

Infrastructure Committee

Notice of Meeting

A meeting of the Infrastructure Committee will be held in the Council Chamber, Forum North, Whangarei on:

**Wednesday
10 June 2015
9.00 am**

Committee

Councillor G M Martin (Chairperson)
Her Worship the Mayor
Cr S J Bell
Cr S J Bretherton
Cr C B Christie
Cr P A Cutforth
Cr S J Deeming
Cr S M Glen
Cr P R Halse
Cr C M Hermon
Cr G C Innes
Cr B L McLachlan
Cr S L Morgan
Cr J D T Williamson

Infrastructure Committee

Terms of Reference

Chairperson

Councillor G M Martin

Members

Mayor

Section 41A(5) of the Local Government Act 2002 provides that the Mayor is a member of each committee of the territorial authority.

Councillors S J Bell, S J Bretherton, C B Christie, P A Cutforth, S J Deeming, S M Glen, C M Hermon, P R Halse, G C Innes, B L McLachlan, S L Morgan and J D T Williamson

Attendance at Meetings

The Chief Executive Officer, Group Managers, Department Managers and such other Council Officers as deemed necessary may attend committee meetings.

Quorum

A quorum for a meeting of this Committee shall be:

- half of the members if the number of members, including vacancies, is even or,
- a majority of members including vacancies, if the number of members is odd.

Delegated Authority

1. Does not have the powers of Council to act in the following instances as specified by Clause (32) Schedule 7 of the Local Government Act 2002:
 - a) the power to make a rate; or
 - b) the power to make a bylaw; or
 - c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan or annual plan; or
 - d) the power to adopt a long-term plan, annual plan, or annual report; or
 - e) the power to appoint a chief executive; or
 - f) the power to adopt policies required to be adopted and consulted on under this Act in association with the Long Term Plan or developed for the purpose of the local governance statement; or
 - g) the power to adopt a remuneration and employment policy.
2. Does have the power of Council to enter into contracts up to a value of \$10 million + GST, provided that such contracts are in accordance with the Long Term Plan.
3. Does have the ability to appoint Sub-committees to deal with any matters of responsibility within the Committee's terms of reference and areas of responsibility and to make recommendations to the Committee on such matters and provided that the Sub-committee shall not have power to act other than by a resolution of the Committee with specific limitations where there is urgency or special circumstances
4. Does have the ability to make decisions in accordance with the Terms of Reference.

Terms of Reference

The provision of engineering and non engineering services to maintain and improve environmental health, safety and quality.

The determination and implementation of policies in respect to the delivery of services to the community.

To liaise with, and assist local communities to achieve their services objectives within Council's legislative responsibilities.

To assist the community in the maintenance and improvement of amenities and the environment.

Areas of Responsibility

Services including the provision and maintenance of:

- Roads
- Footpaths
- Traffic Signals
- Signs/Bridges/Lights
- Parking and Traffic Planning
- Major Projects
- Provision of Potable Water and Reticulation System
- Water Reservoirs/Dams
- Treatment Plants/Pumping Stations
- Monitoring of Quality of Drinking Water Standards
- Wastewater Treatment and Disposal
- Stormwater Management
- Public Toilets
- Solid Waste Disposal/Landfills
- Litter/Rubbish Collection
- Hikurangi Swamp Management
- Civil Defence/Rural Fire
- Libraries
- Parks & Reserves
- Swimming Pools
- Cemetery and Crematorium
- Conservatory and Fernery
- Sportsfields
- Garden and Road Reserve maintenance
- Trees, Plants and Landscaping
- Reserve Management Plans
- Coastal/Esplanade Reserve management
- Development Contributions/Subdivision requirements
- Such other functions as may be delegated by Council from time to time.

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PUBLIC EXCLUDED BUSINESS

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Local Government Act 2002 Amendment Act 2012 – Decision Making

Full consideration has been given to the provisions of the Local Government Act 2002 Amendment Act 2012 in relation to decision making and in particular the current and future needs of communities for good quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost effective for households and businesses. Consideration has also been given to social, economic and cultural interests and the need to maintain and enhance the quality of the environment in taking a sustainable development approach.

**Recommendations contained in this agenda may not be the final decisions.
Please refer to the minutes for resolutions.**

1. Minutes: Infrastructure Committee

Wednesday, 13 May 2015

Minutes of a meeting of the Infrastructure Committee of the Whangarei District Council held in the Council Chamber Forum North on Wednesday 13 May 2015 at 9.00 am.

Present:

G M Martin (Chairperson)

Her Worship the Mayor S L Mai, Crs S J Bretherton, S J Bell, C B Christie, P A Cutforth (9.01am), S J Deeming, S M Glen, P R Halse, C G Innes, C M Hermon, B L McLachlan, S L Morgan and J D T Williamson

In Attendance:

Acting Chief Executive Officer (S Weston), Positive Growth Manager (J Thompson), Economic Development Manager (P Gleeson), Parks and Recreation Manager (P McDonald), Waste and Drainage Manager (A Carvell), Emergency Management Officer (V Randall), Group Planner (R Rawson), Legal Adviser (K Candy), Executive Assistant (J Crocombe) and Senior Meeting Co ordinator (C Brindle)

1. Confirmation of Minutes of a Meeting of the Infrastructure Committee held on 8 April 2015

Moved: Cr Deeming

Seconded: Cr Glen

That the minutes of the meeting of the Infrastructure Committee held on Wednesday 8 April 2015, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

CARRIED

2. Contracts Approved Under Delegated Authority

Moved: Her Worship the Mayor

Seconded: Cr McLachlan

“That the information be received.”

CARRIED

Cr Cutforth joined the meeting at 9.01am during discussions on Item 2.

3. Trade Waste Update

Moved: Cr Morgan

Seconded: Cr Williamson

“That the report be received.”

CARRIED

4. Ministerial Award for Northland Civil Defence -

Moved: Her Worship the Mayor

Seconded: Cr Williamson

“That the information be received.”

CARRIED

Cr Cutforth left the meeting at 9.14am during discussions on Item 4.

5. Draft Policy – Objectives and Policies for Leases, Other Occupation and Use of Reserves and Parks

Moved: Cr Hermon
Seconded: Cr Bell

- “1. That the report be received.
2. That comment be invited on the draft policy – *Objectives and Policies for Leases, Other Occupation and Use of Reserves and Parks* be invited from Te Huinga, sports clubs and other interested parties, as well as the general public.”

CARRIED

Cr Cutforth rejoined the meeting at 9.20am during discussions on Item 5.

6. Temporary Road Closure – FIFA U20 World Cup Mayoral Team Welcome -

Moved: Cr Deeming
Seconded: Her Worship the Mayor

- “1. That pursuant to the Local Government Act 1974, schedule 10, clause 11(e), the following roads be closed to ordinary vehicular traffic for the FIFA U20 World Cup official team welcome:

Tuesday 26 May 2015

Porowini Avenue from the intersection of Poto Street to the intersection of Porowini Avenue and Tarewa Road

Period of Closure: 3:00pm – 7:00pm.

2. That side roads off the roads to be closed also be temporarily closed for a distance of up to 100metres from the intersections for safety purposes.
3. That the Chair of the Infrastructure Committee and the Infrastructure and Services Group Manager be delegated to consider objection and to cancel or amend any or all of the temporary closure if appropriate.”

CARRIED

7. Temporary Road Closure – The Long Brunch

Moved: Cr Deeming
Seconded: Cr Glen

- “1. That pursuant to the Local Government Act 1974, schedule 10, clause 11(e), the following roads be closed to ordinary vehicular traffic for The Long Brunch:

Saturday 30 May 2015

Cameron Street from the intersection of Cameron Street and John Street to the intersection of Cameron Street and James Street.

James Street from the intersection of Cameron Street and James Street to the intersection of James Street and Robert Street

Period of Closure: 5:00am – 12:30pm.

