

# Licensed building professionals: Granny flats building consent exemption

A quick guide for licensed building professionals building a  
small standalone dwelling using the building consent exemption



**Ministry of Business, Innovation and Employment (MBIE)**  
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The quick guide for licensed building professionals is produced by the Building System Performance branch. It is intended to provide information to licensed building professionals who are considering building a new granny flat using the small standalone dwelling building consent exemption.

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Information, examples, and answers to your questions about the topics covered here can be found on our website: [www.mbie.govt.nz](http://www.mbie.govt.nz) or by calling us free on 0800 24 22 43.

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# 1. About this quick guide

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This guide is for Licensed Building Practitioners (LBPs) and other licensed building professionals who are involved in building a granny flat using the new small standalone dwelling building consent exemption.



It explains:

- how the granny flat exemption applies to building work
- your legal and professional responsibilities
- what must be in place before building starts
- how to carry out and supervise work under the exemption
- how to manage risks, changes and variations during construction
- what documentation you must provide at completion.

This guide is not a substitute for the Building Act 2004, the New Zealand Building Code or other trade-specific legislation.

Licensed building professionals remain legally responsible for the work they carry out or supervise and ensuring it complies with all applicable requirements.

## 2. Understand the granny flats building consent exemption

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The granny flats exemption allows certain new, single-storey, standalone dwellings up to 70 square metres to be built without a building consent, provided all exemption conditions are met and the building work fully complies with the Building Code.

The exemption is intended to make it easier to build small homes by removing some regulatory oversight, while still maintaining important safeguards. These safeguards include:

- full compliance with the Building Code
- involvement of licensed building professionals
- management of natural hazard risks
- formal notification to councils before and after building work.

For licensed building professionals, it is important to understand that the exemption removes council inspections and approvals but does not reduce compliance obligations. There is no Code Compliance Certificate (CCC) issued at the end of the build. Instead, compliance is demonstrated through:

- licensed professional involvement
- construction quality
- accurate and complete documentation.

The exemption may apply if the proposed granny flat is:

- new and standalone
- single-storey
- 70 square metres or less
- designed and built to fully comply with the Building Code
- designed and built by licensed building professionals
- notified by the homeowner to the council before building starts and after completion.



For further information on the conditions of the granny flat building consent exemption see: [Granny flats exemption: Building design conditions checklist](#)

The exemption relies on licensed building professionals to identify issues early and to stop work where exemption conditions are no longer met.



### **National Environmental Standards for Detached Minor Residential Units (NES-DMRU)**

The building consent exemption for granny flats does not remove the need to comply with planning rules under the Resource Management Act. In many cases, a granny flat may also be permitted without a resource consent under the NES-DMRU, provided all planning standards are met. The resource consent and building consent exemptions operate separately and must both be satisfied for a project to proceed without consents. Licensed building professionals are not responsible for determining whether a resource consent is required but should be aware that if planning requirements are not met, construction may need to stop until the appropriate approvals are obtained.

# 3. Understand your responsibilities as a licensed building professional

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As no building consent or council inspections are required, the exemption relies on licensed building professionals to carry out work competently, identify risks early and provide accurate compliance documentation.

As a licensed building professional, you are responsible for carrying out or supervising work within the scope of your licence or registration, and for ensuring that the work you complete complies with the Building Code and all relevant trade specific legislation.

In addition to construction responsibilities, licensed building professionals must provide the required verification and certification documentation for the work they carry out. These documents form part of the permanent compliance record for the granny flat and are relied on by homeowners, councils, insurers and future purchasers.

## Records of Work for restricted building work

Licensed Building Practitioners (LBPs) must complete a Record of Work (RoW) for all restricted building work they carry out or supervise. The RoW must accurately describe the work completed and confirm that, if carried out in accordance with the plans and specifications, the work complies with the Building Code.

RoWs must be provided to:

- the homeowner, and
- the council that issued the Project Information Memorandum (PIM).



### Electrical verification and certification

Electricians must comply with the Electricity Act 1992 and the Electricity (Safety) Regulations 2010 when carrying out prescribed electrical work. For electrical work on a granny flat, electricians must issue all records and certificates required under legislation and regulations.

These certificates confirm that the electrical installation is safe, has been tested, and complies with New Zealand electrical safety requirements. Electricians must provide the required certificates to the homeowner, who is responsible for submitting them to the council as part of the completion documentation.



### **Plumbing, gasfitting and drainlaying verification**

Plumbers, gasfitters and drainlayers must comply with the Plumbers, Gasfitters, and Drainlayers Act 2006 and associated regulations.

For work on a granny flat:

- plumbers and drainlayers must provide a Record of Work for prescribed sanitary plumbing and drainlaying work
- gasfitters must provide a Gas Safety Certificate and, where applicable, a Certificate of Compliance for gasfitting work.

