

From: Grace Ockwell
To: [REDACTED]
Cc: [Kristy Rusher](#)
Subject: RE: Local Government Official Information request - 518094
Date: Thursday, 5 November 2015 08:47:46 a.m.
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

Dear Scott,

Thank you for your email of 8 September 2015 requesting various information about trenching safety. Thank you also for your email of last night. I apologise for the delay in responding to you.

Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and the following response is provided.

I have repeated your questions and used your numbering to give context to our response.

Question 1

How many contractors in the past 2 years have been given improvement notices for trench work?

DCC Response

Two.

Question 2

How many of these contractors have been repeat offenders

DCC Response

None.

Question 3

The timber systems currently being used in Dunedin ie university job, queen street (work being carried out today and in the past two years) are they suitable for surcharged loads?

DCC Response

Yes.

Question 4

What is the methodology of installation on these above mentioned systems?

DCC Response

Pursuant to section 15(1)(e) of LGOIMA the following summary of methodologies is provided.

University Job: The trench is excavated with a lead-in ramp. Before the ramp gets to a depth of 1.5 m, the contractor enters the trench via the ramp and installs the first set of shoring soldiers at an appropriate depth, starting from the lower strut. From the safety of this soldier set, the second set of soldiers is installed at a greater depth. This process is repeated in such a manner that the contractor is always working within a shored trench.

Queen Street: There is no job at Queen Street. However, there is a job being undertaken on George Street. An alloy shoring system was installed from the surface. Between the alloy soldiers timber props were installed to keep the water main from moving and to keep the safety rail in place. When personnel were no longer required to be in the pits/trenches, the alloy systems were removed and used elsewhere. Prior to staff re-entering excavations alloy systems are reinstalled.

Question 5

How many complaints have been received by the DCC in the past 2 years for trench work?

DCC Response

Nine.

Question 6

How many of your approved contractors have had improvement notices and how is this recorded? are they not monitored afterwards?

DCC Response

- (i) Two
- (ii) Improvement notices are recorded in contract notices.
- (iii) Yes, there is monitoring afterwards.

Question 7

Is this information taken into account when new contracts are being awarded

DCC Response

Yes

Question 8

- Are contractors required to abide by the ACOP for trench safety (as stated in your contracts)?

DCC Response

Yes

Question 9

We have asked all the DCC contract managers to pay special attention to the trenching procedures that their contractors are employing on the various jobs now and in the future to ensure we are properly managing the risks and meeting good industry practice." This has been taken from a recent email From the DCC, my question is why is the university job continuing in the manner it is. After all this job was first pulled up by your internal H&S rep then me and nothing has changed??

DCC Response

This is not a request for information as defined by LGOIMA. However we comment that the DCC reiterates to contractors that they are required to comply with the ACOP. The DCC proactively monitors compliance with ACOP and responds to information supplied by members of the public who may have concerns as to ACOP compliance. Where the DCC has questioned ACOP compliance, the DCC has received satisfactory responses.

Question 10

As we have discussed people do make mistakes and we agree that trenching can expose people to serious hazards Another comment from a DCC email, I'd call it ignorance not mistakes as we learn by those! Eg William stated that there was not enough supports in the Bradford street excavation yet 2 weeks or so later there was even less !!? Why after my complaint and Williams improvement request has nothing changed?

DCC Response

This is not a request for information as defined by LGOIMA. We repeat the comments made in our response to question 9.

Question 11

How many times in the past 2 years as the above scenario happened

DCC Response

This is not a request for information as defined by LGOIMA. No comment is made on your statements.

Question 11

Looking at the queen street job can you confirm that the following if any of the points quoted in the ACOP section 6.3 have been met? Q 11,14, 15, 20, 21,, 24 and a 27, please note this is only a basic check list! I look forward to receiving these long awaited answers and hopefully at some point in the future seeing these basic rules adhered too. As well as seeing contractors that do follow rules awarded these contracts on merit and not cheapest price.