2. That side roads off the roads to be closed also be temporarily closed for a distance of up to 100metres from the intersections for safety purposes.
4. That the Chair of the Infrastructure Committee and the Infrastructure and Services Group Manager be delegated to consider objection and to cancel or amend any or all of the temporary closure if appropriate.”

CARRIED

Exclusion of the public

Moved: Cr Deeming
Seconded: Cr Innes

"That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
C.1	Infrastructure Update	Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C.2	Sports Facility		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Item	Grounds	Section
C.1	To protect information where making that information available would be likely to unreasonably prejudice the commercial position of those who are the subject of the information. To enable Council to carry on without prejudice or disadvantage negotiations. To maintain legal professional privilege. To maintain the effective conduct of public affairs through the free and frank expression of opinions between or to members or officers of Council and to protect officers from improper pressure or harassment."	Sections 7(2)(h) Section 7(2)(i) Section 7(2)(g) Section 7(2)(f)(i) & (ii)

CARRIED

The meeting closed at 9.58am

Confirmed this 10th day of June 2015

G M Martin (Chairperson)

2. Contracts Approved Under Delegated Authority

Reporting officer Simon Weston (Group Manager – Infrastructure & Services)

Date of meeting 10 June 2015

Vision, mission and values

This item is in accord with Council's vision, mission and values statement as the following contracts were authorised under the delegated authority of the Chief Executive Officer, Group Manager Infrastructure & Services.

1.0 Background

Table 1 below records the contracts awarded under delegated authority by the Chief Executive Officer, and the Group Manager Infrastructure and Services. The item is for information only, and briefly describes the award process and provides a brief description of the works being undertaken.

Table 1: Awarded Infrastructure and Services Contracts under Delegated Authority

2.0 Roding	14043	Rosythe Road Bridge 557 Upgrade
2.0 Roding	14045	Kirikopuni Road Bridge No.227 Upgrade
2.0 Roding	14046	Shoemaker Road Bridge 83 Scour Protection Works
2.0 Roding	15016	Demolition of Garage on Water Street
2.0 Roding	15017	Te Rongo Road Slip Repairs
3.0 Water	14055	Dundas Road Watermain Replacement
4.0 Parks	14035	Variation – Sherwood Park Skate Park Renewal
4.0 Parks	15009	Whangarei Falls Carpark Extension
4.0 Parks	15012	CBD Upgrade Stage 1: Canopy Design and Construction

Significance and Engagement

Having considered the Significance and Engagement Policy this proposal or decision is not considered significant and the public will be informed via Agenda publication on the website.

Contracts Awarded

2.0 Roding

Contract 14043

Rosythe Road Bridge 557 Upgrade

Evaluation Method

Tenders have been evaluated in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is Lowest Price Conforming, in accordance with the New Zealand Transport Agency Procurement Manual.

Name of Tenderer	Amount of Tender (\$ (excl. GST)
GHK Piling Ltd	\$80,780
The Rintoul Group Ltd	\$114,231
<i>Engineers Estimate</i>	<i>\$126,210</i>

The lowest priced tender is from GHK Piling Ltd. The lowest price tender is 64% of the Engineer's estimate and is deemed appropriate.

This type of work is traditionally very competitively tendered, however the lowest priced tenderer was asked to confirm their total tender sum and that it allowed for completion of the works as specified. The tenderer confirmed their price, however stated that their price is based on commencing the works in June 2015 with completion by end July 2015. This was deemed satisfactory to the TET.

Financial

Funding is available from the 2014/15 minor improvements budget (\$150,000).

Group Manager Infrastructure and Services Approval

That the tender for Rosythe Rd Bridge 557 Upgrade Contract 14043 be awarded to GHK Piling Ltd for the sum of \$80,780 (eighty thousand, seven hundred and eighty dollars only) excluding GST.

Contract 14045

Kirikopuni Road Bridge No.227 Upgrade

Evaluation Method

Tenders have been evaluated in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is Price Quality Method, in accordance with the New Zealand Transport Agency Procurement Manual.

Name of Tenderer	Amount of Tender (\$ (excl.GST)
The Rintoul Group Ltd	\$135,903.40
<i>Engineers Estimate</i>	<i>\$157,480.00</i>

The lowest priced tender is from The Rintoul Group Ltd. The lowest price tender is 86% of the Engineer's estimate.

The tenderer was asked to confirm their total tender price and that it allows completion of all the works strictly in accordance with the specification. The tenderer confirmed this.

Financial

Funding is available from the 2014/15 minor improvements budget \$175,000.

Group Manager Infrastructure and Services Approval

That the tender for Kirikopuni Road Bridge No.227 Upgrade Contract 14045 be awarded to The Rintoul Group Ltd for the sum of \$135,903.40 (one hundred and thirty five thousand, nine hundred and three dollars and forty cents) excluding GST.

Contract 14046

Shoemaker Road Bridge 83 Scour Protection Works

Evaluation Method

Tenders have been evaluated in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is Lowest Price Conforming, in accordance with the New Zealand Transport Agency Procurement Manual.

Name of Tenderer	Amount of Tender (\$ (excl. GST))
The Rintoul Group Ltd	\$51,418
<i>Engineers Estimate</i>	<i>\$127,940</i>

The lowest priced tender is from The Rintoul Group Ltd. The lowest price tender is 40% of the Engineer's estimate.

The higher estimate was influenced by the difficulty of access to the site and the steepness of the river banks where the works are to be carried out as well as the varied nature of the works including piling etc. These types of works are typically difficult to estimate and price ranges of 200% are not uncommon. The works are well within the capabilities of this tenderer, and they have carried out numerous similar works in the past and should be well aware of the project requirements and costs. The tenderer was asked to confirm their total tender price and that it allows completion of all the works strictly in accordance with the specification. The Contractor confirmed this.

Financial

Funding is available from the 2014/15 minor improvements budget (\$150,000).

Group Manager – Infrastructure and Services Approval

That the tender for Shoemaker Rd Bridge 83 Scour Protection Works Contract 14046 be awarded to The Rintoul Group Ltd for the sum of \$51,418 (fifty one thousand, four hundred and eighteen dollars) excluding GST.

Contract 15016

Demolition of Garage on Water Street

Introduction

This contract is for the demolition and removal of the old Z garage on Water Street, excluding the ground level concrete floors. A fully functioning toilet block will be retained and the demolition work carried out around it.

Tender Evaluation

The Tender evaluation was undertaken in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is "Best Value for Money".

Three tenders were received:

Name of Tenderer	Amount of Tender (excl. GST)
Robinson Asphalts	\$80,760.00
Steve Bowling Contractors	\$125,570.00
Guyco Construction	\$131,743.00
<i>Engineer's Estimate</i>	<i>\$70,000.00</i>

Robinson Asphalts was the lowest quote received. They recently undertook the demolition of the Blue Goose buildings and their performance on this contract was good.

Included in the tender price are the costs associated with retaining a toilet block to the value of \$14,850 and removing the carwash floor slab of \$9,680.

The budget allocated for the demolition work is \$70,000. The additional cost will be funded out of existing budgets.

Group Manager Infrastructure and Services Approval

That the tender for Demolition of the Garage on Water Street Contract 15016 be awarded to Robinson Asphalt Ltd for the sum of \$80,760 (eighty thousand seven hundred and sixty dollars) excluding GST.

Contract 15017

Te Rongo Road Slip Repair

Introduction

This Contract is for slip repair works on Te Rongo Road, Whangarei. Works include the construction of a tied back gabion retaining wall, drainage and pavement reinstatement.

Tender Evaluation

Tenders have been evaluated in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is "Lowest Price Conforming" in accordance with New Zealand Transport Agency Procurement Manual.

A total of three tenders were received, as detailed in the table below, ranked in ascending order based on price.

