



29 September 2023

Ref: DOIA 2324-0486

Chris McCashin

Email: fyi-request-24014-b48d549d@requests.fyi.org.nz

Tēnā koe Chris McCashin

Thank you for your email of 1 September 2023 to the Ministry of Business, Innovation & Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

In 2013 PMCOE that I understand is now the Government Property Group was looking to consolidate government agencies to save government money on its huge property portfolio by negotiating bulk leases and cut amount of space per worker. Given this work was looking to be completed I assume analysis would have been done around the governments rent roll, government floor areas and requirements going forward.

Are you able to provide the following from 2010 - 2023

- Total government rent roll cost
- Total government floor area

During the procurement process there was also significant due diligence done around seismic requirements and the like which saw agencies sign 15 - 20 year leases. Are you also able to tell me the following

- Number of buildings where DD was done and seismic rating was okay, and government has since said the seismic rating is not okay - eg MOE building
- Reason for seismic rating changing - updated regulations, agency wanting a new building
- Total number of buildings that government are paying for but NBS ratings are now deemed okay
- Total number of arbitrations, legal cases associated with the government portfolio

Please find our response set out below with the corresponding parts of your request.

Are you able to provide the following from 2010 - 2023

- Total government rent roll cost
- Total government floor area

The Government Property Group (GPG) in MBIE does not hold the total government rent roll cost, nor does it hold total government floor area. Therefore, I am refusing this part of your request under section 18(e) of the Act: that the document alleged to contain the information requested does not exist.

However, the GPG holds part of the lease information that would comprise that of the 'total government'. We can provide the floor area and rental information that has been provided to GPG by our mandated agencies (not the government as a whole). Only some agencies have provided this information

each year, and therefore the information is not complete and as such is not directly comparable year to year. As such the information is not directly comparable year to year. Please let us know if you would like to receive this data.

Are you also able to tell me the following:

- **Number of buildings where DD was done and seismic rating was okay, and government has since said the seismic rating is not okay - eg MOE building**
- **Reason for seismic rating changing - updated regulations, agency wanting a new building**
- **Total number of buildings that government are paying for but NBS ratings are now deemed okay**
- **Total number of arbitrations, legal cases associated with the government portfolio**

MBIE has interpreted your request to be relating to the Wellington Accommodation Projects 1 and 2 (WAP 1 and WAP 2), and the Christchurch Integrated Accommodation (CIGA) projects that were undertaken circa 2012 to 2017. The GPG led the due diligence on the buildings that were procured as part of those processes, including satisfaction with the seismic rating. Once the building was occupied, the occupying agencies became responsible for property management matters including discussions or disputes with the landlord in relation to seismic ratings. We do not hold this information as it is the responsibility of the occupying agencies. Therefore, I am refusing this part of your request under section 18(e) of the Act: that the document alleged to contain the information requested does not exist.

Although MBIE does not hold the information that you have requested, we are aware of one property where the seismic rating may fit within your description of “okay”, but subsequently was “not okay”. This is Mātauranga House (33 Bowen Street, Wellington) leased by the Ministry of Education. We note that Government (in this case GPG) does not determine whether a seismic rating is “not okay”. A building rating which is produced following an assessment against the New Building Standard (NBS) is carried out by engineers in accordance with the Building Act and the methodology in the Act.

Individual agencies are responsible for obtaining seismic rating information for their buildings. Any information regarding seismic rating and the decision to exit the building should be referred directly to the Ministry of Education. Furthermore, under the earthquake-prone building (EPB) regime territorial authorities are required to identify potentially EPBs, notify the building owners, and assign an earthquake rating if it is deemed earthquake-prone. More information can be found here:

<https://www.building.govt.nz/managing-buildings/managing-earthquake-prone-buildings/what-earthquake-prone-buildings-system-means-for-you/territorial-authorities-earthquake-prone-buildings/>.

We are not aware of any other buildings from the WAP 1 and 2 or CIGA initiatives which would meet your criteria of buildings “government are paying for but NBS ratings are now deemed okay”. For completeness, I note that the former Statistics New Zealand Building in Wellington, which was damaged and subsequently demolished after the Kaikōura earthquake, was a building procured during the WAP 2 project.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.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.

Nāku noa, nā

A handwritten signature in blue ink, appearing to be 'AX', with a long horizontal stroke extending to the right.

Angela Xygalas
General Manager
New Zealand Government Property