10 square metres in floor area

- (1) Building work in connection with any detached building that:
 - (a) is not more than one storey (being a floor level of up to one metre above the supporting ground and a height of up to 3.5 metres above the floor level), and
 - (b) does not exceed 10 square metres in floor area, and
 - (c) does not contain sanitary facilities or facilities for the storage of potable water, and
 - (d) does not include sleeping accommodation, unless the building is used in connection with a dwelling and does not contain any cooking facilities.
- (2) However, subclause (1) does not include building work in connection with a building that is closer than the measure of its own height to any residential building or to any legal boundary.

4. Unoccupied detached buildings

- (1) Building work in connection with any detached building that:
 - (a) houses fixed plant or machinery and under normal circumstances is entered only on intermittent occasions for the routine inspection and maintenance of that plant or machinery, or
 - (b) is a building, or is in a vicinity, that people cannot enter or do not normally enter, or
 - (c) is used only by people engaged in building work:
 - (i) in relation to another building, and
 - (ii) for which a building consent is required.
- (2) However, subclause (1) does not include building work in connection with a building that is closer than the measure of its own height to any residential building or to any legal boundary.

5. Tents, marquees, and similar lightweight structures

Building work in connection with any tent or marquee, or any similar lightweight structure (e.g. a stall, booth, or compartment used at fairs, exhibitions or markets) that:

- (a) does not exceed 100 square metres in floor area, and
- (b) is to be, or has been, used for a period of not more than one month.

6. Pergolas

Building work in connection with a pergola.

7. Repair or replacement of outbuilding

The repair or replacement of all or part of an outbuilding if:

- (a) the repair or replacement is made within the same footprint area that the outbuilding or the original outbuilding (as the case may be) occupied, and
- (b) in the case of any replacement, the replacement is made with a comparable outbuilding or part of an outbuilding, and
- (c) the outbuilding is a detached building that is not more than one storey, and
- (d) the outbuilding is not intended to be open to, or used by, members of the public.

Existing buildings: additions and alterations

8. Windows and exterior doorways in existing dwellings and outbuildings

Building work in connection with a window (including a roof window) or an exterior doorway in an existing dwelling that is not more than two storeys or in an existing outbuilding that is not more than two storeys, except:

- (a) in the case of replacement, if the window or doorway being replaced has failed to satisfy the provisions of the building code for durability, for example, through a failure to comply with the external moisture requirements of the building code, or
- (b) if the building work modifies or affects any specified system.

9. Alteration to existing entrance or internal doorway to facilitate access for persons with disabilities

Building work in connection with an existing entrance or internal doorway of a detached or semi-detached dwelling to improve access for persons with disabilities.

10. Interior alterations to existing non-residential building

Building work in connection with the interior of any existing non-residential building (for example, a shop, office, library, factory, warehouse, church, or school) if the building work:

- (a) does not modify or affect the primary structure of the building, and
- (b) does not modify or affect any specified system, and
- (c) does not relate to a wall that is:
 - (i) a fire separation wall (also known as a firewall), or
 - (ii) made of units of material (such as brick, burnt clay, concrete, or stone) laid to a bond in and joined together with mortar, and
- (d) does not include sanitary plumbing or drainlaying under the Plumbers, Gasfitters, and Drainlayers Act 2006.

11. Internal walls and doorways in existing building

Building work in connection with an internal wall (including an internal doorway) in any existing building unless the wall is:

- (a) load-bearing, or
- (b) a bracing element, or
- (c) a fire separation wall (also known as a firewall), or
- (d) part of a specified system, or
- (e) made of units of material (such as brick, burnt clay, concrete, or stone) laid to a bond in and joined together with mortar.

12. Internal linings and finishes in existing dwelling

Building work in connection with any internal linings or finishes of any wall, ceiling, or floor of an existing dwelling.

13. Thermal insulation

Building work in connection with the installation of thermal insulation in an existing building other than in:

- (a) an external wall of the building, or
- (b) an internal wall of the building that is a fire separation wall (also known as a firewall).

13A. Ground moisture barrier

Building work in connection with the installation in an existing building's sub-floor space of a ground moisture barrier.

