



Canterbury Earthquakes Royal Commission Te Komihana Rūwhenua a te Karauna

11 October 2011

Peter Mitchell
General Manager Regulation and Democracy Services
Christchurch City Council
PO Box 73016
Christchurch

By email: peter.mitchell@ccc.govt.nz

Dear Mr Mitchell

617 Colombo Street, Christchurch

The Royal Commission is currently examining the failure of the building at 617 Colombo Street (the Building).

I have obtained some of the documentation from the Council's property file.

Would you now please provide the following information, if possible by 21 October 2011:

Structural integrity of the Building prior to the 4 September 2010 earthquake

- 1. What was the status of the Building in terms of the Council's earthquake prone policy prior to the 4 September 2010 earthquake?
- 2. Was the Building deemed to be earthquake prone? If so, please provide details. If not, please explain why not.
- 3. How was the Council's earthquake prone policy applied in relation to the Building?
- 4. What structural work had been completed on the Building prior to the 4 September 2010 earthquake and how did this impact on the Building's status in terms of the Council's policy?
- 5. When was the last Council inspection of the Building in terms of its earthquake prone policy prior to 4 September 2010? What was the result of that inspection?
- 6. Did the Building's heritage status impact on the application of the Council's policy to the Building?

7. I note that in 2009 there was a proposal for a new kitchen facility. Did this work go ahead? If so, did it require any structural strengthening of the Building as a result? If so, please provide details. If not, please explain why not.

Events post the 4 September 2010 earthquake

8. I note that there were two Level 1 Rapid Assessments on 5/9/10 both resulting in green placards.

On 7 /9/10 there was a Level 2 Rapid Assessment which again resulted in a green placard. Minor damage was noted. Under general comments it is recorded "Recommend inspection of upper level and repair cracks in brick walls. Inspection at 143 only".

- (a) Was this recommendation acted on? If so, please provide details. If not, please explain why not.
- (b) Was there any further inspection of the building prior to 22 February 2011? If so, please provide details. If not, please explain why not.
- (c) Given the nature of the Building, did the Council give any consideration to such an inspection? If so, please provide details. If not, please explain why not.
- 9. I note that on 26/2/11 there was a Level 1 Rapid Assessment which resulted in a red placard. Under general comments the inspector has noted that the front façade has completely collapsed onto the street and that it was too dangerous to place a placard.

The next day there was a further Level 1 Rapid Assessment. This time it resulted in a yellow placard and under comments the inspector has written "Parapet damaging".

- (a) The two assessments appear inconsistent. Can you explain them please?
- 10. Are you aware whether or not the owner obtained an inspection of the Building at any stage after 4 September 2010? If so, please provide details.
- 11. In the 22 February 2011 earthquake a person was killed when the Building collapsed. I anticipate that an issue that will arise in relation to the Building (in common with many of the other URM buildings, the failure of which caused fatalities) is the adequacy of the inspection process post the 4 September 2010 earthquake, certainly given the nature of such buildings.

I would appreciate it if you could give this issue some thought and advise me of the Council's position on it.

The above information is requested pursuant to the Royal Commission's powers of investigation under s 4C Commissions of Inquiry Act 1908.

Yours faithfully

Mark Zarifeh Counsel Assisting

Canterbury Earthquakes Royal Commission

CC: Chris Gilbert

Legal Services Manager Christchurch City Council PO Box 73010

Christchurch 8140

Email: chris.gilbert@ccc.govt.nz

Our ref No: LEX 10597



16 November 2011

Canterbury Earthquakes Royal Commission PO Box 14053 Christchurch Mail Centre Christchurch 8544

Attn: Mark Zarifeh

Dear Sir

617 Colombo Street, Christchurch

I refer to your letter dated 11 October 2011 to Peter Mitchell asking for the provision of additional information in respect of 617 Colombo Street. Your letter has been referred to me for response.

Your questions are set out below as separate headings, with the answers below each heading.

