

26 October 2010

The Hon. Christopher Finlayson
Attorney-General
Minister for Treaty of Waitangi Negotiations
Minister for Arts, Culture and Heritage
Parliament Buildings
WELLINGTON
c.finlayson@parliament.govt.nz

Dear Minister

We are writing on behalf of the Architectural Centre, a Wellington-based Incorporated Society whose aim is the promotion of good architecture and design, established in 1946, and Docomomo NZ, the New Zealand chapter of an international organisation established to promote, document and conserve Modern architecture. We are writing to express our concerns about heritage buildings arising from the Canterbury earthquake, with specific reference to the former New Zealand Express Building and to the broader heritage implications of the Christchurch City Council decision to demolish the building.

Firstly we would like to acknowledge your recognition of the significance of heritage architecture expressed in the *New Zealand Herald* where you are reported as saying: "The heritage buildings are extremely important and we want to do our bit to see them restored ... The earthquake caused significant damage to many heritage and character buildings. The cost of their repair and restoration will be considerable, and it is appropriate that Government assists with local rebuilding and strengthening efforts to preserve this history."¹

Secondly, we write to express our concerns regarding the current demolition of the former NZ Express Building (now Manchester Courts, 160 Manchester St). The former NZ Express Building is not just any building. This building is New Zealand's first skyscraper, having electric elevators and reaching 40 metres high, and is a material link in New Zealand to the innovative architecture of late C19th American multi-storey engineering. It was completed in 1907, and designed by the Luttrell Brothers. It also contributes strongly to the Christchurch streetscape and heritage fabric.

The building has an NZHPT Category I registration, and has been given the highest protection possible by the Christchurch City Council in its District Plan. The building is the first entry in the encyclopædic, Julia Gatley-edited, *Long Live the Modern: New Zealand's New Architecture 1904-1984* (Auckland University Press, 2008). It is a building of national significance, and therefore, we believe, any process which arrives at the



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¹ "Canterbury quake: govt pledges \$10m for heritage buildings" *New Zealand Herald* (17 September 2010)

conclusion that the building should be demolished needs to be impeccable and beyond reproach.

We do not believe that the process that the Christchurch City Council has undergone comes near to the standard required for such a significant building. We make the following points.

(1) Immediately following the earthquake, Professor Des Bull (Director, Holmes Consulting Group, Adjunct Professor of Concrete Design, University of Canterbury and member of the Urban Search and Rescue Team), and the team he was working with, were asked to leave 160 Manchester Street while they were undertaking stabilisation work. The Task Force leader made the request for them to leave the building following a directive from the Christchurch City Council, who was responding to requests from the building owner, Mr Richard Peebles. Professor Bull has expressed dismay that this action was taken as the team involved in the work were optimistic about stabilising the building, and enabling its remediation. Des Bull has suggested that the request to cease stabilisation work was motivated by a desire to undermine the survival chances of the building. He can be contacted at (03) 366 33366.

(2) In the days shortly following the earthquake (9 September), Randolph Langenbach, an engineer with experience of building remediation from the San Francisco [Loma Prieta] earthquake of 1989, emailed Assoc Prof Andrew Charleson (School of Architecture, Victoria University) expressing his concern regarding the proposed demolition of the Manchester Courts building. He asked:

Do you have any idea why it would be condemned for demolition? Here in Oakland, there were a number of buildings of the same type and vintage - and many were initially thought to be damaged beyond repair, but the best ones were saved including one designed by a Chicago architect and constructed of concrete in about 1900. It is now a prized building owned by the city after the previous owner almost succeeded in getting it demolished.

A copy of the correspondence, including examples of buildings which were saved was copied to the NZHPT on 10 September (see Attachment 1). Why has the NZHPT not taken this information and offer of expertise on board?

We are also aware that Professor Nigel Priestley (Professor Emeritus, Department of Structural Engineering University of California, San Diego, and Emeritus Director, European School for Advanced Studies in Reduction of Seismic Risk, Italy, now residing in Christchurch) has also said that the building is salvageable and has proposed the immediate establishment of a team to investigate a design. Nigel Priestley can be contacted on (03) 304 6880.

(3) The reports on which the Christchurch City Council made its decision to condemn the building² were written by an engineer from a small firm in Queenstown, which does not appear to have experience in earthquake remediation. The reports were commissioned by the building owner, who is on the record as desiring the demolition of the building for economic reasons.³ Engineers with appropriate experience had made themselves available to the building owner and advised him of their successful experience in remediation. It appears scandalous that in a country which boasts world-leading expertise in earthquake engineering, and has a number of structural engineers with experience and expertise in the

² "Demolition of MLC Building" <http://ccc.govt.nz/homeliving/civildefence/chcheearthquake/MLCBuilding.aspx>

³ "Christchurch to lose historic building" NZPA (6 October 2010)

remediation of earthquake-damaged buildings, that an independent report from an appropriately qualified engineer was not sought. Why has an independent report by an engineer qualified in earthquake remediation not been commissioned by the council? Recently, as reported by last Wednesday's *Press*⁴ options have been proposed by engineers on Sunday 19th October, to stabilise the building from the exterior. This is important information and suggests the need for the council to reconsider its initial decision to support demolition.

