

**5. APPLICATION BY TRANSFIELD SERVICES ON BEHALF OF TELECOM NEW ZEALAND LIMITED TO INSTALL A MUX HIGH SPEED INTERNET COMMUNICATIONS CABINET ON WILMINGTON RESERVE**

The Policy and Leasing Officer requested the Board to approve an easement right under Section 48(1)(a) of the Reserves Act 1977 to Telecom New Zealand Limited part of Wilmington Reserve, being a recreation reserve held under Lot 88, Deposited Plan 82120, to enable Telecom New Zealand to locate a Mux cabinet (high speed internet communicator) and cabling to serve part of the Burwood area.

The Board **resolved** to approve an easement of approximately 11.5 m<sup>2</sup> to accommodate a Mux cabinet (colour to match the existing stone wall), pit area and cabling to the street, at a point on Wilmington Reserve near the entrance, under Section 48(1)(a) of the Reserves Act 1977 grants, subject to the following conditions:

- (a) The applicant obtains any necessary resource and building consents.
- (b) The approval of the Minister of Conservation is obtained urgently.
- (c) The operation of the unit fully complies at all times with the noise standards detailed in the Operative City Plan.
- (d) A bond of \$2,000 being lodged by the contractor with the Council via the Greenspace Unit's Area Contracts Officer at the Linwood Service Centre, prior to work commencing in Wilmington Reserve. The bond is to be returned to the applicant at the end of the contract period less any costs incurred by the Council to reinstate the area.
- (e) The applicant ensures that all contractors carrying out works on Wilmington Reserve are to carry and produce evidence of having adequate public liability insurance with a minimum of \$1,000,000 cover.
- (f) The applicant ensures that the affected part of Wilmington Reserve is reinstated in with the same number of plants as to that which existed prior to the placing of the Mux cabinet and pit.
- (g) The contractor ensures any work undertaken in Wilmington Reserve is fully secured during the installation of services, and that full Health and Safety requirements for the work site are set in place.
- (h) That any excavated material is temporarily stockpiled in an appropriate area of the reserve that does not effect the existing vegetation or ecosystem. All excavated material after the completion of works to be removed off the park.
- (i) The contractor is to be responsible for locating any above and underground services (eg electricity, water, telephonic, stormwater and sewage lines) in Wilmington Reserve and protect them from damage.
- (j) That the applicant pays to the Council a sum as decided by independent valuation for the privilege of placing the encumbrance (easement) on the Council's title for the placement of the new Mux cabinet, pit and cabling.
- (k) That the applicant is to be responsible for the removal of any graffiti on the Mux cabinet within 24 hours otherwise a penalty fee will be charged.