



Building and Construction (Small Stand-alone Dwellings) Amendment Act 2025

Public Act 2025 No 59
Date of assent 24 October 2025
Commencement see section 2

Contents

	Page
1 Title	4
2 Commencement	4
Part 1	
Amendments to Building Act 2004	
3 Principal Act	5
4 Section 7 amended (Interpretation)	5
5 Section 12 amended (Role of building consent authority and territorial authority)	6
6 Section 32 amended (Owner may apply for project information memorandum)	6
7 Section 33 amended (Content of application)	6
8 Section 34 amended (Issue of project information memorandum)	6
9 New section 34A inserted (Lapse of project information memorandum for non-consented small stand-alone dwelling)	7
34A Lapse of project information memorandum for non-consented small stand-alone dwelling	7
10 Section 35 amended (Content of project information memorandum)	7
11 New section 35A inserted (Additional information to be supplied in certain circumstances)	7
35A Additional information to be supplied in certain circumstances	7

12	Section 36 amended (Territorial authority may issue development contribution notice)	8
13	Section 37 amended (Territorial authority must issue certificate if resource consent required)	9
14	Section 41 amended (Building consent not required in certain cases)	9
15	New sections 42B and 42C inserted	9
	42B Building work for which building consent is not required under Schedule 1A	9
	42C Purpose of section 42B(4)	11
16	New section 45AA inserted (Certificate of work required for non-consented small stand-alone dwelling)	11
	45AA Certificate of work required for non-consented small stand-alone dwelling	11
17	Section 88 amended (Licensed building practitioner to provide record of work in respect of restricted building work)	12
18	Section 90D amended (Owner-builder exemption)	12
19	Section 177 amended (Application for determination)	12
20	Section 216 amended (Territorial authority must keep information about buildings)	12
21	Section 317 amended (Grounds for discipline of licensed building practitioners)	13
22	Section 362I amended (Implied warranties for building work in relation to household units)	13
23	Section 362V amended (Offence for commercial on-seller to transfer household unit without code compliance certificate)	13
24	New section 392A inserted (Territorial authority not liable)	13
	392A Territorial authority not liable	13
25	Section 401B amended (Order in Council declaring work to be restricted building work)	14
26	New Schedule 1A inserted	14

Part 2

Amendments to other legislation

Subpart 1—Amendments to Acts

Amendments to Local Government Act 2002

27	Principal Act	14
28	Section 5 amended (Interpretation)	14
29	Section 198 amended (Power to require contributions for developments)	14
30	Section 200 amended (Limitations applying to requirement for development contribution)	14
31	Section 202 amended (Contents of section 201 schedule)	14

32	Section 209 amended (Refund of money and return of land if development does not proceed)	15
33	Section 290 amended (Development contributions)	15
34	Schedule 1AA amended	15
	<i>Amendments to Local Government Official Information and Meetings Act 1987</i>	
35	Principal Act	15
36	Section 2 amended (Interpretation)	16
37	Section 44A amended (Land information memorandum)	16
38	Section 44D amended (Territorial authority and regional council protected against certain actions when providing information in good faith)	16
	<i>Amendments to Plumbers, Gasfitters, and Drainlayers Act 2006</i>	
39	Principal Act	16
40	Section 4 amended (Interpretation)	16
41	Section 15 amended (Exemption for householders)	16
42	Section 16 amended (Exemption for sanitary plumbing in areas in rural districts)	16
43	New section 27A and cross-heading inserted	16
	<i>Each registered person and provisional licence holder to provide record of work in respect of prescribed sanitary plumbing or drainlaying</i>	
27A	Each registered person and provisional licence holder to provide record of work in respect of prescribed sanitary plumbing or drainlaying	17
44	Section 89 amended (Disciplinary offence)	17
45	Section 172 amended (Regulations)	17
	Subpart 2—Amendments to secondary legislation	
	<i>Amendments to Building (Definition of Restricted Building Work) Order 2011</i>	
46	Principal order	17
47	Clause 5 amended (Certain building work relating to primary structure or external moisture-management systems of residential buildings to be restricted building work)	18
48	Clause 6 amended (Certain design work relating to primary structure or external moisture-management systems of residential buildings to be restricted building work)	18
	<i>Amendment to Building (Infringement Offences, Fees, and Forms) Regulations 2007</i>	
49	Principal regulations	18
50	Schedule 1 amended	18

