



COVERSHEET

Minister	Hon Chris Penk	Portfolio	Building and Construction
Title of Cabinet paper	Building (Exempt Roof-mounted Solar Panel Arrays and Building Work) Order 2025	Date to be published	22 October 2025

List of documents that have been proactively released

Date	Title	Author
September 2025	Building (Exempt Roof-mounted Solar Panel Arrays and Building Work) Order 2025	Office of the Minister for Building and Construction
18 September 2025	Building (Exempt Roof-mounted Solar Panel Arrays and Building Work) Order 2025 LEG-25-MIN-0190 Minute	Cabinet Office
April 2025	Regulatory Impact Statement: Incentivising residential solar generation https://www.mbie.govt.nz/dmsdocument/31087-incentivising-residential-solar-generation-regulatory-impact-statement-proactiverelease-pdf	MBIE
September 2025	Updated Regulatory Impact Statement: Incentivising solar generation https://www.mbie.govt.nz/dmsdocument/31081-updated-regulatory-impact-statement-incentivising-solar-generation	MBIE

Information redacted

NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under *Official Information Act 1982*. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Building (Exempt Roof-mounted Solar Panel Arrays and Building Work) Order 2025

Portfolio **Building and Construction**

On 18 September 2025, the Cabinet Legislation Committee:

- 1 **noted** that in May 2025, the Cabinet Economic Policy Committee agreed to:
 - 1.1 remove the setback distance condition for single-storey detached buildings under 10 square metres in floor area; and
 - 1.2 require a minimum setback distance of one metre from any legal boundary or other building for single-storey detached buildings 10-30 square metres in floor area;[ECO-25-MIN-0110]
- 2 **noted** that in April 2025, the Cabinet Economic Policy Committee agreed to amend Schedule 1 of the Building Act 2004 to exempt rooftop solar installation in existing residential buildings from requiring a building consent subject to consultation and further technical work on any risks involved [ECO-25-MIN-0054];
- 3 **noted** that further technical work found an opportunity to extend the scope of the rooftop solar exemption to all buildings by mitigating the risks associated with large solar arrays and solar arrays in high wind speed areas by requiring a chartered professional engineer to provide or review the design of those solar arrays;
- 4 **agreed** to extend the scope of the rooftop solar exemption from existing residential buildings to encompass all buildings;
- 5 **agreed** to the following settings for installing rooftop solar arrays on all buildings under Schedule 1 of the Building Act 2004:
 - 5.1 amend Part 1 of Schedule 1 to exempt installing rooftop solar arrays of less than 40 square metres from requiring a building consent in wind zones no greater than high or up to 44 metres per second; and
 - 5.2 amend Part 3 of Schedule 1 to exempt installing rooftop solar arrays greater than 40 square metres in any wind zone, and solar arrays less than 40 square metres where the wind speed is greater than 44 metres per second, from requiring a building consent subject to a chartered professional engineer providing or reviewing the design;

- 6 **noted** that the Building (Exempt Roof-mounted Solar Panel Arrays and Building Work) Order 2025 (the Order) will give effect to the above decisions;
- 7 **authorised** the submission of the Order [PCO 28098/10.0] to the Executive Council;
- 8 **noted** that the Order will come into force on 23 October 2025.

Tom Kelly
Committee Secretary

Present:

Hon David Seymour
Hon Louise Upston (Chair)
Hon Paul Goldsmith
Hon Judith Collins KC
Hon Brooke van Velden
Hon Shane Jones
Hon Simon Watts
Hon Nicole McKee
Hon Casey Costello
Hon Chris Penk
Hon James Meager
Stuart Smith, MP
Todd Stephenson, MP
Jamie Arbuckle, MP

Officials present from:

Officials Committee for LEG
Office of the Leader of the House