



## Canterbury Earthquakes Royal Commission

Komihana a te Karauna hei Tiro tiro i ngā Whare i Horo i ngā Rūwhenua o Waitaha

8 September 2011

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

Dear Peter

### **204 Manchester Street, Christchurch – Iconic Bar**

We have received the Council's file in relation to 204 Manchester Street – Iconic Bar (the Building). Would you now please provide the following information, by **16 September 2011**:

1. A WorkSmart record shows that a building evaluation on 5/9/2010 noted the status of the Building as "restricted use". However a rapid assessment earlier that same day resulted in a green placard.
  - (a) Why was the status noted as "restricted use"?
  - (b) What is the explanation for the apparent inconsistency with the green placarding?
2. Notes on Holmes Consulting Group paper dated 8/9/10 indicated that a rapid structural assessment was carried out with a resulting green placard.
  - (a) Was this assessment carried out on behalf of the Council? If not, are you aware who instructed Holmes Consulting Group?
3. On 10 September 2010 there was a level 1 rapid assessment which noted "cracking and parapet cracks". If that inspection resulted in a green placard, why were 40m barricades required, as noted on the form?
4. A Council "Events" record for 10/9/2010 notes an inspection by CD Emergency.
  - (a) Is this a reference to the same inspection as the level 1 rapid assessment on the same date?

5. A WorkSmart record for 10/9/2010 at 1.06pm from Civil Defence Rescue notes the building status as "dangerous".
  - (a) Is this a reference to a separate inspection done on that day? If yes, is there any documentation which records that inspection. If not, please explain the entry.
  - (b) The reference to "dangerous" appears inconsistent with the assessment which resulted in a green placard. Please explain this.
6. On the Council file there is a document signed by Darryl O'Keefe which refers to the service of a s.124 Building Act notice on 28 October 2010.
  - (a) Please provide a copy of that notice as it does not appear to be on the Council file.
  - (b) Why was this notice issued?
  - (c) Did it follow an inspection? If so please provide details and a copy of any relevant documentation.
  - (d) Was there any response to the s.124 notice? (including any oral discussions which took place between the Council and owner/tenant). If not, please advise what follow up occurred (if any).
7. In the Council file there are proposals for the addition of a new structural floor and roof by Lewis & Barrow. The Council file notes that on 22 November 2010 the client either cancelled or requested a hold on these.
  - (a) Please provide details of any discussions or correspondence between the Council and either the owner or Lewis & Barrow in relation to these proposals and the request to either postpone or cancel them.
  - (b) Is the Council aware of the reason for the request to postpone or cancel the proposed plans?
8. A rapid assessment on 26 December 2010 noted damage to the E gable wall and damage to the W wall with a resulting red placard.
  - (a) Was the information from this assessment passed on to the owners and tenants and to the engineers – Lewis & Barrow? If so, please provide details of how and what information was conveyed.
  - (b) Did the Council refer back to the structural proposals that had been lodged with the Council by Lewis & Barrow when the assessment was carried out on 26 December 2010? If so, were those proposals taken into account when making that assessment? If not, please explain why not.
9. On 27 December 2010 there were two assessments of the property – one at 10.15am by USAR and the other at 3.15pm, being a level 1 rapid assessment.
  - (a) Was the information from either or both of these assessments conveyed to the owner and to Lewis & Barrow? If so, please advise how and what information was conveyed. If not, please explain why not.

10. On 27 December 2010 the Council wrote to the owner enclosing an s124 Building Act notice requiring work to be done by 31/1/11. That notice refers to damage to the east gable wall.
- (a) Why was there no reference in that notice to the damage to the west wall (which had been identified in the assessment on 26/12/10)?
11. On 30 December 2010 there was an email from Lewis & Barrow referring to the red sticker by the Council and the east gable wall parapet damage. It also referred to further investigation revealing other damage in relation to which remedial work had been carried out. That email attached copies of a report from Lewis & Barrow and asked for removal of the red sticker.
- (a) Was there any discussion between staff from the Council and Chris Gordon (or anyone else) from Lewis & Barrow in relation to the work that was carried out?
- (b) Did the Council inspect the work?
- (c) Was the fact that damage to the west wall had been apparent from the assessment on 26 December made known to Lewis & Barrow? If so please provide details. If not, please explain why not.
12. A CPEng certificate signed by Simon Gifford of Lewis & Barrow was sent to the Council with an email of that same date.
- (a) What work was completed on the building?
- (b) Is there any record of that work apart from the Lewis & Barrow site report which is on the Council file? If so, please provide details. If not, please explain why not.
- (c) Was a building consent granted for the work?
- (d) Did the work that was carried out take into account all the damage that the assessments done by the Council on 26 and 27 December 2010 had revealed? If so, please provide details. If not, please explain why not.
- (e) Is the Council aware whether Simon Gifford inspected and/or oversaw the work that was carried out?
13. A "CCC Boxing Day earthquake – file closure (green)" form dated 3 January 2011 records that a structural report was received. Next to this is recorded "John Mitchell, CPEng of Opus." The form notes "contact owner to remove 124 notice and red placard and remove cordon".
- (a) What is the structural report referred to? If it is not the CPEng certificate please provide a copy of the same.
- (b) Did John Mitchell inspect the work that had been carried out?
- (c) Was John Mitchell acting on behalf of the Council in this capacity?

