

Building owner and manager post-emergency guide

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Your home, workplace or property may need a building assessment by a suitably qualified professional if it is damaged by a major event. This is to ensure it is safe to enter, safe to occupy and does not risk the safety of others.

Building owners are primarily responsible for ensuring buildings remain structurally sound following a major event, and assisting authorised civil defence emergency management officials or your local council. The situation differs depending on whether a state of emergency has been declared or not.

A state of emergency may be declared if there is widespread damage. In this case, authorised civil defence emergency management officials (who can include authorised council staff and engineers) will respond. In most instances they will initiate a process to assess and placard buildings to indicate one of the following: can be used, restricted access or entry prohibited.

If no state of emergency is declared, your local council is likely to become involved where buildings may be dangerous or insanitary.

In order to assist with the recovery process, a notice of a transition period may be given, under the Civil Defence Emergency Management Act 2002, following a state of emergency or an emergency event. During the transition period authorised civil defence emergency management officials have the ability to request information, to secure or remove dangerous structures, and to give building owners direction to remediate their buildings.

Building assessment during a state of emergency or transition period

During a state of emergency or a transition period authorised civil defence emergency management officials are likely to begin the rapid building assessment process.

This can include:

- requesting any information regarding a building (i.e. a structural assessment) that is in the owner's possession
- identifying buildings and requiring the owner of a building or owners of a building of a particular type and location, to undertake an assessment of the effect of the emergency (or subsequent events) on the building (for example, a building with a certain design feature that may be deemed unsafe)
- examining and marking buildings (for example, building assessment notices such as placards)
- making, or requiring building owners to make, dangerous structures safe by securing, repairing, demolishing or cordoning/barricading
- requiring evacuation of and limiting entry to premises or places (including public spaces) and closing roads
- prohibiting or restricting public access to roads or public places.

Find out more about a state of emergency or transition period in the CDEM Sector section of the [Civil Defence website](http://www.civildefence.govt.nz/cdem-sector/cdem-framework/legislation-and-regulations/civil-defence-emergency-management-amendment-act/changes-to-the-civil-defence-emergency-management-act-2002/) (<http://www.civildefence.govt.nz/cdem-sector/cdem-framework/legislation-and-regulations/civil-defence-emergency-management-amendment-act/changes-to-the-civil-defence-emergency-management-act-2002/>)

As part of the building assessment process, authorised civil defence emergency management officials may direct an owner of a building, or the owners of buildings of a particular type to undertake an assessment of the effect of the emergency (ie. earthquake), and any related events, on the building. If the building owner doesn't already have this information, they will need to commission an engineering or technical assessment to obtain this information.

Building assessment where no state of emergency or transition period is declared

If an area has been affected by a major event, but no state of emergency or transition period is declared, your local council may carry out rapid building assessments.

Building owners and others (such as employers, bodies corporate and community group boards) must comply with their obligations under the Building Act and other laws such as health and safety, tenancy, other legislation (such as the Unit Tiles Act), lease agreements and contracts.

Building owners should be satisfied that their building is safe to use and occupy and are required to help the local council carry out its inspection duties. In the case of earthquakes or aftershocks, building owners should seek professional advice and may need to repeat the assessment process.

Assessments should be carried out by a chartered professional engineer to determine whether buildings remain structurally sound and can be re-occupied. Engineering assessments should also consider whether the building poses a risk to adjacent properties or public areas, whether infrastructure (services and facilities) has been affected, and whether the building remains sanitary.

[Occupation guide – multi-unit and non-residential buildings post-earthquake \(https://www.building.govt.nz/managing-buildings/post-emergency-building-assessment/building-manager-guidance-post-emergency/non-residential-and-multi-unit-residential-occupation-post-earthquake/\)](https://www.building.govt.nz/managing-buildings/post-emergency-building-assessment/building-manager-guidance-post-emergency/non-residential-and-multi-unit-residential-occupation-post-earthquake/) explains the process for non-residential and multi-unit residential buildings where no state of emergency is declared.

Building owner rights and obligations

Building owners have an obligation to ensure their premises comply with all requirements in respect of building, tenancy and health and safety legislation. Information on the state of the building or commissioned assessments should be shared with all tenants.

Duties under Health and Safety at Work Act

Building owners, employers and tenants all have duties to consult and engage with each other, and to work together in relation to the health and safety of workers and others affected by their respective businesses. This responsibility comes under the Health and Safety at Work Act 2015, relating to a Person Conducting a Business or Undertaking (PCBU).

You can read about these responsibilities on the WorkSafe website – see [Dealing with earthquake-related hazards \(http://www.worksafe.govt.nz/worksafe/information-guidance/all-guidance-items/position-statements/position-statement-dealing-with-earthquake-related-hazards\)](http://www.worksafe.govt.nz/worksafe/information-guidance/all-guidance-items/position-statements/position-statement-dealing-with-earthquake-related-hazards)

If the building has tenants, or you are a tenant yourself, you could also read:

- [occupation guide for building owners and managers post-earthquake \(https://www.building.govt.nz/managing-buildings/post-emergency-building-assessment/building-manager-guidance-post-emergency/non-residential-and-multi-unit-residential-occupation-post-earthquake/\)](https://www.building.govt.nz/managing-buildings/post-emergency-building-assessment/building-manager-guidance-post-emergency/non-residential-and-multi-unit-residential-occupation-post-earthquake/)
- [information in the event of a natural disaster \(https://www.tenancy.govt.nz/about-tenancy-services/news-and-events/in-the-event-of-a-natural-disaster\)](https://www.tenancy.govt.nz/about-tenancy-services/news-and-events/in-the-event-of-a-natural-disaster) on the Tenancy Services website.

