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**REPORT 6**  
*(1215/11/IM)*

**Report of the Regulatory Processes Committee**  
**Meeting of Wednesday 12 May 2010**

**Members:** Mayor Prendergast, Councillors Gill (Chair), Best, Cook, Goulden, Pannett and Wain.

**THE COMMITTEE RECOMMENDS:**

1. **ITEM 030/10RP ROAD STOPPING AND DISPOSAL – LEGAL ROAD ADJOINING 124 CHURCHILL DRIVE, CROFTON DOWNS (1215/53/IM) (REPORT 1)**

*THAT Council:*

1. *See Part B.*
2.
  - (a) *Agrees that the 2,365m<sup>2</sup> (subject to survey) area of unformed legal road land adjoining 124 Churchill Drive, Crofton Downs, is not required for a Public Work.*
  - (b) *Approves the disposal of the approximately 2,365m<sup>2</sup> area of unformed legal road land adjoining 124 Churchill Drive, Crofton Downs, to the owner of that property.*
  - (c) *Authorises Council officers to commission a section 40 Public Works Act report from suitably qualified consultants to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
  - (d) *Delegates to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) Public Works Act (if appropriate).*
  - (e) *Authorises Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*

- (f) *Delegates to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
  
- (g) *Delegates to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 124 Churchill Drive, either with the former owner, or their successor, or the owner of 124 Churchill Drive, provided any such agreement is conditional upon the road being stopped.*

**Leonie Gill**  
**Chair**