- (d) That form indicates that the red placard can be removed. However we understand that the Iconic Bar was trading on 31 December 2010. Was there therefore Council approval before 3 January 2011? If so, please advise details.
14. A WorkSmart form dated 13 January 2010 shows a building evaluation by a Mark Haines.
- (a) Was this evaluation as a result of the work that had been carried out by Lewis & Barrow?
- (b) If so, why was that necessary when a CPEng certificate had been sent to the Council on 31 December 2010?
- (c) Please provide details and a copy of that evaluation.
15. On the Council's file summary there is an entry showing "CCC in-box" which refers to cordons on the footpaths.
- (a) Why were there still cordons around the property if remedial work had been completed and signed off on 3 January 2011 as the file indicates?
16. There was an engineer's re-inspection of damaged buildings by Mark Ryburn on 9 February 2011. That noted "recommend contacting the engineer for a confirmation of the works as lateral load capacity may not exist. Also get comments on the cracking (likely just in the paint)." The form also notes that protection fencing is required to "cover parapet on Gloucester Street." The form has a notation on it "Neville please view and make a decision."
- (a) Why did this inspection take place?
- (b) Was it related to the work that had been carried out?
- (c) Was the engineer contacted as recommended by Mr Ryburn? If so, please advise the result of that. If not, please explain why not.
- (d) Why was there a need for protection fencing as noted on the form?
- (e) Who was the "Neville" referred to on the note on that form?
- (f) Did he view the form and make a decision? If so, please advise details. If not, please explain why not.
17. A "CCC Engineer-Earthquake Sign Off and Closure" form of 22 February 2011 signed by N. Higgs notes that the building has been certified for occupancy by Simon Gifford, CPEng.
- (a) In completing this sign off form, were the comments by Mr Ryburn of 9 February 2011 taken into account? If so, please advise how. If not, please explain why not.

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

2 November 2011

Our Ref: LEX 10532

Mark Zarifeh  
Counsel Assisting  
Canterbury Earthquakes Royal Commission  
PO Box 14053  
**CHRISTCHURCH MAIL CENTRE**

**ORIGINAL**

*received  
3/11/11*

Dear Mr Zarifeh

**204 MANCHESTER STREET, CHRISTCHURCH – ICONIC BAR**

I refer to your letter to Peter Mitchell of 8 September 2011. You have requested further information concerning 204 Manchester Street under section 4C Commissions of Inquiry Act 1908. This has been referred to me for response.

The additional information below has been derived from the written information the Council holds (which you have been sent) and from further discussions with some of the officers involved. As you will appreciate, given that these events happened over a year ago, some of the officers' recollections are not always clear or complete.

In the course of responding to your questions we have located further information about the building that was not on the building file provided to the Royal Commission. The information referred to in this letter is attached in the order it is referred to. We also attach some further information we have located for completeness.

The Council also considers that some of your questions go further than section 4C of the Commissions of Inquiry Act 1908 contemplates, which does not appear to require comments on or an assessment of information.

Although the Council wants to be helpful and provide as much assistance as it can to the Royal Commission, it cannot provide answers to everything you have asked.

Your questions are dealt with below.

1. A WorkSmart record shows that a building evaluation on 5/9/2010 noted the status of the Building as "restricted use". However a rapid assessment earlier that same day resulted in a green placard.
  - (a) Why was the status noted as "restricted use"?
  - (b) What is the explanation for the apparent inconsistency with the green placarding?

The Council's Worksmart system records in "current status" the most current building status at the time a new event is entered. Therefore, the 5 September 2010 Worksmart entry that the Royal Commission has been provided with is not a record of the status of the building on that date, but rather records the status of the building at the date of printing. We have been able to locate the original Worksmart entry for the 5<sup>th</sup> of

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September 2010 and we **attach** a copy which records that the building was issued with a green placard on 5 September 2010.

2. Notes on Holmes Consulting Group paper dated 8/9/10 indicated that a rapid structural assessment was carried out with a resulting green placard.

- (a) Was this assessment carried out on behalf of the Council? If not, are you aware of who instructed Holmes Consulting Group?

It seems unlikely that the Holmes Consulting Group notes were prepared as part of the Council's Civil Defence response during the state of emergency in September 2010. The Holmes Consulting Group notes are not on a Civil Defence rapid assessment form. Furthermore, the notes do not include all details that are required to be completed for a rapid assessment form.

In addition, a date received stamp on the form indicates that the notes were received by the Council's "EPA & IE Units" on 18 October 2010 (or possibly 19 October, the stamp is unclear). This stamp may not have been obvious from the scanned records provided to the Royal Commission.

The Council is not aware of who instructed Holmes Consulting Group. However, as the form states that a copy is to be provided to Daryl Fraser, and his business card is copied on the top of the page, it is possible that he commissioned the assessment. As stated at section 3.3 of the Council's "Report into Building Safety Evaluation Processes in the Central Business District Following the 4<sup>th</sup> September 2010 Earthquake", ("the Council's Report"), it was not unusual for building owners (or tenants) to arrange their own structural assessments during the state of emergency.

3. On 10 September 2010 there was a level 1 rapid assessment which noted "cracking and parapet cracks". If that inspection resulted in a green placard, why were 40m barricades required, as noted on the form?

We have been unable to identify the members of the assessment team for the building at this time to ask about the comments on the form. The Council does not have a record of a 40 metre barricade being erected around this building after the 10 September 2010 assessment.

4. A Council "Events" record for 10/9/2010 notes an inspection by CD Emergency.
- (a) Is this a reference to the same inspection as the level 1 rapid assessment on the same date?

The "Events" record for 10 September 2010 appears to be referring to the Level 1 Rapid Assessment carried out on 10 September 2010.

