

**UNDER**

**THE COMMISSIONS OF  
INQUIRY ACT 1908**

**IN THE MATTER OF**

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

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**STATEMENT OF ELIZABETH ENGO CLARKE  
IN RELATION TO 753-759 COLOMBO STREET**

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**GRESSON DORMAN & CO  
Barristers and Solicitors  
12 The Terrace (PO Box 244)  
Timaru  
Telephone (03) 687 8004  
Facsimile (03) 684 4584  
Solicitor Acting: T M Gresson**

**ELIZABETH ENGO CLARKE** will state:

1. I am employed as the Property Manager for Church Property Trustees ("CPT"), having held this position since June 2010.
2. 753 - 759 Colombo Street ("the property") is jointly owned by Church Property Trustees and Timothy Michael Gresson, Simon James Dorman; both of Timaru, Solicitors, and Michael Allan McPhail of Christchurch, Chartered Accountant, as Trustees of the Jason Richards Trust, as shown in the Certificate of Title annexed hereto and marked "A".
3. CPT administers the properties of the Anglican Dioceses of Christchurch through the Anglican (Diocese of Christchurch) Church Property Trust Act 2003. These properties are located throughout Canterbury, and include 753 – 759 Colombo Street. I am responsible for the overall administration of these properties.
4. Simes Property Management (now known as Knight Frank) was engaged in 2003 to manage properties on behalf of the owners.

**History of Ownership**

5. The property was originally owned by the father and two uncles of the late Jason Richards; formerly of Timaru and Christchurch, retired Solicitor ("Jason").
6. Following the deaths of Jason's two uncles, the property passed by survivorship to Jason's father, Henry Slater Richards, in 1961. At this time, the H S Richards Settlement Trust was formed and Henry Richards' share was transferred to the Trust.
7. In 1977 a one third share of the property was transferred to Jason Richards and his wife, the late Sheila Mary Richards ("Sheila").
8. In 1979, the H S Richards Settlement Trust transferred the Trust's share to Pyne Gould Guinness Limited.
9. In 1995 the share owned by Jason and Sheila Richards was transferred to the Trustees of the Jason Richards Family Trust.

10. In 1996 the share owned by Pyne Gould Guinness Limited (now known as PGG Trust Limited) was transferred to Church Property Trustees.
11. In 1998, Church Property Trustees transferred a one sixth share to the Trustees of the Jason Richards Trust, resulting in the current 50/50 ownership.

### **Strengthening work**

12. It appears in approximately 1992, 753 Colombo Street was identified in a "Hazardous Appendage Survey" as having a hazardous chimney, with a comment noting the building to be "*one of the worst examples in Christchurch*" (BUI.COL753.0011.3).
13. In April 1994 Christchurch City Council confirmed the building at 753 Colombo Street was an earthquake prone building (BUI.COL753.0011.6).
14. Following this advice, in June 1994 Powell Fenwick Consultants Limited produced a plan (entitled "*Re-strengthening of 753 Colombo Street*", annexed hereto and marked "B"). Although not to my own knowledge, I understand from correspondence from Mark Whiteside of Holmes Consulting Group (annexed hereto and marked "C") and the statement of Stephen McCarthy (WIT.MCC.0020.4) strengthening work included the installation of a new concrete frame to the front of 753 Colombo Street and steel post wall supports to strengthen the walls. Diaphragm ties to the walls and ceiling level ties to the walls were also installed on the first floor.
15. Although not to my own knowledge, I understand from the statement of Stephen McCarthy (WIT.MCC.0020.4) that 755 Colombo Street was also strengthened in 1994, with concrete frames installed.
16. 759 Colombo Street was strengthened after discussions regarding earthquake strengthening in July 1999. I understand that fire damaged the property during construction; however strengthening work was completed in late 1999/2000 (BUI.COL753.0011.14, BUI.COL753.0011.15, BUI.COL753.0011.16). Although not to my own knowledge, Hamish Mackinven's report of 9 September 2010 stated "*Inspection within the roof space indicates that this part of the building may have previously been*

*seismically strengthened.*" A further letter to the Commission of 2 December 2011 from Mr Mackinven (BUI.COL.753.0012.3) noted:

*"During the inspection of the roof space of 759 Colombo Street it was noted that the roof structure consisted of DHS purlins spanning between boundary and intertenancy walls and secured to an equal angle ledger. In addition a PFC (approx 300mm deep) had been installed at ceiling level to the perimeter of this tenancy. The PFC section was on the flat indicating that it may have been installed to carry wall face loadings..."*

#### **Post 4 September 2010**

17. On 8 September 2010 a "walk-through" inspection was carried out on the property by Lewis Bradford Consulting Engineers, who were engaged by the owners of the property following the earthquake which occurred on 4 September 2010.
18. On 9 September 2010 Church Property Trustees received from the Simes Property Manager an initial structural report completed by Lewis Bradford Consulting Engineers on 753 - 759 Colombo Street. The report (BUI.COL753.0011.37 – BUI.COL753.0011.38) stated in relation to 753 and 755 Colombo Street:

*"I have not seen anything structurally that would indicate the building structure has been compromised. There is however a chimney above this property that has some cracks in it, the chimney is not in immediate danger of falling however I would recommend that it be removed in the near future. Following this inspection it would appear that structurally there is no reason this building cannot be occupied".*

