

UNDER

THE COMMISSIONS OF INQUIRY ACT 1908

IN THE MATTER OF

ROYAL COMMISSION OF INQUIRY INTO BUILDING FAILURE CAUSED BY CANTERBURY EARTHQUAKES

KOMIHANA A TE KARAUNA HEI TIROTIRO I NGĀ WHARE I HORO I NGĀ RŪWHENUA O WAITAHA

STATEMENT OF EVIDENCE OF STEPHEN JAMES MCCARTHY IN RELATION TO THE FORSYTH BARR BUILDING

DATE OF HEARING: 23 – 24 FEBRUARY 2012

INTRODUCTION

- 1. My name is Stephen James McCarthy. I am the Environmental Policy and Approvals Manager of the Christchurch City Council ("the Council"). I have worked for the Council since 1 May 2006. During the State of Emergency following the earthquake of 4 September 2010, I was one of the Building Evaluation Managers in the Christchurch City Emergency Operations Centre.
- 2. I have 36 years of experience working for local government, including 16 years in building control. I have a Degree in Applied Science and a Post Graduate Diploma in Management from Massey University and a Royal Society Diploma in Environmental Health from Wellington Polytechnic.
- I have been asked to provide evidence to the Royal Commission relating to specific aspects of the Council's involvement with the Forsyth Barr building before and after the earthquake of 4 September 2010 and the Boxing Day aftershock.

DOCUMENTS PROVIDED TO THE ROYAL COMMISSION

- **4.** The documents relating to this building that have been provided to the Royal Commission are:
 - (a) the Building Permit/Building Consent file for the Forsyth Barr building; and
 - (b) post earthquake files.

SCOPE OF EVIDENCE

- **5.** My evidence will address the following matters:
 - (a) The inspection and certification process that was in place at the time of construction of the Forsyth Barr building.
 - (b) Whether the Council observed debris in the seismic gaps in the stairs at the time of any inspections which took place during any office fitouts.

- (c) The steps the Council is contemplating as a result of the recommendations in the Department of Building and Housing Stage 1

 Expert Panel Report relating to stairs and Practice Advisory 13 issued by the Department of Building and Housing which relates to egress stairs.
- (d) The Civil Defence Emergency Management Response in relation to the building after the 4 September 2010 earthquake.
- (e) Council involvement with the building subsequent to the lifting of the state of emergency on 16 September 2010, but before 22 February 2011.

THE INSPECTION AND CERTIFICATION PROCESS (Paragraphs (a) and (b) above)

- 6. Council records indicate that the building permit to erect a retail and office building at 764 Colombo Street was approved on 9 May 1988 and uplifted on 19 May 1988. A copy of the permit approval and conditions are attached as Annexure "A".
- 7. A Design Certificate, dated 7 March 1988, was provided by Russell Arthur Poole for and on behalf of Holmes Consulting Group Limited in relation to the building. A copy of the Design Certificate is attached as Annexure "B". This Design Certificate covered the precast stair connections and layout, including the seismic gap.
- 8. As I was not employed by the Council at the time of construction of the Forsyth Barr building, my comments below concerning the Council processes followed at the time of construction are based only on a review of material on the Council's building file, the requirements of the Bylaw that was current at the time and from discussion with some building consent officers who were employed by the Council at the time.
- 9. In 1988 the relevant building bylaw was Christchurch City Council Bylaw 105 (1985). Clauses 2.5, 2.16, 2.19 and 8.2 of the Bylaw set out various relevant obligations for the owner, the builder, the engineer and the Council in relation to

the construction of a building. The relevant parts of these clauses are attached as **Annexure** "C".

- 10. Clause 2.15.2 of the Bylaw states that it is the duty of the owner of the land on which work is being carried out, the employer for whom work is being carried out, and the builder or contractor who is carrying out the work, to ensure that the provisions of the Bylaw are fully complied with in the commencement and execution of building work
- 11. Clause 2.16.1 states that there must be no departure from the permitted plans, drawings or specifications unless amended particulars describing any deviation are supplied to the Council, and the Council Engineer provides approval for the deviation.
- The requirements relating to inspections during construction are set out in clause 2.19. Other than clause 2.19.3, which refers to an inspection of the foundation excavations before the placing of any site concrete or part of the foundation structure, the clause does not specify any particular mandatory inspections. It appears that this was intended to be left to the discretion of the Council Engineers and the building inspectors who were carrying out the inspections.
- The Bylaw does include a number of clauses relating to supervision by the designer of specific elements of buildings during construction. Part 8 of the Bylaw relates to concrete elements in buildings. Clause 8.2.6 states that the designer of any concrete element must supervise the construction of the element. The clause states that supervision means general supervision only, which includes such periodic supervision and inspection as may be necessary to ensure that the structural work is executed generally in accordance with the design, as distinct from any special supervision that may be required for a particular situation.
- 14. Attached as Annexure "D" are the Council's inspection records relating to the original construction of the Forsyth Barr building. The records note that the owner's Engineer was "checking before all [concrete] pours", which may have included any concrete pours associated with the installation of the precast stairs. There is no specific record on the Council's files of the Council inspecting the stairs or seismic gaps in the Forsyth Barr building during or on completion of

construction. However, it is possible that additional inspections were carried out by the Council's building inspectors but not specifically referred to in the inspection records.