5. A WorkSmart record for 10/9/2010 at 1.06pm from Civil Defence Rescue notes the building status as "dangerous".

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- (a) Is this a reference to a separate inspection done on that day? If yes, is there any documentation which records that inspection. If not, please explain the entry.
  - (b) The reference to "dangerous" appears inconsistent with the assessment which resulted in a green placard. Please explain this.

We refer to our response to question 1. We have been able to locate the original record of the Worksmart entry and we **attach** a copy which records that the building was issued with a green placard on 10/9/2010.

- 6. On the Council file there is a document signed by Darryl O'Keefe which refers to the service of a s.124 Building Act notice on 28 October 2010.
  - (a) Please provide a copy of that notice as it does not appear to be on the Council file.
  - (b) Why was this notice issued?
  - (c) Did it follow an inspection? If so please provide details and a copy of any relevant documentation.
  - (d) Was there any response to the s.124 notice? (Including any oral discussions which took place between the Council and owner/tenant). If not, please advise what follow up occurred (if any).

The Council does not have a record of a Building Act notice issued on 28 October 2010. It is possible that this may be an error, and that the document signed by Darryl O'Keefe should be dated 28 December 2010. The template for this document was created for the Building Act notices that were issued by the Council in October 2010. It appears that this template was used in December for the Building Act notice issued on 27 December 2010 for 204 Manchester Street and the month should have been changed from October to December.

- 7. In the Council file there are proposals for the addition of a new structural floor and roof by Lewis & Barrow. The Council file notes that on 22 November 2010 the client either cancelled or requested a hold on these.
  - (a) Please provide details of any discussions or correspondence between the Council and either the owner or Lewis & Barrow in relation to these proposals and the request to either postpone or cancel them.
  - (b) Is the Council aware of the reason for the request to postpone or cancel the proposed plans?

We have reviewed the Council's records in relation to this building consent application and discussed the application with the relevant Building Consent Officer. It is noted that 22 November 2010 refers to the date of application by Lewis & Barrow rather than the date of the request to put the application on hold.

On 30 November 2010 the Council received a telephone call requesting that the application be put on hold as the project might not proceed. The Building Consent Officer does not recall being advised of the reason for this.



The Building Consent Officer has no recollection of any other discussions or communications with Lewis & Barrow or the building owner in relation to this building consent application, other than the documents which have previously been provided to the Royal Commission.

8. A rapid assessment on 26 December 2010 noted damage to the E gable wall and damage to the W wall with a resulting red placard.
- (a) Was the information from this assessment passed on to the owners and tenants and to the engineers - Lewis & Barrow? If so, please provide details of how and what information was conveyed.
- (b) Did the Council refer back to the structural proposals that had been lodged with the Council by Lewis & Barrow when the assessment was carried out on 26 December 2010. If so, were those proposals taken into account when making that assessment? If not, please explain why not.

It is unlikely that the structural proposals lodged by Lewis & Barrow would have been taken into account when the Level 2 Rapid Assessment was carried out on 26 December 2010 as it was not the practice to refer to such information when carrying out rapid assessments.

As discussed in the Council's Report, the rapid assessment process followed on 26 December 2010 is set out in the NZSEE Building Safety Evaluation Guidelines (see section 7.3 of the Council's Report). As set out in the Scope section of the Guidelines, the focus of the Guidelines is on immediate public safety, not the provision of an engineering assessment service for building owners. The Guidelines anticipate that detailed engineering evaluation and remedial work will be undertaken after the rapid assessment process has been completed.

The notice placed on the building informed the owners of what needed to happen with the building and the rapid assessment forms were only provided to the owners if they asked for them.

It was expected that engineers would conduct their own detailed investigation into the state of a building, rather than relying on the information included in the rapid assessment form, before signing the CPEng Certification Form – as discussed in Section 5.2 of the Council's Report.

9. On 27 December 2010 there were two assessments of the property – one at 10.15am by USAR and the other at 3.15pm, being a level 1 rapid assessment.

(a) Was the information from either or both of these assessments conveyed to the owner and to Lewis & Barrow? If so, please advise how and what information was conveyed. If not, please explain why not.

As stated for question 8, it was not standard practice for the rapid assessment forms to be provided to the owners or to the owners' engineers.

10. On 27 December 2010 the Council wrote to the owner enclosing an s124 Building Act notice requiring work to be done by 31/1/11. That notice refers to damage to the east gable wall.

(a) Why was there no reference in that notice to the damage to the west wall (which had been identified in the assessment on 26/12/10)?

The process for preparing the section 124 Building Act notices was that the notices were prepared with the information from the rapid assessment forms. The assessment teams filled out the relevant forms and the typists copied the information into a section 124 notice template. It appears that the information regarding the west wall damage was on the second page of the assessment form and that this was missed off the section 124 notice. However, we note that the Building Act notices refer in general terms to damage to the building, and the danger that is required to be removed. The Council would expect the owner's engineer to carry out a full assessment of the building, before signing the CPEng Certification Form.

11. On 30 December 2010 there was an email from Lewis & Barrow referring to the red sticker by the Council and the east gable wall parapet damage. It also referred to further investigation revealing other damage in relation to which remedial work had been carried out. That email attached copies of a report from Lewis & Barrow and asked for removal of the red sticker.

(a) Was there any discussion between staff from the Council and Chris Gordon (or anyone else) from Lewis & Barrow in relation to the work that was carried out?

