

Canterbury Earthquakes Royal Commission

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

27 September 2011

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

Dear Peter

593-599A Colombo Street Information request

The buildings at the above addresses are part of the representative sample of buildings being examined by the Commission. I have obtained the Council files in relation to them and would appreciate the following information, if possible, by **7 October 2011**:

593 Colombo Street

Post 4 September 2010

1. On 5/9/10 at 12.50pm a Level 1 Rapid Assessment was carried out in relation to 187 St Asaph Street and because of the parapet that was badly cracked the building was yellow placarded.

At 1.00pm on that day a Level 1 Rapid Assessment was carried out for 593-599A Colombo Street. Although minor cracking of masonry was noted the buildings were green placarded.

- (a) It would appear that 187 St Asaph Street and 593 Colombo Street are part of the same building. Why were two separate Level 1 Rapid Assessments carried out for that building?
- (b) Given the nature of these buildings, were any further assessments carried out on 593-599A Colombo Street? If so, please provide details. If not, please explain why not.
- (c) Given the nature of the building was there any requirement of the owner to provide a structural assessment? If so, please provide details. If not, please explain why not.

15 Barry Hogan Place, Addington, Christchurch
 PO Box 14053, Christchurch Mail Centre 8544

2. A Christchurch City Council Enforcement Team Notice dated 13/10/10 notes in relation to 187 St Asaph Street that engineers are to provide a report on the safety of the building and refers to a notice to fix.
 - (a) What was the notice referred to? Was it issued? If so, please provide details. If not, please explain the position.
3. In relation to 187 St Asaph Street there was an engineer's re-inspection on 14/2/11 which noted that there had been no work since 12/10.
 - (a) Does this mean that there had been no compliance with the notice to the owners as referred to on the form dated 13/10/10?
 - (b) Was the result of this re-inspection advised to the owner? If so, please provide details. If not, please explain why not.
4. A Christchurch City Council Enforcement Team file note dated 16/2/11 notes that the Property Manager advised that the structural engineer had designed repair options and that these had only just been submitted to a contractor for costing.
 - (a) Was this conversation as a result of the engineer's re-inspection on 14/2/11?
 - (b) What was the result of this conversation?
 - (c) Were any steps taken following that conversation in relation to the appropriate placarding of the building? If so, please provide details. If not, please explain the position.
 - (d) Was there any follow up to this conversation prior to the earthquake on 22 February 2011? If so, please provide details. If not, was it because of the intervening earthquake that there was no follow up?
 - (e) If the 22 February earthquake had not occurred what would have been done as a result of that conversation.

Structural Integrity of the Building prior to 4 September 2010 earthquake

5. What was the status of 593 Colombo Street in terms of the Council's earthquake prone policy prior to the 4 September 2010 earthquake? Was it deemed to be an earthquake prone building? If so, please provide details. If not, please explain.
6. Please explain how the Council's earthquake prone policy had been applied to this building.
7. Please explain how any structural strengthening work carried out on the building prior to the 4 September 2010 earthquake impacted on the structural integrity of the building and its status in terms of the earthquake prone policy.

The above information is requested pursuant to the Royal Commission's powers of investigation under s 4C Commissions of Inquiry Act 1908.

Yours faithfully



Mark Zarifeh
Counsel Assisting
Canterbury Earthquakes Royal Commission

16 November 2011

Our ref No: LEX10582

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

Attn: Mark Zarifeh

Dear Mr Zarifeh

593-599A Colombo Street, Christchurch

I refer to your letter to Peter Mitchell dated 27 September 2011 asking for the provision of additional information in respect of 593 to 599A Colombo Street. This has been referred to me for response.

The additional information below has been derived from the written information the Council holds (which you have been sent) and from further discussions with some of the officers involved. As you will appreciate, given that some of these events happened over a year ago, some of the officers' recollections are not always clear or complete.

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

593 Colombo Street**Post 4 September 2010 earthquake**Question 1

On 5/9/10 at 12.50pm a Level 1 Rapid Assessment was carried out in relation to 187 St Asaph Street and because of the parapet that was badly cracked the building was yellow Placarded.

At 1.00pm on that day a Level 1 Rapid Assessment was carried out for 593-599A Colombo Street. Although minor cracking of masonry was noted the buildings were green Placarded.

- (a) It would appear that 187 St Asaph Street and 593 Colombo Street are part of the same building. Why were two separate Level 1 Rapid Assessments carried out for that building?

It appears that both assessment forms were completed by a Simon Wall, who is a CPEng engineer. Mr Wall is not an employee of the Christchurch City Council. Therefore, the Council cannot provide any specific details in relation to this question. It is noted however, that the building had shop fronts on both St Asaph and Colombo Streets, so it may have appeared to the assessment team that there were two separate buildings.