<i>Amendment to Building (Residential Consumer Rights and Remedies) Regulations 2014</i>		
51	Principal regulations	18
52	Regulation 6 amended (Prescribed content for residential building contracts for prescribed minimum price or more)	18
<i>Amendment to Building Regulations 1992</i>		
53	Principal regulations	18
54	Schedule 1 amended	19
<i>Amendments to Electricity (Safety) Regulations 2010</i>		
55	Principal regulations	19
56	Regulation 4 amended (Interpretation)	19
57	Regulation 74E amended (What happens to certificates of compliance)	19
58	Regulation 74G amended (What happens to electrical safety certificates)	19
<i>Amendments to Gas (Safety and Measurement) Regulations 2010</i>		
59	Principal regulations	20
60	Regulation 3 amended (Interpretation)	20
61	Regulation 52G amended (What happens to certificates of compliance)	20
62	Regulation 52I amended (What happens to gas safety certificates)	20
Schedule 1		21
New Schedule 1A inserted into Building Act 2004		
Schedule 2		25
New Part 11 inserted into Schedule 1AA of Local Government Act 2002		

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Building and Construction (Small Stand-alone Dwellings) Amendment Act 2025.

2 Commencement

- (1) This Act comes into force on a date set by Order in Council.

Provisions commenced by Order in Council

Provisions	Commencement date	Order in Council
Sections 5 to 13; section 14(1) and (3); sections 15 to 24; sections 26 to 38; section 41; section 42; and sections 47 to 62	15 January 2026	Clause 2 of the Building and Construction (Small Stand-alone Dwellings) Amendment Act 2025 Commencement Order 2025

This note is not part of the Act.

- (2) However, sections 4, 14(2), 25, 40, 43, 44, and 45 come into force on 25 October 2025.
- (3) Any part of the Act that has not come into force before 24 October 2027 comes into force then.
- (4) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 2(2): editorial change made by the PCO, on 24 December 2025, under sections 86(1) and 87(m) of the Legislation Act 2019 (2019 No 58).

Section 2(3): editorial change made by the PCO, on 24 December 2025, under sections 86(1) and 87(m) and (q) of the Legislation Act 2019 (2019 No 58).

Part 1 Amendments to Building Act 2004

3 Principal Act

This Act amends the Building Act 2004.

4 Section 7 amended (Interpretation)

- (1) In section 7(1), insert in their appropriate alphabetical order:

final design plans, in relation to a completed small stand-alone dwelling, means the final drawings and specifications to which the small stand-alone dwelling was constructed

non-consented small stand-alone dwelling means a small stand-alone dwelling that an owner builds, or intends to build, without obtaining a building consent

preliminary design plans, in relation to a small stand-alone dwelling, means the preliminary design drawings (including a site plan, elevations, and basic sections) to which the dwelling is proposed to be constructed

small stand-alone dwelling has the meaning set out in clause 1 of Schedule 1A

- (2) In section 7(1), definition of **supervise**, paragraph (b), after “building consent”, insert “(if any)”.

5 Section 12 amended (Role of building consent authority and territorial authority)

- (1) Replace section 12(2)(b) with:

(b) issues project information memoranda (including memoranda in relation to non-consented small stand-alone dwellings); and

- (2) After section 12(2)(b), insert:

(ba) issues documents under section 35A; and

6 Section 32 amended (Owner may apply for project information memorandum)

- (1) Replace section 32(b) with:

(b) either—

(i) building consent is required for that work; or

(ii) the building work is in connection with a non-consented small stand-alone dwelling.

- (2) In section 32, insert as subsection (2):

- (2) No building work may begin on the building of a non-consented small stand-alone 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.

7 Section 33 amended (Content of application)

- (1) In section 33(1), replace “prescribed form” with “appropriate prescribed form”.

- (2) After section 33(1), insert:

- (1A) In the case of a project information memorandum for building work in connection with a non-consented small stand-alone dwelling, the application must, in addition to complying with subsection (1), contain the following information:

(a) a description of the proposed building work; and

(b) preliminary design plans for the proposed building work.

8 Section 34 amended (Issue of project information memorandum)

- (1) Replace section 34(1) with:

- (1) A territorial authority must issue a project information memorandum—

(a) within 10 working days after receiving an application in relation to a non-consented small stand-alone dwelling; or

- (b) in any other case, within 20 working days after receiving an application under section 31(1)(a) or 32.
- (2) In section 34(2), replace “the period” with “the relevant period”.
- (3) In section 34(4), replace “the period” with “the relevant period”.
- (4) After section 34(4), insert:
- (5) If a project information memorandum is issued for building work in connection with a non-consented small stand-alone dwelling on a particular site (the **final site**), no further project information memorandum is required just because the place where the dwelling is constructed is in a different location from the dwelling’s final site (for example, a dwelling that is constructed in a factory and then transported to the final site).

9 New section 34A inserted (Lapse of project information memorandum for non-consented small stand-alone dwelling)

After section 34, insert:

34A Lapse of project information memorandum for non-consented small stand-alone dwelling

A project information memorandum for building work in connection with a non-consented small stand-alone dwelling lapses and is of no effect if the building work to which it relates has not been completed within—

- (a) 2 years after the date of issue of the project information memorandum;
or
- (b) any further period that the territorial authority may allow.

