

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 LEO FRANCIS O'LOUGHLIN IN RELATION TO THE
CTV BUILDING**

HEARING BEGINNING: 25 JUNE 2012

1. My name is Leo Francis O'Loughlin. I am a Building Consent Officer for the Christchurch City Council ("Council"). I have worked for the Council since November 1983. Prior to this I worked as a foreman for JJ Construction for two years. I had also previously worked as a foreman for T H Alexander for 13 years and as a foreman for Robin Smith Limited for 2 years. Prior to this I was an Apprentice Carpenter and then foreman for R L Kennedy Limited for 10 years. My experience as a foreman included the construction of commercial buildings, schools, hospitals, retirement homes and residential properties.
2. I have a NZ Certificate in Building Inspection, a NZ Certificate in Building and an Advanced Trade Certificate in Carpentry. I am a member of the Building Officials Institute of New Zealand and the New Zealand Institute of Building.
3. My first role at the Council, until November 1984, was as a Building/Egress Inspector. This work involved annual inspections of Retirement Homes, Public Buildings, Licensed Premises, Heating appliances and processing of Building Permits for egress requirements. From November 1984 to June 1985 I was a relieving Building Inspector. In this role I would fill in for other Building Inspectors who were on leave, process building permits and carry out inspections for Unit Title certification.
4. From June 1985 to October 1986 I worked as a District Building Inspector for the City Central area, responsible for the area between the "four avenues". On 31 October 1986, I transferred to the role of District Building Inspector for Papanui. Then in 1990 I became the District Building Inspector for the Shirley area. I have since had various building inspection and building consent roles, all with the Christchurch City Council.
5. When I was working in the City Central area I reported to the Chief Building Inspector. The Chief Building Inspector reported to Mr Bryan Bluck, the Chief Buildings Engineer.
6. My tasks as a District Building Inspector included receiving and processing building permit applications and carrying out building inspections for construction work, fit outs and alterations of commercial and residential buildings.

7. In my role as a District Building Inspector for the City Central area I received the building permit application for the construction of an office building at 249 Madras Street. This is the building which later became known as the CTV building.

My Role in Relation to the CTV Building Permit Application

8. At the time the CTV building permit application was made, the general process in the City Central area was that the application and supporting documents would be handed in to the Council's public counter. The application would be assigned a permit number and a permit coversheet would be attached. The file would then be referred to a District Building Inspector.
9. My usual process when I received a building permit application at the time was to review the documents provided with the application, to determine whether any information was missing. If I thought that further information was needed, I would request this from the applicant and the information would be added to the permit application file when it was received.
10. The Council's property file for the CTV building includes a letter from me to Alun Wilkie Associates dated 21 July 1986 (**BUI.MAD249.0141.13**). This is an example of a letter asking for further information from the building permit applicant.
11. I would also review parts of the plans to make sure that they complied with the relevant Bylaw requirements. This checking was limited to matters such as architectural features (for example, the detailing for handrails, stair treads and ventilation). If the application related to the construction of a building, I would also check the siting of the building on the plans. All applications for the construction of multi-storey or complex single storey buildings would be sent to the Council's Structural Checking Engineer. The engineer would review any structural components, it was not part of my role to check these details.
12. I would then send the application to the relevant units of Council that needed to review it. The first page of the processing checksheet had a box at the bottom for each of the units to sign when they had checked the relevant parts of the application. If the units needed any more information from the applicant, they would usually write to the applicant directly to ask for this. Any comments that

the units had about the application, and any recommended permit conditions, were written on the second page of the checksheet.

