



Canterbury Earthquakes Royal Commission Te Komihana Rūwhenua a te Karauna

9 November 2011

Holmes Consulting Group

By Email: richards@holmesgroup.com
jeffm@holmesgroup.com
bruceg@holmesgroup.com

242-246 High Street

The Royal Commission is inquiring into the failure of the building that was located at 242-246 High Street (the Building).

The writer's understanding is that in the 22 February 2011 earthquake the northern parapet wall of the Building collapsed onto the roof of the adjacent Link Centre. A man who was having his lunch at the Link Centre was killed after being crushed by rubble as a result of that collapse.

We have been provided with information from Harcourt's Commercial who were the property managers for the Building, including copies of a site report from Jeff Matthews on 10/9/10 and a further site report carried out by Bruce Galloway on 20/9/10.

Could Messrs Matthews and Galloway please provide an outline of their involvement with the Building, by **21 November 2011**, that outline to include the following:

1. Their full names, qualifications and years of experience.

Inspection on 10/9/10

2. What was the nature of the instructions received by Holmes Consulting Group prior to 10/9/10?
3. What was the nature of the inspection carried out on 10/9/10?
4. Was the parapet wall on the north side of the building inspected? If so, please provide details of observations and conclusions in relation to it. If not, was there any reason why this was not inspected?
5. Please outline the nature of any observations not included in the site report.
6. Please outline the conclusions reached on 10/9/10 in relation to the structural integrity of the Building at that time.

7. Did Mr Matthews have any further involvement after the site inspection on 10/9/10? If so, please provide details.
8. At the time of this inspection did Mr Matthews take into account any of the following:
 - i. The impact of the 4 September 2010 earthquake and any subsequent aftershocks on the structural integrity of the Building and, in particular, whether the Building's capacity to withstand future aftershocks was diminished as a result?
 - ii. Any information from GNS or any other source about the likelihood, location and extent of further aftershocks? If so, please provide details of this information.
 - iii. Information from the Christchurch City Council relating to building standards or the inspection of buildings following an earthquake? If so, please provide details of this information.
 - iv. Any information from any other party relating to building standards or the inspection of buildings following an earthquake? If so, please provide details of this information.
 - v. The Building plans.
 - vi. The Christchurch City Council's earthquake prone policy and whether the Building complied with that.
 - vii. Whether any previous structural strengthening had been carried out.

Re-inspection on 20/9/10

9. In carrying out the inspection on 20/9/10, did Mr Galloway simply review the make safe work that had been carried out or did he carry out any further inspection of the Building? If so, please provide details.
10. Was the inspection on 20/9/10 for the purpose of a peer review of the inspection on 10/9/10?
11. Had the make safe work been commenced as of 20/9/10? If not, was there any further inspection once the make safe work had been completed? If so, please provide details.
12. Did Mr Galloway have any further involvement with the Building? If so, please provide details.
13. If Mr Galloway carried out a general inspection of the Building (as opposed to simply a review of the suggested work in the site report of 10/9/10) please address the issues as referred to in paragraph 8 above.

Conclusion

14. Please provide any observation/comments that might be relevant to the issue the Commission will have to address in relation to this building ie. the collapse of the northern wall.

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

Thank you for your assistance.

If you have any queries please do not hesitate to contact the writer (phone: 741-3014, email: mark.zarifeh@royalcommission.govt.nz).

Yours faithfully



Mark Zarifeh
Counsel Assisting
Canterbury Earthquakes Royal Commission

Mark Zarifeh

From: Evans, Marie [Marie.Evans@dlapf.com]
Sent: Tuesday, 22 November 2011 2:29 p.m.
To: Mark Zarifeh
Cc: Hannan, John
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]
Attachments: 22.11.11 Letter to Royal Commission re_242-246 High Street_462374_1.PDF; 22.11.11 Attachment to letter to Royal Commission re_242-246 High Street_462328_2.PDF

Dear Mark

I attach our client's response to your Requirement for Information dated 9 November 2011 relating 242-246 High Street. The letter refers to enclosed photographs. I intend to send these to you under separate cover (I am having problems with transmission from my client).

Please acknowledge receipt.

Many thanks

Regards

Marie Evans
Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839
F +64 9 303 2311
E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

From: Evans, Marie
Sent: Wednesday, 16 November 2011 1:04 p.m.
To: mark.zarifeh@royalcommission.govt.nz
Cc: Hannan, John
Subject: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Mark

My colleagues Grant Macdonald, John Hannan and myself are instructed to assist Holmes Consulting Group ('HCG') in the preparation of its evidence and responses to the Canterbury Earthquakes Royal Commission. We have taken our client's instructions upon the Request for Information as contained in your letter of 9 November 2011, which seeks a response by Monday 21 November 2011.

A number of queries have been raised of Messrs Matthews and Galloway and I am currently collating responses and relevant documentation.

In the given circumstances, are you able to agree an extension of time for the submission of HCG's response until, say, Thursday 24 November 2011?

Thanking you in anticipation of your assistance.

Regards

Marie Evans

Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839

F +64 9 303 2311

E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

DLA Phillips Fox notice - This email, including any attachments, is confidential. It may contain copyright and/or legally privileged material and/or personal information. If you received it in error, please let us know immediately by return email and then delete this email and your reply. You must not use, copy or disclose any of the information this email contains. There is no warranty that this email is error or virus free. If this is a private communication, it does not represent the views of DLA Phillips Fox. DLA Phillips Fox does not by itself, or on behalf of its clients, waive any legal professional privilege that may exist in the content of this email.