10 Section 35 amended (Content of project information memorandum)

- (1) In section 35(1AA), replace “in the prescribed form (if any)” with “in the appropriate prescribed form (if any) for building work in connection with a non-consented small stand-alone dwelling, or in a different prescribed form (if any), in the case of other proposed building work”.
- (2) In section 35(1)(g), before “either”, insert “unless the memorandum relates to a non-consented small stand-alone dwelling,”.

11 New section 35A inserted (Additional information to be supplied in certain circumstances)

After section 35, insert:

35A Additional information to be supplied in certain circumstances

- (1) This section applies if a project information memorandum is issued by a territorial authority for building work in connection with a non-consented small stand-alone dwelling.

- (2) The memorandum must be accompanied by an attached document, in the prescribed form, containing—
- (a) a statement indicating whether—
 - (i) the proposed building work is likely or unlikely to satisfy the characteristics of clause 1 of Schedule 1A; or
 - (ii) it is unclear if the proposed building work is likely to satisfy those characteristics; and
 - (b) a statement indicating whether the territorial authority considers that the construction of the dwelling—
 - (i) is proposed to occur on land that is, or is likely to be, subject to 1 or more natural hazards (within the meaning of section 71(3)) or that it is unclear whether that is likely to be the case; or
 - (ii) is likely to accelerate, worsen, or result in a natural hazard on that land or any other property, or that it is unclear whether that effect is likely to occur; and
 - (c) if the territorial authority advises under paragraph (b) that there is or is likely to be a natural hazard present on the relevant land, or that the construction of the dwelling is likely to accelerate, worsen, or result in a natural hazard on the land or any other property,—
 - (i) a statement as to whether section 71(2) would apply if Schedule 1A did not apply; and
 - (ii) if a statement is made under subparagraph (i) that section 71(2) would not apply if Schedule 1A did not apply, a statement that a building consent may be required, or that the preliminary design plans may need to be amended to adequately protect the land, building work, or other property from the natural hazard; and
 - (d) a description of any bylaws that may affect the design, construction, or location of the non-consented small stand-alone dwelling (for example, bylaws relating to wastewater or stormwater pipes).
- (3) The document may contain any other information concerning the land that the territorial authority considers, at its discretion, to be relevant (including relevant information in the district plan and regional plan).

12 Section 36 amended (Territorial authority may issue development contribution notice)

After section 36(2), insert:

- (2A) Subsection (2) does not apply in the case of a project information memorandum for building work in connection with a non-consented small stand-alone dwelling, but if an application is made for a project information memorandum for building work in connection with a small stand-alone dwelling of that kind and the territorial authority considers that a development contribution under the

Local Government Act 2002 is payable by the owner, the territorial authority must issue a development contribution notice—

- (a) in the prescribed form; and
- (b) stating that the development contribution is required to be paid by the owner within 20 working days after the completion of the building work (as described in section 42B(6)).

13 Section 37 amended (Territorial authority must issue certificate if resource consent required)

After section 37(3), insert:

- (4) This section does not apply in respect of building work in connection with a non-consented small stand-alone dwelling.

14 Section 41 amended (Building consent not required in certain cases)

- (1) Replace section 41(1)(b) with:

(b) any building work described in Schedule 1 or Schedule 1A for which a building consent is not required (*see* sections 42A and 42B); or

- (2) After section 41(2)(a), insert:

(aa) removing any building work or class of building work from Schedule 1 as being building work for which a building consent is not required:

- (3) After section 41(2), insert:

- (2A) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend Schedule 1A by adding to, removing, or amending any requirements for a small stand-alone dwelling or other provisions in clauses 2 and 3 of Schedule 1A.

15 New sections 42B and 42C inserted

After section 42A, insert:

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

- (1) Despite section 40, a building consent is not required for building work specified in Schedule 1A, subject to the conditions set out in subsection (3) and whether or not a building consent would otherwise have been required.
- (2) Despite subsection (1), an owner who wishes to obtain a building consent for the work described in clause 1 of Schedule 1A, which defines a small stand-alone dwelling, and the other work described in that schedule, may apply for a building consent for that work, and in that case this Act applies as if the work required a building consent.
- (3) The exemption created by subsection (1) is subject to the following conditions:

