

### 3. Single-storey detached buildings not exceeding 10 square metres in floor area

1. Building work in connection with any detached building that:
  - (a) is not more than 1 storey (being a floor level of up to 1 metre above the supporting ground and a height of up to 3.5 metres above the floor level); and
  - (b) does not exceed 10 square metres in floor area; and
  - (c) does not contain sanitary facilities or facilities for the storage of potable water; and
  - (d) does not include sleeping accommodation, unless the building is used in connection with a dwelling and does not contain any cooking facilities.
2. However, subclause (1) does not include building work in connection with a building that is closer than the measure of its own height to any residential building or to any legal boundary.

This exemption covers the construction of small buildings such as garden sheds, cabins or sleepouts. It also includes all work relating to the disposal of stormwater.

If you are providing sleeping accommodation in such a building, note that the facilities of an existing dwelling must be readily available and used for sanitation, and the building cannot include cooking facilities because of the risk of fire.

If you are a supplier of proprietary garden sheds, cabins or sleepouts, we recommend that you make sure anyone buying them is aware of the use and location requirements of this exemption. If these requirements are not fully met, the purchaser will need to apply for a building consent.

Note: smoke alarms must be installed in **all** sleeping areas.



#### ALERT:

Always check with your local council to make sure your proposed building work does not have any district planning implications (eg maximum site coverage, yard/setback requirements, daylight access planes or permitted activities). A resource consent may be required and it is important that you obtain this before starting any building work.

If you are building close to boundaries, you need to give due consideration to the Building Code requirements regarding protection from fire; particularly in relation to the external spread of fire to neighbouring property.



### Examples where this exemption could apply

A 9 square metre sleep-out is constructed in the backyard of a residential dwelling. It is more than its own height away from all boundaries and the associated residential dwelling, and does not contain cooking or sanitary facilities, or a potable water supply.

Owners of a childcare centre intend to build a 10 square metre detached building to serve as a staff retreat area. The proposed building will be more than its own height away from the boundaries. It contains no water supply and no facilities for cooking or sanitation.

A home owner decides to build a detached sleepout with a net ground floor area of 10 square metres on the back of his 1000 square metre section. The sleep-out floor level is 900 mm above the supporting ground and the apex of the roof is 3.5 metres above the floor level. The sleepout is more than its own height away (4.4 metres) from the house and the boundaries. To optimise the floor space the owner proposes to have a raised sleeping platform, above door head height, to accommodate a single mattress only (ie equivalent to an upper bunk bed).

### Examples where building consent is required

A rural land owner decides to erect a sleepout with a net floor area of 10 square metres on a property that does not have a residential dwelling on it. This sleepout would require a building consent as it is not associated with a residential dwelling.

A building owner erects a kitset garden shed that is 2 metres high. It is located 1 metre from the boundary. This garden shed would require a building consent as it is not its own height away from the boundary.

A home owner decides to build a detached sleepout with a net ground floor area of 10 square metres on the back of his 1000 square metre section. The sleepout floor level is 900 mm above the supporting ground and the apex of the roof is 3.5 metres above the floor level. The sleepout is also more than its own height away (4.4 metres) from the house and the boundaries. The owner decides to optimise the sleepout space by including a loft of 8 square metres as a study area. As the proposed floor level of the study/loft is more than 1 metre above the supporting ground, a building consent will be required.