209 Queen Street
Auckland
PO Box 160
Auckland 1140
New Zealand
DX CP24027 AKLD
Tel +64 9 303 2019
Fax +64 9 303 2311
www.dlapf.com

Our ref: 1000524

*Received
25/11/11*

22 November 2011

Mark Zarifeh
Canterbury Earthquakes Royal Commission
PO Box 14053
Christchurch Mail Centre 8544
CHRISTCHURCH

Dear Mr Zarifeh

**Canterbury Earthquakes Royal Commission - Requirement for Information
dated 9 November 2011
Re: 242-246 High Street**

My colleagues Grant Macdonald, John Hannan and myself are instructed to assist Holmes Consulting Group ('HCG') in the preparation of its evidence and responses to the Canterbury Earthquakes Royal Commission. We have taken our client's instructions upon the Requirement for Information as contained in your letter of 9 November 2011.

Summary of HCG's involvement post 4 September 2010

The following is a summary of the observations carried out by HCG at 242-246 High Street immediately following the 4 September 2010 earthquake.

Inspection: 10 September 2010

Jeffrey Matthews of HCG attended on site at approximately 9am on 10 September 2010 to carry out a Rapid Structural Assessment. At this time the building had a Green Level 1 placard status (presumably as a result of a previous inspection carried out by another party).

During Mr Matthews' general inspection on 10 September 2010, he gained limited access to internal spaces and access to the roof area.

He completed a site report and Christchurch EQ RAPID Assessment Form – Level 2, changing the placard status of the building from Green to Yellow, due to damage he observed to the southern parapet. Mr Matthews submitted the Christchurch EQ RAPID Assessment Form - Level 2 directly to Civil Defence

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.



and no further copy exists on our records. A copy of Mr Matthews' site report is enclosed.

Inspection: 15 September 2010

Alistair Boys of HCG attended site on 15 September 2010 to provide advice to the contractor with respect to removing and/or securing the damaged southern parapet. During this visit he gained access to internal spaces and the roof area.

Mr Boys completed a site report and Christchurch EQ RAPID Assessment Form – Level 2, confirming the placard status of the building to be Yellow. His site report recommends removal of loose masonry on the southern parapet and provides a temporary securing detail for the parapet at the south-west corner of the building. The site report also records his observation that the front and northern parapets were undamaged. Copies of Mr Boys' site report and Christchurch EQ RAPID Assessment Form – Level 2 are enclosed.

Inspection: 20 September 2010

Bruce Galloway of HCG attended site on 20 September 2010 to review the temporary securing works for the southern parapet (specified by Mr Boys in the site report dated 15 September 2010). He gained access to the general roof area but his observations were restricted only to the works being carried out by the contractor on the southern parapet.

Mr Galloway completed a site report providing advice to the contractor with respect to the temporary securing works being carried out to the southern parapet. A copy of Mr Galloway's site report is enclosed.

Inspection: 21 September 2010

Mr Boys attended site on 21 September 2010 to review the completion of the temporary securing works for the southern parapet. He gained access to the roof area and carried out an inspection of the south parapet securing works only.

Mr Boys completed a site report advising that the loose masonry had been removed and temporary securing detail (for the south-west parapet) completed. He also filled out a Christchurch EQ RAPID Assessment Form – Level 2, which was subsequently signed by Mr Galloway following an internal review of the damage observed. The Christchurch EQ RAPID Assessment Form – Level 2 recommended the placard status of the building be changed from Yellow to Green, based on the removal of the fall hazard posed by the southern parapet. Copies of the site report and Level 2 form are enclosed.

Copy photographs taken during the above inspections are enclosed.

We have taken our client's instructions upon the questions raised in your letter of 9 November 2011 and respond, adopting the same numbering, as follows:

Qualifications and experience

- 1 *Messrs Matthews and Galloway of HCG are asked to confirm their full names, qualifications and years of experience. [Alistair Boys' full name, qualifications and years of experience are also provided].*

Jeffrey Gavin Matthews is a Senior Project Engineer employed by Holmes Consulting Group. He holds the following qualifications: PhD (Civil), BE (Hons)



(Civil), CPEng (Structural), MIPENZ, NZ USAR Engineer (Level 2) and has 8 years professional experience.

Bruce Duncan Galloway is a Senior Project Engineer employed by Holmes Consulting Group. He holds the following qualifications; BE(Hons) (Civil), CPEng (Structural), MIPENZ, NZ USAR Engineer (Level 2), and has 9 years professional experience.

Alistair Geoffrey Boys is a Structural Engineer employed by Holmes Consulting Group. He holds the following qualifications; ME (Structural), BE (Hons) (Civil), NZ USAR Engineer (Level 1) and has 3 years professional experience.

Inspection on 10 September 2010

- 2 *What was the nature of the instructions received by Holmes Consulting Group prior to 10/9/10?*

The inspections were carried out under the short form agreement with NAI Harcourts (as the building owners representative) covering various buildings in their portfolio. A copy of the agreement is enclosed. The scope of the services was: Initial earthquake inspection and securing measures as considered necessary.

- 3 *What was the nature of the inspection carried out on 10/9/10?*

Please see above.

- 4 *Was the parapet wall on the north side of the building inspected? If so, please provide details of observations and conclusions in relation to it. If not, was there any reason why this was not inspected?*

Mr Matthews does not have any specific recollection of the northern parapet wall. His site report of 10 September 2010 records the damage he observed - no specific mention of the parapet wall on the north side of the building is made.

- 5 *Please outline the nature of any observations not included in the site report.*

Not applicable

- 6 *Please outline the conclusions reached on 10/9/10 in relation to the structural integrity of the Building at that time.*

As per the site report.

- 7 *Did Mr Matthews have any further involvement after the site inspection on 10/9/10? If so, please provide details.*

No.