- (a) the building work complies with the building code to the extent required by this Act:
 - (b) all building work (including all design work described in paragraph (b) of the definition of restricted building work in section 7(1)), sanitary plumbing, drainlaying, electrical work, or gasfitting is carried out in accordance with the requirements of this Act and, where applicable, the Plumbers, Gasfitters, and Drainlayers Act 2006, the Electricity Act 1992, or the Gas Act 1992, by a person who is authorised to do the work:
 - (c) no building work on a non-consented small stand-alone dwelling may be carried out 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 and building work may continue only until the project information memorandum lapses:
 - (d) the building work is carried out on land that is not subject to a natural hazard (as advised by the relevant territorial authority) or, where a natural hazard (within the meaning of section 71(3)) is present or is likely to be present on the relevant land or construction of the dwelling is likely to accelerate, worsen, or result in a natural hazard on the land or any other property, building work is not carried out unless adequate provision has been made to protect the land, building work, or other property from the natural hazard:
 - (e) the small stand-alone dwelling is not constructed over a boundary on land that comprises or partly comprises 2 or more allotments of 1 or more existing subdivisions (whether comprised in the same record of title or not).
- (4) The owner of a non-consented small stand-alone dwelling must send to the territorial authority that issued the relevant project information memorandum, within 20 working days after completion of the building work (as defined in subsection (6)),—
- (a) the records of work and other documents described in subsection (6)(a) to (d):
 - (b) a set of final design plans for building, sanitary plumbing, and drainlaying work and the certificate of work required by section 45AA.
- (5) A person who contravenes subsection (4) commits an infringement offence and is liable to a fine not exceeding \$1,000.
- (6) 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—
- (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.

42C Purpose of section 42B(4)

- (1) The purpose of section 42B(4) is to ensure that the owner and future owners of a non-consented small stand-alone dwelling know who carried out the building work, sanitary plumbing, drainlaying, electrical, and gasfitting work, as applicable, and have access to information or knowledge about the ongoing maintenance requirements of the building.
- (2) Section 42B(4) does not place a territorial authority under any duty or obligation to assess or inquire into any information supplied to it under that provision.

16 New section 45AA inserted (Certificate of work required for non-consented small stand-alone dwelling)

After section 45, insert:

45AA Certificate of work required for non-consented small stand-alone dwelling

- (1) This section applies if final design plans are submitted by a person under section 42B(4)(b) in connection with the building work for a non-consented small stand-alone dwelling.
- (2) The final design plans containing design work for building work that is restricted building work must be accompanied by a certificate of work.
- (3) The certificate of work must—
 - (a) be provided by 1 or more licensed building practitioners who carried out or supervised that design work; and

- (b) identify work described in paragraph (b) of the definition of restricted building work in section 7(1); and
 - (c) state that the design work complies with the building code.
- (4) A certificate of work provided under section 42B(4)(b) does not, of itself,—
- (a) create any liability in relation to any matter to which the certificate of work relates; or
 - (b) give rise to any civil liability to the owner that would not otherwise exist if the licensed building practitioner were not required to provide the certificate of work.

17 Section 88 amended (Licensed building practitioner to provide record of work in respect of restricted building work)

- (1) After section 88(1), insert:
- (1A) Each licensed building practitioner who carries out or supervises restricted building work on a non-consented small stand-alone dwelling must, on completion of the restricted building work, provide the owner and the territorial authority that issued the project information memorandum for the dwelling under section 34 with a record of work, in the prescribed form (if applicable), stating what restricted building work the licensed building practitioner carried out or supervised.
- (2) In section 88(4), after “subsection (1)”, insert “or (1A)”.

18 Section 90D amended (Owner-builder exemption)

After section 90D(1), insert:

- (1A) Subsection (1) does not apply to building work in connection with a non-consented small stand-alone dwelling.

19 Section 177 amended (Application for determination)

In section 177(3), before paragraph (a), insert:

- (aaa) an extension under section 34A(b) of the period during which building work must be completed before the project information memorandum lapses:

20 Section 216 amended (Territorial authority must keep information about buildings)

- (1) In section 216(2)(b)(iva), replace “88(1)(a)” with “88”.
- (2) After section 216(2)(b), insert:
- (ba) all information it has issued or received in relation to a non-consented small stand-alone dwelling, including—
- (i) the additional information it provides under section 35A; and
 - (ii) the information described in section 42B(6)(a) to (d); and

- (iii) all preliminary design plans; and
- (iv) the set of final design plans for the building, plumbing, and drain-laying work; and
- (v) any certificate of work provided under section 45AA; and
- (vi) the project information memorandum issued in respect of the building work to be carried out on the dwelling; and

Section 20(1): editorial changes made by the PCO, on 3 February 2026, under sections 86(1) and 87(1)(i) and (iv) of the Legislation Act 2019 (2019 No 58).