Business owners can find more information about recovering from an emergency event at [Business.govt.nz \(https://www.business.govt.nz/\)](https://www.business.govt.nz/)

Meeting requirements related to assessments

If you own a building that has been assessed and received a placard or building assessment notice under the Civil Defence and Emergency Management Act, your ownership, rights and responsibilities remain.

Simple houses

If you own a residential property with a placard you need to:

- talk to EQC ([Earthquake Commission \(http://www.eqc.govt.nz/\)](http://www.eqc.govt.nz/))
- talk to your insurer.

If it is a simple structure, and your damage assessment low, there may be small things you can do to enable you to stay there.

Multi-unit, multi-storey buildings

If you own a multi-unit, multi-storey building with a placard you may need to:

- talk to your insurer
- get a more detailed engineering evaluation
- give a copy of the engineering evaluation to your local council and they will decide whether your building's placard should stay or go
- ensure the details of your building's structural assessment – both the rapid assessment and the engineering evaluation – are added to your property file and Land Information Memorandum (LIM).

For complex structures, especially multi-storey buildings, you must get professional engineering advice (structural). This will determine the nature of any temporary or permanent repairs.

Find an engineer (<https://www.engineeringnz.org/our-work/working-engineer/find-engineer>) on the Engineering New Zealand website has more information.

Building assessment process

Rapid building assessments are designed to ensure the safety and well-being of building occupants after a major event. They are a way to prioritise the structural condition of buildings and also identify the worst immediate hazards.

Authorised civil defence emergency management officials (which may include structural engineers, geotechnical engineers, building officials and architects), undertake the building assessment process.

They may apply rapid building assessment processes to any building, including:

- residential buildings
- commercial buildings
- high-rise buildings
- key community buildings such as hospitals, police stations, schools and welfare centres.

They will assess:

- any structural damage to the building itself
- the use of streets, other buildings and the environment adjacent to the damaged buildings.

They do not check other functions within the building, such as partitions, fittings, electrical, gas, water or sewage systems.

The authorised civil defence emergency management official attaches, changes and removes placards that indicate the level of damage, based on their assessment. They are the only people authorised to do this.

If there is another event or aftershock and a new state of emergency is declared, your building might be reassessed. In some instances:

- some buildings will be identified as indicator buildings. These buildings are representative of types of structures and designs. If they come through an aftershock well, it might not be necessary to undertake a comprehensive new rapid assessment of similar buildings
- a new rapid assessment may be limited to types of indicator buildings and structures that revealed more damage.

Assessment levels

There are two levels of rapid assessment – Level 1 and Level 2 – for complex residential and commercial buildings. A residential house assessment is similar to a Level 2 assessment. Owners are recommended to seek a more detailed assessment if their house is placarded.

Level 1 Assessment:

- is a 'first look' at the building and involves an external visual inspection only to determine if it poses a risk (including to streets around it) and needs further inspection (Level 2)
- may mean, for simple buildings such as houses if the inside can be seen and inspected, that a Level 2 inspection is not be required
- involves assigning a placard according to the observed damage (attached to all entrances).
- may involve cordoning off the building if it is unsafe

Level 2 Assessment:

- is undertaken for complex buildings
- is undertaken only after a Level 1 Assessment has shown it is okay for inspectors (structural, geotechnical and building service engineers) to enter the building

- takes longer and involves both internal and external inspections
- is performed on all large, critical facility, typically multi-storey buildings regardless of use, as well as any buildings identified by Level 1 assessments as needing further inspection
- involves assigning a placard according to the observed damage (attached to all entrances)
- may involve cordoning off the building if it is unsafe
- involves recommending work be done urgently to secure the building.

A Level 2 Assessment supersedes an earlier Level 1 Assessment.

Understanding the placards

There are three placards, which can be attached to buildings after either of the assessments.

The white, yellow and red placards are A4-sized posters that are attached to buildings following a rapid assessment.

They indicate how usable a particular building is:

White – the building can be used. This placard indicates that the building has been assessed and there has been light or no damage (low risk). Note, however, a white placard doesn't necessarily mean that the building is safe, as there could be unobserved damage.

Yellow – building use is restricted. The placard indicates that the building has been assessed and may have sustained moderate damage to all or part of it. This generally means that either:

- the building can be used except for the areas identified as posing a significant hazard, or
- the public cannot enter except under supervision for a limited time on essential business such as for emergency or assessment purposes or to remove critical business records, valuables and property.

Red – the building cannot be used and entry is prohibited. It has sustained moderate or heavy damage and poses a significant risk. This could be the building itself, from external factors such as adjacent building or from ground failure. Entering may pose a risk to health or life.

Usable and use-restricted buildings

All buildings are built to be usable, but after a major event such as an earthquake or flood they may suffer damage which makes them unusable or only usable in part.

For instance, if a flood damages a two-storey home, the ground floor may be sodden but the first floor dry, so you may decide to stay there. However if the sewage and water systems are compromised – even if the house is structurally sound – it may not be usable due to a lack of facilities and it may be insanitary.

If your building is rated use-restricted it may be because:

- only part of the building can be used
- the building can only be accessed for limited purposes.

Assessment timeframe

The scale of any event and the extent of damage will impact on the time it takes to complete rapid building assessments.

- 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.