- 8 *At the time of this inspection did Mr Matthews take into account any of the following:*



- i. *The impact of the 4 September 2010 earthquake and any subsequent aftershocks on the structural integrity of the Building and, in particular, whether the Building's capacity to withstand future aftershocks was diminished as a result?*

Yes, but only in the context of a rapid visual inspection to identify any obvious signs of damage that might have resulted in significant diminished structural capacity.

- ii. *Any information from GNS or any other source about the likelihood, location and extent of further aftershocks? If so, please provide details of this information.*

No.

- iii. *Information from the Christchurch City Council relating to building standards or the inspection of buildings following an earthquake? If so, please provide details of this information.*

The observations made in the site report produced took into account Mr Matthews' knowledge/experience gained through training and post-earthquake building evaluation experience through his USAR training.

- iv. *Any information from any other party relating to building standards or the inspection of buildings following an earthquake? If so, please provide details of this information.*

The observations made in the site report produced took into account Mr Matthews' knowledge/experience gained through training and post-earthquake building evaluation experience through his USAR training.

- v. *The Building plans.*

No

- vi. *The Christchurch City Council's earthquake prone policy and whether the Building complied with that.*

No.

- vii. *Whether any previous structural strengthening had been carried out.*

No.

Inspection on 20 September 2010

- 9 *In carrying out the inspection on 20/9/10, did Mr Galloway simply review the make safe work that had been carried out or did he carry out any further inspection of the Building? If so, please provide details.*

Please see above.



10 *Was the inspection on 20/9/10 for the purpose of a peer review of the inspection on 10/9/10?*

No. Please see above

11 *Had the make safe work been commenced as of 20/9/10? If not, was there any further inspection once the make safe work had been completed? If so, please provide details.*

The temporary securing work for the southern parapet was being carried out by a contractor on the 20 September 2010. Observations were carried out by Mr Galloway on 20 September 2010 and Mr Boys on 21 September 2010 (copies enclosed) to review the temporary securing works as they progressed and on completion.

12 *Did Mr Galloway have any further involvement with the Building? If so, please provide details.*

Yes – Please see above.

13 *If Mr Galloway carried out a general inspection of the Building (as opposed to simply a review of the suggested work in the site report of 10/9/10) please address the issues as referred to in paragraph 8 above.*

Not applicable.

Conclusion

14 *Please provide any observation/comments that might be relevant to the issue the Commission will have to address in relation to this building ie. the collapse of the northern wall.*

Not applicable.

We hope the above information is of assistance.



Yours sincerely

Marie Evans

Enrolled Barrister and Solicitor

Direct +64 9 300 3839



Project Name 242-246 High St

Project No:

S.R. No: 1

SITE REPORT

Date: 10 September 2010

Reviewed By: JGM

 Work Reviewed:

Post Earthquake and L2 rapid assessment

 Observations & Comments:

Undertook a review of 242-246 High St. Had a walk around of the building. The building consists of a basement and 3 storeys of unreinforced masonry.

Damage observed was generally limited to lathe and plaster ceiling.

On the top of the building there is damage to the parapet/chimneys. One had fallen through a sky light and landed on the floor inside the building. Others are cracked and couple topple given an aftershock.

Carried out an L2 rapid assessment form.

Building to have placard changed to yellow (from Green). No entry or very limited entry until the right hand side parapet is removed or secured.

Time on site: 9.00 am

[POST REPORT NOTE:

Informed CCC that the building placard had changed from Green to Yellow, dropped L2 Rapid Assessment form off at the Art Gallery. Informed CCC that the neighbouring property which contained Jay Jays should be yellow placarded until the parapet is required (this building is currently green)]

Report Prepared By:

Jeff Matthews
PROJECT ENGINEER

11111SR0909.D14.doc

Christchurch

Telephone

64 3 366 3366

Facsimile

64 3 379 2169

Internet

www.holmesgroup.com

Level 5

123 Victoria Street

PO Box 25355

Christchurch 8144

New Zealand

Offices in

Auckland

Hamilton

Wellington

Queenstown

San Francisco

 Copies to:



Project Name 242-246 High St
 Project No: 105380.06
 S.R. No: 002
 Date: 15 September 2010
 Reviewed By: Alistair Boys

SITE REPORT

Work Reviewed:

- Re-inspect 3 Storey URM building at 242-246 High St with contractor to remove falling hazards from damage chimneys and parapet.

Observations & Comments:

- 3 Storey URM Building, Retail on ground floor and basement, and empty apartments above.
- Internally damage limited to lath and plaster ceilings.
- Front and Northern boundary parapets are undamaged.
- The southern boundary wall has fallen and damaged chimneys and significant cracking to the supporting parapet.
- Advised the contractor to remove all loose masonry from chimneys and parapets, and provided a temporary restraint detail for the remaining cracked parapet adjacent to the front corner of the building (detail attached).
- Building is to remain as YELLOW Tagged until remedial works completed.
- Adjacent building has also been YELLOW Tagged due to falling hazard from boundary wall.

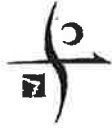
Report Prepared By:

Alistair Boys
STRUCTURAL ENGINEER

105380.06SR15(10)1X12.doc

Queenstown
 Telephone
 +64 3 441 3055
 Facsimile
 +64 3 441 3011
 holmesgroup.com
 Level 2
 41 Ballarat Street
 PO Box 1266
 Queenstown
 New Zealand
 Offices in
 Auckland
 Hamilton
 Wellington
 Christchurch
 San Francisco

Copies to:



Project Name

Project No.

Colts By

Date

Sheet No.

