

s 41(1)(b)

Exempt building work

A building consent is not required for the following building work:

(a) any lawful repair and maintenance using comparable materials, or replacement with a comparable component or assembly in the same position, of any component or assembly incorporated or associated with a building, including all lawful repair and maintenance of that nature that is carried out in accordance with the Plumbers, Gasfitters, and Drainlayers Act 1976:

(b) the construction of any motorway sign, or similar simple structure owned or controlled by any network utility operator or other organisation:

(c) the construction of any retaining wall that retains not more than 1.5 metres depth of ground and that does not support any surcharge or any load additional to the load of that ground (for example, the load of vehicles on a road):

(d) the construction of any wall (except a retaining wall), fence (except a fence as defined in section 2 of the Fencing of Swimming Pools Act 1987), or hoarding of a height not exceeding 2 metres above the supporting ground:

(e) the construction of any tank or pool and any structural support of the tank or pool (except a swimming pool as defined in section 2 of the Fencing of Swimming Pools Act 1987), including any tank or pool that is part of any other building for which a building consent is required,---

(i) not exceeding 35 000 litres capacity and supported directly by the ground; or

(ii) not exceeding 2 000 litres capacity and supported not more than 2 metres above the supporting ground; or

(iii) not exceeding 500 litres capacity and supported not more than 4 metres above the supporting ground:

(f) the construction of any tent or marquee not exceeding 30 square metres in floor area and remaining in use for not more than 1 month:

(g) the construction of any platform, bridge, or the like from which it is not possible for a person to fall more than 1 metre even if it collapses:

(h) the construction of any temporary storage stack of goods or materials:

(i) building work in connection with any detached building (except a building that is required to be licensed in terms of the Hazardous Substances and New Organisms Act 1996 or a building closer than its own height to any residential accommodation or to any legal boundary) that--

(i) houses fixed plant or machinery, the only normal visits to which are intermittent visits for routine inspection and maintenance of that plant or machinery; or

(ii) into which, or into the immediate vicinity of which, people cannot or do not normally go; or

(iii) is used only by people engaged in the construction or maintenance of another building for which a building consent is required; or

(iv) does not exceed 1 storey and does not exceed 10 square metres in floor area, and does not contain sleeping accommodation or sanitary facilities or facilities for the storage of potable water:

(j) 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 5 square metres:

(k) any other building work in respect of which the territorial authority considers that a building consent is not necessary for the purposes of this Act because that building work---

(i) is unlikely to be carried out otherwise than in accordance with the building code; or

(ii) if carried out otherwise than in accordance with the building code, is unlikely to endanger people or any building, whether on the same land or on other property.  
Compare: 1991 No 150 Third Schedule

Section (k) above was changed 14/4/2005, but only by adding the words:“(or, as the case requires, the regional authority)” after “territorial authority”