21 Section 317 amended (Grounds for discipline of licensed building practitioners)

After section 317(1)(da), insert:

- (daa) a licensed building practitioner has failed, without good reason, in respect of restricted building work in connection with a non-consented small stand-alone dwelling that they have carried out or supervised (as the case may be), to provide the owner of the dwelling and the relevant territorial authority with a record of work, on completion of the restricted building work, in accordance with section 88(1A) or a certificate of work issued under section 45AA relating to the final design plans for the building; or

22 Section 362I amended (Implied warranties for building work in relation to household units)

In section 362I(1)(a)(ii), after “set out in the contract”, insert “or, in the case of a non-consented small stand-alone dwelling, in accordance with the final design plans”.

23 Section 362V amended (Offence for commercial on-seller to transfer household unit without code compliance certificate)

After section 362V(6), insert:

- (7) This section does not apply to a non-consented small stand-alone dwelling.

24 New section 392A inserted (Territorial authority not liable)

After section 392, insert:

392A Territorial authority not liable

No civil proceedings may be brought against a territorial authority or any member, employee, or agent of that authority for anything in good faith—

- (a) stated in, or omitted from, a statement or description required by or provided under section 35A; or
- (b) done or omitted to be done in relation to the information supplied to it under section 42B(4) or 88(1A).

25 Section 401B amended (Order in Council declaring work to be restricted building work)

In section 401B(1), replace “(other than building work for which a building consent is not required)” with “(including building work for a non-consented small stand-alone dwelling but excluding other building work for which a building consent is not required)”.

26 New Schedule 1A inserted

After Schedule 1, insert the Schedule 1A set out in Schedule 1 of this Act.

Part 2

Amendments to other legislation

Subpart 1—Amendments to Acts

Amendments to Local Government Act 2002

27 Principal Act

Sections 28 to 34 amend the Local Government Act 2002.

28 Section 5 amended (Interpretation)

In section 5(1), insert in its appropriate alphabetical order:

non-consented small stand-alone dwelling has the same meaning as in section 7(1) of the Building Act 2004

29 Section 198 amended (Power to require contributions for developments)

After section 198(1)(b), insert:

(ba) a project information memorandum is issued under the Building Act 2004 for building work in connection with a non-consented small stand-alone dwelling within its district:

30 Section 200 amended (Limitations applying to requirement for development contribution)

In section 200(1)(ba), after “certificate of acceptance”, insert “or for a project information memorandum for building work in connection with a non-consented small stand-alone dwelling situated within its district”.

31 Section 202 amended (Contents of section 201 schedule)

Replace section 202(1)(b) with:

(b) the event that will give rise to a requirement for a development contribution under section 198, whether on—
(i) granting a resource consent under the Resource Management Act 1991; or

- (ii) granting a building consent under the Building Act 2004; or
- (iii) granting an authorisation for a service connection; or
- (iv) issuing a project information memorandum for a non-consented small stand-alone dwelling.

32 Section 209 amended (Refund of money and return of land if development does not proceed)

(1) After section 209(1), insert:

(1A) A territorial authority must refund or return to the applicant for a project information memorandum for a non-consented small stand-alone dwelling, or to their personal representative, a development contribution paid or land set aside under this subpart if—

- (a) the project information memorandum lapses (*see* section 34A of the Building Act 2004); or
- (b) the development or building in respect of which the project information memorandum was granted does not proceed; or
- (c) the territorial authority does not provide the reserve, network infrastructure, or community infrastructure for which the development contribution was required.

(2) In section 209(2), after “subsection (1)”, insert “or (1A)”.

33 Section 290 amended (Development contributions)

(1) In section 290(a)(iii), replace “and” with “or”.

(2) After section 290(a), insert:

- (aa) the requirement is made in respect of the issuing, on and after the commencement of this paragraph, of a project information memorandum for a non-consented small stand-alone dwelling; and

(3) In section 290(b), replace “or authorisation” with “authorisation, or issue of a project information memorandum”.

34 Schedule 1AA amended

In Schedule 1AA,—

- (a) insert the Part set out in Schedule 2 of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Amendments to Local Government Official Information and Meetings Act 1987

35 Principal Act

Sections 36 to 38 amend the Local Government Official Information and Meetings Act 1987.

36 Section 2 amended (Interpretation)

In section 2(1), insert in its appropriate alphabetical order:

non-consented small stand-alone dwelling has the same meaning as in section 7(1) of the Building Act 2004

37 Section 44A amended (Land information memorandum)

After section 44A(2)(d), insert:

(daa) information relating to non-consented small stand-alone dwellings:

38 Section 44D amended (Territorial authority and regional council protected against certain actions when providing information in good faith)

In section 44D(a), after “section 44A(2)(a)”, insert “or (daa)”.

Amendments to Plumbers, Gasfitters, and Drainlayers Act 2006

39 Principal Act

Sections 40 to 45 amend the Plumbers, Gasfitters, and Drainlayers Act 2006.