The Building Recovery Office Team Leader cannot recall any discussion taking place between Chris Gordon of Lewis & Barrow and the Council regarding the remedial work and the removal of the red sticker. Any discussion would most likely have taken place between the engineers themselves, if it happened. The engineer involved was John Mitchell. John Mitchell was contracted to the Council from Opus Consultants and is no longer under contract. Therefore, we recommend that the Royal Commission approaches John Mitchell directly with any further questions regarding this matter.

(b) Did the Council inspect the work?

It was the Council's practice to rely on the CPEng engineer inspection and the CPEng Certification Form. This is why the Council required a CPEng engineer to provide the report to Council and not an IPENZ engineer. The only time Council would go and re-inspect any work would be if the Opus engineering consultants contracted to the Council at the time had any concerns with the information provided by the CPEng

engineer. The Council does not hold any information to suggest that the work carried out by Lewis & Barrow was re-inspected by the Council.

- (c) Was the fact that damage to the west wall had been apparent from the assessment on 26 December made known to Lewis & Barrow? If so please provide details. If not, please explain why not.

As stated for question 8, it was not standard practice for the Council to supply the rapid assessment forms for the buildings to the owners or to the owners' engineers. The Council relied on the CPEng engineer to make an assessment of the building, and relied on their certification that sufficient measures had been taken to secure the building.

12. A CPEng certificate signed by Simon Gifford of Lewis & Barrow was sent to the Council with an email of that same date.

- (a) What work was completed on the building?

The report by Lewis & Barrow stipulates the work the engineers considered necessary to make the building safe, therefore by signing the statement that the building was safe, the engineer was certifying that the remedial works stipulated in the report had been completed.

As stated for question 11, it was the Council's practice to rely on the CPEng engineer inspection and CPEng Certification for a building.

- (b) Is there any record of that work apart from the Lewis & Barrow site report which is on the Council file? If so, please provide details. If not, please explain why not.

There is no record of the work apart from the Lewis & Barrow site report on the Council file. The Council relied on the site report and the CPEng Certification Form stating that the building was safe.

- (c) Was a building consent granted for the work?

The Council does not have a record of any building consent application for the works. The Council also does not have a record of any discussion with the building owner or the engineer about whether a building consent was needed for the work that was carried out. We note in his email to the Council dated 30 December 2010, Chris Gordon states that "*A Building Consent Application has been made for strengthening work to the building. An amendment to the Building Consent will be made in January to include the removal of the damaged area of East gable end wall and reinstatement with a suitable structure.*" We believe that this is a reference to the building consent application discussed in the response to question 7(b), that had been withdrawn.

- (d) Did the work that was carried out take into account all the damage that the assessments done by the Council on 26 and 27 December 2010 had revealed? If so, please provide details. If not, please explain why not.

We refer to our answers to questions 8 and 11(c).

- (e) Is the Council aware whether Simon Gifford inspected and/or oversaw the work that was carried out?

In the statement by Simon Gifford it states that "personnel under my control have inspected the work on completion and I am satisfied on reasonable grounds that:[...], so it appears that he oversaw the work.

13. A "CCC Boxing Day earthquake - file closure (green)" form dated 3 January 2011 records that a structural report was received. Next to this is recorded "John Mitchell, CPEng of Opus". The form notes "contact owner to remove 124 notice and red placard and remove cordon".

- (a) What is the structural report referred to? If it is not the CPEng certificate please provide a copy of the same.

The structural report referred to on the CCC Boxing Day earthquake – file closure (green) form, is the Lewis & Barrow site report dated 28 December 2010 and the CPEng Certification Form.

- (b) Did John Mitchell inspect the work that had been carried out?

As discussed for Question 11(b), it was not the Council's practice to inspect the work that had been carried out, if a CPEng had certified that the work carried out was satisfactory and the building was safe.

- (c) Was John Mitchell acting on behalf of the Council in this capacity?

John Mitchell is an Engineer who was acting on behalf of the Council at the time. He was contracted to the Council from Opus Consultants. We refer to our answer to Question 11(a).

- (d) That form indicates that the red placard can be removed. However we understand that the Iconic Bar was trading on 31 December 2010. Was there therefore Council approval before 3 January 2011? If so, please advise details.

The "CCC Boxing Day earthquake – file closure (green)" form states that the Council's Customer Service Request records were updated on 3 January 2011. This does not mean that John Mitchell received, reviewed and communicated his acceptance of the structural report from Lewis & Barrow on 3 January 2011. The Council was operating with limited staff over this time period (31/12/2010 – 3/1/2011), and it was common for there to be delays in entering the assessments into the Council systems. It is possible that the building file was closed by John Mitchell on or before 31 December 2010 and that the owner was advised prior to 3 January 2011 that the red placard could be removed.

We note a request for service on the building file dated 31 December 2010 stating that Chris Gordon called the Council asking for John Mitchell and advising that he had sent the last piece of paperwork through to have red sticker removed. The Council does not, however, have any record of discussions between the engineers during this time period regarding the structural report, the remediation works and the subsequent removal of the red sticker.

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14. A WorkSmart form dated 13 January 2010 shows a building evaluation by a Mark Haines.
- (a) Was this evaluation as a result of the work that had been carried out by Lewis & Barrow?
- (b) If so, why was that necessary when a CPEng certificate had been sent to the Council on 31 December 2010?
- (c) Please provide details and a copy of that evaluation.

Firstly, we would like to clarify that Mark Haines is a Council customer services representative whose role was to enter information into WorkSmart. Mr Haines did not undertake any building evaluations.

