

Doc Ref TS-21 Building Consent Amendment-NV

Date 20/05/2008

# TS-21 BUILDING CONSENT AMENDMENT

## BCA AIM

To provide an accurate and timely assessment procedure in accordance with the Building Act 2004 and the New Zealand Building Code.

## ROLES AND RESPONSIBILITIES

### BCA

To develop procedures to ensure appropriate technical procedures are undertaken.

### Building Manager

To be satisfied on reasonable grounds that the requirements of a building consent amendment have been complied with

### Building Officer

To appraise the documentation for the requirements of a building consent amendment.

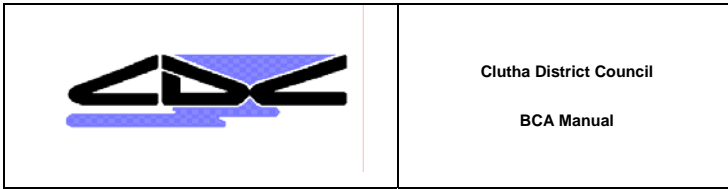
## BACKGROUND

1. Section 40 requires that buildings are not to be constructed, altered, demolished or removed without a building consent.
2. Section 45 describes how to apply for a building consent, and states that applications for amendments to a building consent must be made as if they were an application for a building consent.
3. The Department of Building and Housing has identified in guidance documents that it may be advantageous to approve minor changes to building consent in a less formal manner.

## PROCEDURE

### 1 REQUEST FOR AMENDMENT

- 1.1 This will usually arise through an owner request or non-compliance with building consent documents identified during inspection.
- 1.2 Applications for amendments, changes, or variations can be assessed on the following criteria
  - Degree of departure from the original building consent.
  - Degree of difficulty in assessing compliance with the Building Code.
  - Degree of likely processing time required.
- 1.3 Applications can be typically categorised as one of the following
  - Minor changes or variations.
  - Significant changes or variations (Amendments).



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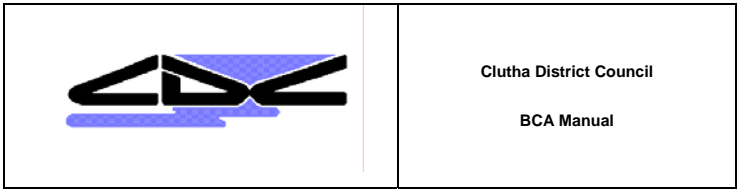
## 2 MINOR CHANGES OR VARIATIONS

- 2.1 Where the change or variation is minor, it is not considered necessary for an amendment (new building consent) to be applied for. The BCA will ensure the job card includes records together with relevant plans depicting the work involved. The date and nature of the changes must be identifiable from the records. Before approving the amendment application, the Building Officer must assess for compliance with the Building Code, including the effect on the compliance of other building work.
- 2.2 It is possible that these minor changes or variations will comply with the Building Code but result in a lesser or greater degree of performance. For this reason it is important that the owner is aware of and approves the amendment.
- 2.3 Examples of minor changes include but are not limited to:
- Changing a room's layout (e.g., the position of fixtures in a bathroom)
  - Substituting a material with another of equal performance.
  - Drainage as-built plans.
- 2.4 Consideration may be given to very minor changes being accepted as an 'as-built record'. Where the change or variation is a minor nature such that the Building Officer can be satisfied on reasonable grounds that it complies with the building code with a quick visual appraisal of the documents, without having to assess other details, records or documents, then the plan and details of the change or variation, could be accepted as an 'as-built record'.
- 2.5 The application documents must be approved signed and dated by the Building Officer. A copy should be sent to the applicant and one retained for property records and the approval of the amendment must be recorded on the building consent documentation.
- 2.6 Where a minor change or variation will not comply with the Building Code the application should be refused. The owner / applicant should be advised and the decision recorded on the job card.
- 2.7 Where an application for amendment is refused because of non compliance with the Building Code, a waiver or modification may be applied for (see TS-23).

## 3 SIGNIFICANT CHANGES (AMENDMENTS)

- 3.1 Examples of amendments include but are not limited to:
- Change to the building footprint or envelope
  - Amendments where a change of use is proposed
  - When a new PIM is required (significant time lapse or new hazards identified)
  - When there is a change in value of the building work to the extent that the DBH and BRANZ Levies need to be recalculated.
- 3.2 For significant amendments an application for building consent should be completed by the applicant and lodged with the BCA. On receiving the application the BCA will identify it as an amendment to a building consent and consider the original building consent when the amendment is being processed. The amendment will be received in accordance with TS-04 and processed in accordance with TS-19.

## NOTES



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DBH guidance document for Amendments to Building Consents.