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- (b) Given the nature of these buildings, were any further assessments carried out on 593-599A Colombo Street? If so, please provide details. If not, please explain why not.

The Council has no record of any further inspections or assessments being carried out in relation to 593 – 599A Colombo Street. A green placard had been issued for these addresses, and it was not the Council's general practice after the 4 September 2010 earthquake to undertake further inspections in such circumstances.

An issue was identified with the southwest street front of 187 St Asaph Street and this was dealt with separately.

- (c) Given the nature of the building was there any requirement of the owner to provide a structural assessment? If so, please provide details. If not, please explain why not.

The Council did not require the owner to provide a structural assessment for 593 Colombo Street. A green placard had been issued for these addresses, and it was not the Council's general practice after the 4 September 2010 earthquake to require structural assessments from owners in such circumstances. Building owners were advised to arrange their own detailed engineering assessments.

Question 2

A Christchurch City Council Enforcement Team Notice dated 13/10/10 notes in relation to 187 St Asaph Street that engineers are to provide a report on the safety of the building and refers to a notice to fix.

- (a) What was the notice referred to? Was it issued? If so, please provide details. If not, please explain the position.

The notices cover sheet refers to a "notice to fix". A notice to fix is a document issued under section 165 of the Building Act 2004. It is not clear whether this form of notice is being referred to, or some other form of notice, such as a dangerous building notice under section 124 of the Building Act. The Council does not have a record of any Building Act notice being issued and it has no further details or documentation concerning this matter.

Question 3

In relation to 187 St Asaph Street there was an engineer's re-inspection on 14/2/11 which noted that there had been no work since 12/10.

- (a) Does this mean that there had been no compliance with the notice to the owners as referred to on the form dated 13/10/10?

The Council does not hold any further information concerning whether any work was carried out between 12 October 2010 and 14 February 2011. As stated above, the Council has no record of a Building Act notice being issued for 187 St Asaph Street.

- (b) Was the result of this re-inspection advised to the owner? If so, please provide details. If not, please explain why not.

The file information shows that following the re-inspection, discussions were held with the building owner about the state of the building, see for example the Christchurch City Council Enforcement Team Investigation Activity Job Sheet dated 16 February

2011. While we cannot confirm if the building owner was advised of the specifics of the building re-inspection it is likely that was discussed. The Building Recovery Office Case Manager who completed the CCC Enforcement Team Investigation Activity Job Sheet dated 16 February 2011 is Laura Bronner, who is no longer an employee of the Council, and therefore the Council is unable to contact her.

Question 4

A Christchurch City Council Enforcement Team file note dated 16/2/11 notes that the Property Manager advised that the structural engineer had designed repair options and that these had only just been submitted to a contractor for costing.

- (a) Was this conversation as a result of the engineer's re-inspection on 14/2/11?

While it cannot be confirmed, it seems likely that this conversation was a result of both the engineer's re-inspection and the building owner receiving an earlier letter from the Building Recovery Office advising that the Council was beginning to re-inspect buildings with current section 124 notices to determine the current status of the buildings. We do not have a copy of the letter sent to the owner advising of the re-inspection as the contractor responsible for data management in relation to these letters is no longer at the Council. However we **attach** a template of the letter.

- (b) What was the result of this conversation?

The Council does not have any record of further contact with the building owner between 16 February 2011 and the 22 February 2011 earthquake. We have made additional inquiries in relation to this question but cannot provide any further information.

- (c) Were any steps taken following that conversation in relation to the appropriate placarding of the building? If so, please provide details. If not, please explain the position.

Please refer to the answer to question 4(b). In addition, it is noted that "placards" were only relevant during the September state of emergency. At the date of the re-inspection the Council's powers were set out in the Building Act 2004 as modified by the Order in Council.

- (d) Was there any follow up to this conversation prior to the earthquake on 22 February 2011? If so, please provide details. If not, was it because of the intervening earthquake that there was no follow up?

Please refer to the answer to questions 4(b) and 4(c). The Building Recovery Office's activities ceased due to the 22 February 2011 earthquake and subsequent state of emergency.

- (e) If the 22 February earthquake had not occurred what would have been done as a result of that conversation?

The Council does not consider that it is appropriate to provide speculative comment in relation to this particular building. The general process that was intended following the re-inspections is set out in Section 4.2 of the Council's Report Into Building Safety Evaluation Processes Following the 4 September 2010 Earthquake.

Structural Integrity of the Building prior to the 4 September 2010 earthquake

5. What was the status of 593 Colombo Street in terms of the Council's earthquake prone policy prior to the 4 September 2010 earthquake? Was it deemed to be an earthquake prone building? If so, please provide details. If not, please explain why not.

