

- 1 My name is Neville Owen Higgs. I hold a Bachelor of Engineering degree from the University of Canterbury, am a Fellow of the Institution of Professional Engineers New Zealand and a Chartered Professional Engineer. I have been practicing civil and structural engineering for in excess of 40 years.
- 2 After initially volunteering my services for the civil defence emergency in Christchurch in September 2010 I was engaged by the Christchurch City Council as the Engineering Support Coordinator for its Building Evaluation Transition Team.
- 3 The Council's records show that I closed off the Building Evaluation Transition Team's file on the building at 200 Manchester Street known as the Iconic Bar on 22 February 2011. At this time I was processing and closing numerous similar files a day and have no particular recollection of this file.
- 4 The Council's records also show that there was an engineer's re-assessment form completed on 9 February 2011 containing a request by Mr Mark Ryburn for me to review the status of the building. I also have no recollection of this form and do not believe I had seen it at the time of my closing out the file on the building in question.
- 5 The primary documentation for justifying the closing of a file was a satisfactory statement by a Chartered Professional Engineer stating that the building had at least the structural integrity and performance as it had before the September 2010 earthquake and that there were no potentially dangerous features on the building. The engineer also was required to certify that there was no threat from adjacent buildings. This certification was provided on a standard form.
- 6 The process I used was firstly to check that the engineer providing the certification was on the Chartered Professional Engineers register by checking the register on the Institution of Professional Engineers New Zealand (IPENZ) web page. I would then check that the certification given was in the prescribed format without any additions that passed the engineer's responsibilities on to any other body. I would then do a general scan of the file to see if anything else was on the file that still required action. If no requirement for further action was found I would arrange for the building owner and the engineer to be advised that Council accepted the building as being acceptable for occupancy. I would also make a note that the file could be closed.
- 7 The prime purpose of the report that Mark Ryburn made the note on requesting me to review, was to determine whether a new section 124 of the Building Act notice needed to be issued for the building. There are numerous possibilities that may have led me to not recalling the 9 February 2011 report.
- 8 The report could have been put into the incoming pigeon holes that were used for such reports on the ground floor of Christchurch City Council's Hereford

Street building. When the report was processed to determine whether a new Building Act notice needed to be issued or not the note to me may have been overlooked or its significance not understood by the person processing the Building Act notices resulting in no action being taken to get the report to me for review. It was not common for such a note to be made on a file.

- 9 The report, or at least a copy of it, could have been placed in my 'In' tray and been in it when I processed the Chartered Professional Engineer's suitability for occupation report. It could have got there by any of a number of means. These means could have even included Mark Ryburn bringing the report up to me and telling me it was in my 'In' tray and he would like me to review the situation with the building. The workload at the time was such that actioning of files and other papers by me was several weeks behind and after some time delay I may have not recalled such an earlier conversation when processing the file for closure.
- 10 The report could have been on the file at the time I closed it out and I missed seeing it. The file scan that I have mentioned was not over thorough and was not intended to be a fully comprehensive check of the file. The critical issue was seen to be that the building had been cleared for occupancy and hence the Building Evaluation Team's interest in the building was complete.
- 11 One of the above scenarios or similar one must have taken place. Such a scenario can be attributed to the demands and failure of the systems in place at the time. This is not a criticism of the people responsible for establishing the systems or the people implementing them.
- 12 Essentially no one involved had been involved in an operation anything like the one that was being carried out. What was required was continually being discovered. Procedures that would work in normal times were not completely applicable as the desirable time for consideration, consultation and implementation was not available.
- 13 In general the systems followed were standard type Council or emergency practices, but these often were modified intentionally or otherwise to cover the continually changing needs, locations, people, and events. Even if the systems had been perfect and widely distributed the mere fact that there was continual need to change meant it was impractical for everybody to become completely familiar and up to date with the processes being used.