The data entry for 13 January 2011 has the word "error" which means that the entry was generated in error, and no assessment was undertaken on this date.

15. On the Council's file summary there is an entry showing "CCC in-box" which refers to cordons on the footpaths.
- (a) Why were there still cordons around the property if remedial work had been completed and signed off on 3 January 2011 as the file indicates?

We **attach** a photograph dated 26 January 2011 showing the cordon in place at Iconic Bar. We also **attach** a map prepared and distributed on 4 February 2011. The data used to create the map may have been collated a few days before 4 February. The map and the photo show that the cordon around 204 Manchester Street was minimal. However, the cordon around the Tulsi building opposite to 204 Manchester Street was still extensive at this time.

We also **attach** an email and a letter regarding the removal of the cordon adjacent to the 'Tulsi' Restaurant. The letter from Andrew Chapman dated 28 January 2011 indicates that the barriers were located in the southern lane of Gloucester Street and closed off the north bound lane and the left-turn lane of Manchester Street at the intersection. Therefore, it seems that the "CCC In-Box" complaint would have been predominantly concerned with the disruption caused by the more significant cordons around the Tulsi Restaurant.

16. There was an engineer's re-inspection of damaged buildings by Mark Ryburn on 9 February 2011. That noted "recommend contacting the engineer for a confirmation of the works as lateral load capacity may not exist. Also get comments on the cracking (likely just in the paint)". The form also notes that protection fencing is required to "cover parapet on Gloucester Street". The form has a notation on it "Neville please view and make a decision".

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- (a) Why did this inspection take place?
- (b) Was it related to the work that had been carried out?
- (c) Was the engineer contacted as recommended by Mr Ryburn? If so, please advise the result of that. If not, please explain why not.
- (d) Why was there a need for protection fencing as noted on the form?

It is unclear why this re-inspection took place. As noted in Section 4.2 of the Council's Report, in January and February 2011 the Building Recovery Office team were re-inspecting buildings that had current Building Act notices. As a large quantity of the section 124 notices expired on 31 January 2011, the Council had to undertake re-inspections of the buildings with section 124 notices to determine the status of the buildings.

It is possible that this building was inspected in error, because it had previously been issued with a Building Act notice (although by the time of the re-inspection, the necessary remedial works had been completed and the red sticker had been removed). Mr Ryburn was an engineer contracted from Opus. We would recommend that the Royal Commission approach Mr Ryburn directly if it requires further information.

- (e) Who was the "Neville" referred to on the note on that form?

Neville Higgs is an engineer who was working on contract for the Building Recovery Office.

- (f) Did he view the form and make a decision? If so, please advise details. If not, please explain why not.

Mr Higgs has advised that he did not view the form and make a decision on the building. It is possible that the form was not available to him at the time he was signing off the building closure form. Mr Higgs' role was to determine whether CPEng Certification Forms had been received and to close off the building files.

Mr Higgs has advised that the re-inspection process, such as that carried out by Mark Ryburn to determine whether it was necessary to (re)-issue a section 124 notice, was a separate operation carried out by a separate team of Council staff from the team he was involved with. Mr Higgs' team were viewing the certifications from CPEng engineers to determine suitability of buildings for occupation. Therefore he was not involved with the re-inspections.

17. A "CCC Engineer-Earthquake Sign Off and Closure" form of 22 February 2011 signed by N. Higgs notes that the building has been certified for occupancy by Simon Gifford, CPEng.

- (a) In completing this sign off form, were the comments by Mr Ryburn of 9 February 2011 taken into account? If so, please advise how. If not, please explain why not.

"N O. Higgs" is Mr Neville Higgs. We refer to our response to question 16(f).

Mr Higgs has advised that the delay in closing off the file was likely to have been caused by the backlog in paper work that occurred at the time due to the high volumes of work.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C. Gilbert', written in a cursive style.

Chris Gilbert  
**Solicitor**  
**Legal Services Manager**

*Encl*



Send Message

Extra Data

Create Time Record

BUI.MAN200.0005.16

**Event Details**

Event Code	<input checked="" type="checkbox"/> BGN	Inspected CD Emergency Safe Green Placard	Added	19/11/2010 08:13
Existing event being updated, no auto updates will be made.				
Event Status	<input checked="" type="checkbox"/> C	Completed	<input type="checkbox"/> Customer advised by email	
Planned Date		Time	Planned Officer	
Actual Date	05/09/2010	Time	8:13 am	Actual Officer
Logged By	<input checked="" type="checkbox"/> EEN	Emergency Engineers HQ, Civil Defence		<input type="checkbox"/> Warning
Details	MN "Type - also, unreinforced masonry"			
Stage No				<input type="checkbox"/> Complete Stage
Action No				<input type="checkbox"/> Complete Action
Susp Start Date	<input checked="" type="checkbox"/>	Susp Start Time	<input checked="" type="checkbox"/> 12:00 am	Stage for Susp <input checked="" type="checkbox"/>





**Event Details**

RFSGroup	CDB	CDEM Building Recovery	Number	75000357
Event Code	BGN	Inspected CD Emergency Safe Green Placard		
Details	MN	"Type - also, unreinforced masonry"		



