

Building Performance

[Building Performance](#)

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[Rights and obligations in the building process](#)

If you are involved in a building project, it's important you know who is responsible for each aspect.

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- [Builder and designer rights and obligations](#)
- [Building owner rights and obligations](#)
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[Stages of the building process](#)

Understand project stages, from scoping and design to consents, construction and completion.

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An overview of the priority work programmes within the MBIE Building System Performance branch.

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Understanding the building consent process

For safe, healthy and durable buildings, all building work in New Zealand must meet certain standards. Find out how to build within the rules.

Health and safety on site

Avoid accidents and make site safety a priority.

1. Planning a successful build

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Find Acceptable Solutions, Verification Methods, updates and technical guidance by Building Code clause.

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About managing buildings

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Specified systems and compliance schedules

If you own a building that contains a specified system such as a cable car, you must ensure they are effectively operated for the life of the building and in keeping with the council-issued compliance schedule.

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[Determinations](#)

A determination is a binding decision made by MBIE providing a way of solving disputes or questions about the rules that apply to buildings, how buildings are used, building accessibility, and health and safety.

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- Designating an area for building emergency management

Designating an area for building emergency management

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Last updated: 4 March 2022

When an emergency strikes an area and multiple buildings may be damaged areas can be designated for managing buildings during and after the emergency under Subpart 6 of the Building Act 2004.

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What is a designated area?

A designated area is an area affected by an emergency where it has been determined the emergency management powers set out in the Building Act 2004 are required to manage buildings during and following the emergency.

The decision to designate must be made in the public interest, as well as being necessary or desirable for the protection of:

- people, from injury or death
- buildings, from damage or disruption to their use
- public thoroughfares, from disruption
- critical infrastructure, from damage or disruption to its operation or use
- people or buildings, from the effects of insanitary conditions in the relevant area.

Purpose of designating an area

The Building Act 2004 was amended in 2019 to provide a new system and powers for managing buildings after an emergency. Subpart 6B of the Building Act 2004 provides an end-to-end process for managing buildings following an emergency event.

It may be necessary to take protective measures, during and following an emergency, to ensure that risks to life and property from damaged buildings and/or land are managed adequately. These protective measures, such as notices (placards) that prohibit access, lose their legal force when the state of emergency ends.

Therefore when longer-term management of buildings is required, designating an area under the Building Act provides powers for this longer-term management.

Who can make decisions on designating an area?

Within an area that is subject to a state of emergency or transition period under the Civil Defence Emergency Management (CDEM) Act 2002, a designation can be made by:

- the Minister for Emergency Management; or
- a person appointed or otherwise authorised under s25 of the CDEM Act to declare a state of local emergency or give notice of a local transition period (as the case may be) for the area.

The person making the designation must advise the Minister for Building and Construction of the designation.

If a state of emergency or transition period is not in place, responsible persons who can designate an area include:

- the Minister for Building and Construction; or
- a Territorial Authority, with prior approval of the Minister for Building and Construction.

Designations automatically last for three years from the day of the designation unless they are terminated earlier or extended and the Designation must be reviewed every 90 days to confirm it is still needed.

Power to act in a designated area

Following a significant event, authorised officials will work to quickly assess the damage to buildings within the designated area. When an area is designated, building assessors are given the power to:

- enter buildings and land
- complete post-event assessments
- direct the evacuation of buildings
- put in place measures for protecting buildings and keeping people at a safe distance
- place notices and signs on buildings
- direct the owners of building or land to provide information
- direct works (urgent and non-urgent) to remove or reduce risks
- direct works for long term use or occupation of a building.
- Many of the powers are similar to those available under a state of emergency, however they are confined to building management activity within the designated area.

More information on designating an area for building

[Designating an area for building management - fact sheet](#)

[Designating an area for building management - quick guide](#)

[Guidance for decision makers and territorial authorities](#)

More information for building owners in a designated area

[Information for building owners](#)

Areas currently under building management designation

The following parts of New Zealand are currently under a building management designation.

- Papatoetoe, Auckland Council
 - Review date: Friday 18 March 2022
- Westport Township, Buller District
 - Review date: Saturday 15 April 2022
- Mahakipawa, Marlborough District
 - Review date: Monday 25 April 2022
- West Auckland, Auckland Council
 - Review date: Monday 30 May 2022

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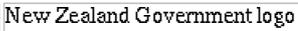
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- with compliance with the Building Act, it is published under section 175 of the Building Act
- with a Weathertight Services claim, it is published under section 12 of the Weathertight Homes Resolution Services Act 2006.