

20 DEC 2011

20 December 2011

Our ref No: LEX 10535

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

Attn: Mark Zarifeh

Dear Mr Zarifeh

116 Lichfield Street, Christchurch – Ruben Blades

I refer to your letter dated 12 September 2011 to Peter Mitchell. You have requested further information concerning 116 Lichfield Street under section 4C Commissions of Inquiry Act 1908. Your letter 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.

You have asked for a copy of the building evaluation dated 7/9/2010 undertaken by Gary Lennan.

We **attach** a copy of the Level 1 Rapid Assessment form for 116 Lichfield Street dated 7 September 2010. We note that the inspector for this assessment was an inspector with the initials "SJL" and that Gary Lennan was not involved in the building evaluation. Mr Lennan's name is included in the data entry as he was the Authorising Officer. He was not the building inspector.

Could you please explain the apparent inconsistency between the USAR inspection of 1310hrs on 27/12/10 and the Level 1 rapid assessment at 4pm of the same day?

The Council's understanding from the records available is that a Level 1 Rapid Assessment for 110-116 Lichfield Street, "the Honey Pot", was undertaken at 4pm on 27 December 2010 and a green placard was issued.

The Council records indicate that a separate Level 1 Rapid Assessment for 116 Lichfield Street, the "Ruben Blades" building, also took place on 27 December 2010. A red placard was issued for 116 Lichfield Street as a result of this assessment. We have been unable to locate a copy of this assessment. We **attach** a copy of the Council's records that indicate that this separate assessment was carried out.

We note that it appears that the address "116 Lichfield Street" was sometimes included on forms relating to the "Honey Pot". The Honey Pot was located at 114 Lichfield Street. Ruben

Blades was a separate building to the Honey Pot. As the entrance to Ruben Blades was right next to the Honey Pot it appears that the street name and number was included (in error) with the Honey Pot assessments. However it appears that as there were separate assessments carried out specifically for 116 Lichfield Street "Ruben Blades", the two buildings, Ruben Blades and Honey Pot, were assessed separately.

Following the Level 1 Rapid Assessment of 116 Lichfield Street "Ruben Blades" on 27/12/2010, the Council sent the proprietors of 116 Lichfield Street letters on 29/12/2010 notifying them that section 124(1)(b) and (c) of the Building Act 2004 notices were being issued for their property.

You have asked a series of questions regarding a Council file note in relation to a "walkabout" on 10/1/11.

Firstly, we note that the file note you refer to is not complete and is missing the relevant dates in the left hand column. We **attach** a copy of the complete file note which shows that the entries referred to are from various dates from 10 January 2011.

Please provide a copy of the report from Mr Gardiner of Structex as it does not appear to be on the Council file.

We **attach** a copy of the report prepared by Mr Gardiner dated 2 February 2011 for 112-114 Lichfield Street. The report was attached to an email dated 2/2/2011 with the subject line "Cordon at 112-116 Lichfield Street". A CPEng Certification Form for 112 – 114 Lichfield Street was also attached to the email.

The file note refers to a "sign off" having been received from Mr Gardiner. Was that a separate form from the report? If so, please provide a copy of the same.

The file note entry referring to the "sign off" is dated 3/2/2011, the day after Sean Gardiner sent an email to the Council attaching the CPEng Certification Form and engineer's report certifying it was safe to remove the cordon on Lichfield Street. Therefore, it is likely that the "sign off" referred to is Sean Gardiner's certification and report.

The file note refers to "Neville to have a look at it." To whom is this a reference?

This is a reference to Mr Neville Higgs. Neville Higgs is a CPEng engineer who was working on contract for the Building Recovery Office.

Did he look at the issue? If so, please provide details of his assessment. If not, please explain why he did not do so.

We have asked Neville Higgs about this question and he does not recall this particular document. Mr Higgs has informed us that usually when he reviewed a document he would make a written comment either on the document or on an appropriate check form and sign, time and date it. We have not located any copy of the document which includes Mr Higgs' signature or a written comment from him.

Please explain the apparent inconsistency between the advice to remove the cordons on Lichfield Street and the Building Act notice of 29 December 2010 which had noted damage which might pose a risk to the public (and which damage had not yet been repaired).

We note that the Building Act notice was issued on 29/12/2010 and the advice to remove the cordon was received on 2/2/2011.

It appears that while Sean Gardiner's report stated it was for 112-114 Lichfield Street, he had intended it to be for the 112-116 Lichfield Street cordon as the subject line of his email to the Council is "Cordon at 112-116 Lichfield Street". The cordon was predominantly placed around the Honey Pot. Council Officers recall that the risk caused by the damage to 116 Lichfield Street was contained within the cordon in this area of Lichfield Street.