14. Penetrations

(1) Building work in connection with the making of a penetration not exceeding 300 millimetres in diameter to enable the passage of pipes, cables, ducts, wires, hoses, and the like through any existing dwelling or outbuilding and any associated building work, such as weatherproofing, fireproofing, or sealing, provided that:

- (a) in the case of a dwelling, the dwelling is detached or in a building that is not more than three storeys, and
- (b) in the case of an outbuilding, the outbuilding is detached and is not more than three storeys.

(2) In the case of an existing building to which subclause (1) does not apply, building work in connection with the making of a penetration not exceeding 300 millimetres in diameter to enable the passage of pipes, cables, ducts, wires, hoses, and the like through the building and any associated building work, such as weatherproofing, fireproofing, or sealing, provided that the penetration:

- (a) does not modify or affect the primary structure of the building, and
- (b) does not modify or affect any specified system.

15. Closing in existing veranda or patio

Building work in connection with the closing in of an existing veranda, patio, or the like so as to provide an enclosed porch, conservatory, or the like with a floor area not exceeding five square metres.

16. Awnings

Building work in connection with an awning that:

- (a) is on or attached to an existing building, and
- (b) is on the ground or first-storey level of the building, and
- (c) does not exceed 20 square metres in size, and
- (d) does not overhang any area accessible by the public, including private areas with limited public access, for example, restaurants and bars.

17. Porches and verandas

Building work in connection with a porch or a veranda that:

- (a) is on or attached to an existing building, and
- (b) is on the ground or first-storey level of the building, and
- (c) does not exceed 20 square metres in floor area, and
- (d) does not overhang any area accessible by the public, including private areas with limited public access, for example, restaurants and bars.

18. Carports

Building work in connection with a carport that:

- (a) is on the ground level, and
- (b) does not exceed 20 square metres in floor area.

19. Shade sails

Building work in connection with a shade sail made of fabric or other similar lightweight material, and associated structural support that:

- (a) does not exceed 50 square metres in size, and
- (b) is no closer than one metre to any legal boundary, and
- (c) is on the ground level or, if on a building, on the ground or first-storey level of the building.

Other structures

20. Retaining walls

Building work in connection with a retaining wall that:

- (a) retains not more than 1.5 metres depth of ground, and
- (b) does not support any surcharge or any load additional to the load of that ground (for example, the load of vehicles).

21. Fences and hoardings

(1) Building work in connection with a fence or hoarding in each case not exceeding 2.5 metres in height above the supporting ground.

(2) Subclause (1) does not include a fence or hoarding to restrict access to a residential pool.

21A. Means of restricting access to small heated pools

Installation of a safety cover as a means of restricting access to a small heated pool that is a residential pool.

22. Dams (excluding large dams)

Building work in connection with a dam that is not a large dam.

23. Tanks and pools

Building work in connection with a tank or pool and any structure in support of the tank or pool, including any tank or pool that is part of any other building for which a building consent is required, that:

- (a) does not exceed 500 litres capacity and is supported not more than four metres above the supporting ground, or
- (b) does not exceed 1,000 litres capacity and is supported not more than three metres above the supporting ground, or
- (c) does not exceed 2,000 litres capacity and is supported not more than two metres above the supporting ground, or
- (d) does not exceed 4,000 litres capacity and is supported not more than one metre above the supporting ground, or
- (e) does not exceed 8,000 litres capacity and is supported not more than 0.5 metres above the supporting ground, or
- (f) does not exceed 16,000 litres capacity and is supported not more than 0.25 metres above the supporting ground, or
- (g) does not exceed 35,000 litres capacity and is supported directly by ground.

24. Decks, platforms, bridges, boardwalks, etc.

Building work in connection with a deck, platform, bridge, boardwalk, or the like from which it is not possible to fall more than 1.5 metres even if it collapses.

25. Signs

Building work in connection with a sign (whether free-standing or attached to a structure) and any structural support of the sign if:

- (a) no face of the sign exceeds six square metres in surface area, and
- (b) the top of the sign does not exceed three metres in height above the supporting ground level.

26. Height-restriction gantries

Building work in connection with a height-restriction gantry.

27. Temporary storage stacks

Building work in connection with a temporary storage stack of goods or materials.

28. Private household playground equipment

Building work in connection with playground equipment if:

- (a) the equipment is for use by a single private household, and
- (b) no part of the equipment exceeds three metres in height above the supporting ground level.

