

Bus Shelter Opposition Hearing
8 May 2014

Report for Agenda Item: 1

Department:

Infrastructure and Assets

Proposed Bus Shelter at 41 Hallenstein Street

Purpose

- 1 To decide whether the opposition to a proposed bus shelter outside 41 Hallenstein Street is valid and the issues raised are substantive enough for the shelter not to go ahead.

Prepared by:



Andrew Edgar
Infrastructure Engineer
16/05/2014

Authorised by:



Ulrich Glasner
Chief Engineer
16/05/2014

Background

2 Timeline

- a. School children have been picked up by buses on the north side of Hallenstein Street for at least 40 years. For most of this time the children have waited on the driveway at 43 Hallenstein Street. The number of children waiting for buses has increased substantially in recent years - from approximately 7 to approximately 70 - as described in a letter from Mrs KPSmith of 43 Hallenstein Street (Attachment F)
- b. A letter was sent on 30 April 2012 to Mrs Barbree Gummer (Attachment A) regarding the installation of a concrete pad outside 41 Hallenstein Street to provide children a place to wait for their school bus. The letter requested any details regarding the development of the property that may affect the placement of the pad. Council's previous network operations engineer recalls a phone call reply which gave conditional agreement if the pad did not affect future access to the property.
- c. After some correspondence with Denis Mander (Attachment B), St Joseph's School made a submission to the 2013 Annual Plan process (Attachment C) requesting a shelter be installed on the "concrete pad"

school bus stop on the north side of Hallenstein Street due to heat issues during summer and protection from rain.

- d. The installation of a shelter was approved in the 2013-14 Annual Plan subject to consultation. This resulted in an initial plan to install two shelters side by side outside both 39 and 41 Hallenstein Street.
 - e. Letters were sent to the owners who share in the larger property that includes 39 Hallenstein Street on 1 August 2014. There was general opposition to the bus shelter.
 - f. An email was sent to Roger Gummer – the son of the owners of 41 Hallenstein Street – on 1 August 2013 and a follow-up email was sent 20 August 2013 (Attachment D) asking whether the family supported or opposed the installation of the shelter in the road reserve outside their property.
 - g. An email was received from Roger Gummer on 21 August 2013 (Attachment D) indicating that the family was not supportive of the bus shelter, but the “impingement of the bus shelter on our family property can easily be borne at this stage”.
 - h. Given the opposition to the shelter outside 39 Hallenstein Street but qualified agreement to the shelter outside 41 Hallenstein Street, the installation of one shelter was added to the minor improvements programme. After confirmation that there was budget for a new shelter, a quote for the installation of a new shelter was requested in March 2014 from the manufacturers CAM. The shelter’s dimensions are 3.6m wide, 1.3m deep and 2.1m high and its proposed placement and design are shown in Attachments E & F.
 - i. On 27 March 2014, Mrs Barbree Gummer rang, asking about the proposal for the bus stop outside her property. On finding out that a bus shelter was proposed, she expressed her outright opposition to the shelter.
 - j. After establishing the process required by the Local Government Act 1974 if there is an objection to a shelter, the hearings panel was established.
 - k. A letter was sent on 1 May 2014 to Mrs Gummer detailing the proposed shelter and that a hearing date had been set (Attachment G).
- 3 Mrs Gummer’s neighbour, Mrs Smith, has also expressed opposition to the bus shelter, her most recent correspondence received 7 May 2014. Although not required to be heard by the Local Government Act 1974, she has also been invited to present at the hearing.
- 4 As the requestor of the bus shelter, St Joseph’s School through its Board Chair, Gigi Hollyer, has also been invited to present at the hearing.

Comment

Bus route

- 5 The greatest concern expressed by both Mrs Gummer and Mrs Smith is around the school children having to cross the road to catch the bus in the first place. This is a bus route issue. The Ministry of Education sets the bus routes, with the bus stops determined by the bus companies. In this case, the

buses that pickup from the north side of Hallenstein Street have previously picked up children from Queenstown Primary School and Queenstown High School. The bus route, and therefore bus stop, is therefore the quickest and easiest for buses.

