



AGENDA

Regulatory Hearings Panel meeting Wednesday, 24 August 2022 Friday, 26 August 2022

I hereby give notice that a Regulatory Hearings Panel Meeting will be held on:

**Date: Wednesday, 24 August 2022 (continuation
Friday, 26 August 2022)**

Time: 2pm

**Location: Ground Floor Meeting Room 1
306 Cameron Road
Tauranga**

Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: www.tauranga.govt.nz.

**Marty Grenfell
Chief Executive**

Terms of reference – Regulatory Hearings Panel

Membership

| | |
|--------------------------|---------------------------------------------|
| Chairperson | Mary Dillon |
| Members | Puhirake Ihaka Terry Molloy Alan Tate |
| Quorum | At least two members |
| Meeting frequency | As required |

Role

- To conduct hearings and make decisions of a quasi-judicial nature on regulatory matters through specific hearings and decision making.

Scope

Regulatory matters

- To conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally:
 - empowered or obligated to hear and determine;
 - permitted to delegate to a subordinate decision-making body of Council under the Local Government Act 2002, or any other Act.
- To exercise this function in accordance with:
 - the applicable legislation;
 - the Council's corporate strategies, policies, plans and bylaws; and
 - the principles of administrative law and natural justice.
- Regulatory matters include (but are not limited to):
 - dog control matters;
 - matters arising from the exercise of Council's enforcement functions; and
 - regulatory matters that require a hearing under Council's policies (including, without limitation, Council's Gambling Venues Policy) and bylaws.

Matters excluded from scope

- The following are excluded from the scope of the Regulatory Hearings Panel:
 - matters relating to the sale and supply of alcohol;
 - matters under the Resource Management Act 1991; and
 - matters the Council is precluded from delegating to a subordinate decision-making body by the Local Government Act 2002, or any other Act.

Power to Act

Regulatory matters

- All powers, duties and discretions necessary to conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally empowered or obligated to hear and determine, including (but not limited to):
 - All powers, duties and discretions necessary to hear and make decisions on behalf of the Council in respect of any matter that the Council is empowered or obligated to hear and determine under the Dog Control Act 1996, the Local Government Act 2002, the Local Government Act 1974 and any regulatory matters that require a hearing under Council's policies and bylaws.
- For the avoidance of doubt, the above delegation includes authority to hear and make decisions on appeals under Council's Gambling Venues Policy, including to decline an application to appeal.
- The power to establish and amend hearings protocols relating to the general conduct of hearings and hearings related matters in accordance with the applicable legislation and the principles of administrative law and natural justice.
- The power to co-opt expert advice on an as required basis.

Matters excluded from power to act

- For the avoidance of doubt, the Regulatory Hearings Panel does not have the power to hear:
 - matters relating to the sale and supply of alcohol;
 - matters under the Resource Management Act 1991; or
 - matters that the Council is precluded from delegating to a subordinate decision-making body by the Local Government Act 2002, or any other Act.

Power to Recommend

- The Regulatory Hearings Panel is unlikely to need to make recommendations to the Council as it has the power to conduct hearings and make decisions of a quasi-judicial nature on behalf of Council as per its powers to act. However, the Panel may make recommendations to the Council if, in the circumstances of a matter, it considers it appropriate to do so.

Note: The Regulatory Hearings Panel is established as a subordinate decision-making body of Council and delegated the powers specified in its Terms of Reference under clauses 30 and 32 of Schedule 7 Local Government Act 2002 respectively. It is not a committee or subcommittee of Council.

Regulatory Hearings Panel

Summary of hearings procedure



Who is involved in a hearing?

- Regulatory Hearings Panel – these are independent persons who make the decision
- Tauranga City Council staff – staff who write the report and attend the hearing
- Applicant/objector or their representative – those who will present their evidence
- Witnesses/experts – called by staff or applicant/objector



What happens before the hearing?

- The applicant/objector will be given at least seven days' notice of the date, time and place of the hearing.
- An agenda with the staff report and any documents will be sent to the panel members and the applicant/objector before the hearing.
- The applicant/objector can organise evidence and call witnesses in support of their application/objection.
- If the applicant/objector can't be present at the hearing they can organise a representative to attend on their behalf.

What happens at the hearing?

- The hearings will be conducted without a lot of formality and will make sure that all parties and witnesses receive a fair hearing.
- Staff will present Council's case (including evidence and any witnesses) in support of its decision that is the subject of the application/objection.
- The applicant/objector presents their case (including any evidence and any witnesses).
- Council staff have a right of reply but can't submit any new evidence or call any further witnesses.
- The chairperson and panel members may ask questions from any party or witness.
- Other persons may ask the chairperson to put a question to any party or witness on their behalf but that is at the discretion of the chairperson as to whether the question is put.

- No cross examination is permitted.
- The chairperson's rulings on any matter is final.
- The hearing is generally open to the public unless there is good reason to have the hearing with the public excluded.

What happens after the hearing?

- The panel will usually deliberate in private immediately after the hearing and make their decision.
- The panel may, but is not required to, deliver its decision in the open section of a meeting. A notice of decision will be given (or sent) in writing to the applicant/objector as soon as practicable after the panel has made its decision.
- The chairperson will then close the hearing.
- If the chairperson has allowed further information to be provided before the hearing is closed, then the hearing will be adjourned, and the panel will reserve its decision until it has considered the further information.
- Where the applicant/objector has a right to appeal the panel's decision, that will be advised in writing.
- No discussions or communication of any kind will happen outside of the hearing between the panel, the parties or witnesses until a decision is issued, including during any site visits, adjournment or break.
- Minutes of the meeting will be kept as evidence of the hearing.

Order of Business

| | | |
|----------|-------------------------------------------------------------------------------------------------------|------------|
| 1 | Opening Karakia | 7 |
| 2 | Apologies | 7 |
| 3 | Declaration of conflicts of interest | 7 |
| 4 | Confirmation of minutes..... | 8 |
| | 4.1 Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021 | 8 |
| 5 | Business..... | 19 |
| | 5.1 Bus Shelter Objection Summary | 19 |
| | 5.2 Hearing Schedule (as at 19 August)..... | 201 |
| 6 | Public excluded session | 204 |
| | 6.1 Public Excluded Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021..... | 204 |
| 7 | Closing Karakia..... | 204 |

1 OPENING KARAKIA

2 APOLOGIES

3 DECLARATION OF CONFLICTS OF INTEREST

4 CONFIRMATION OF MINUTES

4.1 Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021

File Number: A13804304

Author: Robyn Garrett, Team Leader: Committee Support

Authoriser: Robyn Garrett, Team Leader: Committee Support

RECOMMENDATIONS

That the Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021



MINUTES

**Regulatory Hearings Panel meeting
Thursday, 11 November 2021**

Order of Business

| | | |
|----------|-------------------------------------------------------------------------------------------------------|-----------|
| 1 | Opening karakia | 3 |
| 2 | Apologies | 3 |
| 3 | Confirmation of minutes..... | 3 |
| 3.1 | Minutes of the Regulatory Hearings Panel meeting held on 5 August 2021 | 3 |
| 4 | Declaration of conflicts of interest | 3 |
| 6 | Public excluded session | 3 |
| 6.1 | Application to Release Impounded Dog - Ryde | 4 |
| 5 | Business..... | 4 |
| 5.1 | Objection to Dangerous Dog Classification - Stacey Tawa..... | 4 |
| 6 | Public excluded session (<i>continued</i>)..... | 6 |
| 6.1 | Application to Release Impounded Dog - Ryde | 6 |
| 5 | Business (<i>continued</i>) | 7 |
| 5.2 | Objection to Classification of Menacing Dog - Carl Cosford..... | 7 |
| 6 | Public excluded session (<i>continued</i>)..... | 9 |
| 6.2 | Application to Release Impounded Dog - Chopper..... | 9 |
| | Item 5.1 Confidential Attachment 2 - Objection to Dangerous Dog Classification - Stacey Tawa | 9 |
| 5 | Business (<i>continued</i>) | 9 |
| 5.1 | Objection to Dangerous Dog Classification - Stacey Tawa – Decision (<i>continued</i>)..... | 9 |
| 7 | Closing karakia | 10 |

MINUTES OF TAURANGA CITY COUNCIL

**REGULATORY HEARINGS PANEL MEETING
HELD AT THE TAURANGA CITY COUNCIL, TE AWANUI HARBOUR ROOM, 91 WILLOW
STREET, TAURANGA
ON THURSDAY, 11 NOVEMBER 2021 AT 9.30AM**

PRESENT: Mrs Mary Dillon (Chairperson), Mr Puhirake Ihaka, Mr Terry Molloy and Mr Alan Tate

IN ATTENDANCE: Nathan Speir (Counsel for the Prosecutor, Rice Speir), Ben Cochrane (Counsel for the Prosecutor, Rice Speir), Nigel McGlone (Manager: Environmental Regulation), Brent Lincoln (Team Leader: Animal Services), Coral Hair (Manager: Democracy Services) and Robyn Garrett (Team Leader: Committee Support)

1 OPENING KARAKIA

Mr Puhirake Ihaka opened the meeting with a karakia.

2 APOLOGIES

Nil

3 CONFIRMATION OF MINUTES**3.1 Minutes of the Regulatory Hearings Panel meeting held on 5 August 2021****COMMITTEE RESOLUTION RHP2/21/1**

Moved: Mr Alan Tate
Seconded: Mr Terry Molloy

That the minutes of the Regulatory Hearings Panel meeting held on 5 August 2021 be confirmed as a true and correct record.

CARRIED

4 DECLARATION OF CONFLICTS OF INTEREST

Nil

6 PUBLIC EXCLUDED SESSION**RESOLUTION TO EXCLUDE THE PUBLIC****COMMITTEE RESOLUTION RHP2/21/2**

Moved: Mr Alan Tate
Seconded: Mr Terry Molloy

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 - Application to Release Impounded Dog - Ryde | s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

CARRIED

The meeting resumed in the public arena.

The meeting adjourned from 11am to 11:20am.

5 BUSINESS

5.1 Objection to Dangerous Dog Classification - Stacey Tawa

Staff Ben Cochrane, Rice Speir, Counsel on behalf of Tauranga City Council
Brent Lincoln, Team Leader: Animal Services, Tauranga City Council

External Stacey Tawa, Applicant
Beverley Edwards, StraightTalk Law, Counsel on behalf of applicant

Refer to the following tabled documents:

1. Tauranga City Council's position regarding the objection by Stacey Tawa to the classification of 'Gucci' as a dangerous dog.
2. Ruling of Judge T R Ingram – District Court – Tauranga City Council v Stacey Tawa – 11 August 2021.
3. Photographs of Stacey Tawa garage, driveway and fence.
4. Note: Photographs of victim's injuries included in the public excluded agenda and not released to the public arena.

Tauranga City Council

- Ben Cochrane read the document "Tauranga City Council's position regarding the objection by Stacey Tawa to the classification of 'Gucci' as a dangerous dog." Refer to tabled document 1.
- The evidence presented at the trial demonstrated Gucci's dangerous disposition. As such there was a genuine risk that Gucci may attack again, especially in an unfamiliar environment. Gucci was therefore a threat to the safety of people.
- The Council was not aware of any steps taken by the owner to prevent any threat to the safety of persons and animals.
- Counsel for the applicant stated that Ms Tawa was coerced and forced to sign documentation but it was unclear precisely what the Counsel was referring to.
- Ms Tawa accepted the offending at the trial but that did not preclude the Council from seeking

a dangerous dog classification.

- The Court's declination to make an order for the destruction of Gucci was based on separate and distinct statutory criteria set out in section 57(3) of the Dog Control Act 1996 (DCA).
- The requirement for a dangerous dog to be muzzled and controlled on a leash while at large or in any public place or in a private way would reduce the risk of Gucci attacking a person again.

In response to questioning:

- Mr Lincoln advised that there was no previous record of an attack by the dog Gucci. He explained that a multi-faceted approach was taken when making a decision to classify the dog as dangerous including what happened during the attack, the seriousness of the attack, the responsibility taken by the owner, and the history of the dog.
- Some dogs calm down in the pound and others display stress, but Gucci had remained aggressive all the way through, lunging at the bars. This behaviour was not common and had been one of the factors that was considered when making the decision to classify the dog as dangerous.
- Dogs had control over their biting capability and in this case there were puncture marks in the hands of the victim, which were made through leather gloves.
- The victim was cross examined robustly in court regarding whether their actions had provoked the attack. The dog had shown territorial behaviour when the victim walked up to the gate and the dog could react in this way with anyone walking past.

Applicant

- Bev Edwards tabled the District Court decision "Ruling of Judge T R Ingram – Tauranga City Council v Stacey Edwards – 11 August 2021". Refer to tabled document 2 and referred to paragraph 4 which stated that the circumstances in this case were fairly straightforward.
- Ms Tawa had argued during the trial that the dog Gucci was agitated by the noise and was provoked into biting the complainant and the Court agreed with her and had declined to make an order to destroy the dog.
- Ms Tawa had pleaded guilty but had made an application, which was granted, that the nature of the offending was such that it would not result in a conviction against her name.
- Ms Edwards stated that the matter had been dealt with by the Court, the Council had lost the case and the dog was not declared dangerous by the Court and the Council was now attempting a backdoor method to declare Gucci a dangerous dog. Ms Edwards queried why the Council was undertaking a separate process which had started following the trial.
- Ms Tawa had taken urgent steps to make sure the dog could not leave her property by increasing the height of the gate and ensuring it could not be shaken open. The dog was also enclosed in an area in the garage. Bev Edwards tabled three photographs of Ms Tawa's garage, driveway and fence that were tabled during the criminal trial. Refer to tabled document 3.
- The dog Gucci was a family pet with a clean record and had not previously attacked a person or animal.

In response to questioning:

- Ms Tawa had made improvements to the gate the day after the attack happened once she realised the dog could jump the gate.
- The dog Gucci had been held in the pound from 4 February 2021 until after the court date in August 2021 and had displayed stress due to being caged and held for this length of time. The dog had interacted in a friendly way with Ms Tawa at the pound.
- Ms Tawa had set up two kennels, one in the caged area in the carport and one on a line under the tree, following the incident.
- Ms Tawa stated she had received letters in the mailbox stating that she shouldn't leave a dog at home alone, and she had put a muzzle on Gucci to keep the peace, not because she thought the dog was dangerous, but to stop the complaints and the letters.
- Ms Tawa stated that she was prepared to take on the consequences of a classification of the dog as dangerous, which was to place a muzzle on the dog when in public and when the dog

was wondering around the property outside the enclosure.

- The problem with muzzling a dog was that the dog could not defend itself from attack by other dogs when out on a lead.

Council right of reply

- While there may have been aggravating factors in the attack, the dog had shown a predisposition to attack a person when agitated.
- Given that it was impossible to prevent aggravating factors in each situation, declaring the dog to be dangerous was appropriate in this case.
- The delay in filing a dangerous dog classification was related to the time taken by the Council to consider whether to lodge an appeal against the Court decision.
- The requirement to wear a muzzle would significantly reduce the risk of Gucci attacking a person in future.
- Ms Tawa stated that she was prepared to muzzle her dog regardless of the outcome of her objection, which was the effect of upholding the classification to declare the dog as dangerous.

The Chairperson advised that the Panel would deliberate later in the day and the decision would be relayed as soon as possible. She thanked the applicant and the Council staff and representatives.

The Panel deliberated in public excluded and released the decision in the public part of the meeting. Refer to the decision below.

The meeting adjourned from 12:20pm to 1pm.

6 PUBLIC EXCLUDED SESSION *(continued)*

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION RHP2/21/3

Moved: Mr Terry Molloy

Seconded: Mr Alan Tate

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 – Deliberations on Application to Release Impounded Dog - Ryde | s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

CARRIED

The open meeting resumed at 2pm.

5 BUSINESS *(continued)*

5.2 Objection to Classification of Menacing Dog - Carl Cosford

Staff Ben Cochrane, Rice Speir, Counsel on behalf of Tauranga City Council
Brent Lincoln, Team Leader: Animal Services
Nigel McGlone, Manager: Environmental Regulation

External Carl Cosford and Tina Morice, applicants

Refer to the following tabled documents:

1. Tauranga City Council's position regarding the objection by Carl Cosford to the classification of 'Maximus' as a menacing dog.
2. Police Case Summary Report Incident 16 March 2021.

Tauranga City Council

- Ben Cochrane read the document "Tauranga City Council's position regarding the objection by Carl Cosford to the classification of 'Maximus' as a menacing dog." Refer to tabled document 1.
- Mr Cochrane apologised for the incorrect spelling of Mr Cosford's name in the tabled document.
- The dog Maximus posed a threat to domestic animals and was discovered in the neighbour's guinea pig pen with two dead guinea pigs. Maximus was not seen attacking the guinea pigs but the circumstantial evidence was persuasive. Ms Morice, Mr Cosford's partner, appears to have acknowledged that Maximus was likely to have attacked the guinea pigs.
- Maximus could be expected to behave in the same manner in similar circumstances.
- Maximus was a Maltese Shih Tzu Cross and was not a large dog, however smaller dogs can still be a threat to domestic animals.
- Maximus barked at the Council Officer and displayed aggressive tendencies when they attended the property.
- The incorrect date on the classification notice was a typo error and not fatal to the classification.
- This was the first time that the Council had received a report about the behaviour of Maximus and this fed into the decision not to issue an infringement notice.
- The property was fenced and the fence had been reinforced when they became aware that the neighbour had guinea pigs to prevent Maximus gaining access. However this did not prevent the incident and the Council was not aware of any new steps to prevent similar attacks on domestic animals.
- Mr Cosford continued to deny that Maximus was responsible for the attack and the threat that Maximus poses was unlikely to be addressed.

In response to questions

- There was one other Maltese dog classified as menacing. Maltese dogs were a ratter-terrier type of dog, and they could display aggression although this depended on the genetic make-up of the dog.
- The bodies of the guinea pigs were not examined as they were buried.
- The staff took the complaint from the neighbour at face value and did not witness the erratic behaviour described by the applicant.

Applicant

- Mr Cosford advised that Maximus was a rescue dog, a family pet.
- Mr Cosford tabled a police report of the incident on 16 March 2021. Refer to tabled document 2. Their neighbour had come onto their property, wielding an axe and yelling at the children in the shed, asking where Maximus was, as he was convinced Maximus had killed his guinea pigs. Ms Morice was in the shower at the time and confronted a crazy man with an axe.

- The Police arrived and located the neighbour who was described as very angry in the police report. The Police told him to cool down and discuss the matter in the morning.
- Ms Morice was shaken with this behaviour and attempted to calm the neighbour down by offering him money to fix his cage and help him replace the guinea pigs.
- A few hours later the neighbour had come back to the house threatening to kill Maximus and asked for \$2,000.
- The neighbour's flatmate kicked him out of the house because of this behaviour.
- Mr Lincoln gave advice that they should take out a trespass order against their neighbour.
- The neighbour created a picture that it was Maximus who had attacked his guinea pigs but there was no physical evidence connecting the dog Maximus to the attack and no one had witnessed the attack. There was more than one dog wandering the neighbourhood and yet Maximus got the blame.
- Maximus did bark at the Council staff member as he was supposed to do when a strange man came to the house.
- They discovered that Maximus had been classified as a menacing dog when they went to pay the dog registration fees and they then lodged an objection.
- Maximus posed no threat to any animal, stock, human or wildlife.

In response to questions

- The walls of the guinea pig cage were knee height with no wire on top of the cage.
- The guinea pigs were not marked, they were whole, looked dishevelled but there was no blood or obvious signs of attack.
- Maximus had not attacked any pets and was scared to walk past the cat.
- Ms Morice had never seen the neighbour before until the incident.
- Ms Morice advised that the neighbour had stated he had seen Maximus running out of the driveway but he never said that he saw Maximus killing the guinea pigs.
- The neighbours across the road called the Police as they saw a crazy man walking down the street with an axe yelling and swearing.
- Maximus can get out of the house through the front door if it is left open.
- Mr Cosford advised that he had intended to build a gate for the driveway and would now build this as a priority.
- Mr Cosford gave his opinion that the neighbour had it in for Maximus as he would yell at the dog to shut up when Maximus patrolled the fence line.
- There was another neighbour who lived adjacent who stated that her dog also barked at the guinea pigs through the fence.

Council withdraws classification of menacing dog

- Mr Cochrane stated that the Council withdrew the classification of menacing dog for Maximus in light of the evidence presented today. Mr Cosford had stated his intention to put in a gate and the Council would encourage Mr Cosford to do that as soon as possible.

COMMITTEE RESOLUTION RHP2/21/4

Moved: Mrs Mary Dillon

Seconded: Mr Alan Tate

That the Regulatory Hearings Panel:

- (a) Notes that the Council withdrew the classification of Maximus as a menacing dog following the evidence at the hearing and as such the Panel has no further role.

CARRIED

6 PUBLIC EXCLUDED SESSION *(continued)***RESOLUTION TO EXCLUDE THE PUBLIC****COMMITTEE RESOLUTION RHP2/21/5**

Moved: Mr Terry Molloy

Seconded: Mr Alan Tate

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.2 - Application to Release Impounded Dog - Chopper | s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| Item 5.1 – Deliberations on Objection to Dangerous Dog Classification - Stacey Tawa and receipt of Confidential Attachment 2 | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

CARRIED

The open meeting resumed at 4:15pm.

5 BUSINESS *(continued)***5.1 Objection to Dangerous Dog Classification - Stacey Tawa – Decision** *(continued)***COMMITTEE RESOLUTION RHP2/21/6**

Moved: Mr Alan Tate

Seconded: Mrs Mary Dillon

That the Regulatory Hearings Panel:

- (a) Accepts the notice of objection; and
- (b) Upholds the classification of the dog Gucci as a dangerous dog under section 31 (1) (b) of the Dog Control Act 1996.

Reasons for decision:

1. The Regulatory Hearings Panel (the Panel) gave weight to the evidence presented by the staff

that there was sworn evidence attesting to the aggressive behaviour of the dog Gucci.

2. The Panel was satisfied that the Council has a duty to classify the dog as dangerous and that given the aggression and territorial behaviour displayed, the dog Gucci represents a threat to public safety.
3. The Panel took into account the District Court decision not to make an order for the destruction of the dog which included the extenuating circumstances as stated in the Dog Control Act 1996.
4. The Panel heard from the applicant that she would be willing to voluntarily muzzle the dog Gucci when in public and had taken steps to increase the height of the fence, however on balance these voluntary actions were not considered to be sufficient mitigation to ensure public safety and there were reasonable grounds to believe that the dog Gucci constitutes a threat to the safety of any person, stock, poultry, domestic animal or protected wildlife and therefore the classification was upheld.

CARRIED

7 CLOSING KARAKIA

Mr Puhirake Ihaka closed the meeting with a karakia.

The meeting closed at 4:17 pm.

The minutes of this meeting were confirmed as a true and correct record at the Regulatory Hearings Panel meeting held on 24 August 2022.

.....
CHAIRPERSON

5 BUSINESS

5.1 Bus Shelter Objection Summary

File Number: A13757083

Author: Kurt Graham, Project Manager

Authoriser: Nic Johansson, General Manager: Infrastructure

PURPOSE OF THE REPORT

1. The purpose of this report is to inform the Regulatory Hearings Panel Members of the background to the objections received to the installation of bus shelters.

RECOMMENDATIONS

That the Regulatory Hearings Panel:

- (a) Receives the report “Bus Shelter Objection Summary” and:
- (b) In accordance with Section 339 of the Local Government Act 1974:
 - (i) consider for each objection to the installation of a bus shelter, the possible injurious affection to/obstruction of the frontage of the land, resulting from the shelter.
 - (ii) For each objection received make a decision to either proceed with the bus shelter, dismiss the objection or modify the proposal.

EXECUTIVE SUMMARY

2. Tauranga City Council is looking to make the most of the existing road networks before investing in high-cost infrastructure.
3. One of the initiatives is to invest in new bus shelters, especially on inbound routes. The shelters will allow passengers to wait in a safe space, protected from the elements, while having clear visibility of arriving buses.
4. Increasing the number of bus shelters around the city provides a consistent and professional city-wide bus network ‘look and feel’, which aims to encourage the uptake of Public Transport.
5. In February 2022 Tauranga City Council began consultation with property owners and tenants of properties adjacent to proposed shelters as required under Section 339 of the Local Government Act 1974 (LGA 74).
6. There are 40 Objections, which require a decision through the hearing process in accordance with Section 339 of the LGA 74.
7. Staff have reviewed all objections received and have chosen to proceed with a shelter installation at these sites. There were 16 objections which council reviewed and chose not to proceed with.
8. The Regulatory Hearings Panel (Panel), as a subordinate decision-making body, must consider the objections at the hearing and make the decision under delegated authority from the Council. There is no appeal process provided for in the LGA 74 to the Panel’s decision.
9. Legal advice is that the focus of Section 339 of LGA 74 is on possible injurious affection to/obstruction of the frontage of the land, resulting from the shelter, rather than wider issues resulting from buses stopping or passengers gathering etc.

10. The Panel is able to dismiss an objection or decide not to proceed with the bus shelter proposal. It is also able to “make such modifications to the proposal to which the objection relates as it thinks fit”.

