



LIKE FOR LIKE

'Like for like' is a term commonly used in the building industry. But what does it really mean?

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Unfortunately, the term 'like for like' is not defined, or mentioned, in the Building Act, Building Regulations or the Building Code. However, the Department of Building and Housing (DBH) does use it in a small number of instances.

Lawful and comparable

On the DBH website page covering work exempt from a building consent, it refers to 'lawful repair or maintenance using comparable materials, or replacement with a comparable component or assembly (sometimes called "like for like")'.

Codewords 17 contains articles that mention the need for a building consent when carrying out repair work. One such reference relates to the replacement of a defective cladding with a different cladding system. Here, the DBH states that 'if a product fails to meet its durability requirements – a certain lifespan specified by the Building Code – it cannot be replaced "like for like" and a building consent is almost always required for the cladding replacement'.

Codewords 17 also states that simply redoing the work in the original manner with comparable materials may not comply with the Code and therefore would not be 'lawful'. For example, replacing the original totara piles of a villa with new totara piles would not meet current Building Code requirements. The original totara pile foundation was only designed to support a vertical load, whereas the Building Code now requires earthquake and wind loadings to be considered and a consent obtained.

Sometimes consent not required

But in *Codewords 17*, the DBH considers that the 'like for like' rationale is appropriate in some cases and a consent is not required. For example, replacement of a damaged verandah



Is using details on House A, which is back from the ridge and more sheltered, a 'like for like' basis for consenting the same details for House B on the more exposed ridge? In our view, no.

post with one that is exactly the same and where no other parameters have changed.

It is BRANZ's view that, in all situations, designers and building owners should carry out work to meet the requirements of the latest codes and standards rather than use the 'like for like' reasoning to undertake work to a lower standard.

'Like for like' for new buildings

'Like for like' has been mooted as a means of supporting a consent application (compliance path) for the design and construction of new buildings as well as for additions and/or alterations to existing buildings.

While not mentioned as a compliance path by the DBH, 'like for like' is best defined as proving the in-service history of the detail and/or the materials to be used. In effect, this uses the 'like for like' principles to allow the assessment of a construction option that is

not covered by an Acceptable Solution. The aim is to demonstrate to the satisfaction of the Building Consent Authority that the details and materials that have been used to construct the original building can be shown to be meeting the relevant performance requirements of the current Building Code. Therefore, these details and materials are suitable to use in the new construction.

Typically, in-service history is used to support a consent application for alteration and renovation work to an existing building. But it can also be used to support a consent application for a new building that proposes detailing and materials found on an existing building.

Questions to consider

When in-service history is being proposed to support the consent application, questions that are likely to be asked include:

- What is the proof of the in-service history?
To fully determine performance may involve some destructive testing.
- What are the experience and qualifications of the person making the assessment of in-service performance?
- Do the materials have exactly the same or better performance? (For example, does the new timber weatherboard that is proposed have the same profile dimensions, stability and durability as the original timber weatherboard?)
- Are the proposed applied finishes the same?
- Are there some Building Code performance requirements applicable to the new construction that the earlier construction

did not have to meet? (For example, in the repiling example above, lateral support was not a requirement when the original building was constructed.)

Specific questions to determine that 'like for like' is a valid comparison (for new buildings) may include:

- Are the specific aspects of the consent application being supported by in-service history?
- Are the environmental conditions (wind speed, exposure, earthquake zone) at the site of the new building comparable (exactly the same) as at the reference building?
- Does the design of the new building incorporate the features found on the

reference building such as eaves, flashings, window facings?

- Are the buildings of similar dimensions, shape and complexity?

Overseas evidence can be used, but it must be relevant to New Zealand conditions, such as seismic activity, ultraviolet light and exposure to salt-laden winds and wind-driven rain.

Must be exactly comparable

While 'like for like' can be used it must be clear to the BCA that the in-use situations, materials and details are indeed exactly comparable. Be sure to state exactly what Building Code clauses and performances are being addressed if you do decide to use 'like for like'. ◀