

9. APPLICATION BY CONNELL WAGNER ON BEHALF OF MR J S FAIRHALL FOR EASEMENTS TO PROVIDE POWER AND TELEPHONIC CONNECTIONS, AND TO CONVEY WATER AND STORMWATER ACROSS NICHOLSON PARK TO SERVE 35 WHITEWASH HEAD ROAD

The Policy and Leasing Officer sought Board approval to grant easement rights to Mr J S Fairhall over part of Nicholson Park.

The Board **resolved**:

1. To grant registered easements to Mr J S Fairhall as dominant tenement for specified services through Nicholson Park as outlined below:
 - (a) Approximately 30m² for stormwater disposal, (the easement being approximately 2m wide by 15m long).
 - (b) Approximately 44m² for electrical and telephonic services, (the easement being approximately 2m wide by 22m long).
 - (c) Approximately 20m² for high pressure water supply, (the easement being approximately 2m wide by 10 m long).
2. That the granting of the easements be subject to:
 - (a) A bond of \$2,000 being lodged by the contractor with the Council via the Policy and Leasing Officer, Greenspace Unit, prior to work commencing in Nicholson Park. The bond is to be returned to the applicant at the end of the contract period less any costs incurred by the Council in reinstating the area.
 - (b) The applicant ensuring that all contractors carrying out works on Nicholson Park carry and produce evidence of having adequate public liability insurance with a minimum of \$1,000,000 cover.
 - (c) The applicant ensuring that the affected part of Nicholson Park is reinstated to the satisfaction of the Council's Greenspace Unit's Field Supervisor (Parks).
 - (d) The contractor ensuring that any work in Nicholson Park is physically separated from the adjoining park, or private property, during the installation of services, and that full health and safety requirements for the work are in place.
 - (e) That any excavated material is temporarily stockpiled in an appropriate area of the park that does not affect the existing vegetation or ecosystem. All excavated material after the completion of works must be removed from the park.
 - (f) The contractor being responsible for locating any above and underground services (eg electricity, water, telephonic, stormwater and sewage lines) in Nicholson Park and protecting them from damage.
 - (g) The applicant paying to the Council a sum as decided by independent valuation for the privilege of placing the encumbrances (easements) on the Council's title for the new services required for the subdivision only.