BACKGROUND

11. A key principle of the Tauranga Transport Strategy is to make the most of the existing road networks before we invest in high-cost infrastructure. This includes:
 - (a) Improving planning to reduce transport demand;
 - (b) Encouraging uptake of walking, cycling and public transport;
 - (c) Encouraging alternatives to travel; and
 - (d) Better managing the use of the existing network.
12. There are no quick fix solutions to the current traffic challenges facing the city. The City’s transport partners, Western Bay of Plenty District Council, Bay of Plenty Regional Council (BOPRC), Waka Kotahi NZ Transport Agency, as well as Tauranga City Council, realise the importance of the private motor car to the transport system, and over the last 25 years, significant investment in a car-based transport network has occurred in Tauranga. Investment in other modes, however, has lagged behind.
13. Tauranga City Council is now investing in infrastructure to support Multi Modal Transportations including investing in new walking and cycling facilities and improving the level of service of the Public Transport Network.
14. One of the initiatives is to invest in new bus shelters, especially on inbound routes. The shelters will allow passengers to wait in a safe space, protected from the elements, while having clear visibility of arriving buses. A designated waiting place for bus users also ensures the footpath is kept clear and safe for resident use. Increasing the number of bus shelters around the city provides a consistent and professional city-wide bus network ‘look and feel’, which aims to encourage the uptake of Public Transport.
15. To evaluate suitable sites for shelters around the city, a consultant was engaged to undertake a review of all bus stops on inbound routes. The Consultant looked into site specific constraints, such as space, underground and overhead services and topography, and made suggestions on suitable locations for bus shelters.
16. In February 2022 Tauranga City Council began consultation with property owners and tenants of properties adjacent to proposed shelters as required under Section 339 of the LGA 74. Residents were able to approve the proposal or object to the proposal, with non-responses deemed to be an approval for Council to proceed.
17. Of the 155 proposed shelter locations sent to owners and tenants, there are now 40 objections to be resolved within the hearing. 55 affected parties did not respond to council’s letters which is deemed to be an acceptance of the shelter under Section 339 of the LGA 74. 26 affected parties also responded accepting the installation of the shelter.
18. Tauranga City Council (TCC) staff reviewed all proposals initially sent for consultation and made the decision not to proceed with or amend 31 of these proposals, 16 of which were a result of reviewing the objections and agreeing with the objector. The reasons for this included:
 - (a) Feedback from BOPRC on potential future route changes rendering future shelters redundant (unrelated to any objections).
 - (b) Other projects or business cases impacting the area in the near future and potential bus stop location changes (Sites on hold, unrelated to Objections)
 - (c) The ability to move the shelters and bus stops a short distance away to be adjacent to a council reserve.

- (d) Site safety concerns.
 - (e) Site constraints such as insufficient space, existing retaining walls and slopes.
 - (f) Other.
19. Three Objections are also currently on hold and will be heard separately due to recent changes in ownership and in one case due to being unable to attend the hearing in person on these dates as desired.
20. TCC has also worked with several properties to adjust the proposed location to a more preferable position on their property.
21. Of the objections received, the majority have revolved around common themes. TCC staff are recommending that the shelter installations proceed based on the rational listing below:

(a) Graffiti, littering and vandalism

Unfortunately, some shelters may be targets of anti-social behaviour including graffiti, littering and vandalism. However, this is not an issue unique to Tauranga or New Zealand and it is the opinion of staff that TCC like other cities should continue to invest in Bus Shelters which provide protection from the elements for Public Transport users.

(b) Loitering

All sites are current active bus stops where people wait for the busses. Shelters are expected to improve the usage of the stop which TCC staff view as a good result. To prevent rough sleeping and help deter the use of the shelter at night when busses are not in service, bus shelter seating will have two armrests placed centrally at 1/3 intervals, so that it is not possible to lie down on the seat.

(c) Visual appearance and interruption of outlooks

Unfortunately, some shelters may interrupt views or streetscape outlooks for some properties. The majority of the back of the shelters will be glass to limit this impact. However, it is the opinion of Staff that TCC must still continue to provide Bus Shelters for Public Transport users to ensure they can seek protection from the elements, and to help deliver a professional Public Transport Network with a high level of service to help improve the uptake of Public Transport.

(d) Impact on privacy

All sites are current active bus stops where people wait for the busses currently. Installing a Bus shelter should not increase the standing height of waiting passengers or impact negatively on privacy in terms of view into the property. In many instances the shelter may be slightly closer to the property than the existing footpath, giving the feel of lost privacy especially if there is no front fence. However, it is the opinion of Staff that TCC must still continue to provide Bus Shelters for Public Transport users to ensure they can seek protection from the elements, and to help deliver a professional Public Transport Network with a high level of service to improve the uptake of Public Transport. Staff are happy to work with residents to try find a suitable positioning in front of their property that impacts them least.

(e) Lack of boundary fence

In many situations the lack of boundary fence is due to covenants. So, moving the stop elsewhere in the street would not resolve this issue. It is also the opinion of Staff that moving the bus stop location and proposed shelter to another property who may have a fence or more space is equally unfair on the residents of the new location who never previously had a bus stop.

(f) Lack of maintenance of existing shelters

Council Staff are looking to improve maintenance by initiating regular inspections and shelter cleaning. However, as mentioned above there may be some reliance on public

notification to TCC Staff for any graffiti or vandalism incidents that require quick responses.

(g) Lack of use

A major driver for the upgrade project is to improve the level of service at bus stops, to help encourage further uptake of Public Transport. On this basis it is hoped that installing the shelter will increase usage at the stop. Therefore, Staff still wish to proceed with the installations.

(h) Safety

All sites where safety concerns were made known to TCC Staff during the consultation, have been either reviewed internally by Safety Engineers or reviewed independently by a consultant. Two sites have been removed from scope on safety grounds, and processes are underway to shift the stops a short distance. No significant safety concerns were noted for the sites still in scope. Side and back walls of the shelter are predominantly glass, so the sight lines are not expected to be impacted greatly by the installation of a Bus Shelter. Given this and that all Bus Stop locations are existing, TCC does not expect the addition of a shelter will negatively impact the safety of the existing road environment.

22. A detailed account of all objections to be heard by the hearings panel, can be found in Appendix 1.

LEGAL CONTEXT / RISKS

23. Legal advice has been sought to ensure correct legal processes are followed with regards to hearing objections to the installation of the proposed bus shelters. The advice received was based on the process under Section 339 of the Local Government Act 1974, which is set out below:

Section 339 Transport shelters

(1) The council may erect on the footpath of any road a shelter for use by intending public-transport passengers or small passenger service vehicle passengers:

provided that no such shelter may be erected so as to unreasonably prevent access to any land having a frontage to the road.

(2) The council shall give notice in writing of its proposal to erect any shelter under this section to the occupier and, if he is not also the owner, to the owner of any land the frontage of which is 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.

(3) Within 14 days after the service of the notice, the occupier or owner, as the case may be, may object in writing to the council against the proposal.

(4) Where any person objects to the proposal in accordance with subsection (3), the council shall appoint a day for considering the objection and shall give notice to the objector of the time when and place where the objection is to be heard. Any such time shall be not earlier than 7 days after the date on which the notice of objection was received at the office of the council.

(5) The council shall, at the time and place stated in the notice referred to in subsection (4), consider the objection, and after hearing any submissions made by or on behalf of the objector, may either dismiss the objection or decide not to proceed with the proposal or make such modifications to the proposal to which the objection relates as it thinks fit. The hearing of any such objection may be adjourned from time to time and from place to place.

(6) Where there are more objectors than 1, the council shall, as far as practicable, hear all objections together and give each objector an opportunity of considering and being heard in respect of all other objections.

(7) No resolution under this section shall be passed until the council has considered all the objections of which notice has been given in accordance with this section.

*(8) In this section the term **road** does not include an access way.*

24. Council has followed steps (2) through (4), inclusive. This includes that the Council has given appropriate notice of the proposal to erect the shelter (to the relevant people), objections have been received, and the Council has appointed a day for considering the objections and has given notice to the objectors of the time and place where the objection is to be heard.
25. In terms of the process for the hearing (in the notice under section 339(4)) of LGA 74, TCC has received the following legal advice:
- (a) The Regulatory Hearings Panel (Panel), as a subordinate decision-making body, that will make the decision under delegated authority from the Council, must consider the objections at the time and place stated in the notice.
 - (b) Where there is more than one objection to the same bus shelter, the Council must ("as far as practicable") hear all objections together and give each objector the opportunity to consider and be heard in respect of all the other objections.
 - (c) The Panel must consider the objections (and any submissions made on behalf of objectors) in accordance with the general principles of good administrative decision-making, including considering objections and submissions with an open mind (with no pre-determination), not being biased etc, taking into account all relevant considerations and not taking account irrelevant considerations.
 - (d) In terms of the considerations to be taken into account by the Panel, the focus of Section 339 of LGA 74 is on possible injurious affection to/obstruction of the frontage of the land, resulting from the shelter, rather than wider issues resulting from buses stopping or passengers gathering etc. On this basis, the Panel should focus its attention on the physical effect of the proposed bus shelter itself (especially in terms of obstruction of access to the relevant land), and is entitled to take less account of other considerations arising from the overall proposal about the location of the bus stop.
 - (e) In terms of the scope of decisions that the Panel is empowered to make, the Panel is able to dismiss an objection or decide not to proceed with the bus shelter proposal. It is also able to "make such modifications to the proposal to which the objection relates as it thinks fit". The exact scope of this power will depend on the particular circumstances, but in terms of some general guidelines, in our view this is likely to be limited to modifications to the proposal (i.e. a decision that fundamentally changes the proposal is unlikely to be a "modification" to it, although as noted above the Panel can decide to not proceed with the proposal at all). Arguably, the scope of the potential modification to the proposal ought also be limited to those modifications that relate to the relevant objection (i.e. the Panel should not use the objection process to make unrelated modifications to the proposal).
 - (f) The Panel should pass a resolution to make its final decision under this section.
 - (g) There is no appeal process provided for in the LGA 74 to the Panel's decision.

NEXT STEPS

26. Objectors will be advised of the Regulatory Hearings Panel decision to either dismiss their objection, decide not to proceed with the bus shelter proposal or amend the proposal.
27. The bus installation programme will be updated with the Panel's decision.

ATTACHMENTS

- 1. **Proposed Shelter Locations and Objection record - A13782667** [↓](#)
- 2. **GHD Safety Assessment Report - A13782675** [↓](#)
- 3. **Existing Bus Shelter and Proposed New Bus Shelter Locations - A13782722** [↓](#)

206A Range Rd



From: [REDACTED]

Sent: Tuesday, 1 March 2022 10:12 am

To: Paula Simmonds [REDACTED]

Subject: Non consent

CAUTION: External Email.

Morning Paula,

My name is [REDACTED], we received a letter about a proposed bus shelter in front of our house (206 range road, papamoa) from Kurt Graham.

We deny or reject consent for this. The bus shelter is not needed in our area.

Ourselves at 206 range road, behind at 206B across at 205 and 207 all reject it. I can get there signatures if you need.

We have all spent time cleaning up broken bottles/glass, rubbish and cigarette butts in the area when the last shelter was there. We all strongly oppose this idea.

Teens or people tend to congregate, smoke and drink until late hours in it. Ourselves and the Neighbours both sides have young kids and don't want our children exposed to this behaviour.

We constantly had cigarette butts in front of our house and over our fence from it.

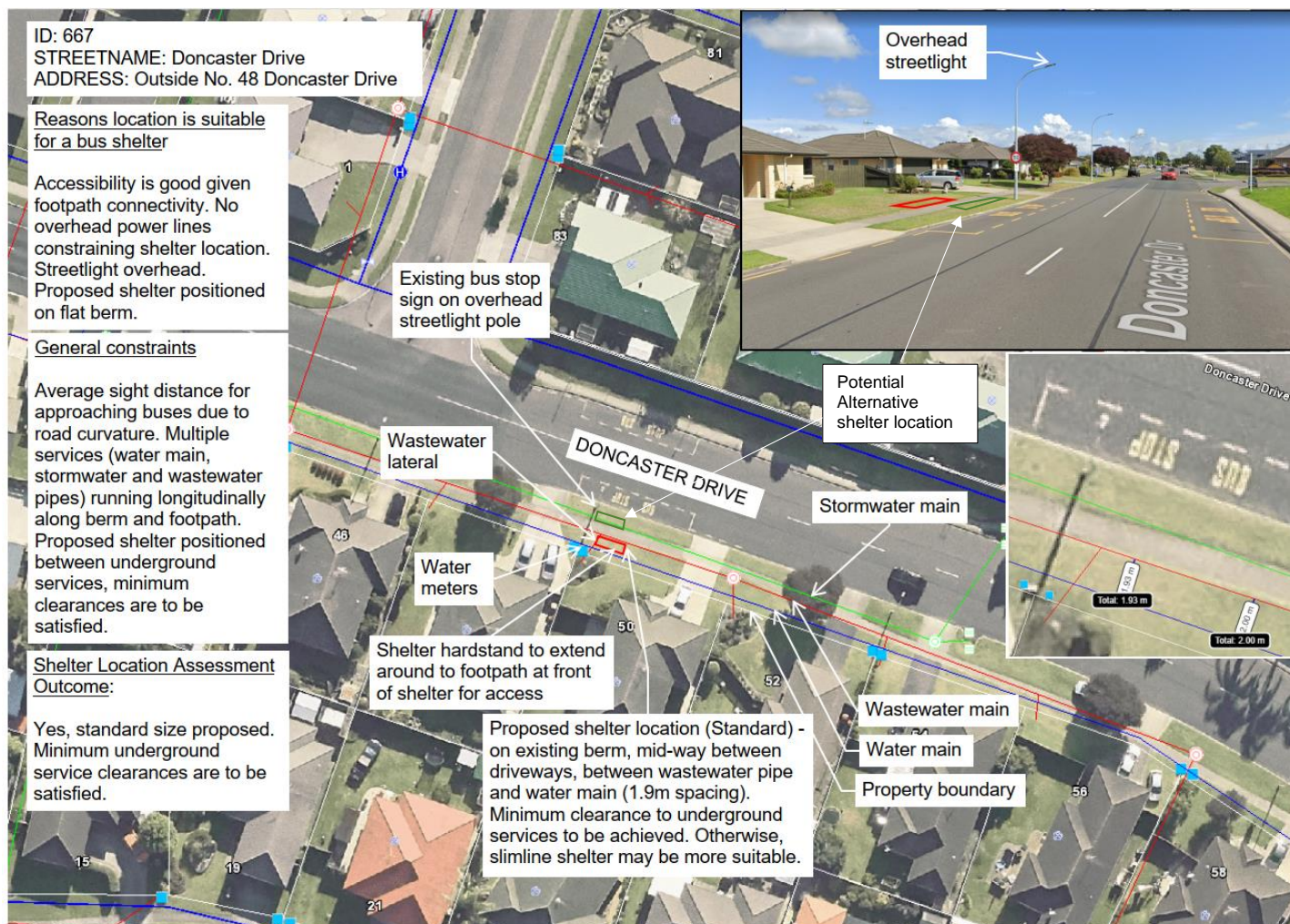
Overall we oppose and can petition for this to be located on the main road just around the corner if needed.

Feel free to contact me if you have any questions.

Cheers,

[REDACTED]

50 Doncaster Drive



TCC NOTE: While a compromise in positioning was thought to be agreed on site (See “potential alternative shelter location” above, the resident has since confirmed they would like to proceed with the objection at the hearing.

From: Paula Simmonds [REDACTED]

Sent: Thursday, 11 August 2022 2:42 pm

To: [REDACTED]

Subject: Re: [REDACTED].50 Doncaster.drive..my , e [REDACTED]

Good afternoon

Thanks for your time today to walk us through your concerns with the proposed shelter position and to discuss the possibility of moving the shelter forward.

We will proceed with the positioning of the shelter in front of the footpath towards the road edge, with some redirecting of the footpath as required. The shelter will be a slimline design with approximate measurements of 2100mm tall, 3850mm long, 800mm wide.

We will remove the objection outstanding on this shelter. However, in the mean time if you have any further concerns, please register for a time at the hearing to have these addressed.

Kind regards

Paula

From: Paula Simmonds <Paula.Simmonds@tauranga.govt.nz>

Sent: Monday, 8 August 2022 7:21 pm

To: [REDACTED]

Subject: Re: G [REDACTED].50 Doncaster.drive..my , e [REDACTED]

Perfect - thanks. We will see you 1pm Thursday

Paula

From: [REDACTED] [REDACTED]

Sent: Monday, 8 August 2022 6:18 pm

To: Paula Simmonds [REDACTED]

Subject: Re: [REDACTED].50 Doncaster.drive..my , e [REDACTED]

CAUTION: External Email.

Yes

Sent from my Galaxy

----- Original message -----

From: Paula Simmonds <[REDACTED]>

Date: 8/08/22 17:50 (GMT+12:00)

To: [REDACTED]
Subject: Re: [REDACTED] Doncaster.drive..my ,email.[REDACTED]

Good evening [REDACTED]

I have brought your situation up again with the project manager and we would like to pop out and view your site with you later in the week to discuss the suitability of a bus shelter. Would you be available Thursday at 1pm?

Many thanks
Paula

From: Paula Simmonds <[REDACTED]>
Sent: Tuesday, 7 June 2022 7:47 pm
To: [REDACTED]
Subject: Re: [REDACTED] 50 Doncaster.drive..my ,email.is.[REDACTED]

Many thanks [REDACTED],

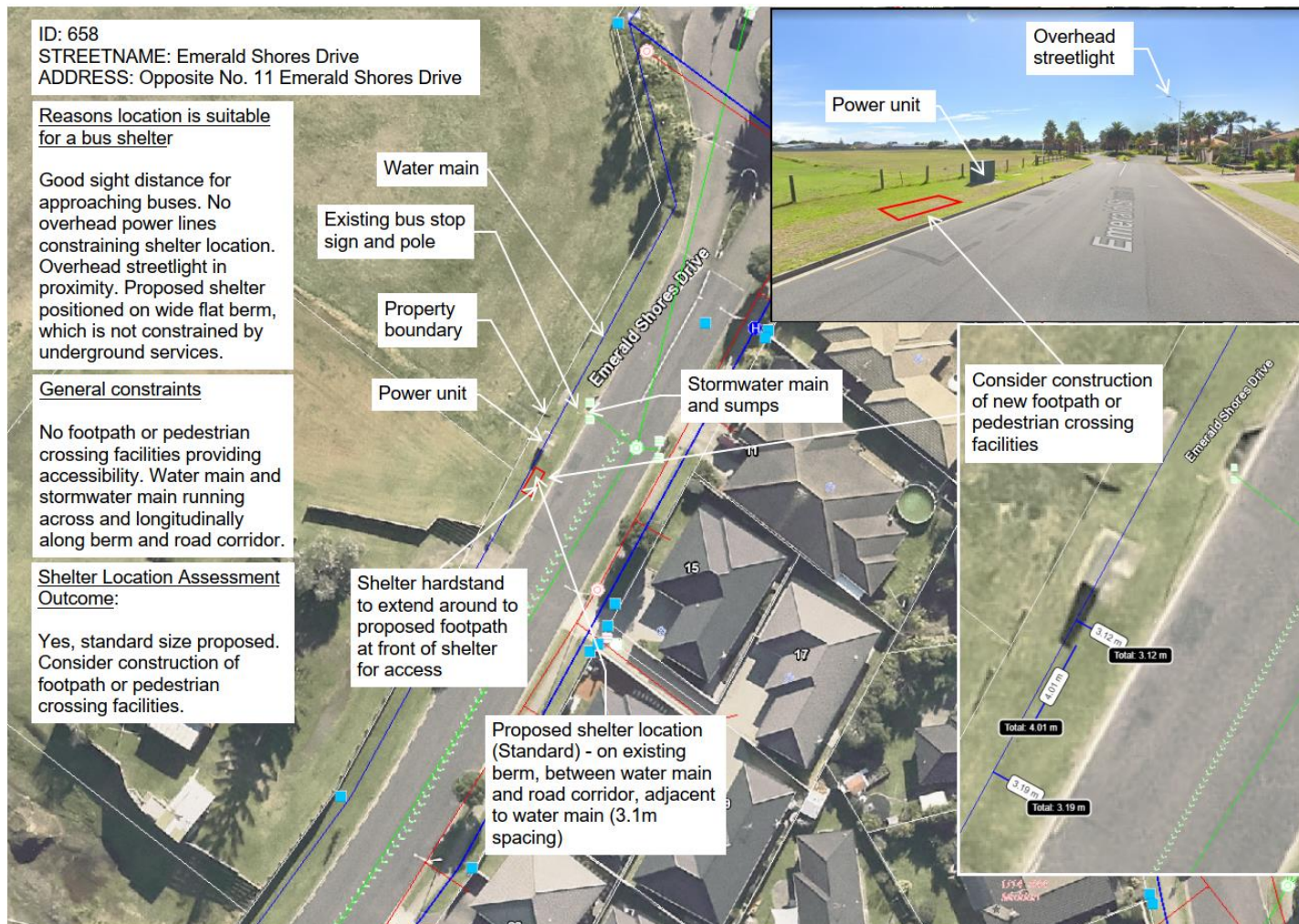
I have registered your objection to the bus shelter at 50 Doncaster - due to the proximity of your property being forward on the section and a lack of a barrier (fencing) between yourself and the shelter.

For your information, I have attached an image of the proposed shelter location. You will see the bus shelter has been positioned against the footpath and is forward from the boundary of your section.

We will be in touch closer to the time to let you know the hearing process to have your objections heard by a representative group.

Many thanks for getting in touch
Paula

4 Emerald Shores Drive



STAFF NOTE: Moving 5m south as suggested would move the shelter fully in from of the Neighbours property at 6 Emerald Shores. No response received from 6 Emerald Shores to date.

From: [REDACTED]
Sent: Tuesday, 16 August 2022 9:15 am
To: Paula Simmonds <[REDACTED]>
Subject: RE: Public hearing for proposed bus shelter near your property at 4 Emerald Shores

CAUTION:External Email.

Hi Kurt,

Please find attached the consented scheme plan for the Emerald Shores Lifestyle Village.

The proposed bus shelter should not block any of the planned driveways/access ways to the properties. The best location for the bus shelter would be on the segment of Emerald Shores Drive where the long fence is on the boundary of 6 Emerald Shores Drive.

Regards,



From: [REDACTED]
Sent: Wednesday, 10 August 2022 5:18 PM
To: [REDACTED]
Subject: Public hearing for proposed bus shelter near your property at 4 Emerald Shores

Dear resident/property owner

In accordance with section 339 of the Local Government Act 1974, we have consulted with you as the adjacent owner (and/or tenant) to seek consent for the installation of a bus shelter outside your property. The details of section 339 have been attached at the end of this email for your reference.

We have received and noted your objection to the establishment of a bus shelter and will now proceed to a hearing to consider your objection.

Public hearing details

This is to notify you of the details of the public hearing for your objection. You or your representative are invited to attend and present your objections or, if you prefer not to attend in person, you may submit an objection statement by **17 August 2022** that will be read at the hearing.

You have a choice of two options for your hearing date:

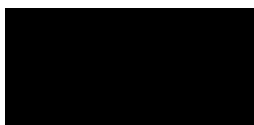
- 24 August 2022 between 2-7pm, 306 Cameron Road, ground floor room 1
- 26 August 2022 between 9am-3pm, 306 Cameron Road, ground floor room 1.

Please indicate if you or a representative will be present and your choice of date for your objection to be heard by emailing HearingSubmittersSchedule@tauranga.govt.nz. An appointment time will be issued to you by Democracy Services once your preferred date has been received. Please note, you will have a 10-minute time slot to present your objections. Tauranga City Council's Regulatory Hearings Panel, which is made up of four independent Panel members, will consider the objections and submission at the hearing, as well as any staff advice received; and will decide to either dismiss the objection, modify the proposal or not to proceed with the bus shelter. The Panel will make its decision in deliberations closed to the public. You will be advised of the Panel's decision in writing following the hearing. Please note, there is no right of appeal against the Panel's decision.

For further information

Please feel free to contact us with any questions or concerns. You can contact our community engagement representative, Paula Simmonds at paula.simmonds@tauranga.govt.nz or contact Tauranga City Council on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of the hearing.

Yours sincerely,



Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

Section 339 Local Government Act 1974:

339 Transport shelters

- (1) The council may erect on the footpath of any road a shelter for use by intending public-transport passengers or small passenger service vehicle passengers: provided that no such shelter may be erected so as to unreasonably prevent access to any land having a frontage to the road.
- (2) The council shall give notice in writing of its proposal to erect any shelter under this section to the occupier and, if he is not also the owner, to the owner of any land the frontage of which is 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.
- (3) Within 14 days after the service of the notice, the occupier or owner, as the case may be, may object in writing to the council against the proposal.
- (4) Where any person objects to the proposal in accordance with subsection (3), the council shall appoint a day for considering the objection and shall give notice to the objector of the time when and place where the objection is to be heard. Any such time shall be not earlier than 7 days after the date on which the notice of objection was received at the office of the council.
- (5) The council shall, at the time and place stated in the notice referred to in subsection (4), consider the objection, and after hearing any submissions made by or on behalf of the objector, may either dismiss the objection or decide not to proceed with the proposal or make such modifications to the proposal to which the objection relates as it thinks fit. The hearing of any such objection may be adjourned from time to time and from place to place.
- (6) Where there are more objectors than 1, the council shall, as far as practicable, hear all objections together and give each objector an opportunity of considering and being heard in respect of all other objections.
- (7) No resolution under this section shall be passed until the council has considered all the objections of which notice has been given in accordance with this section.
- (8) In this section the term **road** does not include an access way.

From: [REDACTED]
Sent: Friday, 18 March 2022 12:00 pm
To: [REDACTED]
Subject: RE: proposed bus shelter at 4 Emerald Shores Drive

CAUTION: External Email.

Hi Paula,

We object the proposed bus shelter at the current location.

However, if it could be moved south 5 meters then we would consent. Note, it cannot go any further north, or it will be directly in the way of driveways for the new lifestyle village we are about to start construction on.