The building was noted in the Council's records as a possible earthquake prone building.

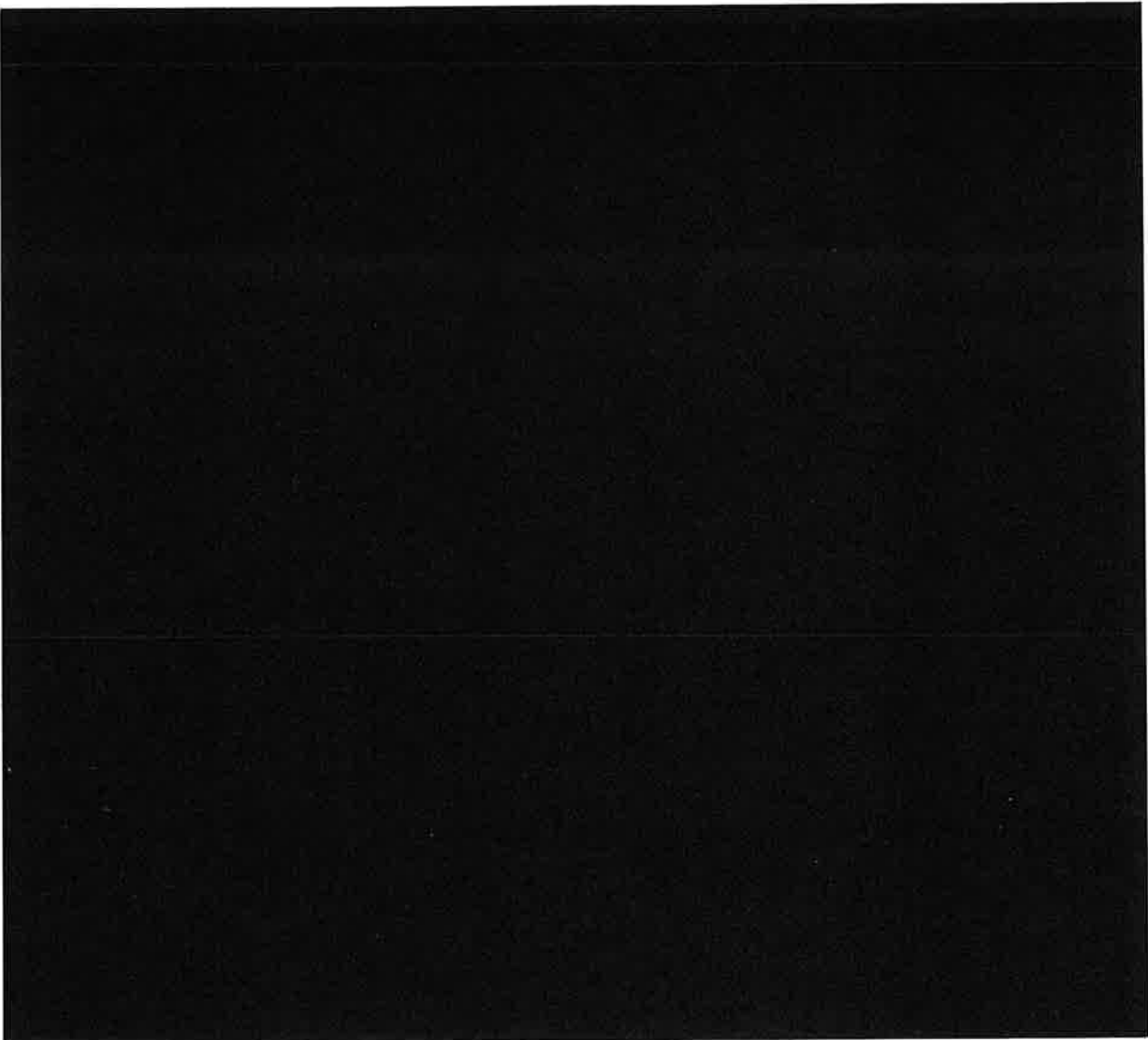
6. Please explain how the Council's earthquake prone policy had been applied to this building?

If a building consent for significant alterations or a change of use had been applied for there would have been a requirement to upgrade the strength of the building. However, no building consent applications were received after the introduction of the 2006 Earthquake Prone Buildings Policy.

7. Please explain how any structural strengthening work carried out on the building prior to the 4 September 2010 earthquake impacted on the structural integrity of the building and its status in terms of the earthquake prone policy.

There are no records of structural strengthening work having been carried out on the building.





Yours faithfully

A handwritten signature in black ink, appearing to read 'CG', positioned above the printed name.

Chris Gilbert
Solicitor
Legal Services Manager

