

New Zealand earthquake report whitewashes government's role

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The New Zealand Royal Commission report into the catastrophic collapse of the Canterbury Television (CTV) building during the Christchurch earthquake of February 2011 was released on December 10. The implosion of the six-storey office block, which housed the local television station and a language school, cost the lives of 115 people.

The report, one of seven into different aspects of the earthquake, came after an eight-week hearing involving more than 80 witnesses and experts. Like an earlier official inquiry into the 2010 Pike River coal mine disaster, the National Party government limited the terms of reference to exclude apportioning “blame,” ensuring that the outcome would be a whitewash.

The commission found that engineering, construction, certification and inspection errors over three decades were responsible for the building's collapse. Its design had been deficient in a number of ways and a building permit should never have been issued by the city council. Other defects had occurred during construction, which had been poorly supervised.

Building and Construction Minister Maurice Williamson seized on the Royal Commission report to assert that since the Christchurch City Council had signed off on the building after its 1986 construction, the Crown did not have “any responsibility.” Christchurch Mayor Bob Parker, for his part, emphasised that the council's errors were “historical” and he did not expect legal action.

The report stated that Alan Reay, principal engineer and owner of Alan Reay Consultants, the building's designer, did not provide adequate supervision to the structural engineer working on the project, David Harding. Harding had been “working beyond his competence” because he had not designed a complex multi-storey structure before, and was inexperienced in

the computer modelling program used for the design. As a result, many of the building's features were non-compliant.

The city council's buildings engineer, Graeme Tapper, had expressed concerns about the structural design, but signed off on its safety on completion. The commission found that Tapper had been convinced by Reay that his concerns were unfounded.

After the initial earthquake in Christchurch in September 2010, the CTV building had been “green-stickered” as safe by a city council assessment team and later by three council building officials, none of whom was an engineer. Mayor Parker claimed that the graduated sticker system used to identify “at risk” buildings was a “guide,” not a definitive ruling on the safety of a building. Parker said it was the “responsibility of property owners” to seek an independent assessment. Many did not.

After the CTV building collapsed, a number of defects were found. While the construction foreman was found to be competent, his construction manager Gerald Shirtcliff had not carried out proper or regular site inspections. At one point, construction had not been supervised for five months. Structural weaknesses in the building had been identified when it was sold in 1990, but the remedies carried out may have weakened its ability to withstand seismic activity.

The reality is that the period during which the CTV building was constructed and occupied was dominated by a wholesale attack on regulations and legal protections in every industry, including building and construction. The process began under the Lange-Douglas Labour government in the 1980s, and continued under subsequent administrations.

The 1991 Building Act, passed by the then National Party government, reduced controls and standards on

the basis that the industry could best operate through “self-regulation.” Driven by a regime of cost-cutting and profit maximisation, developers, builders and architects colluded to construct buildings with faults and short-cuts. Untrained and unqualified builders proliferated, carrying out shoddy work before winding up their companies and disappearing, leaving owners to foot the bill for repairs.

The regime of deregulation culminated in what became known as the “leaky homes” crisis. Thousands of houses and apartments built after 1994 suffered major structural problems from water leakage and rot. Many local authorities were alleged to have failed in their inspection responsibilities. The repairs and replacement costs from the scandal were estimated in 2009 to be approximately \$NZ11.3 billion.

According to John Gray, president of the Homeowners and Buyers Association, which was established in response to the crisis, little has changed. Speaking to Radio NZ on December 12, Gray said Parker was “dreaming” when he recently claimed that strengthened rules and regulations applying to building consents had “significantly” improved the situation.

Gray cited two multi-storey apartment blocks, one in Auckland and another in Christchurch, which were built within the past decade in line with current regulations and approved by the respective councils. Both buildings were recently the subject of “staggering” engineering reports that warned of the risk of “catastrophic” collapses even under normal circumstances. Gray noted that proposed changes to the 2004 Building Act currently before parliament would reduce protections further. He denounced as “foolish and naïve” the government’s limited proposals for an audit of buildings following the Royal Commission report.

Currently, only 23 of the 66 local authorities in New Zealand are able to identify how many earthquake-prone buildings are in their jurisdiction. Under the government’s proposals, around 193,000 non-residential or multi-unit, multi-storey residential buildings will have to be assessed for earthquake risk within five years. According to some estimates, 15,000 to 25,000 buildings are at risk of collapse in a moderate-sized tremor.

Construction minister Williamson said the government would “strike a balance” between

improving safety and “managing the economic pressures” of strengthening or removing vulnerable buildings.

Some survivors and families of people killed in the tragedy have called for prosecutions and compensation. Police say they will investigate the findings of the commission and consider laying charges. However, legal experts believe securing a conviction is unlikely. Christchurch lawyer Nigel Hampton said pinning faults to individuals would be difficult. “You’d have to show gross negligence on their part and be able to prove that beyond reasonable doubt,” he said.

The causes of the disaster, in which the lives of ordinary people were needlessly destroyed, can be traced to decades of cost-cutting and elimination of restrictions on business, including safety, all carried out in the name of the “free market.” While the Royal Commission has identified aspects of this process, it has covered up the responsibility of successive National and Labour governments that have overseen deregulation and the subordination of all aspects of life to the drive for profit.



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