

Building owner responsibilities for exempt building work

Building owners are responsible for determining whether a building consent is required, or asking for advice from a professional if you're unsure.

Your responsibilities

As a building owner, you are responsible for:

- determining whether or not your building work is exempt (ie does not require a building consent), and
- making sure that any exempt building work complies with the Building Code.

Note: Even if your building work is exempt, you can still choose to apply for a building consent. The building consent authority must process your application.

Ask for advice

If you are not sure whether or not your building work is exempt, it is important to get advice from someone with the appropriate building knowledge and expertise. A person with appropriate building knowledge and expertise could include:

- building consent authorities (typically district and city councils)
- registered architects
- chartered professional engineers
- registered building surveyors
- building consultants
- licensed building practitioners, and
- registered certifying plumbers and/or drainlayers.

Building consent authorities have extensive building control expertise as well as information about exemptions and the building consent process.

Licensed building practitioners can be a useful source of information. However, check that they hold the relevant licensing class before relying on their advice.

You may need to pay a building consent authority or other adviser for their advice.

Note: If the proposed scope of your building work is marginally beyond the scope of a particular exemption, we suggest that you consider applying to the council for an [exemption 2](https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-1-exempted-building-work/2-territorial-and-regional-authority-discretionary-exemptions/) (<https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-1-exempted-building-work/2-territorial-and-regional-authority-discretionary-exemptions/>). The council can then exercise its discretion as to whether or not it will require a building consent.

Before doing this, we recommend that you talk to the council to gauge whether or not it is prepared to exercise its discretion under exemption 2 on your project.



any matter to which the information relates according to the circumstances of the particular case. Expert advice may be required in specific circumstances. Where this information relates to assisting people:

- with compliance with the *Building Act*, it is published under section 175 of the *Building Act*
- with a *Weathertight Services* claim, it is published under section 12 of the *Weathertight Homes Resolution Services Act 2006*.