Regards,

From: Paula Simmonds <[REDACTED]>
Sent: Thursday, 17 March 2022 10:25 AM
To: [REDACTED]
Subject: Re: proposed bus shelter at 4 Emerald Shores Drive

Good morning [REDACTED],

Thank you for contacting us about the proposed bus shelter near 4 Emerald Shores Drive. I have attached an image of the shelter markup provided by the GHD consultants who carried out the bus shelter assessments. You will see the shelter is positioned between yourself and the neighbour and there is suggestion of foot path or pedestrian crossing installation to assist access.

Please let me know if you have any further questions.

Many thanks

Paula

From: [REDACTED]
Sent: Thursday, 17 March 2022 9:25 am
To: Paula Simmonds <[REDACTED]>
Subject: proposed bus shelter at 4 Emerald Shores Drive

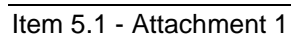
CAUTION: External Email.

Hi Paula,

Please provide us with information with regards to the exact location of the proposed bus shelter at 4 Emerald Shores Drive for us to consider whether we consent or object.

Regards,

196 Grenada St



From: [REDACTED] >
Sent: Tuesday, 1 March 2022 11:52 am
To: Paula Simmonds [REDACTED]
Cc: [REDACTED] >
Subject: Proposed bus shelter in front of 196 Grenada Street

CAUTION: External Email.

Hi Paula,

We [REDACTED] as owners of 196 Grenada Street, do not approve of the proposed bus shelter located outside our property for the following reasons;

- **Necessity**, The bus stop is used less than a few times a day as the Bayfair terminal is only a short 10min walk away. There is also an existing bus shelter 300m away at 242 Grenada Street which is less than a 5 min walk.
- **Road Visibility/safety**, we along with our neighbours need to reverse onto Grenada Street when exiting our property. Grenada Street is a reasonably busy road with cars but also cyclists and a bus shelter will block visibility for us as well as the occupants of 194 Grenada Street making it unsafe for us to exit our property as required but also putting the cyclists and cars who use Grenada Street at risk.
- **Safety**, a bus shelter will attract people to loiter and cause a nuisance during non operational hours of the bus service and between busses leaving rubbish and creating noise. We have small children who we take for walks/bike rides and more broken glass bottles on the berm is a concern we already deal with in this neighbourhood even without a place like a bus shelter for people to gather at.
- **Noise**, Buses which stop and idle at the current bus stop cause a significant amount of noise while inside our dwelling as well as vibrations. We feel this will increase if a bus shelter located outside as a waiting point. We are also concerned about the noise of people hanging around in the bus stop for longer periods while waiting for the bus.
- **Street Appeal**, The stretch of Grenada Street has very poor street appeal already due to the lack of street trees and landscaping. We don't believe adding a metal bus shelter will enhance the area.
- **Aesthetics**, The road front of our property faces north and a bus shelter could block some of our northerly sun as it will be higher than our fence. Can you please provide further details of the shelter i.e. Height, Location.

Please contact me [REDACTED] or via email if you would like to discuss our concerns any further.

Kind Regards,
[REDACTED]

2.2.6 196 Grenada Street

The existing bus stop outside 196 Grenada Street is an acceptable location for a bus stop and is suitable for a bus shelter. The proposed location has plenty of space in the berm to install a standard sized bus shelter on the property side of the footpath. This will not impact any site lines for the adjacent driveways.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



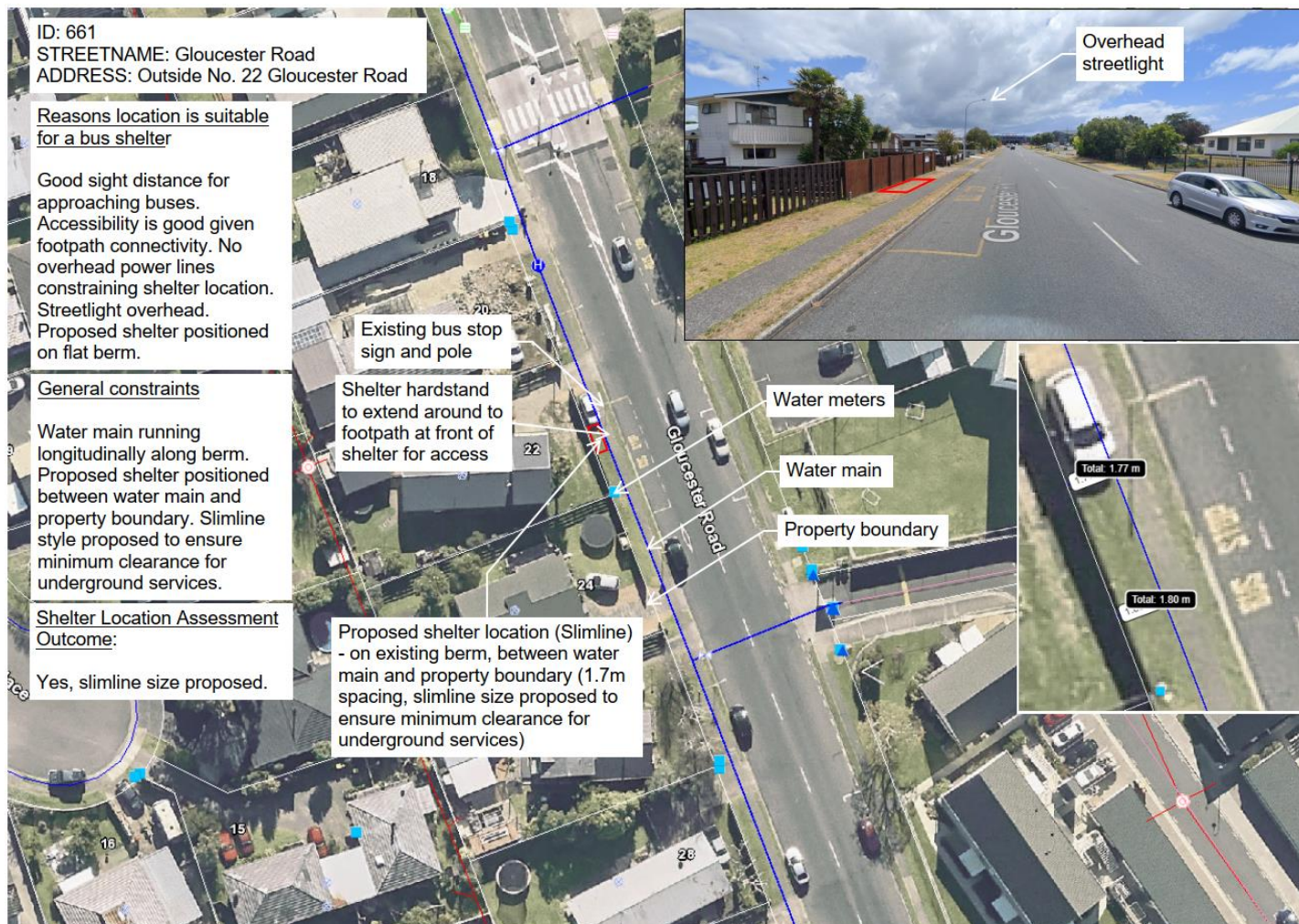
Figure 35 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 36 Google Street view image of proposed bus shelter location

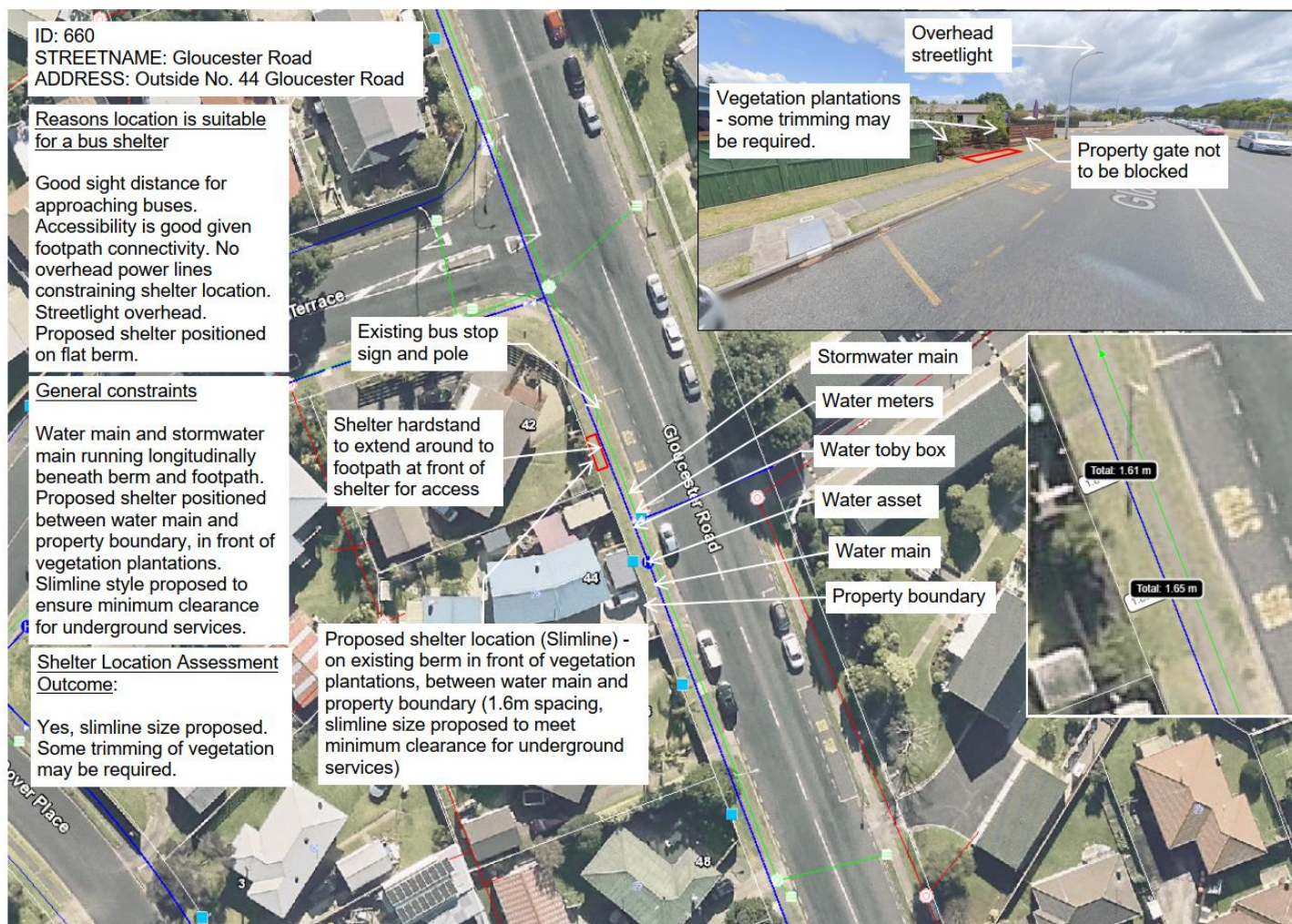
Figure 1: Excerpt from Safety Review Report

22 Gloucester Rd



STAFF NOTE: All communication has been by phone. The objection is that there are small children at this property, and they do not want the undesirable element that a shelter brings.

42 Gloucester Rd



Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,

Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our property at **42 GLOUCESTER ROAD** and ~~approve~~ / object to this installation.

Name: [redacted] owner / ~~tenant~~ (select one)

Signature: [redacted] date: 17/3/22

Email: [redacted]

(for future correspondence)

We object as there is insufficient room on the grass outside the property without the shelter being pushed onto our boundary fence and being an obstruction to traffic out from of Lambeth terrace turning right into Gloucester Rd.

2.2.12 42 Gloucester Road

The existing bus stop outside 42 Gloucester Road is located a sufficient distance from the Gloucester/Lambeth intersection and the location is suitable for a bus shelter. There is sufficient berm space in the property side of the footpath to install a standard sized bus shelter and there are no adjacent accessways to restrict site lines. The shelter location should be positioned to avoid the pedestrian gate of 42 Gloucester Road.

Shelter recommendation: Standard bus shelter on property side of footpath, to the left of the property gate

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



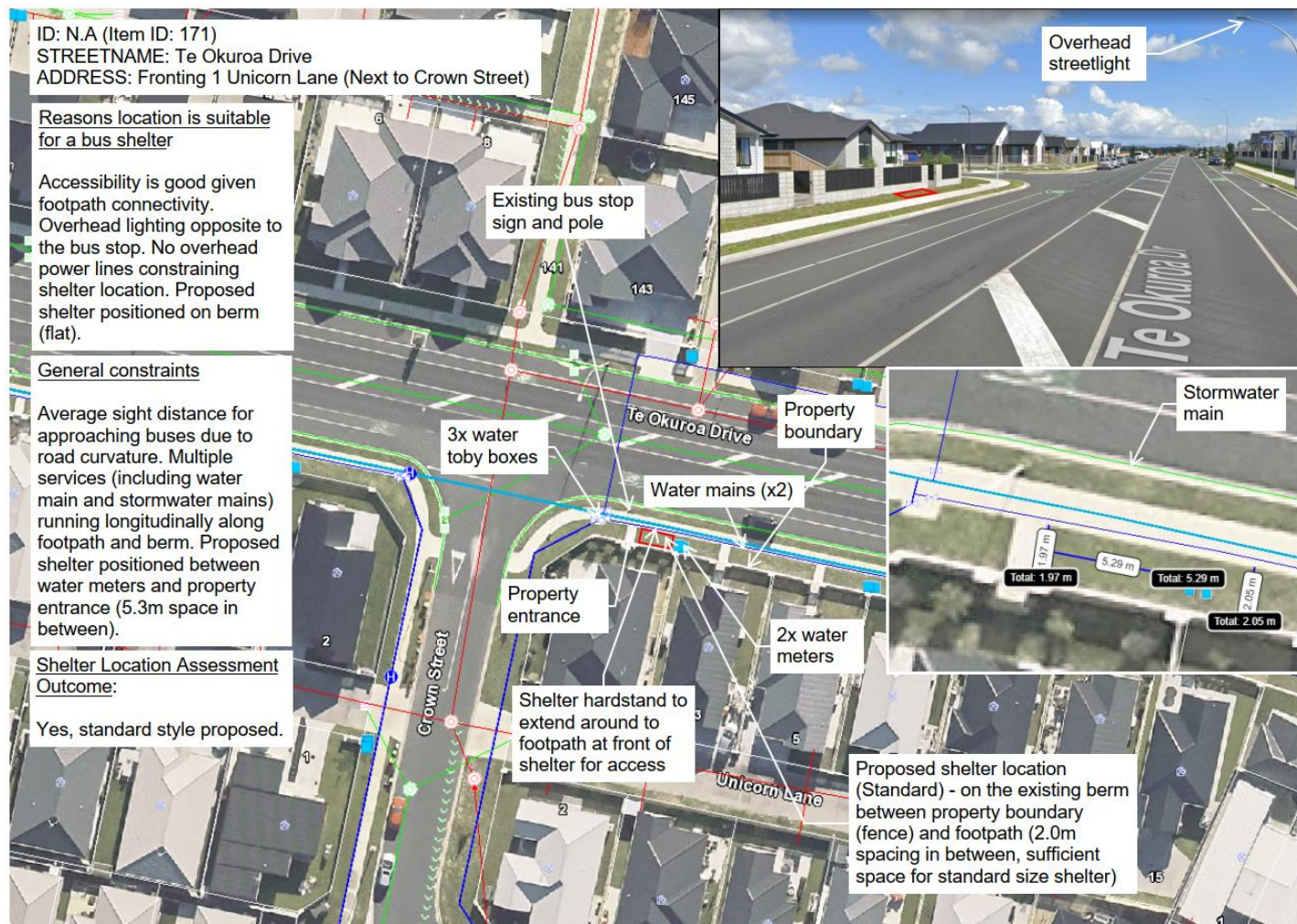
Figure 48 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 49 Google Street view image of with proposed shelter location

Figure 2: Excerpt from Safety Review Report

1 Unicorn Lane



From: Paula Simmonds <[REDACTED]>
Sent: Friday, 4 March 2022 7:33 am
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Proposed Bus Shelter near 1 Unicorn Lane

Yes, you are correct. It is adjacent to your property but near the edge with your neighbour. I'm sorry the image isn't sharing with much clarity.

If you have objections to this proposed position, we will be undergoing a hearing process, that will begin once this acceptance period has ended, so we can address your concerns.

Kind regards
Paula

From: [REDACTED]
Sent: Thursday, 3 March 2022 7:13 pm
To: Paula Simmonds [REDACTED]
Cc: [REDACTED]
Subject: Re: Proposed Bus Shelter near 1 Unicorn Lane

CAUTION: External Email.

Thanks Paula.

The image was very small so we couldn't quite view it properly - but from what we can see the bus stop seems to be mostly placed against our property, I don't see it going across the neighbour's property at all.

What are our options here please?

Regards
[REDACTED]

On Thu, Mar 3, 2022 at 6:59 PM Paula Simmonds <[REDACTED]> wrote:
Good evening [REDACTED],

Many thanks for your response regarding a bus shelter adjacent to your property at 1 Unicorn Lane. The actual location is on Te Okuroa Drive near the boundary between your property and your neighbours. It would be a standard sized bus shelter on the berm next to the existing footpath. I have provided an image that may illustrate this location more clearly - look for the red outline.

Please let me know if you have any further questions.

Regards
Paula

From: [REDACTED]
Sent: Thursday, 3 March 2022 6:04 pm
To: Paula Simmonds [REDACTED]

Cc: [REDACTED]

Subject: Proposed Bus Shelter near 1 Unicorn Lane

CAUTION: External Email.

Dear Paula,

I am writing in response to a letter seeking consent for the construction of a bus shelter near my property at 1 Unicorn Lane.

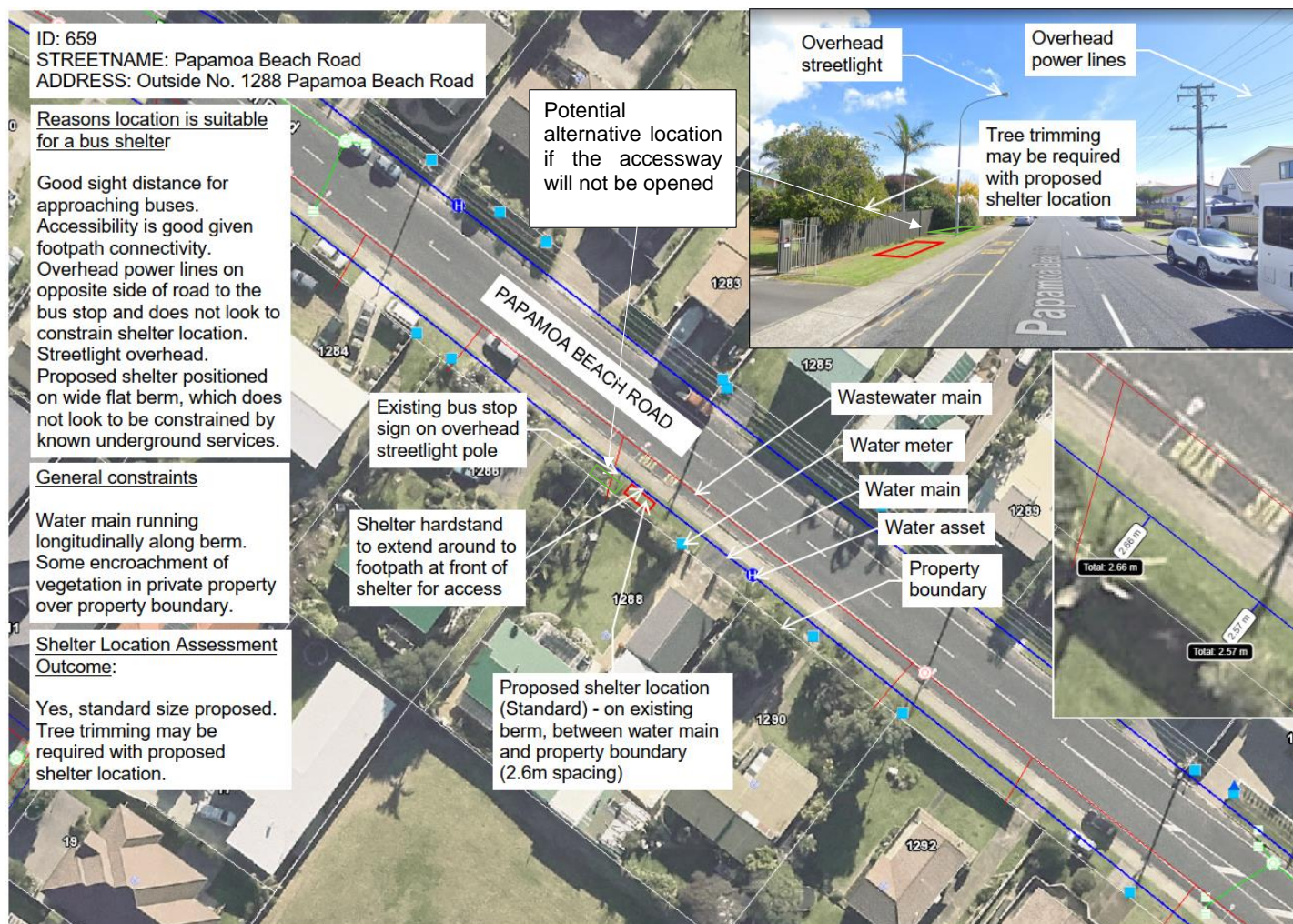
When I purchased the property a great attraction for me was how 'open' the property is given it is a corner site on Te Okuroa Drive and Crown Street. This aspect of the property, not having impeding structures on either Crown St or The Okuroa Dr, is of significant value (I paid a premium for this aspect) and importance to the property's appeal. Being able to sit outside and soak in the sun without a bus shelter blocking my view is very important to me.

The letter does not detail the exact location of the bus shelter, only that it is proposed to be constructed close to my property. As such I am unable to give approval. Could you please advise where the bus shelter is to be located?

Kind Regards,

[REDACTED]

1288 Papamoa Beach Rd



Staff Note: Resident has recently requested that staff look into the possibility of shifting the shelter further north so that it is largely in front of the unused and unformed walkway. He has passed on his knowledge to council staff that the Emerald Shores Developers are not looking to open this path as it will link to only one property. TCC have initiated communication with the developer to confirm their intentions. If this is the case TCC will look to place the shelter here. Part of the shelter will still be positioned on the road reserve in front of the residents property.

From: [REDACTED]
Sent: Sunday, 27 February 2022 1:23 pm
To: Paula Simmonds [REDACTED]
Subject: Bus Shelter 1288 Papamoa Beach Rd

CAUTION: External Email.

Further to my conversation with Kurt Graham on Tuesday 22nd Feb I would like to confirm that I object to the proposed Bus Shelter in front of my property at 1288 Papamoa Beach Rd on the grounds that:

It will interfere with my view

It could effect my ability to subdivide

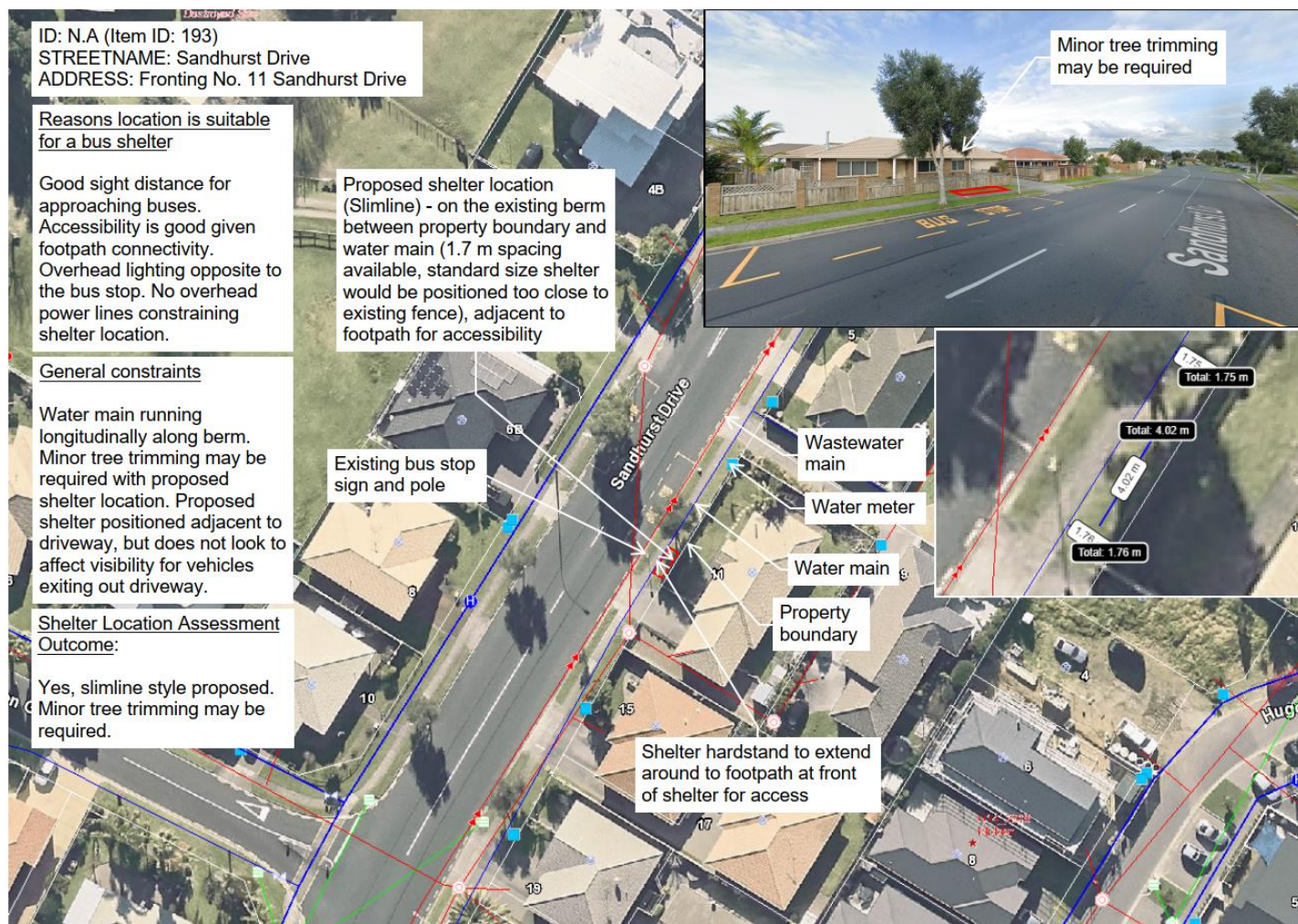
I propose that it be placed on the other side of the proposed walkway.