- 15. Attached as Annexure "E" is a document developed by staff in September 1989 which sets out general guidelines to Council building inspectors about the scope of inspections to be carried out for particular types of buildings. Stair construction is included as a "random inspection" item. The guidelines note that there will often be 3-4 random inspections for larger buildings. I understand that guideline documents such as this were developed from time to time to confirm the general processes expected of building inspectors. The Council has not however been able to locate any earlier guidelines relating to the period when the Forsyth Barr building was constructed.
- 16. Councils and their building inspectors are not required to be a Clerk of Works or project managers during the construction of buildings, particularly in relation to commercial buildings. The Office of the Ombudsman confirmed this position in a letter to the Council dated 18 December 1986 (Annexure "F").
- 17. In the case of the Forsyth Barr building, the Council would have been aware that an experienced national building contractor, Fletcher Construction Limited, had become involved with the building project at the time the building permit was issued. The Council was also aware that the design engineers (Holmes Consulting Group Limited) were a competent firm experienced in the design and supervision of multi-storey buildings.
- 18. Counsel Assisting the Royal Commission has asked the Council to provide evidence about whether debris was observed in the seismic gaps at the time of any Council inspections which took place during any office fit-outs. It is unlikely that an inspector of interior fit-outs would have had a chance to observe the seismic gaps in the stairs. The detail of the seismic gaps shows that a polyethylene tube and a flexible sealant thioflex was to be installed at the floor surface level and the floor was then covered in vinyl flooring material (detail 1 on sheet 217 of the original drawings, BUI.COL764.0003A.8). This would have precluded direct observation of the seismic gaps on the stairs when moving within the building.

19. The Council's files do not contain any record of construction debris or mortar being observed in the seismic gaps in the stairs either during construction or upon subsequent inspections relating to office fit outs.

RESPONSE TO DEPARTMENT OF BUILDING AND HOUSING RECOMMENDATIONS (Paragraph (c) above)

- 20. Counsel Assisting the Royal Commission has asked the Council to provide evidence about the steps the Council is contemplating as a result of the recommendations in the Department of Building and Housing Stage 1 Expert Panel Report relating to stairs and Practice Advisory 13 issued by the Department of Building and Housing which relates to egress stairs.
- 21. Practice Advisory 13 states that its purpose is to alert practising structural engineers assessing existing multi-storey buildings throughout New Zealand to issues relating to the safety of stairs. The Practice Advisory draws attention to the findings of the technical report prepared by Beca for the Department of Building and Housing, a related report prepared by Professor Des Bull for the Royal Commission, and a SESOC Practice Note regarding the "Design of conventional structural systems following the Canterbury Earthquakes".
- 22. In the "Actions to be taken" section of the Practice Advisory, the Department instructs territorial authorities to bring the Advisory to the attention of building owners when advising them of the need to renew their annual Building Warrant of Fitness. The Practice Advisory also instructs Building Consent Authorities to bring the Advisory to the attention of building owners when building consent applications are made for any work on a multi-storey building with sliding stair details.
- 23. The Council is accordingly sending out copies of Practice Advisory 13 with the Building Warrant of Fitness reminder letters which are sent to building owners annually. The Council will also draw the Advisory to the attention of any owners applying for building consents relating to work on multi-storey buildings with sliding stair details.

24. The Council is also aware that the Canterbury Earthquake Recovery Authority has commenced a process to require that owners provide a structural assessment of their buildings to allow continued occupation or reoccupation of the building. The structural assessment would include an assessment of any stairs in the building and this information is being shared with Council

EVENTS AFTER THE 4 SEPTEMBER 2010 EARTHQUAKE (Paragraphs (d) and (e) above)

- 25. The Council's records indicate that a Level 2 Rapid Assessment was undertaken by the property manager's structural engineer, Beca, on 5 September 2010 and the building was assessed as "Restricted Use Y2" (Annexure "G"). The assessment noted that the "stairs have generally settled and may be unstable". A further structural assessment was recommended and the form stated that "stair landing bulkheads need to be removed to allow investigation". The form also noted that there had been damage to a steel beam supporting the car ramp which needed to be propped.
- Beca carried out a further assessment on 6 September 2010. Beca's "Level 2 Seismic Assessment" is attached as **Annexure** "H". The Seismic Assessment notes that temporary propping had been carried out to allow pedestrian access to the carpark and that the stairs contained sufficient capacity for normal use. Beca therefore recommended that the building be changed to category "G2-Inspected" (**Annexure** "I") and it appears that the placard was accordingly changed.
- 27. The Council's records also include an undated Level 1 Rapid Assessment which recorded the building as "Inspected-Green" and noted estimated overall building damage as "none".
- **28.** The Council has no record of a cordon being required for the building at any stage.
- 29. The Council corresponded with various parties between 4 September 2010 and 22 February 2011 regarding pending applications for office fit outs on level 7 and 13 of the building. An application for an office fit out on level 7 was received

on 4 November 2010 (ABA10107585) and was later cancelled on 10 December 2010. An application for an office fit out on level 13 was received on 20 January 2011 (ABA10108665) and was issued on 22 February 2011.

The technical report prepared by Beca for the Department of Building and Housing refers to various other inspections and repair work undertaken in relation to the Forsyth Barr building between 4 September 2010 and 22 February 2011. The Council holds no records of inspections or repair works other than as referred to above.