We attach an aerial map of 617 Colombo Street to indicate which buildings made up 617 Colombo Street. 617 Colombo Street is a large premises, and the Council's Webmap records note that the property is also known as 143 Tuam Street (Switched on Gardener), 623 Colombo Street and 625 Colombo Street. The aerial map attached indicates which parts of the building were sometimes referred to as 143 Tuam Street (Switched on Gardener), 623 Colombo Street and 625 Colombo Street, however we note that the entire building is 617 Colombo Street. We attach rapid assessment forms for all of the addresses mentioned.

Structural Integrity of the Building prior to the 4 September 2010 earthquake

1. What was the status of the building in terms of the Council's earthquake prone policy prior to the 4 September 2010 earthquake?

The building was noted as an Earthquake Prone building.

Was the building deemed to be earthquake prone? If so, please provide details. If not, please explain why not.

Under the provisions of the Building Act 1991 the building was deemed to be Earthquake Prone because it was constructed of unreinforced masonry. Strengthening work was undertaken in 1994 to bring the structural strength above the requirements of section 66 of the Building Act 1991.

The Building Act 2004 had no provision to deem buildings as Earthquake Prone. The Building Act 2004 and the relevant 2005 Regulations which defined the level of strength below which a building could be classed as Earthquake Prone raised the trigger level significantly from about 10% of new building standard to about 33% of new building standard.

TRIM: 11/570750

This meant that buildings that had been strengthened prior to the commencement of the relevant 2005 Regulations would probably be Earthquake Prone under the new standard. The building at 617 Colombo Street was noted as Earthquake Prone prior to 4 September 2010.

3. How was the Council's earthquake prone policy applied in relation to the building?

When a building consent application was received an assessment of the application was made to see if it could be considered to be a Significant Alterations as defined in the Earthquake Prone Policy 2006. If the work was in this category, the procedure in the Policy would be followed (see section 1.7 of the Policy).

4. What structural work had been completed on the building prior to the 4 September 2010 earthquake and how did this impact on the building's status in terms of the Council's policy?

The building was strengthened in 1994 to meet the requirements of section 66 of the Building Act 1991. The work included adding extra walls in a North-South direction; adding an over-lay to the first floor to provide a diaphragm and connecting this to the walls and tying the existing brick parapets back to the roof system.

This work strengthened the building to above the requirements set in the Building Act 1991 but the strengthening was unlikely to meet the increased standard in the Building Act 2004 and 2005 Regulations.

5. When was the last Council inspection of the building in terms of its earthquake prone policy prior to 4 September 2010? What was the result of that inspection?

The building was not inspected in terms of the Earthquake Prone Building Policy 2006.

6. <u>Did the building's heritage status impact on the application of the Council's policy to the building?</u>

The strengthening work was undertaken prior to the 2006 Policy. The Policy did contain a separate section 3 relating to heritage buildings as required by section 131 of the Building Act 2004, however there was no further building work undertaken that would necessitate an application of section 3 to this building.

7. I note that in 2009 there was a proposal for a new kitchen facility. Did this work go ahead? If so, did it require any structural strengthening of the building as a result? If so, please provide details. If not, please explain why not.

The work was started but the owner had not advised the Council that the work was completed by September 2010.

The consent was valued at less than \$50,000 and did not affect the structural support of the building. The building's rateable value was \$2.17 million so the value of the work was less than 25% of that value. Therefore the work was not defined as a significant alteration and the Policy did not require strengthening work to be done.

Events post the 4 September 2010 earthquake

Question 8

There were two Level 1 Rapid Assessments on 5/9/2010 both resulting in green placards. On 7/9/2010 there was a Level 2 Rapid Assessment which again resulted in a green placard. Minor damage was noted. Under general comments it is recorded "Recommend inspection of upper level and repair cracks in brick walls. Inspection at 143 only".

(a) Was this recommendation acted on? If so, please provide details. If not, please explain why not.

The Council does not have a record of any further inspection of the building taking place between 7 September 2010 and 26 February 2011. We note that the building assessment dated 7 September 2010 has a Beca stamp on it. At the time Colliers, as property manager, engaged Beca to carry out building inspections of the buildings it managed. It is possible that this assessment was carried out by Beca as part of this process, and therefore was carried out on behalf of the building owners, and was not an assessment carried out by the Council's contracted engineers. We suggest you speak to Colliers about this. We also note that the assessment states "inspection at 143 only" and the building name is Switched on Gardener. We refer to our comments above regarding the various addresses given to 617 Colombo Street.

