



22 September 2021

Justin Sherper
[fyi-request-16381-
38dd861b@requests.fyi.org.nz](mailto:fyi-request-16381-38dd861b@requests.fyi.org.nz)

45 Pipitea Street, Thorndon, Wellington 6011
PO Box 805, Wellington 6140
Phone +64 4 495 7200
Fax +64 4 382 3589
Email OIA@dia.govt.nz
Website www.dia.govt.nz

Dear Justin

Your Official Information Act request OIA2122-0134

I write regarding your Official Information Act (Act) request, which was received by the Department of Internal Affairs (Department) on 11 August 2021.

You have requested:

With the recent issues identified in Wellington with the Asteron building occupied by Inland Revenue, I'm seeking information on the Policies, Process and documents held by larger government agencies relating to leased and owned buildings surrounding building quality and Asset Management.

Could you please provide:

- 1. Any policies or practices that DIA use to check NBS or equivalent when signing new leases or retrospectively?*
- 2. A list of DIA leased sites*
 - 2(a) when the lease was last re-negotiated or signed?*
 - 2(b) if DIA has a record of the NBS, DSA or other documentation*
 - 2(c) What the NBS or equivalent is?*
 - 2(d) What plans are in place if the NBS percentage or Seismic Assessment is less than what DIA deems acceptable?*
- 3. A list of DIA owned buildings*
 - 3(a) What is the NBS of the buildings?*
 - 3(b) When was the last DSA or review completed?*
 - 3(c) Were any risks identified in any building reviews?*
 - 3(d) What is DIA doing if any of these results are less than what DIA deems acceptable?*
- 4. Could you provide the findings from any Audits relating to Building Safety or Asset Management and any plans to act upon recommendations?*

Response

1. Any policies or practices that DIA use to check NBS or equivalent when signing new leases or retrospectively?

The State Sector Act 1988 and the Health and Safety at Work Act 2015 outlines the Department of Internal Affairs obligation to be a 'good employer.' This includes the Department's obligation to provide a safe working environment for its employees.

The Department's owned portfolio has been assessed by a structural engineering firm for earthquake risk. When new sites are leased, as part of the selection evaluation process we seek evidence from the landlord to confirm the NBS rating for the building. This evidence must include the name of the firm that provided the seismic assessment, the author, the date of the assessment and the type of assessment. Further assessments are done as new information becomes available.

2. A list of DIA leased sites

- (a) when the lease was last re-negotiated or signed?**
- (b) if DIA has a record of the NBS, DSA or other documentation?**
- (c) What the NBS or equivalent is?**
- (d) What plans are in place if the NBS percentage or Seismic Assessment is less than what DIA deems acceptable?**

The Department of Internal Affairs has no occupied leased sites that have a NBS rating below acceptable standard.

A list of the Departments leased sites and the most recent date of re-negotiation or signing (start date of current term) is included with this response, under Table 1. Some of the listed sites in Table 1 are currently under various stages of negotiation. The date in the list is when the lease agreements were signed by both parties and is the start of the new term.

The Department is withholding NBS reports of leased properties under section 9(2)(ba)(i) – commercial in confidence, as this information was provided by landlords voluntarily with the expectation that it would not be distributed further and there is strong public interest that landlords continue to supply this information to the Department.

We have considered the countervailing public interest in release of these documents, to support transparency and public accountability, and we are satisfied that these public interests will be sufficiently satisfied with release of summary information on the NBS standard across the Department's leased buildings.

The Department has obligations under the Health and Safety at Work Act 2015, including adherence to the WorkSafe Guidelines for dealing with earthquake-related health and safety risks. Those guidelines include staying informed and acting upon new or emerging information and where necessary, consulting a professional.

If it is identified that the NBS rating of a building is not to an acceptable standard when negotiating a lease, then discussion is held with the landlord about agreement on strengthening works to bring the NBS to an acceptable standard or the lease is no longer pursued as an addition to the Department's portfolio.

If an event occurs or if new information comes to light that brings into doubt the strength of a building, then staff are vacated immediately while an engineering assessment is undertaken.

In the event an assessment deems the site unsafe, business continuity plans are activated and staff are relocated to an alternative site. Where an alternative site is not immediately available, our kaimahi work from home while alternative office accommodation is sourced. The process to secure an alternative site is the same as when we are looking to lease a new site (as noted above), i.e. receipt of evidence of the NBS rating for the site, this includes the name of the firm that provided the assessment, the author, the date of the assessment and the type of assessment. Negotiations with the landlord for the impaired site will be held to determine the detail of the required strengthening works and their commitment to undertaking the work. If the landlord does not wish to undertake the works, or is not in a position to do this, then a search for an alternative permanent site will be commenced.

3. A list of DIA owned buildings

(a) What is the NBS of the buildings?

(b) When was the last DSA or review completed?

(c) Were any risks identified in any building reviews?

3(d) What is DIA doing if any of these results are less than what DIA deems acceptable?

The Department of Internal Affairs has no owned sites that have a NBS rating below its acceptable standard.

A list of the Department's owned buildings, the associated NBS rating and the date of the last assessment of each building is included in this response under Table 2. Note residential houses are not required to undertake a NBS assessment. For these properties, condition assessments to identify required repairs and maintenance work are completed as soon as practically possible.