Name of Tenderer	Tendered Amount (\$) (excl. GST)	% Engineers Estimate
Rock Control Limited	\$107,900.00	129%
Steve Bowling Contracting Limited	\$117,365.00	141%
The Rintoul Group Limited	\$166,017.50	199%
<i>Engineer's Estimate</i>	<i>\$ 83,490.97</i>	

The lowest priced conforming tender is from Rock Control Limited (RCL).

RCL's tender sum of \$107,900.00 (excluding GST) is approximately 129% of the Engineer's Estimate.

There were no issues with RCL's schedule, and none of the individual rates appeared to be anything out of the ordinary.

Financial

Funding for these works has been allocated within the approved NZTA Emergency Works program for 2014/15.

Group Manager Infrastructure and Services Approval

That the tender for Te Rongo Road Contract 15017 be awarded to Rock Control Ltd for the sum of \$107,900.00 (one hundred and seven thousand, nine hundred dollars) excluding GST.

3.0 Water

Contract 14055

Variation - Dundas Road Watermain Replacement

Background

The existing AC watermain installed circa 1962 is failing with numerous breaks recorded over the past 10 year period. This main feeds all the properties along Dundas Road and a considerable amount has been spent on repairing failed service connections and mains breaks. The replacement of this main is necessary to avoid ongoing supply interruptions and costly mains repair work.

Council has received numerous complaints regarding the poor condition of the road due to numerous patches and a road pavement rehabilitation project is programmed for early 2015. Water Services see this as an opportunity to replace the main prior to the road rehabilitation work.

Contract 14055 was awarded on 14 November 2014.

Reason for Variation Request

During the course of the contract works, there have been variations to the project as follows:

Savings	Extras	Overall increase to contract price
-\$22,588.56	\$44,025.70	\$21,437.14

This has resulted in an overall increase to the cost of works from \$209,867.60 to \$231,304.74.

The main reasons for the additional costs (extras) were as follows:

1. There was a large increase in the number of service connections that had not been anticipated at design stage.
2. There was considerably more length of ridermain pipe in road than in verge than was anticipated at design stage.
3. A variation to the amount of \$8,000.00 was approved to drill service connections to existing meter locations in inaccessible/steep areas so that meters could be relocated to roadside. This was not originally included in the scope of work, however was approved on the basis of best for network in the long run.
4. There was an increase in concrete driveway reinstatement work which was more than was anticipated at design stage.

Financial

The budget for Reticulation – Programmed Work within the Long Term Plan for this year is \$997,236. From this, \$220,000 has been committed for renewals undertaken within maintenance contract and \$513,228 has been committed for 2014/205 ridermain replacements. This leaves \$264,008 to cover the cost of this contract plus further reticulation work.

Group Manager Infrastructure and Services Approval

That the Infrastructure & Services Group Manager authorise a variation to the existing contract with DrillTech 1996 Limited to increase the contract value to \$231,304.74 (two hundred and thirty one thousand, three hundred and four dollars and seventy four cents) excluding GST.

4.0 Parks

Contract 14035

Variation – Sherwood Park Skate Park Renewal

Introduction

This is a capital project for the renewal of the skate park at Sherwood Park, Onerahi. Two additional costs have caused the approved total contract value to be exceeded. Contributing to this amount was the cost of getting a Building Consent Exemption (\$1500 engineering report) and an initial site inspection cost \$500 that was not allowed for in the original costing.

The current approved contract value is \$109,000. The additional contract amount required to complete the project will be \$1,900.

Group Manager Infrastructure and Services Approval

That the value of Contract 14035 Sherwood Park Skate Park Renewal is increased by \$1,900 excluding GST bringing the total contract value to \$110,900 (one hundred and ten thousand, nine hundred dollars) excluding GST.

Contract 15009

Whangarei Falls Carpark Extension

Introduction

The Whangarei Falls Carpark requires upgrading and an increase in the number of car parking spaces. This will reduce street parking and provide a safer environment for the users of this reserve.

This is to be achieved by extending the carpark to form a one way loop with an entrance and separate exit, and increase the number of car parking spaces from 14 to 41 with 3 disabled parking locations included.

The one way loop roading system will increase the safety of the pedestrians crossing the carpark and improve the flow of traffic and reduce congestion.

Tenders received

Three tenders were received as follows:

Tenderer	Tender Price (excl. GST)
GreenGables Landscapes	\$ price envelope not opened
Robinson Asphalts 1992 Limited	\$ 231,003.70
Clements Contractors Limited	\$ 253,257.03
<i>Engineer's Estimate</i>	<i>\$ 167,468.00</i>

Tender Evaluation

Tenders have been evaluated in accordance with the Conditions of Tendering stated in the tender documents. The tender evaluation method is "Physical Works - Lowest Price Conforming", Two envelope Tendering with Non Priced Attributes and Prices in separate marked envelopes.

The Attributes envelope was opened at Forum North at 3.30 on 10 March. The non priced attributes were scored each as a Pass/Fail, on Methodology, Relevant Skills, and Track Record.

Clements Contractors Limited	Pass
Robinsons Asphalts Limited	Pass
GreenGables Landscape	Fail.

GreenGables were assessed as failing the Methodology attribute. Their submission provided inadequate detail with respect to:

- Financial management and reporting;
- Environmental management;
- Landowner liaison and consultation;
- Submission provided no detail on the management of significant risks, and the detail on the quality assurance was barely adequate.

The price envelopes were opened for the 2 “pass” tenders at Forum North at 3.30 on the 1 April the “fail” tenderer’s envelope (GreenGables Landscape Limited) was returned unopened.

Discussion

The lowest tender price (Robinson Asphalts 1992 Limited) is also the lowest conforming price. The Robinson Asphalt price is 38% above the Engineers estimate of \$167,468.00 with Clements Contractors Price being 10% above Robinsons Asphalt price.

No Contingency was allowed for in both the Engineers estimate and the Tender documents. For the unknown ground conditions and other such unknowns like power cables and piping it is recommended that a contingency of \$15,000.00 be added to the Approved Contract Budget.

Financial

The Budget where the contract is to be funded from is the Whangarei Falls Planning and Design Parks, with a Total Annual Plan budget for 2014-15 of \$254,000.00 (CX 00029/6480).

With This \$15,000.00 amount included the total contract sum will equal \$246,003.70 and still be within the Total Annual Plan Budget of \$254,000.00.

Group Manager Infrastructure and Services Approval

That CON15009 Whangarei Falls Carpark Extension be awarded to Robinson Asphalts 1992 Limited for the tender sum of \$ 231,003.70, (two hundred and thirty one thousand, three dollars and seventy cents) excluding GST.

Recommend that an approved contingency of \$15,000.00 (fifteen thousand dollars) excluding GST be added to the approved contract budget as a separate amount for any unforeseen ground conditions and possible clashes with power cable and underground piping, etc.

Contract 15012

CBD: Upgrade Stage 1: Canopy Design and Construction

Introduction

As part of the CBD Upgrade – Stage 1, it is proposed that two canopies be installed on Cameron Street, extending in to the existing Cameron Street Mall. These canopies will tie-in with the construction of a pedestrian friendly laneway on Cameron Street and James Street.

Conceptual designs of the canopies have already been completed.

The purpose of this agenda item is to seek Council approval to award the design and construction contract so that a design/build contractor can be selected to take this project through to completion.

Procurement Process

The delivery of this project is being progressed through Contract CON15012 on the basis of the Early Contractor Involvement (ECI) contract model. This involves appointing a preferred design/build contractor which would allow Council to benefit from their specialist expertise, and to determine the costs involved in designing and constructing the canopies and negotiate the form of contract for the Design & Construction works. This will enable the Contractor to be involved earlier in the project development, so they can cost certainty in construction, as well as expediting the overall delivery.

In January 2015 Registrations of Interested were called for the Design and Build of Two Civic Grade Canopies over Cameron Street, Whangarei. This was done publically through the Local Government Tenders website. Submissions were evaluated based on their experience, available resources, support and maintenance available and their key personnel. Those that scored above a „fail“ were invited to participate in Stage 2 of the process.