I would appreciate a discussion about this here at 1288 Papamoa Beach Rd

Thankyou

[REDACTED]
[REDACTED]

11 Sandhurst Dr



From: [REDACTED]
Sent: Wednesday, 2 March 2022 7:07 pm
To: Paula Simmonds [REDACTED]
Subject: Proposed bus shelter outside 11 Sandhurst Drive Papamoa

CAUTION: External Email.

Good afternoon Paula

Thank you for the opportunity to provide a response to the proposal to install a bus shelter right on our boundary fence as indicated in the photo included.

While we do appreciate our most vulnerable, and those with mobility challenges need to be cared for we strongly oppose the placing of a bus shelter outside our front windows on our boundary fence. The picture you provided is a far wider scope than what is actually outside 11 Sandhurst Drive. It actually would not fit there.

We have had big concerns about the safety of those walking and using the bus in regard to a big olive tree right outside our property. The tree drops its leaves and seed pits everywhere, creating trip and slip hazards to those walking, biking, scootering, in wheelchairs or just tottering along. When we asked Council about pruning or removing it we did not receive a favourable response. We personally think removing that hazard would be a good start to the safety of the public.

Any shelter, in my experience (Policing until retiring) indicates that they are magnets for graffiti and vandalism (costing the ratepayer), disorderly behaviour and drunkenness and affecting the my nearby residents of this quiet street of homeowners. Any of this described will directly affect me and my wife, distressing her greatly and ensuring the lowering of any resale value of our property which we have strived hard to achieve our whole working lives.

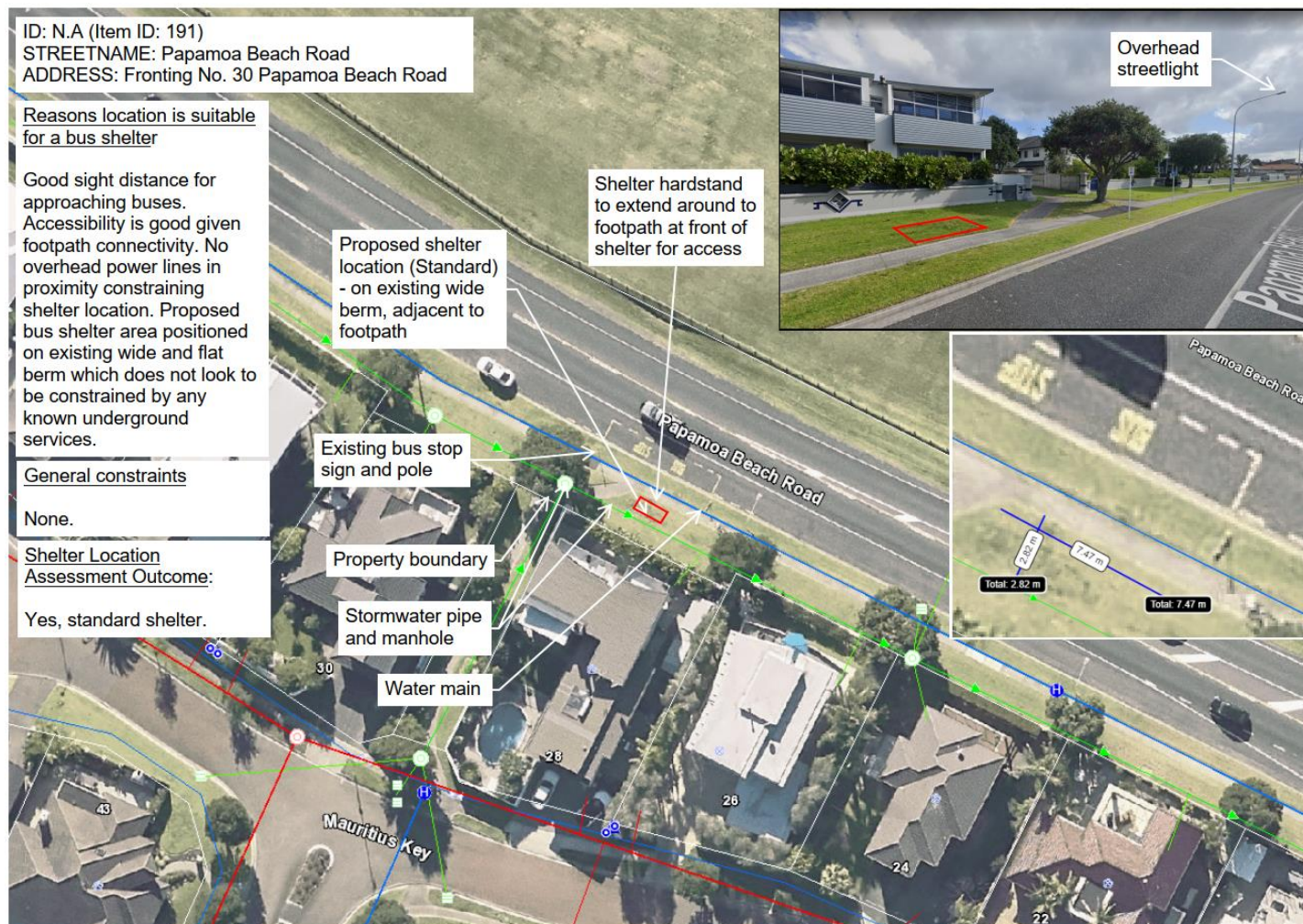
We bought this house as our daughter and our grandchildren live over the back fence and we had hoped to happily live there and experience their care and attention in our later years. Imagine how we are going to feel when trouble starts right on our front fence from a bus shelter used for all sorts of other activities than what it was intended for.

So no, we strongly insist that any shelter is not installed anywhere outside our property.

Regards

[REDACTED]
[REDACTED]

28 Mauritius Key



Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

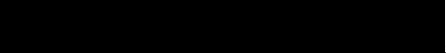
If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,

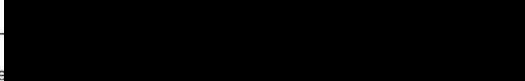
Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

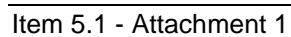
I ☒ We understand a bus shelter is planned for a location near our property at 28 MAURITIUS KEY and ☒ approve / ☐ object to this installation.

Name:  owner

Signature:  date: 16.3.22

Email: 
(for future

262 Range Rd



From: [REDACTED]
Sent: Sunday, 20 March 2022 4:35 pm
To: Paula Simmonds [REDACTED]
Subject: Bus Shelter

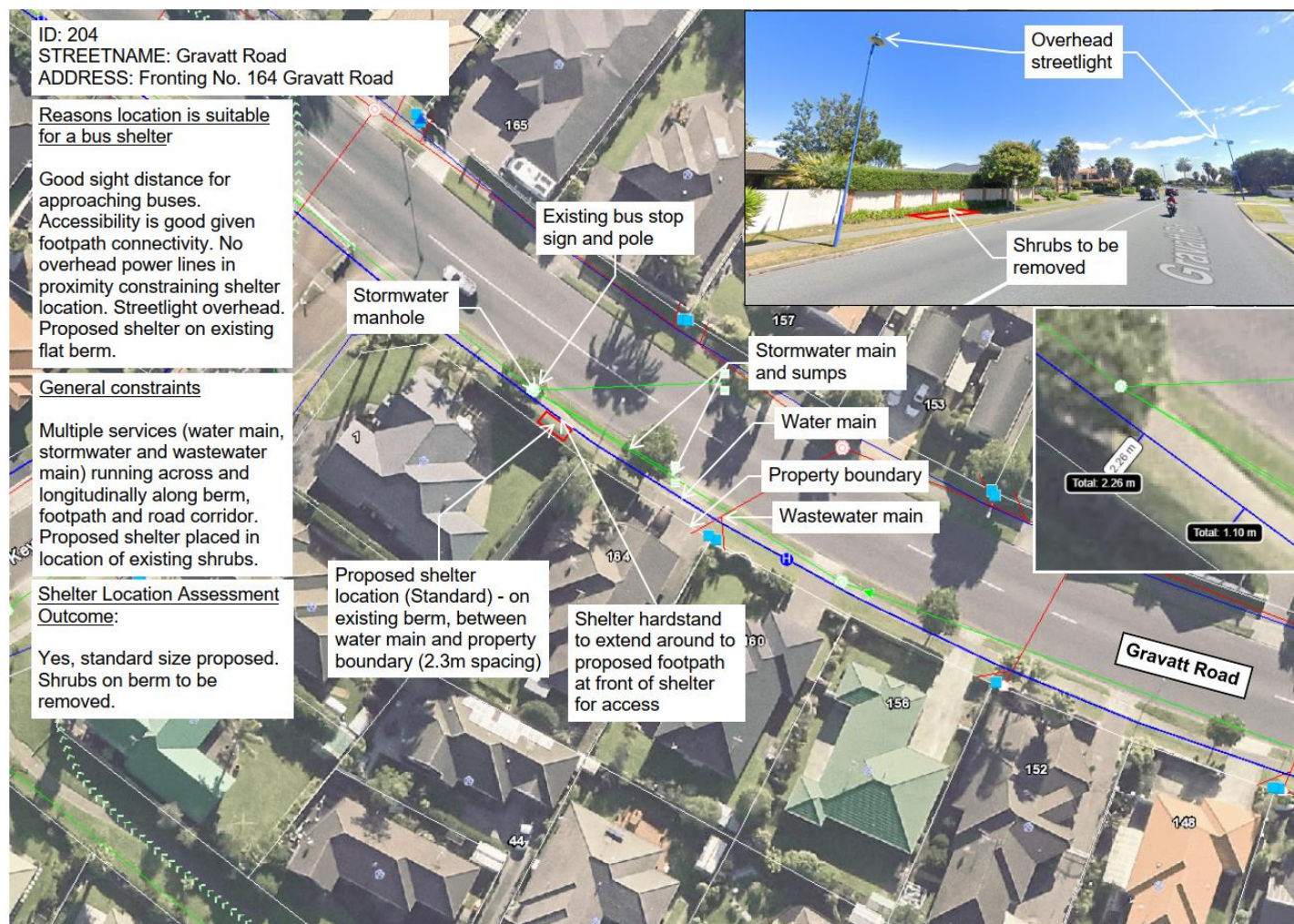
CAUTION: External Email.

We acknowledge receipt of your letter which we received 19th March 2022. In response we oppose the bus shelter location. This bus stop currently only provides transport for early morning and late afternoon commuters of which this is minimal. Please supply figures showing current usage of people using this bus stop to justify the expenditure of this project. Have you canvassed the immediate area to ascertain projected increase in numbers of people who would use this structure if built. Please supply these numbers if you have them. We also have concerns of vandalism, littering and loitering from pedestrians that would disturb the quiet enjoyment of our neighbourhood. Speaking to our neighbours they are in agreement that a bus shelter would not be a requirement.

Yours faithfully

[REDACTED] [REDACTED]

1 Bahamas Key



From: [REDACTED]
Sent: Thursday, 17 March 2022 3:34 pm
To: Paula Simmonds [REDACTED]
Subject: Proposed Bus Shelter outside 1 Bahamas Key Papamoa

CAUTION: External Email.

Hello Paula

I have received today in the mail a letter from Tauranga City Council regarding a proposed bus shelter outside my property at 1 Bahamas Key Papamoa. The letter is the only correspondence I have received regarding this matter and I note a response is requested by TOMORROW Friday 18th March 2022!

My response is, I object strongly to the installation of the bus shelter for the following reasons:

- 1) I already have regular problems in the mornings with school children (high school pupils) congregating on my property, throwing pebbles onto my lawn and making a nuisance of themselves despite me asking them politely to stop.
- 2) I envisage having security issues at night. Having a bus shelter where people are able to congregate to smoke/drink/ play loud music in comfort right next to my property is very very concerning. I will be 71 years old next week, a widow and I live on my own. My security is very important to me and I am very anxious to read that a bus stop is being proposed, possibly right next to my garden wall.
- 3) The footpath and berm on Gravatt Road where the current bus stop sign is situated, are not particularly wide. Where does the council propose to situate the shelter?
- 4) The current bus stop is very near a corner and very near an intersection of a side road, Bahamas Key. To turn right from Bahamas Key onto Gravatt Road a bus, stopping to pick up passengers, obstructs the visibility and sight lines for drivers. The present position of the bus stop is not safe.
- 5) Whilst this might not be a priority for the council, I believe a bus shelter, possibly hard against my garden wall, will devalue my property, which my husband and I worked hard to purchase.

I would appreciate it if a meeting could be arranged with a member of your team at the proposed site to discuss further information, including on the position of the proposed shelter.

As an aside, I note the letter I received regarding this matter, was addressed to my late husband, [REDACTED]. His name was removed from the Certificate of Title on the property by my solicitor in November 2013.

Yours sincerely

[REDACTED]

268 Gravatt Rd



From: [REDACTED] >
Sent: Wednesday, 23 February 2022 9:56 pm
To: Paula Simmonds <[REDACTED]>
Subject: Proposed bus shelter for 268 Gravatt Road

CAUTION: External Email.

Dear Paula,

Thanks for your prompt reply. I would appreciate my wife [REDACTED] to be included in this correspondence as we share equal ownership of our property and both pay the mortgage.

We are considered a reasonable hard working professional couple who live a busy life at work all week and spend a lot of quiet time in our much loved home. We never create dramas or argue with anything that is thrown our way and normally comply with whatever is thrown our way. However on this occasion we are not going to just go with what's thrown our way.

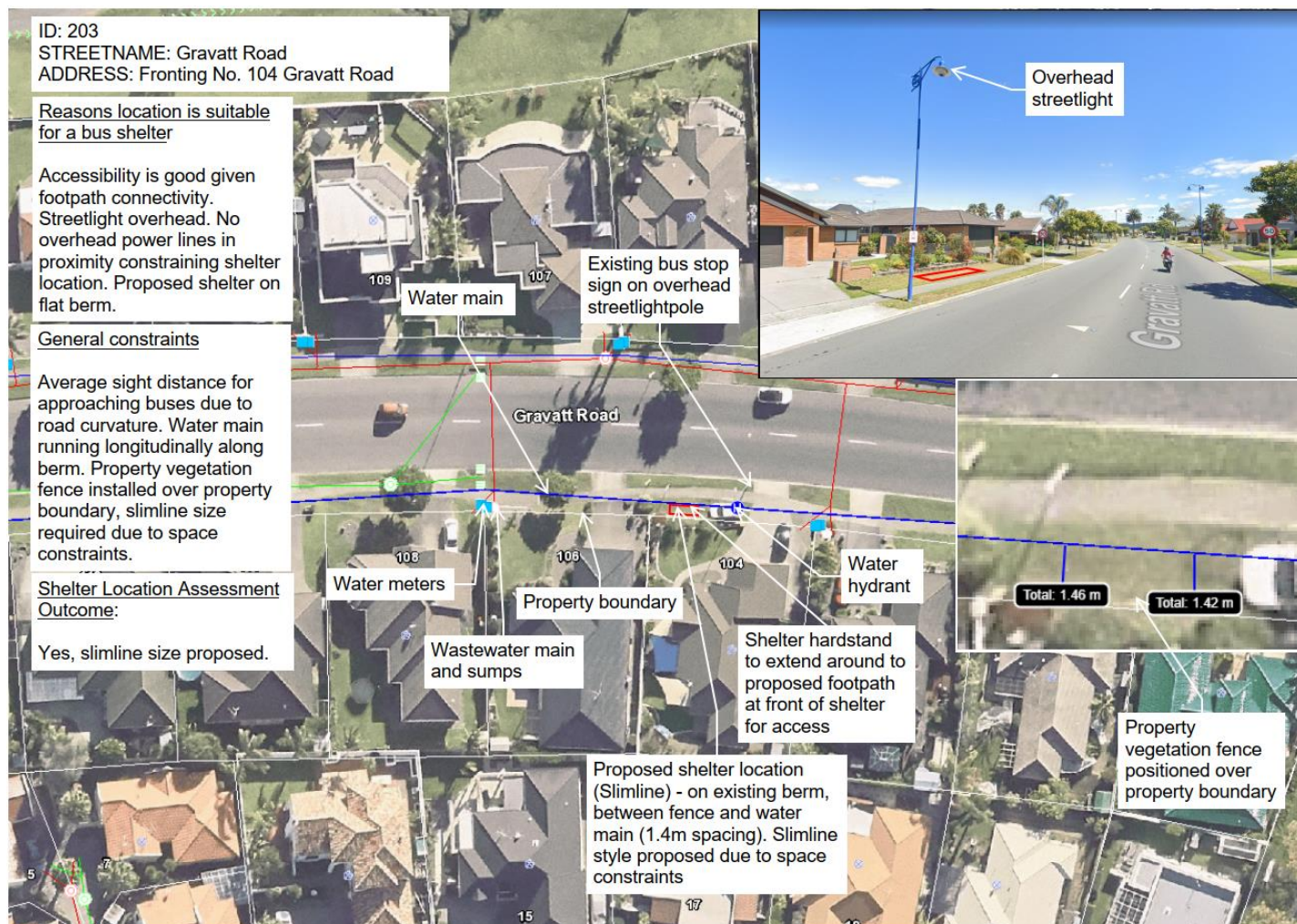
Our home is all and everything we own that we have worked for all our lives. We are nearing retirement in 5 years and will not have our only asset devalued immensely by a bus shelter and all that goes with it, totally disrupting our outlook and views, and potentially affecting the future sale of our property. Your proposed location is pretty much right in the middle of where we park our vehicles!! You mention in your email that you don't want to disrupt the views of adjacent properties. What about ours?? Have you considered putting it outside our neighbours house at 270 Gravatt Road? That's owned by a government agency I believe.

We would like to be involved in the official hearing process to formally express our opposition, Can you provide us with a detailed timeline of the official hearing process and more detail of what this will entail and who will coordinate it?

Six weeks ago I lost my Father. My wife and I are both experiencing extreme stresses in our jobs with the covid pressures and to have to deal with this on top...I must say is pretty overwhelming.

[REDACTED]

104 Gravatt Rd



From: [REDACTED]
Sent: Thursday, 17 March 2022 12:31 pm
To: Paula Simmonds [REDACTED]
Subject: Fwd: Proposed Bus Shelter by 104 Gravatt Road

Resending due to receiving a second letter in the mail.
Begin forwarded message:

From: [REDACTED]
Date: 7 March 2022 at 7:44:16 AM NZDT
To: [REDACTED]
Cc: [REDACTED]
Subject: Proposed Bus Shelter by 104 Gravatt Road

To whom it may concern

In reference to your notification of installation of a bus shelter near our property at 104 Gravatt Rd.

As the owners at 104 Gravatt Rd Papamoa, we are concerned about the location of the bus shelter.

As you rightly point out in your notification, upgrading to use bus shelters every where along the bus routes is a good thing for the community (I hope it is just not this location alone).

My objections are as follows:

1) The berm on the front of my property is narrow on the roadside of the path and twice as wide on the house side of the path, if this is the intended position, then the shelter would be hard on my boundary, isn't there a by-law about that?

2) Both properties either side of mine are opposite in the location of path to Road, i.e. the widest grassed area is the roadside of the path and not to mention the ground is flatter.

102 Gravatt has 2.3m of grass berm roadside, where 106 has 2.5m of grass berm roadside, 104 has 1.5m at its widest down to 1.1m on average.

I hope you will consider either of these two other options seriously and include the health and safety aspects of both path users and people in/around the shelter.

People should be able to exit the shelters and not be confronted with cycle users, runners or skate boarders or families with prams, all of whom use this path.

This situation can also be looked at in the reverse.

It is a far more sensible approach to have the shelter forward of the path, this will separate the differing user groups and possibly prevent collisions when people do not take proper note of their surroundings.

These are my concerns and as such, I request the bus shelter is not installed outside our property, but agree that a shelter could be installed in a near by, more suitable location.

Thank you,

[REDACTED]
104 Gravatt Road

[REDACTED]

112 Dickson Rd



From: Paula Simmonds [REDACTED]
Sent: Tuesday, 22 March 2022 4:14 pm
To: [REDACTED]
Subject: Re: Objection To Proposed Bus Shelter - 112 Dickson Road Papamoa

Good afternoon [REDACTED]

Thank you for your response regarding the proposed bus shelter near 112 Dickson Road. Your objections have been noted and I have provided some feedback below.

Understandably, there are some bus stops currently not well utilised. However, this is a city-wide project to improve bus infrastructure with the goal of increasing the attractiveness of public transport. The statement "numerous requests" is generalised as this is a city-wide project. We are not aware of any specific requests at this location. It can be noted that 112 Dickson Road is already a reasonably well used stop with roughly 80 people per month boarding the bus at this location. The purpose of this initiative is to make the service more attractive to more people to increase usage.

Regarding maintenance to existing bus shelters, while we look to identify maintenance items ourselves, Tauranga City Council also relies on resident feedback for any graffiti / wilful damage. If notified, graffiti will be removed (including glass etching if offensive).

The location of the bus stops themselves are not required to be consulted with adjacent property owners. However, the position of a bus shelter is. As the shelter is designed using strengthened glass, there is less obstruction to vehicles vision exiting their driveways.

This is our first consultation stage, and our objective is to simply gather approvals and objections from the large group of owners that are adjacent to proposed bus shelters. Our next stage is to follow a hearing process to work through any objections and see if we can come to an agreement. Please be assured that there will be an opportunity to discuss this proposed shelter further.

Regards
Paula

From: [REDACTED]
Sent: Friday, 4 March 2022 12:31 pm
To: Paula Simmonds [REDACTED]
Subject: Objection To Proposed Bus Shelter - 112 Dickson Road Papamoa

CAUTION: External Email.

Hi Paula

We have received a letter from Tauranga City Council (TCC) regarding a proposed bus shelter near our property at 112 Dickson Rd, Papamoa.

As occasional Bay Bus users we are not opposed to the development of the bus network but feel the placing of large bus shelters in residential areas is not the best use of rate payer resources.

Therefore we wish to submit our objection to the proposed bus shelters for the following reasons:

- Lack of use: The existing bus stop is only regularly used mostly by school children getting school buses and not TCC run services.

- Waste of rate payer money: The lack of usage of most of the existing bus shelters shows there is no reason to waste more rate payer money on bus shelters that will rarely be used. The existing bus shelters outside busy areas, such as Fashion Island, Papamoa Plaza, Bayfair Plaza and Mount Maunganui main street are rarely used so the need for them in residential areas seems minimal. The regular repair to these existing shelters must also waste a lot of TCC resources that could be used on more utilised services such as parks, reserves and play grounds etc.

- Disruption to residents: The existing bus stop is a mess. The bus stop sign is regularly being bent, pulled over and vandalised. We regularly have to pick up rubbish, including broken glass, from the surrounding area and within our property. We have also had to get graffiti removed from our fence. The erection of bus shelters will only encourage more of this anti-social behaviour. Just look at the bad behaviour at the Farm Street bus shelters for an example.

- Danger to residents: The erection of a bus shelter on a busy road such as Dickson Road will obstruct the vision of existing road users. It will also create a hazard for when residents are backing out of their driveways. With the reduction of speed limit along Papamoa Beach Road the use of Dickson Road as a commuter lane for cars, trucks and bikes has increased meaning the danger created from a bus shelter has also increased.

- Lack of consultation: We were never consulted about the placing of the existing bus stop. The existing bus stop is in an awkward place with it too close to the intersection of Dickson Rad and Douglas Place causing traffic issues.

Before we can provide our consent for the bus shelter can the following be provided:

- In the notification letter it is stated that the need for these bus shelters is supported by "numerous requests". Could we please be provided evidence of these requests for bus shelters on Dickson Road?

- Will the TCC commit to providing a regular maintenance program at these bus shelter sites including keeping the shelters clean, tidy and rubbish and graffiti removal?

- Can we be provided evidence of consultation on the erection of the existing bus stop?

Looking forward to your response.

