

5. SHEFFIELD CRESCENT – NEW BUS SHELTER LOCATION

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| General Manager responsible: | General Manager, City Environment |
| Officer responsible: | Transport and City Streets Manager |
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval to install a bus shelter at 35 Sheffield Crescent.

EXECUTIVE SUMMARY

2. Bus patrons have requested a bus shelter at the bus stop outside 35 Sheffield Crescent. This stop is the terminus of the three cross town routes at the central city, Barrington and to Sommerfield. In the mid week about 90 bus trips per day commence from this bus stop. This bus stop meets the criteria for a bus shelter.
3. Discussions have been ongoing with the owners of 35 Sheffield Crescent in an attempt to get their agreement to place the shelter in front of their property. To date no agreement has been reached and it is unlikely such agreement will be reached.
4. Under s339 of the Local Government Act (1974) the Council has the right to erect a shelter on footpaths of any road subject to a number of conditions. One of those is giving a formal notice to the occupier and owner of land likely to be affected by the erection of the shelter and giving them an opportunity to formally object.
5. The options available to the Board are to either approve this location and give staff the approval to issue the formal notice to the owners and occupiers of 35 Sheffield Crescent, or to decline the request, which will mean staff will need to find another location.
6. If approval is given by the Board, and a formal notice is issued, and a written objection is received then the Council must hear that objection. Community Boards do not have the delegated authority to hear objections. This has been delegated to the Council Hearings Panel and this Panel will make the final decision as to whether or not to allow the objection. If a written objection is not received within the required time then the shelter will be installed.

FINANCIAL AND LEGAL CONSIDERATIONS

7. 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.
8. Should the shelter be approved the site will be offered as a suitable location for an Adshell shelter. If accepted, there would be no cost to the Council. If Adshell do not accept the site then the cost to the Council would be \$10,000. Sufficient budget exists in the Passenger Transport Infrastructure budget for this shelter.

STAFF RECOMMENDATION

It is recommended that the Board:

- (i) Approve the installation of a bus shelter at the bus stop along the frontage of 35 Sheffield Crescent.
- (ii) Authorise staff to issue the appropriate notices in terms of s339 of the Local Government Act (1974).

CHAIRMAN'S RECOMMENDATION

That the staff recommendation be adopted.