

1. **ROAD LEGISLATION, ROAD STOPPING OF UNFORMED ROAD AND OCCUPATION OF ROAD AIRSPACE OUTSIDE 1 WHITEWASH HEAD ROAD**



A report was submitted to the Board by Weng Kei Chen, Asset Policy Engineer, requesting the Board to support a proposal:

- (a) To commence road stopping procedures in relation to approximately 59m<sup>2</sup> of unformed legal road outside 1 Whitewash Head Road as shown in the plan attached to the report.
- (b) To commence the formal process to dedicate the existing formed carriageway presently situated on land owned by the owners of 1 Whitewash Head Road as legal road. This process is consequential to the Court Order 6152280.
- (c) To permit the owners of 1 Whitewash Head Road to occupy approximately 90m<sup>2</sup> of legal road as airspace.
- (d) To require the owners of 1 Whitewash Head Road to enter into a Deed of Licence to permit their continued use of their existing garage situated on that part of their existing land intended to vest in the Council as legal road.
- (e) To remove all existing built structures on unformed legal road, eg pond and fence.

As a decision was required prior to the Christmas break, the report was submitted to the 20 December 2005 Council meeting. The Board **decided** to support the staff recommendation subject to an addition to clause (d) "provided that if access is available on-site then the Deed of Licence be revoked".

(Note: John Freeman recorded his vote against the resolution.)