Yours sincerely

[REDACTED]

112 Dickson Road
Papamoa

2.2.11 112 Dickson Road

The existing bus stop location is safe and is suitable for a bus shelter. There is clear site view for both pedestrians and bus drivers and can be installed at an offset from the footpath to ensure no site lines are compromised for vehicles exiting property 112. There is a larger concrete wall so a shelter would not be intruding on the adjacent property.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



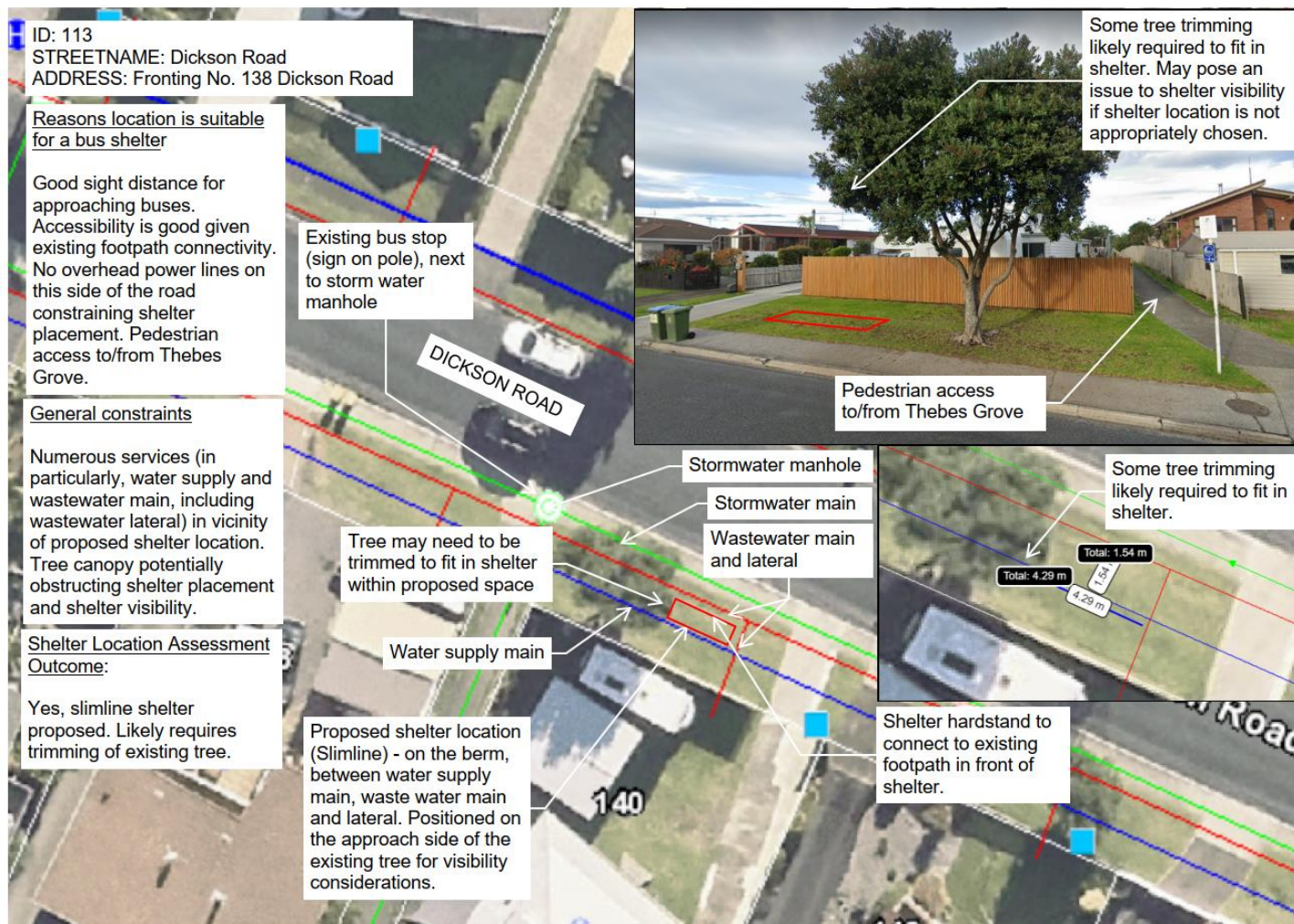
Figure 46 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 47 Google Street view image of proposed bus shelter and drainage inlet at the location

Figure 3: Excerpt from Safety Review Report

140 Dickson Rd



From: [REDACTED]

Sent: Wednesday, 23 March 2022 3:13 pm

To: Paula Simmonds [REDACTED]

Subject: Re: Bus stop objection

CAUTION: External Email.

Thanks Paula,

The second option would be even worse. Bringing people closer to our driveway. Buses potentially blocking ours and our neighbours driveways.

That area is also used for off street parking given if you park on the road, it becomes a one way street. With the amount of traffic and the speed vehicles travel on this road this creates safety issues.

Leave the buses stop as it is.

Regards

[REDACTED]

From: Paula Simmonds [REDACTED]

Sent: Wednesday, 23 March 2022 11:40 AM

To: [REDACTED]

Subject: Re: Bus stop objection

Good afternoon [REDACTED]

Thank you for your response to the proposed bus shelter near your property at 140 Dickson Road. Due to printing and postal delays we have delayed our respond-by date until the end of the month. However, your objections have been noted concerning the worry about vandalism and property damage.

For further information, a slimline shelter has been proposed, positioned away from the alleyway on the other side of the tree.

This is our first consultation stage, and our objective is to simply gather approvals and objections from the large group of owners that are adjacent to proposed bus shelters. Our next stage is to follow a hearing process to work through any objections and see if we can come to an agreement. Please be assured that there will be an opportunity to discuss this proposed shelter further.

Regards

Paula

From: [REDACTED]

Sent: Wednesday, 23 March 2022 9:37 am

To: Paula Simmonds [REDACTED]

Subject: Bus stop objection

CAUTION: External Email.

With regard to your letter dated 11 March 2022 we object to the bus stop shelter being built outside our house.

Please note this letter was only received by us on 22 March and we have received no previous letters about the shelter.

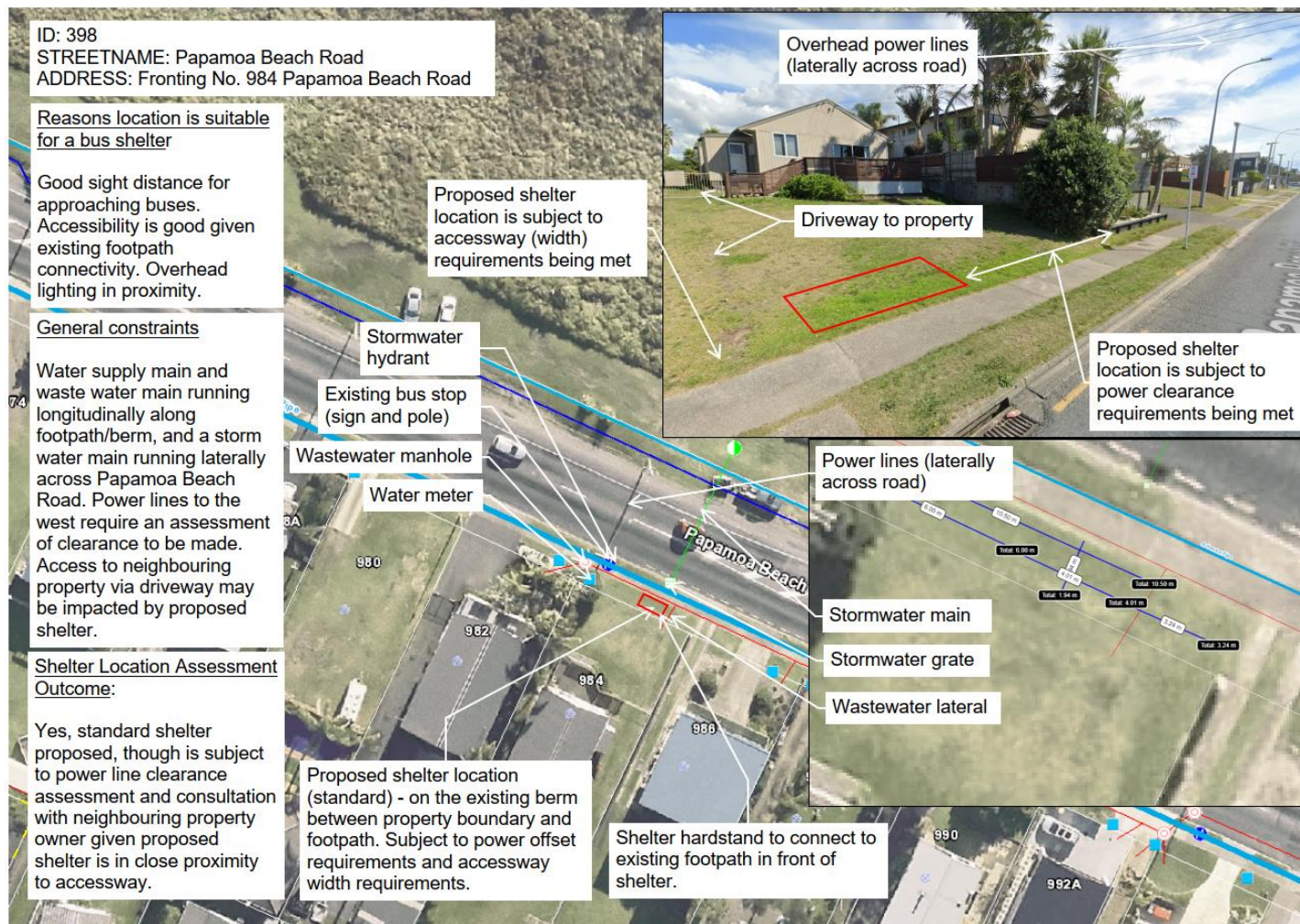
We have concerns about this shelter attracting vandalism as we see many shelters smashed and tagged etc. Will you pay for costs should this attract unwanted riff raff potentially causing damage to our fence/property. The alley way leading to this bus shelter already has tagging. We have young children and don't need the issues that this may bring.

Please confirm receipt of this email.

Regards

[Redacted Signature]

984 Papamoa Beach Rd



From: Paula Simmonds [REDACTED]
Sent: Tuesday, 1 March 2022 12:48 pm
To: [REDACTED]
Subject: Re: Bus Shelter - 984 Papamoa Beach Road

Sure - [REDACTED]

The shelter is proposed to be positioned in the red section.

Thanks
Paula

From: [REDACTED]
Sent: Tuesday, 1 March 2022 12:32 pm
To: Paula Simmonds <[REDACTED]>
Subject: Re: Bus Shelter - 984 Papamoa Beach Road

CAUTION: External Email.

Hi Paula
Can I please have your phone number so I can give you a call about this?
Is the shelter going in the red section?
It's not clear where the actual shelter is going from the diagram.
Thankyou

On Tue, 1 Mar 2022 at 12:26 PM, Paula Simmonds <Paula.Simmonds@tauranga.govt.nz> wrote:
Good afternoon [REDACTED]

Thank you for making contact regarding the proposed bus shelter near your property at [984 Papamoa Beach Road](#). Firstly, our apologise for the error in printing of your letter. I have attached an updated copy with the correct address throughout.

The proposed position is shown in the following diagram. You will see it is to the side of the powerlines near to the driveway for your neighbours property. A powerline clearance assessment will be required to ensure this position.

Any further questions, please let me know.

Regards
Paula

2.2.8 984 Papamoa Beach Road

The bus stop outside property 984 is in a safe location and is suitable position for a bus shelter on the property side of the footpath. From aerial imagery, there is approximately 2 m between the footpath and property boundary, which provides sufficient room to install a standard sized shelter. It is recommended to install the shelter as close as possible to the fence of property 982 as property 984 does not have a front fence and installing it here would reduce the likelihood of the shelter obstructing entrance to the property. There are overhead power lines located near the bus stop running transverse across Papamoa Beach Road. The power line is 400V, which are typically 8 metres tall, therefore, a bus shelter is likely to comply with the 4 m minimum vertical setback required for a 400V power line.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



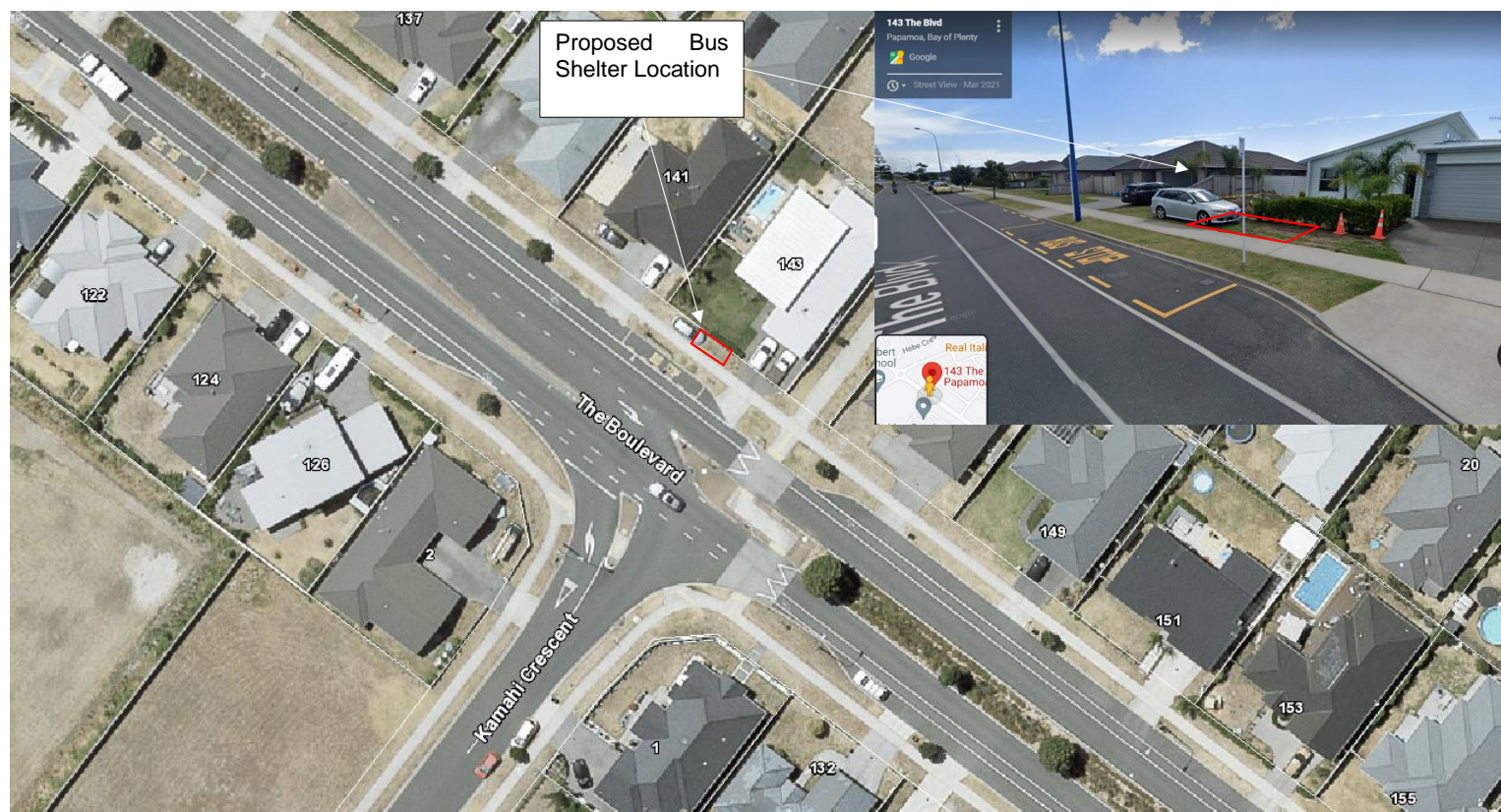
Figure 39 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 40 Google Street view image of proposed bus shelter location

143 The Boulevard

Note: This shelter was not initially proposed by consultants, but was added to the list after a request was made from a member of the public



From: [REDACTED]
Sent: Tuesday, 31 May 2022 7:50 pm
To: Paula Simmonds [REDACTED]
Subject: Proposed Shelter - 143 The Boulevard Papamoa

CAUTION: External Email.

To whom it may concern

We are writing in response to the proposed bus shelter outside our property of 143 The Boulevard, Papamoa.

As mentioned in the letter, we have the right to object to this in which we would like to do here under section 339.

Our reasons are as follows:

We purchased the property 2.5 years ago - at this time and still currently, there is a pole stating that there is a bus stop there - it is tolerable as it is discreet and also doesn't get a lot of use. Should there have been an actual bus shelter we would not have purchased the property. We believe this will also reduce the value of the property.

A bus shelter will be what we see now as this is only our view from our living area - we don't want to be looking at an eyesore - particularly one that has very little use. We do not have a fence in front of our property to block this view, nor do we anticipate getting one as we do not choose to live in a confined space.

One other reason, which we deem to be quite significant is the actual location of the bus stop itself - shelter or not. That particular section of the road is a very busy one, and one we think is actually very dangerous - not only is there is a bus stop, a turning lane, a speed bump and pedestrian lay-by all in a very small section of road, The Boulevard is used as a race track (despite the speed bump which doesn't slow anyone down as it's a very 'gentle' one). Leading out to the speed bump is a walkway which is used by a lot of children, often on bikes or scooters as well as people on mobility scooters. With buses stopped and traffic turning at the same point of the road, there is a lot going on at one time and this takes a lot of attention from drivers going straight and at times their vision can be compromised from stopped buses to see any children coming out of the walkway to cross the road.

We would love to see the bus stop itself moved further down the road and even more so if you are proposing a shelter, away from the speed bump and perhaps in front of another house that doesn't have a front facing living area. It won't be aesthetically pleasing at all and we are not happy about it being there.

Parking is limited for us with not only the bus stop, but also the speed bump taking up a good chunk of the road so when we have a 4 bedroom house and a minimum of 4 cars at one time, we need to be parking down the road away from our house which is not ideal.

We had contacted Tauranga Council about 12 - 18 months ago regarding the possibility of a shelter being placed there and were told that it would not go ahead without our consultation. Clearly this letter is just that. We were told that there would be a note on our address on file stating our disapproval of this happening so are surprised to have received this letter.

We look forward to receiving a response to our case.

Kind regards

2.1.9 143 The Boulevard

The bus stop fronting 143 The Boulevard is in a safe location and is suitable for a standard sized bus shelter. There is sufficient berm space on the property side and there is good forward visibility for bus drivers and pedestrians. No site lines will be obstructed for the adjacent driveway as the bus shelter would be positioned on the property side of the footpath. It is worth noting that it seems as though the residents use this berm area to park their vehicles which may cause disagreement of the shelter.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 143 The Boulevard

Bus stop suitability: Safe location for bus stop. Retain existing bus stop location.



Figure 20 TCC MAPI Site location Aerial imagery with Utility services



Figure 21 Google Street View image of proposed shelter location at existing bus stop

Figure 4: Excerpt from Safety Review Report

304 / 306 Gravatt Rd



306 Gravatt Rd Objection

Additional Note - Resident was comfortable with proposed shared position once provided more explanation but had issues with light. Could be a potential acceptance, but neighbour approval required.

From: Paula Simmonds [REDACTED]
Sent: Thursday, 24 March 2022 10:47 am
To: [REDACTED]
Subject: Re: 306 Gravatt road

Good morning [REDACTED]

We are in discussion with your neighbour also - this shelter would require you both to agree on the position for it to go ahead. I will keep your comments on file that the current proposed position may work, however we are sure to need further conversations with you and your neighbour.

I am not sure I can help with the light pole but I will also put this down as part of a solution to bring the shelter on board. The best approach is for you to get your request on file is by ringing our customer support line and lodging a formal request. The number is 07 577 7000

Regards
Paula

From: [REDACTED]
Sent: Wednesday, 23 March 2022 4:33 pm
To: Paula Simmonds <[REDACTED]>
Subject: Re: 306 Gravatt road

CAUTION: External Email.

Hi Paula,

Really appreciate you reply

In all honesty if it's going where stated on the photo in between us and the neighbours would be ok, at least then keeps all the kids off the drive way lol

I know this is probably irrelevant but if there's any chance we can please move the light pole would help tremendously

I know you have a lot of inquiries abs thank you for your time

Have a good day

On 22/03/2022, at 5:25 PM, Paula Simmonds <[REDACTED]> wrote:

Good afternoon [REDACTED]

Thank you for your response in regard to a proposed bus shelter adjacent to your property at 306 Gravatt Road. I have noted your objections, particularly that it will add to the inconvenience already being experienced with existing structures and the bus stopping.

For further information, the proposed bus shelter is on the border between yourselves, and your neighbour as shown in this image - further away from your driveway on the other side of the tree in your front section. The shelter would be slimline which measures 2.25m (height) by 0.8m (width - plus a 500mm roof overhang) and 3.8m length.

In this first stage we are simply gathering approvals and objections from a large group of owners that are adjacent to proposed bus shelters. Our next stage is to follow a hearing process to work through the objections and see if we can come to an agreement. Please be assured that there will be an opportunity to discuss this proposed shelter further.

Kind regards
Paula

From: [REDACTED]
Sent: Tuesday, 22 March 2022 12:45 pm
To: Paula Simmonds [REDACTED]
Subject: 306 Gravatt road

CAUTION: External Email.

Afternoon Paula

Emailing you on behalf of my step father who is currently Not well,

Have just received you notice of installation of a bus stop outside our family home,

Unfortunately we have a big family and use the front of of home as parking

It's already such a hassle getting in and out of our home drive way due to a light pole flushed to the edge of our drive way and have to watch busses and kids on the other side is such a stressful on going hazard for our family

Please if you can take our email into consideration will be very helpful

Thank you so much 😊

**304 Gravatt Rd Objection****From:** Paula Simmonds**Sent:** Tuesday, 22 March 2022 2:06 pm**To:** [REDACTED]**Subject:** Proposed bus shelter at 304 Gravatt Road

Good afternoon [REDACTED]

Thank you for your call today to discuss the proposed bus shelter at 304 Gravatt Road. I have recorded your objection to this location, primarily due to the risk of attracting undesirable behaviour and groups that linger.

Attached is an image of the proposed location that is overlapped between your property and 306 Gravatt Road. The shelter would be slimline which measures 2.25m (height) by 0.8m (width - plus a 500mm roof overhang) and 3.8m length.

In this first stage we are simply gathering approvals and objections from a large group of owners that are adjacent to proposed bus shelters. Our next stage is to follow a hearing process to work through the objections and see if we can come to an agreement. Please be assured that there will be an opportunity to discuss this proposed shelter further.

Kind regards
Paula

2.1.8 306 Gravatt Road

The existing bus stop location is acceptable and is a suitable location to install a bus shelter. There is clear forward visibility for both bus drivers and pedestrians, with a generous length of uninterrupted kerb and channel. The proposed bus shelter location avoids obstructing the view from 306 Gravatt Road and slightly overlaps 304 Gravatt Road to avoid being within the tree dripline. The bus stop sign should be relocated 4m east to position the shelter at the front of the bus stop.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 306 Gravatt Road

Bus stop suitability: Safe location for bus stop. Retain bus stop location.



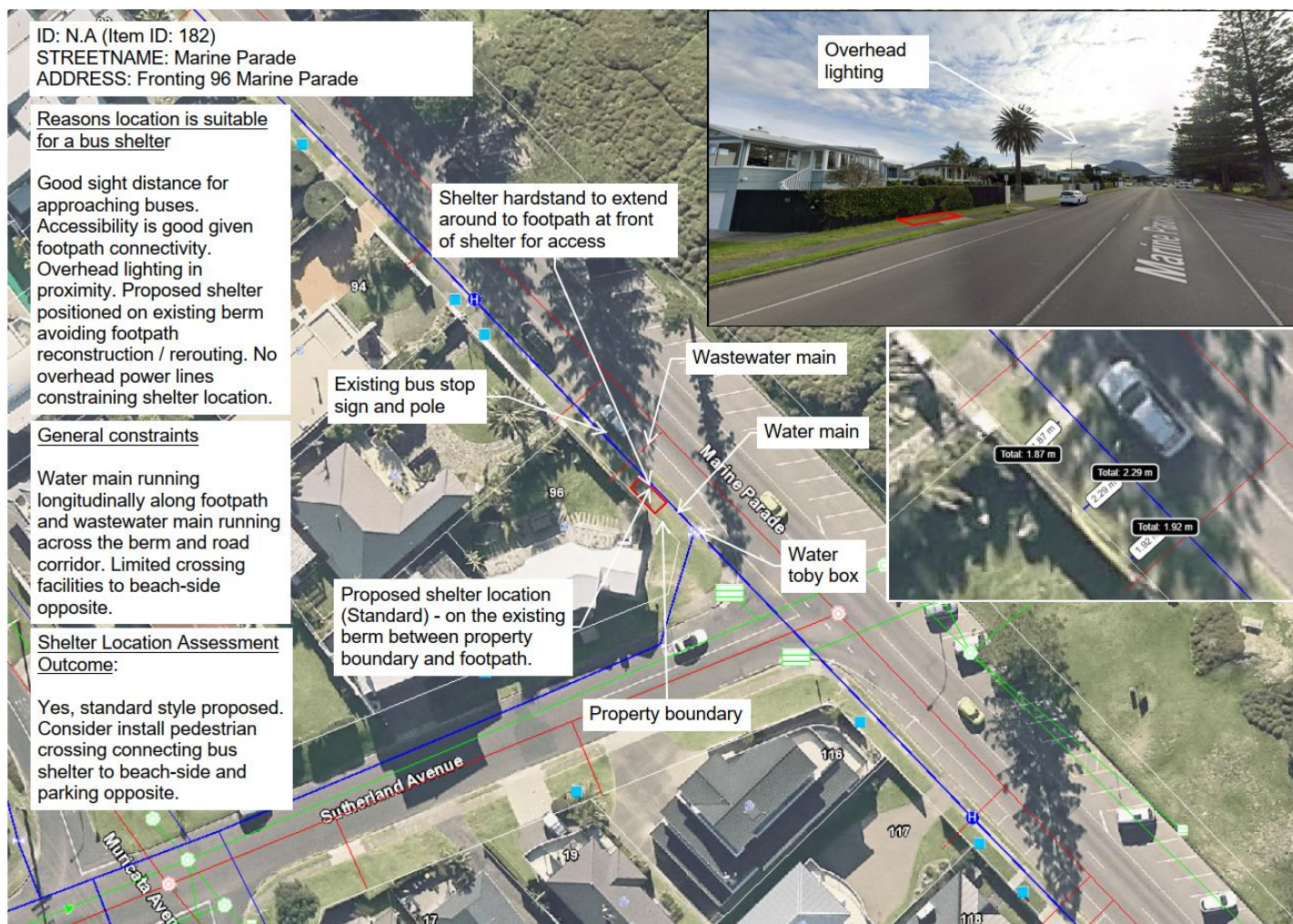
Figure 18 TCC MAPI Site location Aerial Imagery with Utility services



Figure 19 Google Street View image of proposed shelter location

Figure 5: Excerpt from Safety Review Report

96 Marine Parade



From: [REDACTED]
Sent: Thursday, 3 March 2022 8:45 am
To: Paula Simmonds [REDACTED]
Subject: Proposed Bus Shelter Near Out Property At 96 Marine Parade

CAUTION: External Email.