40 Section 4 amended (Interpretation)

In section 4, insert in their appropriate alphabetical order:

non-consented small stand-alone dwelling has the same meaning as in section 7(1) of the Building Act 2004

prescribed sanitary plumbing or drainlaying means sanitary plumbing or drainlaying for which a registered person or a provisional licence holder must provide a record of work under section 27A

41 Section 15 amended (Exemption for householders)

After section 15(6), insert:

(6A) However, subsection (1) does not apply in respect of any sanitary plumbing done in connection with a non-consented small stand-alone dwelling.

42 Section 16 amended (Exemption for sanitary plumbing in areas in rural districts)

After section 16(4), insert:

(4A) However, subsection (1) does not apply in respect of any sanitary plumbing done in connection with a non-consented small stand-alone dwelling.

43 New section 27A and cross-heading inserted

After section 27, insert:

Each registered person and provisional licence holder to provide record of work in respect of prescribed sanitary plumbing or drainlaying

27A Each registered person and provisional licence holder to provide record of work in respect of prescribed sanitary plumbing or drainlaying

- (1) This section applies to each registered person and provisional licence holder who carries out or supervises prescribed sanitary plumbing or drainlaying.
- (2) The person must, on completion of the prescribed sanitary plumbing or drainlaying, provide the owner of the dwelling with a record of work, in the prescribed form (if any), stating what sanitary plumbing or drainlaying work the registered person or provisional licence holder carried out or supervised.
- (3) A record of work given under subsection (2) does not, of itself,—
 - (a) create any liability in relation to any matter to which the record of work relates; or
 - (b) give rise to any civil liability to the owner that would not otherwise exist if the registered person or provisional licence holder were not required to provide the record of work.

44 Section 89 amended (Disciplinary offence)

After section 89(f), insert:

- (fa) to have failed to provide, without good reason, in respect of the prescribed sanitary plumbing or drainlaying that they have carried out or supervised, a record of work in the prescribed form (if any) on the completion of that work to the owner of the dwelling, in accordance with section 27A; or

45 Section 172 amended (Regulations)

After section 172(1)(g), insert:

- (ga) prescribing sanitary plumbing and drainlaying for which a registered person or provisional licence holder must provide a record of work under section 27A;
- (gb) prescribing 1 or more forms for a record of work under section 27A:

Subpart 2—Amendments to secondary legislation

Amendments to Building (Definition of Restricted Building Work) Order 2011

46 Principal order

Sections 47 and 48 amend the Building (Definition of Restricted Building Work) Order 2011.

47 Clause 5 amended (Certain building work relating to primary structure or external moisture-management systems of residential buildings to be restricted building work)

In clause 5(2)(a)(i) and (ii), after “house”, insert “(including a non-consented small stand-alone dwelling (within the meaning of section 7(1) of the Building Act 2004))”.

48 Clause 6 amended (Certain design work relating to primary structure or external moisture-management systems of residential buildings to be restricted building work)

In clause 6(2)(a) and (b), after “house”, insert “(including a non-consented small stand-alone dwelling (within the meaning of section 7(1) of the Building Act 2004))”.

Amendment to Building (Infringement Offences, Fees, and Forms) Regulations 2007

49 Principal regulations

Section 50 amends the Building (Infringement Offences, Fees, and Forms) Regulations 2007.

50 Schedule 1 amended

In Schedule 1, after the item relating to section 42 of the Building Act 2004, insert:

s 42B	Failure of owner to supply territorial authority with specified information	500
-------	---	-----

Amendment to Building (Residential Consumer Rights and Remedies) Regulations 2014

51 Principal regulations

Section 52 amends the Building (Residential Consumer Rights and Remedies) Regulations 2014.

52 Regulation 6 amended (Prescribed content for residential building contracts for prescribed minimum price or more)

In regulation 6(2)(e)(iv), after “obtaining the building consents”, insert “(if any)”.

Amendment to Building Regulations 1992

53 Principal regulations

Section 54 amends the Building Regulations 1992.

54 Schedule 1 amended

In Schedule 1, clause B2.3.1, second column, after the item relating to Performance B2.3.1, insert:

However, in the case of a non-consented small stand-alone dwelling (within the meaning of section 7(1) of the Building Act 2004), B2.3.1 applies from the completion of the building work (within the meaning of section 42B(6) of that Act).

*Amendments to Electricity (Safety) Regulations 2010***55 Principal regulations**

Sections 56 to 58 amend the Electricity (Safety) Regulations 2010.

56 Regulation 4 amended (Interpretation)

In regulation 4(1), insert in its appropriate alphabetical order:

non-consented small stand-alone dwelling has the same meaning as in section 7(1) of the Building Act 2004

57 Regulation 74E amended (What happens to certificates of compliance)

After regulation 74E(2), insert:

- (2A) Despite subclause (2), where the work is carried out in connection with a non-consented small stand-alone dwelling, the responsible person must provide a copy of the certificate of compliance for prescribed electrical work to—
- (a) the person who contracted for the work, if that person is readily available; and
 - (b) the owner of the dwelling in which the installation or part installation is located.

