

**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**

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**STATEMENT OF EVIDENCE OF STEPHEN JAMES MCCARTHY IN RELATION TO 595  
COLOMBO STREET**

**DATE OF HEARING: WEEK BEGINNING 12 DECEMBER 2011**

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## INTRODUCTION

1. My name is Stephen James McCarthy. I am the Environmental Policy and Approvals Manager of the Christchurch City Council. I have worked for the Council since 1 May 2006. During the State of Emergency following the earthquake of 4 September 2010, I was one of the Building Evaluation Managers in the Christchurch City Emergency Operations Centre.
2. I have 36 years of experience working for local government, including 16 years in building control. I have a Degree in Applied Science and a Post Graduate Diploma in Management from Massey University and a Royal Society Diploma in Environmental Health from Wellington Polytechnic.
3. I have been asked to provide evidence to the Royal Commission relating to specific aspects of the Council's involvement with 595 Colombo Street before and after the earthquake of 4 September 2010 and the Boxing Day aftershock.

## DOCUMENTS PROVIDED TO THE ROYAL COMMISSION

4. The documents relating to this building that have been provided to the Royal Commission are:
  - (a) the Building Permit/Building Consent file for 595 Colombo Street; and
  - (b) post earthquake files.

## SCOPE OF EVIDENCE

5. My evidence will address the following matters:
  - (a) The Civil Defence Emergency Management Response in relation to the building after the 4 September 2010 earthquake.
  - (b) Council involvement with the building subsequent to the lifting of the state of emergency on 16 September 2010.
  - (c) The effect of any strengthening undertaken.

- (d) Whether 595 Colombo Street was assessed as 'earthquake-prone' for the purposes of section 122 of the Building Act 2004.
- (e) The application of the Council's earthquake prone policies of 2006 and 2010 to the building, if relevant.

**EVENTS AFTER THE 4 SEPTEMBER 2010 EARTHQUAKE (Paragraphs (a) and (b) above)**

- 6. At 1.00 pm on 5 September 2010, a Level 1 Rapid Assessment was carried out for 593-599A Colombo Street. The buildings received a green placard. (**Annexure "A"**) The Council has no record of any further inspections or assessments being carried out in relation to 595 Colombo Street. As a green placard had been issued for these addresses, it was not the Council's general practice after the 4 September 2010 earthquake to undertake further inspections in such circumstances.

**APPLICATION OF RELEVANT LEGISLATION AND THE COUNCIL'S EARTHQUAKE PRONE POLICY (Paragraphs (c) – (e) above)**

- 7. The building was noted as possibly earthquake prone in the Council's records.
- 8. On 23 August 1951, there were proposed alterations to the shop frontage. In 1951, it is unlikely that consideration would have been given to earthquake strengthening when a building permit was issued. The Council was first given the power under Section 301A of the Municipal Corporations Act in 1969 to deal with potentially earthquake prone buildings.
- 9. Between October 2002 and January 2006, there were various complaints from the neighbouring building owner about alterations being done to 595 Colombo Street without a building permit. Subsequently a retrospective application for a building permit was filed in September 2004 which attached a report from Endel Lust, Civil Engineer, and which noted that the building was earthquake prone and recommended a "securing" programme over the following five years. The value of the work was declared to be \$15,000.
- 10. The Council wrote to the building owner on 12 January 2006 noting that the building consent was currently being processed, that the building was likely to

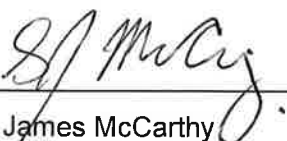
be earthquake prone under section 122 of the Building Act but that the proposed alteration was minor and would not affect the structure. Therefore the Council advised that it did not require any action to be taken at that time unless any future building consent applications were lodged.

11. The securing programme recommended to the owner by their engineer does not appear to have been accepted by the owner and was not included in any building consent application. The Council has no documentation concerning why the owner did not proceed with the programme.
12. The building consent was granted in January 2006. The owner later decided not to proceed with the work and asked for the consent to be cancelled.
13. As it appears that no earthquake strengthening was carried out on the building, it would have continued to be regarded as possibly earthquake prone on the introduction of the Building Act 2004, and for the purposes of the Council's Earthquake Prone Buildings Policy 2006.
14. After the commencement of the Earthquake Prone Building Policy 2006 in May 2006, if a building consent application for a significant alteration had been received, the strength of the building structure would have been assessed and the application would have been dealt with in accordance with the Policy. However, no such application was received.

Dated

8

December 2011

  
\_\_\_\_\_  
Stephen James McCarthy

# Christchurch Eq. RAPID Assessment Form - LEVEL 1

Inspector Initials SJW Date of Inspection 5/9/10 Exterior Only   
 Territorial Authority Christchurch City Time 1:00 pm Exterior and Interior

**Building Name** Various buildings

Short Name \_\_\_\_\_

Address 593-~~591~~ <sup>599A</sup> Colombo

GPS Co-ordinates S° \_\_\_\_\_ E° \_\_\_\_\_

Contact Name \_\_\_\_\_

Contact Phone \_\_\_\_\_

Stores at and above ground level 2 Below ground level 0

Total gross floor area (m<sup>2</sup>) 2000 Year built \_\_\_\_\_

No of residential Units 8

Photo Taken  Yes  No

**Type of Construction**

Timber frame  Concrete shear wall  
 Steel frame  Unreinforced masonry  
 Tilt-up concrete  Reinforced masonry  
 Concrete frame  Confined masonry  
 RC frame with masonry infill  Other:

**Primary Occupancy**

Dwelling  Commercial/ Offices  
 Other residential  Industrial  
 Public assembly  Government  
 School  Heritage Listed  
 Religious  Other

Investigate the building for the conditions listed below:

Overall Hazards / Damage	Minor/None	Moderate	Severe	Comments
Collapse, partial collapse, off foundation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Building or storey leaning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wall or other structural damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>minor cracking of masonry</u>
Overhead falling hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>smashed window @ 595 colombo</u>
Ground movement, settlement, slips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>soffit of verandah buckled</u>
Neighbouring building hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>minor interior cracking in one</u>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>upstairs unit inspected.</u>

Choose a posting based on the evaluation and team judgement. Severe conditions affecting the whole building are grounds for an UNSAFE posting. Localised Severe and overall Moderate conditions may require a RESTRICTED USE. Place INSPECTED placard at main entrance. Post all other placards at every significant entrance.

INSPECTED GREEN  RESTRICTED USE YELLOW  UNSAFE RED

Record any restriction on use or entry:

Further Action Recommended:

Tick the boxes below only if further actions are recommended

- Barricades are needed (state location):
- Level 2 or detailed engineering evaluation recommended
  - Structural
  - Geotechnical
  - Other:
- Other recommendations:

Estimated Overall Building Damage (Exclude Contents)

- None
- 0-1 %
- 2-10 %
- 11-30 %
- 31-60 %
- 61-99 %
- 100 %

Propri 811798  
Box 3 DP 6296

Sign here on completion

SJW

Date & Time 1:20pm 5/9/10  
ID SJW

Inspection ID SJWS9 (Office Use Only)