Dear Paula,

My husband, [REDACTED] and I recently received a letter from Tauranga City Council (TCC) advising of a bus shelter to be located near our home, while the letter did not specify the actual location of the shelter I imagine it is in the same location as the bus stop sign.

At the end of the letter there was a note requesting us to sign off a planned bus shelter planned near our property at 1170 Papamoa Beach Rd and to approve the application. My husband and I don't own this property in Papamoa so can't sign off on a bus shelter on behalf of the owners.

If there is a bus shelter to be built outside our home at 96 Marine Parade we do have an objection to that. However, we have no objection to a bus shelter being built on the other side of the road where I understand TCC is planning to continue the boardwalk that stops at Banks Ave all the way through to Tweed St.

We do know that there is not a high level of utilisation of the bus stop outside our home, of people waiting or jumping off the bus at that stop. Our main objection is that we do have a lot of people who meet up in the evenings, especially over summer but also in the wends, year round, across the road and we have concerns that this would include the shelter should it be located outside our home. Gatherings can be rowdy and last all night and we regularly clean up bottles and glass.

Because our home was built on an angle in the 1950's, our site is a little different to most on Marine Parade. It means that our entire living and the bedrooms of our children would be located right beside the bus shelter. This creates concerns regarding our privacy but also for the safety and security of our family if a bus shelter was built in the current location of the bus stop, which would be located right beside the two main main access routes to enter our home, the garden gate and just beyond that our front door, where we have had security issues in the past with strangers trying to enter them, usually late at night but sometimes during the day.

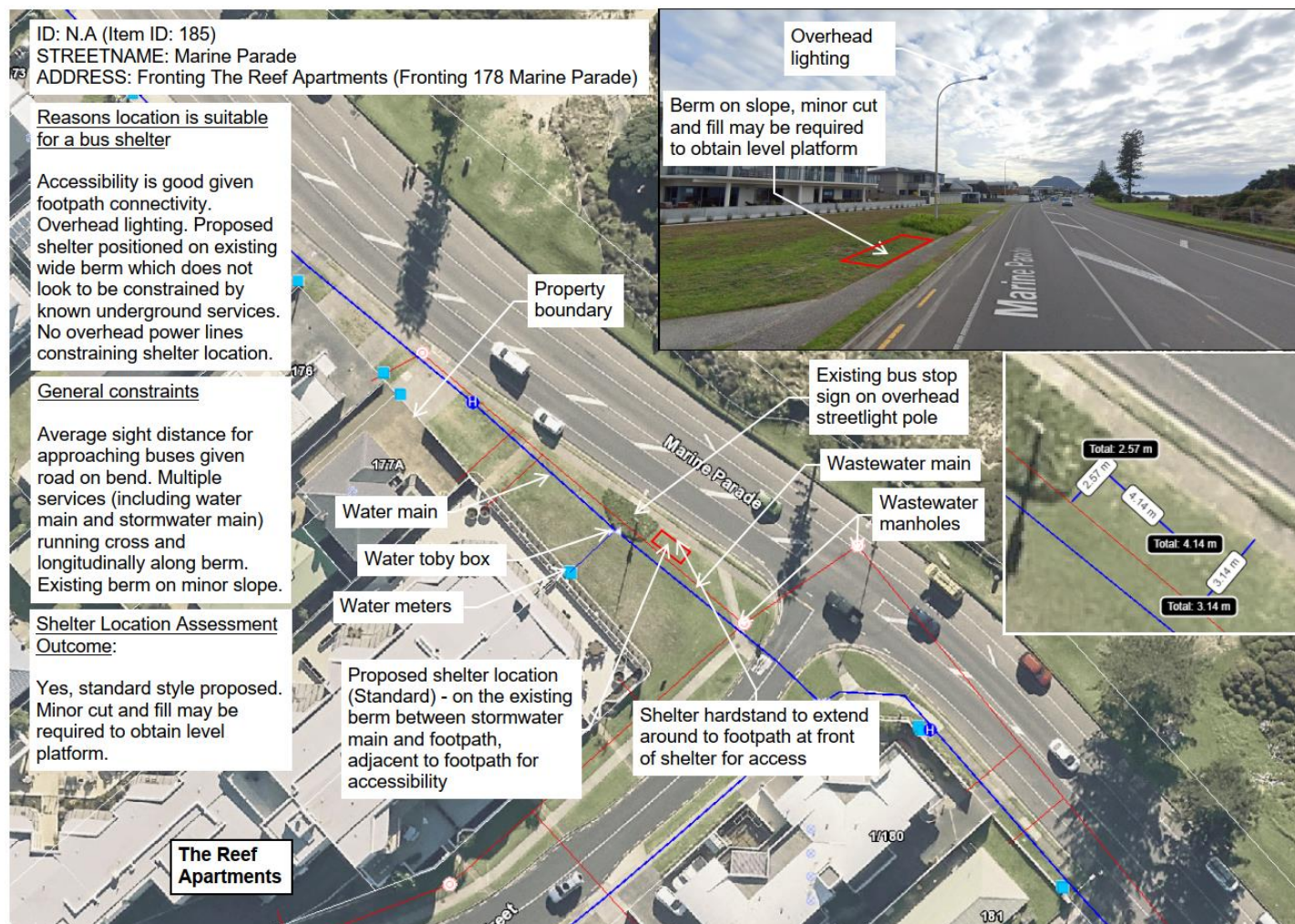
[REDACTED] and I fully understand we can't prevent TCC from building a bus shelter but we do hope you will take a close look at our property and realise our concerns are valid and our property is a little different due to how it was built in the 1950's.

We are not adverse to a bus shelter but wonder if having one across the road would work in with the plans TCC has for the Marine Parade Boardwalk. We would be very happy to meet with you and show you in person our concerns please feel free to contact me anytime on [REDACTED]

Your Sincerely,

[REDACTED]
96 Marine Parade
Mt Maunganui
3116

178 Marine Parade



TCC Note: Due to a mail merge error, the first letter went to only one owner in the apartment complex. A Second letter went to the property manager who distributed to all owners including an image of the proposed location. Responses below.

Response 1:

I personally am concerned by how close the proposed shelter is to the T intersection of Clyde St and Marine parade.

This is a very busy intersection with difficulty to turn in and out of Clyde St. There are often cars waiting in the middle of the road to turn into Clyde St exactly where the bus is supposed to stop.

The visibility is also restricted here with a bend on the other side of Clyde St./Marine Parade Today cars have trouble turning in and out here.

Clyde St is one of the main access roads to the beach from Mount Maunganui road.

Finally pedestrians also struggle to cross to the beach here because of the volume of traffic and poor visibility. The experience of frequent users of this intersection should be of value to your decision making.

I hope the Tauranga city Council will reassess and place the bus shelter at least 50-100m from the intersection.

Please keep me informed on the final placement decision

Regards

[REDACTED]

The Reef Apartments

Response 2:

I have just been told about a proposed bus stop that the council are wanting to install at 178 Marine Parade. I would like to oppose this bus stop being established at this location. We have paid a substantial sum of money for the location and view that we currently have. While I understand your possible reasoning behind putting a bus stop at this location, I do not think it is fair to de-value our property by interrupting the view that we have paid for. In the entire time that we have owned this unit it is very rare to see anyone catching a bus from this location. I feel that the funds required to make this bus shelter would be better utilized at another location where the bus service is actually used.

Ngā Mihi | Kind regards,

[REDACTED]

Response 3:

We wish to lodge an objection to the council erecting a bus stop outside the Reef Apartments. It makes sense to locate it at Tay Street where people congregate.

[REDACTED]

The Reef Apartments

Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 1st April 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

If we do not receive a reply by Friday 1st April 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,



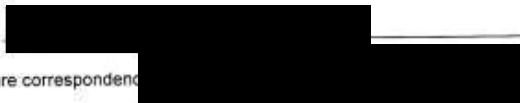
Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our property at **178 Marine Parade** and approve / object to this installation

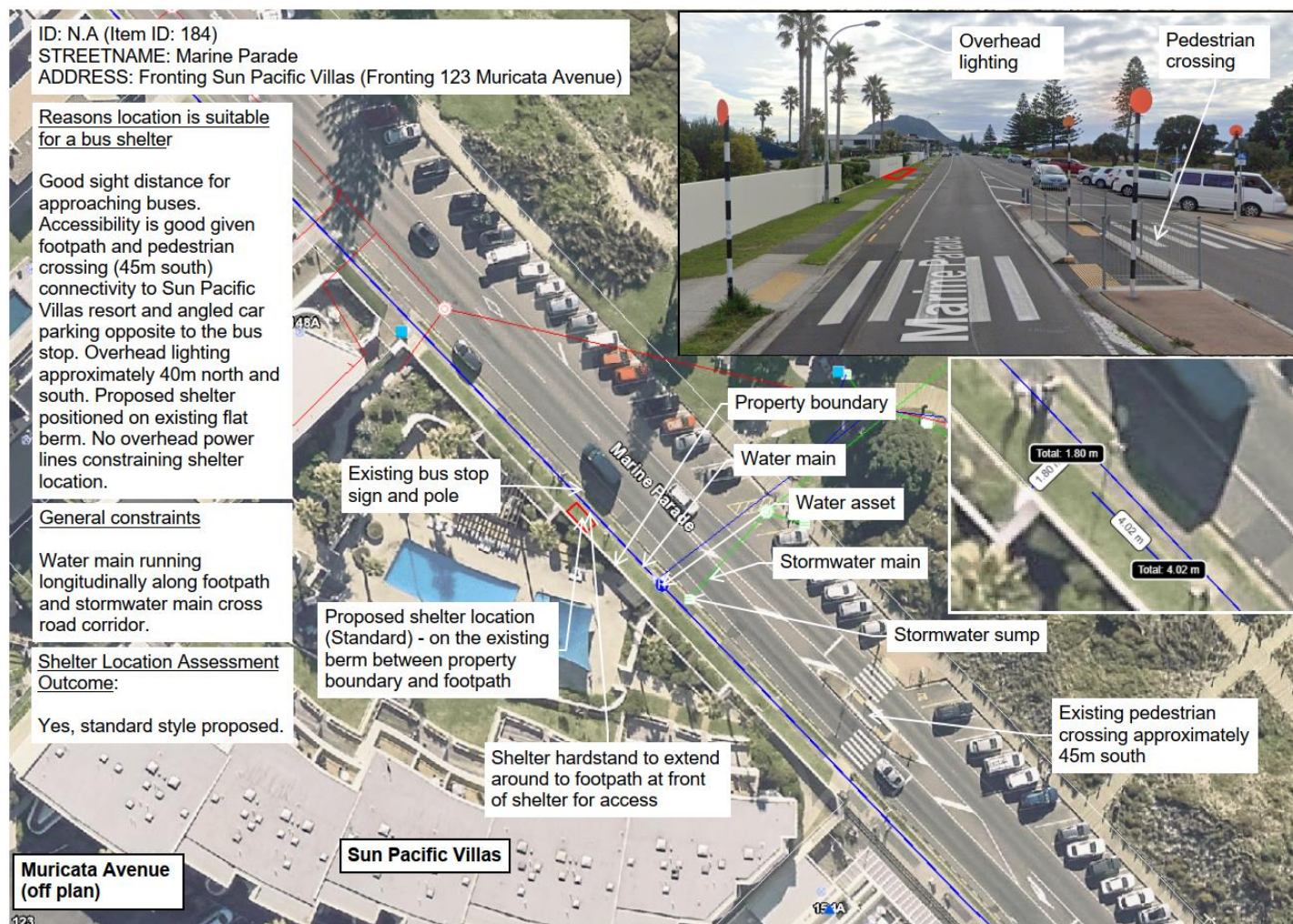
Name:  owner / tenant (select one)

Signature:  date: 30/03/22

Email: 

(for future correspondence)

123 Muricata Ave



From: [REDACTED]
Sent: Tuesday, 8 March 2022 1:53 pm
To: Paula Simmonds [REDACTED]
Cc: [REDACTED]
Subject: RE: Proposed Bus Shelter

CAUTION: External Email.

Good afternoon Paula

My name is [REDACTED] I am the Chair of the Body corporate of Sun Pacific Villas 123 Muricata Avenue Tauranga

I note the correspondence between yourself and our Manager and I have to concur with her objection. We do not see ourselves as a NIMBY complainant but a couple of things come to mind.

The image you supplied on your letter showed a very wide berm and the back of the shelter was some distance from the residential boundary so no advantage to climbing up onto whereas in our case the shelter would be hard up against our boundary fence which would tend to promote unwanted visitors. We already have a problem with them on occasions so this would just add to that.
Being Northerly facing it is hard to imagine much shelter being gained from the elements.
The proposed siting is quite close to the existing pedestrian crossing with a narrowing of the passable carriageway making passing a stopped bus a bit of a challenge.

In conclusion Sun Pacific Body Corporate would object to the siting of the proposed new bus shelter as indicated in the information accompanying your letter.

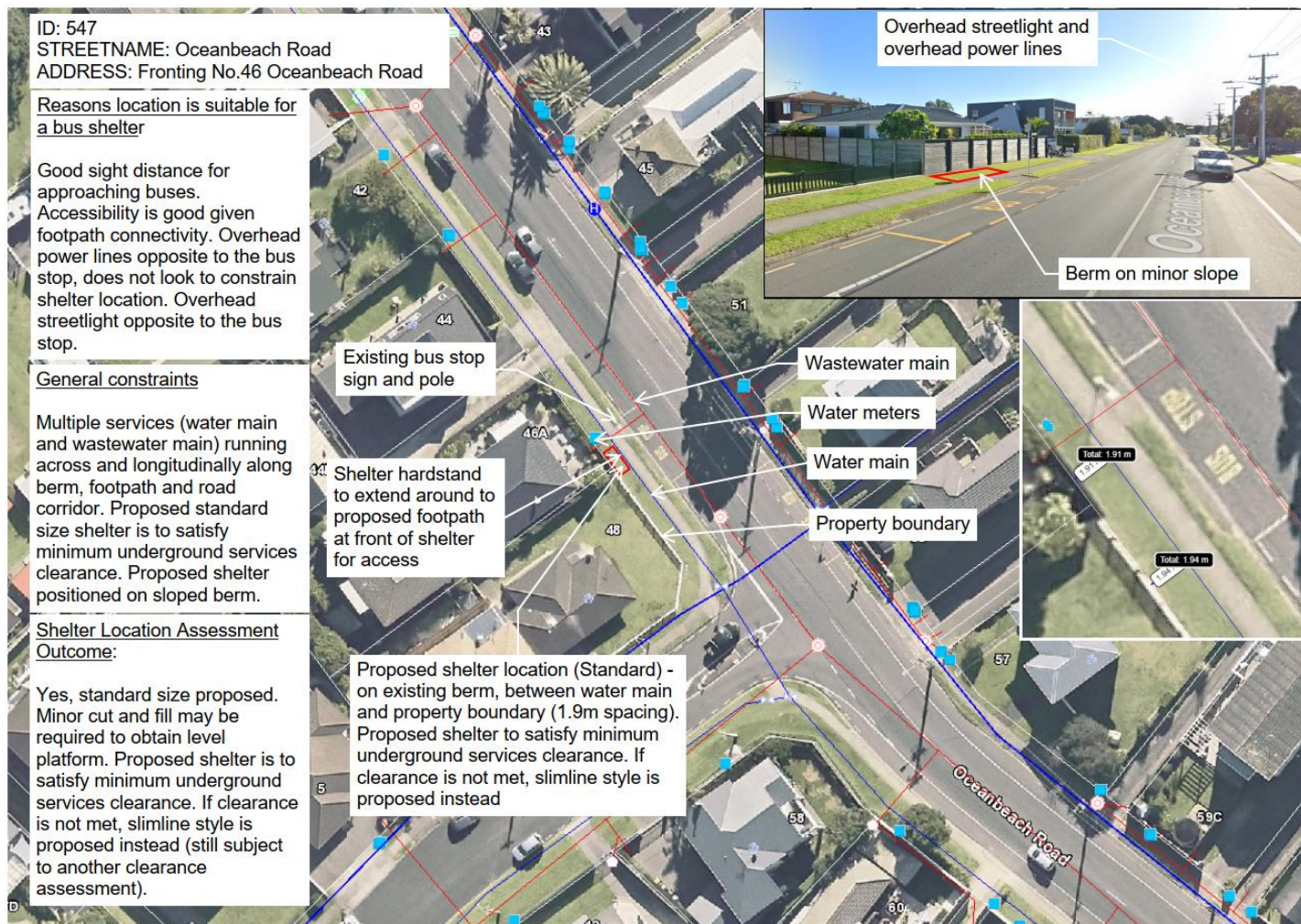
Happy to discuss further should you feel the need.

We can fill out your reply form or are you happy to receive this email as confirmation of our position.

Regards

[REDACTED]

46 / 48 Ocean Beach Rd



48 OCEAN BEACH RD OBJECTION

Note: Correspondence has been primarily phone conversations.

Resident has received her letter regarding the proposed shelter and says that the current bus stop and proposed shelter is actually located at the 'legal' driveway to her property. At this time the garage comes off McDowell Street (she is a corner property) but they may open up the legal entrance at some point in the future.

Council Response:

Hi Kurt

That is correct

Regards

[REDACTED]

Duty Planner | Environmental Planning

Tauranga City Council | 07 577 7000 | dutyplanner@tauranga.govt.nz | www.tauranga.govt.nz

Disclaimer: Any information or comment provided by a Duty Planner is based on the details supplied by the customer and may not be taken as independent advice. A Duty Planner will not be able to confirm whether a resource consent will be approved, notified or has any affected parties. These decisions cannot be made until a complete application has been received and assessed. Duty Planner responses are not a substitute for a Land Information Memorandum (LIM) and should not be relied upon when making property purchase decisions. A LIM should be obtained in order for you to access all relevant information the Council holds about a property.

From: Kurt Graham <[REDACTED]>
Sent: Thursday, 4 August 2022 9:36 AM
To: dutyplanner <[REDACTED]>
Cc: Nick Alleyne <[REDACTED]>; Stuart Goodman <[REDACTED]>;
EMAC <[REDACTED]>
Subject: RE: Consent Queries

Thanks!

So just to confirm I am understanding correct.

1. The garden in road reserve at 152 Ocean Beach road, is not consented
2. There is no legal access to 48 Ocean Beach Rd from Ocean Beach Rd, only from Mac Dowel St?

Regards

Kurt Graham | Project Manager

4

From: dutyplanner <[REDACTED]>
Sent: Friday, 22 July 2022 11:18 am
To: Kurt Graham <[REDACTED]>
Cc: Nick Alleyne <[REDACTED]> Stuart Goodman <[REDACTED]>; EMAC <[REDACTED]>
Subject: RE: Consent Queries

Kia ora, Kurt

Thank you for contacting the duty planner regarding the potential establishment of bus shelters at selected locations across the City. For ease of reference, I will respond to your questions in the same numerical sequences as your queries:

1. TCC is responsible for the maintenance of the road corridor, including the footpath and berm outside of a person's legal lot boundary. Any planting inside of the highlighted area in the snip, below, can be removed:
2. The formed and sealed access connects to a combined vehicle crossing onto McDowell Street – there is no vehicle crossing onto Oceanbeach Road and there is resource consent proposed to change that, so no worries there.

I hope this helps,
[REDACTED]

Duty Planner | Environmental Planning

From: EMAC <[REDACTED]>
Sent: Friday, 22 July 2022 8:54 am
To: dutyplanner <[REDACTED]>
Cc: Kurt Graham <[REDACTED]> Nick Alleyne <[REDACTED]>; Stuart Goodman <[REDACTED]>
Subject: RE: Consent Queries

Hi Duty Planner,

Are you able to help with Kurt's questions below please?

Ngā mihi

From: Kurt Graham <[REDACTED]>
Sent: Thursday, 21 July 2022 4:14 pm
To: Nick Alleyne <[REDACTED]> Stuart Goodman <[REDACTED]>
Cc: EMAC <[REDACTED]>
Subject: Consent Queries

Hi Stuart,
Hi Nick,

I'm hoping you may be able to help me, please let me know if there is someone else I need to speak to.

We are looking to install a number of bus shelters around Tauranga. A few sites have raised some consent queries.

1. 150 Ocean Beach Rd - Are gardens in Road Corridor consented or are consents pending?

2. 48 Ocean Beach Rd – Where are the legal Accesses here? The formed one is not onto Ocean Beach Road, but is there also one consented but with let down onto Ocean Beach Rd?

Regards

46 OCEAN BEACH RD OBJECTION

From: [REDACTED]
Sent: Wednesday, 16 March 2022 11:42 am
To: Paula Simmonds [REDACTED]
Subject: Proposed Bus Shelter near my property at 46 Oceanbeach Road

CAUTION:External Email.

Attention Kurt Graham

I am replying to the flyer left in my mail box yesterday 15th March.

I wish to object to this installation. My reason apart from being unsightly is having lived at my property for the last two years and observed the use of this bus stop think it would be an obscene waste of tax payers money. Given more time I could have given a more accurate observation but would be very surprised if there were more than 2or3 passengers picked up or dropped of in any given week. It is situated right outside my kitchen window and the number of times a bus ever stops there is a rare occurrence.

I am not an unreasonable person and if the elderly or children were regular users I would have no objection but obviously this is not the case.

Your Sincerely
[REDACTED]

Kia Ora,

I am a resident at 46 Oceanbeach Rd and have just been advised of a proposed bus shelter being built near this property by letter.

I DO NOT consent to this shelter being erected outside my property.

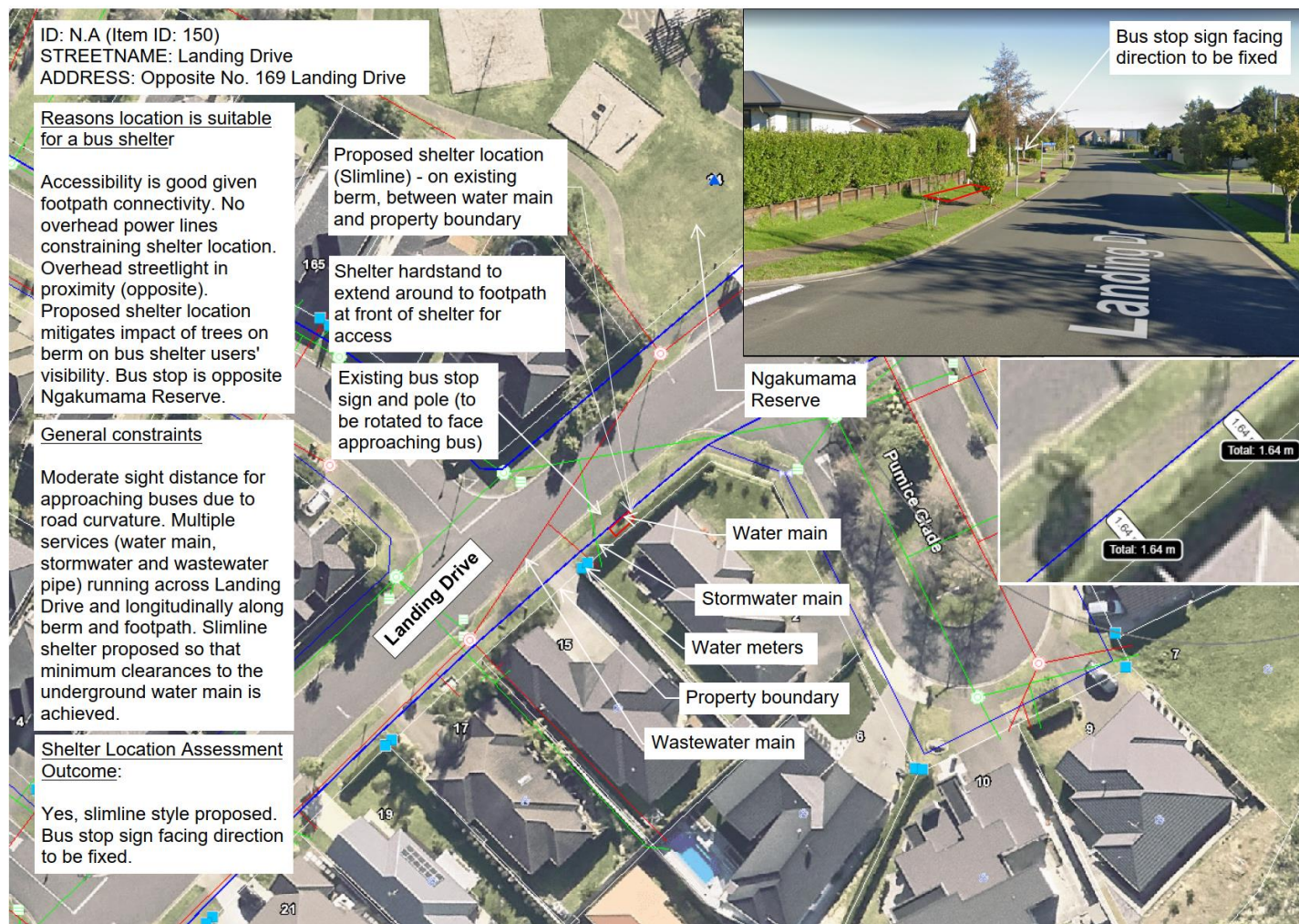
This bus stop seems to me to hardly ever be in use. I never actually see anyone waiting for a bus or alighting from a bus at this stop. I don't think a shelter is particularly necessary in this area. We already have Lime Scooters being left outside on the footpath to be tripped over and moved constantly so we can actually use the footpath.

