



26 January 2026

s 9(2)(a)

Official information request

Our ref: R001370

Tēnā koe ^{s 9(2)(a)}

Thank you for your Official Information Act 1982 (OIA) request received by the Ministry for Regulation (Ministry) on 10 December 2026. You requested:

A media release was made about the first week in August 25 where the Minister of Regulation and Minister of Construction, The Hon. David Seymour and Hon. Chris Penk made statements about sheds. Reference was made to ^{s 9(2)(a)} and the red tape tip line. Further in comment is made by the regulation minister about sheds less than 10m2.

I'd like to know when this tip was made and the detailed nature, if any, of the issue around the existing shed regulation made by the tipster. I do not need to know who made it.

Information released

The information you have requested is enclosed. The Ministry for Regulation received two submissions to the Red Tape Tipline related to setback distances for small structures. The first was received on 14 November 2024, and the second was received on 16 April 2025. These were received from two different submitters.

The detailed nature of the submissions is enclosed as **Appendix A**. Please note that the attachment referred to in submission two was not provided to the Ministry.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

s 9(2)(a)

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Aisling Risdon

Head of Ministerial and Strategic Services
Ministry for Regulation

Appendix A

Submission one – received 14 November 2024

- **Issue description:** *For a 7m2 garden shed to house garden tools there is a MBIE and building consent requirement to consider height of shed to boundary. This is stipulated as the sheds height equalling the distance to all boundaries. This doesn't work in Auckland where we have 300m2 sections as the common theme now.*
- **Suggested change:** *Create for a maximum shed height eg 2.4m, it is allowable to be 1m away (or less if doable) from fence line.*

Incorporate 2nd change; sheds must be a minimum distance of x from any neighbouring structure to ensure fire and water run off is controlled.

Submission two – received 16 April 2025

- **Issue description:** *I am an architect in [withheld – s 9(2)(a)], I do a lot of townhouses; we have a situation where planners here (resource management act) are pretty much insisting on bike sheds and the building consent officers and inspectors (building act) are saying you cant build a shed near a boundary (as the current exemptions for a shed) produced by MBIE (see second attachment) – we are stuck between a rock and a hard place. The sites are small, density is good so you run out of options. Fire rated small sheds don't exist as far as I can see.*
- **Suggested change:** *What I propose is to add another exemption for very small sheds as attached (up to 2 square metres in area & max 2m high, install a 10 year battery smoke alarm & residential storage items only (an e-bike ok) allowing them to be built up to all boundaries – please get your officials to look at this and please don't let them say its too hard or too risky, life is full of risks – this is a real problem when all of NZ there are sheds on boundaries not causing issues / generally a very low risk*

Additionally for small buildings (10sqm, max single single storey) allow them to be built within 1m of a boundary (and no set back for road boundaries) just like any house/ garage is currently allowed with a building consent (the current exemption only allows small building to be within their height of the boundary)

apart form the last paragraph Ive already sent this to Chris Penk but im hoping sending it to this department might get some action rather than in the too hard basket.