19. In relation to 757 Colombo Street, some damage was reported:

*"There is some damage to an in situ concrete wall at the rear of the building and will require strengthening. The in situ concrete wall has also pulled away from a masonry wall and will need to be structurally tied together. As the building is currently not tenanted these works do not need to be completed immediately, however they will need to be completed before the building is re-tenanted".*

20. Inspection of the roof space within 759 Colombo Street on 8 September 2010 revealed previous seismic strengthening and the report concluded *"...structurally there is no reason this building cannot be occupied"*. (BUI.COL753.0011.38)
21. On 10 September 2010 the Simes Property Manager confirmed to Church Property Trustees that both the interior and exterior of the building (753 – 759 Colombo Street) had been inspected.
22. A further structural report in relation to 757 Colombo Street dated 8 October 2010 (annexed hereto and marked "D") was completed by Lewis Bradford and recorded:

*"Two chimneys located on the roof of the building have suffered cracking due to the recent seismic activity. They are not in immediate danger of falling however it is recommended that they be removed as part of the repair work to 757 Colombo Street..."*
23. Strengthening work to 757 Colombo Street was completed in October 2010 (BUI.COL753.0011.46 – BUI.COL753.0011.52).
24. The chimneys above 753 and 755 Colombo Street were removed as recommended by the Lewis Bradford reports. On 19 October 2010, an invoice for the removal of the chimneys was received by Church Property Trustees, annexed hereto and marked "E".
25. On 26 January 2011 the Knight Frank Property Manager (formerly Simes) advised Church Property Trustees following the 26 December 2010 aftershock of a roof leak in relation to 753 - 755 Colombo Street. Repair work was arranged at the time. Copies of the emails exchanged are annexed hereto and marked "F".
26. At the time of the 22 February 2011 earthquake the property of 753 - 755 Colombo Street was leased by China New Zealand Trade Consultancy Limited, operating as a souvenir shop.
27. 757 Colombo Street was prepared for tenancy after repair work was carried out in October 2010, following the September 2010 earthquake.

28. 759 Colombo Street was tenanted at the time of the February 2011 earthquake.
29. On 22 March 2011 a structural inspection of 753 - 755 Colombo Street was completed. The TM Consultants' report concluded 753 - 755 Colombo Street was "*not structurally safe to occupy*" (BUI.COL753.0011.56).
30. On 23 March 2011 a Wilton Joubert Ltd report in relation to 753 - 755 Colombo Street annexed hereto and marked "G", noted the building was not safe to enter, following an external inspection.
31. On 23 June 2011 an Urgent Demolition Notice for the building 753 - 759 Colombo Street was received from CERA, annexed hereto and marked "H".
32. In July 2011 demolition was completed of 753 - 759 Colombo Street.
33. Church Property Trustees and the Trustees of the Jason Richards Trust are deeply saddened knowing a person was killed by masonry which fell from 753 Colombo Street. It is hoped lessons are learned from the Royal Commission's Inquiry that can be applied in New Zealand and worldwide to prevent similar tragedies.

Signed: Elizabeth Engo Clarke  
ELIZABETH ENGO CLARKE

Date: 2 February 2012

"A"  
—

## COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** CB45B/1054  
**Land Registration District** Canterbury  
**Date Issued** 14 October 1998

**Prior References**

CB423/222

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**Estate** Fee Simple  
**Area** 608 square metres more or less  
**Legal Description** Lot 3 Deposited Plan 79067

**Proprietors**

Church Property Trustees as to a 1/2 share

Simon James Dorman, Michael Allan McPhail and Timothy Michael Gresson as to a 1/2 share

**Interests**

192731 Transfer creating the following easements - 20.12.1929 at 2.15 pm

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way and drainage	Lot 2 Deposited Plan 38032 - CT CB17B/121	Red DP 9890	Lot 3 Deposited Plan 79067 - herein	
Right of way and drainage	Lot 4 Deposited Plan 9890 - CT CB430/285	Red DP 9890	Lot 3 Deposited Plan 79067 - herein	