My elderly neighbour won't appreciate the obstruction of a shelter outside her house. It is often a noisy road in summer with people walking by, I think it will end up being a spot where people will loiter and discard their rubbish more than it will actually be used as a bus stop in my opinion.

Thank you,

[REDACTED]

2 Pumice Glade



From: [REDACTED]
Sent: Monday, 21 March 2022 5:17 pm
To: Paula Simmonds [REDACTED]
Cc: Kurt Graham [REDACTED]
Subject: RE: Bus Shelter

CAUTION: External Email.

Thanks for getting back to me.

The proposed location and position is even more of a concern now, so definitely look forward to the hearing process.

You've only got to look at the unrepaired state (left broken for over a year now) of the one across the road which is a more open position to know this is going to end badly for me.

Can't wait to find out why the buses couldn't have carried on doing the loop the other way like was planned and set up and worked for years, would be lucky if its an extra 1km all up.

A higher res picture would be helpful as well thanks.

Regards [REDACTED]

From: [REDACTED]
Sent: Monday, 21 March 2022 4:32 pm
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Bus Shelter

Good afternoon [REDACTED]

Thank you for your response regarding a bus shelter adjacent to 2 Pumice Glade. Your objections have been noted, in particular the objection to a shelter becoming a 'gathering magnet' for unwelcome groups at night.

I have enclosed an image of the proposed bus shelter location fyi.



A slimline shelter is proposed that measures 2.25m (height) by 0.8m (width - plus a 500mm roof overhang) and 3.8m length.

In this first stage we are simply gathering approvals and objections from a large group of owners that are adjacent to proposed bus shelters. Our next stage is to follow a hearing process to work through the objections and see if we can come to an agreement. Please be assured that there will be an opportunity to discuss this proposed shelter further.

Kind regards
Paula

From: [REDACTED]
Sent: Friday, 18 March 2022 5:58 pm
To: Paula Simmond [REDACTED]
Cc: Kurt Graham <[REDACTED]>
Subject: Bus Shelter

CAUTION: External Email.

Hi Paula

We just received the letter today from Kurt advising of the proposed shelter.

Having seen the shelter across the road attract a lot more than just bus travellers of the years I formally object to the proposal.

You wish to erect a gathering magnet located right outside our main outdoor living area and bedroom. Which based on the one across the road will then become a hangout for various nefarious night time activities.

Looking at the design across the road and the picture attached to the letter this structure will likely sit hard up against my boundary and have a roof easily accessed from our fence/wall and therefore our property also.

There is nothing desirable about having this structure sitting outside our property at all.

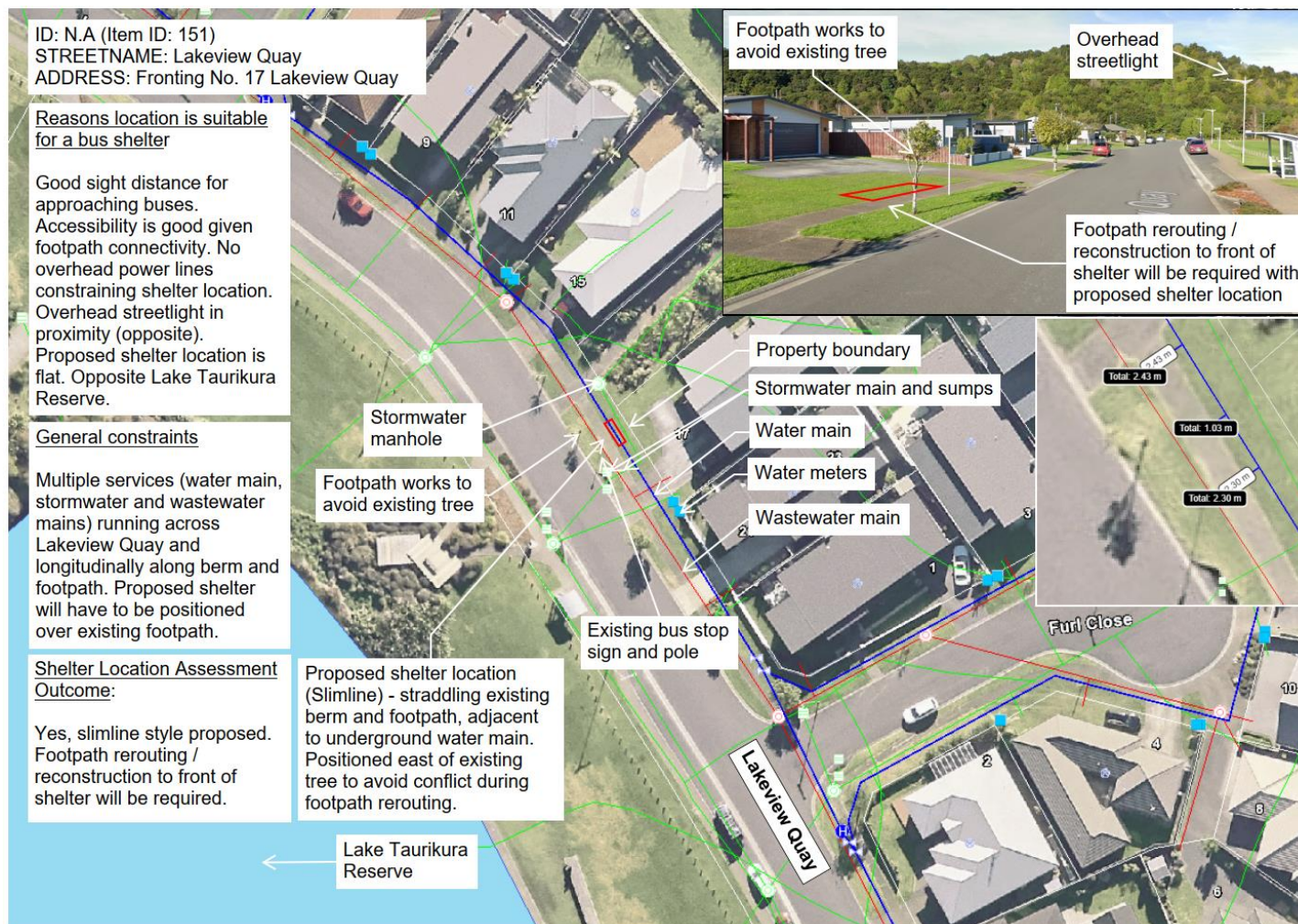
I have like most people little expectation that my objection will make any difference but maybe I'm overly cynical, who knows.

Regards

[REDACTED]

18.03.2022

17 Lakeview Quay



Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,

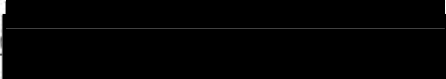


Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

<

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our property at **17 LAKEVIEW QUAY** and ~~approve~~ object to this installation.

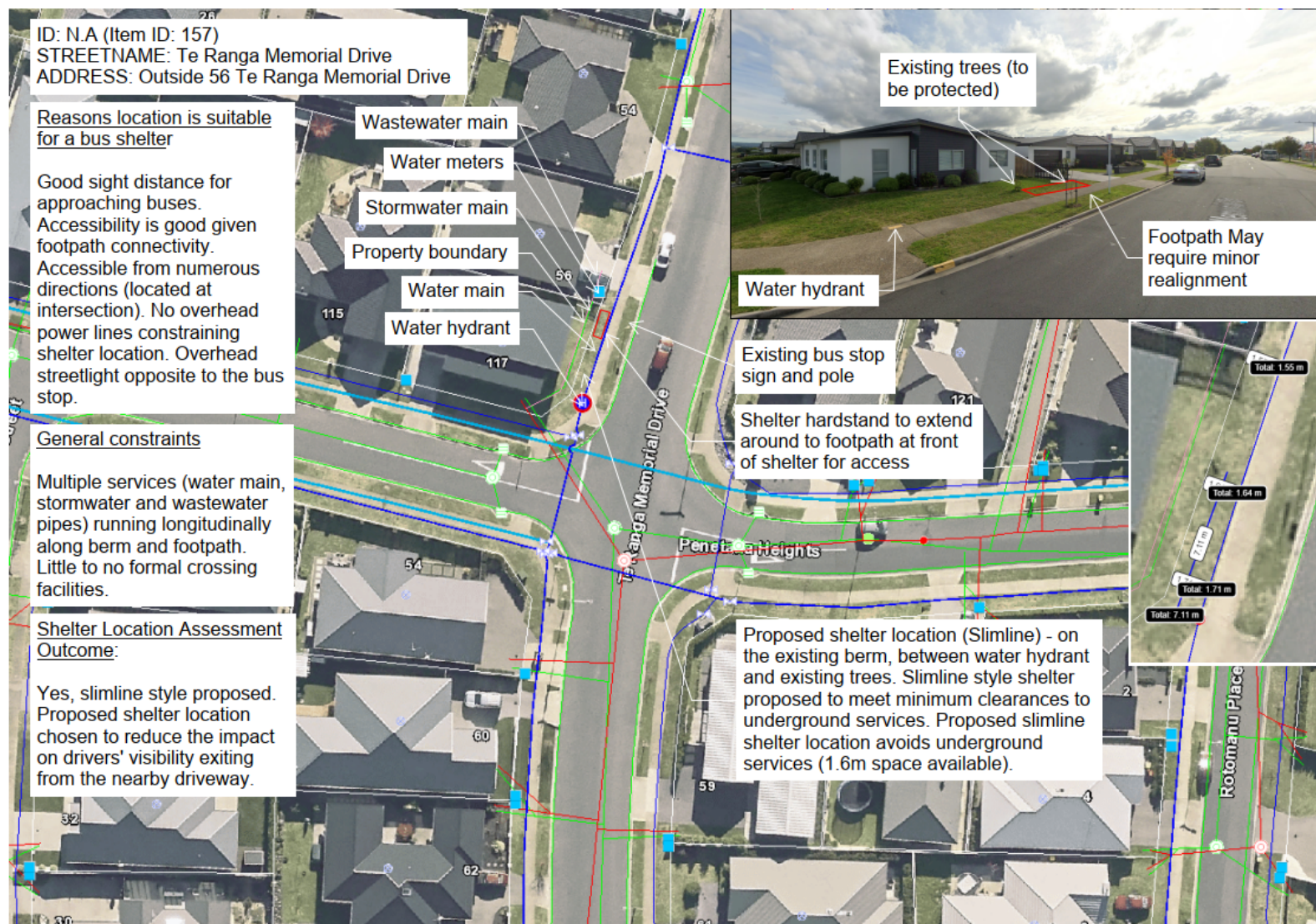
Name:  owner

Signature:  date: 16/3/22

Email: 

(for future correspondence)

117 Penetaka Heights



Staff Note: Resident has also phoned council to express her concern about space. Admittedly this is one of the more constrained sites and there is no front fence, however staff are confident that there is sufficient space. The residents biggest concern is about the stop safety rather than the shelter itself. She has said that there are regular near misses at the intersection and that busses stopping here, causing sight line issues. Staff have requested a review of the stop location from External consultants, which did not highlight any significant concerns. Internal Subject Mater Experts have also reviewed the site and see no cause for major concern. Bay of Plenty Regional Council's Operations Team have confirmed there have been no operational issues reported at this site.

your consent
In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.


Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.


If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.


Yours sincerely,

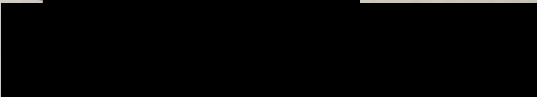
 Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

< [Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post: Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our property at **117 PENETAKA HEIGHTS** and ~~approve~~ approve / object to this installation.

Name:  owner

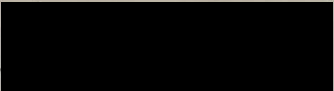
Signature:  date: 16/3/22

Email: 

(for future correspondence)

Rationale for my objection is visability for traffic as a bus stop shelter needs (in my opinion) to be, further away from such a busy corner.

117 Penetaka Heights
Pyes Pa
Tauranga 3112



2.2.2 56 Te Ranga Memorial Drive

The current bus stop is located next to 117 Penetaka Heights, immediately south of the driveway of 56 Te Ranga Memorial Drive. The bus stop is adjacent to the intersection of Te Ranga Memorial Drive and Penetaka Heights. Assuming that vehicles will travel at low speeds due to this being a residential area, the proximity to an intersection should not largely impact safety and the existing bus stop location is acceptable. At this location there is approximately 1.5 m of berm between the footpath and property boundary, which is suitable for both a slimline shelter and standard shelter. To ensure the property boundary is not encroached on, a slimline shelter is recommended.

Shelter recommendation: Slimline bus shelter outside 117 Penetaka Heights on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



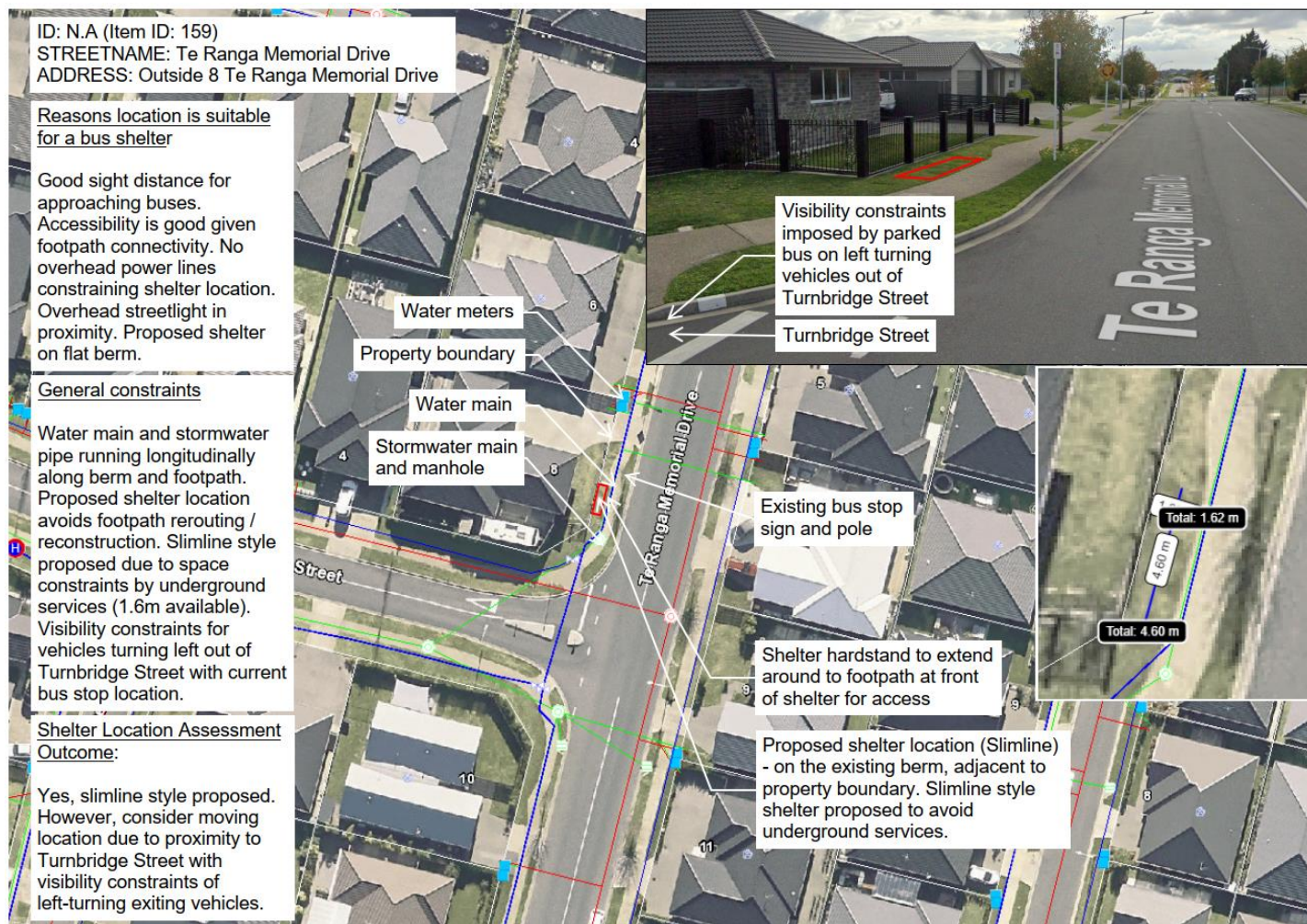
Figure 27 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 28 Google Street view image of existing bus stop location and proposed shelter

Figure 6: Excerpt from Safety Review Report

8 Te Ranga Memorial Dr



From: [REDACTED]
Sent: Wednesday, 2 March 2022 12:10 am
To: Paula Simmonds [REDACTED]
Subject: Bus shelter at 8 Te ranga memorial drive ,tauranga

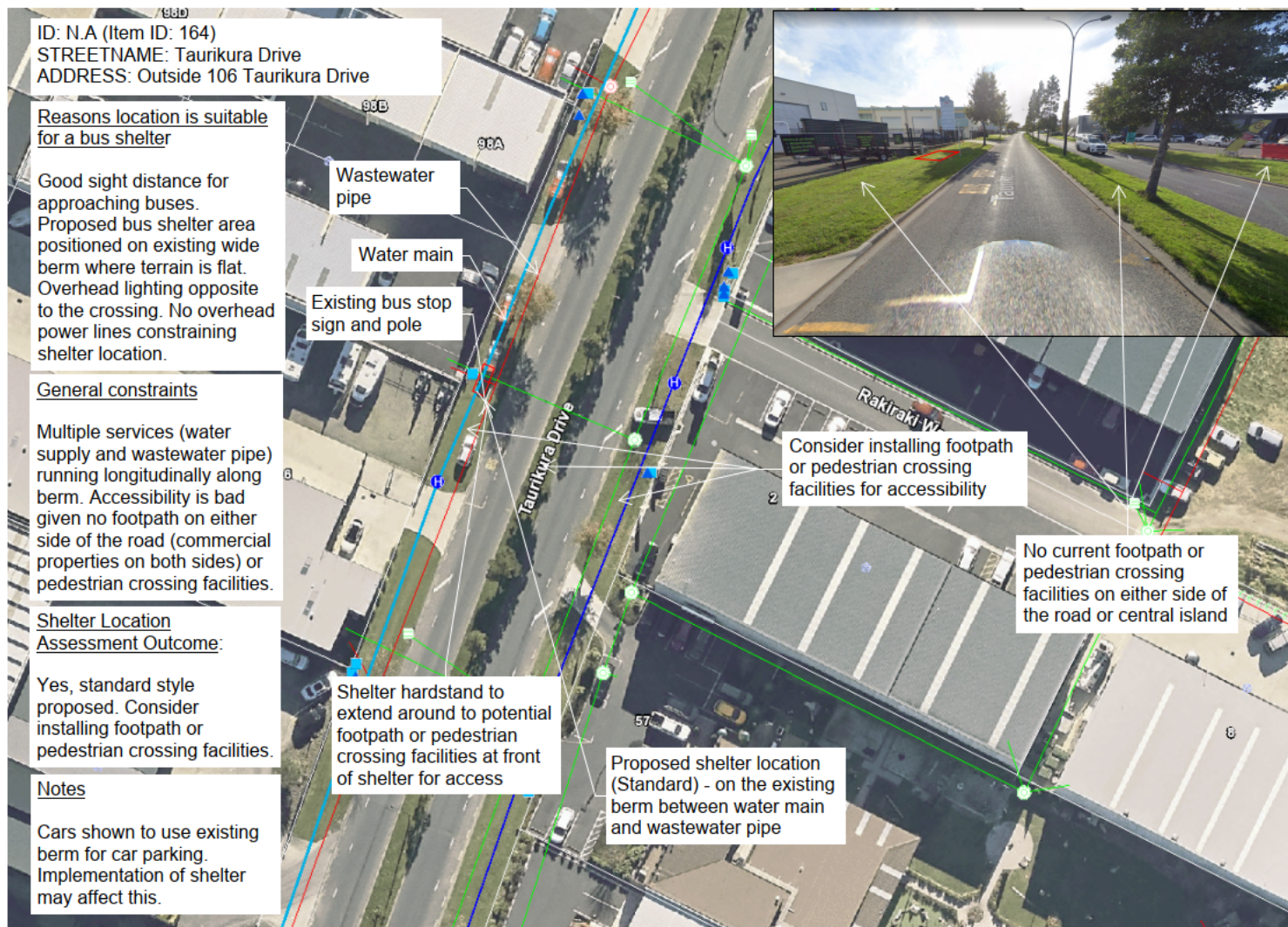
CAUTION: External Email.

To whom it may concern,

In reply with the consent of bus shelter to be build at the property 8 Te Ranga Memorial Drive, I strongly disagree to be build near my property. Sorry please find a better location.

[REDACTED]

98 Taurikura Dr

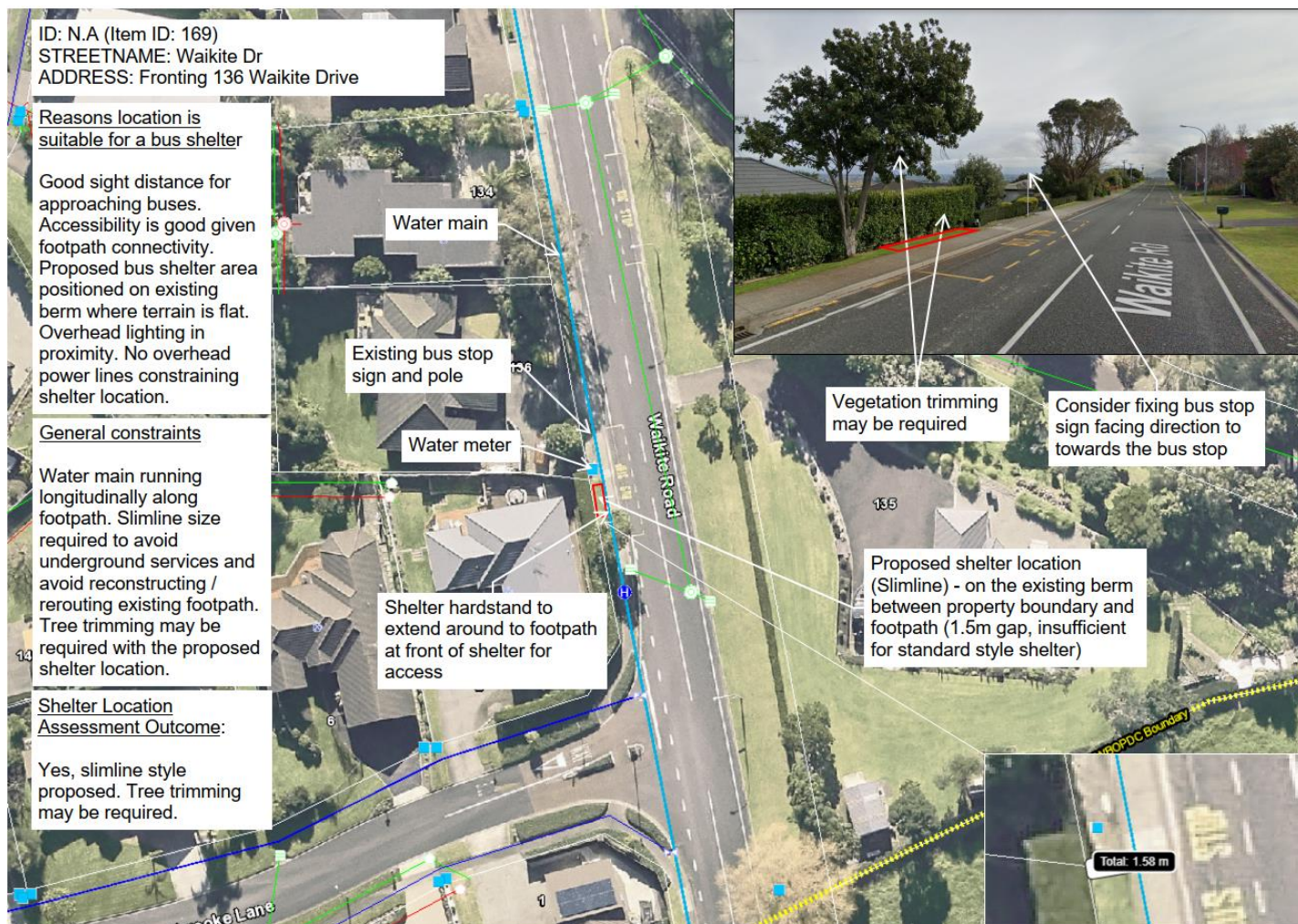


From: [REDACTED]
Sent: Tuesday, 14 June 2022 9:05 pm
To: Kurt Graham [REDACTED]
Subject: Proposed bus shelter at 98 Taurikura Drive Tauriko

CAUTION: External Email.

