

BRIEF OF RUSSELL SIMSON

I RUSSELL JAMES SIMSON state:

1. I am 59 years old and have worked for the Christchurch City Council since June 1992 as a Building Inspector(13 years) and Building Consent Officer (7 years). I hold the formal position of "Building Consent Officer" within the Building Operations Unit of the Christchurch City Council. My formal qualifications are New Zealand Certificate in Building, Certifying Plumber, Certifying Gasfitter, Certifying Drainlayer. My experience in the construction industry is for the whole of my working life, both in residential and commercial construction. I have worked on some of the city's largest projects, both as a foreman tradesman and as the councils building inspector, often with Dave Flewellen. Sadly, many of these buildings have now been removed from the city skyline.
2. I have been asked to give evidence in respect of the inspection of the CTV building on 7 September 2010.
3. I previously made a file note of my recollection of the CTV inspection and that is dated 15 September 2011.
4. When I was first asked to recall the inspection, I initially thought that it had occurred on Monday 6 September, but note from the date of the Rapid Assessment form that the inspection was on 7 September 2010. As I am sure that I only went to the CTV building once, I accept that the inspection was on Tuesday 7 September 2010.
5. I have to say at the outset that my recollection of this inspection is not particularly clear. I initially thought that I had inspected with Dave Flewellen and Bernie van Haandel. That was not correct and it was Graeme Calvert who was the third Council officer and it was Graeme who completed the Rapid Assessment form for the CTV building. I had been out with Bernie van Haandel on a number of inspections and with Graeme Calvert on a number of inspections and hence the confusion. None of us kept any personal records of inspections undertaken.
6. In the days and weeks following the 4 September earthquake up until 22 February 2011 I possibly inspected over 100 buildings, at a guess. Post-22 February 2011 I was



involved in building inspections over many months. Distinguishing this inspection from the hundreds of others I completed is not easy.

7. In the days after the 4 September earthquake I was operating, along with other Council staff, from the Christchurch Art Gallery. While I do not have a clear recollection of that particular morning, it is likely that the three of us were at the Art Gallery waiting for an assignment and were from there sent out to check on the buildings that were allocated to us. We were not accompanied by an Engineer on this inspection visit. On this day, the three of us were sent to look at three specific buildings – the Oxford Terrace Baptist Church, the building opposite Latimer Lodge and the CTV building. I do not recall clearly what time of day it was that we were sent out.
8. We were not given any specific instructions in respect of any of the buildings. We were not given any building specific documentation and had with us one clipboard with the forms for the inspections. There were briefings held at the Art Gallery which took place around the main staircase. I do not recall if there was a briefing on the morning of 7 September 2011. The briefings in the first few days generally related to where to go, our own safety, and were a brief overview to determine which buildings needed further investigation. The concept was that there were too many buildings to do them all thoroughly, so we were to determine which were to have the priority for detailed investigation.
9. The three of us walked from the Art Gallery around the river to the Oxford Terrace Baptist Church, then to Latimer Square and then to the CTV building.
10. I do not recall who sent us out on the inspection or what specifically gave rise to the instruction to inspect these buildings. The instructions would have come from someone working in the Art Gallery. I assume that there must have been some initial concern about the buildings we were sent to inspect.
11. I had not received any specific training in respect of carrying out the assessments. Employees of the Council are expected to make themselves available for civil defence work. This had not been relevant prior to September 2010. Civil defence training was held on the weekends and I was not required to attend any of the training sessions. My specific understanding of the placarding system was limited. Even those who had been to Civil Defence training sessions were unsure as to exactly what our specific duties were. We were left to “second guess”, and to use our combined experience as to what



was safe or otherwise. Engineers with whom I later inspected other buildings were unsure as to what extent we were to inspect/evaluate each building. This situation still existed after the Feb 22 events. This inspection system was only a few days after the first earthquake and I cannot say that I had a good understanding of the distinction between the different placards.

