



Canterbury Earthquakes Royal Commission
Te Komihana Rūwhenua a te Karauna

4 November 2011

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

By Email: peter.mitchell@ccc.govt.nz

Dear Mr Mitchell

116 Lichfield Street

I have previously written to you on 12 September 2011 in relation to this building.

I have since then received advice from Structex that Sean Gardiner of Structex received advice from a contractor on 3.2.11 to the effect that a contractor believed that at that time there were potential fall hazards on the Manchester Street side of the building. As a result, Mr Gardner re-inspected the building and provided an Engineer's Instruction dated 4.2.11 (copy **enclosed**). That instruction recorded that "high level bricks and stone blocks are potential fall hazards to the areas directly adjacent and should be secured as soon as possible (or the fall areas cordoned off)".

On 9 February 2011 Mr Gardiner emailed John Barry of the Council attaching a copy of that Engineer's Instruction (copy of email **enclosed**).

Could you please provide the following information in relation to the above, by **14 November 2011**:

1. 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 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

CC: Nadine Danes
nadine.daines@ccc.govt.nz

engineer's instruction

date 4/2/11

structex

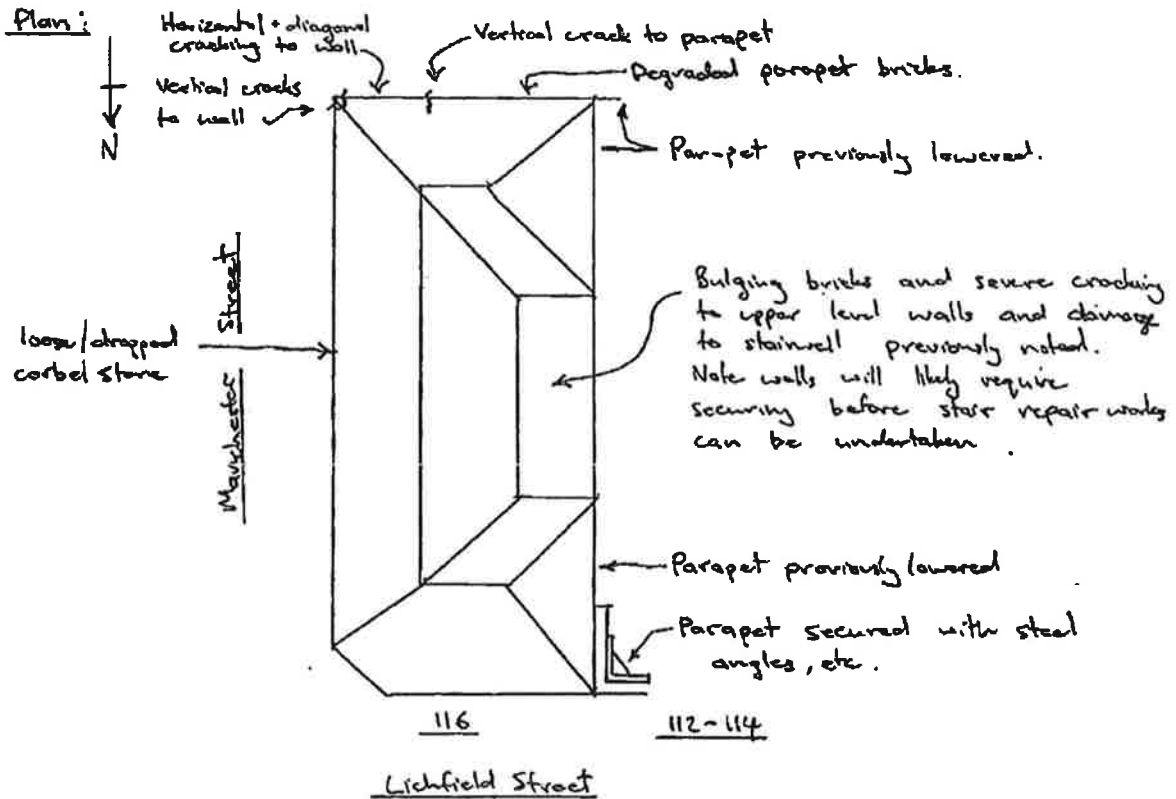
project 116 Lichfield St.

by SG

ref 5708

distribution Jason - Cunningham - Listing Eclco - owner Glen - Fortis - Construction Andrew Bell - Sargent

Following advice from contractors we have restricted the property to view further damage from recent earthquakes.



