

2 November 2011

Our ref: LEX10597

Canterbury Earthquakes Royal Commission  
PO Box 14053  
Christchurch Mail Centre  
**Christchurch 8544**

**Attn: Mark Zarifeh**

Dear Mr Zarifeh

**753, 755, 757 and 759 Colombo Street, Christchurch**

I refer to your letter to Peter Mitchell dated 29 September 2011 asking for the provision of additional information in respect of 753, 755, 757 and 759 Colombo Street. This has been referred to me for response.

Your questions are set out below as separate headings, with the answers below each heading.

**Structural Integrity****Question 1**

What was the status of the building in terms of the Council's earthquake prone policy as at 4 September 2010? Was it deemed to be an earthquake prone building? If so, please provide details. If not, please explain.

753 Colombo Street had been earthquake strengthened in 1994 with the installation of two concrete frames and an overlay diaphragm on the first floor and steel members to strengthen the walls. The walls and roof were also tied to the structure with steel members and chemset bolts.

755 Colombo Street had been earthquake strengthened in 1994 on the ground floor by the installation of two concrete frames.

757 Colombo Street had not been strengthened.

759 Colombo Street had been earthquake strengthened by the installation of concrete frames and an overlay diaphragm and steel members to strengthen the walls. The walls and roof were also tied to the structure with steel members and chemset bolts.

All the strengthening work described above had been done prior to the introduction of the Council's Earthquake Prone Building Policy 2006. Given the increased earthquake prone trigger level in the 2005 Regulations, it is probable that all the buildings would have been regarded as earthquake prone for the purposes of the Policy, and section 122 of the Building Act 2004. There are however no assessments on the Council's file as to whether or not the buildings in fact met 33% of current code, and the Council therefore cannot comment on this further. If the owners had made a building consent application for a significant alteration (as

defined in the Policy) to any of the buildings the requirement for strengthening would have been considered in terms of the Policy.

### Question 2

Please explain how the Council's earthquake prone policy had been applied to this building.

No applications for building consents for significant alterations had been made after the introduction of the Earthquake Prone Building Policy 2006 so the requirement to consider strengthening in terms of that Policy had not been triggered. (The 2010 Policy was finally adopted after the earthquake of 4 September 2010).

### Question 3

It would appear from the Council file that seismic strengthening was carried out in 1999 as per Powel Fenwick specifications.

- (a) Please provide details from the Council's perspective as to exactly what work was completed.

From the documents on the Council's file and provided to the Royal Commission, it appears that the strengthening and fire upgrade of 759 Colombo Street commenced in 1999 and the building suffered a fire during construction. The concrete frames had been completed and a new project to repair the fire damage and complete the strengthening was consented. The strengthening work consisted of the construction of two concrete frames, a new plyco pynefloor timber first floor diaphragm with steel angle ties around the walls and steel bracing at the roof ceiling level. The angle ties and steel bracing were fixed to the brick walls with chemset anchors.

- (b) What effect did that work have on the status of the building in terms of the Council's earthquake prone policy in relation to it?

On the issue of the Code Compliance Certificate, the building at 759 Colombo Street was not considered to be earthquake prone in terms of section 66 of the Building Act 1991.

As already mentioned at the commencement of the Council's Earthquake Prone Building Policy in 2006, the level below which a building is considered to be earthquake prone had been raised by the 2005 Regulations from approximately 10% of current code to 33% of current code. The impact of this change in terms of 759 Colombo Street has been dealt with in the answer to Question 1 above.

### Question 4

On the Council file there is a Conservation Covenant dated 22 February 2002 in relation to a contribution to the seismic upgrade of the building.

- (a) To what seismic upgrade does this Covenant relate? Please provide details.

The grant was to assist with the cost of the earthquake strengthening to 759 Colombo Street in 1999/2000 which is discussed above.

- (b) If it did not relate to the work that had been completed in 1999 please explain what work it relates to and the effect it had on the building's status in terms of the Council's earthquake prone policy.

The Covenant did relate to the 1999 work.

### **Events Post the 4 September 2010 Earthquake**

#### Question 5

Referring to a Level 1 Rapid Assessment dated 5 September 2010 and another dated "7<sup>th</sup>".

- (a) Was the second of these rapid assessments carried out on 7/9/10?

It appears from the Council's records that a second rapid assessment was carried out on 7 September 2010 and the rapid assessment form dated "7<sup>th</sup>" is a copy of that assessment. We **attach** a copy of the Council's spreadsheet that records the entries of assessments for 5 September 2010 and 7 September 2010.

- (b) Are you able to advise what is involved in a detailed inspection of parapets and corbels as noted on the second assessment?

The Council considers that this question requires advice from an engineer with relevant experience. It is therefore not in a position to answer such a question.

#### Question 6

From the Council's file there does not appear to have been any further Council inspection/assessment of the building prior to the 22 February 2011 earthquake.

- (a) Is that correct?

There is no record of any further Council inspection/assessment of the building. However we note your comment in question 7 that a Lewis Bradford report dated 8 October 2010 notes a brief walk through was carried out on 8 September 2010, which was presumably arranged by the building owner.

- (b) Was any inspection carried out after the Boxing Day earthquake? If so, please provide details. If not, please explain why not.

We refer to our response to question 6(a). We refer to section 7 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") which outlines the response to the Boxing Day aftershocks. Not all CBD buildings were assessed after Boxing Day, but building owners were advised to get their own assessments.

Question 7

I note the reports on the Council file from Lewis Bradford, Consulting Engineers. The report dated 8 October 2010 notes a brief walk through was carried out on 8 September 2010.

- (a) Was this report requested by the Council? If so, was it the Council policy to request such reports from owners? If the report was not requested is the Council aware of why it was provided to the Council?

As discussed with Nadine Daines, it appears that this report was not on the Council's files and was not commissioned by the Council. The building had received a green placard. While the green placard form advised owners to seek their own engineering assessments, the Council had no legal ability to require such assessments.

Question 8

Given the age and nature of the Building was any further detailed inspection/assessment of the property carried out by Council inspectors or required of the owner? If so, please provide details. If not, please explain why not.

The Council did not undertake any further inspections or assessments. As noted above, the building had received a green placard, and it was not the Council's general practice after the 4 September 2010 earthquake to undertake further inspections in such circumstances. We also note that the building had had extensive strengthening carried out as outlined in our response to Questions 1 to 4.

Yours faithfully



Chris Gilbert  
**Legal Services Unit Manager**  
**Regulation & Democracy Services**