Send Message

Extra Data

Create Time Record

BUI.MAN200.0005.18

**Event Details**

Event Code	<input checked="" type="checkbox"/> BGN	Inspected CD Emergency Safe Green Placard	Added	19/11/2010 08:13
Existing event being updated, no auto updates will be made.				
Event Status	<input checked="" type="checkbox"/> C	Completed	<input type="checkbox"/> Customer advised by email	
Planned Date		Time	Planned Officer	
Actual Date	10/09/2010	Time	8:13 am	Actual Officer
Logged By	<input checked="" type="checkbox"/> JK4	Jeffrey, Katy	<input type="checkbox"/> Warning	
Details	SJL Barricades 40m Level 2 detaled assessment LJF internal says OK			
Stage No			<input type="checkbox"/> Complete Stage	
Action No			<input type="checkbox"/> Complete Action	
Susp Start Date	<input checked="" type="checkbox"/>	Susp Start Time	<input checked="" type="checkbox"/> 12:00 am	Stage for Susp <input checked="" type="checkbox"/>

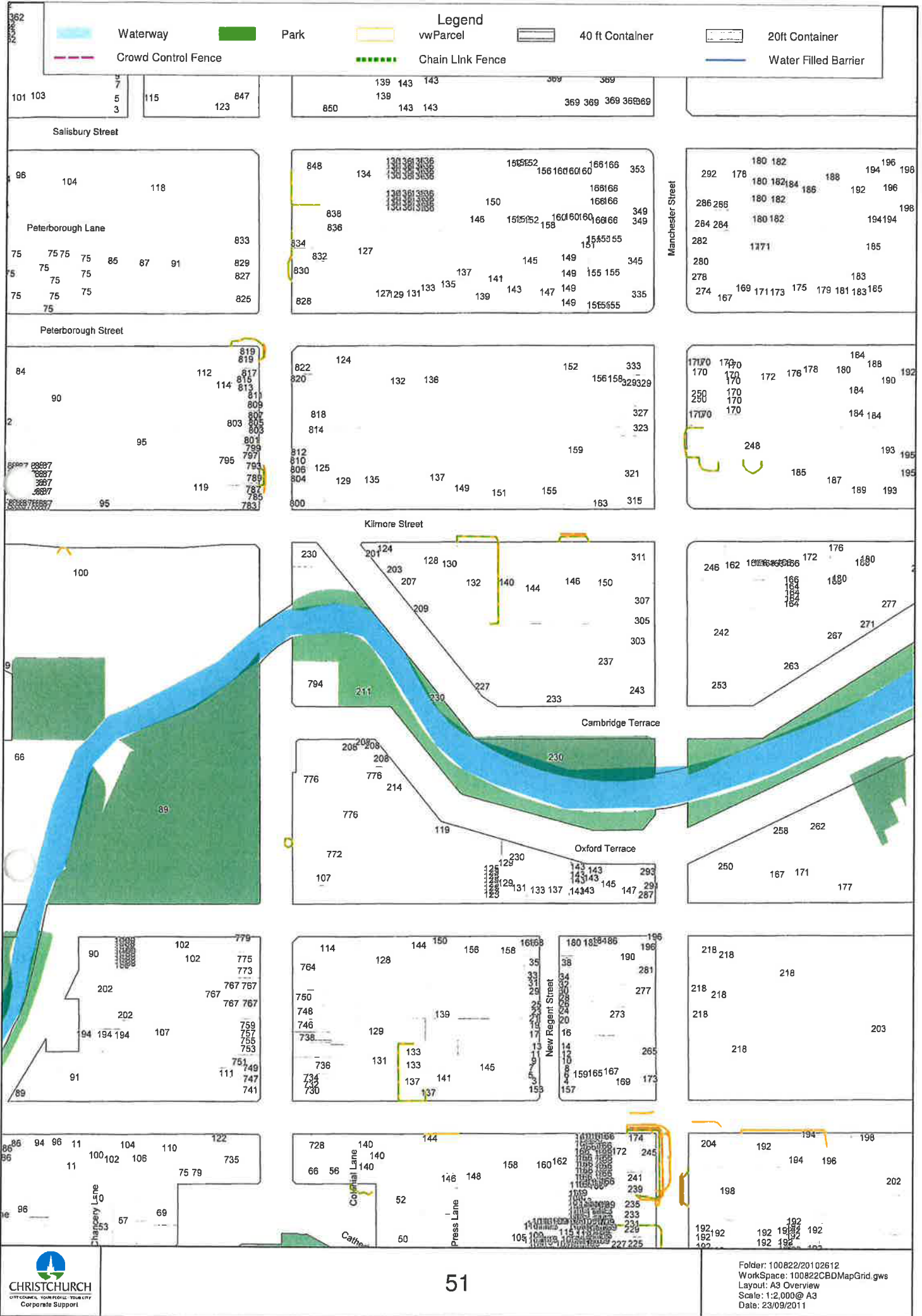


**Event Details**

RFSGroup	CDB	CDEM Building Recovery	Number	75000387
Event Code	BGN	Inspected CD Emergency Safe Green Placard		
Details	S.JL Barricades 40m Level 2 detaled assessment L.JF internal says OK			

26 January 2011  
BUI.MAN200.0005.20





## Daines, Nadine

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**From:** Higgs, Neville  
**Sent:** Monday, 31 January 2011 9:19 am  
**To:** BuildingRecoveryOffice  
**Subject:** TRIM: FW: Removal of Barriers on Street - Corner of  
**Attachments:** 10310.ac.Removal of Barriers.Letter.21 Jan 11.pdf  
**TRIM Record Number:** 11/45044

Copy for record purposes.