Stage 2 involved the request for further information regarding the tenderers“ pricing structures, health and safety and quality management, and organisational structure. Interviews with tenderers were then conducted in which the tenderers gave a presentation demonstrating their capabilities and experience and then answered a selection of pre-determined questions.

Registration of Interest

The registration of interest resulted in two complying submissions, both of which were determined to be acceptable to continue with the second stage of the procurement process.

Stage 1: Interviews and Selection

The tender evaluation team consisted of;

Trevor Griffiths (Griffiths and Associates) – Canopies Project Director

Paul Dell (WDC Group Manager District Living) – Project Sponsor

Rachael Mannion (WDC Project Engineer) – CBD Upgrade Project Manager

Hamish Wood (Griffiths and Associates) – Canopies Project Manager

Tenders were evaluated using Quality Based Supplier Selection Method with one of the marking criteria being the tenderers preliminary and generally costs and profit margins. Tenderers who could demonstrate that they were going to use Northland resources, had strong experience in similar structures and good iconic design experience were favoured. The results of the tender evaluation are as follows;

Tenderer	Score (/100)
Fabric Structure Systems	76.25
GER Group	74.75

Preferred Supplier

The tender is Fabric Structure Systems. The tender submission showed that they have had significant experience in completing similar projects, including the construction of the John Street canopy for the Whangarei District Council. They are also a local based company and will be using local subcontractors, which is consistent with WDC“s desire to keep work local wherever possible.

Financial and Contractual

The contractor“s margins and hourly rates for key personnel and plant have been established as part of Stage 2 of the procurement process and further commercial negotiations will be undertake to establish a pricing method and contractual agreement, based on NZS3916, suitable to the Whangarei District Council.

The Contract will be split into two separable portions; 1: Design, 2: Construction, with the construction phase commencing at the discretion of the Whangarei District Council. This will allow Council to put the construction on-hold for as long as required, if needed.

The budget for this project is \$900,000 and the extent of the canopies will be dependent on this budget.

Chief Executive's Approval

The Whangarei District Council negotiates with Fabric Structure Systems to determine a pricing structure for both separable portions of the contract works and a suitable contractual agreement to be based upon NZS3916.

That Contract CON15012: CBD Upgrade Stage 1 – Canopy Design and Construction be awarded to Fabric Structure Systems up to a maximum sum of \$900,000 subject to an acceptable pricing structure and contractual agreement on terms and conditions suitable to Council.

Recommendation

That the information be received.

3. Policy review – Backflow Prevention Policy

Reporting officer Andrew Venmore (Water Services Manager)

Date of meeting 10 June 2015

Vision, mission and values

This item is in accord with Council's vision, mission and values statement as it relates to the ongoing operation and maintenance of the Council's Water Supply Network.

Executive Summary

Earlier this year, it was agreed to present Council Policies due for renewal to the Committee for consideration.

The Backflow Prevention Policy (0020) has been reviewed by the Water Services department and is presented for the Committee's approval. The changes proposed are minimal and of no consequence to the intent of the policy.

Significance and Engagement

Having considered the Significance and Engagement Policy this proposal or decision is not considered significant and the public will be informed via agenda publication on the website.

Recommendation

That Council adopt the amended Backflow Prevention Policy (Policy 0020).

Attachment

[Proposed amended policy \(with mark up\)](#)

Whangarei District Council Policy

Backflow Prevention Policy

Policy 0020

Legislative Requirement

The following are some of the Acts that are relevant to the area of backflow prevention and cross connection control.

The Building Act 2004

The Building Act requires that buildings are safe and sanitary and the occupants are safeguarded from possible illness.

The Act requires an annually renewable Building Warrant of Fitness (for non-residential buildings) to ensure the specified systems stated in the compliance schedule are operating correctly. The compliance schedule includes any backflow preventers installed at the source of possible contamination.

The Building Act calls upon the Building Code in the Building Regulations 1992, specifically, Schedule 1, G12 Water Supplies regarding backflow prevention. The code requires that water supply systems be installed in a manner that avoids the likelihood of contamination within both the system and the water main. It also identifies the level of risk for certain hazards and introduces the requirement for IQPs to test backflow prevention devices. This is the minimum acceptable standard to comply with the Building Act. However, Council requires additional measures to ensure effective protection of the water supply.

All property owners must take all necessary measures on their side of the point of supply to prevent water which has been drawn from the public water supply or from any other source returning to that supply.

Health Act 1956

The Health Act requires that adequate water supplies are provided to communities. Any buildings being built, sold or let must have an adequate and convenient supply of wholesome water.

The Act also provides for council "To make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health", refer section 23.

The Act further states that it is an offence to pollute a public drinking water supply under Section 60 and can incur a fine.

Health (Drinking Water) Amendment Act 2007

These require that a backflow preventer be fitted in situations where a network supplier (Water Services) considers a need to protect the distribution system from risks of pollution caused by water and other substances on properties connected to the system.

The regulations require:

- Water Services to install a suitable backflow prevention device on the council side of the point of supply; and the owner of the property to reimburse council for the cost of the backflow prevention device including installation, testing and ongoing maintenance.

or

- Water Services to allow the owner of the property to install a suitable backflow prevention device as close as practicable to the boundary of the property
- Water Services to require the owner to repair or modify any faulty backflow prevention device.

They also require Water Services to ensure the backflow prevention device is tested at least once a year. The costs for conducting the annual test shall be met by the property owner.

Purpose

A Council community outcome as stated in the 2012 Long Term Plan is "vibrant and healthy communities" a fundamental to healthy communities and one of the ways in which Council contributes to this outcome is the provision of clean, potable water. This backflow prevention policy outlines Whangarei District Council's (Council) commitment to the protection of the potable water.

Narrative

The current version of the backflow prevention policy and the associated backflow prevention code of practice have been in place since 2012. A staff review has concluded that the policy still meets the requirements of the legislation and is working well. Staff have recommended some minor changes to improve wording.

Policy

To minimise the risk that the water supply once treated becomes contaminated Council's policy is that an appropriate level of backflow prevention is provided on all water connections. ~~Accordingly, this policy is made having regard to~~ requires:

- All new connections ~~require shall be fitted with~~ a ~~type of~~ backflow prevention ~~device~~ at the point of supply between the customer and the water supplier.
- The type of backflow prevention device ~~being is~~ dependant on the risk to the water supply posed by the customers ~~activities on their property.-~~
- Generally domestic ~~(ordinary)~~ use connections will have a non-testable dual check device and commercial ~~(extraordinary)~~ use customers will require a testable backflow prevention device at the point of supply.
- Point of supply or boundary backflow prevention devices are vested to Council ~~and will be maintained and replaced as required,~~ with the option given to the customer to retain ownership.
- Testable backflow prevention devices will be ~~done so~~ ~~tested~~ at least annually and after maintenance.
- A schedule of targeted rates for backflow prevention devices of different sizes will be included in the Annual and Long Term Plans. The appropriate charge will be added to the customer's water account.
- Existing extraordinary use as defined by the bylaw (generally commercial and industrial) connections without adequate backflow prevention are to be upgraded at the customers cost. These will be prioritised according to potential risk and customers will be given the option to install the device or have Council install ~~it~~ and pass on the cost.
- Existing ordinary use as defined by the bylaw (domestic) connections without backflow prevention will be upgraded when the meters are replaced.
- Periodic surveying of existing connections will be undertaken to determine any change of use requiring upgrading of backflow prevention.
- Enforcement where necessary will be as set out in the Water Supply Bylaw 2012.

Procedures, Processes, Standards & Guidelines

This Policy is accompanied by a procedure and process document, the Backflow Prevention Code of Practice TRIM 15/44374. The Code of Practice document seeks to provide a guideline to achieving the aims of the Water Supply Bylaw 2012 and this Policy in practical sense that is clear for both Council staff, and customers.

