



WHAT IS A CHANGE OF USE?

A change of use is defined in the Regulations as changing **all or part** of building from one of the purpose groups listed below to another, **but only** if the requirements for compliance with the Building Code in the new use are additional to or more onerous than in the old use (refer to table 1 below for use as defined in the regulations).

The additional or more onerous requirements typically relate to safety and other features relating to the occupants and or other property, e.g.

- the need for additional sanitary facilities
- mechanical ventilation, alarms
- backflow prevention
- fire separations

Council recommends you seek independent advice from a designer or architect to determine if there is likely to be a change of use and if so to complete a gap analysis in relation to the relevant Building Code requirements.

If your proposal results in a change of use you must notify the Territorial Authority in writing and provide a scope of work to upgrade the building to as near as reasonably practical with provision of the Building Code that relate to;

- all aspects of the Building Code when establishing a household unit where one didn't exist before

And in all other cases;

- the means of escape from fire
- protection of other property from the effects of fire
- sanitary facilities
- structural and fire-rating performance
- access and facilities for the disabled

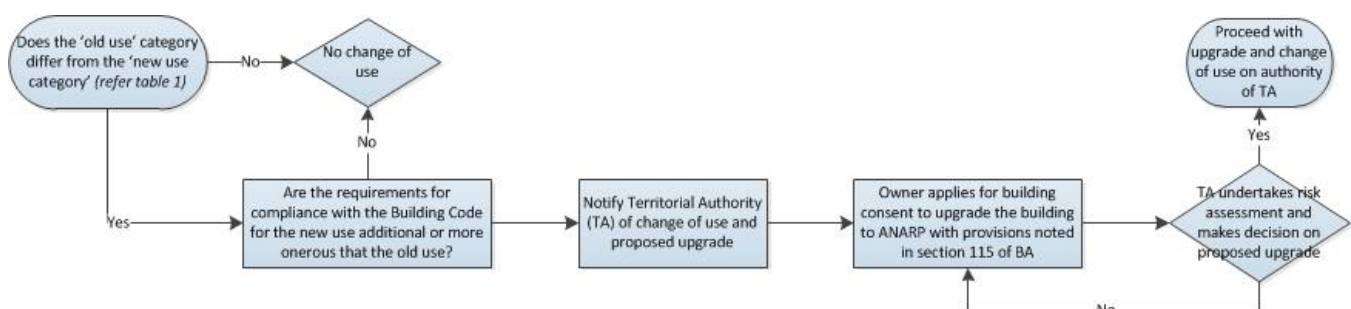
Typically notification will take the form of an application for building consent.

OWNERS RESPONSIBILITY

The owner must notify the Territorial Authority prior to any change of use under Section 114 of the Building Act 2004. (It is an offence under the Act not to notify the Territorial Authority.)

WHAT HAPPENS AFTER NOTIFICATION

The Territorial Authority provides written authority prior to the change of use and this may be in the form of an approved building consent.



Ledgend

ANARP – As near as reasonably practicable

BA – Building Act

TA – Territorial Authority

Table 1

USE	SPACES OR DWELLINGS	EXAMPLES
Uses Related to Crowd Activities		
CS (Crowd Small)	Enclosed spaces (without kitchens or cooking facilities) where 100 or fewer people gather for participating in activities.	Cinemas (with qualifying spaces), art galleries, auditoria, bowling alleys, churches, clubs (non-residential), community halls, court rooms, dance halls, daycare centers, gymnasias, lecture halls, museums, eating places (excluding kitchens), taverns, enclosed grandstands, indoor swimming pools.
CL (Crowd Large)	enclosed spaces (with or without kitchens or cooking facilities) where more than 100 people gather for participating in activities, but also enclosed spaces with kitchens or cooking facilities and where 100 or fewer people gather for participating in activities.	cinemas (with qualifying spaces), schools, colleges, and tertiary institutions, libraries, nightclubs, restaurants and eating places with cooking facilities, theatre stages, opera houses, television studios (with audience)
CO (Crowd Open)	spaces (other than those below a grandstand) for viewing open air activities	open grandstands, roofed but unenclosed grandstands, or uncovered fixed seating
CM (Crowd Merchandise)	spaces for displaying or selling retail goods, wares, or merchandise	exhibition halls, retail shops, supermarkets, or other stores with bulk storage or display
Uses Related to Sleeping Activities		
SC (Sleeping Care)	spaces in which people are provided with special care or treatment required because of age, or mental or physical limitations	hospitals, or care institutions for the aged, children, or people with disabilities
SD (Sleeping Detention)	spaces in which people are detained or physically restrained	care institutions for the aged or children and with physical restraint or detention, hospitals with physical restraint or with detention quarters, detention quarters in police stations, prisons
SA (Sleeping Accommodation)	spaces providing transient accommodation, or where limited assistance or care is provided for people	motels, hotels, hostels, boarding houses, clubs (residential), boarding schools, dormitories, halls, wharehousi
SR (Sleeping Residential)	attached and multi-unit residential dwellings, including household units attached to spaces or dwellings with the same or other uses, such as caretakers' flats, and residential accommodation above a shop	multi-unit dwellings, flats, or apartments
SH (Sleeping Single Home)	detached dwellings where people live as a single household or family, including attached self-contained spaces such as granny flats when occupied by a member of the same family, and garages (whether detached or part of the same building) if primarily for storage of the occupants' vehicles, tools, and garden implements	dwellings or houses separated from each other by distance

Uses Related to Working, Business or Storage Activities		
WL (Working Low)	spaces used for working, business, or storage – low fire load	places for manufacturing, processing, or storage of non-combustible materials or materials having a slow heat release rate, cool stores, covered cattle yards, wineries, places for grading, storage, or packing of horticultural products, places for wet meat processing, banks, hairdressing shops, beauty parlours, places for provision of personal or professional services, dental offices, laundries (self-service), medical offices, business or other offices, police stations (without detention quarters), radio stations, television studios (no audience), places for small tool and appliance rental and service, telephone exchanges, places for dry meat processing
WM (Working Medium)	spaces used for working, business, or storage –medium fire loads and slow, medium, or fast fire growth rates	places for manufacturing and processing of combustible materials not listed in the rows relating to WL, WH, or WF, including bulk storage up to 3 m high (excluding foamed plastics)
WH (Working High)	spaces used for working, business, or storage – high fire load and slow, medium, or fast fire growth rates	chemical manufacturing or processing plants, distilleries, feed mills, flour mills, lacquer factories, mattress factories, rubber processing plants, spray painting operations, places for plastics manufacturing, or bulk storage of combustible materials over 3 m high (excluding foamed plastics)
WF (Working Fast)	spaces used for working, business, or storage – medium or high fire load and ultra-fast fire growth rates	areas involving significant quantities of highly combustible and flammable or explosive materials which because of their inherent characteristics constitute a special fire hazard, including bulk plants for flammable liquids or gases, bulk storage warehouses for flammable substances, and places for bulk storage of foamed plastics
Uses Related to Intermittent Activities		
IA (Intermittent Low)	spaces for intermittent occupation or providing intermittently used support functions – low fire load	car parks, garages, carports, enclosed corridors, unstaffed kitchens or laundries, lift shafts, locker rooms, linen rooms, open balconies, stairways (within the open path), toilets and amenities, and service rooms incorporating
ID (Intermittent Medium)	spaces for intermittent occupation or providing intermittently used support functions – medium fire load	maintenance workshops and service rooms incorporating machinery or equipment using solid-fuel, gas, or petroleum products as an energy source