Dear Cr Vandervis,

Official information request for *information about the* WALL ST BUILDING

I refer to your official information request dated 3-November-2016 for documents connected with the Council's Wall Street Mall building as follows:

1. **The latest signed off building consent —** Attached is the consent application and code compliance certificate for the Rub tenancy fit out. A building consent is required each time a business carries out alterations to a shop.
2. **The latest building wof report from IQP —** Attached is the Logic FM Compliance Report for September 2016.
3. **Any faults/fire safety report** — Attached is the Hudson Fire Inspections Limited report. This identified one item as a fault and this has been repaired by Wormalds.

1. Is the mall safe for the public and its tenants and staff?

Yes. It is not at risk of causing any injury or harm to people.

2. Is the mall compliant?

The current status of the Wall Street Mall building warrant of fitness is that a Letter in Lieu was issued for the Specified Systems 15.3, 15.4, 15.5 because a full 12 months' worth of daily inspections had not been completed. We can confirm that since July, 2015, these daily checks have been in place and this will not be an issue for the consequent warrants of fitness.

Please note that where a Letter in Lieu is issued this means the Independent Qualified Person (IQP) confirms that the systems in the building are working as they should and are compliant.

3. Is the DCC at risk or carrying any unreasonable liability from harm or loss to any individual or business or tenant as a consequence of having not carried out its lawful responsibilities as building owner and shopping mall operator?

No.

If you wish to discuss this information with us, please feel free to contact Kevin Taylor, Property Manager. Mr Taylor has investigated that compliance status of the building and prepared the following report for the chief executive:

The DCC Property department has previously engaged an outside contractor to administer and manage the BWOF compliance on DCC properties, in particular the Wall St Mall. In early 2015, the Building Compliance aspect was sold to Logic Project Management Consultants and a new company called Logic FM was formed and took over the majority DCC BWOF administration.

Our experience as we undertake building audits is that previous advice may have been

too lax or liberal in assessing the building's compliance with particular codes, specifically around fire protection and fire cells. We have also found that the inspections that were contracted to have been undertaken were not fulfilled, leaving gaps in the compliance processes. Thus the BWOF could not be issued by deadline or due dates.

Subsequently, it has been our experience that Logic FM has been interpreting code compliance components beyond that required by the law and schedules to the Acts governing the specified systems. Thus we have experienced a number of "notice to fix" instructions issued which are in error.

To satisfy ourselves that the BWOF is being managed and administered as it should be, DCC Property has engaged independent experts, especially structural and fire engineers, to review the building's specified systems and as-built safety components. These independent audits have been completed and the required reports and Letters in Lieu issued to enable the DCC Building Authority to issue the BWOF.

The BWOF owners inspections have been brought in-house and are undertaken by the property team's asset management staff. IQP inspections continue with the specific trades as required.

Regards

Arlene Goss

Arlene Goss
Governance Support Officer
Dunedin City Council

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand
Telephone: 03 477 4000
Email: Arlene.Goss@dcc.govt.nz

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