Definitions

Backflow	is the undesirable flow of a liquid or a contaminant back into the potable public water supply. There are two types of backflow: Back pressure and back siphonage.
Backflow Prevention Device	means a device designed to prevent backflow due to back pressure or back siphonage. For the purposes of this code of practice this refers to devices installed at the property boundary or point of supply.
Containment	means the prevention of backflow into the public system by the installation of backflow prevention device on the property boundary
Potable Water	is water that is suitable for human consumption and as defined by the Drinking water Standard of New Zealand 2005 (revised 2008).

Related Policies and Documents

Council's Water Supply Bylaw

This requires that the public water supply be protected where a cross-connection may contaminate the public water supply. The bylaw requires a backflow prevention device on all connections in most cases this is a non testable dual check on ordinary use (domestic supply) and a testable device on extraordinary use (industrial and commercial connections). The bylaw contains typical layouts of different connection types and fittings details with the location of the point of supply.

Fees and charges are published in the Annual and Long Term Plans. These fees and charges are reviewed regularly to reflect the cost to test, maintain and replace backflow prevention devices.

Adoption

This Policy has been approved for adoption by the Water Services Manager and the Group Manager Infrastructure and Services

~~Water Services Manager~~
~~Water Services Manager~~

Date

Group Manager Infrastructure and
Services

Date

Policy adopted by XXXXXXXX Resolution on XXXXXXXX 201X

4. Building Over or Near Public Sewer and Stormwater Pipelines Policy

Reporting officer Andrew Carvell (Waste and Drainage Manager)

Date of meeting 10 June 2015

Vision, mission and values

Appropriate management of wastewater and stormwater is in accordance with Council's vision, mission and values statement. Reviewing Council's existing Building Over Public Sewers Policy helps protect the stormwater and wastewater asset and meet the requirements of the Local Government Act 2002.

Introduction

Council receives regular requests to build over public pipelines, be they stormwater or wastewater. Consequently, Council adopted a policy (Building Over Public Sewers Policy) that provides a guideline to ensure that council's assets are protected, and to have a system that appropriately processes these requests. The current policy is dated September 2010 and is due for review.

The Waste and Drainage Department has completed the review of the policy and the proposed amended draft policy is attached for the Committee's consideration. It still essentially provides for a preference that public pipelines will not be built over or near, but that in certain circumstances permission will be granted subject to certain conditions.

The current policy was suitable for most cases, however has been refined to:

- Cater for the many possible eventualities associated with building over or near public pipelines in the district;
- Make it consistent with the Wastewater Bylaw and the Environmental Engineering Standards;
- Simplify the language;
- Clearly define the building exclusion zone as 2 metres either side of the pipeline or the zone of influence whichever is greater;
- Change the policy name and wording to explicitly incorporate the stormwater pipelines in the policy.

Significance and Engagement

Having considered the Significance and Engagement Policy this proposal or decision is not considered significant and the public will be informed via agenda publication on the website or Council News.

The Proposed Amended Policy

The policy is essentially re-written but the message is still the same, Council does not permit building over or near public pipelines except in special cases where approved by the Waste and Drainage Manager.

The following highlights the key amendments to the policy:

- The name of the policy is changed from "Building Over Public Sewers Policy" to "Building Over or Near Sewer and Stormwater Pipelines Policy". This will clearly show that the policy also covers the stormwater asset rather than sewers only;
- Explicitly define the building exclusion zone in the policy. This is 2m horizontal clearance either side of the pipe or the zone of influence, whichever is greater. The current policy is not very clear on the

parameters that define the “building over or near public sewer”. A pictorial presentation of the exclusion zone is now included as an appendix in the amended policy;

- The 2 metre clearance distance is consistent with the Wastewater Bylaw and the Environmental Engineering Standards (EES). The EES is currently being reviewed;
- The policy lists things that will be taken into account where approval to build near or over the public pipeline is considered such as, pipe size or risk of damage, condition of the pipe, pipe capacity, location of the pipe in the network;
- Some sections were deleted as they are considered to be adequately covered by the Environmental Engineering standards which include the following:
 - 8.3 Locating sewers on site
 - 8.4 Video inspection
 - 8.12 As-built plans
 - 8.13 Environmental engineering standards.

The policy’s next review date is set for 2020.

Conclusion

The new policy is a „refresh“ of the existing policy dated September 2010 which will provide an effective approach to requests to build over public pipelines in the Whangarei district.

Recommendation

1. That the information be received.
2. That Council adopt the Building Over or Near Public Sewer and Stormwater Pipelines Policy.

Attachments

1. Proposed Policy: Building Over or Near Public Sewer and Stormwater Pipelines („clean“ copy)
2. Existing Policy: Building Over Public Sewers (with track changes)

Whangarei District Council Policy

*Building Over or Near Public
Sewer and Stormwater
Pipelines*

Policy #0022

June 2015

Policy title			
Audience (Primary)	External*	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Next Review date	June 2020

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Policy title			
Audience (Primary)	External	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020

Legislative Requirement

All activities must comply with all applicable Acts, Regulations and By-Laws.

Purpose

The intent of this policy is to outline the Council's position on building over or near public sewer or stormwater pipelines.

Policy

Having structures over or near buried sewer and stormwater pipelines can cause problems such as;

- Limiting the ability to maintain or renew the pipe;
- Building or maintaining the structure may damage the pipe;
- Failure of the pipe under a structure may cause damage to the structure.

For these reasons, Council has rules for construction over or near public pipelines.

Unless written dispensation is provided by the Council Waste and Drainage, Council does not permit the following:

- Building over or within a horizontal distance of 2 metres measured from the outside of pipe (also refer Appendix 1);
- Building within the zone of influence of the pipe. See Appendix 1 for calculations of zone of influence.
- Building within 2 metres horizontally of the outside of any maintenance structure (manholes, lampholes, maintenance shafts and sewer dead ends);
- No driven piles shall be installed closer than 5 metres from any pipe unless documentation is provided to Council's satisfaction showing that the proposed works will not damage the asset.

A dispensation to build over or near a public pipe may be considered in special cases.

Note that Council has identified some of its assets as being at higher risk than others from construction above or near them. Damage to pressurised sewer pipe (rising mains) or gravity sewer pipes that form the backbone of a sewer network (trunk mains) can have large environmental and public health impacts or can significantly undermine structures if damaged. Obtaining dispensation for building near these lines is likely to be more difficult than for other assets.

Procedures, Processes, Standards & Guidelines

Local Government Act

Section 451 of the Local Government Act 1974 states:

- 1 *If any person proposes to erect any building or to carry out any work in such a location and at such levels that the diversion, alteration, protection, or replacement of any drainage works of Council appears to be essential to the erection of the building or carrying on of the work*
 - a. *That person shall notify Council of his proposals; and*
 - b. *If Council is satisfied that it is practicable for its drainage works to be diverted, altered, protected, or replaced without material interference with the services for which it is responsible and that it is reasonable that this can be done, it may enter into an agreement with that person as to the manner in which the drainage works shall be diverted, altered, protected, or replaced.*

Policy title			
Audience (Primary)	External	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020

- 2 *The cost of so diverting, altering, protecting, or replacing the drainage works of Council shall be borne by that person, and all other cost.*
- 3 *If that person fails to comply with any condition specified in any such agreement, he commits an offence against this Act.*

Application for Dispensation to Build Over or Near Public Pipe

All applications for dispensations to build within the exclusion zone of the pipe should be made in writing to the Waste and Drainage Manager.

