

**Bus Shelter Hearing Panel**  
**2 Nicholls Road**  
**AGENDA**

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**Notice of Meeting:**

A Bus Shelter Hearing Panel meeting will be held on:

**Date:** Tuesday 22 March 2016  
**Time:** 11am - 12pm  
**Venue:** Committee Room 2, Level 2, Civic Offices,  
53 Hereford Street, Christchurch

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**Panel**

Members  
Councillor Tim Scandrett  
Councillor Phil Clearwater  
Community Board Member Islay McLeod

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15 March 2016

**Principal Advisor**  
Brenda O'Donoghue  
Passenger Transport Engineer  
Tel: 941 8583

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Hearings Advisor  
941 6227  
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[www.ccc.govt.nz](http://www.ccc.govt.nz)

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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**1. Apologies**

At the close of the agenda no apologies had been received.

**2. Election of Chairperson**

### 3. Proposed Bus Passenger Shelter - 2 Nicholls Road

Reference: 16/232600

Contact: Brenda  
O'Donoghue                      brenda.odonoghue@ccc.govt.nz                      941 8583

#### 1. Purpose and Origin of Report

##### Purpose of Report

- 1.1 The purpose of this report is for the Bus Shelters Hearing Panel to approve the installation of a bus passenger shelter outside No. 2 Nicholls Road adjacent to the existing bus stop.

##### Origin of Report

- 1.2 This report is a staff generated Bus Shelters Hearing Panel report. Section 339 of the Local Government Act requires that resolution of the proposed shelter will require a separate decision of a Council Hearings Panel that will hear the objections of the immediate owner(s) and occupier(s) of bordering properties.

#### 2. Significance

- 2.1 The decision(s) in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy.
  - 2.1.1 The level of significance was determined by comparing factors relating to this decision against the criteria set out in the Council's Significance and Engagement Policy.
  - 2.1.2 The community engagement and consultation outlined in this report reflect the assessment.

#### 3. Staff Recommendations

That the Bus Shelters Hearing Panel:

1. Receive the information in the staff report.
2. Approve the Bus Passenger Shelter for installation at 2 Nicholls Road

#### 4. Key Points

- 4.1 This report supports the [Council's Long Term Plan \(2015 - 2025\)](#):
  - 4.1.1 Activity: Public Transport Infrastructure
    - Level of Service: 10.4.4 Ensure user satisfaction with the number and quality of bus shelters
- 4.2 The following feasible options have been considered:
  - Option 1 - Bus passenger shelter installation adjacent to 2 Nicholls Road, by an existing bus stop.
- 4.3 Option Summary - Advantages and Disadvantages (Preferred Option)
  - 4.3.1 The advantages of this option include:
    - Improves the existing bus stop by providing protection from wind, rain, sunlight and heat,

- Provides increased space to include information about bus services and the local area,
  - Seating provided within the shelter, and
  - Increase the visibility and legibility of public transport.
- 4.3.2 The disadvantages of this option include:
- Increase in the number of bus passenger shelters to be maintained by the Council.

## 5. Context/Background

- 5.1 The bus stop was resolved in May 2004 and has been operating at this location since.
- 5.2 A bus passenger shelter is proposed for the bus stop adjacent to 2 Nicholls Road because:
- Approximately 55 passengers board a bus per day (Monday to Friday)
  - The bus stop is located on one of Christchurch's high frequency bus routes, the Orange line.
  - Christchurch City Council and Environment Canterbury (ECan) have received a number of requests from members of the public to have a bus shelter installed at this location.
- 5.3 ECan is supportive of the proposed bus passenger shelter installation.
- 5.4 Council staff propose to install a bus shelter in the location outlined in the attached bus shelter plan, refer to **Attachment A**. This does not impact on the bus stop location.
- 5.5 Under s339 of the Local Government Act (1974) the Council may erect on the footpath of any road a shelter for use by intending public-transport passengers or taxi passengers provided that no such shelter may be erected so as to unreasonably prevent access to any land having a frontage to the road. The Council is required to give notice in writing to the occupier and owner of property likely to be injuriously affected by the erection of the shelter, and shall not proceed with the erection of the shelter until after the expiration of the time for objecting against the proposal or, in the event of an objection, until after the objection has been determined.
- 5.6 Staff confirm the shelter will not prevent vehicular or pedestrian access to any land having a frontage to the road, as a result of the proposed shelter installation.
- 5.7 Consultation has been carried out with the affected properties. The consultation period for the proposed shelter occurred from Tuesday 19 January 2016 to Friday 5 February 2016.
- 5.8 During the consultation period feedback was received from the property owner of 2 Nicholls Road, Mr Paul Birch. The reasons for the objection include rubbish being left beside the bus stop, and buses blocking the driveways of 2 and 4 Nicholls Road, refer to **Attachment B**.
- 5.9 Staff acknowledge Mr Birch's concerns and provide the following responses:
- 5.9.1 Installation of a rubbish bin has been confirmed. The rubbish bin will be emptied five days per week.
- 5.9.2 As per the Land Transport (Road User) Rule 2004, section 6.9, buses may stop across the thresholds of driveways for the purpose of allowing passengers to board and leave the bus. In this case buses are expected to be arriving at the bus stop approximately every fifteen minutes and the average time the bus is stopped is about 44 seconds. The stop time is considered a typical duration to allow passengers to board or leave the bus.
- 5.10 The above information was included in a letter to Mr Birch, sent by email, 16 February 2016 (refer to **Attachment C**). Note the rubbish bin was being investigated at the time the letter was issued.

## 6. Option 1 - Proposed Bus Passenger Installation - 2 Nicholls Road

### Option Description

- 6.1 Install a bus passenger shelter outside 2 Nicholls Road, adjacent to an existing bus stop.

