

Fact Sheet: Making it easier to build granny flats

Notes to editors:

These notes are intended as background information, not for reproducing in full.

Resource Management Act 1991

- The discussion document proposes that a National Environmental Standard (NES) that requires that “minor residential units” (MRU)¹ are permitted (ie, they don’t need a resource consent).
- NESs have effect on commencement (ie, RMA planning documents don’t need to be amended through a plan change process).
- The discussion document proposes that permitted standards will need to be complied with. These will be broadly enabling but are needed to safeguard against key risks and effects (eg, maximum building coverage and minimum permeable surface requirements are needed to manage stormwater runoff and flooding risks).
- The discussion document proposes options for permitted standards, that apply to both residential and rural areas but could vary across the different zones. Proposed permitted standards and options in the discussion document are (see page 15 - 16):
 - **Internal floor area:** Maximum of 60sqm (consistent with the Building Act proposal).
 - **Number of granny flats:** One per principal residential home on the same site.
 - **Building coverage of the net site area:** The discussion document proposes options for a maximum of 50%, 60%, 70% in residential areas. No maximum building coverage proposed in rural zones.
 - **Permeable surface:** The discussion document proposes options for a minimum of 20% or 30%.
 - **Setbacks:** The discussion document proposes a range of options in residential and rural zones for front, side and rear boundaries, including no minimum boundary setback.
 - **Building height/ height in relation to boundary:** No proposed requirement as policy intent is for single storey buildings and RMA plans already provide for this.

Building Act 2004

- The discussion document proposes a new schedule be added to the Building Act that would allow a small standalone house to be built without a building consent, if the building meets certain criteria that help limit the health and safety risks given it is not checked by a regulator.

- Granny flats are proper houses, they are much higher risk than the low-risk buildings currently exempt under Schedule 1, like pergolas garages and sleepouts. Granny flats will include plumbing, cooking and sleeping facilities, and more safeguards are needed to manage risks associated with these features.
- These buildings still need to comply with the Building Code.
- The criteria would require the small house to be built by trusted workers, to a simple straightforward design, and be notified to councils.
- The criteria are intended to be as permissive as possible, while adequately mitigating the risk of building failure that the inspections and approvals process in a normal consent process usually safeguards against. Criteria are specifically targeted at reducing the risk of high-consequence issues such as structural failure, fire and the spread of fire, weathertightness failure and insanitary conditions (see pages 9 - 10).
 - **Height:** Not more than one storey (being a floor level of up to one metre above the supporting ground and a height of up to four metres above the floor level).
 - **Height to boundary and other buildings:** to mitigate against spread of fire to other buildings, we are testing options of height to boundary/buildings (council discretion to vary) or two-metres to boundary/buildings.
 - **Protection from fire:** Must have interconnected smoke alarms throughout the building. Electric or gas heaters only.
 - **Design and built:** The discussion document proposes the option of requiring lightweight building products for walls and roof and design/built in accordance with certain Acceptable Solutions (Structure, Weathertightness, Plumbing) and in certain wind zones only (no greater than High – 158kph) **UNLESS** designed to MultiProof or designed/built under BuiltReady, and used within the scope they were approved for. Licensed Building Practitioners and Plumbers to be used for design and build (note Chartered Professional Engineers are deemed LBPs (design)). This is to safeguard against risk of structural failure.
 - **Plumbing/connection to services:** The discussion document proposes the option of plumbing and drainage systems being required to connect to network utility operator services, where available (reticulated mains water, sewer and stormwater). Where not available installation or alteration of an onsite wastewater treatment, onsite stormwater disposal or onsite water supply system would require a building consent (exclusively for these systems), this is intended to safeguard against sanitation issues
 - **Notification of work to Councils:** The discussion document proposes the option of a requirement to notify council of planned work by providing indicative plans and requesting information about the features of the land

relevant to the work (similar to a Project Information Memorandum) - will incur an administration fee. This also ensures that owners are aware of issues such as buried utility lines, hazardous materials etc, before they start to build. Owners also to notify councils once work is complete.

- The discussion document proposes that an engineer's report would not be required. Requiring such a report could introduce engineering services where they otherwise may not be required, imposing an additional cost to the consumer. Instead, we are proposing that building work would need to be completed (or supervised) by suitably competent, regulated professionals, such as Licensed Building Practitioners and authorised plumbers.