Dated: 21 February 2012

Signed by:

Name: Stephen James McCarthy

Position: Environmental Policy and Approvals Manager



HRISTCHURCH

CITY WORKS AND PLANNING DEPARTMENT

P.O. BOX 237, CHRISTCHURCH, NEW ZEALAND

A Comment of the Comm	Payorer Debilon 20 Por (1 91)	BC	v Nay	198
	2008 162 T	re Building	Application No. 3755	
	Dear Sir/Madam, your application for			
	erect a recall and office buil	dinglac 764 Colombo	Street .	
	has now been approved. Before work and a building permit uplifted from the Water Connection Charge Subdivision Fee	e	12,588.86 17,160.00 307.50 191.40	be paid
Service F	Total GST Inclusive		Indemnity required 30,747.70	
	The Building Permit Application is a proposal.		e following amendments	to your
	Conditions attached			
Congress of the second	88		48	
	Note: A Reserve Contribution of notification is to be paid before	of 391,300 GST Incl ove the permit can	usive for a develops be issued.	ent
	This notice of approval supercr	ides the former app	roval natice dated 2	6 April (985)
	SNEE			
	If the permit is not uplifted within three months disposed of.		faithfully 	he plans
	co. Payater Davelopments Acd ED Now 988 CURTESCHORCH	Aerrea I (a 20 Box 1527 CARUS OCHURO	10 No. 7	

BUILDING PERMIT CONDITIONS FOR 764 COLOMBO STREET

- The Engineer responsible for the structural design (including the foundation system) confirming in writing that the intent of his design has been complied with before the building is occupied.
- 2. Details of the verandah transition being submitted for approval.
- 3. The North East down pipe discharging into the sump in the side channel via a separate pipe.
- 4. The ROW levels, having a sump level of RL 13.950, and the pavement graded toward the sumps at 1%.
- 5. That in the event that reflected light from the verandah is established as a nuisance it shall be the responsibility of the owner to abate that nuisance. Failur to abate the nuisance would be considered sufficient reason for the Council to requir the removal of the verandah as allowed by Clause 3.9 of By Law No 105 (1985).
- 6. Any advertising signs being the subject of a separate permit application.
- 7. The street number No 764 being clearly displayed prior to the building being occupied.
- 8. One commercial vehicle extension 2.5m long being installed.
- 9. All areas used by motor vehicles, being formed and sealed.
- 10. Where applicable all stormwater from buildings, concrete and/or sealed areas bein piped to side channel and pipes being kept clear of vehicle crossing.
- 11. A separate drainage permit is to be obtained from this office and an approved storm water disposal system is to be installed within twenty eight days of the roof being fitted.
- 12 All domestic water pipes from meter being installed by Craftsman Plumbers.
- 13. Water connections and Fire Service supply be applied for and paid separately.
- N.B. Your attention is drawn to the Christchurch Drainage Board's requirements attached to the plans.

CHRISTCHURCH CITY COUNCIL
Approved Subject to the By-Lave

2, 6, APR 1988

Hull
For Engineer

WIT.MCC.0029A.11

DESIGN CERTIFICATE

То.	THE CHIEF BUILDING INSPECTOR, CHRISTCHURCH CITY COUNCIL,
	CHRISTCHURCH CITY COUNCIL,
	CHRISTCHURCH
	reLANDMARK TOWER, CHRISTCHURCH (Project Title)
I,	RUSSELL ARTHUR POOLE , being a Registered Engineer
	holding a current Annual Practising Certificate and being a Member of the Association of Consulting Engineers New
	land and aNNXXXXI/Director of HOLMES CONSULTING GROUP LIMITED
	, hereby certify that:
8	This Consulting Practice has been engaged to design and execute the appropriate engineering calculations for
	the podium structure and superstructure for a 20 storey tower block
	(Description & Type of Structure)
	proposed to be constructed for <u>Paynter Holdings Limited</u> (Name of Owner)
	located at the south east corner of Colombo and Armagh Streets, Christchurch
	(Street Address)
	onLots 1 & 2, D.P. 8856, Lots 1 & 4, D.P. 14231 (Legal Description of Site)
•	The community 61
	drawing schedule and dated 4.3.88 and Specification Sections numbered 4.0,6.0,6.1,6.2,6.3,6.4,6.5,6.6,7.0,8.0,9.0 adequately illustrate the design of the structure.
3	I have exercised reasonable control over the design processes for the works defined above which have been designed
	in accordance with sound and widely accepted engineering principles to support the loads specified in
	NZS 4203 : 1984
	and various aspects of the design are in accordance with the following relevant authorities
	refer Design Features Report No.2 dated 4.3.88
•	I believe the stresses in the various materials of construction and force resisting elements of the structure including the
	foundation strata under the above loads are such as to ensure the safety and stability of the structure if the works are
	constructed in accordance with the above described drawings and specifications.
The	name and qualifications of the principal structural designer are
	refer Design Features Report No.2 dated 4.3.88
Sign	ature of ACENZ Member. R. Q. Pooll . Date 7. March 1988
	essional Qualifications B.E. (Hons), M.S. (Calif), M.I.P.E.N.Z. Registration No. 3950
	and on behalf of HOLMES CONSULTING GROUP LIMITED
Add	ress61 Cambridge TerraceASSOCIATION OF
	P.O. Box 701, CONSULTING ENGINEERS NEW ZEALAND
	CHRISTCHURCH A Division of the Institution of Professional Engineers New Zealand

2.4.2 In addition to the application form required under 2.4.1, where the proposed building or part of the building is the subject of specific design, the Engineer may require the applicant's designer to complete and sign additional forms as applicable.