195774.2 Transfer creating the following easements - 27.9.1978 at 10.07 am

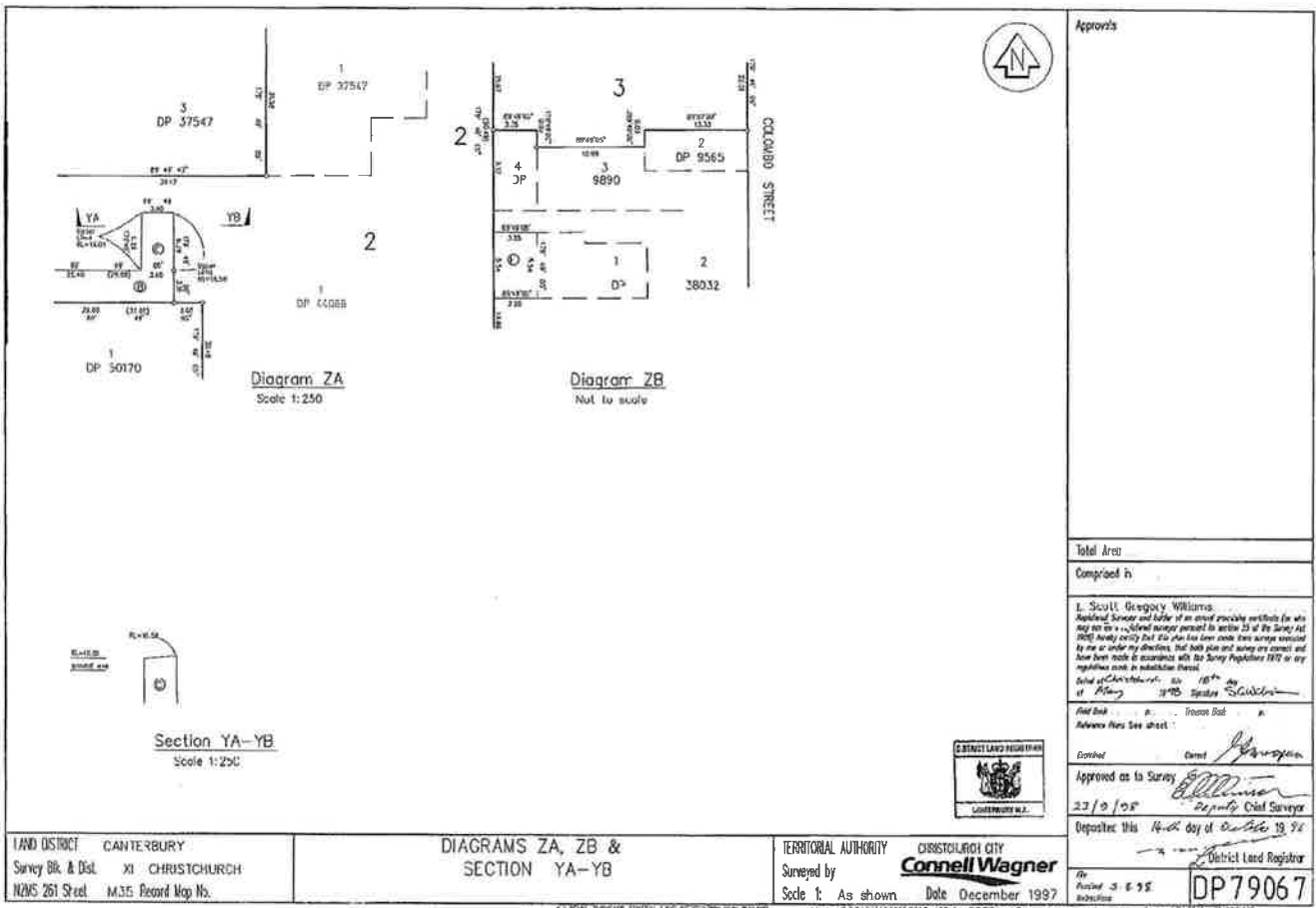
Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 2 Deposited Plan 38032 - CT CB17B/121	A DP 38032	Lot 3 Deposited Plan 79067 - herein	
Right of way	Lot 2 Deposited Plan 38032 - CT CB17B/121	B DP 38032	Lot 3 Deposited Plan 79067 - herein	

5181528.2 Conservation Covenant pursuant to Section 77 Reserves Act 1977 - 28.3.2002 at 2:40 pm

Subject to a right (in gross) to convey electric power over part marked A on DP 305508 in favour of Orion New Zealand Limited created by Transfer 5304377.2 - 6.8.2002 at 9:00 am







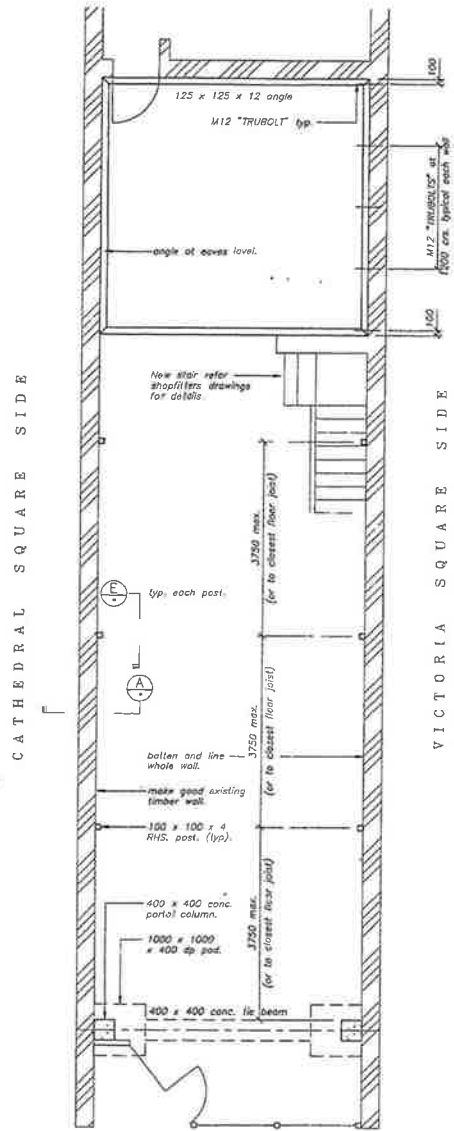
Approvals

Total Area	
Composed in	
<p>I, <b>Scull Gregory Williams</b>, Registered Surveyor and holder of an annual practice certificate for who may act as a "land surveyor" pursuant to section 23 of the Survey Act 1958, hereby certify that this plan has been made from surveys conducted by me or under my direction, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.</p> <p>Dated at Christchurch on 18<sup>th</sup> day of May 1998. <i>Scull Gregory Williams</i></p>	
Field Book	.....
Witness Name See sheet:	.....
Contract	.....
Approved as to Survey	<i>Scull Gregory Williams</i> Registered Chief Surveyor
22/5/98	
Deposited this 14 <sup>th</sup> day of October 19 98	<i>.....</i> District Land Registrar
In Presence of	<b>DP79067</b>

LAND DISTRICT CANTERBURY  
 Survey Blk. & Dist. XI CHRISTCHURCH  
 NZMS 261 Steel M.35 Record Map No.

