

## Part 2: Sanitary plumbing and drainlaying carried out by an authorised person

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Find out what sanitary plumbing and drainlaying work doesn't require a building consent if it is carried out by an authorised plumber or drainlayer.

Read the guidance below or go back to [Building work that does not require a building consent \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/\)](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 2 of Schedule 1 of the Building Act 2004 covers exemptions that only apply if an authorised person carries out the building work. The term 'authorised person' is defined in section 42A(3) of the Building Act and effectively covers:

- registered certifying plumbers and drainlayers
- registered plumbers and drainlayers working under supervision
- plumbers and drainlayers with a provisional licence working under supervision, and
- trainee plumbers and drainlayers working under supervision.

There are seven exemptions in Part 2 in two broad categories:

- plumbing and drainage
- water heaters.

**Note:** The general conditions and limits of section 42A of the Building Act also apply to all Schedule 1 exemptions.

### Check they are authorised to do the work

It is recommended that you, the owner, should verify before any work commences, that the plumber and/or drainlayer you propose to use has current authorisation from the Plumbers, Gasfitters, and Drainlayers Board. This can be done by asking to see their authorisation card, and/or by checking the online public [register of plumbers, gasfitters and drainlayers \(https://www2.pgdb.co.nz/PGDB/PublicRegister.aspx\)](https://www2.pgdb.co.nz/PGDB/PublicRegister.aspx)

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## 32. Repair, maintenance, and replacement of sanitary plumbing and drainage

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**A building consent is not required for a range of repairs and maintenance jobs carried out by authorised plumbers and drainlayers.**

### What the law says

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Schedule 1 of the Building Act 2004 states the following:

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).

## Guidance on the exemption

This exemption enables a range of work relating to the repair, maintenance and replacement of sanitary plumbing or drainage to be done without a building consent – as long as it is carried out by an authorised person (refer to the glossary).

For repairs and maintenance, comparable materials must be used. For replacement work, comparable components or assemblies can be used providing the replacement is in the same position.

## Examples where this exemption could apply

Replacing an existing sanitary fixture with another comparable fixture in the same position (eg replacing a vanity with a vanity, or replacing a toilet pan and cistern with a close-coupled toilet suite).

Repairing a septic tank effluent disposal system.

A section of glazed earthenware foul water drain is damaged in an earthquake and requires replacement. The drainlayer proposes to replace the damaged section with uPVC. This is considered to be a comparable component.

Repairing a valve associated with a hot water system or replacing it with a comparable valve.

## Examples where building consent is required

A commercial building owner needs to replace a backflow preventer (reduced pressure zone device). As an automatic backflow preventer is a specified system and the work involves a complete replacement, a building consent is required.

Replacing a leaking potable water supply pipe which has failed to meet its Building Code durability requirements.

## 33. Drainage access points

**A building consent is usually not required to open and reinstate drainage access points, if it is carried out by an authorised person.**

## What the law says

Schedule 1 of the Building Act 2004 states the following:

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.

## Guidance on the exemption

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This exemption covers work to drains via a purpose-made access point and carried out by an authorised person (refer to the glossary).

### Example where this exemption could apply

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A drain is blocked by a back-up of waste material within the drainage system. The blockage was caused by a child flushing a hand towel down the toilet. The problem is solved by opening a purpose-made access point, removing the towel, clearing the blockage and reinstating the access point.

### Example where building consent is required

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A multi-storey apartment building has a blocked drain and no access points can be found. The owner is informed that several access chambers will need to be installed for future access. As this involves more than opening and reinstating access points (ie it is outside the scope of this exemption) and since it is not considered minor drain alterations (ie it is also outside the scope of [exemption 34](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-2/34-minor-alteration-drains/) (<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-2/34-minor-alteration-drains/>) – minor alteration to drains), a building consent is required.

## 34. Minor alteration to drains

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A building consent is usually not required for minor alterations to drains for a dwelling, if they are carried out by an authorised person.