Note: Such forms include a Structural Design Features Summary and a Fire Safety Features Summary.

2.5 CONTENTS OF APPLICATION

- 2.5.1 Every application shall set out:
 - (i) The legal description and particulars of the site.
 - (ii) The full names and addresses of the owner of the site, the employer for whom the work is being done, the builder and, where necessary, the designer.
 - (iii) The locality of the proposed work.
 - (iv) The estimated value of the work.
- 2.5.2 Where not clearly shown or stated in the drawings and specifications required under 2.6, the following information shall be given as a signed statement on, or attached to, the application form:
 - (i) The proposed use or occupancy of every part of the building.
 - (ii) The nature of the ground on which the building is to be placed and the subjacent strata. Data from investigation and tests shall be sufficient to demonstrate to the Engineer that the strata will support the building without detrimental settlements. For one storey residential buildings the observed behaviour of adjacent similar buildings may be accepted as sufficient demonstration.
- 2.5.3 For buildings for which specific design has been necessary and to assist local authority officers to obtain information, or have queries answered by the appropriate person or persons to speed up the issue of a permit a statement of responsibility for documentation shall be supplied containing the name of the person or organisation directly responsible for each of the following:

Principal Consultant
Architectural Drawings
Structural Engineering Design
Structural Engineering Drawings
Compliance with town planning requirements
Compliance with fire safety requirements

2.5.4 For a building required by this Bylaw to be the subject of specific design, the applicant may, and if the Engineer so requires the applicant shall, submit a structural design features summary or a fire safety features summary or both.

2.6 PLANS AND SPECIFICATIONS

2.6.1 General

- 2.6.1.1 Together with every application there shall be submitted to the Engineer, in duplicate, detailed plans, elevations, cross-sections, and specifications, which shall together furnish complete details of design, and the qualities and descriptions of construction materials and workmanship, and which shall be of sufficient clarity to show, to the satisfaction of the Engineer, the exact nature and character of the proposed undertaking and the provision made for full compliance with the requirements of this Bylaw and any other relevant bylaw in force at the time of the application.
- 2.6.1.2 In addition to the structural details required, the plans and sections shall show every floor of the proposed building, the dimensions, position and intended use of the rooms, and the situation of the flues, fireplaces, stoves and chimneys. The plans and sections shall further show the levels of all floors and the ground levels, both existing and proposed, adjoining the building, to proposed means of water supply and also the means proposed to deal with all stormwater and drainage.
- 2.6.1.3 All drawings shall be drawn accurately, clearly and indelibly at an appropriate scale with printing of a size appropriate for microfilm copying, and shall be reproduced upon cloth or approved paper.
- 2.6.1.4 When lodged, the application and drawings and other documents accompanying the application shall become the absolute property of the Council.

2.6.2 Structural Details

2.6.2.1 For every building, except as set out in 2.7, with a framework or bearing-wall system wholly or partly subject to structural design under this Bylaw, and in every other case where the Engineer may reasonably require it, there shall also be submitted to the Engineer such stress diagrams, computations, and other data as are necessary to show that the design complies with all the requirements of this Bylaw and any other relevant bylaw in force.

2.15 EFFECT OF PERMIT

- 2.15.1 Every permit shall be deemed to operate as a permit to erect on the site shown in the application, a structure as therein described, subject to compliance in every respect with the requirements of this Bylaw.
- 2.15.2 It shall be the duty of the owner of the land upon which any work is being or is proposed to be done and of the employer for whom work is being or is proposed to be done and of the builder, contractor or person in charge who is doing or proposing to do such work, to see that the provisions of this Bylaw are fully complied with in the commencement and execution of such work and all such persons shall be liable for any breach here of.

2.16 <u>DEVIATION FROM PERMIT</u>

2.16.1 After a permit has been issued no departure shall be made from any of the particulars supplied upon any plan, drawing, specification, or document deposited with the application upon which the permit was issued, unless amended particulars clearly describing the intended deviation are supplied to the Engineer at his office, and the Engineer shall have given his written approval of the deviation.

2.17 PERMIT NOT TO BE DEEMED TO AUTHORISE OTHERWISE THAN IN ACCORDANCE WITH LAW

2.17.1 No permit, permission, certificate or authority expressed or implied, given by the Council or by the Engineer or other officer of the Council, shall authorise any building to be erected otherwise than in accordance with law.

2.18 PERMIT VOID IF WORK NOT COMMENCED OR COMPLETED

2.18.1 Any permit issued for building construction shall be deemed to expire and be void if work of construction is not commenced thereunder within the period of six calendar months from the date of issue thereof:

All the works covered by the permit shall be completed within the time stated by the Engineer in such permit.

Provided that the Engineer may from time to time by writing under his hand grant an extension of the aforesaid periods should he consider the cause of delay to warrant such extension, and every such extension shall have the effect of continuing the validity of the permit for the period or until the date set out in the extension, but not in any case for a period exceeding twelve months from the day the extension was granted.