Neville Higgs  
BE, FIPENZ, CPEng  
Engineering Support Coordinator  
Building Recovery Office  
Christchurch City Council  
Phone 941 8148

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**From:** Andrew Chapman [mailto:andrewc@kirkroberts.co.nz]  
**Sent:** Friday, 28 January 2011 2:39 pm  
**To:** Higgs, Neville  
**Cc:** denis.harwood@161hereford.co.nz; admin@161hereford.co.nz  
**Subject:** Removal of Barriers on Street - Corner of

Neville,

Please see attached our letter stating that the existing barriers located on the corner of the Manchester and Gloucester Streets can be removed/moved.

If you have any questions, please call.

Regards

**Andrew Chapman**  
Senior Engineer & Structural Manager



P: 03 379 8600  
F: 03 379 8605  
M: 0274 361 414

Unit 1 - 78 Armagh Street  
P O Box 35 320  
CHRISTCHURCH 8640  
New Zealand

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*Please consider the environment before printing this E-mail*

13/09/2011

28 January 2011



Neville Higgs (Neville.higgs@ccc.govt.nz)  
 Denis Harwood (denis.harwood@161hereford.co.nz)  
 Marty (admin@161hereford.co.nz)

JOB No.: 10310/S1

## REMOVAL OF BARRIERS ON STREET ADJACENT TO THE 'TULSI' RESTAURANT – CORNER GLOUCESTER AND MANCHESTER STREETS

### 1. Introduction

The purpose of this letter is to satisfy the council that that it is safe to remove the barrier fences, currently located on the corner of Gloucester and Manchester Streets. These barriers are currently located in the southern lane of Gloucester St, and closing off the north bound lane and the left-turn lane of Manchester St at this intersection.

### 2. Investigation, Damage Observed and Strengthening

Kirk Roberts Consulting Engineers Ltd was engaged by the building owner after the recent earthquake on 4 September 2010 to assess this existing building for earthquake damage. This initial assessment has been completed.

The parapets and facades facing the street suffered moderate damage (no partial collapse). Interim securing of these parapets has been completed by tying these back to the roof structure via new wallings. The parapets (parallel to the roof pitch) on the southern and western boundary have been removed to roofing level. The ground floor of the building has been strengthened with the installation of ply shear walls.

At the time of the final inspection on 28 January 2011, all temporary strengthening and securing barriers have completed / installed to the satisfaction of the engineer. There is still a risk of minor items (i.e loose plaster work, etc) falling onto the footpath. As such, the footpaths shall remain closed off to the public.

### 3. Conclusion


Kirk Roberts Consulting Engineers Ltd can confirm that with the removal of items loosened by the recent earthquake (i.e. boundary parapets) and the interim securing of the street facing facades and parapets, the building, located at the corner of Gloucester and Manchester Streets, does not pose unacceptable risk to users of the street.

The barriers shall be removed back to the kerb on Gloucester St and to the left turning lane on Manchester St. In both cases the barriers shall close the footpaths to the public.

I confirm that I am a member of IPENZ (ID No.: 1006515) and am a Chartered Professional Engineer practising in structural engineering.

If you have any questions regarding the above information, please do not hesitate to contact the undersigned.

Yours faithfully,  
 KIRK ROBERTS CONSULTING ENGINEERS LTD

  
 ANDREW CHAPMAN BE Civil (Hons), MIPENZ (Structural), CPEng, IntPE(NZ)  
 Senior Engineer & Structural Manager

email: andrewc@kirkroberts.co.nz  
 mobile: 0274 361414

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KIRK ROBERTS CONSULTING ENGINEERS LTD - www.kirkroberts.co.nz

CHRISTCHURCH F - 03 379 6100 - F - 03 379 6600 - PO Box 55220, Christchurch 8140 - Unit 1, 75 Avonagh Street, Christchurch, New Zealand  
 TAMARANGA F - 03 7571 0350 - F - 03 7571 0550 - PO Box 19164, Tauranga 3141 - Level 1, Pydell House, 26 Gray Street, Tauranga, New Zealand

STRUCTURAL

CIVIL

SCHELS

PROJECT MANAGEMENT

TECHNICAL DESIGN

STRUCTURAL

PROJECT MANAGEMENT

NEW

NEW

TECHNICAL DESIGN

PROJECT MANAGEMENT

**Daines, Nadine**

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**From:** Bensley, Alan (Orion)  
**Sent:** Saturday, 4 December 2010 7:09 am  
**To:** CDRescue  
**Subject:** CSR91214618

<ToName: Rescue, Civil Defence>  
 <ToFaxnum: >

CHRISTCHURCH CITY COUNCIL REQUEST FOR SERVICE (RFS) .

RFS Number : CSR91214618

Priority : Normal  
 :

Location  
 : Earthquake barriers moved  
 : 204 MANCHESTER STREET, CITY, CHRISTCHURCH 8001

Request Type : EQR - Earthquake Recovery  
 : CORDES - Cordon Establish New Request Details

. Bus control report that overnight the barriers at the intersection of Gloucester St and Manchester St have been moved and buses are unable to negotiate the intersection. Passed to Fulton Hogan to check earthquake barriers.

Customer1 Details : CHRISTCHURCH BUS EXCHANGE  
 :  
 : BUS CONTROL

Customer Phone(s) Ph(h) :  
 Ph(w) :  
 Ph(m) :

Customer2 Details

Forwarded to : Rescue, Civil Defence  
 Forwarded by : Bensley (Orion), Alan  
 Forwarded on : 04/12/2010  
 Received on : 04/12/2010 , 06:53:00



**Daines, Nadine**

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**From:** Haines, Mark  
**Sent:** Tuesday, 21 December 2010 11:22 am  
**To:** CDRescue  
**Subject:** CSR91222205

<ToName: Rescue, Civil Defence>  
 <ToFaxnum: >

CHRISTCHURCH CITY COUNCIL REQUEST FOR SERVICE (RFS).

