

# Notification of exempt building work under Schedule 1 of the Building Act 2004

There is no statutory requirement to notify the Council of work being done under Schedule 1 of the Building Act 2004. However, as the owner of a property, for the purpose of public records, you can choose to notify the Council of work that you believe to be exempt building work under Schedule 1 of the Building Act 2004.

Notifications and plans supplied are not checked or inspected by the Council. It is your responsibility to ensure that the work undertaken is exempt by seeking advice from a suitably qualified or competent person. Undertaking building work that is not exempt without a building consent is an offence.

It is important to contact Council on 07 315 3030 for any resource consent requirements that may apply.

Address for the property to which the exempt building work relates	
Street Address of building:	
Legal Description of land where building is located:	
Current, lawfully established use:	
Property owner – must be legal owner	
Name of Owner:	
Mailing Address:	
Landline:	Mobile:
Description of building work and relevant records <i>(please list the documents you are submitting for public record)</i>	
Please tick as applicable	
<input type="checkbox"/> <b>Property owner</b> I understand that it is my responsibility to obtain appropriate advice from a suitably competent person on whether the building work is exempt under Schedule 1. I understand that it is my responsibility to comply with any resource consent requirements.	
<input type="checkbox"/> <b>Owner's agent</b> I am the agent acting on behalf of the owner of the above property. I understand that it is my responsibility to comply with any resource consent requirements.	
I understand that:	
<ul style="list-style-type: none"> <li>• Council accepts no liability for the content or accuracy of the plans supplied that relate to the building work undertaken.</li> <li>• Council will not be undertaking any inspections or issuing a code compliance certificate as a result of this building work.</li> <li>• These plans will be placed on file. This is only as a public record of the building work undertaken at property.</li> </ul>	

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Owner/Agent signature	
Signature	Date
If an agent submits this report, please provide letter of authority, signed by the owner, for the agent to act on the owner's behalf and provide contact details.	
Agent name	
Agent address	

## GUIDANCE INFORMATION

The Building Amendment Act 2013 exempts certain building work from the requirement to obtain a building consent. This includes the exemptions listed in Schedule 1.

The Ministry of Building Innovation and Employment (MBIE) have provided guidance information about building work that does not require a building consent. The document is intended for building practitioners, architects, engineers, building surveyors, building consultants and building owners who are considering undertaking or providing advice about building work.

**This information can be viewed on the Ministry of Business Innovation and Employments website at: [www.dbh.govt.nz/bc-no-consent](http://www.dbh.govt.nz/bc-no-consent)**

Exemptions under Schedule 1 recognise that minor and low-risk building work should not be subject to the requirements of the building consent process. Low-risk work presents little danger to people or property; therefore, the compliance costs associated with approving this type of work, are not outweighed by the benefits obtained from the building consent process.

### Important notes

If building work is exempt, an owner may still apply for a building consent if they wish. In this circumstance, an application for building consent can be made in the normal manner and is subject to the usual processing and inspection criteria.

### Exempt building work is not checked or inspected by Opotiki Building Consent Authority

All building work regardless of whether a building consent is required, must comply with the New Zealand Building Code. Often this will require the engagement of a skilled building practitioner to undertake the building work. An exemption does not permit building work if that building work would be in breach of any other Act (i.e. Resource Management Act, Historic Places Act, etc).

Undertaking building work that is not exempt is an offence under section 40 of the Building Act. A person who commits such an offence may be liable to a fine not exceeding \$100,000 and, in the case of a continuing offence, to a further fine not exceeding \$10,000 for every day or part day during which the offence continues.

Council needs to protect public assets and public amenity such as public drainage systems and building height and location restrictions. These restrictions are administered under the District Plan and the Resource Management Act 1991. Council **strongly recommends** that all building owners check with a Planning Officer before undertaking any building work to ensure that resource consent is not required.

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Resource consents maybe necessary for a number of different reasons including but not limited to:

zoning

site coverage

height in relation to boundary.

## Documentation

Documentation must be suitable for scanning purposes and only include information relevant to the work, which is the subject of this notification. Please note, photocopies of previously approved applications or building work can not be used for the purpose of recording exempt work. Plans provided with this application must clearly depict any work claimed to be exempt.

## Fees

Where information is received requesting that a record of exempt building work be placed on a property file, there is an administration charge pertaining to filing, which covers the costs of storing the information on the property file, for the life