CALCS/SKETCHES

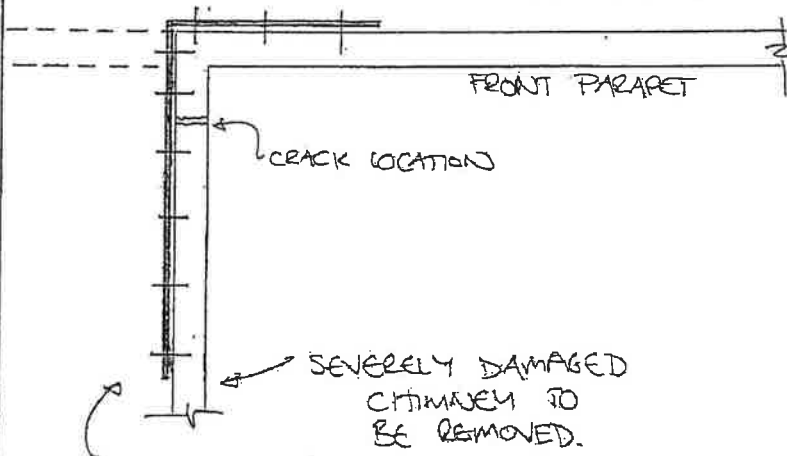
Page No.

Revision

FRONT PARAPET TIE-BACK.

242 HIGH ST.

Plan 2000 Street Front.



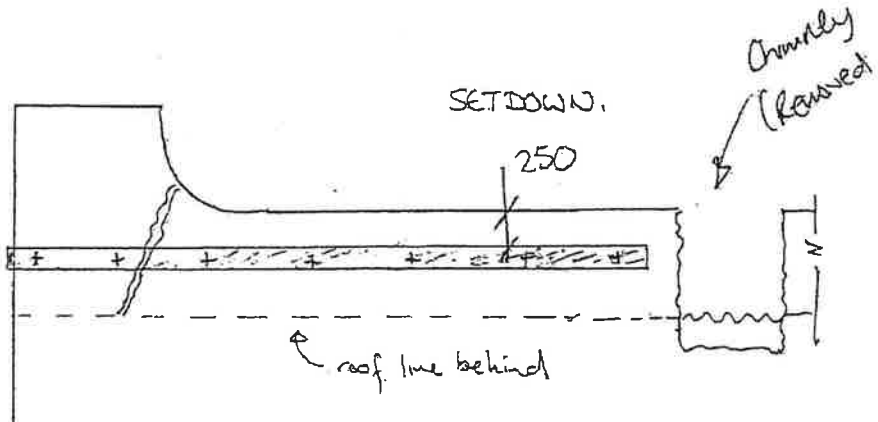
EXTEND PLATE TO 300mm FROM CHIMNEY. OR 3000mm

PLATE 100x6 FPBW CORNER

FIXINGS @ 600cs max.
 M12 THREADED INSERTS
 100mm EMBED CG EPOXY
 DO NOT HAMMER DRILL

ELEVATION

VIEW FROM 238 HIGH (SAY SAYS)



Christchurch Eq RAPID Assessment Form - LEVEL 2

Inspector Initials: ALB (HOMES) Date: 15/1/10 Final Posting (e.g. UNSAFE): YELLOW
 Territorial Authority: Christchurch City Time: 2:30 pm

Building Name: _____ Type of Construction
 Short Name: _____
 Address: 242-248 High St Timber frame Concrete shear wall
 Steel frame Unreinforced masonry
 Tilt-up concrete Reinforced masonry
 Concrete frame Confined masonry
 RC frame with masonry infill Other:
 GPS Co-ordinates: S° _____ E° _____
 Contact Name: _____
 Contact Phone: _____
 Storeys at and above ground level: 3 Below ground level: 1 Primary Occupancy
 Dwelling Commercial/ Offices
 Other residential Industrial
 Public assembly Government
 School Heritage Listed
 Religious Other
 Total gross floor area (m²): 300
 No of residential Units: -
 Photo Taken: Yes No

Investigate the building for the conditions listed on page 1 and 2, and check the appropriate column. A sketch may be added on page 3

Overall Hazards / Damage	Minor/None	Moderate	Severe	Comments
Collapse, partial collapse, off foundation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Chimneys fallen, damaged severely & parapet damaged</u> <u>=> FALL HAZARDS</u>
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"/>	
Overhead falling hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ground movement, settlement, slips	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Neighbouring building hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Electrical, gas, sewerage, water, hazmats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Record any existing placard on this building:

Existing Placard Type (e.g. UNSAFE): YELLOW

Choose a new posting based on the new 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. Transfer the chosen posting to the top of this page.

INSPECTED GREEN G1 G2 RESTRICTED USE YELLOW Y1 Y2 UNSAFE RED R1 R2 R3

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):
 - 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 %

Sign here on completion

ALB

Date & Time: 2:30 15/1/10
ID: _____

Inspection ID: _____ (Office Use Only)

Structural Hazards/ Damage	Minor/None	Moderate	Severe	Comments
Foundations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roofs, floors (vertical load)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Columns, pilasters, corbels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Diaphragms, horizontal bracing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pre-cast connections	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Beam	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Non-structural Hazards / Damage				
Parapets, ornamentation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chimneys + Parapets are Fall Hazard ... to be removed / restrained.
Cladding, glazing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ceilings, light fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interior walls, partitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Elevators	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Stairs/ Exits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Utilities (eg. gas, electricity, water)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Geotechnical Hazards / Damage				
Slope failure, debris	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ground movement, fissures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Soil bulging, liquefaction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
General Comment				

Usability Category

Damage Intensity	Posting	Usability Category	Remarks
Light damage	Inspected (Green)	G1. Occupiable, no immediate further investigation required	
Low risk		G2. Occupiable, repairs required	
Medium damage	Restricted Use (Yellow)	Y1. Short term entry	
Medium risk		Y2. No entry to parts until repaired or demolished	
Heavy damage	Unsafe (Red)	R1. Significant damage: repairs, strengthening possible	
High risk		R2. Severe damage: demolition likely	
		R3. At risk from adjacent premises or from ground failure	



Project Name 242 High Street
 Project No: 105315
 S.R. No:
 Date: 20 September 2010
 Reviewed By: Bruce Galloway

SITE REPORT

Work Reviewed:

Securing of parapets.