The case notes dated 3 February 2011 state the following:

"Met Sean gardiner of Strutex on site today. He advised (and submitted a report saying the same) that the cordons on Lichfield street can be removed, that there is limited access to some upstairs of some areas. Also nevil advised I contact the building owner and advise it is his responsibility to make sure that entry restricted to that area. Neville asked I get engineer to confirm what areas cannot be accessed."

The case notes dated 7 February 2011 state the following:

"Ron from honey pot café rang (027-2222424) wanting some information on this site. I advised him that as per Sean gardiners update that the bottom floor is occupiable and the upper floors are not."

While the cordon was removed from 112-116 Lichfield Street in response to Sean Gardiner's reports, the Building Act notice was not removed. This is evident from the letter sent from the Building Recovery Office manager on 2 February 2011 regarding the outstanding section 124 notice. We cannot be entirely sure why the section 124 notice remained on the building after the cordon was removed. However we note that it may relate to the hazard caused by the fire escape and the limited access to the upper levels of the building. Sean Gardiner's report (the 2 February 2011 report) says that "116 Lichfield Street fire escape remains a hazard. Limited access to fire escape and upper levels of buildings."

Was Mr Gardiner's advice accepted by the Council? If so, please explain the reasoning. If not, please explain why not. What was the exact extent of barricades/cordons following the walkabout? Did that remain until 22 February 2011?

The Council relied on Mr Gardiner's advice in removing the cordon on Lichfield Street and it seems to have been removed at some time between 4 February and 18 February, after the report was received from Mr Gardiner. The cordons at the date of the walkabout are likely to be as shown in the 30 December 2010 photographs.

What was Mr Gardiner's status from the Council's point of view, in relation to the decision to remove the cordons?

Mr Gardiner was the building owner's engineer. We refer to section 6 of the Council's "Report into Building Safety Evaluation Processes in the Central Business District Following the 4th September 2010 Earthquake", ("the Council's Report") which states that the Council was relying on advice from CPEng engineers regarding location of required cordons.

Why was there no barrier on the Manchester Street side? Was any assessment made of the risk of the Building collapsing into Manchester Street if there had been another significant aftershock? If so, please provide details. If not, please explain why not.

As noted in the answer to the last question, the Council relied on engineers regarding the location of cordons. The building was re-inspected by Paul Campbell on a date unknown to the Council, but that was likely to have taken place in late January or February. The report did not identify any need for protection fencing on Manchester Street.

We have contacted the Council's case manager Mr John Barry who recalls the site visit with Sean Gardiner on 2 February 2011. Mr Barry said that they walked around the building at 116 Lichfield Street and down the Manchester Street side of the building and Sean pointed out all the work that they had done so far (this was the day before Sean Gardiner completed the second report that noted the further information). Neville Higgs came and looked at the buildings and cordons were removed on the Lichfield Street side. There was no issue with the Manchester Street side of the building identified at that time. Mr Barry remembers that the Lichfield Street side of the building was always the focus and the main issue.

What was the Council's policy in relation to the removal of cordons?

We refer to section 6 of the Council's Report which outlines the Council's process in relation to the removal of cordons.

How was that policy applied in this case?

Beyond what we have noted above regarding the cordons, we do not have any further records of how the Council's process in relation to cordons was applied in this particular case. As a general note, cordons were erected and removed on instruction from engineers. There is nothing to suggest that the process was not followed, and we cannot find any further information to assist with answering this question.

You wrote to the Council on 4 November 2011 in relation to information received from Mr Gardiner regarding an email he sent to John Barry of the Council attaching a copy of an Engineer's Instruction. You have asked the Council to provide the following information in relation to this matter.

Was any action taken as a result of the Council receiving that email on 9 February 2011? If so, please provide details. If not, please explain why not.

The case manager notes have the following entry on 9 February:

"Email from Sean saying owner received letter ref S124. advised it was standard letter delivered to all with S124 notice. He also attached the latest reports in regards to securing works, added to file."

The Council does not appear to have any further file record to assist in answering this question. However as noted above, it has contacted the case manager, Mr John Barry, who is overseas at the present time. He has informed us that his normal practice was that if he received any communication that identified a risk with a building, he would ask an engineer to go and visit the building in order to make a view about any further action that was required.