DIAGRAMS ZA, ZB &  
 SECTION YA-YB

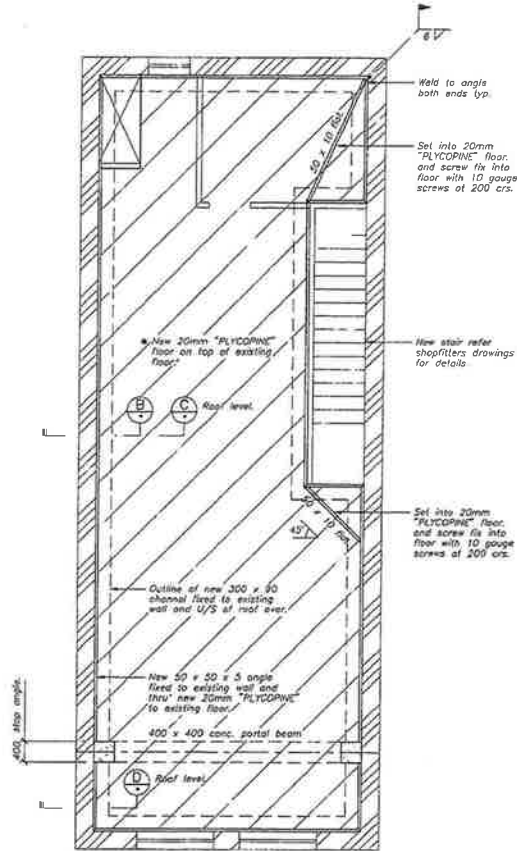
TERRITORIAL AUTHORITY CHRISTCHURCH CITY  
 Surveyed by **Cornell Wagner**  
 Scale 1: As shown Date December 1997



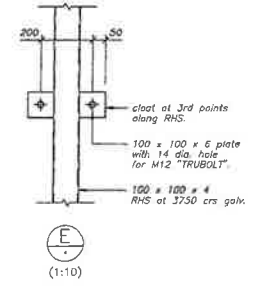
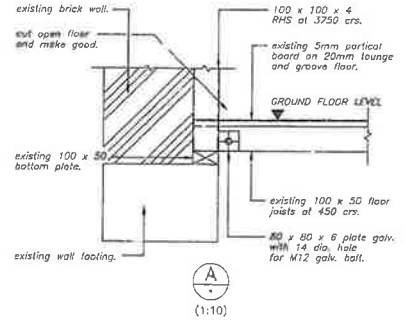
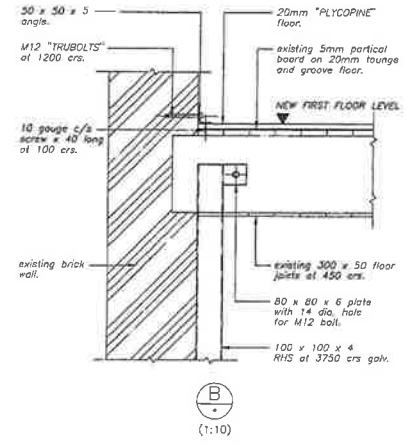
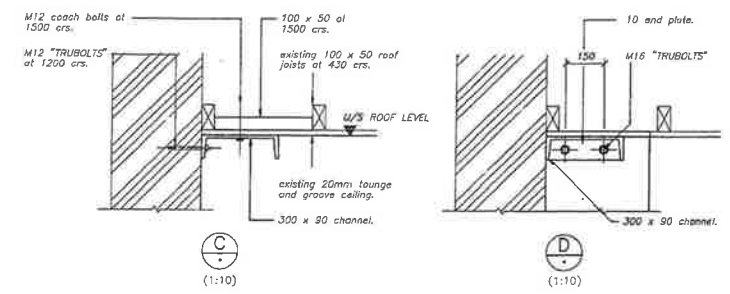
CATHEDRAL SQUARE SIDE  
VICTORIA SQUARE SIDE  
COLUMBO STREET  
**GROUND FLOOR PLAN**  
SCALE 1:50

**DIAPHRAGM NOTES:**

- 2.8 dia. nails x 60 long at 150 crs. for edges.
- 2.8 dia. nails x 60 long at 150 crs. at midheight.
- Stagger sheets chequer board pattern.
- "PLYCOPINE" joints set on lounge and joints, must be mid plank.