2.19 INSPECTION

- 2.19.1 It shall be a condition of every permit issued under this Bylaw that the Engineer or any Inspector appointed by the Council shall be entitled at all times during the normal working hours or while work is being done, with such assistants as he may think necessary, to enter the premises and inspect the whole or any part of the work.
- 2.19.2 The owner, the employer for whom the work is being done, the builder and every person engaged in the erection of a building, shall give every reasonable facility to an Inspector and his assistants to inspect the whole or any part of the work.
- 2.19.3 The builder shall provide facilities for the inspector to examine the foundation excavations before the placing of any site concrete or of any part of the foundation structure. In addition, the builder shall give the inspector specific notice as defined in 2.19.5 before any structural concrete is placed in the excavation to enable the inspector to examine all reinforcing steel.
- 2.19.4 If the Engineer should require that inspection be made of, or before, other particular operations, for example the placing of concrete in key parts of the structure and the closing in of timber framing, he shall so notify the builder in writing or endorse his requirements on the drawings at the time of issue of the permit. The builder shall give the inspector specific notice of such operations.
- 2.19.5 For the purposes of this Clause, specific notice is defined as being not less than 24 hours notice, which time shall include one complete working day as normally worked by the Council staff.
- 2.19.6 In addition, the Engineer may in relation to any building do anything that he considers reasonably necessary to enable him to determine whether or not the requirements of this Bylaw have been complied with.
- 2.19.7 The Engineer may, if satisfied that any building is being erected in contravention of this Bylaw, by notice in writing:
 - (i) given to the builder, require the builder to stop building operations to such extent as the Engineer thinks necessary in each case until the Engineer is satisfied that the builder can and will comply with the provisions of this Bylaw, and/or
 - (ii) given to the owner, require that the owner cause building operations to stop to such extent as the Engineer thinks necessary in each case until the Engineer is satisfied that the builder can and will comply with the provisions of this Bylaw,

(iii) given to the employer for whom work is being done, require that the employer cause building operations to stop to such extent as the Engineer thinks necessary in each case until the Engineer is satisfied that the builder can and will comply with the provisions of this Bylaw.

and every person failing to comply with or observe any such notice shall be guilty of an offence against this Bylaw.

2.19.8 If work is commenced contrary to any provision of this Bylaw the person commencing or doing that work, or the owner or employer authorising the commencement or the carrying out of the work shall, on receipt of notice in writing from the Engineer carry out or cause to be carried out any works as may be required by the Engineer including the removal, alteration or pulling down of the said work. Any person who fails to comply with any such notice shall be guilty of a continuing offence against this Bylaw.

2.20 PERMISSION TO USE ROAD

- 2.20.1 The applicant for a building permit shall, wherever work is adjacent to a road or public space, also make application to the Engineer for permission to enclose, cover over, or use such portion of the road or public place as may be necessary for the execution of the work or in the interest of public safety.
- 2.20.2 The application shall be made at the office of the Engineer on a form provided for that purpose. It shall be accompanied by such further particulars as may be required by the Engineer who may in granting approval impose such conditions as he thinks fit, having particular regard to the safety and convenience of the public.
- 2.20.3 It shall be an offence for any person to erect or authorise the erection of any scaffolding, gantry, hoarding, or barricade on a road or any public place in connection with the erection, alteration, repair, renovation, or demolition of any building or structure unless approval has first been obtained from the Engineer and any deposit or fee required in connection therewith has been paid or agreed to in writing.
- 2.20.4 Nothing in this Clause shall relieve any person from the responsibility of providing the necessary safeguards to protect the users of any road or public place from danger due to any excavation made or obstacle placed or dropped by him.

2.21 EXCAVATIONS ADJACENT TO ROADS

2.21.1 Where building foundations require an excavation to be made adjacent to the road, the builder shall take such precautions deemed necessary by the Engineer to ensure that the road is maintained in a stable and safe state. The walls of any such excavation shall be supported by a structural system within the property.

PART 8 CONCRETE

8.1 OBJECTIVE AND APPLICATION

8.1.1 Objective

This part of the Bylaw sets down the design and construction requirements for buildings or parts of buildings constructed of concrete.

8.1.2 Application

Specific calculations to establish that a building complies with the structural design requirements for this Bylaw shall not be required for concrete buildings that comply in all respects with a recognised code of practice for such buildings. Such a code of practice shall stipulate limitations to the scope of buildings to which it applies.

8.2 GENERAL CRITERIA

8.2.1 Design Loads

All concrete elements shall be designed to resist the loads specified in Part 11 of this Bylaw.

8.2.2 Design Method

"Detailed structural design of buildings or elements of buildings shall be in accordance with methods that:

- (a) Admit of a rational analysis appropriate to the established properties and behaviour of all the constituent materials and elements, and
- (b) Are approved by the Engineer as being appropriate to achieve adequate strength, serviceability, and where necessary, ductility to sustain the various loading conditions required under Part 11.

8.2.3 Serviceability

8.2.3.1 Deflection

Members subject to flexure shall be designed to have adequate stiffness to limit deflections or any deformations which may adversely effect the serviceability of the structure.

8.2.3.2 Cracking

The cracking of concrete under service load shall be limited so that appearance or durability of the structure is not adversely affected having regard to the requirements of the particular scheme.

8.2.3.3 Creep

Consideration must be given to the long term effects of concrete creep and stress adjustments due to temperature and repetitive loadings.