Any dispensation is at the discretion of the Waste and Drainage Manager and is subject to the following considerations:

- Reasonable alternatives for the property owner including re-design of the building or relocation of the pipeline;
- Whether the building or associated work will impose structural load on the pipe;
- Pipe size or risk of damage (usually trunk sewers have high risk);
- Age and condition of the pipe;
- Whether the pipe has adequate capacity;
- Location of the pipe in the network (e.g. the how many connections upstream);
- The type of structure being built (e.g. carport, garage, shed, veranda etc); and
- The length of the pipe under the building.

Council may impose relevant approval conditions where necessary to maintain its serviceability of the asset. These include but not limited to the following:

- Closed-circuit television (CCTV) inspection before and after any work is done;
- Replacing the existing sewer main under or within 2 metres of the building and within the zone of influence of the footings and foundations with a similar or larger diameter pipe;
- Elevate or cantilever the building a minimum of 2 metres vertical clearance from ground level such that the requirements for access, repair and maintenance can be met without disturbing the building.

The applicant must obtain Council approval of each proposal, in writing, prior to obtaining a building consent.

All applications must contain a site plan with all the public pipes accurately located on-site in relation to the proposed building works.

The following information must be shown on the site plan:

- i. Distance between the proposed building and all legal boundaries.
- ii. Distance between the proposed building and any existing buildings.
- iii. Distance from public pipe(s), manhole(s) centre(s) and all legal boundaries.
- iv. Dimensions and cross section details of the proposed structures and footings.
- v. Details of known hazards on or near the site.

Diverting, Renewal or Alteration of Public Pipeline

Where approved by Council, as an alternative, diverting a public pipeline around the proposed structure is treated as any other work on public drainage and requires compliance with the Whangarei District Council (WDC) Environmental Engineering Standards and engineering plan approval from WDC.

Policy title			
Audience (Primary)	External	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020

An application for the engineering plan approval shall be made to WDC. Engineering details including the site plan and longitudinal sections must be provided.

Council will check the pipe capacity with regard to the ultimate catchment development and this will determine the diameter of the pipe to be laid.

The cost of diverting, renewal or alteration of the line shall be met by the applicant. Council may contribute towards the additional costs associated with upgrading the pipe size.

All work must be undertaken by Council registered-licensed contractors for Waste and Drainage. The list of Council registered-licensed contractors is available at the WDC website.

Where diversion works are required in any adjoining property, the applicant is responsible for obtaining written consent from the affected property owners.

Secondary Flow Paths

When building over a public stormwater drain in areas potentially affected by tailwater conditions, an alternative flow path must be provided.

Definitions

For the purpose of this policy, the following definitions shall apply:

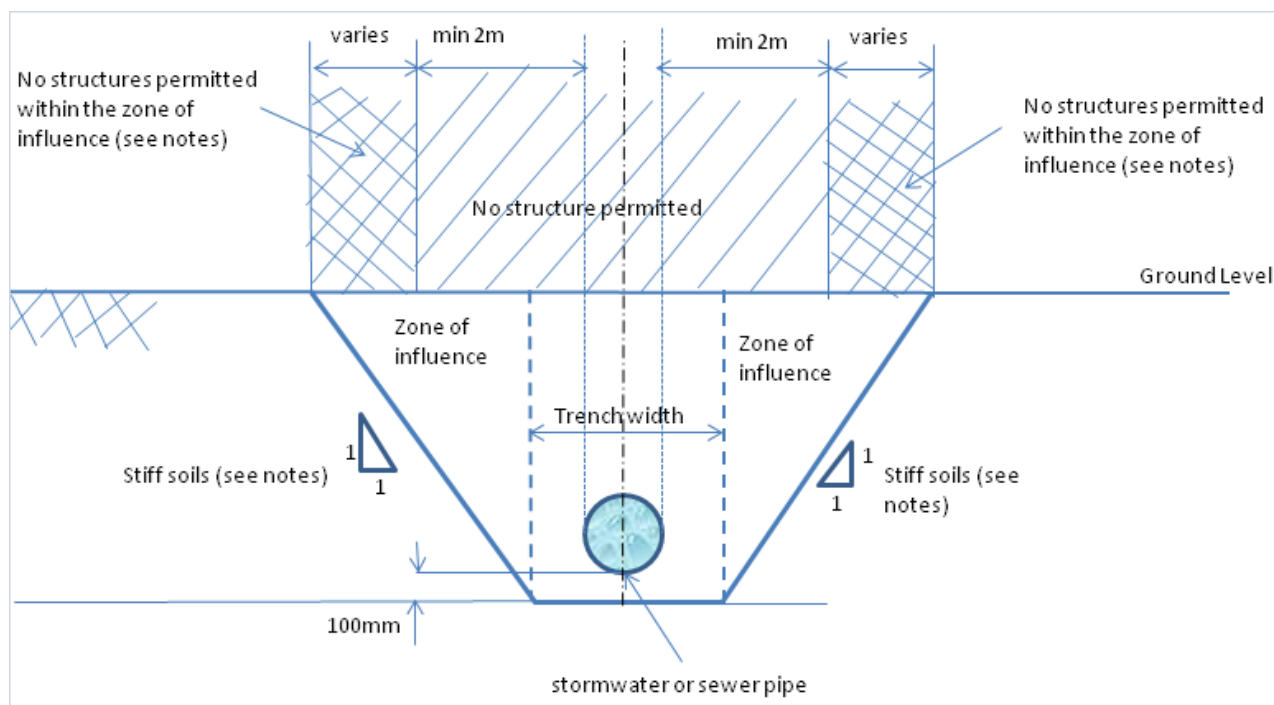
Applicant:	The party who applies to Council for its written consent to build over or near public pipe.
Building:	Includes, but is not limited to buildings or other structures, including 'light', 'temporary' or 'slab' structures (e.g, garages and carports, sheds, verandah, swimming pools, retaining walls and hard landscaping)
Council or WDC:	Whangarei District Council
Public pipeline:	Includes wastewater or stormwater pipe networks that are owned and maintained by Whangarei District Council
Structure	As for Building.
Zone of influence:	means the area associated with the buried pipe that, if built within or over, could cause undue loading on the pipe. See appendix 1 for general calculations of zone of influence.

Related Policies and Documents

- Whangarei District Council Wastewater Bylaw
- Whangarei District Council Environmental Engineering Standards
- Registered-Licensed Contractors
- Whangarei District Council Pressure Sewer Policy

Policy title			
Audience (Primary)	External	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020

Appendix 1: Building Exclusion Zone and Zone of Influence



Zone of Influence

No structures to be built within the zone of influence of the pipe.

The zone of Influence is that section of the ground along the alignment of a buried pipeline, extending both horizontally and vertically where:

1. Settlement or disturbance of the ground surrounding the pipe may cause damage to buildings or structures on the surface above.
2. Loads from buildings or structures on the surface could be transmitted to the sewer.

The boundary of the Zone of Influence coincides with the angle of repose of the soil encountered. Common practice shows that the angle of repose in stiff soils (clay etc) is 1 horizontal: 1 vertical. The angle of repose in sand, filled ground, loam, etc is 2 horizontal: 1 vertical.

The zone of influence shall be determined by extending a line at an angle of repose to the surface, starting from a point 100mm below the invert of the pipe and half of the trench width measured horizontally from the pipes centreline (See figure above)

A suitably qualified engineer must be consulted to determine the correct zone of influence for a particular site.

Policy title			
Audience (Primary)	External	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020

Adoption

This Policy has been approved for adoption by the Waste and Drainage Manager and the Group Manager Infrastructure and Services.

Waste and Drainage Manager

Date

Group Manager Infrastructure and
Services.

Date

Policy adopted by Infrastructure Committee Resolution on 10 June 2015.



Whangarei District Council Policy

*Building Over or Near
Public Sewers and
Stormwater Pipelines Policy*

Policy 0022

June 2015

Date Adopted:

By:

Ref/Minute No:

Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

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Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

This information has been extracted from Whangarei District Council's delegations and policy manual

Legislative Requirement

All activities must comply with all applicable Acts, Regulations and By-Laws.