These records and certificates verify that the work has been completed safely, by an authorised person, and in accordance with applicable standards. They must be provided to the homeowner for inclusion in the completion documentation sent to the council.

### **What the law says:**

#### **Section 14E Responsibilities of builder**

##### **Responsibilities of builder**

- (2A) A builder who carries out building work that is not covered by a building consent is responsible for ensuring that—
- (a) the building work complies with the building code; and
  - (b) all building products and building methods used in carrying out that building work are used in a manner that complies with the building code.
- (3) A licensed building practitioner who carries out or supervises restricted building work is responsible for—
- (a) ensuring that the restricted building work is carried out or supervised in accordance with the requirements of this Act; and
  - (b) ensuring that he or she is licensed in a class for carrying out or supervising that restricted building work.

## Professional conduct

You must not:

- carry out or supervise work outside the scope of your licence or authorisation
- continue building work where you know that the exemption conditions are no longer being met.

Licensed building professionals working under the exemption remain subject to:

- disciplinary processes under the LBP scheme or trade-specific regimes
- professional liability for defective or non-compliant work
- reputational risk where poor workmanship or documentation leads to disputes or enforcement action.

Because defects may not be identified until well after completion, exempt building work should be approached with the same level of diligence and professionalism as consented work. You will not be able to rely on council inspections to identify any errors.



**Understanding responsibilities early helps you make informed decisions and avoid mistakes.**

## 4. Confirm the project is ready before building work starts

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Before starting any work on site, licensed building professionals should confirm that the project is properly set up to use the exemption.

Licensed building professionals should first confirm that the homeowner has applied for and received a Project Information Memorandum (PIM). Building work must not begin until the PIM has been issued, and you should not rely on assurances that an application has been lodged or is about to be received. The PIM provides site-specific information that directly affects how work must be carried out and should be reviewed before any construction or trade work starts.

You should then check that the project is correctly set up by confirming that:

- the drawings and plans you are working from align with the granny flats exemption conditions
- the scope of work you are undertaking matches your licence, registration, or authorisation.

It is also important to review the site-specific information included with the PIM, as this can affect how work is sequenced or constructed. This includes:

- natural hazard statements and any implications for foundations, drainage or services
- access constraints, service locations, and existing infrastructure
- ground conditions and levels that may affect construction or installation work
- any special requirements or limitations identified by the council.

Licensed building professionals should consider how this information affects their own work and the work of other trades. Builders and drainlayers should pay particular attention to ground conditions and drainage constraints, plumbers should confirm how water supply and wastewater disposal are to be managed, and electricians and gasfitters should confirm service connection points and any requirements from network utility operators.

If you identify any inconsistencies between the site conditions, the plans and the exemption conditions, these should be raised immediately with the homeowner and designer before work starts. Proceeding with work where the exemption pre-conditions are not met, or where key information has not been addressed, can mean the building work is no longer exempt and a building consent is required.



**Early checks and clear communication at this stage help protect licensed building professionals, homeowners and future occupants.**

# 5. Build and manage construction in accordance with the granny flats exemption

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Building work for a granny flat may begin only once all pre-conditions for using the exemption have been met.

The Building Act requires that work on a non-consented small standalone dwelling must not start until a Project Information Memorandum (PIM) has been issued for the final site, and the exemption relies on building work being carried out strictly within the conditions set out in Schedule 1A. The exemption applies only while those conditions continue to be met throughout construction.

## Before work starts

Licensed building professionals should confirm that:

- a PIM has been issued and has not lapsed
- construction plans and specifications are complete and reflect the exemption conditions
- licensed building professionals are engaged for all restricted building work and prescribed trade work.

## What the law says:

### Section 32 Owner may apply for project information memorandum

- (2) No building work may begin on the building of a non-consented small standalone dwelling before a project information memorandum for that dwelling in relation to its final site has been issued under section 34 by the relevant territorial authority.

## During construction

Licensed building professionals are responsible for ensuring that building work continues to meet both the Building Code and the exemption conditions. This includes:

- building strictly in accordance with the approved plans
- undertaking or supervising restricted building work
- coordinating and sequencing trades so work is not concealed before it can be checked if required
- ensuring that materials, systems, and construction methods remain within the limits set by the exemption.

Builders and carpenters must pay particular attention to construction aspects that directly affect exemption eligibility, including:

- building height and finished floor-level limits
- framing systems and materials used
- structural performance and weathertightness details.

Trade professionals must ensure that the work they carry out complies with the Building Code and all trade-specific legislative and regulatory requirements, which continue to apply in full under the exemption.

## Compliance obligations

Licensed building professionals have independent compliance obligations regardless of whether a building consent is required. The granny flats exemption does not modify or reduce these obligations.

Plumbers and drainlayers must ensure that sanitary plumbing and drainage systems comply with the relevant Building Code clauses, are installed by authorised persons, and are tested and documented as required under the Plumbers, Gasfitters, and Drainlayers Act 2006.

