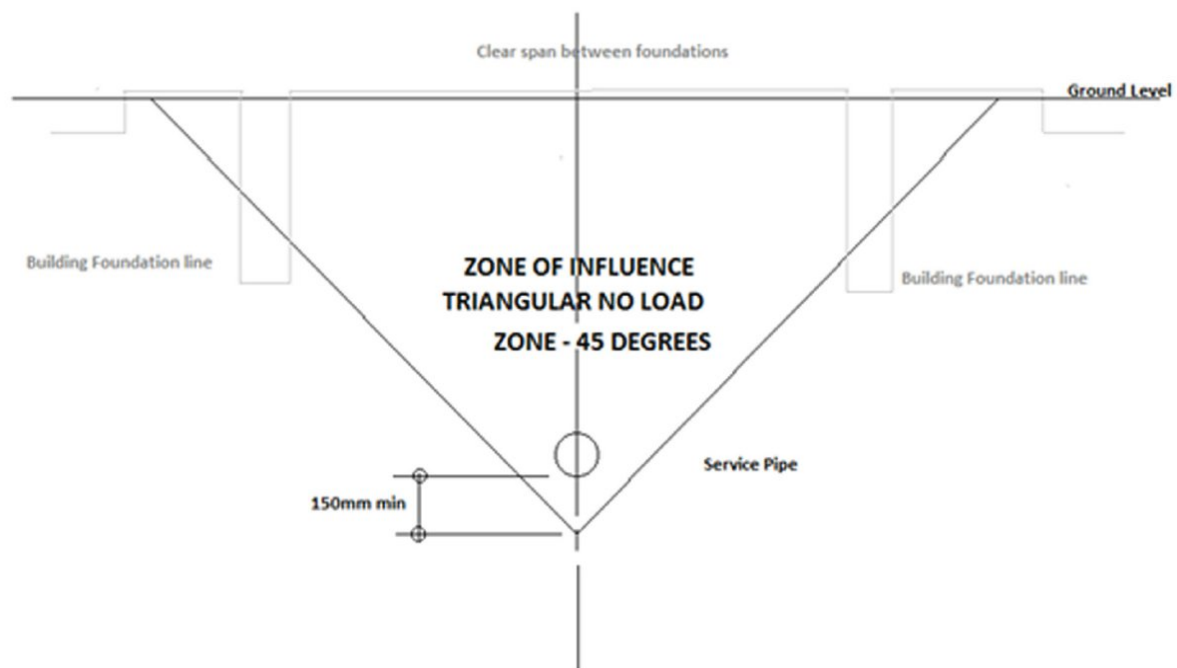


Application to build over or near a Council pipe or drain

May be either wastewater, stormwater or water supply pipes

No building or structure shall be constructed over any of the Council's pipelines, nor shall any structure foundation be located within a line extending 45° upwards from 150mm depth below the pipe invert to the ground surface, without the specific approval of the Council.

Typical foundation detail



If there are drains (this includes any water or wastewater assets) owned by the Council within or adjacent to your property that may be affected, please check this out at the pre-design stage so your project is not delayed. Council pipes may be wastewater, stormwater or water.

When can I build over services?

The Council will only give approval to construct a structure over infrastructure services if:

- It is impractical to construct a new main or relocate the building, clear of the zone of influence; and
- A manhole is installed within 10m of both sides of the building or structure; and
- The pipe runs in a straight line both vertically and horizontally between manholes; and

- There are no connections under the building; and
- The condition of the pipe is checked by CCTV prior to construction and the pipe condition is approved as acceptable by the Council; and
- Structures straddling or founded within the above zone are designed by a Chartered Professional Engineer such that there is no loading to the pipeline.
- A memorandum of encumbrance is created, if required by the Council, indemnifying the Central Otago District Council against any claims for damage caused by the presence, maintenance, replacement, or upgrade of the pipeline.

NB: All applications will be considered on a case-by-case basis.