8.2.4 Prestressed Concrete

- 8.2.4.1 All structural elements of prestressed concrete shall be designed to comply with the strength and serviceability requirements of this Bylaw. The design shall consider all critical stresses in the structural element from the time of initial stress application to the stresses on the structural element in the final structure.
- 8.2.4.2 Stress concentrations adjacent to the anchorage elements must be considered at design stage and differential movement between prestressed elements and other structural elements must be allowed for.

8.2.5 Design Certification

The designer of any concrete element shall provide calculations which establish that the concrete element has been designed in accordance with the requirements of this Bylaw or alternatively certify in an approved manner that the design method conforms with the requirements of a recognised code of practice.

8.2.6 Supervision

The designer of any concrete element shall supervise the construction of that element or arrange to have the work supervised by an agent appointed by him. Supervision in this context means general supervision only and includes such periodic supervision and inspection as may be necessary to ensure that the structural work is executed generally in accordance with the design as distinct from any special supervision that may be required for a particular situation.

8.3 MATERIALS AND WORKMANSHIP

8.3.1 Materials

All concrete aggregate, cementitious materials, reinforcement, admixtures and miscellaneous materials used in the construction of concrete elements shall be manufactured in accordance with the requirements of a recognised New Zealand Standard.

8.3.2 Workmanship

The workmanship employed in the construction of concrete elements shall be in accordance with a recognised code of practice which will ensure desirability and weatherproofing appropriate to the intended use of the building.

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BUILDING PERMIT RELATED INSPECTIONS

Residential (Dwellings, Flats, accessory buildings)

Industrial (Factories, Warehouses etc)

Commercial (multi storey offices, retail shops etc.)

Pre Permit Site Inspection:

(application lodged)

- 1) true representation of the site
- 5) drainage outfall
- 2) topographical features
- 6) access

3) boundary definition

7) trees (protected)

4) ground conditions

8) minimum site levels

Post Permit Inspections:

<u>Foundations</u> - (Mandatory) (24 hours notice required before placing concrete) Foundation excavation - depth - bearing - reinforcing steel - siting requirements - floor level.(often at least two visits required to inspect staged progess).

Random inspection (appropriate to the building design)

Erection of timber frame - concrete panels - block walls - structural integrity - bracing - veneer construction - concrete floors - etc.

Pre lining fixing (mandatory) (compliance with approved plans)

- completed timber frame - bracing - insulation - ventilation - primary connections - moisture check of timber frame - etc. (Often at least two inspections to ensure all features are inspected).

Random inspection

fire safety requirements - separation between floors/occupancies - appropriate linings - duct penetrations - stair construction - guard rails - fire and smoke stop door requirements - access for disabled etc. (Often at least 3-4 inspections on larger buildings).

Additional Inspections: (some not permit related)

verandahs - hoardings - scaffolding on legal road - signs - demolition of buildings - annual fire safety and egress inspections of licenced buildings - unit and flat plan compliance etc.

Final Inspection: (Building Bylaw requirements complied with)

to ensure - All health and safety requirements met.

- Insulation envelope complete.
- Other acts regulations where applicable.
- Job record completed and filed.

A 22/9/85

REF: 4/1

Celephone: 739 533 P.O. Box 10152 The Cerrace, Wellington ()ffice of the Ombudsman
4th floor
163-165 The Terrace
Wellington

- COPY-

18 December 1986

Dear Mr Williams,

re: Building Inspector Liability

Further to my letter of 3 December, I advise that I have analysed the thirteen complaints received by the Office of the Ombudsman from owners about the issuing or enforcing of building permits in relation to the complainants own property.

The major theme running through the cases is the false expectation that the function of the inspector is to act as clerk of works or architect and to supervise construction closely. In the words of the late Lester Castle in one case (C971), the expectation was that the inspector would "ensure that the builder is complying with the instructions and expectations of the property owner employing him". Regularly Ombudsmen have had to disabuse complainants of this belief and to affirm that the role of the inspector is to ensure that the Council's by-laws are observed. To the extent that many complaints are caused by this false expectation, it would be in your and other local authorities' interests to disabuse the public of it.

Other significant points arising from a consideration of the complaints are that:

- (a) Deficiencies in building operations often involve failings by a number of people or organisations: the builder (or plumber, electrician etc.), the architect or engineer, the local authority or the owner. When, as is usually the case, only one of these is within the Ombudsman's jurisdiction (the local authority) it would not be for the Ombudsman to allocate responsibility, though there may be some cases where the facts are such that an assessment of the overall loss caused by a local authority could be made.
 - (b) Building permits often have conditions materially affecting the owner who is unaware of the

conditions. Had the owner known of them the owner may well have been in a position to take steps to ensure satisfactory work by the builder.

It appears to me, and you will recall my mentioning this, that many problems could be avoided by bringing owners into the actual process of applying for and uplifting building permits. Owners need not be required to apply for or uplift permits, but when they do not do so I suggest that an additional copy of the permit be sent to the owner him or herself, attached to which would be an explanation of the requirements for inspection and the functions of the inspector. Where an owner applies for or uplifts the permit, that explanation should be attached to the permit or copy application. The ideal solution, in my view, would be to ensure that the owner applies for and receives the permit after certifying that he understands the conditions and the role of the building inspector. That however, while ideal, may have some practical problems.

Yours sincerely,

Sgal

John Robertson, Ombudsman.

