



Royal Commission of Inquiry into Building Failure Caused by the Canterbury Earthquakes

Komihana a te Karauna hei Tiro tiro i ngā Whare i Horo i ngā Rūwhenua o Waitaha

4 August 2011

Peter Mitchell
General Manager Regulation and Democracy Services
Christchurch City Council
PO Box 73016
Christchurch

Dear Peter

391-391A Worcester Street, Linwood

As you are aware the Royal Commission is currently examining various building failures in Christchurch. Included in the Commission's representative sample is a building at 391/391A Worcester Street, Linwood (the "property"). This building is owned by Mr Pak Loke.

The Commission has already received the Council's file in relation to this property. Would you now please provide the following additional information, if possible by **12 August 2011**:

1. The owner, Mr Loke has advised that he contacted the Council following the 4 September 2010 earthquake and was told that the Council had not assessed the property and did not intend to do so. Would you please confirm whether this was the case and provide details of any contact between the Council and Mr Loke.
2. Assuming there was no assessment of the property by the Council, please advise why this was the case.
3. To the Council's knowledge was there any assessment by Civil Defence or USAR at any time between 4 September 2010 and 22 February 2011?
4. If yes, what information did the Council receive as a result of the assessment(s)?
5. On 2 February 2011 a report was completed by EQC (copy **attached**). It would appear that this was not forwarded to the Council at any stage. Please confirm that was the case.
6. If the EQC report was not forwarded to the Council, is it likely that Council would have taken steps under s124 Building Act 2004 if it had been made aware of this report?

7. If yes, does the Council consider it would have had the power to advise potential affected neighbouring property owners of the safety concerns in relation to the building?
8. From the Council's perspective was there any policy or arrangement in place between the Council and EQC under which EQC would advise the Council of any buildings it had assessed as potentially dangerous?

This request is made pursuant to the Commission's powers of investigation under section 4C Commissions of Inquiry Act 1908.

Yours faithfully



Mark Zarifeh
Counsel Assisting
Canterbury Earthquakes Royal Commission

Encl: Report by EQC



Scope of Works

Completed By: *Bruce Glasgow*

CLM 2010 1046103

Date: *2/2/11*

Claimant Name: *PL. LOKÉ.*

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*39A-391A WORCESTER ST
CHRISTCHURCH*

Element Details:

Land	Building	<input checked="" type="checkbox"/> Bridges/cverts	Retaining walls	Other
Lounge	Dining	Kitchen	Family Room	Bedrooms
Office/Study	Rampus	Hallway	Stairwell	Toilet
Laundry	Bathroom	Escalate	Chimney	Foundations
Piling	Services	Kitchen Ovens	Hot Water Cylinders	Heater Tanks
Glazing/windows	Fireplace/woodburner	Floor	External Walls	Roof
Outbuildings	Other			

DESCRIPTION: *The external walls are seriously cracked and are moving. Repair strategy. Cost of repair exceeds entitlement.*

LINE ITEMS:

DESCRIPTION:	Units	Length	Breadth	Depth	Qty	Rate	Cost
<i>Total Floor area</i>	<i>m2</i>	<i>11</i>	<i>8</i>		<i>188-180</i>		<i>244400.0</i>
<i>Severe damage to all exterior walls and chimneys (potentially dangerous)</i>							

Subtotal *244400.00*

+ P&C, Margin & GST figure

TOTAL *333899.00*

* Unit Categories to be used as follows:
 Each, Sheet, Kilogram, Linear metre, Square metre, Cubic metre,
 Per Hour, Per Day, Per Week. Cubic metre calculations must include
 length, breadth and depth figures. Square metre calculations must
 include length and breadth figures.



Statement of Claim Checklist / Repair Strategy

Date: 1/2/2011

Author: LINDSEY BTRILL

Claim No: 2010 / 046103

Claimant: PAK LOKE

Situation of Loss: 391 - 391A WORCESTER ST. CHRISTCHURCH
 (M) 03 381 5331
 (W) 03 323 5419
 (F) 02 722 71409

LA: LINDSEY BTRILL

Estimator: BRUCE GLASGOW

Room	Earthquake Damage	Walls	Ceiling	Floor	Repair Strategy
	Y/N	✓	✓	✓	
FIRST FLOOR Lounge	Y	✓	✓	✓	DNIX ceiling has dropped and does not comply. Replace ceiling with 2 layers of gib (16m ²). Timber lined walls not compliant. Replace walls with gib (65m ²). Timber floor out of level, and damaged sub-floor. Replace sub-floor and timber floor (16m ²).
Dining Room	N/A				
FIRST FLOOR Kitchen	Y	✓	✓	✓	Squeaking and out of level timber floorboards. Damaged subfloor (12m ²). Replace timber floor and sub-floor. Replace walls and ceiling with gib (multiple cracks).
Family Room	N/A				
Bedroom 1	Y	✓	✓	✓	Replace damaged walls and ceiling with gib (multiple cracks) 17m ² . Damaged timber floor and sub-floor - out of level. Replace floor and sub-floor.
Ensuite	N/A				
Bedroom 2	N/A				
Bedroom 3	N/A				

18 August 2011

Mark Zarifeh
Counsel Assisting
Canterbury Earthquakes Royal Commission
PO Box 14053
Christchurch

Dear Mark

391-391a Worcester Street, Linwood

I am replying to your letter dated 4 August 2011, with regard to 391-391A Worcester Street, Linwood owned by Mr Pak Loke. My apologies for not having responded by 12 August however we did not receive your letter until 9 August 2011.

With regards to the specific questions you have raised I can advise that the Civil Defence response to damaged buildings was targeted at specific areas including Brooklands, Bexley, Dallington, Avonside Drive and the CBD. 391 Worcester Street fell outside of our target area. Accordingly our records indicate that this property was not assessed and we have no record of Mr Loke asking for the property to be assessed.

To the best of our knowledge there was no assessment by Civil Defence or USAR between 4 September 2010 and 22 February 2011.

Council does not hold any EQC records for this property. Our understanding is that EQC is unable to provide such reports under their Act (section 31). We have no record of the owner having forwarded it to us at any stage.

In the event that the report had been forwarded to us then it is likely that we would have taken action under section 124 of the Building Act as it would appear that the building would have been deemed to be dangerous, in the circumstances outlined in the report.

If the building constituted a threat to neighbouring buildings, then Council would have advised the neighbours accordingly and issued a direction for them not to occupy their buildings and property or parts of their buildings and property.

There is no arrangement in place between the Council and EQC in which EQC would advise the Council of any buildings that they had assessed as potentially dangerous. However it is likely that they would advise the owner to notify the Council. As mentioned previously EQC is not in a position to share such information given the limitations of the Act that they work under.

Thank you for your enquiry.

Yours sincerely



Steve McCarthy
Environmental Policy & Approvals Manager

Received 22/8/11
J.