12. For my own part, I was inspecting against my knowledge of buildings to visually identify if there was any obvious damage or immediate risk of the buildings collapsing. The key issue for me was whether it was safe for people to be in a building. I saw the inspection as a screening test to sort out those buildings which were plainly dangerous, those which were safe and those where further investigation was required.
13. On the day, the first building we visited was the Oxford Terrace Baptist Church and to the best of my recollection I filled out the form on that inspection and completed the red sticker. There was no one at the building, but all of us were concerned with what we saw as to the state of the building. It was obvious from the state of the building that it required a red sticker because it appeared to us to be at imminent risk of substantial collapse. We in fact drew straws as to who was going to put the sticker on the front of the building and I drew the short straw. I recall that the main doors at the front of the church, beyond the large columns, was a place I did not want to linger. I approached the door from the side of the porch way, at the fire station end. I exited the same way, as we agreed that the area directly in front of the building was the most dangerous place to be. Large chunks of detached masonry construction were precariously balanced at height, and any even minor aftershock could have meant substantial collapse. Death to any persons in this vicinity was a high probability. The area already had temporary fencing, and hazard tape.
14. My recollection is that at this stage we were carrying out a Level 1 assessment. As I understood it at the time, Level 2 assessments were completed with an engineer being present. We had both level one and level two forms with us. We also put up more emergency barrier tape at the Church, as we had bought rolls of the tape with us from the Art gallery.
15. The next building we went to was at Latimer Square, the former Blue Star Taxi 24 hour petrol station building, now owned by the Knight family interests, from Latimer Lodge over the road. I can recall this building was in serious disrepair also and some of the parapets had collapsed onto the public footpath. We were not as concerned about the



imminent collapse of the whole building as we had been with the Baptist Church, but this also received a red sticker as there was masonry around where the parapets had fallen that was still at risk of falling. We arranged for a temporary fence to be installed to keep the public away from the area of the falling masonry. We installed a red sticker here due to the obvious further damage to the building, and the risk to any public walking on the public street/footpath. At this time there was no "Red Zone" as there was after Feb 22.

16. Again, at this point I cannot recall if this was a Level 1 or Level 2 form that was used, or which of us actually wrote the form out..
17. At the CTV building I recall that the CTV offices were open and people were working on the ground floor. I do not recall whether or not there was a green placard on the building already. At that time I had no knowledge as to whether there had been an earlier inspection of the building. I can recall there was a receptionist in the foyer and that she, without consulting anyone else, said we could *"go where you need to go"*. The three of us went through the CTV ground floor, through the studios and through another door into the stairwell. Part way through our walkthrough of the CTV premises we were joined by a man who I assumed was a more senior employee at CTV. He was not someone that I knew and I do not recall his name.
18. At the time of the inspection I assumed that the lift shaft was the structural core of the building. The stairwell was adjacent to the lift shaft. Dave and the male CTV employee and I entered the bottom of the stairwell. I went up, I think, as far as the first half landing, as I recall that I noticed looking up that the underside of the stairs appeared to have parted from the wall. As the building had no basement and as I recall seeing the gap from the underside, I must have been on the first half landing. I recall it was a wall to the left of the stairs where the floor had pulled away. The gap I saw I have previously described as being large enough to put your fist in. Upon reflection I think that was something of an exaggeration. Upon reflection, it was more likely to have been around 20mm or so. For me, the gap was enough to cause concern and was a factor that made me feel further examination was called for.
19. Dave Flewellen, with the other man I have referred to, did go higher up the stairs, I did not, but they discovered that all the other doors off the stairwell were locked. I do not know if Dave and the man accompanying him went all the way to the top of the stairs. I don't recall Graeme coming up the stairs. I recall bringing the gap to the attention of



Dave Flewellen. I cannot recall the outcome of the discussion other than Dave commenting that the gap might be old as he thought there was paint inside the gap. While Dave thought the gap may have been there for some time, we were not happy with the gap. I recall Dave saying the gap was not replicated further up the stairs.