A range of different risks may be identified in a building assessment however, no risks have been identified in any the Department's owned properties.

A review of the Department's owned buildings by a structural engineering firm is undertaken after a significant seismic event or when new information is received which indicates a re-assessment of the building's seismic rating is required.

4. Could you provide the findings from any Audits relating to Building Safety or Asset Management and any plans to act upon recommendations?

For the purposes of expediency in providing a response to this question, we have interpreted it to relate to the past two financial years, and not 'for all buildings, for all time'.

This part of your request is refused under 18(e) as the requested information does not exist. No formal audits have occurred in the period that have focused on building safety or asset management.

The Department is taking a proactive approach to asset management and has initiated a 4-year capital programme of work to deliver an uplift in the services and infrastructure of our owned buildings to ensure they remain fit for purpose. Part of the work within this programme involves the assessment, scoping and investigation of our buildings which is underway. During this work advice on potential seismic risks may be identified and where this occurs the agreed remedial works will be included as work packages within a civil works project.

In addition, the Department undertakes a Building warrant of fitness (BWOFF) process for all of its owned commercial buildings annually. The BWOFF process assesses multiple aspects of components within each building related to building safety. A building may fail its warrant for a range of smaller issues. In that event the Department initiates a remediation of the issue to enable the building to meet its warrant.

Table 1 – Site list - New Zealand Leased Sites

Site	Start date of current term
Matthews Avenue, Kaitaia	1/01/2020
Walton Street, Whangarei	1/03/2021
Nicholls Lane, Auckland	1/05/2019
Ratanui Street, Auckland	1/01/2020
Ratanui Street, Auckland	1/12/2016
Ratanui Street, Auckland	9/09/2019
Rennie Drive, Manukau City	1/03/2020
Osterley Way, Auckland	1/08/2021
Ray Emery Drive, Auckland	25/06/2017
Bath Street, Auckland	1/04/2018
Khyber Pass Road, Auckland	1/10/2019
Queen Street, Auckland	1/07/2019
Stanley St, Auckland	29/02/2016
Stanley St, Auckland	10/05/2010
Molesworth St, Wellington	31/03/2009
Hastings St, Napier	3/07/2019
Hunter Street, Wellington	27/05/2019
Centennial Highway, Wellington	1/02/2017
Centennial Highway, Wellington	22/09/2016
Head office, Pipitea Street, Wellington	18/01/2018
Waterloo Quay, Wellington	1/02/2020
Lambton Quay, Wellington	10/08/2018
Lambton Quay, Wellington	10/08/2018
Bloomfield Terrace, Lower Hutt	1/02/2019
McKee Street, Hamilton	1/07/2019
Victoria Street, Hamilton	15/09/2014
Fenton Street, Rotorua	1/04/2017

Grey Street, Gisborne	1/11/2015
Devon Street East, New Plymouth	1/07/2019
The Square, Palmerston North	1/07/2016
Trafalgar Street, Nelson	29/10/2012
Brisbane Street Christchurch	1/07/2020
Hereford Street, Christchurch	1/12/2015
Hereford Street, Christchurch	14/09/2018
Cavendish Business Park, Christchurch	1/06/2011
Rattray Street, Dunedin	1/04/2014
Yarrow Street, Invercargill	26/09/2019
Cnr Guinness & Albert Streets, Greymouth	10/12/2017

Table 2 – Site list – Owned buildings

Site	NBS rating % ¹	Date of last assessment or report	Report type
Archives NZ, Richard Pearse Drive, Auckland	100	12/12/2011	DSA
Harbourmaster's office Redoubt Street, Taupo ²	n/a	n/a	n/a
National Library – Wairere House, Cnr Somme Parade & Bates Street, Whanganui	56	17/08/2015	DSA
Avalon Film Archives, Taita Drive, Lower Hutt	95	4/04/2012	DSA
Bolton Street, Wellington (Residential)	<67% ³	3/10/2012	Assessment of Seismic performance
Premier House, Tinakori Road, Wellington (Residential)	<67% ³	3/10/2012	Assessment of Seismic performance
National Archives, Mulgrave Street, Wellington	60-70% ⁴	2017	DSA
National Library, Molesworth St, Wellington	85	20/05/2020	DSA
Archives NZ, Harvard Avenue, Christchurch	100	Built 2018 to 100% NBS	No DSA completed yet
Archives NZ, George Street, Dunedin	80	14/08/2015	DSA

Notes to the table:

1. The % NBS rating listed reflects the lowest rating of any part of a building. This means that only specific parts of the building may pose an actual risk in the case of a seismic event.

2. A seismic assessment or NBS rating is not required for this building as it does not fit the criteria (timber low rise extended dwelling)
3. The NBS rating is given as an estimate as quoted in the report due to the residential status of the building.
4. This NBS rating corresponds to 45-55%NBS (IL3) – IL3 is appropriate for buildings with high value contents.

If you would like to discuss these parts of your request further, or if you have any feedback or questions about the Department's response, we invite you to contact us directly at OIA@dia.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

As this information may be of interest to other members of the public, the Department has decided to proactively release a copy of this response on the DIA website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available here: <https://www.dia.govt.nz/Official-Information-Act-Requests-2>

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jo Tuapawa', followed by a horizontal line extending to the right.

Jo Tuapawa
General Manager Property Group
Organisational Capability and Services
Department of Internal Affairs