These high level bricks and stone blocks are potential fall hazards to the areas directly adjacent and should be secured as soon as possible, (or the fall areas cordoned off).

We suggest securing works be undertaken as per attached (contractor to wait for insurer approval).

Justin Davies

From: Sean Gardiner
Sent: 9 February 2011 11:05 a.m.
To: Barry, John
Subject: FW: 116 Lichfield Street
Attachments: page-0001.tif; page-0001.tif; img-209095755-0001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi John,
The building owner has received the attached S124 notice for 116 Lichfield.
I trust our involvement in assessment and securing work is sufficient to satisfy the Council that work is progressing?
I have also attached our latest report and securing work proposal (which is in the process of getting insurance authorization to proceed).

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

-----Original Message-----
From: Eelco Wiersma [mailto:eelco.wiersma@xtra.co.nz]
Sent: Tuesday, 8 February 2011 6:13 p.m.
To: Sean Gardiner
Subject: 116 Lichfield Street

Hi Sean,
Attached is the letter from the CCC.
Sorry it took so long.
Kind regards
Eelco Wiersma

2nd February 2011

BARBARA DIANE WIERSMA
PO BOX 5651
PAPANUI
CHRISTCHURCH 8542.

Dear Sir / Madam

RE: Section 124 Notice on 116 Lichfield property

I am writing to you regarding your building (above), which was identified by the Council as dangerous. You were served a Section 124 Building Act 2004 notice requiring you to address the danger. Your outstanding s124 notices expired on 31 January 2011 and we want to ensure that work is progressing on removing the dangerous aspects of your building to protect public safety. We would like to work with you to establish the current status of your building and discuss how we can help resolve any issues you may have in making progress towards removing the danger your building poses to neighbouring properties and the public.

The Council has commenced the reassessment of all dangerous buildings with outstanding s124 notices. Our structural engineers are doing safety assessments over the next few weeks to determine if your building still poses a danger to people or other buildings. You do not need to be present for that assessment, but if you wish to be, you can make an appointment to meet the structural engineer onsite. To make an appointment, please call the Council on Ph 941 8350. Please bear in mind this is not a comprehensive engineering assessment of the damage to your building, it is a Council assessment/determination of the danger your building poses to people or other property. You are still required to provide your own engineering assessment of the property to determine repair work required to address the dangerous aspects, so your building can be declared safe.

We are working with individual building owners to assist in making their buildings safe and may already have been in contact with you. If not, one of our case managers will contact you within a few weeks of the reassessment to ascertain the status of your property.

Where building owners have taken some action but are unable to completely resolve the issues that make their buildings dangerous, a new s124 notice will be issued. This new notice requires a mutually agreed completion date - by which time work will be complete on making the building safe and mitigating the impact on surrounding businesses or properties. To determine the completion date for the new s124 notice, you are required to provide us with:

- A post Boxing Day structural engineer's assessment of the building
- A proposed timeline and schedule of works that addresses the dangerous building aspects
- A letter clarifying actions taken to date to address the building issue and updating the Council on progress made to date, including details of any barriers encountered or mitigating factors beyond your control (for instance, issues with insurance claims or obtaining quotes for works)

- If your property is a listed or protected building under either the Christchurch City Plan or the Banks Peninsula District Plan you will need to consider the heritage values of the property in determining your scope of works and should contact the Council's Heritage Planners on Ph 941 8156 to discuss.