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Purpose

To document the procedure for dealing with applications to build over public sewers. The intent of this policy is to outline the Council's position on building over or near public sewer or stormwater pipelines.

Scope

All public sewers within the Whangarei District Council area.

Responsibility

~~Overall responsibility for procedure—Wastes and Drainage Manager.~~

Responsibility for implementation

~~Senior Technician (Wastes & Drainage).~~

Associated documents

~~Whangarei District Council Environmental Engineering Standards Section 451 of the Local Government Act 1991.~~

Records

~~Senior Technician (Wastes & Drainage).~~

Policy

Having structures over or near buried sewer and stormwater pipelines can cause problems such as:

- Limiting the ability to maintain or renew the pipe;
- Building or maintaining the structure may damage the pipe;
- Failure of the pipe under a structure may cause damage to the structure.

For these reasons, Council has rules for construction over or near public pipelines.

Unless written dispensation is provided by the Council Waste and Drainage, Council does not permit the following:

- Building over or within a horizontal distance of 2 metres measured from the outside of pipe (also refer Appendix 1);
- Building within the zone of influence of the pipe. See Appendix 1 for calculations of zone of influence.
- Building within 2 metres horizontally of the outside of any maintenance structure (manholes, lampholes, maintenance shafts and sewer dead ends);
- No driven piles shall be installed closer than 5 metres from any pipe unless documentation is provided to Council's satisfaction showing that the proposed works will not damage the asset.

• A dispensation to build over or near a public pipe may be considered in special cases.

Building over Public Sewers Policy

Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

Note that Council has identified some of its assets as being at higher risk than others from construction above or near them. Damage to pressurised sewer pipe (rising mains) or gravity sewer pipes that form the backbone of a sewer network (trunk mains) can have large environmental and public health impacts or can significantly undermine structures if damaged. Obtaining dispensation for building near these lines is likely to be more difficult than for other assets.

Procedures, Processes, Standards & Guidelines

Local Government Act

Section 451 of the Local Government Act 1974 states:

- 1 If any person proposes to erect any building or to carry out any work in such a location and at such levels that the diversion, alteration, protection, or replacement of any drainage works of Council appears to be essential to the erection of the building or carrying on of the work
 - a That person shall notify Council of his proposals; and
 - b If Council is satisfied that it is practicable for its drainage works to be diverted, altered, protected, or replaced without material interference with the services for which it is responsible and that it is reasonable that this can be done, it may enter into an agreement with that person as to the manner in which the drainage works shall be diverted, altered, protected, or replaced.
- 2 The cost of so diverting, altering, protecting, or replacing the drainage works of Council shall be borne by that person, and all other cost.
- 3 If that person fails to comply with any condition specified in any such agreement, he commits an offence against this Act.

Criteria Application for Dispensation to Build Over or Near Public Pipe

All applications for dispensations to build within the exclusion zone of the pipe should be made in writing to the Waste and Drainage Manager.

Any dispensation is at the discretion of the Waste and Drainage Manager and is subject to the following considerations:

- Reasonable alternatives for the property owner including re-design of the building or relocation of the pipeline;
- Whether the building or associated work will impose structural load on the pipe;
- Pipe size or risk of damage (usually trunk sewers have high risk);
- Age and condition of the pipe;
- Whether the pipe has adequate capacity;
- Location of the pipe in the network (e.g. the how many connections upstream);
- The type of structure being built (e.g. carport, garage, shed, veranda etc); and
- The length of the pipe under the building.

Council may impose relevant approval conditions where necessary to maintain its serviceability of the asset. These include but not limited to the following:

- Closed-circuit television (CCTV) inspection before and after any work is done;

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Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

- [Replacing the existing sewer main under or within 2 metres of the building and within the zone of influence of the footings and foundations with a similar or larger diameter pipe;](#)

[Elevate or cantilever the building a minimum of 2 metres vertical clearance from ground level such that the requirements for access, repair and maintenance can be met without disturbing the building.](#)

[The applicant must obtain Council approval of each proposal, in writing, prior to obtaining a building consent.](#)

[All applications must contain a site plan with all the public pipes accurately located on-site in relation to the proposed building works.](#)

The following criteria will apply:

Sewer pipelines

~~Building over existing sewer and stormwater pipelines severely limits Council's ability to either maintain or duplicate the pipeline if required in the future. Consequently as a general policy, building over public sewers is not permitted.~~

~~In special circumstances, at the discretion of the wastes and drainage manager, some dispensations may be acceptable.~~

~~All applications for dispensations should be made in writing to the wastes and drainage manager and will fall into one or more of the following categories:~~

- ~~i — The location of the public drain limits the property to such an extent as to render the property unusable, and therefore should be regarded differently than other limitations, such as the size, shape and contour of the property.~~
- ~~ii — Council's ability to either maintain or duplicate the pipeline, if required in the future, won't be compromised by the construction of this particular building.~~
- ~~iii — Due to significant portions of this particular section of public drain already being built over, the addition of one additional building won't significantly reduce Council's ability to either maintain or duplicate the pipeline if required in the future.~~
- ~~iv — Any other compelling reason why this particular section of public drain should be treated differently than any other legal easement, such as a power, telephone, or private drainage easement.~~

~~All applications should also contain a site plan clearly showing the following information must be shown on the site plan:~~

- ~~i Distance between the proposed building and all legal boundaries.~~
- ~~ii Distance between the proposed building and any existing buildings.~~
- ~~ii Distance from public drain(s), manhole(s) centre(s) and all legal boundaries.~~
- ~~iv Dimensions of the proposed building.~~
- ~~v Details of known hazards on or near the site.~~

Drainage structures

~~Building over public drainage manholes or other structures severely limits Council's ability to maintain the drains and is not permitted.~~

~~Every effort shall be made to ensure the proposed building or extension is designed and/or located on the site to be at least one metre clear of any public drainage structure.~~

Locating sewers on site

~~Council's drainage plans and records should be treated as a guide only. Locating the position and depth of existing lines is the responsibility of the applicant. This should be done before any construction takes places on-site.~~

Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

Video inspection

Applicants considering dispensation from the general policies set out above are advised to discuss their proposed works in the first instance with wastes & drainage department staff. Where applications to build over public sewers are approved they will be subject to the applicant, at their cost, commissioning a suitably experienced person to video inspect the affected sewer or structure. All CCTV (video) inspections are to be undertaken in accordance with the New Zealand Water and Waste Association's pipe inspection manual 1999 and the remarks column of the pipe inspection coding form is to be used to clearly identify the portion of pipe to be built over. The applicant shall have the sewer inspected in sections between manholes, referenced to Council's GIS manhole IDs and presented in an electronic format suitable for downloading into Council's database, and forward the pipe inspection coding forms, and all other relevant records (both written and electronic) to the wastes and drainage department.

Any faults in the drain over the length being built over, or 2 metres either side, shall be repaired (at the applicant's cost) and to Council's satisfaction.

In all cases Council reserves the right to call for a final video inspection, at the applicant's cost, on completion of the works to confirm that the drain is undamaged.

Diverting, Renewal or Alteration of Public Pipelines the drain

Where approved by Council, as an alternative, diverting a public pipeline around the proposed structure is treated as any other work on public drainage and requires compliance with the Whangarei District Council (WDC) Environmental Engineering Standards and engineering plan approval from WDC.

An application for the engineering plan approval shall be made to WDC. Engineering details including the site plan and longitudinal sections must be provided.

Council will check the pipe capacity with regard to the ultimate catchment development and this will determine the diameter of the pipe to be laid.

The cost of diverting, renewal or alteration of the line shall be met by the applicant. Council may contribute towards the additional costs associated with upgrading the pipe size.

All work must be undertaken by Council registered-licensed contractors for Waste and Drainage. The list of Council registered-licensed contractors is available at the WDC website.

Where diversion works are required in any adjoining property, the applicant is responsible for obtaining written consent from the affected property owners.