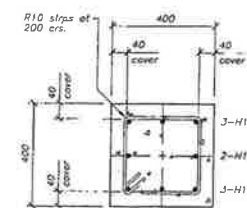
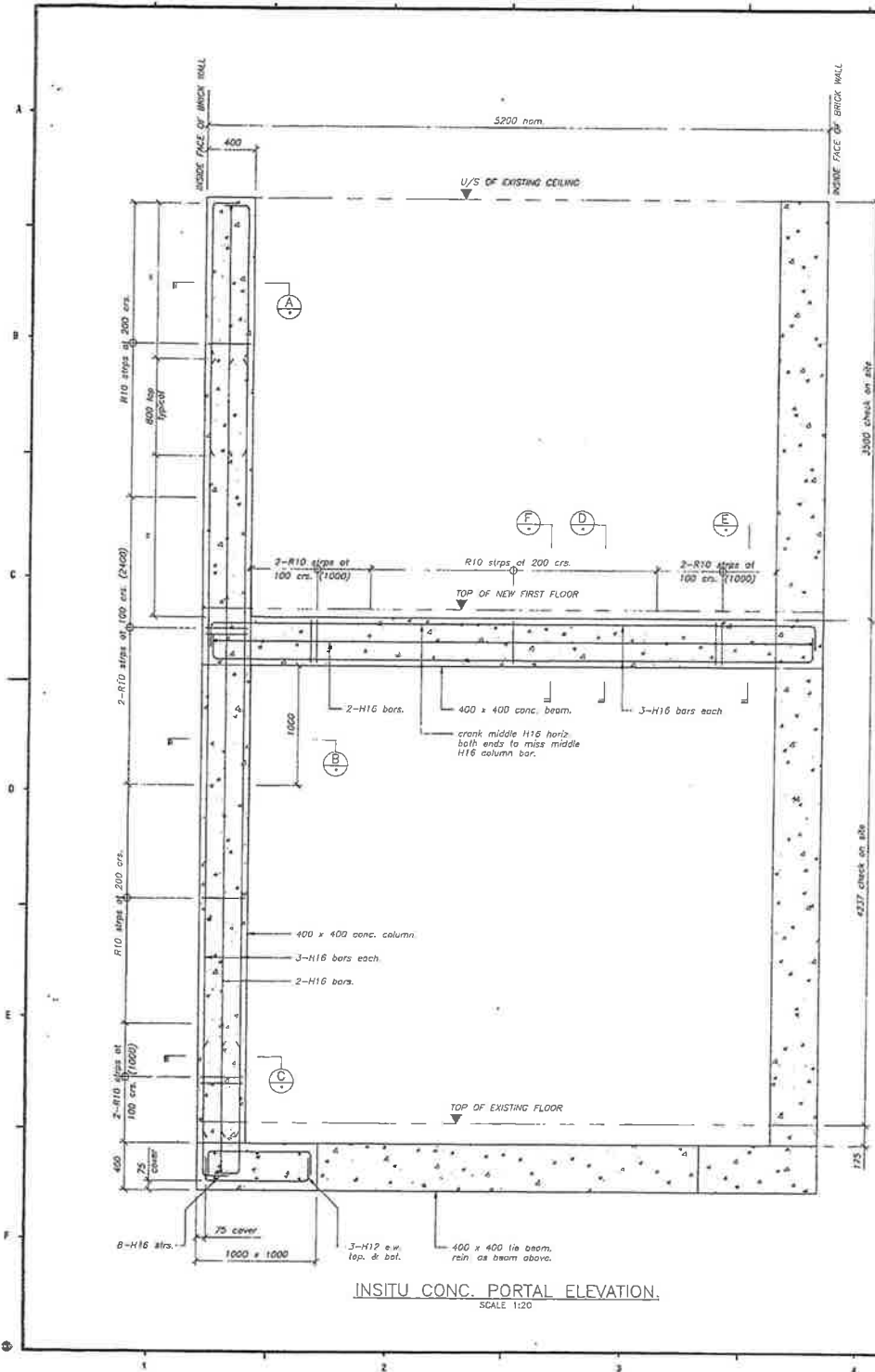
**FIRST FLOOR PLAN**  
SCALE 1:50



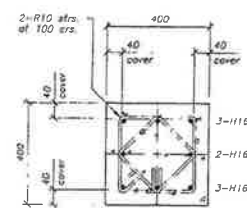
THIS IS ONE OF THE DOCUMENTS  
ISSUED BY THE CONTRACTOR  
DESIGNED BY  
DRAWN BY  
CHECKED BY  
SIGNED BY THE PROJECT MANAGER  
WITNESS  
DATE 9/6/94

ISSUE DATE	AMENDMENT		
94/241/01	S1		
<b>RESTRENGTHENING OF 753 COLOMBO ST FLOOR PLANS</b>			
Consulting Engineers, Structural, Civil, Acoustic, Electrical, Mechanical, Planning and Ventilation.			
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE			
SCALE	DESIGNED	CHECKED	DATE
BY	BY	BY	BY
DATE	DATE	DATE	DATE
94/241/01	9/6/94	9/6/94	9/6/94
THIS DRAWING IS COPYRIGHT ©		DATE PRINTED	

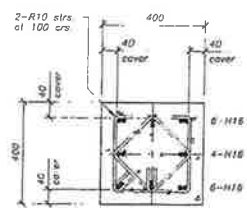
11 B 11



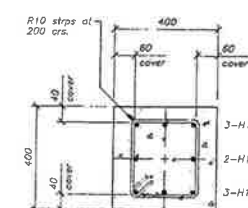
(A)  
(1:10)



