

# TS-14.1 ALTERATIONS TO EXISTING BUILDINGS

## BCA AIM

To ensure a change of use to an existing building complies with the provisions of the Building Act 2004.

## ROLES AND RESPONSIBILITIES

### BCA

To provide procedures to be followed for dealing with application involving alterations on an existing building.

### Building Manager

To be satisfied on reasonable grounds that the procedures required to approve alterations to an existing building have been followed.

### Building Officer

To appraise applications involving alteration to existing buildings.

To be satisfied on reasonable grounds that the requirements for an alteration to an existing building have been complied with.

## BACKGROUND

- Section 112(1) requires that, before a BCA grants a building consent for the alterations of an existing building or part of an existing building, the BCA be satisfied on reasonable grounds the building will:
  - (a) comply as nearly as is reasonably practicable with the provisions of the Building Code that relate to:
    - means of escape from fire
    - access and facilities for people with disabilities, and
  - (b) continue to comply with the other provisions of the Building Code to at least the same extent as before the alteration.
- Section 112(2) permits a territorial authority to allow the alteration of an existing building without fulfilling (a) and (b) above, if it is satisfied that:
  - if the building were to comply, then the alteration would not take place; and
  - the alteration will result in improvements to:
    - means of escape from fire
    - access and facilities for people with disabilities, and
  - the improvements referred to in (b) outweigh any detriment that is likely to arise as a result of the building not complying with the relevant provisions of the Building Code.

## PROCEDURE

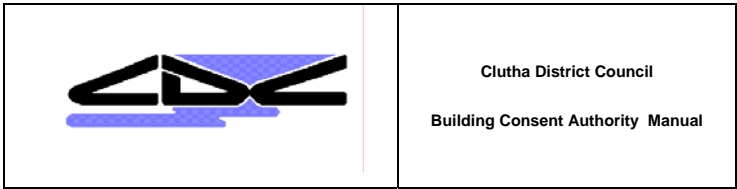
### 1 APPLICATION ASSESSED

1.1 On receiving an application involving an alteration to an existing building the Building Officer should first check the property file to determine whether there are any pre-existing factors such as uncompleted building consents that may affect the proposal.

### 2 CHECK PROPERTY FILE TO FINALISE OUTSTANDING MATTERS

2.1 Check to ensure the plans on record reflect what is on file and reconcile with information supplied.

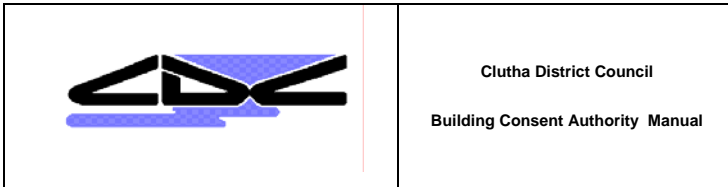
2.2 If there are any outstanding building consent(s) or other matters requiring completion that may affect this application, these will need to be resolved. This may involve the completion of outstanding work, the withdrawing or



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amendment of a previously issued Building Consent, or with further information it may be determined that there is no effect on the current application. The application should be suspended until these matters are resolved.



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### **3 ASSESS WHETHER COMPLIANCE WITH SECTION 112(1) WILL BE ACHIEVED**

3.1 The Building Officer will need to determine whether they can be satisfied on reasonable grounds that after the alteration the building will comply as nearly as is reasonably practicable with the provisions of the Building Code that relate to:

means of escape from fire

access and facilities for people with disabilities

and will continue to comply with the other provisions of the Building Code to at least the same extent as before the alteration.

3.2 If so, the Building Officer will sign, date and record their decision for approval and the building consent may be granted.

### **4 ASSESS WHETHER COMPLIANCE WITH SECTION 112(2) WILL BE ACHIEVED**

4.1 If compliance with 112(1) cannot be achieved, the TA will determine whether it is prepared to allow the alteration to proceed under the provisions of section 112(2).

4.2 If the territorial authority is not prepared to allow the alteration to proceed under the provisions of section 112(2) it must notify the owner accordingly.

4.3 The BCA will then refuse consent and notify the owner accordingly.

### **5 TERRITORIAL AUTHORITY ISSUES NOTICE**

5.1 If the territorial authority is prepared to allow the alteration to proceed in accordance with the provisions of section 112(2), the territorial authority may provide the owner with written advice confirming that the alteration may proceed. The territorial authority should identify which parts of the work will not, for one reason or another, comply with the Building Code.

### **6 BCA GRANTS BUILDING CONSENT**

6.1 After the TA approves the alteration work, the BCA will assess whether there are any specified systems and determine whether a new or amended compliance schedule is required in accordance with TS-27.

6.2 The BCA will grant consent when satisfied the provisions of section 112 have been complied with.

## **NOTES**

Checksheet for processing Building Consents.