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## **TERMS OF REFERENCE – PERFORMANCE OF STATISTICS HOUSE IN 14 NOVEMBER 2016 EARTHQUAKE**

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### **Technical Investigation of Design, Construction and Land influences on the performance of Statistics House in the Kaikoura earthquake on 14 November 2016**

#### Terms of Reference

The Chief Executive, as provided for in s169 of the Building Act 2004, is undertaking this investigation to establish factors which may affect the building code, guidance published by the Chief Executive under s175 of the Act, and other duties of the Chief Executive as defined in s11 of the Act.

The magnitude 7.8 Kaikoura earthquake on 14 November 2016 caused significant damage to buildings elsewhere in New Zealand, and specifically caused the partial collapse of an intermediate floor in Statistics House, in the Wellington Port business park.

As New Zealand's construction regulator, the Ministry of Business, Innovation and Employment (MBIE) wants to understand the factors which led to the partial collapse, in order to ensure that the regulatory system is effectively delivering safe buildings.

#### Matters for investigation

The purpose of this technical investigation into the performance of Statistics House is to establish and report on:

- the original design and construction of the building;
- the impact of any alterations to the building; and
- how the building performed in the 14 November 2016 Kaikoura earthquake.

The investigation will take into consideration:

- the regulatory settings in force at the time the building was designed and built, including design and engineering standards and guidance;
- local knowledge of specific design and construction requirements (including land conditions) for the area; and
- any changes over time to knowledge in these areas.

In addition to Statistics House, for context the investigation may also consider other multi-storey commercial buildings where the life-safety performance of the building in the 14 November and subsequent seismic events may have been less than expected by MBIE.



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Where practically possible, it will be useful to compare the performance of Statistics House with newer buildings nearby which have performed as expected in the 14 November event. This will determine any obvious impacts of changing engineering and construction knowledge and practice.

#### Matters outside the scope of this investigation

The investigation and report is to establish, where possible, the cause(s) of the observed partial building collapse at Statistics House, in order to enable MBIE to (if necessary) amend its regulations or powers to act. It is not intended to address any issues of culpability or liability arising from the collapse. These matters are outside the scope of the investigation.

#### We will work with CentrePort, Wellington City Council and others as necessary to:

1. Access the property, to be able to collect information, take photos and if necessary samples. We may need to move items to achieve this, and we may need to discuss whether items have been moved by others.
2. Access people, to discuss with key staff and advisors (and on-site building maintenance/facilities staff) the design, construction and any alterations made to the building.
3. Use information to form our conclusions. For the avoidance of doubt we will share all of our findings and reports with CentrePort/Statistics New Zealand/Ministry of Transport, and the designers and contractors involved. MBIE will otherwise keep all information confidential, unless legally required to disclose the information (i.e., by a Court or the Ombudsman).

#### Final Product

A brief written report on the specific features (under the scope above) of the buildings investigated.

#### Expert Panel

The Ministry will appoint a panel as soon as practically possible to oversee the investigation, including an independent chairperson. The Chair will have access to the support and resources required to deliver the review.

The panel members will have a background of experience at a very senior level of the range of matters relating to the planning, design, approval and construction of buildings.

Specifically, the panel will include recognised expertise in seismology, structural and geotechnical engineering.

The first task of the panel once appointed will be to advise on a timeline for the investigation.



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**Note:** *Having convened this panel, the Ministry may use it as a source of advice in instances where other buildings (as yet unknown) may not have performed as expected in the 14 November earthquake and aftershocks.*

Timing

Timing will ultimately be set by the expert panel, however the Ministry's expectation is that this investigation will proceed at pace. Specifically, a final report is sought by the end of February 2017, with initial findings available for discussion with the key stakeholders by mid-December 2016.

Cost

MBIE will meet costs associated with the investigation described above.