Yours faithfully


Chris Gilbert
Solicitor
Legal Services Manager

Christchurch Eq. RAPID Assessment Form - LEVEL 1

Inspector Initials
Territorial Authority

SJL
Christchurch City

Date of Inspection
Time

7-9
11:20

Exterior Only
Exterior and Interior

Building Name

Rupen Blads

Short Name

116 Cnr

Type of Construction

Address

~~101~~ > Leithfield
~~116~~ & Manchester

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°

Primary Occupancy

Dwelling

Commercial/ Offices

Other residential

Industrial

Public assembly

Government

School

Heritage Listed

Religious

Other

Storeys at and above ground level

Below ground level

Total gross floor area (m²)

3

Year built

No of residential Units

Photo Taken

Yes

No

Investigate the building for the conditions listed below:

Overall Hazards / Damage

Minor/None

Moderate

Severe

Comments

Collapse, partial collapse, off foundation

Building or storey leaning

Wall or other structural damage

crack in masonry wall

Overhead falling hazard

Ground movement, settlement, slips

Neighbouring building hazard

Minor

Parpet on 114.

Other

Broken Window

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:

* Parpet needs removal on adjacent building.

Estimated Overall Building Damage (Exclude Contents)

None

0-1 %

31-60 %

2-10 %

61-99 %

11-30 %

100 %

Sign here on completion

[Signature]

Date & Time
ID

7-9-10.

Inspection ID SJL 74 (Office Use Only)

Prup: 747590
Lot 1 DP 2065

Inspectors	DateTime	Type	Posting	Display	Building	GISRateAccountID	Address	ENTER CDB Number
TES	2010-12-27 00:00	Level 1	Red	Red	Ruben Blades	87121	116 Lichfield St	

116 Lichfield Street	
Property Manager:	
Contacts:	Engineer Sean Gardiner Strutex, owner Eelco Wiersma 354-8144
Layout:	Ruben Blades
Current situation:	Red sticker as per walk about on 10/01/11
Notes Received:	
Property Contact connected to other:	
Photos:	2297 + 2298 + 2299 (26/01/11)
Date:	Details:
10/01/2011	On a walk around prescint noticed that this building had a red sticker , hadn't one previously so from boxing day quake. Cordon at front of 116 and 114
19/01/2011	received an email from a Eelco wiersma saying that unlikely repair work will be done by 31/01/11, saved into email file for this site
26/01/2011	Cordon on Lichfield side affecting turning lane and pedestrians . No barrier on Manchester street side
3/02/2002	Sign off received form Sean gardiner of Strutex in reference to these cordons, Neville to have a look at it.
3/02/2011	Met Sean gardiner of Strutex on site today. He advised (and submitted a report saying the same) that the cordons on Lichfield street can be removed, that there is limited access to some upstairs of some areas. Also nevil advised I contact the building owner and advise it is his responsibility to make sure that entry restricted to that area. Neville asked I get engineer to confirm what areas cannot be accessed .
3/02/2011	Emailed ciara that cordons can be removed here.
7/02/2011	Ron from honey pot café rang (027-2222424) wanting some information on this site. I advised him that as per Sean gardiners update that the bottom floor is occupiable and the upper floors are not. He was mentioning that he thinks he will move premises as he had concerns about the building if there was another quake. I advised him that I would send him updates as I could.
9/02/2011	Email from Sean saying owner received letter ref S124. advised it was standard letter delivered to all with S124 notice. He also attached the latest reports in regards to securing works, added to file

Daines, Nadine

From: Sean Gardiner [SGardiner@structex.co.nz]
Sent: Wednesday, 2 February 2011 11:02 pm
To: Glen McConnell; Billante, Vincie
Cc: CDRescue; john c1 construction; Ernest Duval
Subject: RE: Cordon at 112-116 Lichfield St
Attachments: 112-114 Lichfield 2 Feb 2011.pdf; 020220111636.jpg; 020220111637.jpg; 020220111638.jpg; 020220111639.jpg; 020220111641.jpg; 020220111642.jpg; DSC03544.jpg; DSC03543.jpg; 116 Earthquake Appraisal Feb 2, 2011 047 showing mach3 steel wk parapet 112 Lichfield St.JPG

Glen/Vincie,

Please find attached certification and photos of parapet securing to allow removal of cordon at Lichfield St.

Thanks and regards,

Sean

Sean Gardiner

sgardiner@structex.co.nz

structex

Studio2 Limited
6 Norwich Quay
Lyttelton, New Zealand
Tel: 021 462 723 Fax: 03 968 4927

From: Glen McConnell [mailto:gmc64nz@hotmail.co.nz]
Sent: Wednesday, 2 February 2011 8:12 a.m.
To: Vincie Billante; Sean Gardiner
Subject: Cordon at 112-116 Lichfield St
Importance: High

Hi Vincie, I hope you are getting a chance to enjoy this mild weather & are not just stuck in the office!

