

**QLDC Council
3 May 2018****Report for Agenda Item: 8****Department: Property & Infrastructure****Public Transport Infrastructure****Purpose**

The purpose of this report is to request Council establish a Hearing Panel to make decisions on Public Transport Infrastructure (Bus Shelters).

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Delegate** its power to a panel [to be named], to hear and make decisions on objections to the location of new public transport infrastructure, without further recourse to Council.

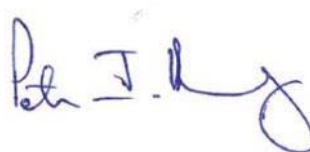
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10/04/2018

Reviewed and Authorised by:



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Property and Infrastructure
11/04/2018

Background

- 1 The Queenstown Town Centre Transport Strategy (QTCTS), and subsequent transport strategies, have included the need to provide infrastructure support to a revised Public Transport Network. This has required new routes and stops to be formed. Whilst the stops can be created in road reserves, adding shelters triggers a requirement for formal consultation under the Local Government Act 1974.

Comment

- 2 The Otago Regional Council (ORC) identified a number of new stops needed to support the new Public Transport service (November 2017), along with the re-use of several existing sites. Several of these new stops will be adjacent to private property and Council is required to consult formally under the above legislation to

add shelters. Consultation (QLDC Bus Stop Policy and Standards 2008) was carried out by officers for the siting of these new stops, although shelters were not planned to be added unless the stops were confirmed as permanent. There have been a number of changes already, and the ORC has now conducted the first tranche of stakeholder feedback confirming these locations.

- 3 Sites for stops / possible shelters have been identified at Robertson Road, Centennial Avenue (2), Willow Place, Stalker Road and Jones Avenue. These are currently undergoing engineering design.
- 4 Further sites for stops / shelters are also being investigated in a second tranche, and will be added to further support the Public Transport Service.
- 5 Additionally, a review of the existing facilities is being undertaken to identify any upgrades required. The new shelters will comprise an enclosed frame with mobility compliant access, seats, bike racks and ski racks as standard. Investigations will also identify whether lighting and waste bins can be added. Sections of footpath may need to be improved or provided to service each location.

Legislation

- 6 The relevant legislation requirement is summarised as:

Local Government Act 1974

Section 339 (transport shelters) states:

- *Council must give notice in writing to occupier and owner of affected land frontage*
 - *Owner / occupier has 14 days to object*
 - *Council shall hear objections no sooner than 7 days after the date the objection is received.*
- 7 Council's Legal Manager has advised that Council can delegate its power to hear and make decisions on objections to a hearing panel, ideally made up of three Councillors or officers. As there will be a roll out of several tranches over the next 14 months (May 2018 – June 2019) officers recommend that authority is delegated to this panel to avoid the need to bring these matters back to Council.

Budgets

- 8 Budget is available for the first tranche from the existing QTCTS funds. The approximate cost of a new shelter (installed) is \$20,000, with additional costs for footpaths, variable on a site by site basis.
- 9 The Transport Improvements Fund that was set up to provide subsidy for Public Transport also allows for this minor infrastructure and has adequate levels of funding.

Options

10 Option 1 Do nothing – do not install shelters

Advantages:

11 No further consultation is required.

Disadvantages:

12 Inadequate weather protection will likely reduce the patronage of public transport.

13 Option 2 Establish a hearing panel for each tranche of implementations and report back to Council for decisions.

Advantages:

14 Council will be able to make decisions on individual locations.

Disadvantages:

15 The process will be elongated, causing additional work.

16 Inadequate weather protection will likely reduce the patronage of public transport.

17 Option 3 Council delegate its power to a panel to hear and make decisions on objections to the location of new public transport infrastructure, without further recourse to Council.

Advantages:

18 This will be the most efficient use of officer's and Council's time.

19 Individual submitters / objectors will not be disadvantaged.

Disadvantages:

20 Council will not be able to consider individual decisions.

21 This report recommends **Option 3** for addressing the matter because it will result in operational efficiency and not disadvantage those who may be affected.

Significance and Engagement

22 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because those directly affected will be consulted.

23 The level of significance determines the level of compliance necessary with the decision making requirements in sections 76-78 of the Local Government Act 2002. A higher level of compliance must be achieved for a significant decision.

24 This matter relates to the strategic risk SR1 Current and future development needs of the community (including environmental protection), as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because potentially affected parties are consulted so the risk is mitigated.

Financial Implications

25 Costs of the projects are within existing budgets.

Council Policies, Strategies and Bylaws

26 The following Council policies, strategies and bylaws were considered:

- Queenstown Town Centre Transport Strategy
- Queenstown Integrated Transport Strategy
- Queenstown Town Centre Master Plan

27 The recommended option is consistent with the principles set out in the named policy/policies.

28 This matter is included in the 10-Year Plan/Annual Plan under:

- Core Infrastructure and Services
- Effective and efficient infrastructure that meets the needs of growth.

Local Government Act 2002 Purpose Provisions

29 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by increasing amenity levels of public transport infrastructure and maintaining levels of patronage;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

30 The persons who are affected by or interested in this matter are property owners and public transport users.

Legal Considerations and Statutory Responsibilities

Consultation is required under Local Government Act 1974 s 339.