- 6 This does not mean that the bus route cannot be changed, and a review of bus routes within the Wakatipu has been initiated. However any changes are unlikely to be implemented until the next round of school bus routes are tendered by the Ministry of Education.

Crossing the road

- 7 The concern around the bus route also relates to concerns regarding children crossing the road. Hallenstein Street, at the end of school day, is a highly congested area with the buses and parents picking up their children. It is therefore a much slower speed area than at other times of the day. There is also a pedestrian crossing for the children to cross making them more visible to drivers than at other points on the road. So, although it is not ideal to have children crossing the road, the current situation means it is relatively safe than at other times of the day.

Exiting property

- 8 Mrs Smith also has an issue exiting her driveway with buses stopped outside her property. This will also affect 41 Hallenstein Street when it is developed. This is also a route issue and not related to the shelter.

Legalities

- 9 The legality of children crossing the road to catch the bus has been raised but there is no known restriction. The stopping of buses beside no stopping lines (yellow dashed lines) is technically an issue, but for practical purposes line marking the area as bus stop could create confusion and additional issues.

Sight distances exiting properties

- 10 It is unlikely that the shelter will cause sight distance issues for any property as it is proposed to be set well back from the road edge.

Reducing the usability of street frontage

- 11 The bus shelter will take up around one third of the frontage of 41 Hallenstein Street. Part of the frontage is also unusable for vehicle access purposes due to the location of the pedestrian crossing. This would leave the left hand side of the property the only point that could be used for vehicle access. Given the location of the pedestrian crossing, this would be the preferred location from Council's perspective, regardless of the installation of the shelter. This was also the location for access requested by Roger Gummer in the original submission on the bus shelter.

Visual intrusion

- 12 Bus shelters are generally big and bulky in terms of visual intrusion. However the bus shelters used around the district include a lot of glass to reduce this intrusion. Additionally at this site there is a lot of additional road reserve behind the proposed shelter where screening plants can be planted to help reduce the visual impact looking from the property. The site also rises steeply from front to back so the majority of any development is likely to be sited well above the height of the shelter.
- 13 The view of the property from the front will be affected, although the glass nature of the shelter should reduce this effect. The form of the final development would determine how noticeable the shelter is in relation to the rest of the property. As there is no development proposed to Council at this stage, the effect cannot be determined.

The comfort of children

- 14 The reason for installing the shelter is in regard to the comfort of children, ensuring they are not too hot on particularly sunny and hot days during summer, and to keep dry when it is raining, especially during the colder winter months. The shelter would be used on a daily basis during school days. Given school holidays, this would be around half of the 365 days in a year. As a very rough estimate, adverse conditions (hot or wet) would occur 20% of the time children would be using the shelter – less than 40 days a year. This still seems to be a reasonable number of days per year justifying the need for the shelter.

Encouraging the use of buses

- 15 From council's perspective, it is important to encourage the use of buses to reduce the amount of vehicle traffic around schools, especially in constrained areas such as around St Joseph's School. The installation of a bus stop, although only effective for a small percentage of the year, is a good indication to parents that their children are being cared for while waiting for the bus. This can make the use of the bus by the children a good option for them rather than trying to pick them up from the school. It is difficult to actually quantify this benefit, but nonetheless, it is a factor that can be taken into account and the principal reason Council invests in the installation of bus shelters.

Financial Implications

- 16 A decision that results in the installation of a shelter going ahead will require the moving of a low use shelter to the location or the purchase of a new shelter. This cost was agreed to in the 2013-14 Annual Plan process and funds are available within the Wakatipu minor improvements budget.