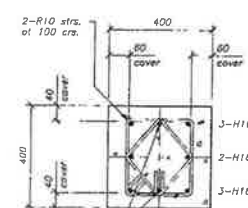
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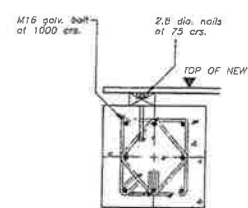
(C)  
(1:10)



(D)  
(1:10)



(E)  
(1:10)



(F)  
(1:10)

DIAPHRAGM NOTES:

- 2.8 dia. nails x 60 long at 150 crs. for edges.
- 2.8 dia. nails x 60 long at 150 crs. of midsheet.
- Stagger sheets chequer board pattern.
- "PLYCOPINE" joints not on lounge and joints, must be mid plank

THIS IS ONE OF THE DOCUMENTS

DESIGNED BY: [Signature]  
 CHECKED BY: [Signature]  
 DRAWN BY: [Signature]  
 DATE: 14/1/01

DATE		REVISION	
CONSULTING ENGINEERS STRUCTURAL CIVIL, ACoustics ELECTRICAL MECHANICAL HEATING AND VENTILATION			
<b>RESTRENGTHENING                  OF                  753 COLOMBO ST                  PORTAL FRAME &amp; DETAILS</b>			
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE			
SCALE	DESIGNED	CHECKED	
NO.	JOB NO.	SHEET NO.	DATE
	94/241/01	S2	A
THIS DRAWING IS COPYRIGHT ©			
DATE PRINTED			

**Andrew McRae**

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**From:** Mark Whiteside [MarkW@holmesgroup.com]  
**Sent:** Monday, 19 December 2011 6:07 PM  
**To:** Elizabeth Clarke  
**Subject:** 753 Colombo St - Structural drawing interpretation  
**Attachments:** SC452 C452011121916450.pdf

Hello Liz,

Please see the attached as per our telephone conversation. These are an extract of the drawings you provided to me this morning, the remainder of the drawings dealt with shop fit out and the new timber stair.

You asked me to interpret what work was carried out as detailed in the drawings.

The work appears to be seismic securing (title is "*Restrengthening of 753 Colombo St*" - to what level of code I have not attempted to ascertain. The drawings are stamped and dated 9/6/1994 and only deal with 753 Colombo St.

The work included:

- new concrete frame to the front (Colombo Street) - sheet S2
- new steel post wall face load supports - sheet S1 - ground floor plan and details A,B and E
- new first floor level diaphragm ties to the walls - sheet S1 - first floor plan and detail B
- ceiling level ties to walls - sheet S1 - first floor plan and details C and D

As I mentioned the Royal Commissions engineer Peter Smith has most likely seen the drawings and will have commented in his report to the Commission.

You should provide the all the drawings to the Commission (I assume you have been asked for all information you have relating to the building by the Commission) in case they do not have them.

Regards,

Mark

Mark Whiteside  
SENIOR ENGINEER

Holmes Consulting Group  
PO Box 6718 | Christchurch 8442  
Phone: +643 366 3366 | Fax: +643 379 2169  
Email: [markw@holmesgroup.com](mailto:markw@holmesgroup.com)

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lewis bradford  
CONSULTING ENGINEERS

8 October 2010

Church Property Trustees  
C/O Hawkins Construction  
P.O. BOX 42127  
CHRISTCHURCH

Attention: Ivan Hatton

Dear Sir/Madam,

### **STRUCTURAL INSPECTION OF 757 COLOMBO STREET, CHRISTCHURCH**

A brief walk through inspection was carried out on the above commercial premises on the 8<sup>th</sup> September 2010, and follows the 4<sup>th</sup> September 2010 earthquake and subsequent aftershocks.

#### **Scope of Work**

Lewis Bradford Consulting Engineers have been engaged by Andy Bell of Simes Property Management on behalf of the owners Church Property Trustees, to carry out a structural inspection of the property located at 753 thru 757 Colombo Street following the 4<sup>th</sup> September 2010 earthquake.

This report outlines structural damage found in 757 Colombo Street, it does not provide comment on the other tenancies within the building.

This inspection is by no means exhaustive and is not intended as a pre purchase inspection.

Our conditions of engagement are the ACENZ/IPENZ short form agreement for consultant engagement dated March 2010.

#### **Nature of Building**

The original two storey building is located on the corner on Colombo Street is of brick construction with a timber first floor and light weight roof. The building is subdivided into four separate tenancies, 753 thru 757 Colombo Street. Several additions have occurred throughout the years at the rear of the original building.

#### **Structural Damage**

Flexural cracking of an insitu concrete column has occurred at the rear of the building. Repair works will involve a skilled tradesmen epoxy grouting these cracks. It is recommended that contact be made with Jeff Hawker at Sika for the most appropriate repair method.



Separation has occurred between the blockwork exterior and insitu concrete walls at the rear of the property. Repair works will involve a skilled tradesman installing a 150x10mm EA at the top of the wall, 2-M16 Hilti HIT-HY150 anchors are to be used to fix the EA to each wall.

Two chimneys located on the roof of the building have suffered cracking due to the recent seismic activity. They are not in immediate danger of falling however it is recommended that they be removed as part of the repair work to 757 Colombo Street. The contractor is responsible for the reinstatement of all waterproofing to these areas.

### **Conclusion**

Apart from the points raised above there are no apparent structural issues with this building, which appears to be in good condition for its age.