As I write this the Parapet at 112 Lichfield St is being pinned in it's current position by means of a welded angle iron bracing structure in both front corners.

The work is being carried out by Mach 3 Engineering on the instructions of Sean Gardiner from Structex.

It is anticipated they will have completed the work by 10am today 2/2/11.

Part of this work requires threaded rods to be bolted through from the outside face of the building & as we were unable to obtain a traffic management permit to enable us to put a crane in the parking lane on Lichfield St we have gone for plan B which entails Fred dangling over the face of the building in a Harness.

I think that should be worth a photo!

The usual processes will followed in which Sean will sign off the building & advise you that the cordon can be removed.

As you are aware there is the meeting (regarding among other things the cordon) with Bob Parker tomorrow & it would be advantageous for us if the cordon had been removed by the

13/09/2011

start of this meeting at 10am.

I will have Sean on standby today to send his advice to you as soon as the work is completed.

If your cordon removal people are unable to attend to the cordon by 10am tomorrow would it be possible for you to instruct us to move the cordon for you?

If you need anything else from us regarding these buildings please let me know asap on 021945800. (I am in a meeting for a while with Canterbury University from 11am to look at completing all their exterior repair work)

Once again, many thanks, Glen McConnell

Fortis Construction

Shop 1 Cathedral Junction

166 Gloucester St

Christchurch

021 945 800

(03) 374 2286

Statement by Chartered Professional Engineer in respect of the building at:

(Building Address) 112-114 Lichfield Street

I, Sean Gardiner (name), am a Chartered Professional Engineer (No. 242020) with relevant experience in the structural design of buildings for earthquake actions.

I have been engaged to provide advice to the owner on the interim securing / strengthening of the above building following the earthquake of 4 September 2010.

I am aware of all the measures taken to secure or strengthen the building (the work) which were carried out by (Name and contact address of contractor) Focht Construction Shop 1 Cathedral Junction

I have inspected the work on completion and am satisfied on reasonable grounds that:

- a. *Structural integrity and performance.* Where the structural integrity and/or structural performance of the building (or part of the building) was materially affected by the Darfield earthquake or any aftershocks to date, interim securing measures have been taken to restore the structural integrity and performance of the building to at least the condition that existed prior to the earthquake of 4 September 2010.
- b. *Potentially dangerous features.* Potentially dangerous features on the building such as unreinforced masonry chimneys, parapets and walls have been removed or secured so that their integrity and level of structural performance is consistent with that generally achieved in other parts of the building, and so reduces the danger to people's safety and of damage to other property.
- c. *Threat from nearby buildings.* (Delete one if not applicable)
 - Protective measures installed on the subject building are sufficient in nature and extent to protect its occupants in the event of collapse of potentially dangerous features on adjacent or nearby buildings.
 - I have identified all potentially dangerous features such as unreinforced masonry chimneys, parapets and walls on all adjacent or nearby buildings that have potentially dangerous features which threaten the subject building or its occupants.

Buildings which I have identified in the above category are:

- i. 116 Lichfield Street fire escape remains a hazard. - limited access to fire escape and upper levels of buildings.
- ii.
- iii.

- I have advised the owner of the subject building that approval for resumption of occupancy and use will be subject to Council approval to remove the red or yellow safety notices from the buildings listed above.

Signed Sean Gardiner Chartered Professional Engineer.

Date 10/10/10

structex**engineer's instruction**

date 2/2/11

project 112-114 Lichfield Street

by SR

ref

distribution CD Rescue Ernst - ETP John/Glen - Fortis

The contractor has installed the parapet bracing to 112-114 Lichfield St as instructed on 28/1/11.

The bracing has generally been installed as instructed, but was modified to:

- 100x100x6 EA corner frames with M12 anchors at 200-300 c/s (to avoid stone edges) with a 50x50 RHS brace 1200 long.
- 100x100x6 Foleed Flat angle anchoring end stone corbel to return parapet (approx 2m long). Small flat returns under corbel and anchored into second stone.
- 100x100x6 EA to front (under corbel stones) fixed to prevent movement of facing stone and anchored back to parapet return via 100x100x6 EA, endplate and M16 threaded rod.

Refer also to attached photos.

The bracing has secured the parapet to at least the condition that existed prior to 4 September 2010, and has removed the fall hazard to the Lichfield Street footpath.

Although there was no apparent movement to the NW parapet corner an angle brace was also installed there as instructed (it appears some mortar between stone blocks may have fallen away).

We suggest the cordon to the Lichfield Street footpath be removed.

The fire escape between 112-116 Lichfield St remains a hazard, (currently being temporarily braced and repaired).