Local Government Act 2002 Purpose Provisions

- 17 The installation of bus shelters for school children is an efficient and effective way of contributing to their health and well-being while waiting for their bus. It is also appropriate in this circumstance as the shelter allows children to cross the road at their leisure when the traffic conditions are safe, rather than having to stand on the south side of Hallenstein Street where there is some protection, and then hurrying across the road when the bus arrives.
- 18 The installation of bus shelters contributes towards the core local authority service of providing public transport network infrastructure.

Council Policies

- 19 The Bus Stop Policy and Standards is relevant to this report. The critical issues when considering a bus shelter are discussed in this report.
- 20 The Policy on Significance is not relevant as there will be no significant changes to assets, the levels of service or a way an activity is carried out.

Consultation

- 21 The consultation that has been carried out is detailed in the background section of this report.

Publicity

- 22 A media statement would be prudent if there is a decision not to install the shelter, including the reasons why the shelter is not being installed as it has been previously reported in the media that a shelter would be installed.

Attachments

- A Letter to property owner of 41 Hallenstein Street regarding proposed installation of hard standing surface for school bus service
- B Bus stop letter March 13 (from St Joseph's School)
- C Annual plan submission from Gigi Hollyer requesting 2 bus shelters on Hallenstein St for St Joseph's students
- D Re Proposed Bus Shelter - 41 Hallenstein Street – Queenstown
- E Proposed position of bus shelter outside 41 Hallenstein Street
- F Mock-up of bus shelter in front of 41 Hallenstein Street
- G Letter to Mrs Barbree Gummer regarding the possible bus shelter outside 41 Hallenstein Street including notification of hearing

30 April 2012

GUMMER BARBREE
390 REDOUBT ROAD
MANUKAU CITY 2016

File:
Your ref:

Dear Property Owner of 41 Hallenstein Street, Queenstown

INSTALLATION OF CONCRETE PAD OUTSIDE PROPERTY

The Queenstown Lakes District Council is intending to provide a concrete pad or similar hard standing surface within the road reserve outside 41 Hallenstein St, Queenstown. This is necessary for the existing school bus service that collects from this side of the street. It would be appreciated if you could confirm receipt of this communication and also advise any plans, if any, to develop the section so the positioning of the pad can be placed with minimal disruption to your future plans.

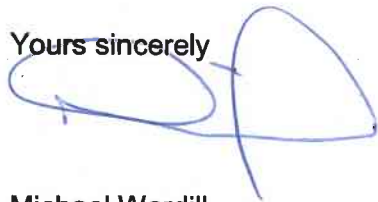
The proposed location for the concrete pad or similar hard standing surface is depicted below.



Private Bag 50072, Queenstown 9348, New Zealand ~ www.qldc.govt.nz
10 Gorge Road, QUEENSTOWN, Phone +64-3-441 0499, Fax +64-3-450 2223
47 Ardmore Street, WANAKA, Phone +64-3-443-0024, Fax +64-3-443 8826

Please don't hesitate in contacting myself if you have any questions or comments. I can be reached via phone on 03 450 2221 or email michael.wardill@qldc.govt.nz.

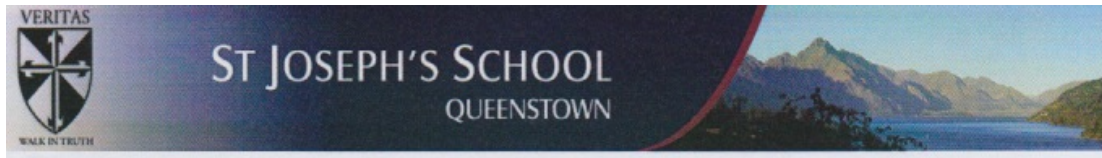
Yours sincerely



Michael Wardill
Network Operations Engineer

Private Bag 50072, Queenstown 9348, New Zealand, www.qldc.govt.nz

10 Gorge Road, QUEENSTOWN, Phone +64-3-441 0499, Fax +64-3-450 2223
47 Ardmore Street, WANAKA, Phone +64-3-443 0024, Fax +64-3-443 8826



Monday 4 March 2013

Denis Mander
Transport Manager
Queenstown Lakes District Council
Private Bag 50072
Queenstown 9348

Dear Denis,

Having e-mailed you previously with out a response the students and I have decided to contact you more formally regarding a covered bus shelter for St Joseph's School. The school would once again like to thank you for providing the requested bus stop that greatly increases the safety for our students and clear our neighbour's driveway.