### What the law says

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Schedule 1 of the Building Act 2004 states the following:

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.

## Guidance on the exemption

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This exemption only relates to dwellings and enables an authorised person (refer to the glossary) to alter existing private drainage without needing a building consent. This sort of building work usually occurs during alterations to existing bathrooms, kitchens, laundries or toilets.

New connections to public drainage are specifically excluded from this exemption.

### Examples where this exemption could apply

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A homeowner instructs the plumber to relocate the kitchen sink to an adjacent wall (refer to [exemption 35 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/35-alteration-sanitary-plumbing/\)](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-2/35-alteration-sanitary-plumbing/) – Alteration to existing sanitary plumbing (excluding water heaters)). The existing gully trap servicing the kitchen needs to be shifted a short distance to receive the discharge from the repositioned sink wastepipe.

A toilet pan has been repositioned in an existing dwelling's bathroom (refer to [exemption 35 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/35-alteration-sanitary-plumbing/\)](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-2/35-alteration-sanitary-plumbing/)) and is reconnected 1 metre downstream from the previous drain connection.

Installing a new access or rodding point for unblocking drains.

Capping a branch drain following the removal of sanitary fixtures from an outbuilding associated with a dwelling.

A NUO has provided a new sewer lateral connection at the boundary of an existing dwelling and capped the previous lateral. The owner's drainlayer reroutes a 2 metre length of drain to reconnect to the new NUO lateral.

## Examples where building consent is required

A dwelling's branch drain is intended to be extended 16 metres. This will trigger the requirement for venting under Building Code clause G13 – Foul water, as the branch drain will exceed 10 metres. The length and venting requirements of the drain are more than a minor alteration, so a building consent is required.

A motel owner plans to reconfigure his laundry, which includes adding another laundry tub. As a consequence, the main drain will need to be extended by several metres around the perimeter of the building. Although the drain extension is minor, the installation of an additional sanitary fixture (ie the laundry tub) is outside the scope of [exemption 35 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/35-alteration-sanitary-plumbing/\)](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-2/35-alteration-sanitary-plumbing/). Furthermore, as the building is not a dwelling, it is not covered by this exemption and a building consent is required.

The owner's drainlayer proposes to reposition a dwelling's drain connection into the NUO drain which traverses the property and is covered by an easement on the title. A building consent will be required as this is a new connection to a NUO drain.

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

A building consent is usually not required to alter existing sanitary plumbing in a building, if it is carried out by an authorised person.

### What the law says

Schedule 1 of the Building Act 2004 states the following:

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.

### Guidance on the exemption

This exemption enables an authorised person (refer to the [glossary \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/glossary/\)](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/glossary/)) to carry out alterations to sanitary plumbing. However, this is only as long as these alterations do not increase the number of sanitary fixtures within any existing building and they do not modify or affect any specified system.

### Check with your council

If you are not sure if this exemption applies to your proposed building work, we recommend that either you seek 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/>) from the council or you apply for a building consent rather than risk applying it incorrectly.

Alterations to water heaters are specifically excluded from this exemption. However, there is still some building work in relation to water heaters which does not require a building consent: this is covered in the next three exemptions (exemptions 36, 37 and 38).

Any plumbing work under this exemption must be carried out by an authorised person, otherwise it is not exempt work.

### Plumbing work that could affect structural elements

Where sanitary plumbing work could adversely affect the structural performance of structural elements such as floor joists or wall framing, this work may require a building consent. If you are not sure, we recommend seeking professional advice first (eg from a licensed building practitioner, chartered professional engineer, registered architect, building consultant, registered building surveyor or accredited building consent authority).

## Examples where this exemption could apply

Relocating or replacing sanitary fixtures (eg a bath, bidet, wash hand basin, shower or toilet pan) within an existing bathroom in a dwelling.

Moving a toilet pan from a toilet compartment into an adjacent existing bathroom in a dwelling.