The contractor is to discuss the above works with the Christchurch City Council to determine what their requirements are with regards to consents and documentation.

### **Limitation**

It is important to note that this report is based on a visual walk through inspection of the building only. It is possible that there are unobserved issues that may require future remedial work, such issues should be brought to the attention of the undersigned.

Yours faithfully,



Hamish Mackinven  
MIPENZ, CPEng  
STRUCTURAL ENGINEER

" E "

DATE: 19 / 10 / 2010

To Simon

ORDER No.

No.W 045923

M

From JEFF IOTT  
38 Daniels Rd

TAX INVOICE	
PURCHASE ORDER	
STATEMENT	

DESCRIPTION	QTY.	RATE	AMOUNT
757 Colombo			
Remove 2x chimneys			
Block off holes			
Dump Rubbish & Bricks			
Labour & materials		\$ 850.00	

Approved:			Date		
Property	Code	Amount	Y/N	Ten	Op/ac
K 757	302	850.00	<del>Y</del>		
Details Removal of chimney.					
Cheque #		Date Pd			

ENTERED

G.S.T. Reg. No.

SPECIAL INSTRUCTIONS

JR IOTT

SUB TOTAL

G.S.T.

TOTAL \$ 850.00

REDIFORM®

**Elizabeth Clarke**

---

**From:** Luke J. Rees-Thomas [Luke.Rees-Thomas@nz.knightfrank.com]  
**Sent:** Wednesday, 26 January 2011 11:47 a.m.  
**To:** Elizabeth Clarke  
**Cc:** Andy Bell  
**Subject:** RE: Colombo Street

Hi Liz,

Thank you for the email, the following issues have been reported as a result of Earthquake aftershocks;

**753-755 Colombo St;** 18/1/11 - Roof Leak reported. Contractor arranged at time, re-sealed joint in flashing. In process of quoting to repair damaged downpipe, required flashing and heat pump pipe wrapping. Will advise.

**757 Colombo St;** 26/12/10 - Leaking upstairs toilet, damaged vertical sewer pipe. Plumber arranged for repair at time, invoice yet to be received.

**759 Colombo St;** No further issues noted.

Should you require any further information, please just let me know.

---

**Knight Frank**

Luke J. Rees-Thomas  
Commercial Property Manager, Property Management  
Dip Bus (NZ)  
Knight Frank Christchurch  
Level 2, 62 Worcester Blvd  
Christchurch 8141  
New Zealand  
+64 3 377 1460 - Main Line  
+64 3 366 2972 - Fax  
+64 27 274 3275 - Mobile

[Luke.Rees-Thomas@nz.knightfrank.com](mailto:Luke.Rees-Thomas@nz.knightfrank.com)  
[www.knightfrank.com](http://www.knightfrank.com)  
Simes Ltd, Licensed Agent (REAA 2008), MREINZ



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**From:** Elizabeth Clarke [mailto:property@anglicanlife.org.nz]

17/08/2011



**Sent:** Friday, 21 January 2011 9:22 a.m.  
**To:** Andy Bell  
**Cc:** Luke J. Rees-Thomas  
**Subject:** Colombo Street

Dear Andy and Luke

Can you please advise if there was any further damage caused to our buildings in Colombo St?


Thanks

Liz Clarke



Liz Clarke | CPT Property Manager | Anglican Diocese of Christchurch  
Anglican Centre, L4 - Allan Pyatt House, 153 Hereford Street, PO Box 4438, Christchurch 8140  
| ☎ + 64 3 363 0903 | ✉ property@anglicanlife.org.nz | www.anglicanlife.org.nz

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WILTON JOUBERT Ltd

## **Post 22/02/2011 Christchurch Earthquake Building Assessment**

Site Address: 753-755 Colombo St

Date: 23/03/2011

Inspected By and checked by:

Ashley Cottle (BE, GIPENZ), David Lau (BE, PhD, MIPENZ, CPEng)

### **Access to building, EXTERNAL INSPECTION ONLY**

Is entry safe: No.

What needs to happen to allow safe entry:

#### **Limit entry to ground floor given:**

Severely unstable (collapsing) upper brick walls on road front. Walls shall be removed or secured before entry to ground floor is safe.

Entry façade and framing is unstable and should be removed or secured before entry to ground floor is safe.

Note that securing access does not mean safe occupancy until building is fully assessed.

#### **No access to 1<sup>st</sup> floor.**

#### **Structural condition of building – external assessment from road front only**

Foundations: OK. No sign of significant movement.

Floor slab: N/A

Façades/entry canopy: As above.

Midfloor: N/A

Beams: N/A

Stairs: N/A

Walls/columns: As above. Roof framing support walls (North and South) appear to be in reasonable condition (brick). Further assessment required.

Roof framing: N/A

Risk from neighboring building: Adjacent brick building (South) has suffered minor damage compared with 753-755 although high possibility building is unreinforced. Adjacent buildings (North) similar construction with upper brick walls severely unstable on road front (refer to Building 1<sup>st</sup> assessment – 757/759 Colombo St).

Recommendation/Notes: Exterior inspection indicates access to ground floor is safe provided the measures above are implemented. Access to upper floor is not safe. Further assessment to structure internally is required if any damage is seen internally.