The following was written by two of our school leaders:

"Thank you very much for the new bus stop for our students, it has been very convenient and we and great use of space and we really appreciate it. Unfortunately, this means that on sunny days the ground is extremely hot and when it is raining we are not actually allowed to use the bus stop. The has been proven because last month we had a very hot day, so hot that the children could not sit at the stop so we had to bring them into the shade. The children desperately need a sun shade or we will not be able to use the bus stop and it will be a real waste of time and space. The shun shade will mean that the children can use the stop effectively, be sun safe and be protected from the weather. Taking all of this into consideration we would request a sun shade for our school bus stop."
Francesca and Poppy.

As you can see Denis from the above passage written by the students, the practicalities of using the bus stop are challenging currently. I am sure you have a practical solution to the hot sun and rain in the coming months. We hope you can consider this an important project worthy of consideration in the coming financial year.

We look forward to your response.

Kind regards,

Gigi Hollyer (Board Chair)



Gigi Hollyer

ID: 115

Organisation:

Contact Details: hollyer@queenstown.co.nz

Wish to speak at hearing: Yes

Other

I am the Board Chair of St Joseph's School Queenstown. We have been dealing with Denis Mander on safety issues around our after school bus stop on Hallenstein St. Denis has been very accommodating thus far installing a concrete pad to actually give our students some where safe to wait off the footpath and neighbours driveway for the bus. This has been a great step forward. Our students have brought to our attention how hot, sunbaked, wet or cold they can get while waiting for the bus. Denis has suggested we make a submission to ask for 2 standard sized bus shelter be installed side by side on the site for \$12,000 each. This would make a huge difference to the health and safety of our students and staff while they wait for the school buses after school. Thank you for your consideration in this matter.

Gigi Hollyer

From: Roger Gummer <rogergummer@yahoo.co.nz>
Sent: Wednesday, 21 August 2013 11:22 PM
Subject: Re: TRIM: Proposed Bus Shelter - 41 Hallenstein St. - Queenstown

Hello David,

My mother has stated to me that she does not want the left side (north-west) of the frontage blocked so there might be a driveway there. The south-east part of the frontage is where you have indicated the intention to put the shelter. This is more acceptable.

I am familiar with some local government and Environment Court protocol, and the declaration of support or oppose is often asked for. I do not wish that that binary conversation be entered into, and think that it is restrictive.

I would state that the creation of a bus stop and bus shelter is not really something that I support, and nor would my mother. However the impingement of the bus shelter on our family property can easily be born at this stage and I hope that it will not cause any problems in the future. Belonging to society means we all have to make some sacrifices.

The land already has a infrastructural drain (storm water or sewer) running through it. I hope that the site does not become easy pickings for infrastructural use. I hope that any future dealings with the council will be positive.

Thanks - Roger Gummer

From: David Knowles <David.Knowles@qldc.govt.nz>
To: "rogergummer@yahoo.co.nz" <'rogergummer@yahoo.co.nz'>
Sent: Tuesday, 20 August 2013 1:58 PM
Subject: FW: TRIM: Proposed Bus Shelter - 41 Hallenstein St. - Queenstown

Hi Roger,

Could you please provide a response to my email dated 1 August , by Friday 30 August.

Regards,
David Knowles

From: David Knowles
Sent: Thursday, 1 August 2013 4:27 p.m.
To: 'rogergummer@yahoo.co.nz'
Subject: TRIM: Proposed Bus Shelter - 41 Hallenstein St. - Queenstown

Hi Roger,

As you may be aware, Council has received a request from staff and pupils of St. Joseph's School for the installation of 2 bus shelters on Hallenstein St. adjacent to the property owned by your family on Hallenstein St.