Observations & Comments:

- Metal strap installed to front parapet corner as required.
- Chimneys removed from South parapet down to roof level. The majority of the parapet appears relatively undamaged except for a short segment approximately half way along the roof. Please remove this segment of parapet (approximately 2m long 0.7m high) down to roof level (also adjacent 5m long section).
- Once this work is complete the parapet is considered to be as stable as it was before the earthquake. Long term, we recommend the parapet be investigated with a view to securing the taller sections of the parapet.

Report Prepared By:

Bruce Galloway
 PROJECT ENGINEER

Christchurch

Telephone

64 3 366 3366

Facsimile

64 3 379 2169

Internet

www.holmesgroup.coi

Level 5

123 Victoria Street

PO Box 25355

Christchurch 8144

New Zealand

Offices in

Auckland

Hamilton

Wellington

Queenstown

San Francisco

Copies to:



Project Name 242-246 High St
 Project No: 105380.06
 S.R. No: 003
 Date: 21 September 2010
 Reviewed By: Alistair Boys

SITE REPORT

Work Reviewed:

- Re-inspect 3 Storey URM building at 242-246 High St after remedial works completed.

Observations & Comments:

- 3 Storey URM Building, Retail on ground floor and basement, and empty apartments above.
- All loose masonry has been removed.
- Temporary remedial detail has been implemented (as per detail provided).
- Fall Hazards have been removed.
- Building and adjacent Jay Jays Tenancy (238 High St) GREEN Tagged.

Report Prepared By:

Alistair Boys
 STRUCTURAL ENGINEER

105380.06SR2109.003.doc

Queenstown
 Telephone
 +64 3 441 3055
 Facsimile
 +64 3 441 3011
 holmesgroup.com

Level 2
 41 Ballarat Street
 PO Box 1266
 Queenstown
 New Zealand

Offices in
 Auckland
 Hamilton
 Wellington
 Christchurch
 San Francisco

Copies to:

Christchurch Eq RAPID Assessment Form - LEVEL 2

Inspector Initials
Territorial Authority

ALB (Holmes)
Christchurch City

Date
Time

21/9/10
9:40

Final Posting
(e.g. UNSAFE)

GREEN

Building Name

Short Name

Address

242 High St

GPS Co-ordinates

S° E°

Contact Name

Contact Phone

Storeys at and above ground level

3

Below ground level

1

Total gross-floor area (m²)

300

Year built

No. of residential Units

Photo Taken

Yes

No

Type of Construction

Timber frame

Steel frame

Tilt-up concrete

Concrete frame

RC frame with masonry infill

Concrete shear wall

Unreinforced masonry

Reinforced masonry

Confined masonry

Other:

Primary Occupancy

Dwelling

Other residential

Public assembly

School

Religious

Commercial/ Offices

Industrial

Government

Heritage Listed

Other

Investigate the building for the conditions listed on page 1 and 2, and check the appropriate column. A sketch may be added on page 3

Overall Hazards / Damage

Minor/None

Moderate

Severe

Comments

Collapse, partial collapse, off foundation

Building or storey leaning

Wall or other structural damage

Overhead falling hazard

Ground movement, settlement, slips

Neighbouring building hazard

Electrical, gas, sewerage, water, hazmats

Damaged masonry (chimney stack parapet) removed/secured.

Record any existing placard on this building:

Existing Placard Type
(e.g. UNSAFE)

YELLOW

Choose a new posting based on the new 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. Transfer the chosen posting to the top of this page.

INSPECTED

GREEN

G1 G2

RESTRICTED USE

YELLOW

Y1 Y2

UNSAFE

RED

R1 R2 R3

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):

Detailed engineering evaluation recommended

Structural

Geotechnical

Other recommendations:

Other:

Bruce Galloway
Holmes Consulting Group
366 3366

Estimated Overall Building Damage (Exclude Contents)

None

0-1 %

31-60 %

2-10 %

61-99 %

11-30 %

100 %

Inspection ID: _____ (Office Use Only)

