

UNDER THE COMMISSIONS OF INQUIRY ACT 1908

**IN THE MATTER OF ROYAL COMMISSION OF INQUIRY INTO BUILDING
FAILURE CAUSED BY CANTERBURY EARTHQUAKES**

**KOMIHANA A TE KARAUNA HEI TIROTIRO I NGĀ
WHARE I HORO I NGĀ RŪWHENUA O WAITAHA**

**STATEMENT OF EVIDENCE OF VINCIE MARIA BILLANTE IN RELATION TO 603 –
615 COLOMBO STREET**

DATE OF HEARING: WEEK BEGINNING 30 JANUARY 2012

INTRODUCTION

- 1.** My name is Vincie Maria Billante. I am currently working as an Environmental Policy Consultant. I have previously worked for the Council since 2007. During the State of Emergency following the earthquake of 4 September 2010, I was a policy analyst working in the Recovery Team led by the Council's Strategy and Planning Unit. From November 2010 until the 22 February 2011 earthquake I was the Team Leader of the Council's Building Recovery Office (Dangerous Buildings).
- 2.** I have worked at various levels of management in the Education, Health and Local Government sectors for the past 18 years and am currently working on my fourth university qualification (MBA). I started working for the Council whilst working on my Masters of Health Sciences, focusing on healthy urban planning. During my time at Council I have been employed as an Education Advisor, a Policy Analyst (Bylaws), and as the Building Recovery Office (Dangerous Buildings) Team Leader, leading a team of case managers to effectively deal with the Building Act 2004 section 124 notices issued after September's earthquake and the December aftershock.
- 3.** I have been asked to provide evidence to the Royal Commission in relation to two matters. First, my involvement with the buildings at 603 and 605-613 Colombo Street. Secondly, the general process and factors taken into account when Building Recovery Office engineers reviewed the need for and location of cordons.

SCOPE OF EVIDENCE

- 4.** My evidence relates and responds primarily to issues raised in evidence of Marton David Sinclair and Matthew J Bushnell. While their evidence is specific to buildings at 603 – 615 Colombo Street and meetings that they had with Council officers regarding those buildings, they also make more general statements about the Council's process in relation to the management of damaged buildings to which I intend to respond. I understand that separate evidence is to be provided by John Higgins in relation to the resource management processes for demolition of a heritage building, and so I have not addressed this matter.

INVOLVEMENT WITH 603 AND 605-613 COLOMBO STREET

5. My first involvement with the buildings at 603 and 605-613 Colombo Street occurred on 19 January 2011, when I received a telephone call from Matthew Bushnell. Mr Bushnell advised that he had been engaged as the builder in relation to 603 Colombo Street, that Buchanan & Fletcher Ltd were the engineers, and any contact with the owners should be through their lawyer, John Dallison. He also advised that Marton Sinclair had been engaged to deal with other properties owned by the Yee brothers, who also owned 603 Colombo Street. He mentioned that there was inadequate insurance for the property (**BUI.COL603.0038.32**).
6. As noted at **BUI.COL603.0038.33**, I passed my file note of the telephone call to John Barry, the Building Recovery Office Case Manager responsible for the building.
7. I do not recall having any further direct involvement with any of the buildings at 603, 605-613 or 615 Colombo Street. I understand a meeting was held with Council officers on 1 February 2011 in relation to the buildings. I did not attend this meeting. Mr Bushnell also states at **BUI.COL605.0014.2** that I attended a meeting on 17 February 2011 in relation to the buildings. I was on annual leave from 7 to 21 February 2011 and did not attend any meeting on 17 February 2011. I did not attend any other meetings with Mr Bushnell and/or Mr Sinclair concerning these buildings. I was however involved in a number of discussions and meetings with both parties in relation to the "Ascot TV" buildings on the corner of Wordsworth and Colombo Streets (402-406 Colombo Street).