I enclose a photo of the type of shelters that are proposed to be installed, and their approx. location.

To reduce the effect on your property, it is proposed that the shelters adjoin the frontage of both your property and that of the neighbouring property, as indicated on the attached aerial photo. If you would like to discuss the matter further please contact me.

Could you please indicate your support for this proposal by signing and returning the form below.

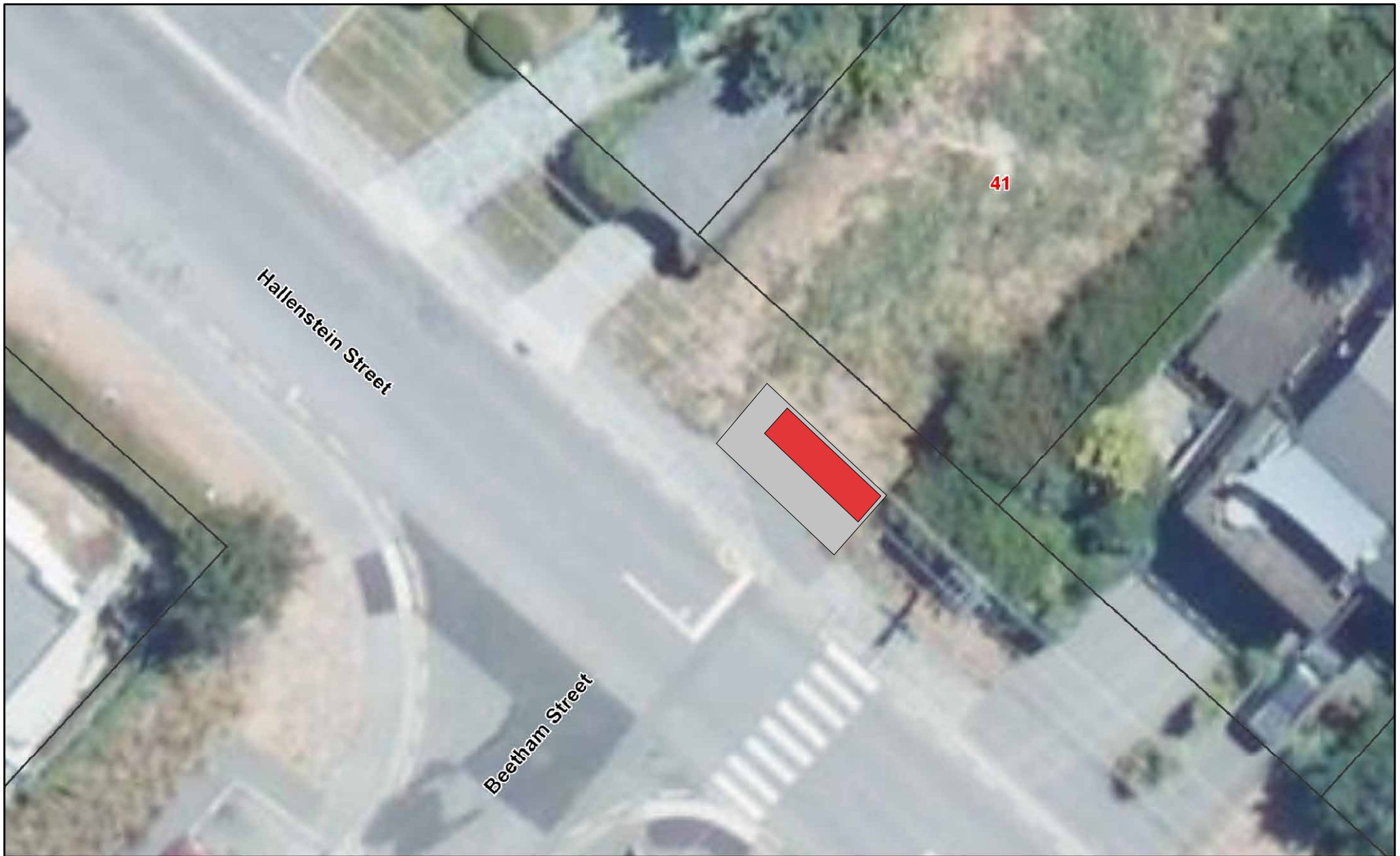
I/We _____ (signed) _____
(date)