A home owner proposes to remodel an existing kitchen within the same space, leaving the kitchen sink in the same position.

An existing laundry tub in a dwelling will be moved to a new location within the adjacent kitchen.

Relocating, removing or shifting an existing hose tap.

Removing a bath with a shower over it, and replacing this with a new proprietary shower enclosure and a new bath within the existing bathroom space. As the existing bath/shower arrangement has two sanitary fixtures, each fixture can be replaced and relocated without the need for a building consent.

Installing a tiled wet area shower will require a building consent. This is because it will involve critical building work that is not sanitary plumbing, such as carpentry and installing waterproof membranes.

Moving a vanity, bath and shower within an apartment of a multi-level building. This building work involves new penetrations through a fire separation, which is a specified system.

An ensuite is proposed which includes the addition of a shower, hand basin and toilet. These sanitary fixtures are additional to those that already exist in the building, so a building consent is required.

A restaurant owner decides to increase the number of sanitary fixtures to allow for increased customer capacity. This building work will require a building consent.

Installing a new testable backflow prevention device in a building (that is not a dwelling). As this device is a specified system, a building consent is required and the compliance schedule will also need to be amended.

## 36. Repair and maintenance of existing water heater

A building consent is not required to repair or maintain an existing water heater, if it is carried out by an authorised person.

### What the law says

Schedule 1 of the Building Act 2004 states the following:

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

## Guidance on the exemption

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This exemption enables an authorised person (refer to the [glossary \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/glossary/\)](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/glossary/)) to repair and maintain water heaters associated with buildings. Any repair work must use comparable materials, comparable components or a comparable assembly.

To replace or reposition an existing water heater refer to [exemption 37 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/37-water-storage-heater-heat-exchanger/\)](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-2/37-water-storage-heater-heat-exchanger/) and [exemption 38 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/38-water-heater-controlled-heat-source/\)](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-2/38-water-heater-controlled-heat-source/).

## Examples where this exemption could apply

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Repairing a leaking open-vented water storage heater.

Repairing a valve-vented water storage heater.

Replacing sacrificial anodes.

Repairing valves associated with water heaters (refer to [exemption 32 \(https://www.building.govt.nz/projects-and-consents/planning-a-successful-build/scope-and-design/check-if-you-need-consents/building-consent-exemptions-for-low-risk-work/schedule-1-guidance/part-2/32-plumbing-and-drainage/\)](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-2/32-plumbing-and-drainage/) – repair, maintenance, and replacement).

Repair or maintaining solar collectors.

## Example where building consent is required

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While repairing his existing (open-vented) storage water heater, the homeowner decides to replace the existing wood burner and wetback system. As replacing the wood burner and wetback is not considered to be repairs or maintenance, the building work requires a building consent.

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

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**A building consent is usually not required to replace an open-vented water-storage heater connected to a solid-fuel heater (or other supplementary heat exchanger), if it is carried out by an authorised person.**

## What the law says

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Schedule 1 of the Building Act 2004 states the following:

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.

## Guidance on the exemption

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This exemption enables an authorised person (refer to the glossary) to replace open-vented water storage heaters associated with existing supplementary heat exchangers (eg wetbacks or solar collection panels). The replacement water storage heater must be comparable and in the same position.

### Examples where this exemption could apply

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#### Open-vented water storage heater with solar collection

Replacing an open-vented water storage heater with an open-vented water storage heater (eg electric to electric, gas to gas, electric to gas, or gas to electric) in the same position, using the same pipe work and connected to solar collectors.

#### Open-vented water storage heater with wetback

Replacing an open-vented water storage heater with another open-vented water storage heater in the same position, using the same pipe work and connected to a solid-fuel heater wetback.

#### Open-vented water storage heater with heat pump

Replacing an external water storage heater with a heat pump water storage heater (eg replacing an open-vented water storage heater with another open-vented storage heater) in the same position, using the same pipe work and connected to a heat pump.

