



## **Building (Minor Variations) Regulations 2009**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 14th day of December 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 402(1)(kd) of the Building Act 2004, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister (as defined by section 7 of that Act), makes the following regulations.

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### **Regulations**

- 1 Title**  
These regulations are the Building (Minor Variations) Regulations 2009.

## 2 Commencement

These regulations come into force on 1 February 2010.

## 3 Minor variation defined

- (1) A **minor variation** is a minor modification, addition, or variation to a building consent that does not deviate significantly from the plans and specifications to which the building consent relates.
- (2) The following are examples of minor variations and do not constitute an exhaustive list:
  - (a) substituting comparable products (for example, substituting one internal lining for a similar internal lining):
  - (b) minor wall bracing changes:
  - (c) a minor construction change (for example, changing the framing method used around a window):
  - (d) changing a room's layout (for example, changing the position of fixtures in a bathroom or kitchen).
- (3) The examples in subclause (2) are only illustrative of subclause (1) and do not limit it. If an example conflicts with subclause (1), subclause (1) prevails.
- (4) To avoid doubt, a minor variation does not include any building work in respect of which compliance with the building code is not required by the Building Act 2004.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 February 2010, define the minor variations that may be made to a building consent for the purposes of section 45A of the Building Act 2004. That section provides, amongst other things, that an application for a minor variation does not have to be made in the prescribed form and the building

consent authority that grants a minor variation does not have to issue an amended building consent for it.

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These regulations are administered by the Department of Building and Housing.

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