



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

91A Cashel Street, Christchurch

The Royal Commission is currently examining the failure of the building that was situated at 91A Cashel Street (the Building).

I have obtained the Council's file in relation to this Building.

Would you please provide the following additional information, 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? Was it deemed to be an earthquake prone building? If so, please provide details. If not, please explain why not.
2. A perusal of the documentation from the Council's earthquake prone building file would appear to show that the Building has always been in a poor state of repair and that demolition has been considered in the past. In the light of the nature and condition of the Building could you please explain how the Council's earthquake prone policy was applied to the Building?
3. Had the Building had any structural strengthening carried out in the past? If so, please provide details and explain how this impacted on its earthquake prone status and the implication of the Council's policy to the Building.
4. When was the last Council inspection/assessment of the Building in terms of the earthquake prone policy?

5. I understand that the Building was not classified as a heritage building. Please confirm.

Events post the 4 September 2010 earthquake

6. A Level 1 Rapid Assessment on 6/9/10 resulted in the Building being yellow placarded due to a fallen chimney.

Then on 12/10/2010 a Level 2 Rapid Assessment noted: "*Chimney removed according to occupant*". The Building was given a green placard.

That assessment noted cracking in a structural wall in the stairwell that needed to be checked by CPEng.

- (a) Why was the Building green placarded when there was cracking in a structural wall that needed checking?

7. Martin Crundwell from Opus conducted a Level 2 Rapid Assessment on 14/10/10 in response to the earlier request for a CPEng to inspect. He noted other cracks as well and then on a notices coversheet of the same date recorded:

"Concern is that if mechanism of seismic restraint is not well understood there may be repercussions during subsequent aftershocks that are not apparent at this stage."

On the Level 2 Assessment form it was recorded that access could not be gained to the Building to inspect the cracks in the stairwell. He requested a CPEng engineers report to the requirements of the BETT in relation to the matters outlined in the assessment.

- (a) Given concern raised as to the mechanism of seismic restraint and possible repercussions during aftershocks and the need for a further CPEng inspection, why was the Building green placarded?

- (b) Did the tenants of the Building remain in occupation?

- (c) Did the Council require the owner to provide a CPEng inspection/report? If so, please provide details.

- (d) Was there a further CPEng inspection of the Building as requested on 14/10/10? If so, please provide details. If not, please explain why not.

8. On 26/12/10 there was a Level 1 Rapid Assessment which resulted in a red placard. That assessment noted loose/broken glass panes, possible loose bricks at the top of the 5th floor façade and horizontal cracking on the 5th floor facade.

On 27/12/10 a s124 Building Act notice was served on the owner of the Building. That notice recorded:

- “1. *The building has been damaged, and there are structural defects to the building.*
2. *Council’s records show that there are loose bricks at either end, horizontal cracking and glass windows broken.”*

On 31/12/10 the Council accepted a CPEng certificate from Alistair Boyce, certifying that:

- Measures have been taken to restore the structural integrity and performance of the building to at least the condition that existed prior to the earthquake of 26/12/10
- Potentially dangerous features on the building have been removed.
- Protective measures on the building were sufficient to protect the occupants in the event of collapse of potentially dangerous features on adjacent buildings (89A and 95 Cashel Street) and that all dangerous features on adjacent buildings (89A, 91 and 95 Cashel Street) have been identified.
- Securing work to the parapet at 91 Cashel Street had been completed.

(a) What was the Council’s understanding as to what was being certified in paragraph a. of the certificate?

(b) In particular, did the Council understand that this paragraph related to item 2 in the s124 Building Act notice? If not, please explain.

(c) What was the Council’s understanding of what was being certified in paragraph a. given the alteration of the reference to the earthquake of 4 September 2010 to the earthquake of 26 December 2010?

(d) The Council’s file closure form states “remove cordon”. What was the nature of the cordons at the Building at that time?

9. There was a Level 1 Rapid Assessment on 26 January 2011 resulting in a green placard. The only comments on that form relate to the removal of the chimney. This would appear to relate back to the Level 1 Rapid Assessment on 6/9/10 which referred to the fallen chimney.

(a) Could you please confirm that is the case.

(b) Why was a Level 1 Rapid Assessment conducted on 26/1/11?

10. An engineer’s re-inspection of damaged buildings on 7/2/11 only noted that the chimney had been removed to roof level.

(a) What was the purpose of this engineer’s re-inspection?

(b) Did it relate to the Level 1 Rapid Assessment on 26/1/11?

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

Yours faithfully



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