Who pays?

Section 451 of the Local Government Act 1974 states:

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 their 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.

The cost of so diverting, altering, protecting, or replacing the drainage works of Council shall be borne by that person, and all other costs.

If that person fails to comply with any condition specified in any such agreement, they commit an offence against this Act.

You will need to cover any costs to the Council of:

- CCTV condition surveys; and
- Changes to any easement documents, if necessary; and
- Memorandum of Encumbrance expense, if necessary; and
- Design and construction work to move or change the assets in any way; and
- All other costs incurred by Council in the processing and reviewing of the application.

Submitting an Application

Submit your application via email to water@codc.govt.nz

Note that technical assistance may not be immediately available.

Plans

Details of existing CODC Infrastructure service locations can be viewed directly by visiting www.codc.govt.nz and clicking on “GIS Maps” and then selecting “Property”. This will allow viewing of Council managed infrastructure in your area but does not include easement information. If you have a copy of a PIM or obtain one from Council this may assist identifying services and easements on your site.

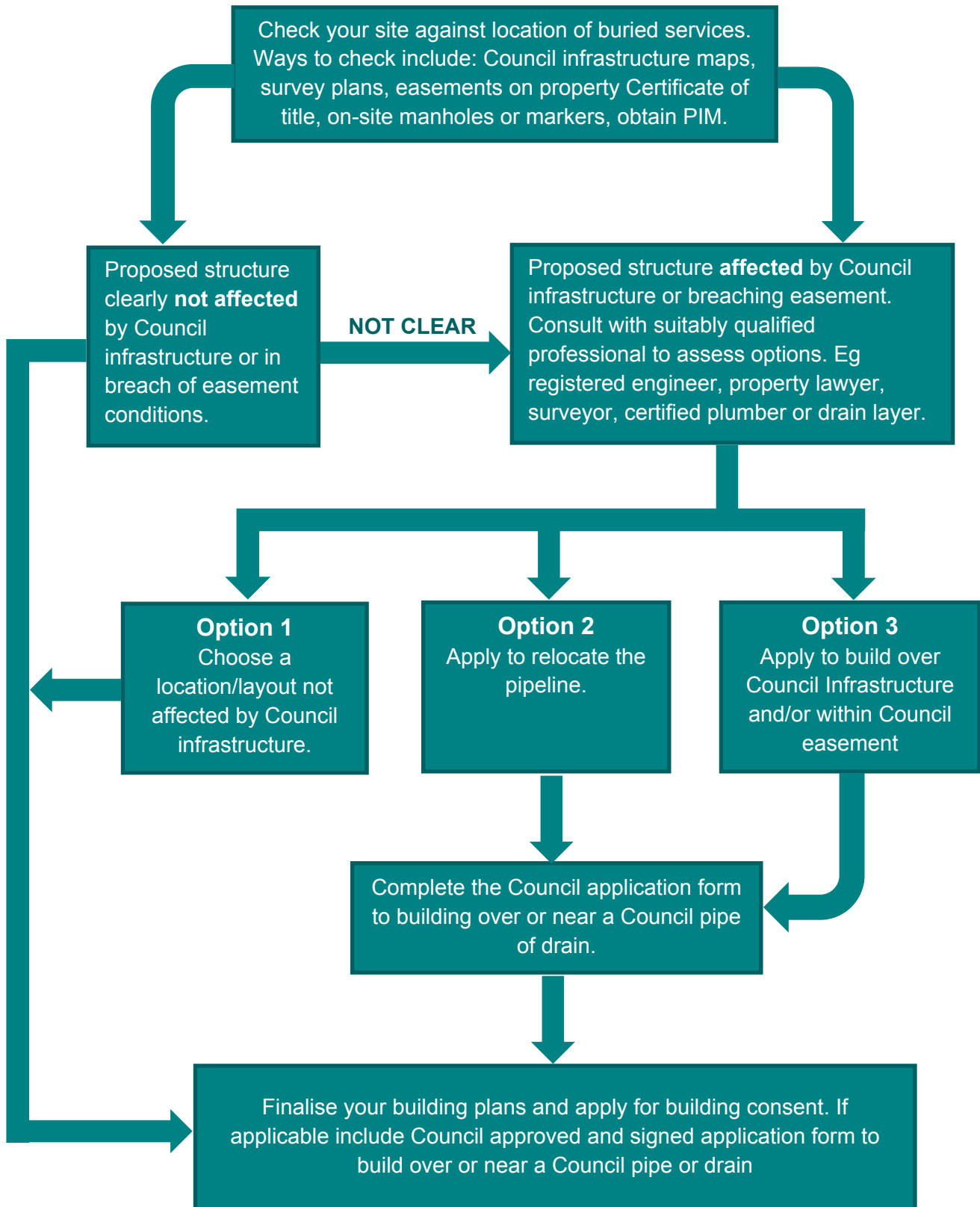
Easements

Easements for public infrastructure grant rights that provide Council with the right to work on and replace a pipe if and when necessary. You will need to identify where easements for Council services are located on your property. These are registered on your property Certificate of Title and your lawyer will be able to assist with obtaining relevant title and easement data. The easement prevents the landowner from placing structures and/or landscaping within the easement area without prior approval from the Council. If you want to place any structure within the easement then the easement terms must be varied to reflect the fact that Council has given approval, and to reflect that Councils obligations with respect to making good any damage caused as a result of it exercising its rights does not apply to the repair of any structures erected within the easement area.

CCTV

A CCTV survey of existing drains (waste and storm water only) may be carried out by the Council and charged to the applicant. This is to identify any maintenance that Council may undertake prior to your building construction. Depending on the risk to the pipe during construction a further CCTV may also be required (following construction) to confirm damage has not occurred to the pipes. Any damage will be the responsibility of the applicant.