DCC Response

There is no job on Queen Street, however there is a job being undertaken on George Street where all of the matters raised by your questions above have been adequately addressed. Please note that timber props photographed by yourself at this site are not shoring. The purpose of the timber props is to prevent the water main from moving, rather than protect the trench from collapsing. Alloy shoring is used when staff are required to enter the pits.

I trust this fully answers your questions.

Yours sincerely,

Grace Ockwell
Governance Support Officer
Civic and Legal

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



 Please consider the environment before printing this e-mail

From: [REDACTED]
Sent: Wednesday, 4 November 2015 8:39 p.m.
To: Grace Ockwell
Cc: Kristy Rusher
Subject: Re: Local Government Official Information request - 518094

Please refer to your email below and take note that you are now in breach of your response time to my oia.

Due to this I am now forwarding my original request to the ombudsman to fully investigate on my behalf.

Regards,

Scott

Sent from my iPhone

On 6/10/2015, at 4:55 pm, Grace Ockwell <Grace.Ockwell@dcc.govt.nz> wrote:

Good afternoon Scott,

Thank you for your email of 8 September 2015.

I am extending the time for response to your request for a further 20 working days as consultations necessary to make a decision on the request are such that a response cannot reasonably be made within the original time limit.

As we have extended the time for response, you have the right under 27 of the Local Government Official Information and Meetings Act 1987 to have


our decision reviewed by the Office of the Ombudsman.

I will be in touch again shortly with our response.

Yours sincerely,

Grace Ockwell
Governance Support Officer
Civic and Legal

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

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Please consider the environment before printing this e-mail

From: Scott [REDACTED]
Sent: Tuesday, 8 September 2015 11:32 a.m.
To: Grace Ockwell
Subject: Local Government Official Information request - 518094

Scott has submitted a LGOIMA request - 518094.

Below are the details of the request

Request details:

After much communication with DCC and Worksafe NZ I am still none the wiser about certain aspects of trench safety and ACOP rules. The questions below have been asked many times over a 3 year period and I have yet to receive an answer. Hopefully this OIA request will help establish these answers and just before I continue I have many many emails and photographs regarding the instances I am referring too, which are available should you require them.

- how many contractors in the past 2 years have been given improvement notices for trench work?
- how many of these contractors have been repeat offenders?
- the timber systems currently being used in Dunedin ie university job, queen street (work being carried out today and in the past two years) are they suitable for surcharged loads?
- what is the methodology of installation on these above mentioned systems?
- how many complaints have been received by the DCC in the past 2 years for trench work?
- how many of your approved contractors have had improvement notices and how is this recorded? are they not monitored afterwards?
- is this information taken into account when new contracts are being awarded?
- are contractors required to abide by the ACOP for trench safety (as stated in your contracts)?
- "We have asked all the DCC contract managers to pay special attention to the trenching procedures that their contractors are employing on the various jobs now and in the future to ensure we are properly managing the risks and meeting good industry practice." This has been taken from a recent email From the DCC, my question is why is the university job continuing in the manner it is. After all this job was first pulled up by your internal H&S rep then me and nothing has changed??
- "As we have discussed people do make mistakes and we agree that trenching can expose people to serious hazards

....." Another comment from a DCC email, I'd call it ignorance not mistakes as we learn by those! Eg William stated that there was not enough supports in the Bradford street excavation yet 2 weeks or so later there was even less !? Why after my complaint and Williams improvement request has nothing changed? • how many times in the past 2 years as the above scenario happened ? • looking at the queen street job can you confirm that the following if any of the points quoted in the ACOP section 6.3 have been met? Q 11,14, 15, 20, 21,, 24 and a 27, please note this is only a basic check list! I look forward to receiving these long awaited answers and hopefully at some point in the future seeing these basic rules adhered too. Aswell as seeing contractors that do follow rules awarded these contracts on merit and not cheapest price. Kind regards Scott

File attachment

No file uploaded

Name

Scott Tierney

Email address

[REDACTED]

Mailing address

[REDACTED]

Contact phone number

[REDACTED]

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