Sign here on completion

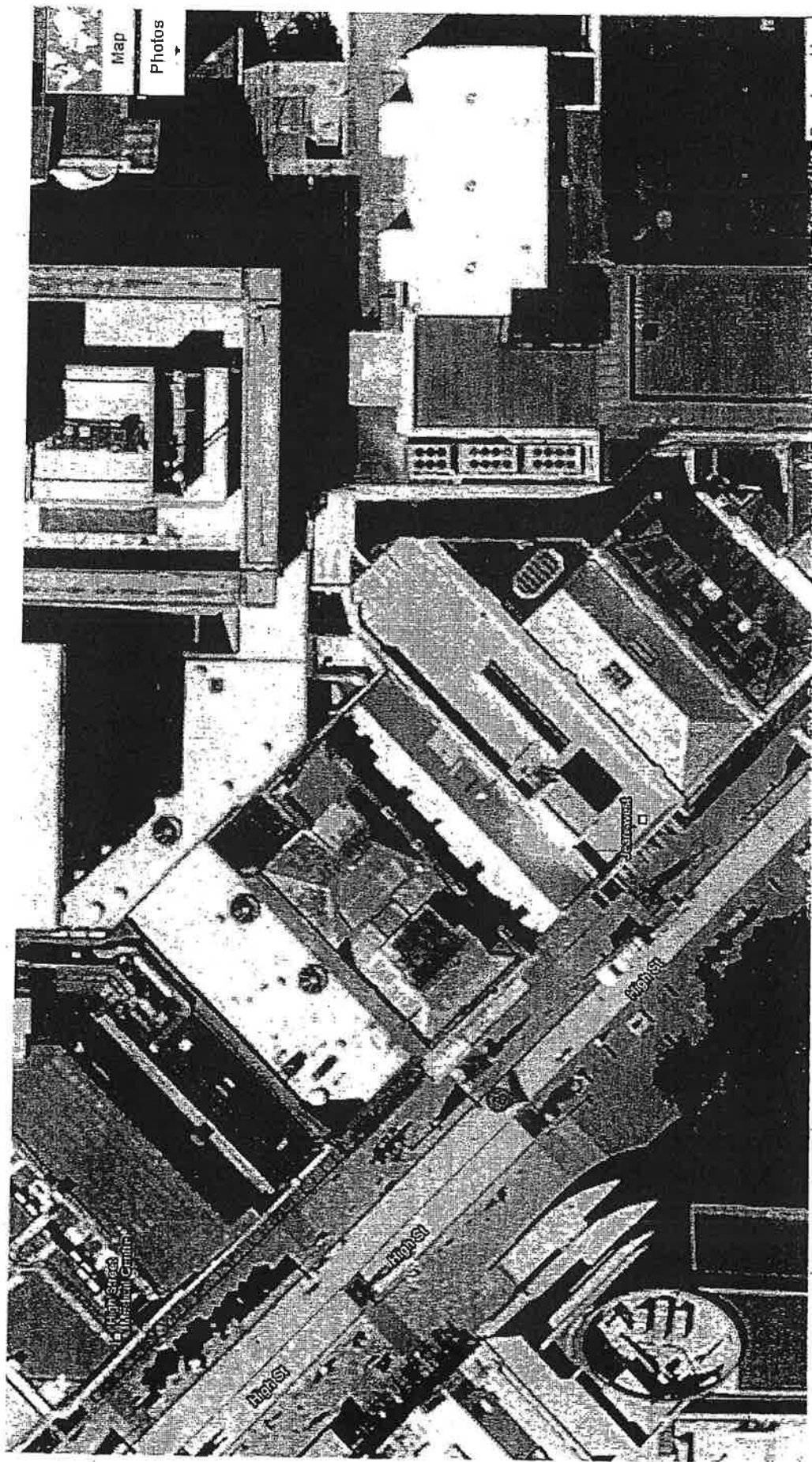
Date & Time
ID

21/9/10 9:40am

Structural Hazards/ Damage	Minor/None	Moderate	Severe	Comments
Foundations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roofs, floors (vertical load)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Columns, pilasters, corbels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Diaphragms, horizontal bracing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pre-cast connections	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Beam	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Non-structural Hazards / Damage				
Parapets, ornamentation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Minor Cracking on remaining parapets will require remedial work - not life threatening</i>
Cladding, glazing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ceilings, light fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interior walls, partitions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Elevators	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Stairs/ Exits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Utilities (eg. gas, electricity, water)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Geotechnical Hazards / Damage				
Slope failure, debris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ground movement, fissures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Soil bulging, liquefaction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
General Comment				

Usability Category

Damage Intensity	Posting	Usability Category	Remarks
Light damage <i>Low risk</i>	Inspected (Green)	G1. Occupiable, no immediate further investigation required.	
		G2. Occupiable, repairs required	
Medium damage <i>Medium risk</i>	Restricted Use (Yellow)	Y1. Short term entry	
		Y2. No entry to parts until repaired or demolished	
Heavy damage <i>High risk</i>	Unsafe (Red)	R1. Significant damage; repairs, strengthening possible	
		R2. Severe damage; demolition likely	
		R3. At risk from adjacent premises or from ground failure	





SHORT FORM AGREEMENT FOR
CONSULTANT ENGAGEMENT
(COMMERCIAL)

BETWEEN: *AAI Harcourt*
(Client)

AND: **HOLMES CONSULTING GROUP LTD**
(Consultant)

PROJECT: *Various buildings in Port-Holmes*
(Description of Building Work)

LOCATION: *As list*
(Address)

SCOPE AND NATURE OF SERVICES:

- Initial earthquake inspection ✓
- Securing measures as considered necessary ✓
-
-

PROGRAMME FOR THE SERVICES:

FEES & TIMING OF PAYMENTS

All work will be conducted on a time basis.

All fees and rates are exclusive of GST.

INFORMATION OR SERVICES TO BE PROVIDED BY THE CLIENT

The Client engages the Consultant to provide the services described above and the Consultant agrees to perform the services for the remuneration provided above. Both Parties agree to be bound by the provision of the Short Form Model Conditions of Engagement (overleaf), including clauses 1, 8 and 9, and any variations noted below. Once signed, this agreement, together with the conditions overleaf and any attachments, will replace all or any oral agreement previously reached between the Parties.