Mr C.H. Archer
Secretary/Treasurer
Municipal Association of NZ
PO Box 1214
WELLINGTON

Copy for your information.

RECEITES

John Robertson,
Ombudsman.

15/T2/86

Christchurch Eq RAPI	D Assessment Form - LEVEL 2

Inspector Initials Territorial Authority		—BECA ourch City	Date Time		5/4/		Final	Post (e.	ing (೧೭ g. UNSAFE) (ಓ	stricted, se (YZ)	
Building Name	Forsyt	a Barr		_							
Short Name	5/11			_Тур 	e of Constr	uction					
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CDS Co anding/	!	V			Steel fram	ne			Unreinforced maso	nry	
GPS Co-ordinates	Sº	E°			Tilt-up cor	ncrete			Reinforced masonr	y	
Contact Name	Collie	<u>ws</u>			Concrete	frame			Confined masonry		
Contact Phone					RC frame	with mason	ry infill		Other:		
Storeys at and above	F . F	Below		Prim	ary Occupa	incy			/		
ground level	17	ground level	Addie:		Dwelling				Commercial/ Offices	;	
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Overall Hazards / Dama	age	Minor/None	Moderate		Severe				Comments		
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Building or storey leaning						seth	ed -	and	(mae	be	_
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Ground movement, settleme	ent, slips										-
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Structural Hazards/ Foundations	Damage	Minor/None □	Moderate	Severe	Comments
Roofs, floors (vertical lo	ad)			. Ц П	
Columns, pilasters, corb	,	☐ [7]			
Diaphragms, horizontal I	bracing				
Pre-cast connections			다		1000 h 0
Beam			П		- Apparent Damage to base of sta
Non-structural Hazar	ds / Damage		السما		Sheet Been supporting car ramp Sheared through welchan
Parapets, ornamentation		1			Sheared through welded Connection ~ 30 mm settlement
Cladding, glazing		9			Settlement
Ceilings, light fixtures					Minor domage to roof place
Interior walls, partitions				\Box	Minor danage to reset their
Elevators		O N/A			Not Tarall
Stairs/ Exits			П		Not Inspected
Utilities (eg. gas, electricity	/, water)				Starr settlement ~ 40mm under
Other		$\overline{\Box}$	$\bar{\Box}$	П	Bupperts at
Geotechnical Hazards	/ Damage	tomand	hand .		
Slope failure, debris					
Ground movement, fissures	3				
Soil bulging, liquefaction		Q ·			
	Hair Upagan Beam		, gree	en' emp	needs propping
Usability Category					
Damage Intensity	Posting	Usability	Category	<u> </u>	Remarks
Light damage	Inspected	G1. Occupiable, no investigation re	immediate further		Nemarks
Low risk	(Green)	G2. Occupiable, rep	airs_required		7.
	Restricted Use	Y1. Short term entry	Commission of the Commission o		
Medium risk	Yellow)	Y2. No entry to parts demolished	until repaired or		
Heavy damage		R1. Significant dama strengthening po	ge: repairs, essible		
U	nsafe Red)	R2. Severe damage:	demolition likely		
		R3. At risk from adjac from ground fallu	ent premises or re		

Sketch (optional)	Copie I		T		T									
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Provide a sketch of the entire building or damage points. Indicate damage points.							*			+	\dashv			
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3 Inspection ID: _____ (Office Use Only)





764 Colombo St

Forsyth Barr House - Level 2 Seismic Assessment

PWPi 807436

By:

Peter Beazley, Rob Jury

Date:

6 September 2010

Subject:

Forsyth Barr House Level 2 Seismic

Our Ref:

5320000

LOTI DP SUSO7

Level 2 Seismic Assessment

Assessment

Scissor stair flights

Following the first level 2 assessment completed on 5 September 2010, further access was required to assess the damage to the scissor stair around the landing area as noted in the assessment. A contractor was brought in to assist with removal of the stair bulkhead on the level 7 landing, which we believed to be the most damaged stair. The following points were observed:

- Beam and connections supporting the base of the stair (~380-PFC) appeared to be in good condition.
- Fire proofing material was intact.
- Flexural cracking in the base of the lower knee of the scissor flight has resulted in residual deformation of the stair, with the stair settled by ~40mm at that location.

The majority of the stair flights had similar damage, although it is believed that level 7 was the most damaged and therefore representative of the remaining stairs. Although the deformations in the stairs are significant, we believe that the stairs still contain sufficient capacity for normal use.

Car Ramp	
----------	--

has been provided As noted in the Level 2 assessment, a failed weld in the beam supporting the car ramp on Level 2 has failed resulting in ~40mm of settlement. Propping will be required from the beam down to the level 2 slab, then also down from level 2 to level 1 slab.

vehille ares & the supported ranks Recommendations

- Cleaning of loose debris from the seismic separations at the base of all stairs.
- Propping of Car ramp beam to level 2 slab below, and a further prop from that slab to the level1 slab below that.
- * the sciser stars are analose for nome after health and sofety smo) have been addressed
- should be cleared from the le 10080 delais servi separated gat at the end of exact starfly to allow moment as arranally standed.
- The convert temporary propping to the compare and bean at level I will allow pederthan arress BECO but not vehile acces to the september of Pege 1

PBRJ61

File Note



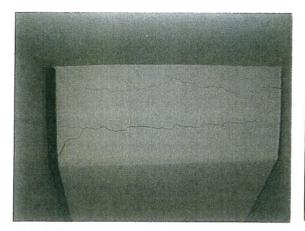




Photo 1. Flexural cracking in base of stair

Photo 2. Spalling of concrete at stair knee.