Please send this information to BuildingRecoveryOffice@ccc.govt.nz

There is a small minority of building owners who have taken no action to address their dangerous buildings. The Council will look at enforcement measures rather than reissuing s124 notices in these cases.

Public safety is our priority and we are steadily working towards getting Christchurch city back to business as usual – which includes reducing cordons around dangerous buildings, improving traffic flow and enabling pedestrian and vehicular access to all of our city's business and public spaces. Building owners who do not meet their obligations under the Building Act 2004 will be managed using enforcement measures available to the Council (including infringement notices with instant fines and/or prosecution for failing to comply with a s124 notice).

To avoid these measures, we encourage all building owners to send us the documentation outlined above so our files are kept up to date. If you have difficulties obtaining the required information, please either phone us on 941-8350 or email us at BuildingRecoveryOffice@ccc.govt.nz to discuss your situation with a case manager. Thank you for helping us make Christchurch safe during these extraordinary circumstances and we look forward to the time when all buildings affected by the earthquakes are made safe.

If you have any queries resulting from this letter, please call us on Ph 941 8350 and we will endeavour to address your questions or put you in contact with a case manager who will be able to help you.

Yours sincerely,

Vincie Billante
Building recovery Programme Team Leader



COPY

Canterbury Earthquakes Royal Commission
Komihana a te Karauna hei Tirotiro i ngā Whare i Horo i ngā Rūwhenua o Waitaha

12 September 2011

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

Dear Peter

116 Lichfield Street, Christchurch – Ruben Blades

As you will be aware, 116 Lichfield Street (the Building) is one of the buildings in the Royal Commission's representative sample.

We have now obtained a copy of the Council records. Would you please provide the following information, by **23 September 2011**:

1. The Council's "IntraRFS" record notes that there was an evaluation by Gary Lennan on 7/9/2010 which appears to have resulted in the building being green placarded. There does not appear to be a copy of this evaluation on the Council file. Are you able to provide any details of the evaluation and a copy of any documentation relating to it?
2. On 27/12/10 at 1310hrs there was a USAR inspection which noted severe damage to the Building. Again on the same day at 4.00pm there was a level 1 rapid assessment which noted minor damage and designated the Building with a green placard.
 - a. Could you please explain the apparent inconsistency between these two assessments?
3. A Council file note in relation to a "walkabout" on 10/1/11 notes:

"Cordon on Lichfield side affecting turning lane and pedestrians. No barrier on Manchester Street side. Sign off received from Sean Gardiner of Structex in reference to these cordons. Neville to have a look at it. Met Sean Gardiner of Structex on site today. He advised (and submitted a report saying the same) that the cordons on Lichfield can be removed, that there is limited access to some upstairs of some areas. Also Neville advised I contact the building owner and advise it is his responsibility to make sure that entry. Emailed Ciara that cordons can be removed here ..."

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

- (a) Please provide a copy of the report from Mr Gardiner of Structex as it does not appear to be on the Council file.
- (b) 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.
- (c) The file note refers to "Neville to have a look at it." To whom is this a reference?
- (d) Did he look at the issue? If so, please provide details of his assessment. If not, please explain why he did not do so.
- (e) 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).
- (f) Was Mr Gardiner's advice accepted by the Council? If so, please explain the reasoning. If not, please explain why not.
- (g) What was Mr Gardiner's status from the Council's point of view, in relation to the decision to remove cordons?
- (h) What was the exact extent of barricades/cordons following this walkabout?
- (i) Did that remain until 22 February 2011?
- (j) Why was there no barrier on the Manchester Street side?
- (k) Was any assessment made of the risk of the Building collapsing onto Manchester St if there had been another significant aftershock? If so, please provide details. If not, please explain why not.
- (l) What was the Council's policy in relation to the removal of cordons?
- (m) How was that policy applied in this case?

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Yours faithfully



Mark Zarifeh
Counsel Assisting
Canterbury Earthquakes Royal Commission