

**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  
595A 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 595A 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 595A 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 595A 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 595A Colombo Street. As a green placard had been issued for the building, it was not the Council's general practice after the 4 September 2010 earthquake to undertake further inspections in such circumstances.

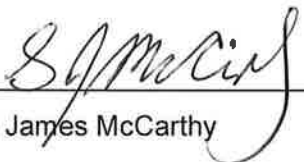
**APPLICATION OF RELEVANT LEGISLATION AND THE COUNCIL'S EARTHQUAKE PRONE POLICY (Paragraphs (c) – (e) above)**

7. The building was noted in the Council's records as a possible earthquake prone building.
8. The building would have been deemed to be earthquake prone under section 66 Building Act 1991. However, the building was strengthened in 2001-2004 by the addition of a steel portal frame at the street front fixed to an existing steel beam. The first floor was joined to the walls. This work would have removed the building from the earthquake prone category under the Building Act 1991.

9. The strengthening was done before the Regulations of 2005 increased the level at which a building was considered earthquake prone. When the Regulations became operative, applications for building consent would have had to be assessed against the new level and against the Earthquake Prone Building Policy, which became operative in 2006. However, there were no further building consent applications.

**Dated**

8 December 2011

  
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Stephen James McCarthy