13. A copy of the checksheet for the CTV building permit application has been provided to the Royal Commission (**BUI.MAD249.0141.8** and **BUI.MAD249.0141.4**). The abbreviation "STR" on the first page of the processing checksheet refers to the Structural Checking Engineer. I believe that it is Graeme Tapper's signature in this box on the CTV processing checksheet.
14. The other abbreviations on the checksheet refer to administration staff (OFF) (who signed on receipt); the Design Office (DES), who would check features such as ground and floor levels; the Survey Office (SUR); the Egress/Fire Safety Officer (EGR); Town Planning (TP); the Drainage Team (DRN); the Street Works Team (SW); the Traffic Engineering Team (TE); the Health Inspector (HI); and the Water Works Inspector (WWI). The abbreviation "DBI" means the District Building Inspector. It is my signature on the CTV checksheet in the District Building Inspector box.
15. When each of the relevant units had signed the processing checksheet, the permit application would be returned to me and I would prepare a handwritten list of draft building permit conditions. I would select relevant conditions from a standard list and add any conditions recommended by the other units of Council that had checked the application.
16. The handwritten list of conditions that I prepared for the CTV building permit has been provided to the Royal Commission (**BUI.MAD249.0141.11**). The numbers on the list which are not circled, for example the 18 next to condition number 10, are codes for the standard conditions. Condition 12 is an example of a condition recommended by another unit of Council. The Health Inspector has made the comment, "*all noise producing plant & equipment to be suitably acoustically shielded so as not to cause a nuisance to neighbouring properties*" and I have included this in the list of conditions.
17. I would then prepare the whole application file for review by the Chief Building Inspector. Once the application file and the draft conditions had been reviewed and approved, the conditions would be typed up, the plans would be stamped and a permit approval and building permit would be prepared. The applicant

could then uplift the permit from the Council, once the permit fee had been paid.

18. The building permit approval (**BUI.MAD249.0141.6**), plans (**BUI.MAD249.0284**) and conditions (**BUI.MAD249.0141.10**) for the CTV building have all been signed by Maurice Faulkner. I believe he was the Chief Building Inspector at the time. Mr Faulkner is now deceased.

The Building Inspection Process

19. At the time the CTV building was constructed, Council building inspectors recorded the details of building inspections on microfiche cards. I have reviewed the microfiche inspection records for the CTV building (**BUI.MAD249.0117**). I believe that the handwriting on the cards belongs to Mr Kevin Sutherland, who was another building inspector working in the City Central team. Mr Sutherland is now deceased. I recall that he was an experienced building inspector who had worked in the building trade before joining the Council.
20. In the late 1980s Council building inspectors carried out a mandatory building inspection before foundations were poured and before any linings were fixed. The building contractors should also have been notifying the Council before any other major concrete pours, such as for columns and floor slabs. Otherwise the timing of building inspections was largely at the discretion of the building inspector. The inspector would call in on a regular basis to review any progress on the building work.
21. If an experienced design engineer was in charge of the building site, then my role as a Council building inspector would include checking that the engineer was carrying out appropriate supervision in relation to the building work. I would check this by reviewing the engineer's site reports. I would also usually carry out a specific inspection prior to the pouring of foundations, to check the siting of the building; inspections before any major concrete pours; an inspection prior to the fixing of wall linings; an inspection of any blockwork and also random inspections to review features such as guard rails, plumbing and drainage, disabled access, exterior cladding flashings, roof flashings and stair construction.

22. Mr Sutherland's notes on the CTV microfiche cards are similar to those which I would have written when carrying out inspections for other projects like the CTV building.
23. There are eleven dates recorded for inspections on the microfiche cards, although the final date of 15 April 1988 has no entry next to it. This number of inspections is reasonably low for a building the size of the CTV building, although I note that at that time inspections were occasionally carried out that were not recorded on the microfiche cards.
24. There is an approximately 5 month gap in inspections between 31 March 1987 and 20 August 1987. I cannot explain why this would have occurred if construction was continuing during this period.
25. I would normally expect to have seen an entry on the microfiche cards recording a final inspection by the building inspector. The notes for the 22 February 1988 inspection record that handrails and hardware are being finished, which suggests that the building was nearing completion at that stage, and as I mentioned, there is an entry on 15 April 1988 with no notes recorded against it.
26. I have reviewed the Guidelines for Building Permit Related Inspections referred to in Mr McCarthy's evidence to the Commission. Although the Guidelines are dated after the building permit for the CTV building was issued, they provide a reasonable indication of the types of inspections being carried out at the time the CTV building was constructed, to the best of my recollection.

Dated: 5-June 2012.

Signed by:



Name: Leo Francis O'Loughlin