(b) Was there any further inspection of the building prior to 22 February 2011? If so, please provide details. If not, please explain why not.

As the building received a green placard in September and the Council had not received any notification of the building being potentially unsafe, no further assessments would have been carried out by the Council. It was the building owner's responsibility to arrange a detailed engineers inspection.

(c) Given the nature of the building, did the Council give any consideration to such an inspection? If so, please provide details. If not, please explain why not.

The Council did not undertake any further inspections or assessments. As noted above, the building had received a green placard, and it was not the Council's general practice after the 4 September 2010 earthquake to undertake further inspections in such circumstances.

Question 9

I note that on 26/2/2011 there was a Level 1 Rapid Assessment which resulted in a red placard. Under general comments the inspector has noted that the front façade has completely collapsed onto the street and that it was too dangerous to place a placard.

The next day there was a further Level 1 Rapid Assessment. This time it resulted in a yellow placard and under comments the inspector has written "Parapet damaging".

(a) The two assessments appear inconsistent. Can you explain them please?

As outlined above, 617 Colombo Street was a large building, which was often referred to as different addresses. The rapid assessment form dated 26 February 2011 states that the address is to be confirmed. 623 Colombo Street has been crossed out and replaced

with 617 Colombo Street. There is no building name. The assessment carried out on 27 February 2011 states that the building is 617 Colombo Street and the building name is Sampan House. It is possible that the two assessments were carried out on adjacent premises.

We also **attach** a photograph taken of the building after the 22 February earthquake. This photo is in the building file and has been sent to the Royal Commission. The photograph shows the part of 617 Colombo Street which has collapsed. It is possible that this part of the building was referred to as 623 Colombo Street, and this correlates with the rapid assessment forms completed, as the front façade of what is referred to as 623 Colombo Street has collapsed onto the street, while Sampan House has minimal damage.

Question 10

Are you aware whether or not the owner obtained an inspection of the building at any stage after 4 September 2010? If so, please provide details.

The Council does not have a record of whether the owner obtained an inspection of the building at any stage after 4 September 2010.

Question 11

In the 22 February 2011 earthquake a person was killed when the building collapsed. I anticipate that an issue that will arise in relation to the building (in common with many of the other URM buildings, the failure of which caused fatalities) is the adequacy of the inspection process post the 4 September 2010 earthquake, certainly given the nature of such buildings.

I would appreciate it if you could give this issue some thought and advise me of the Council's position on it.

Council is considering this issue. It will be dealt with later in the Inquiry.

Yours faithfully

Chris Gilbert

Solicitor

Legal Services Manager









Christchurch Eq. RAPID Assessment Form - LEVEL 1

Inspector Initials Territorial Authority		NUTCH City	Date of Insp	pection	5/9	12010		erior Only erior and Interior	
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Christchurch Eq. RAPID Assessment Form - LEVEL 1

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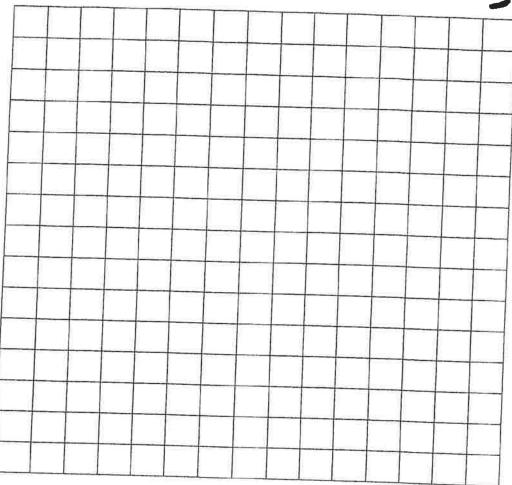
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Christchurch Eq RAPID Assessment Form - LEVEL 2

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building or damage points. Indicate
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Christchurch Eq. RAPID Assessment Form - LEVEL 1

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Christchurch Eq. RAPID Assessment Form - LEVEL 1

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