

#### 4. PROPOSED ROAD STOPPING - PART OF WORCESTER STREET (LATIMER SQUARE)

<b>Officer responsible</b> Environmental Services Manager	<b>Author</b> David Mountfort, Team Leader, City Plan Team, DDI 941-8669
--	---

The purpose of this report is to recommend to the Council a change to the Operative Transitional Plan to indicate a proposed closure of Worcester Street where it passes through Latimer Square.

##### BACKGROUND

The Council will be familiar with the proposal to close the portion of Worcester Street where it passes through Latimer Square and to incorporate the land into the park. The Council has already authorised a variation to the Proposed City Plan to indicate this closure in the Plan. Further legal advice now indicates that the closure should also be shown in the operative Transitional Plan.

Although road closure has its own separate legal process through the 10<sup>th</sup> Schedule of the Local Government Act 1974, there is a cross-reference to the City Plan process. Under the 10<sup>th</sup> Schedule the Environment Court is directed to consider the district plan when considering any proposal to close a road.

A district plan is defined in the Resource Management Act to mean an operative Plan. Therefore, although for most purposes the Proposed City Plan is now the more important document, in this case the older Transitional plan is the one which must be formally considered by the Court.

A Change to the Operative Transitional Plan has therefore been prepared. This is essentially very similar to the Variation which has already been publicly notified to the Proposed Plan. However, the accompanying section 32 report has been rewritten to reflect the recent amendments to the Resource Management Act 1991. Such reports are now to assess how any objectives meet the purpose of the Act, while any policies, methods or rules are to be assessed as to how they best implement the objectives. As there are no amendments to the objectives, the assessment identifies the relevant objectives relating to transport, open space and amenities and assesses the proposal in that light.

- Recommendation:**
1. That the Council approve the attached Change 42 to the operative Christchurch Transitional District Plan and that the change be publicly notified.
  2. That the Council adopt the attached Section 32 report.

(Note: Councillors David Cox, Gail Sheriff and Sue Wells retired from consideration of this clause and took no part in the discussion or voting thereon.)