58 Regulation 74G amended (What happens to electrical safety certificates)

Replace regulation 74G(1)(a) with:

- (a) provide a copy of it, within 20 working days after it is issued,—
 - (i) unless subparagraph (ii) applies, to the person who contracted for the prescribed electrical work or, if that person is not readily available, to the owner or occupier of the place or thing in which the installation or part installation is located;
 - (ii) if the work was done in connection with a non-consented small stand-alone dwelling, to the person who contracted for the prescribed electrical work, if that person is readily available, and to the owner of the dwelling in which the installation or part installation is located; and

*Amendments to Gas (Safety and Measurement) Regulations 2010***59 Principal regulations**

Sections 60 to 62 amend the Gas (Safety and Measurement) Regulations 2010.

60 Regulation 3 amended (Interpretation)

In regulation 3(1), insert in its appropriate alphabetical order:

non-consented small stand-alone dwelling has the same meaning as in section 7(1) of the Building Act 2004

61 Regulation 52G amended (What happens to certificates of compliance)

After regulation 52G(2), insert:

(2A) Despite subclause (2), where the work is carried out in connection with a non-consented small stand-alone dwelling, the responsible person must provide a copy of the certificate of compliance for gasfitting work to—

- (a) the person who contracted for the work, if that person is readily available; and
- (b) the owner of the dwelling in which the installation or part installation is located; and

62 Regulation 52I amended (What happens to gas safety certificates)

Replace regulation 52I(1)(a) with:

- (a) provide a copy of it, within 20 working days after it is issued,—
 - (i) unless subparagraph (ii) applies, to the person who contracted for the gasfitting work or, if that person is not readily available, to the owner or occupier of the place or thing in which the gas installation or part installation is located;
 - (ii) if the work was done in connection with a non-consented small stand-alone dwelling, to the person who contracted for the gasfitting work, if that person is readily available, and to the owner of the dwelling in which the gas installation or part installation is located; and

Schedule 1

New Schedule 1A inserted into Building Act 2004

s 26

Schedule 1A

Other building work for which building consent not required

ss 7, 35A, 41, 42B

1 Characteristics of small stand-alone dwelling

This schedule applies to building work in connection with a small stand-alone dwelling. A **small stand-alone dwelling** is a building that has all of the following characteristics:

- (a) it is stand-alone;
- (b) it is new (that is, it is wholly new and not an addition or alteration to existing building work or an existing building);
- (c) it has a floor area that is equal to or less than 70 square metres;
- (d) it has a single storey only.

2 Requirements for small stand-alone dwelling

- (1) A small stand-alone dwelling must be constructed in accordance with the following requirements:
- (a) it meets the requirements for a detached dwelling, as defined in clause A1 of the building code;
 - (b) it has a maximum height of 4 metres above the floor;
 - (c) it has a floor level of up to 1 metre above the supporting ground;
 - (d) it must not contain a mezzanine floor;
 - (e) it has a frame made of lightweight building products (being steel or timber);
 - (f) it is at least 2 metres away from any other residential building or any legal boundary;
 - (g) it is built using lightweight building products for the roof that have a maximum weight of 20 kilograms per square metre;
 - (h) its wall cladding has a maximum weight of 220 kilograms per square metre or less;
 - (i) its water supply, sanitary plumbing, and drainage must—
 - (i) be designed and built in accordance with the following acceptable solutions or verification methods for compliance with clauses E1, G12, and G13 of the building code:

- (A) E1/AS1, E1/AS2, or E1/VM1 for its surface water system; and
- (B) G12/AS1 or G12/AS3 for its water supply system; and
- (C) both G13/AS1 and G13/AS2 or G13/AS3 for its foul water drainage system; and
- (ii) connect to network utility operator systems (**NUO systems**), if those systems are available, or, if not available (within the meaning of clause 3), connect to on-site systems:
 - (j) an on-site system referred to in paragraph (i)(ii) must be designed and built in accordance with—
 - (i) any applicable acceptable solution specified in paragraph (i)(i) of this clause of this schedule; or
 - (ii) verification methods E1/VM1 and G13/VM4 (if applicable):
 - (k) it must have an independent source of supply for electricity and, if gas is to be used in the dwelling, an independent source of supply for gas:
 - (l) where heaters are installed, they must be either electric or gas heaters:
 - (m) it does not have a level entry shower requiring a waterproof membrane.
- (2) The following additional requirements apply to the water supply, sanitary plumbing, and drainage systems for a small stand-alone dwelling (but do not apply to on-site systems):
 - (a) there must be no more than 30 fixture units, as defined by AS/NZS 3500.0.2021 and rated under clause 6.3 of AS/NZS 3500.2.2025:
 - (b) there must be no pumped systems within the dwelling:
 - (c) the main drain must be no less than DN100, at a grade of 1:60:
 - (d) all branch drains must be no less than DN65, at a grade of 1:40:
 - (e) upstream vents in connection with any branch or main drain must be no less than DN65:
 - (f) there must be no uncontrolled water heating.
- (3) For the purposes of subclause (1)(i) and (j),—
 - (a) a connection to an NUO system or an on-site system does not require a building consent:
 - (b) building work in connection with an on-site system does not require a building consent.
- (4) A small stand-alone dwelling can include a garage with internal access if the characteristics in clause 1 and requirements in clause 2 are met.