Process – How to proceed with your project



APPLICATION FORM Please use this form should you wish to apply to build over/adjacent to, or relocate Council infrastructure services within your land. All applications will be checked for completeness prior to acceptance. Please ensure that you have compiled your documents completely to avoid delays in acceptance of your application. If your application is incomplete, it will not be accepted and any statutory processing timeframes will not start until the missing information has been provided.

YOUR DETAILS // Applicant and land details

Owner's Name:		Signature:		Date:
Address of property:				
Legal description:				
Owner's postal details:				
Contact Name (if not owner):		Signature:		Date:
Are you authorised by the owner?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Are you authorised by the owner?				
Contact No(s):				
Contact email:				
Building or Resource Consent No (if applicable)				
Are you seeking to build over or redirect a Council pipe/drain?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Are you seeking to build over or redirect a Council pipe/drain?				
Explain why you wish to build over or near a Council pipe or drain?				

PROVIDE PLANS WHICH CLEARLY SHOW

<input type="checkbox"/>	Distance between the proposed building/structure and all legal boundaries; and
<input type="checkbox"/>	Distance between the proposed building/structure and any existing buildings and
<input type="checkbox"/>	Distance from public drain(s) manhole centre(s) to all legal boundaries and
<input type="checkbox"/>	Easement boundaries and
<input type="checkbox"/>	Depth of the buried pipeline (if known)
<input type="checkbox"/>	Dimension and location of the proposed building/structure, including foundation design details adjacent to pipes, and

Provide the results or a copy of any CCTV surveys already undertaken

FEES

There is no standard application fee however all costs associated with the application will be the responsibility of the applicant. This includes all direct and indirect costs from the Central Otago District Council in: processing the application, infrastructure changes, legal fees, changes to titles and/or easements, CCTV surveys etc.

PAYMENT DETAILS

Provide payment method for costs associated with this application:

DECISION OF THE COUNCIL'S RESOURCE MANAGEMENT PRINCIPAL ENGINEER:

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Name:	Principal Engineer Signature:	Date:
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