Photo 4. Broken Weld



' I '

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	" Chr	istchurch Eg	RAPID A	Assessmen	it Form - LEVEL 2	
	Inspector Initials Territorial Authority	PLB —BECA Christchurch City	. Date	5/9/10	Final Posting Rest	
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	GPS Co-ordinates Contact Name	so Eo		Tilt-up concrete Concrete frame	Reinforced masonry Confined masonry	attache
	Contact Phone Storeys at and above ground level	Below 17 ground	Prin	RC frame with mason		
	Total gross floor area (m²)	level Year built		Dwelling Other residential	Commercial/ Offices Industrial	
	No of residential Units Photo Taken			Public assembly School	Government Heritage Listed	6
(Yes No.		Religious	☐ Other	
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	Building or storey leaning			Stan		<u> </u>
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	Overhead falling hazard	, E		L un	stable.	
	Ground movement, settlement,			Ц		
			9	<u> </u>		
	Neighbouring building hazard					
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and a second	Record any restriction	n on use or entry:			RED R1 R2 R3]
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7.1-	Structural Hazards Foundations	s/ Damage	Minor/None	Moderate	Severe	Comments
	Roofs, floors (vertical	load)				
		Columns, pilasters, corbels				
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	Pre-cast connections	J				A
	Beam					- Apparent Damage to base of ste
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	Parapets, ornamentation	-			П	Sheared through welded Connection ~ 30 mm settlement
	Cladding, glazing		<u> </u>	n		settlement
	Ceilings, light fixtures		P	П		MA 1
	Interior walls, partitions			П		Minor damage to roof thes
	Elevators		O N/A	/		A) 1 5 1 1
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(Slope failure, debris	. •			П	
	Ground movement, fissures					
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	Light damage	Inspected	G1. Occupiable, no investigation re	immediate further	r	Remarks
	Low risk	Low risk (Green)		airs required		
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	Heavy damage		R1. Significant dama strengthening po	ge: repairs, ossible		
		Unsafe (Red)	R2. Severe damage:	demolition likely		
			R3. At risk from adjac from ground failu	ent premises or re		

2	Inspection ID:	(Office Use Only
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Sketch (optional)						7									
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Sketch (optional) Provide a sketch of the entire building or damage points. Indicate damage points.	- 1							_	_	+	_	\dashv			
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3 Inspection ID: _____ (Office Use Only)



Forsyth Barr House - Level 2 Seismic Assessment

Ву:

Peter Beazley, Rob Jury

Date:

6 September 2010

Subject:

Forsyth Barr House Level 2 Seismic

Our Ref:

5320000

Level 2 Seismic Assessment

Assessment

Scissor stair flights

Following the first level 2 assessment completed on 5 September 2010, further access was required to assess the damage to the scissor stair around the landing area as noted in the assessment. A contractor was brought in to assist with removal of the stair bulkhead on the level 7 landing, which we believed to be the most damaged stair. The following points were observed:

- Beam and connections supporting the base of the stair (~380-PFC) appeared to be in good condition.
- Fire proofing material was intact.
- Flexural cracking in the base of the lower knee of the scissor flight has resulted in residual deformation of the stair, with the stair settled by ~40mm at that location.

The majority of the stair flights had similar damage, although it is believed that level 7 was the most damaged and therefore representative of the remaining stairs. Although the deformations in the stairs are significant, we believe that the stairs still contain sufficient capacity for normal use.

Car Ramp	(Temporary	- has been provided
	t, a failed weld in the beam supporting	
has failed resulting in ~40mm of se level 2 slab, then also down from le	ttlement. Propping will be required from vel 2 to level 1 slab.	the beam-down to the A
		will allow podestina

- Cleaning of loose debris from the seismic separations at the base of all stairs.
- Propping of Car ramp beam to level 2 slab below, and a further prop from that slab to the level1 slab below that.
- the scinor starts are analost for round use after treath and sofety smo) that been addressed.

 The loose delais started be cleared from the service separates got at the end of each startly to allow moment as arranally thereod.

 The convert temporary propping to the car produce camp toom at level I will allow peckerture arress.

 BECO but not vahile areas to there experience of property.



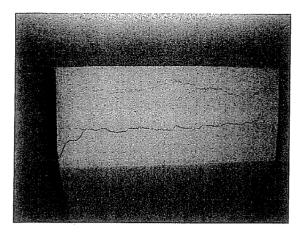




Photo 1. Flexural cracking in base of stair

Photo 2. Spalling of concrete at stair knee.

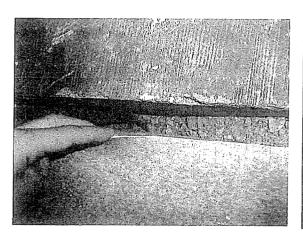


Photo 3. Debris in Seismic separation

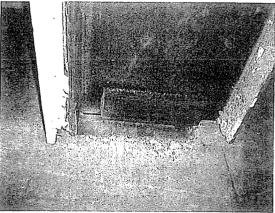


Photo 4. Broken Weld