20. We exited the stairwell and went out a different entrance to the one we had entered the building. We went out into a car park under the building where there was something like a security grill and from there out and we (myself, Dave Flewellen and Graeme Calvert) stood in the open on Cashel Street for a discussion. The CTV staff member had gone back through the studio area.
21. My memory of the discussion is not good. I have a recollection that we were going to put a red placard on the building and, while that remains my recollection, I am now sure that cannot be right. I have come to the view that my recollection is not right because during this inspection, and indeed all of the inspections that I carried out, there was no disagreement between me and my fellow inspectors. I am aware that Graeme completed the assessment form as a green placard and cannot imagine that he would have done that if we had agreed to make it a red placard. There was certainly no disagreement at that time.
22. Secondly, nothing about the inspection suggested to me any imminent danger. We had no feeling or concern that the building was at risk of imminent collapse or there was immediate danger to the occupants of the building.
23. It is hard now to explain how what were partly instinctive or intuitive decisions about buildings were made. Having been immersed in commercial construction for a long time, we relied on our experience and instincts during inspections. Equally, we had a feel for issues that we knew we were not able to determine. Exactly why we all believed that an engineer should inspect the building is now hard to explain, but it was related to the gap that we saw in the stairs, the fact that we could not get access to the upper floors because of the doors being locked (we had been instructed not to use the lifts in any building), the size of the building and the method of construction and complexity of the building. Again, I couldn't say what weighting was given to each factor but our overall assessment was that an engineer should look at the building.



24. I don't recall inspecting at this time any other buildings with a similar design as the CTV building. As a rule of thumb, we assumed the larger the building the more important it was to know the specifics of the structural design, because in short the bigger they are the more complex they are. However this was an assessment for an engineer.
25. After our discussion on the footpath, we went back into the building.
26. We went back into the CTV building and talked to the receptionist. She went and got someone else (a male) but again I cannot be sure if that was the same person who accompanied us in the stairwell earlier. I do not recall this persons name or position in the organisation, but felt he was a person with some authority.
27. I did most of the talking. I conveyed to the receptionist and the man who was there that the building needed to be checked by a structural engineer. The man who was there said that they would get it checked immediately and I remember explaining to him the urgency of the matter, due to the size and complexity of the building. I would have referred to urgency because we believed that there were matters that a full engineering assessment would investigate that we were not qualified to do. We were not sent out to do the same job that an engineer would. I recall telling him it might be best if everyone left the building until it was deemed safe. The upper floors were at that time unoccupied. This was precautionary advice, rather than because we thought there was an immediate danger.
28. I recall that the man said he would deal with it and get hold of the building owner for the building owner to arrange a structural engineer to visit. I had told him that it was the responsibility of the building owner to organise the engineer's inspection. We left reassured that the inspection would be organised. From there we went back to the Art Gallery. Graeme handed in the inspection forms as they were all on the one clipboard as I have said.
29. I do not recall whether a placard was put on the building on that day. I personally did not put a placard on the CTV building during that inspection.
30. I don't recall seeing any cracks in plasterboard or any broken windows during the inspection. There were comparatively very few broken windows across the City in September and I think I would have recalled if I had seen a broken window at the CTV



building. I have no specific recollection of any fallen ceiling tiles, but this was more common after Feb 22 than after the Sept 4 event. The damage that we saw in the stairwell I have already described and as I have said this was a factor that reinforced the need in our minds for an engineering inspection.

31. While I have said my detailed recollection of the inspection is not good, I am clear that from the parts of the building we had been able to inspect, I left the building feeling that it didn't pose any immediate danger. For me that was the practical purpose of our inspections. By 7 September there had been many further aftershocks and we assumed they would continue. I was thinking in terms of whether aftershocks would cause a collapse or items to fall from the building onto the footpath. My focus was looking at the damage the building had already sustained and in particular whether that would be worsened by aftershocks. I was looking for damage to the building generally. I did not specifically have regard to information about the likelihood, location and extent of further aftershocks, but as I have said, assumed that there would be further aftershocks. I did not consider the detail of those aftershocks.
32. I didn't personally complete any of the paperwork in respect of the CTV building. The three of us took turns in completing the documentation for each of the buildings we inspected and had total confidence in each other in that regard.