3 Interpretation

In this schedule, unless the context otherwise requires,—

AS/NZS 3500.0.2021 means AS/NZS 3500.0.2021 Australian/New Zealand Standard—Plumbing and Drainage—Part 0: Glossary of terms

AS/NZS 3500.2.2025 means AS/NZS 3500.2.2025 Australian/New Zealand Standard—Plumbing and Drainage—Part 2: Sanitary Plumbing and Drainage

branch drain has the same meaning as in AS/NZS 3500.0.2021

E1/AS1 means Acceptable Solution E1/AS1 as set out in the Acceptable Solutions for New Zealand Building Code Clause E1 Surface Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

E1/AS2 means Acceptable Solution E1/AS2 as set out in the Acceptable Solutions for New Zealand Building Code Clause E1 Surface Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

E1/VM1 means Verification Method E1/VM1 as set out in the Verification Methods for New Zealand Building Code Clause E1 Surface Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

floor area, in relation to a small stand-alone dwelling, means the overall internal dimensions measured between the finished internal faces of the external walls of the building

G12/AS1 means Acceptable Solution G12/AS1 as set out in the Acceptable Solutions for New Zealand Building Code Clause G12 Water Supplies, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2024

G12/AS3 means Acceptable Solution G12/AS3 as set out in the Acceptable Solutions for New Zealand Building Code Clause G12 Water Supplies, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2024

G13/AS1 means Acceptable Solution G13/AS1 as set out in the Acceptable Solutions for New Zealand Building Code Clause G13 Foul Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

G13/AS2 means Acceptable Solution G13/AS2 as set out in the Acceptable Solutions for New Zealand Building Code Clause G13 Foul Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

G13/AS3 means Acceptable Solution G13/AS3 as set out in the Acceptable Solutions for New Zealand Building Code Clause G13 Foul Water, issued by the chief executive under section 22 and available on the Ministry’s Internet site, as in force on 2 November 2023

G13/VM4 means Verification Method G13/VM4 as set out in the Verification Methods for New Zealand Building Code Clause G13 Foul Water, issued by the chief executive under section 22 and available on the Ministry's Internet site, as in force on 2 November 2023

main drain has the same meaning as in AS/NZS 3500.0.2021

not available, in relation to an NUO system, means—

- (a) there is no NUO system sufficiently close to the relevant small stand-alone dwelling to enable a connection to be made between that dwelling and an NUO system; or
- (b) there is an NUO system (as certified in the project information memorandum) that is sufficiently close to the relevant small stand-alone dwelling to enable a connection to be made between the dwelling and the NUO system, but the network utility operator informs the owner of the dwelling that the NUO system does not have sufficient capacity to allow a connection to be made

on-site system means a system for the independent management of storm-water, wastewater, or water supply that does not connect to an NUO system

upstream vent has the same meaning as in AS/NZS 3500.0.2021.

Schedule 2
**New Part 11 inserted into Schedule 1AA of Local Government Act
2002**

s 34

Part 11
**Provisions relating to Building and Construction (Small Stand-alone
Dwellings) Amendment Act 2025**

- 63 Territorial authorities may require development contributions for small stand-alone dwellings even where not authorised by policy**
- (1) This clause applies during the period beginning with the commencement of this Part of Schedule 1AA and expiring 3 years after that date.
 - (2) A territorial authority may require a development contribution to be paid in respect of a non-consented small stand-alone dwelling, even if this is not authorised by, or is contrary to, the relevant policies of the territorial authority.
 - (3) Subpart 5 of Part 8 applies, subject to this clause and with any necessary modifications.

Legislative history

22 May 2025	Introduction (Bill 166–1), first reading and referral to Transport and Infrastructure Committee
22 September 2025	Reported from Transport and Infrastructure Committee (Bill 166–2)
7 October 2025	Second reading
15 October 2025	Committee of the whole House (Bill 166–3)
22 October 2025	Third reading
24 October 2025	Royal assent

This Act is administered by the Ministry of Business, Innovation, and Employment.