(4) This building has national significance. Why then does the fate of the building rest in the decision of a local council? Why in New Zealand are the custodial decisions about nationally significant buildings (as determined by NZHPT registration), the jurisdiction of local government? We believe that the power of the local council is inappropriate. The NZHPT has an obligation to play a public role in the protection of our national heritage. Its apparent lack of stamina in the public debate in this matter, leaving the long fight to a valiant local Civic Trust demonstrates the NZHPT's shameful lack of custodial ability, and suggests that for some reason it is not able to play the role it is legislated to do. We acknowledge the current review of the Historic Places Act (1993) and support the scope of this review to include the role, resources and responsibilities of the NZHPT, and a transparent mechanism to ensure its accountability in the protection of our national heritage.

We are not disputing that to save the building will be expensive. Grant Wilkinson's email (attached with his permission) raises several of these economic issues. We understand that the cost for remediation was in the realm of \$8-12 million (prior to demolition commencing), that there is insurance of approximately \$5 million, and the value of the land and improvement prior to the quake was \$2.38 million.⁵ It appears that these costs, rather than safety issues are at the heart of the issue. As noted by *The Press*: "A council staff report on Manchester Courts said the owners wanted to demolish the building because they could not afford the estimated \$8 million to stabilise, repair and strengthen it ... The report estimated it could cost \$10.3m for the council to buy Manchester Courts and repair and strengthen it," and that "The [council] meeting [of 4 October] was to have considered whether the council wanted to financially contribute towards repairing and strengthening six buildings, but it soon emerged that the owners were more interested in avoiding the red tape that stopped them getting demolition consents."⁶

These figures for remediation need to be contextualised by several factors, including the national significance of the building, and the Christchurch City Council's willingness to spend \$17 million on David Henderson's properties in August 2008, and of course the contributions of the government (\$10 million), Fletchers (\$1 million) and NZHPT (\$250,000) to the fund for the remediation of heritage buildings.⁷

⁴ Glenn Conway "Beginning of the end for city icon" *The Press* (20 October 2010)

⁵ The land value is \$1.29 million; Information is from the 2007 valuation on the council website.

⁶ Glenn Conway "Demolition likely of four heritage sites" *The Press* (2 October 2010); Glenn Conway "Muddle over effect of new law" *The Press* (5 October 2010); see also Charlie Gates "Building repairs too dear, say owners" *The Press* (23 September 2010).

⁷ Charlie Gates "Owners urged not to raze buildings" *The Press* (11 September 2010); "Council likely to decide on ruins" *The Press* (14 September 2010); "Don't rush into demolition: heritage experts" *The Press* (13 September 2010); "Canterbury quake: Govt pledges \$10m for heritage buildings" *NZ Herald* (17 September 2010).

We believe that it is possible to save this building. We believe that the rightful place for decision-making is at the national level. The building has withstood the thousands of aftershocks following the quake and still stands tall. Its heritage value is not disputed. We urge that:

- (1) the current demolition of the former New Zealand Express Building be immediately stopped.
- (2) an independent report on remediation options be commissioned from a structural engineer with appropriate qualification, experience and expertise in earthquake remediation.
- (3) a review of the process be undertaken so that changes can be made to improve such processes throughout the country and to better acknowledge these issues as having national (rather than local) significance.
- (4) that the current review of NZHPT also include consideration of:
 - (i) strategies for earthquake strengthening of Category I and II buildings (with specific consideration of privately-owned buildings)
 - (ii) the role of local councils in the custodial care of Category I and Category II buildings
 - (ii) a requirement for any proposal to demolish a Category I or Category II buildings, due to safety reasons, to be accompanied by an independent report from an engineer qualified and experienced in heritage remediation, and that the NZHPT maintain a register of such suitably qualified engineers.

We also consider that, given the Christchurch City Council's negligence in not obtaining a report from an engineer with appropriate expertise and experience to inform its decision-making, the council must meet any additional cost which has been caused by its sanctioning of demolition without seeking appropriate and sufficient information.

Thank you for your time reading our concerns. The former NZ Express Building is not replaceable. To destroy it is a significant blow to New Zealand architectural heritage. The process which has determined the decision by the CCC to condemn it is not one that we believe ought to be repeated.

Yours sincerely



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Guy Marriage
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Attachment 1: Correspondence between Randolph Langenbach and Andrew Charleson

Attachment 2: Email from Grant Wilkinson, Ruamoko Solutions Consulting Structural Engineers

cc. Lewis Holden, Chief Executive, Ministry for Culture and Heritage
cc. Steve Chadwick, Arts, Culture and Heritage Spokesperson, Labour Party
cc. Brendon Burns, Member for Christchurch Central
cc. Bruce Chapman, CEO NZHPT
cc. Christchurch Mayor and Councillors
cc. Ross Gray, Christchurch Civic Trust
cc. Christchurch Press
cc. Hamish Keith, Cultural Curmudgeon, *Listener*