### Examples where building consent is required

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Replacing an open-vented water storage heater with a valve-vented water storage heater. As the water-storage heaters are not comparable, a building consent will be required.

Replacing and relocating an open-vented water storage heater and reconnecting it to the existing wood burner with a wetback. As the replaced water storage heater will not be fixed in the same position, a building consent is required.

Replacing an open-vented water storage heater and adding a wetback where there was no wetback before.

Adding a roof-mounted solar collection panel which will be connected to an existing open-vented water storage heater.

## 38. Replacement or repositioning of water heater connected to controlled heat source

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A building consent is usually not required to replace or reposition a water heater connected to a controlled heat source, if it is carried out by an authorised person.

### What the law says

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Schedule 1 of the Building Act 2004 states the following:

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 1 heat source, 2 or more heat sources all of which are controlled.

### Guidance on the exemption

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This exemption enables an authorised person (refer to the glossary) to **replace** and/or **reposition** an existing water heater (of any type), as long

as all the heat sources of the replaced or repositioned water heater are controlled. This exemption will not apply if a water heater has a heat source that is not controlled (eg a wetback connected to a solid-fuel heating appliance, or a solar thermosiphon system).

A controlled heat source has controls or devices that ensure the water temperature in the storage tank is no greater than 90°C.

#### Check with your council

If the proposed scope of the building work is outside the scope of this or any other exemption (eg adding solar collectors to an existing water storage heater, which has provision for solar connection and is not being replaced or repositioned), we suggest that you consider applying to the council for an exemption 2.

The council can then decide 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](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/>) on your project.

Any repair or maintenance of part of a water heater (which may include the replacement of a component of the water heating system) falls outside the scope of this exemption. [Exemption 36](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-2/36-repair-maintenance-water-heater/) (<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-2/36-repair-maintenance-water-heater/>) deals with repairs or maintenance of part of a water heater.

Replacing a hot water cylinder which is connected to an existing wetback falls outside this exemption (refer to [exemption 37](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-2/37-water-storage-heater-heat-exchanger/) (<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-2/37-water-storage-heater-heat-exchanger/>) for open-vented systems).

## Examples where this exemption could apply

#### Water storage heaters

- Replacing an existing valve-vented water storage heater with a thermostatically controlled valve-vented water storage heater (eg electric to electric, gas to gas, electric to gas, or gas to electric).
- Repositioning an existing valve-vented water storage heater that has a controlled heat source.
- Replacing an existing open-vented water storage heater with a valve-vented water storage heater that has a controlled heat source.
- Repositioning an open-vented water storage heater, when in the new position it is connected to a controlled heat source.

#### Solar water storage heaters

- Replacing and/or repositioning an existing water storage heating system comprising a water storage heater that includes controlled solar collectors.
- Replacing or repositioning an existing electric or gas water storage heater with a water storage heater system that includes controlled solar collectors.

#### Heat pump water storage heaters

- Replacing a water storage heater with a heat pump water storage heater.
- Replacing and repositioning an internal water storage heater with an external heat pump water storage heater.
- Replacing an external water storage heater with an external heat pump water storage heater

#### Instantaneous water heaters

- Replacing or repositioning an instantaneous water heater that is thermostatically controlled.
- Replacing an existing storage water heater with a gas instantaneous water heater.

## Examples where building consent is required

**Adding a solar collector to an existing water storage heater (even if the existing water storage heater has provision for solar connection). A building consent is required because this exemption only covers replacement or repositioning of existing water heaters.**

**Adding a wetback (not a replacement wetback) connected to a water storage heater. A building consent is required because this exemption only covers replacement or repositioning of existing water heaters. Also the wetback is an uncontrolled heat source.**

**Adding a split heat pump (not a replacement split heat pump) to an existing water storage heater. A building consent is required because this exemption only covers replacement or repositioning of existing water heaters.**

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