COUNCIL PROCESSES IN RELATION TO REVIEW OF CORDONS AND TEMPORARY PROPPING

8. The general process in relation to the management and review of cordons is set out in Part 6 of the Council's "Report Into Building Safety Evaluation Processes in the Central Business District Following the 4 September 2010 Earthquake" ("the Council's Report" **ENG.CCC.0002F.29**). As I was the Team Leader of the Building Recovery Office, the engineers on the team reported to me. This included the engineers contracted by the Council from Opus, and Mr Neville Higgs.

9. Mr Sinclair states in his evidence in relation to 603-613 and 626 Colombo Street that *“the Civil Defence decision on the extent of safety barriers may also have also [sic] been influenced by the fact that Colombo Street was a major thoroughfare giving access to the City Centre”* (WIT.SIN.0001.3). Similarly, Mr Bushnell states, in relation to 605 Colombo Street, that *“minimising risk to the public seemed to be a lower priority than attempting to prevent or delay demolition of damaged “heritage buildings”* (BUI.COL605.0014.3).
10. Public safety was always the predominant factor in the case management of damaged buildings and this was the key message given to the engineers working for the Building Recovery Office, both by myself and by Neville Higgs. This applied regardless of whether the buildings concerned were heritage buildings and regardless of whether they were situated on busy traffic routes. Appendix 25 of the Council’s Report includes a set of general guidelines that were prepared by Neville Higgs in relation to monitoring and reviewing barricades (ENG.CCC.0002F.148). The first line of these notes states “Barricade Purpose – Protect people from dangerous buildings”.
11. While there was considerable pressure from a number of sources concerning the removal of cordons and barricades, the Council’s response was to consider a number of options before making a decision. These options included for example, temporary propping of verandas, the use of containers to restrict the likely fall zone of a damaged building and temporary bracing and propping of damaged buildings. In many cases, these measures were implemented at the Council’s expense.
12. The process followed by the Council in relation to the Manchester Courts building (160 Manchester Street) is an example of action taken in relation to a building that was considered to be of an immediate danger. While the building was a heritage building and the necessary cordons in the area were disruptive to neighbouring businesses, the public safety issues relating to the building were the priority for the Council. I understand that the Council’s process in relation to this building is set out in the evidence of Mr John Higgins.
13. In the period following the Boxing Day aftershock, CPEng engineers working for the Building Recovery Office regularly reviewed existing cordons by visiting the relevant sites on foot and from vehicles. The engineers were required to consider whether any work had been carried out which could allow a reduction

of a cordon and to review the state of the building (by an exterior inspection) to determine whether the existing cordons were adequate, in the context of ongoing aftershocks. Not all of these reviews would have been documented.

14. CPEng engineers were engaged for the purpose of reviewing the positioning of the cordons based on the existing status of the particular building they were considering. The Engineers were required to apply their professional expertise about protecting public safety when making decisions about cordons, based on the likelihood of a building's fall zone in the event of an aftershock. In my experience, all of the engineers viewed public safety as the paramount consideration when determining the need for and the extent of required cordons.
15. Mr Bushnell also refers in his evidence to the requirement for buildings to be propped/braced temporarily prior to demolition. Mr Bushnell says that this process was flawed and a waste of money for owners (**BUI.COL605.0014.3**). The main purpose of suggesting propping from a case management perspective was to address the section 124 Building Act notice and to prevent further damage or collapse of a building under its own weight, to maintain the integrity of the building and to mitigate the danger it posed in its current state. It was seen as an interim measure to allow building owners to commence repairs if necessary, or to allow owners to undertake any necessary legal processes, such as applying for resource consent for demolition. The Council's view (and the purpose of the section 124 Building Act notices) was that any safety issues needed to be addressed immediately, regardless of the owner's long term intentions for a building.

Dated: 20 December 2011

Signed by:



Name: Vincie Maria Billante
Position: Environmental Policy Consultant