As an alternative to the video inspection requirements set out above, the applicant can forego the above video inspection and renew the drain, at his own cost. Permission to renew the drain under the building, and access 2 metres either side, should be sought from the wastes and drainage manager. It should be noted that a check will be made of the pipe capacity with regard to the ultimate catchment development and this will determine the diameter of the pipe to be laid.

Alteration or diversion of drains

Where foundations clash with public drains, it may be possible to divert the drain. The applicant should submit detailed plans and specifications of the proposed diversion to the Wastes and drainage manager.

New manholes are required on all bends and changes in pipe gradient.

Building foundations

Building foundations shall be designed to avoid imposing additional vertical and/or horizontal loads on sewers and to bridge the existing disturbed ground which has resulted from the original trenching operation. Piles with cantilevered structures above them are a special situation where specific design is required.

The applicant shall show the following engineering detail with the building consent application:

- a — A dimensional cross section showing the sewer position in relation to the structure above it. The size and depth of sewer pipe(s) shall be given.
- b — A dimensional site plan showing the foundation layout in relation to the sewer(s).

The dimensions shall be verified by actual field measurements and the design engineer shall sign the details.

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Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

Retaining walls

All retaining walls (*over 500mm in height*) within 2.0m of any public drain must be specifically designed by a registered engineer. Again, no loading shall be imposed on the drains.

Deep foundations

- a— Generally no drilled piles shall be any closer than 1.5m clearance to the pipe. This may be decreased to 0.6m clearance when the sewer is shallow and when approved by the wastes and drainage manager.
- b— No driven piles shall be any closer than 2.0 metres clearance to the pipe.

Clearance is the distance between the outside of the pile to the outside of the pipe barrel. Reasonable clearances are essential for future maintenance of the sewer.

Secondary flow paths

When building over a public stormwater drain in [areas potentially affected by tailwater conditions](#) low-lying land, an [alternative secondary](#) flow path must be provided.

Inspections

All work on public drains shall be inspected and approved by Council's wastes and drainage department. The applicant shall give one working day's notice of any inspection requirement.

As-built plans

Where a public drain has been altered, as-built plans relative to property boundaries and adequately labelled, dated, and certified by the a registered engineer or surveyor shall be submitted showing the following details as constructed:

(NZS/AS1100 technical drawings to be used as a guideline).

- i— The positions of manholes and other structures in relation to property boundaries.
- ii— Invert and lid levels.
- iii— Measurements to service connections from the centre of the downstream manhole cover.
- iv— The sizes and materials used for all pipes and fittings.

Environmental engineering standards

Whangarei District Council's Environmental Engineering Standards are the approved methods of complying with the policies and performance levels for engineering design and construction on public utilities.

They should be read in conjunction with relevant New Zealand Standards, but where requirements differ, the Environmental Engineering Standards will take precedence.

The wastes and drainage manager's authorisation to build over a public drain does not relieve the property owner from having to obtain any other mandatory authorization under any other Act (e.g. Building Act 2004, Resource Management Act 1991—District Plan requirements etc) if such other authorisation is required.

Definitions

For the purpose of this policy, the following definitions shall apply:

Applicant: The party who applies to Council for its written consent to build over or near public pipe.

Building: Includes, but is not limited to buildings or other structures, including 'light', 'temporary' or 'slab' structures (e.g., garages and carports, sheds, verandah, swimming pools, retaining walls and hard landscaping)

Council or WDC: Whangarei District Council

Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
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Public pipeline: [Includes wastewater or stormwater pipe networks that are owned and maintained by Whangarei District Council](#)

Structure [As for Building.](#)

Zone of influence: [means the area associated with the buried pipe that, if built within or over, could cause undue loading on the pipe. See appendix 1 for general calculations of zone of influence.](#)

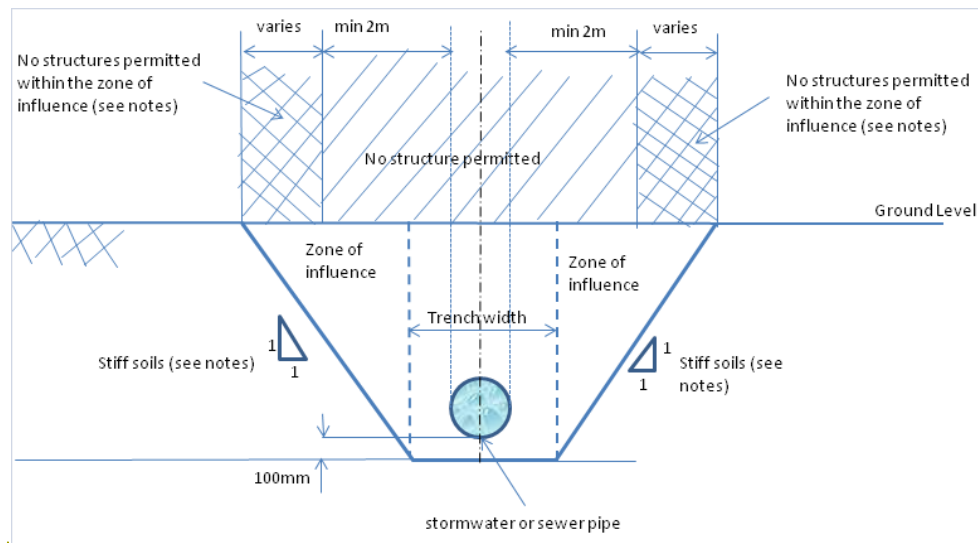
Related Policies and Documents

- [Whangarei District Council Wastewater Bylaw](#)
- [Whangarei District Council Environmental Engineering Standards](#)
- [Registered-Licensed Contractors](#)
- [Whangarei District Council Pressure Sewer Policy](#)

Building over Public Sewers Policy

Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

Appendix 1: Building Exclusion Zone and Zone of Influence



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Zone of Influence

No structures to be built within the zone of influence of the pipe.

The zone of Influence is that section of the ground along the alignment of a buried pipeline, extending both horizontally and vertically where:

1. Settlement or disturbance of the ground surrounding the pipe may cause damage to buildings or structures on the surface above.
2. Loads from buildings or structures on the surface could be transmitted to the sewer.

The boundary of the Zone of Influence coincides with the angle of repose of the soil encountered. Common practice shows that the angle of repose in stiff soils (clay etc) is 1 horizontal: 1 vertical. The angle of repose in sand, filled ground, loam, etc is 2 horizontal: 1 vertical.

The zone of influence shall be determined by extending a line at an angle of repose to the surface, starting from a point 100mm below the invert of the pipe and half of the trench width measured horizontally from the pipes centreline (See figure above)

A suitably qualified engineer must be consulted to determine the correct zone of influence for a particular site.

Building over Public Sewers Policy			
Audience (Primary)	Internal	Business Owner (Dept)	Waste and Drainage
Policy Author	Casper Kandori	Review date	June 2020 February 2015

Adoption

This Policy has been approved for adoption by the [Waste and Drainage Manager](#) and the [Group Manager Infrastructure and Services](#)

[Waste and Drainage Manager](#) [Date](#)
~~Waste and Drainage Manager~~

[Group Manager Infrastructure and Services](#) [Date](#)
~~Infrastructure and Services~~

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[Policy adopted by Infrastructure Committee Resolution on 10 June 2015](#)

RESOLUTION TO EXCLUDE THE PUBLIC

Move/Second

That the public be excluded from the whole of the proceedings of this meeting during discussion of this agenda.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
C.1	Legal Matter	Good reason to withhold information exists under Section 7 of the Local Government Official Information Act	Section 7(2)(i) Section 7(2)(g)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public is as follows:

Item	Grounds
C.1	To enable the Council (the Committee) to carry on without prejudice or disadvantage negotiations To maintain legal professional privilege

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

"That _____ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item _____.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____.

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.