RFS Number : CSR91222205

Priority : Normal  
 :

Location  
 : cnr gloucester  
 : 204 MANCHESTER STREET, CITY, CHRISTCHURCH 8001

Request Type : EQR - Earthquake Recovery  
 : CORDES - Cordon Establish New Request Details  
 : asap ? howdy roger sutton has rung thru to advise that someone has gone and tampered with all the roaad cordons barriers and arrows at thisi ntersection so now the traffic has no idea of who gives way to whom and what way is 'no entry" etc - plse can we investigate to correct - cheers .. ps used establish cordon rfs codes as seem most appropriate

Customer1 Details : ROGER  
 :  
 :

Customer Phone(s) Ph(h) : n/a  
 Ph(w) :  
 Ph(m) :

Customer2 Details

Forwarded to : Rescue, Civil Defence  
 Forwarded by : HAINES, Mark  
 Forwarded on : 21/12/2010  
 Received on : 21/12/2010 , 11:18:00

**Daines, Nadine**

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**From:** Karawana, Zita  
**Sent:** Friday, 31 December 2010 12:44 pm  
**To:** CDRescue  
**Subject:** CSR91224482

<ToName: Rescue, Civil Defence>  
 <ToFaxnum: >

CHRISTCHURCH CITY COUNCIL REQUEST FOR SERVICE (RFS).

ADDITIONAL INFORMATION  
 FURTHER INFORMATION HAS BEEN ADDED TO YOUR RFS

RFS Number : CSR91224482  
 Priority : URGENT CIVIL DEFENCE  
 :  
 Location  
 : 204 MANCHESTER STREET, CITY, CHRISTCHURCH 8001  
 : Iconic -Corner of Manchester and Gloucester Street  
 Request Type : CDE - Civil Defence Emergency  
 : COLLAP - Dangerous or Collapsed Building

Request Details  
 : Severe. East gable wall badly damaged. Additional information - stress fractures in plastered brick walls upper areas mainly above where roof trusses connect - parafets.

Barricades in place now. 27-12-2010 - THIS BUILDING HAS BEEN ASSESSED AND DECLARED UNSAFE

ADDITIONAL EVENT DETAILS  
 : CHRIS GORDON HAS CALLED ASKING FOR JOHN MITCHELL HE HAS ADVISED HE HAS JUST SENT THE LAST PIECE OF PAPERWORK THOUGH TO HAVE RED STICKER REMOVED AND IA TALKING ABOUT REMOVING CORDON. CHRIS CON TACT PH 027 4572990

Customer1 Details :  
 :  
 :

Customer Phone(s) Ph(h) :  
 Ph(w) :  
 Ph(m) :

Customer2 Details

Forwarded to : Rescue, Civil Defence  
 Forwarded by : Rescue, Civil Defence  
 Forwarded on : 31/12/2010, 12:41  
 Received on : 27/12/2010 , 14:47:00



31/12/2010







31/12/2010



Anya  
BYO License  
Mancee  
Thai Restaurant  
Ph: 377 9983

BYO & License Thai Restaurant Mancee Takeaways BYO & License

FAHEY SIGNAGE  
0800 343-996

FAHEY SIGNAGE  
0800 343-996

FAHEY SIGNAGE  
0800 343-996

FAHEY SIGNAGE  
PH: 343-9968

FAHEY SIGNAGE  
0800 343-996

FAHEY SIGNAGE  
0800 343-996

31/12/2010



BYO & License Thai Restaurant *Menace* Takeaways BYO & License

FAHEY  
PHONE 343-9969

FAHEY  
PHONE 0800 343-996

FAHEY  
PHONE 343-9969

FAHEY  
PHONE 343-9969

FAHEY  
PHONE 343-9969

PLACEMENTS TRANSPORT  
488 Convent Street, Melbourne  
Phone: 03 9241 9144  
Fax: 03 9241 9188  
SA7000011

Indians

31/12/2010





31/12/2010



31/12/2010



31/12/2010



Thirsty Thursdays  
\$4.00 Drinks

Iconic

EXPORT GOLD

31/12/2010

hirepool

hirepool

NO ENTRY

AT&T  
0508 43 17 16

AT&T  
0508 43 17 16

AT&T  
0508 43 17 16

AT&T  
0508 43 17 16



31/12/2010



Thirsty Thursday  
\$4.00 Drinks  
from 5pm - Conditions apply

ATF  
0508 13 17 16

NO  
ENTRY

31/12/2010



31/12/2010

**Mark Zarifeh**

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**From:** Mark Zarifeh  
**Sent:** Tuesday, 29 November 2011 11:52 a.m.  
**To:** 'Daines, Nadine'  
**Subject:** 200 Manchester St -Iconic Bar

Hi Nadine,

I noticed that in my letter of 8/9/11 I didn't ask any questions on any structural strengthening of this building and how that affected the application of the Council's earthquake prone policy.

I do not see any reference to earthquake prone issues on the Council file, although it seems apparent that there was structural work carried out in the past.

Could you please advise on these issues as soon as you are able to and ensure that Steve McCarthy can deal with them at the hearing on 26/1/12.

Thanks you.

Regards,

rk.

Mark Zarifeh,  
Counsel Assisting,  
Canterbury Earthquakes Royal Commission