Network utility operators or other similar organisations

29. Certain structures owned or controlled by network utility operators or other similar organisations

Building work in connection with a motorway sign, stopbank, culvert for carrying water under or in association with a road, or other similar structure that is:

- (a) a simple structure, and
- (b) owned or controlled by a network utility operator or other similar organisation.

Demolition

30. Demolition of detached building

The complete demolition of a building that is detached and is not more than three storeys.

31. Removal of building element

The removal of a building element from a building that is not more than three storeys, provided that the removal does not affect:

- (a) the primary structure of the building, or
- (b) any specified system, or
- (c) any fire separation.

Part 2 - SANITARY PLUMBING AND DRAINLAYING CARRIED OUT BY PERSON AUTHORISED UNDER PLUMBERS, GASFITTERS AND DRAINLAYERS ACT 2006

Plumbing and drainage

32. Repair, maintenance and replacement

- (1) The repair and maintenance of any sanitary plumbing and drainage in or associated with a building, provided that comparable materials are used.
- (2) Replacement of sanitary plumbing and drainage in or associated with a building, provided that:
 - (a) a comparable component or assembly is used, and
 - (b) the replacement is in the same position.
- (3) However, subclauses (1) and (2) do not include the following building work:
 - (a) complete or substantial replacement of a specified system, or
 - (b) repair or replacement (other than maintenance) of any component or assembly that has failed to satisfy the provisions of the building code for durability, for example, through a failure to comply with the external moisture requirements of the building code, or
 - (c) repair or replacement of any water heater (unless permitted under clauses 36 to 38).

33. Drainage access points

The opening and reinstatement of any purpose-made access point within a drainage system that is not a NUO system or part of a NUO system.

34. Minor alteration to drains

- (1) Alteration to drains for a dwelling if the alteration is of a minor nature, for example, shifting a gully trap.
- (2) Subclause (1) does not include making any new connection to a service provided by a network utility operator.

35. Alteration to existing sanitary plumbing (excluding water heaters)

- (1) Alteration to existing sanitary plumbing in a building, provided that:
 - (a) the total number of sanitary fixtures in the building is not increased by the alteration, and
 - (b) the alteration does not modify or affect any specified system.
- (2) Subclause (1) does not include an alteration to a water heater.

Water heaters

36. Repair and maintenance of existing water heater

The repair or maintenance of any existing water heater using comparable materials, comparable components, or a comparable assembly.

37. Replacement of open-vented water storage heater connected to supplementary heat exchanger

The replacement of any water-storage heater connected to a solid-fuel heater or other supplementary heat exchanger if the replacement:

- (a) is a comparable open-vented water storage heater, and
- (b) is fixed in the same position, and uses the same pipework, as the replaced water storage heater.

38. Replacement or repositioning of water heater that is connected to, or incorporates, controlled heat source

The replacement of any water heater (including the repositioning of an existing water heater) if the replacement water heater is connected to, or incorporates, a controlled heat source or, if connected to or incorporating more than one heat source, two or more heat sources, all of which are controlled.

Part 3 - BUILDING WORK FOR WHICH DESIGN IS CARRIED OUT OR REVIEWED BY A CHARTERED PROFESSIONAL ENGINEER

39. Signs

Building work in connection with any sign (whether freestanding or attached to a structure) and any structural support of the sign.

40. Plinths

Building work in connection with any plinth or similar foundation if the plinth or foundation supports plant, a tank, equipment, machinery, or any similar item.

41. Retaining walls

- (1) Building work in connection with a retaining wall in a rural zone if:
 - (a) the wall retains not more than three metres depth of ground, and
 - (b) the distance between the wall and any legal boundary or existing building is at least the height of the wall.
- (2) In subclause (1), rural zone means any zone or area (other than a rural residential area) that, in the district plan of the territorial authority in whose district the building work is to be undertaken, is described as a rural zone, rural resource area, or rural environment, or by words of similar meaning.

42. Certain public playground equipment

Building work in connection with playground equipment if the work is for a government department, Crown entity, licensed early childhood centre, territorial or regional authority, or other similar public organisation.

43. Removal of sign, plinth, retaining wall, or public playground equipment

The removal of any of the structures referred to in clauses 39 to 42, whether or not the design of the structure has been carried out or reviewed by a chartered professional engineer.