Support / Oppose the erection of bus shelters adjacent to my / our property located at 41 Hallenstein St., Queenstown, as indicated on the attached aerial photo.

Regards,
David Knowles

David Knowles | Transport Service Engineer (Wanaka)
Queenstown Lakes District Council
DD: +64 3 4430416 | P: +64 3 4289144 | M: +64 27 4930400
E: david.knowles@qldc.govt.nz





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1 May 2014

Mrs Barbree Gummer
390 Redoubt Rd
Totara Park
AUCKLAND 2016

File: D113937

Dear Mrs Gummer

BUS STOP AND POSSIBLE SHELTER OUTSIDE 41 HALLENSTEIN ST, QUEENSTOWN

Thank you for letting us know about your concerns regarding the bus stop and the question around a bus shelter outside your property at 41 Hallenstein St, Queenstown.

As mentioned, we have been progressing a bus stop and a shelter following an email from your son, Roger. I have enclosed his email and the previous associated correspondence for your information.

The position of the bus stop was placed with Roger's feedback in mind – it has been located to allow for a 5m of frontage on the left side of the block for a driveway.

I have also included an image of the frontage of your property and the property boundaries from above. This also shows the current bus stop pad (in grey) and the proposed site of the shelter (in red). Note that the boundaries are not exact as the image is from a satellite and there are distortions due to the property being on the side of a hill.

Also note from this overhead image that the bus stop and the proposed shelter is fully within the road reserve with additional road reserve between the shelter and the property boundary. We would be happy to plant some bushes to screen the shelter – we usually use pittosporum which grows quickly and can be hedged.

I have also included a photo that shows the front of the property with a picture of a bus shelter superimposed onto it. The shelter we are considering is similar to this.

Note that we have been progressing the installation of a bus shelter due to a request from 2 school children from St Joseph's School who were concerned as they currently have to wait in rain and snow for their bus.

I understand you are also questioning the school bus route as it requires school children to cross Hallenstein St. We have started a process to review all bus routes in the Wakatipu Basin due to a number of concerns around school bus routes and the location of school bus stops. This review will include a representative of the Ministry of Education which sets bus routes, the bus company, the schools and council. However, if the route remains unchanged along Hallenstein St we would still want to install a shelter as requested.

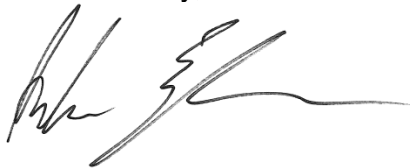
As you have indicated that you do not support a shelter being placed in front of your property, a hearing panel consisting of three Councillors has been established. The hearing date has been set as 11am on the 16th of May in the council chambers at the council offices situated at 10 Gorge Road, Queenstown. You may appear in person, have a representative appear in person, or you may send a submission to be read at the hearing. Can you please

indicate whether you wish to make a submission to the hearing and the form of your submission.

I understand that you have been in contact with a neighbour of your property about the issue. The council is only required to hear from the owner of the property on whose property frontage the bus shelter is proposed to be installed. However, the hearings panel can make a decision to hear from others who are for or against the proposed shelter. If they do decide to hear from others I will let your neighbour know. Of course, your neighbour can make your submission on your behalf.

After the hearing, the panel will make a decision on whether a shelter will be placed outside 41 Hallenstein St. this decision will then be taken to a full Council meeting for ratification.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Edgar', with a long horizontal flourish extending to the right.

Andrew Edgar
Infrastructure Engineer