VARIATIONS TO THE SHORT FORM MODEL CONDITIONS OF ENGAGEMENT (OVERLEAF)

CLIENT AUTHORISED SIGNATORY (IES):

[Signature]
(Print Name) *Hansford Buchanan*
(Date) *5/9/10*

CONSULTANTS AUTHORISED SIGNATORY (IES):

[Signature]
(Print Name) *Richard Seville*
(Date) *5/9/10*



SHORT FORM CONDITIONS OF ENGAGEMENT (COMMERCIAL)

1. The Consultant shall perform the Services as described in the attached documents. The Client and the Consultant agree and the Services are acquired for the purposes of a business and that the provisions of the Consumer Guarantees Act 1993 are excluded in relation to the Services.
2. In providing the Services the Consultant shall exercise the degree of skill, care and diligence normally expected of a competent professional.
3. The Client shall provide to the Consultant, free of cost, as soon as practicable following any request for information, all information in his or her power to obtain which may relate to the services. The Consultant shall not, without the Client's prior consent, use information provided by the Client for purposes unrelated to the Services. In providing the information to the Consultant, the Client shall ensure compliance with the Copyright Act 1994 and its amendments and shall identify any proprietary rights that any other person may have in any information provided.
4. The Client may order variations to the Services in writing or may request the Consultant to submit proposals for variations to the Services.
5. The Client shall pay the Consultant for the Services the amount of fees and expenses at the times and in the manner set out in the attached documents. Where this Agreement has been entered by an Agent (or person purporting to act as Agent) on behalf of the Client, the Agent and Client shall be jointly and severally liable for payment of all fees and expenses due to the Consultant under this Agreement.
6. All amounts payable by the Client shall be paid within twenty (20) working days of the relevant invoice being mailed to the Client. Late payment shall constitute a default, and the client shall pay default interest on overdue amounts from the date payment falls due to the date of payment at the rate of the Consultant's overdraft rate plus 2% and in addition the costs of any actions taken by the Consultant to recover the debt.
7. Where services are carried out on a time charge basis, the consultant may purchase such incidental goods and/or Services as are reasonably required for the consultant to perform the Services. The cost of obtaining such incidental goods and/or Services shall be payable by the Client. The Consultant shall maintain records which clearly identify time and expenses incurred.
8. The liability of the Consultant to the Client in respect of his or her Services for the project, whether in contract, tort or otherwise, shall be limited to the lesser of five times the value of the fees (exclusive GST and disbursements), or the sum of NZ\$250,000. The consultant shall only be liable to the Client for direct loss or damage suffered by the Client as the result of a breach by the Consultants of his or her obligations under this Agreement and shall not be liable for any loss of profits.
9. The Consultant acknowledges that the Consultant currently holds a policy of Professional Indemnity insurance for the lesser of NZ\$250,000 or five times the value of the fees (exclusive GST and disbursements). The Consultant undertakes to use all reasonable endeavours to maintain a similar policy of insurance for six years after the completion of the Services.
10. Neither the Client nor the Consultant shall be considered liable for any loss or damage resulting from any occurrence unless a claim is formally made on him or her within six years from completion of the Services.
11. If either Party is found liable to the other (whether in contract, tort or otherwise), and the claiming Party and/or a Third Party has contributed to the loss or damage, the liable Party shall only be liable to the proportional extent of its own contribution.
12. The Consultant shall retain intellectual property/copyright in all drawings, specifications and other documents prepared by the Consultant. The Client shall be entitled to use them or copy them only for the works and the purpose for which they are intended. The ownership of data and factual information collected by the Consultant and paid for by the Client shall, after payment by the Client, lie with the Client. The Client may reproduce drawings, specifications and other documents in which the consultant has copyright, as reasonably required in connection with the project but not otherwise. The client shall have no right to use any of these documents where any or all of the fees and expenses remain payable to the Consultant.
13. The consultant has not and will not assume any obligation as the Client's Agent or otherwise which may be imposed upon the Client from time to time pursuant to the Health and Safety in Employment Act 1992 (the "Act") arising out of this engagement. The Consultant and the Client agree that, in terms of the Act, the Consultant will not be the person who controls the place of work.
14. The Client may suspend all or part of the Services by notice to the Consultant who shall immediately make arrangements to stop the Services and minimise further expenditure. The Client and the Consultant may (in the event the other Party is in material default) terminate the Agreement by notice to the other Party. Suspension or termination shall not prejudice or affect the accrued rights or claims and liabilities of the Parties.
15. The Parties shall attempt in good faith to settle any dispute by mediation.
16. This Agreement is governed by the New Zealand law, the New Zealand courts have jurisdiction in respect of the Agreement, and all amounts are payable in New Zealand dollars.

Mark Zarifeh

To: Evans, Marie
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Marie,
Thank you for the response.
I note that on page 2 it refers to photographs taken but the only photograph attached was an aerial photo?

It seems that the only engineer who inspected the north parapet wall(which is the one that failed in the February earthquake) was Mr Boys. Could he give any more detail about that inspection other than is on the site report?

Thank you for your assistance.

Regards,

Mark Zarifeh.

From: Evans, Marie [mailto:Marie.Evans@dlapf.com]
Sent: Tuesday, 22 November 2011 2:29 p.m.
To: Mark Zarifeh
Cc: Hannan, John
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Mark

I attach our client's response to your Requirement for Information dated 9 November 2011 relating 242-246 High Street. The letter refers to enclosed photographs. I intend to send these to you under separate cover (I am having problems with transmission from my client).

Please acknowledge receipt.

Many thanks

Regards

Marie Evans
Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839
F +64 9 303 2311
E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

From: Evans, Marie
Sent: Wednesday, 16 November 2011 1:04 p.m.
To: mark.zarifeh@royalcommission.govt.nz
Cc: Hannan, John
Subject: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Mark

My colleagues Grant Macdonald, John Hannan and myself are instructed to assist Holmes Consulting Group ('HCG') in the preparation of its evidence and responses to the Canterbury Earthquakes Royal Commission. We have taken our client's instructions upon the Request for Information as contained in your letter of 9 November 2011, which seeks a response by Monday 21 November 2011.

A number of queries have been raised of Messrs Matthews and Galloway and I am currently collating responses and relevant documentation.

In the given circumstances, are you able to agree an extension of time for the submission of HCG's response until, say, Thursday 24 November 2011?

Thanking you in anticipation of your assistance.