" H "

**Canterbury Earthquake Recovery Authority**

Private Bag 4999  
03 354 2600  
Christchurch 8140



[demolitioncontracts@cera.govt.nz](mailto:demolitioncontracts@cera.govt.nz)  
029 200 8830

23 June 2011

Liz Clarke  
Church Property Trustees  
P O Box 4438  
Christchurch  
[property@anglicanlife.org.nz](mailto:property@anglicanlife.org.nz)

**Urgent Demolition Notice: 753-759 Colombo Street**

Dear Liz Clarke,

This letter confirms our recent telephone advice to you that your building has been assessed by our engineers as dangerous and is to be demolished urgently pursuant to Sections 38 and 39(5) of the Canterbury Earthquake Recovery (CER) Act 2011 as it poses a threat to people and/or property. The demolition works will be at your cost and you will be invoiced for the work once it is completed.

The demolition will be carried out by our demolition contractors. You will be contacted shortly by our project office and advised when the demolition will commence. Our project office email address is [cddemolition@ccc.govt.nz](mailto:cddemolition@ccc.govt.nz).

As the building is dangerous it may not be possible to recover any contents from it. However we will endeavour to recover valuable items if we can. Please discuss this with our project office when you are contacted in the next day or two.

Please arrange for any tenants in your building to be advised that the building is to be demolished urgently.

A copy of this letter will be provided to your insurer.

Attached to this letter are copies of our engineer's assessment of the building together with photographs taken by them.

A handwritten signature in black ink, appearing to read 'Warwick Isaacs'.

Yours sincerely,  
Warwick Isaacs  
Interim Manager – Civil Defence Transition and all Residual Deconstruction

CC:ANSVAR – [alacey@ansvar.co.nz](mailto:alacey@ansvar.co.nz)

**Canterbury Earthquake Recovery Authority**

Private Bag 4999  
03 354 2600  
Christchurch 8140



[demolitioncontracts@cera.govt.nz](mailto:demolitioncontracts@cera.govt.nz)  
029 200 8830

Enclosure: Risk Assessment Notice and Photographs



## Canterbury Earthquake Recovery Authority

### Frequently Asked Questions

#### Urgent demolitions

**A fence has been placed around my building following an aftershock. Can I enter the area?**

Under the Canterbury Earthquake Recovery Act, CERA is able to put up fencing to prevent people from approaching a dangerous building or site. You may also see a notice warning people not to approach a dangerous area. If you see a sign, if there is fencing or if you think an area might be dangerous - please do not enter the area as it is not safe.

**I have received an Urgent Building Works Notice. What does this mean?**

Under sections 38 and 39 of the Canterbury Earthquake Recovery Act, CERA is able to carry out urgent work on a building where an emergency has caused or is likely to cause:

- loss of life or injury, or
- damage to property or the environment, or
- danger to any works or an adjoining property.

This work can include partial or complete demolition, or works to make the building safe.

**Does CERA have to let the building owner know if an urgent demolition or work to 'make safe' is going ahead?**

CERA endeavours to contact the building owner by telephone before any work begins. Because of the urgent nature of the work, CERA may begin immediately to remove the danger. As soon as possible CERA will send the building owner and occupier and their insurers copies of the *Urgent Building Works Notice*, copies of the structural assessment report and photographs.

It is possible that future aftershocks may result in urgent demolitions. CERA will endeavour to contact all owners prior to any urgent demolition.

**Why have I been sent an Urgent Building Works Notice and not just a section 38 Demolition letter?**

Your building has been identified as having damage that could result in a risk of loss of life or injury, damage to the property or the environment, or danger to any works or an adjoining property *as the result of an emergency* such as the aftershocks on 13 June 2011. When such an emergency occurs, CERA uses the urgency provisions in section 39(5) and (6) of the Canterbury Earthquake Recovery Act.

Under section 38 there is normally a longer process for contacting owners, occupiers, and other interested parties and organising how demolition is to occur. This time period is not suitable because the new danger posed by the building must be dealt with urgently.

**I am already in discussions with a demolition company and have been contacted by CERA about the need for an urgent demolition. Will CERA use my contractor?**

CERA will consider this option where:

- the contractor is accredited for the work and,
- the contract has already been signed between the business owner and the contractor and,
- the contractor has knowledge and experience of the building or site and has already developed a demolition plan, which includes a traffic management plan and a debris management plan.

However, any contractual agreements between the owner and the demolition company *are not* transferred to CERA.

Demolition contractors are engaged by CERA using competitive market rates; these are independently monitored and assessed.

**If CERA carries out the work who will cover the cost?**

CERA will invoice the building owner for the costs of the dangerous building demolition, including administrative expenses.

Under the Canterbury Earthquake Recovery Act, CERA can impose a charge against the land to recover costs.

Please direct any specific questions to:  
 Email: [demolitionenquiries@cera.govt.nz](mailto:demolitionenquiries@cera.govt.nz)  
 Phone: 941 8999 or 0800 800 169

**Will property be recovered from the site under urgent demolition?**

Contents will be recovered where it is possible to do so safely.

### How can I find out more?

General demolition enquiries:

Email:[demolitionenquiries@cera.govt.nz](mailto:demolitionenquiries@cera.govt.nz)

Phone: 941 8999 or 0800 800 169

You may like to read some of the Canterbury Earthquake Recovery Act 2011 including these sections:

- 39 Provisions relating to demolition or other works
- 45 Access to areas or buildings