Electricians must ensure that all prescribed electrical work is carried out by authorised electrical workers, complies with the Electricity Act 1992 and the Electricity (Safety) Regulations 2010, and is verified and certified as required under that legislation.

Gasfitters must ensure that gas installations are carried out by authorised persons, comply with gas safety requirements, and are tested and certified before use.

Across all trades, licensed building professionals must:

- carry out work within the scope of their licence or authorisation
- ensure installations align with the approved design and exemption conditions
- provide all required records and certificates promptly to the homeowner for inclusion in completion documentation.

## Quality assurance checks during construction

Because councils do not inspect or approve exempt building work, quality assurance is a critical safeguard under the granny flats exemption. Licensed building professionals are expected to actively manage construction quality throughout the build.



[Granny flats exemption: Guidance and resources | Building Performance](#)

Licensed building professionals should ensure that checks occur at key stages, including:

- foundations and subfloor construction
- framing and other structural elements
- weathertightness details before cladding is installed
- plumbing and drainage before backfilling or lining
- electrical and gas installations before concealment
- final completion.

These checks help to identify defects or non-compliance early, reduce rework, delays, and disputes and support the accuracy and reliability of Records of Work and trade certificates.

## Manage changes and variations

Changes during construction must be managed with care, as even minor changes can affect whether the building work continues to meet the exemption conditions. Licensed building professionals should pause work and confirm with the designer whether the exemption conditions are still met, if proposed changes relate to:

- setbacks, size, height, or footprint
- structural systems or construction materials
- plumbing, drainage, electrical, or gas services.

If a change means the granny flat no longer meets the exemption conditions, building work must stop until a building consent for outstanding work and a certificate of acceptance for completed work is obtained before continuing. Continuing work in these circumstances may result in enforcement action or disciplinary consequences under the relevant licensing regime.



**Exemption eligibility must be maintained throughout the build, not just at the start.**



## 6. Complete the build and provide required documentation

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A granny flat is considered complete once the homeowner has received all required documentation from licensed building professionals and trades and has submitted that documentation to the council within the required timeframe.

Licensed Building Practitioners must:

- complete Records of Work for all restricted building work carried out or supervised
- ensure Records of Work accurately reflect the work completed
- provide Records of Work to:
  - the homeowner, and
  - the council that issued the PIM.

Trade professionals must also provide:

- plumbing and drainlaying Records of Work
- required electrical certificates
- gas safety certificates (if applicable).

All documentation must be provided by the homeowner to the council within 20 working days of completion.

## What the law says:

### Section 42B Building work for which building consent is not required under Schedule 1A

For the purposes of this Act, building work in connection with a non-consented small stand-alone dwelling is complete when the owner of the building has received from the relevant designers, builders, plumbers, drainlayers, electricians, and gasfitters—

- (6)
  - (a) the records of work required under **section 88** for restricted building work:
  - (b) the records of work required under **section 27A** of the Plumbers, Gasfitters, and Drainlayers Act 2006 for prescribed sanitary plumbing and drainlaying:
  - (c) all certificates of compliance and electrical safety certificates required under the **Electricity Act 1992** or the **Electricity (Safety) Regulations 2010** for electrical work or any corresponding document under subsequent legislation that amends or replaces that Act or those regulations:
  - (d) all certificates of compliance and gas safety certificates required under the **Gas Act 1992** or the **Gas (Safety and Measurement) Regulations 2010** for gasfitting work or any corresponding document under subsequent legislation that amends or replaces that Act or those regulations.
- (7) To avoid doubt, building work, sanitary plumbing, and drainlaying undertaken in connection with a non-consented small stand-alone dwelling must comply with applicable requirements under other legislation or documents under that legislation (for example, the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)), unless the context otherwise requires.

## Understand the council's role

Under the granny flats exemption, councils have a reduced but still important role. Councils:

- issue PIMs and any required additional information
- receive and store completion documentation
- may take enforcement action if non-compliance is identified.

Councils do **not** inspect exempt building work, approve construction stages, or issue Code Compliance Certificates. This places greater responsibility on licensed building professionals to ensure work is carried out correctly and documented properly.



**Accurate and timely documentation is essential, as councils do not confirm compliance through inspections.**

## 7. Further information and support

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More information, forms, checklists and step-by-step guides are available on [building.govt.nz/grannyflats](https://building.govt.nz/grannyflats)

This includes:

- full granny flats exemption policy guidance
- construction and completion checklists
- step-by-step guides covering planning, building, and completion.
- links to other helpful websites and information.

More information is available through:

- MBIEs Licensed Building Practitioner website - [www.lbp.govt.nz](http://www.lbp.govt.nz)
- MBIEs Building Performance website - [www.building.govt.nz](http://www.building.govt.nz)
- professional bodies and registration boards.





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