Regards

Marie Evans

Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839

F +64 9 303 2311

E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

DLA Phillips Fox notice - This email, including any attachments, is confidential. It may contain copyright and/or legally privileged material and/or personal information. If you received it in error, please let us know immediately by return email and then delete this email and your reply. You must not use, copy or disclose any of the information this email contains. There is no warranty that this email is error or virus free. If this is a private communication, it does not represent the views of DLA Phillips Fox. DLA Phillips Fox does not by itself, or on behalf of its clients, waive any legal professional privilege that may exist in the content of this email.

Mark Zarifeh

From: Evans, Marie [Marie.Evans@dlapf.com]
Sent: Wednesday, 23 November 2011 10:26 a.m.
To: Mark Zarifeh
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Hi Mark

The photographs are being sent on disk and should be with you by Friday.

I will seek instructions from Mr Boys in relation to the North parapet wall and revert as soon as I am able.

Regards

Marie

Marie Evans
Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839
F +64 9 303 2311
E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

From: Mark Zarifeh [mailto:Mark.Zarifeh@royalcommission.govt.nz]
Sent: Wednesday, 23 November 2011 9:21 a.m.
To: Evans, Marie
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Marie,
Thank you for the response.
I note that on page 2 it refers to photographs taken but the only photograph attached was an aerial photo?

It seems that the only engineer who inspected the north parapet wall(which is the one that failed in the February earthquake) was Mr Boys. Could he give any more detail about that inspection other than is on the site report?

Thank you for your assistance.

Regards,

Mark Zarifeh.

From: Evans, Marie [mailto:Marie.Evans@dlapf.com]
Sent: Tuesday, 22 November 2011 2:29 p.m.
To: Mark Zarifeh
Cc: Hannan, John
Subject: RE: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Mark

I attach our client's response to your Requirement for Information dated 9 November 2011 relating 242-246 High Street. The letter refers to enclosed photographs. I intend to send these to you under separate cover (I am having problems with transmission from my client).

Please acknowledge receipt.

Many thanks

Regards

Marie Evans

Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839

F +64 9 303 2311

E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

From: Evans, Marie

Sent: Wednesday, 16 November 2011 1:04 p.m.

To: mark.zarifeh@royalcommission.govt.nz

Cc: Hannan, John

Subject: Canterbury Earthquakes Royal Commission Re: 242-246 High Street [DLANZ-CLIENT.FID69517]

Dear Mark

My colleagues Grant Macdonald, John Hannan and myself are instructed to assist Holmes Consulting Group ('HCG') in the preparation of its evidence and responses to the Canterbury Earthquakes Royal Commission. We have taken our client's instructions upon the Request for Information as contained in your letter of 9 November 2011, which seeks a response by Monday 21 November 2011.

A number of queries have been raised of Messrs Matthews and Galloway and I am currently collating responses and relevant documentation.

In the given circumstances, are you able to agree an extension of time for the submission of HCG's response until, say, Thursday 24 November 2011?

Thanking you in anticipation of your assistance.

Regards

Marie Evans

Enrolled Barrister & Solicitor

DLA Phillips Fox

T +64 9 300 3839

F +64 9 303 2311

E Marie.Evans@dlapf.com

<http://www.dlapf.com>

DLA Phillips Fox is a member of DLA Piper Group, an alliance of independent legal practices.
Please consider the environment before printing this email.

DLA Phillips Fox notice - This email, including any attachments, is confidential. It may contain copyright and/or legally privileged material and/or personal information. If you received it in error, please let us know immediately by return email and then delete this email and your reply. You must not use, copy or disclose any of the information this email contains. There is no warranty that this email is error or virus free. If this is a private communication, it does not represent the views of DLA Phillips Fox. DLA Phillips Fox does not by itself, or on behalf of its clients, waive any legal professional privilege that may exist in the content of this email.

=====

CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. Thank you.

=====

DLA Phillips Fox notice - This email, including any attachments, is confidential. It may contain copyright and/or legally privileged material and/or personal information. If you received it in error, please let us know immediately by return email and then delete this email and your reply. You must not use, copy or disclose any of the information this email contains. There is no warranty that this email is error or virus free. If this is a private communication, it does not represent the views of DLA Phillips Fox. DLA Phillips Fox does not by itself, or on behalf of its clients, waive any legal professional privilege that may exist in the content of this email.

30 NOV 2011



209 Queen Street
Auckland
PO Box 160
Auckland 1140
New Zealand
DX CP24027 AKLD
Tel +64 9 303 2019
Fax +64 9 303 2311
www.dlapf.com

Our ref: 1000524

29 November 2011

Mark Zarifeh
Canterbury Earthquakes Royal Commission
PO Box 14053
Christchurch Mail Centre 8544
CHRISTCHURCH

Dear Mr Zarifeh

**Canterbury Earthquakes Royal Commission - Requirement for Information
dated 23 November 2011
Re: 242-246 High Street**

We have taken our client's instructions upon the further Requirement for Information as contained in your email of 23 November 2011.

Northern Parapet Wall

You have asked Mr Boys if he is able to give any further detail about his inspection of the north parapet wall, other than as contained in his site report.

Mr Boys advises that whilst on the roof of the building, during his inspection on 15 September 2010, he inspected all parapets including the north parapet. Mr Boys advises the north parapet did not display any evidence of damage.

The inference that Mr Boys was the only engineer to have inspected the northern parapet is potentially misleading. Site reports typically detail observed damage and do not generally list all undamaged elements.

We hope the above information is of assistance.

DLA Phillips Fox is a
member of DLA Piper Group,
an alliance of independent
legal practices.



Yours sincerely

A handwritten signature in black ink, appearing to read 'Marie Evans'.

Marie Evans

Enrolled Barrister and Solicitor

Direct +64 9 300 3839

marie.evans@dlapf.com