### Significance

- 6.2 The level of significance of this option is low consistent with section 2 of this report. Engagement requirements for this level of significance includes the consultation with occupier and owner of property likely to be injuriously affected by the erection of the shelter.

### Impact on Mana Whenua

- 6.3 This option does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Ngāi Tahu, their culture and traditions.

### Community Views and Preferences

- 6.4 The property of 2 Nicholls Road is specifically affected by this option due to the proposed shelter being directly adjacent to the road frontage of 2 Nicholls Road.
- 6.5 A consultation notice and feedback form was mailed to the owner or occupier of 2 Nicholls Road on 19 January 2016, requesting the owner or occupier approval or objection to the bus shelter at the bus stop outside the property they own or occupy. The consultation process closed on 5 February 2016.
- 6.6 The views of the objector, Mr Birch, include rubbish being left beside the bus stop, and buses blocking the driveways of 2 and 4 Nicholls Road, (refer to **Attachment B**).
- 6.7 The staff response to the Mr Birch, have been outlined in Section 5.9.1 (a rubbish bin is to be provided and maintained) and Section 5.9.2 (buses are allowed to stop across the threshold of a driveway in order to allow passengers board or leave the bus).

### Alignment with Council Plans and Policies

- 6.8 This option is consistent with Council's Plans and Policies

### Financial Implications

- 6.9 Cost of Implementation - \$10,000 for the installation of the bus passenger shelter.
- 6.10 Maintenance / Ongoing Costs - Costs will be met from the Passenger Transport Maintenance budget.
- 6.11 Funding source - The cost will be met from the Passenger Transport Infrastructure budget available for the installation of shelters.

### Legal Implications

- 6.12 Where an objection to the shelter has been presented by the owner or occupier of an affected property, the delegated authority to make a decision to install a bus passenger shelter resides with a Council hearings panel.

### Risks and Mitigations

- 6.13 Shelter is not installed, leading to poor level of service for passengers waiting for a bus.
- 6.14 If a shelter is not installed a seat will be installed instead.

### Implementation

- 6.15 Implementation dependencies - approval by the Council hearings panel
- 6.16 Implementation timeframe - dependant on the contractor's workloads, but the shelters should be installed within three months of being approved.

### Option Summary - Advantages and Disadvantages

6.17 The advantages of this option include:

- Protection from wind, rain, sunlight and heat,
- Provides increased space to include information about bus services and the local area,
- Seating provided within the shelter, and
- Increase the visibility and legibility of public transport.

6.18 The disadvantages of this option include:

- Increase in the number of bus passenger shelter to be maintained by the Council,

### Attachments

No.	Title	Page
A	Proposed Bus Shelter Plan: 2 Nicholls Road	9
B	Feedback form: 2 Nicholls Road Section 339 bus shelter objection 2016 02 04	10
C	Letter to Paul Birch 2 Nicholls Road - response to shelter objection 2016 02 16	11

### Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

### Signatories

<b>Authors</b>	Brenda O'Donoghue Steve Parry Steffan Thomas	Passenger Transport Engineer Manager Traffic Operations Operations Manager
<b>Approved By</b>	Chris Gregory David Adamson	Head of Transport General Manager City Services





**Christchurch City Council  
Assets and Network Unit**

**Proposed 2 Nicholls Road bus passenger shelter**

**FEEDBACK FORM**

Name: Paul Birch

Please tick one:

Property owner  (✓)  
Tenant  ( )

Address of affected property 2 Nicholls Rd Halswell

Contact address 2 Nicholls Rd Halswell

Contact number: 027 533 7102

Proposed bus passenger shelter outside 2 Nicholls Road.

I agree to the proposal that an improved bus passenger shelter be installed at the above location, as shown on the plan provided:

Please circle relevant response.

Yes

No<sup>1</sup>

Comments:

- Rubbish left on site now, on road or over fence  
beer bottles, plastic bottles, food  
- no room for bus to stop without blocking  
2 driveway

Signature Paul Birch Date 4-2-16

<sup>1</sup> If you circle 'no' this is an objection to the proposal. It must be received by the Council within 14 days. The Council will then arrange for a hearing of any objections before making a final decision.



Paul Birch  
2 Nicholls Road  
Halswell  
Christchurch

16 February 2016

**Section 339 Bus Shelter consultation - 2 Nicholls Road**

Dear Paul

Thank you for your feedback about the proposed bus shelter outside your property at 2 Nicholls Road.

We appreciate your concern about the effect of the bus shelter on your property including:

- Rubbish left on site, on the road or over the fence - including beer bottles, plastic bottles and food
- The location of the existing bus stop means there is no room for the bus to stop without blocking two driveways

We will get back to you to confirm whether we can install a rubbish bin at the shelter, including how often it would be emptied on the Council roster.

As per the Land Transport (Road User) Rule 2004, S6.9, buses may stop across the thresholds of driveways for the purpose of allowing passengers to board and leave the bus. In this case buses are expected to be arriving at the stop approximately every fifteen minutes and the average wait time is 44 seconds, which is considered a typical turnover time for bus stops.

We will contact you shortly to confirm the date and time of a hearing. The purpose of the hearing is for you to speak directly to a panel of Councillors and Community Board members to explain your concerns, before they decide whether to confirm the shelter at this bus stop location.

Please get back to me if you have any other questions about the plan or the process.

Kind regards



Philippa Upton

Engagement Advisor  
Public Information and Participation Unit  
Christchurch City Council

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[Ref 16/143160](#)

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#### 4. Consideration of Objections

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The Hearings Panel will consider the staff report and all written and oral presentations from objectors.

#### 5. Deliberations

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