As the owner of unit [REDACTED]/98 Taurikura Drive I strongly oppose your suggestion to build a bus shelter outside 98 Taurikura Drive due to the fact that there is so little parking space outside this site and the traffic hazard it will create leaving the site. I also maintain there is no need for a bus shelter in that area as the patronage would be very low and there is already a bus shelter only a short distance down the road at the shopping centre.

2 Holcombroke Lane



Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,

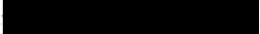


Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

<

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our property at **2 HOLCOMBROOKE LANE** and ~~approve~~/ object to this installation.

Name:  owner

Signature:  date: 16/3/22

Email: _____

(for future correspondence)

130 Osprey Dr



From: [REDACTED]
Sent: Monday, 21 March 2022 8:02 am
To: Paula Simmonds <[REDACTED]>
Subject: Proposed Bus Shelter 130 Osprey Drive

CAUTION: External Email.

Hi Paula,

My husband and I have just returned home from being away for the last couple of weeks so have just received this proposal from the council yesterday.

I am writing on behalf of myself and my husband [REDACTED] to OBJECT to the installation of a bus shelter proposed for installation outside our property of 130 OSPREY DRIVE WELCOME BAY.

This is something we feel very strongly about so if there is the chance that our objection is to be overalled we will take further action to prevent this from preceding.

I look forward to hearing from you soon.

Kind regards
[REDACTED]

18 Victory Street



From: [REDACTED]
Sent: Friday, 15 July 2022 8:33 am
To: Paula Simmonds [REDACTED]
Subject: Re: Proposed bus shelter at 18 Victory Street

CAUTION: External Email.

Hi Paula,

Thanks for getting back to me. Yes we would still like to object to this and the reasons are listed below

1) In the attached image i have highlighted where the gate is in the fence line (Highlighted yellow) and the bus shelter would still obstruct getting anything in and out of that gate. We have a trailer in there which we are using constantly. We are wanting to replace this fence at some point and keep that gate but also adding a new gate (highlighted blue) which would lead down to our front door which the bus shelter would obstruct removing and adding the new fence, being able to use the new gate and also being able to do any maintenance on the fence.

2) Our driveway is quite steep so you do need to put your foot down to get your car up the driveway. Where you have now placed the bus shelter would block the view of the road, the footpath and any oncoming pedestrians when reversing up the driveway. Which would be a safety hazard. We already need to be careful coming up the driveway so I don't believe it is very safe to completely block our vision. We have a major safety concern around this

3) We have only been in this house 2 weeks in which my partner has been working from home and has a clear view all day of the bus stop. She has been taking note of how many times the bus stops outside our property and in the first week

- Monday 4th July: It stopped once first thing in the morning to pick up one person
- Tuesday 5th July: It stopped twice. Once to pick up 1 person and the 2nd time the bus driver got out and adjusted the side mirror
- Wednesday 6th July: 1 person got picked up
- Thursday 7th July: Stopped first thing in the morning to pick up someone
- Friday 8th July: It stopped twice and picked up one person both times

My partner wrote all of these down but did stop this as it has been the same for this week as well. It does make me wonder whether a bus shelter is justified to be placed here.

Thanks
[REDACTED]

On Thu, Jul 14, 2022 at 11:28 PM Paula Simmonds [REDACTED] wrote:
Good evening [REDACTED]

As promised, here is an image of the proposed bus position. We are able to move out of the way of the gate as shown in the design.

In the interim, we have you noted down as objecting. If you would like to discuss this further please be in touch. Otherwise, once the hearing date has been set we will be in touch to talk through the next steps.

Kind regards
Paula

From: Paula Simmonds
Sent: Wednesday, 13 July 2022 1:51 pm
To: [REDACTED]
Subject: Proposed bus shelter at 18 Victory Street

Good afternoon [REDACTED]

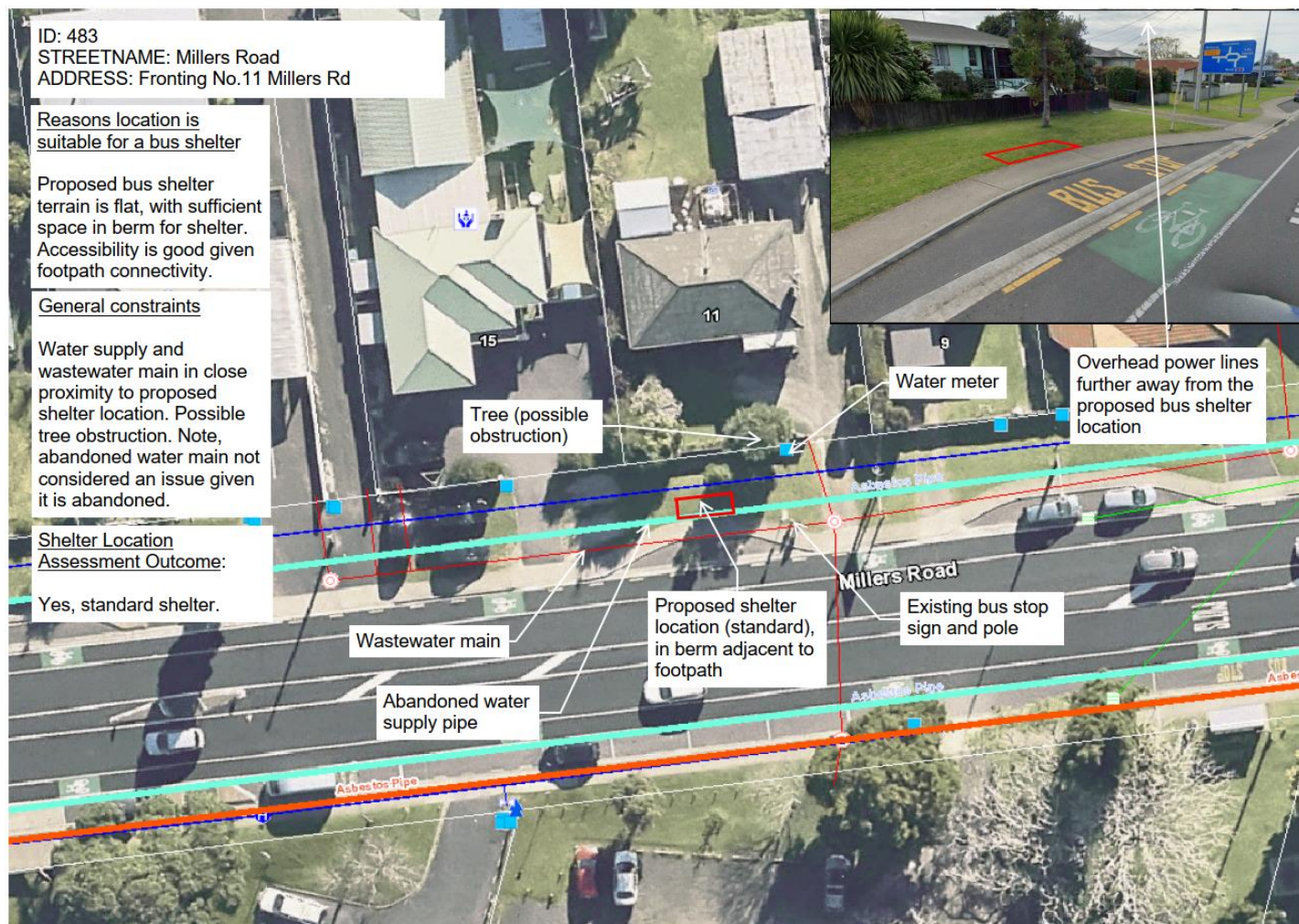
I have just received your call regarding the proposed bus shelter at 18 Victory Street and understand you have concerns that the shelter would be encroaching on the position of your gate. We had a technical design team provide an assessment a few years ago and it is possible the road frontage near your property has changed since. I will request a copy of this proposed location and forward it on to you. It may be that we can determine a more suitable location that works for you.

Please don't be concerned that the deadline has passed. You have a right to object, and we will be following a hearing process with all objectors over the next few months.

Kind regards
Paula



11 Millers Rd



From: [REDACTED]
Sent: Tuesday, 1 March 2022 9:52 pm
To: Paula Simmonds [REDACTED]
Subject: Bus Shelter Proposal - 11 Millers Road, Brookfield TAURANGA

CAUTION: External Email.

[REDACTED]
**11 Millers Road
Brookfield 3110
TAURANGA**

27th February 2022

**Tauranga City Council
Private Bag 12022
TAURANGA 3143**

To Whom it may concern.

We are the homeowners of **11 Millers Road, Brookfield TAURANGA** and **STRONGLY OPPOSE** to the proposal of a bus shelter in front of our property.

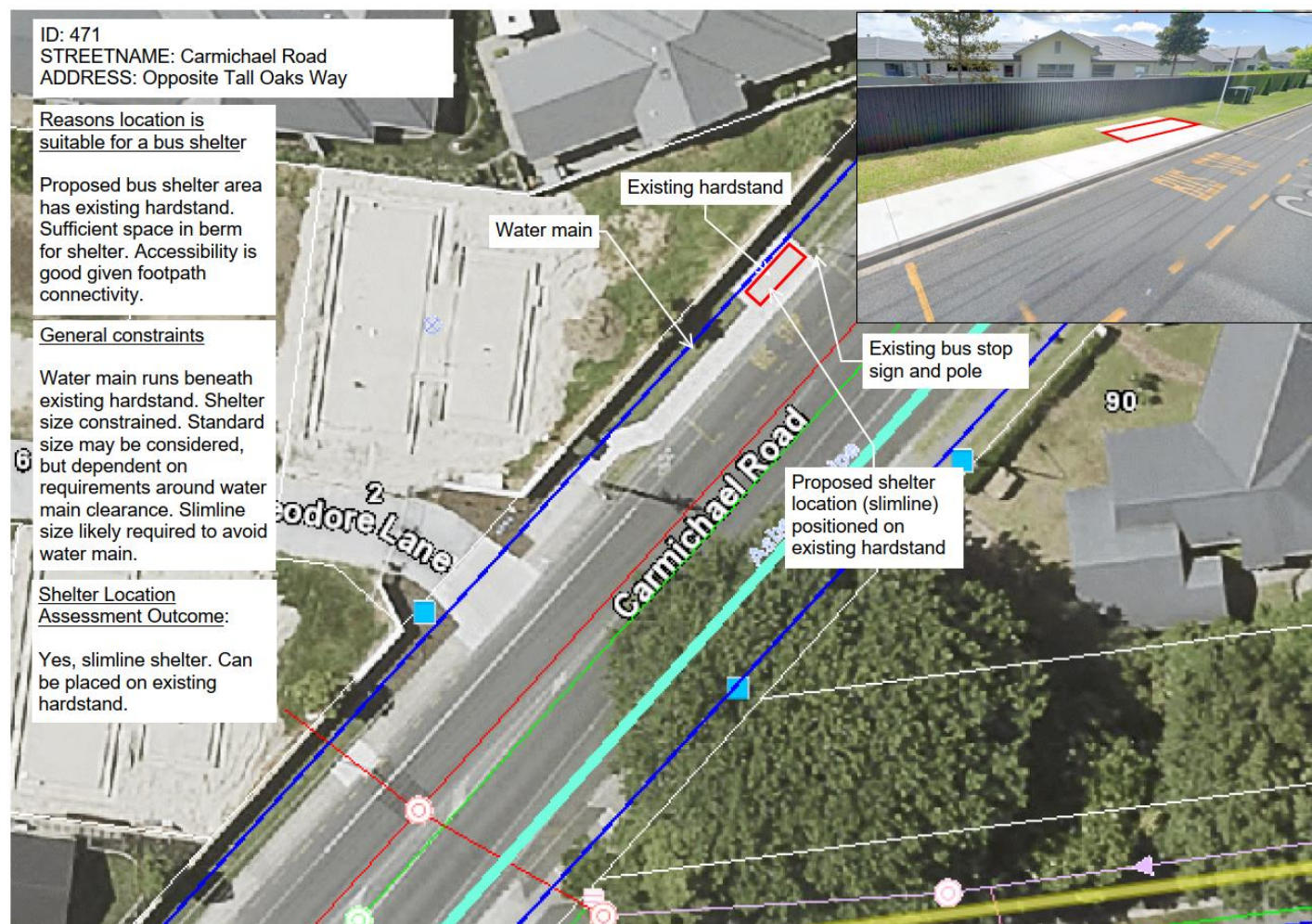
OUR reasons to **DISAGREE** with this proposal:

- There is an Elderly homeowner on the property. We would be concerned for her safety as well as the safety of other Whānau members in the household.
- **NOISE LEVELS** from bus patrons and other delinquents that would be lingering in and around the bus shelter. It would be used for a place to “gather” and “mingle”. We have experienced this over the years with the bus shelter situated across the road from our home, we can hear noise at **ALL** hours of the day and night. On many occasions the police have been called to deal with individuals causing trouble in the bus shelter!!!
- Our bedrooms are right next to the proposed bus shelter location.
- The bus shelter would be an **EYESORE** in front of our home!!!
- Vandalism and damage to the bus shelter - Rubbish would be left behind (glass), it would be dirty and untidy!!! This is **NOT** a look we want in front of our house!!!
- A bus shelter would **DEVALUE** our property!!
- This is **NOT** a popular bus stop; the bus will wait, and **NO ONE** will board the bus then leaves again!! What's the point of a bus shelter???
- There is a **Bus Shelter** on the opposite side of the road using the same bus route or just around the corner that patrons can use for shelter. Not all bus users dress appropriately when it is wet anyway whilst waiting for the bus.

About 10 years ago we had the same proposal, we sent a similar letter, stating the reasons to **OPPOSE** along with a supporting petition. We were successful with objecting to this proposal. Again, we **STRONGLY OPPOSE** to this proposal in front of our home at **11 Millers Road, Brookfield TAURANGA**.

Kind Regards,

2 Theodore Lane



Staff Note: All communication has been over phone. Concerned about the maintenance and likelihood of litter and vandalism; needs to be assured this will be managed before approving. Not keen to attend hearing procedure.

143 Carmichael Rd



From: [REDACTED]
Sent: Friday, 18 March 2022 9:32 am
To: Paula Simmonds [REDACTED]
Subject: regarding a proposed bus shelter at 143 Carmichael Rd, Bethlehem, Tauranga

CAUTION: External Email.

Hello Paula,

I am sending this e-mail regarding the proposed building of a bus shelter at [143 Carmichael Rd, Bethlehem, Tauranga](#)

We are against the proposed location of this bus shelter.

Our home is located below the level of the road (more than 2 meters, and if you put the bus shelter on this side of the road, it will block our house completely from view.

Additionally, the width between the road, footpath, and our fence is very narrow, leaving little space for pedestrians. Our footpath gets a lot of foot traffic, so this would be a real inconvenience for our neighbourhood

We recommend building the bus shelter on the other side of the road, at 144 Carmichael Rd, where there is already an established bus stop as well. There is more space and the position of the house is above the road level.

Thank you for your understanding.

[REDACTED]

Owners of [143 Carmichael Road](#)

2.2.10 143 Carmichael Road

This existing bus stop is a safe location and is suitable for a slimline bus shelter on the roadside of the footpath between the bus stop sign and the existing tree. Additional footpath will need to be installed so pedestrians have access to the shelter. Note that the proposed bus shelter location may be within the dripline of the existing tree in the berm.

Shelter recommendation: slimline bus shelter on the roadside of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



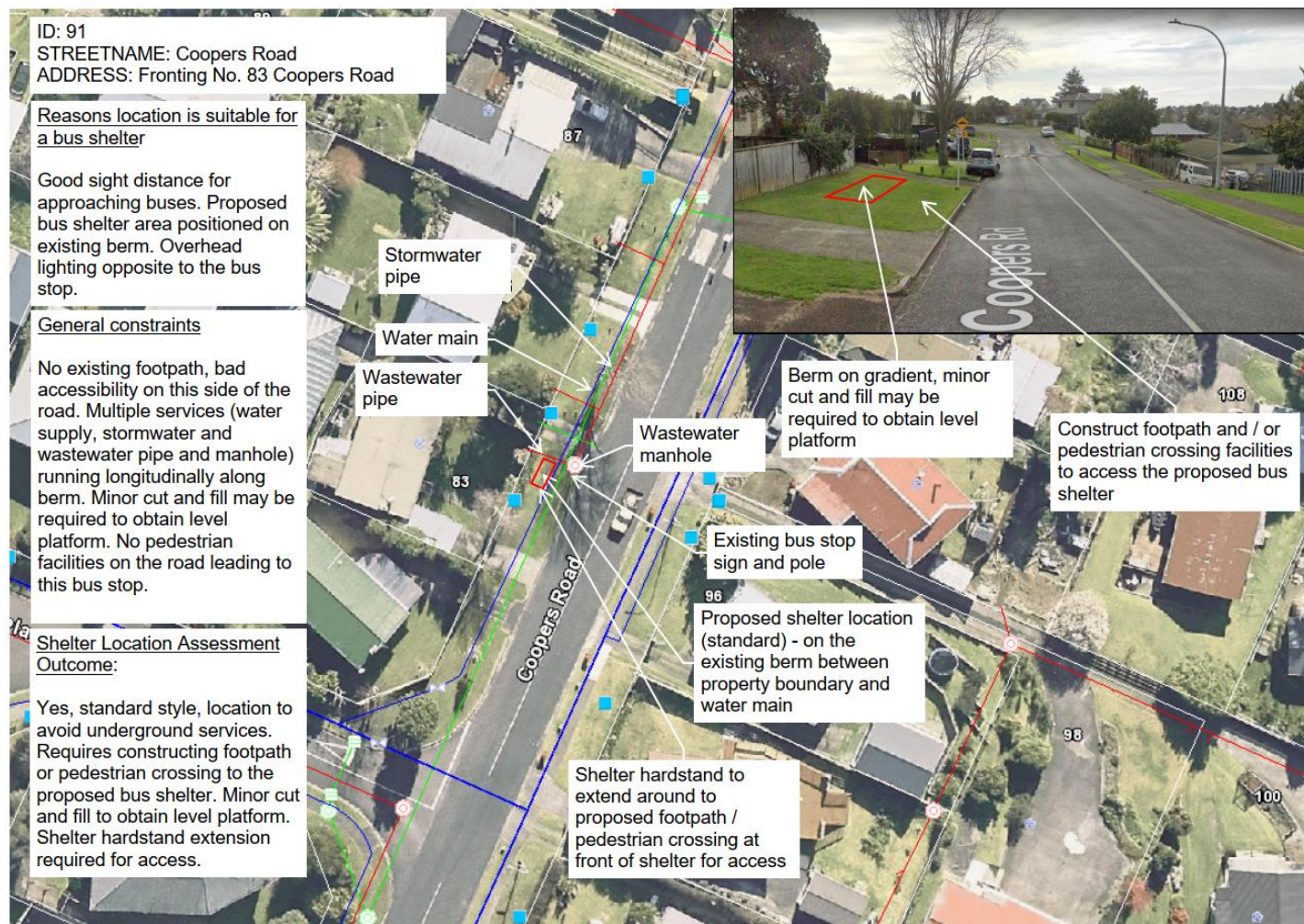
Figure 44 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 45 Google Street view image of proposed bus shelter location

Figure 7: Excerpt from Safety Review

83 Coopers Rd



Abernethy Broatch Law

Our ref: 116826-2

• Incorporating [REDACTED]

1 March 2022

Tauranga City Council
Private Bag 12022
TAURANGA 3143

Attention Paula Simmonds

EMAIL [REDACTED]

RE PROPOSED BUS SHELTER NEAR 83 COOPERS ROAD, GATE PA

1. We act for [REDACTED] the owner of the above property.
2. Our client has referred your letter of the 16th February 2022 concerning the above proposal to us for advice.
3. Our client does not approve the installation of a bus shelter outside her above property. The reasons for this are as follows:
 - (a) Our client only purchased the property in January this year. One of the factors that attracted her to the property was the view of the green space. The view gives the property a feeling of openness and light that would be lost if the bus shelter was put in place. It would be in the line of view. While she was aware of the existence of the bus stop this is quite different to having a permanent shelter in the line of sight.
 - (b) The shelter would be in between the two driveways to her property which raises safety issues.
 - (c) We understand that there is a stormwater manhole in approximately the location you are referring to.
 - (d) Our client is concerned about graffiti and litter on and around the shelter.
 - (e) There are other locations close by that are more suitable for the shelter. Our client suggests the corner of Leonard Place and Coopers Road. There is ample area there on the verge for the shelter and it would not obstruct any nearby homes.

We look forward to your response.

Yours faithfully

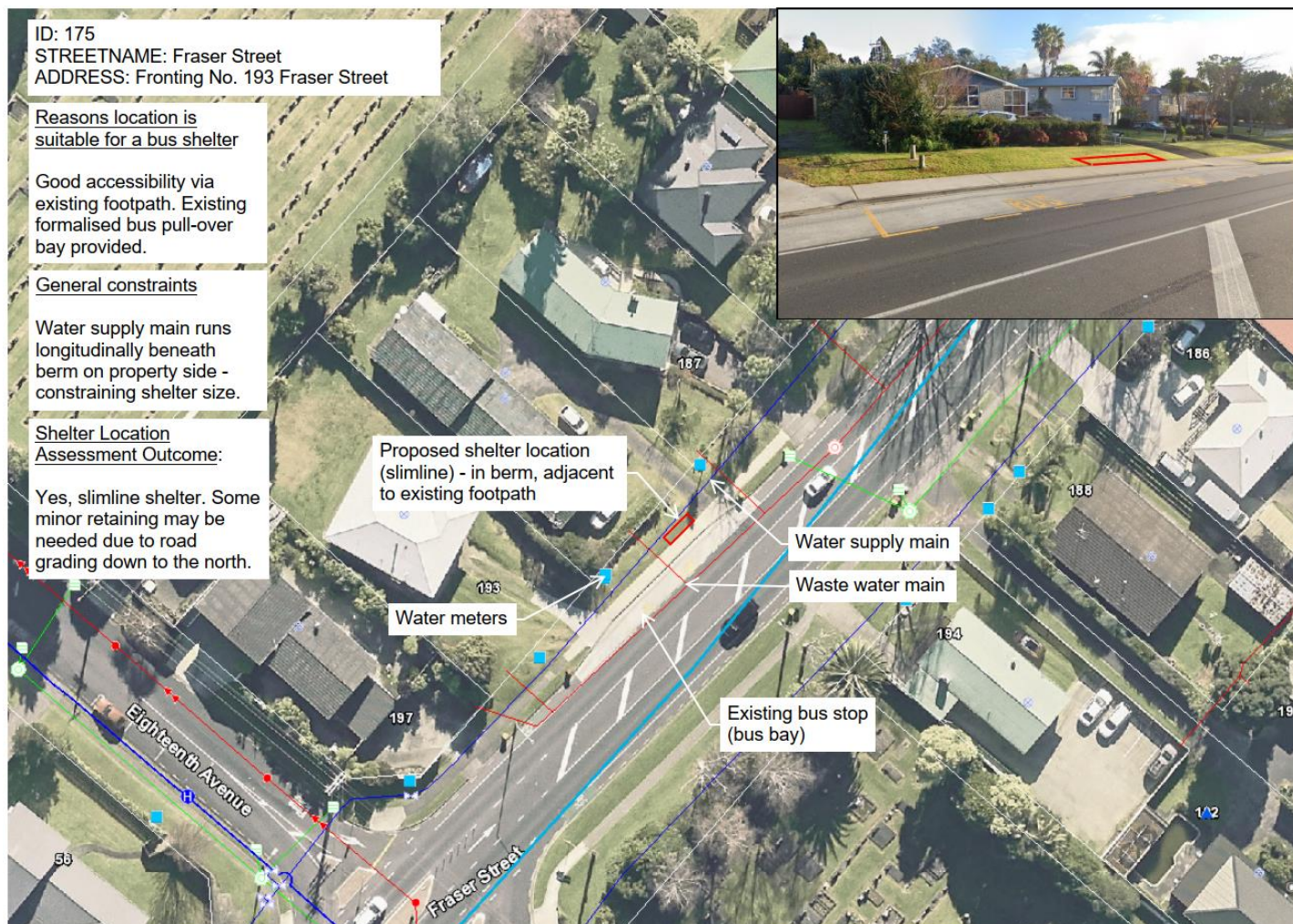
ABERNETHY BROATCH LAW LIMITED

[REDACTED]

[REDACTED]

[REDACTED]

191A Fraser St



From: Paula Simmonds [REDACTED]
Sent: Wednesday, 2 March 2022 1:10 pm
To: [REDACTED]
Subject: Re: Proposed Bus Shelter fronting 191A Fraser Street - Email in Opposition

Bryce,

Thank you for your response to the proposed bus shelter outside 191A Fraser Street. We have noted your objections and will be in touch to discuss these further after the acceptance process has completed.

Many thanks
Paula

From: [REDACTED]
Sent: Thursday, 24 February 2022 5:25 pm
To: Kurt Graham [REDACTED] Paula Simmonds
[REDACTED]
Subject: Proposed Bus Shelter fronting 191A Fraser Street - Email in Opposition

CAUTION: External Email.

Good Afternoon, Kurt and Paula

Please treat this email as a formal response to your letter dated 23 February 2022 regarding the proposed bus shelter within the road berm in front of our property at 191A Fraser Street. This response is in the context of my wife and I as directors of [REDACTED] owners of the property; we were previously owners and occupiers.

For the reasons set out below, we oppose the proposed bus shelter and ask that you reconsider.

1. Already bus shelters within close proximity to 191A Fraser Street

The bus routes along Fraser Street cater for residents who live in the nearby streets and are within a walkable catchment of Fraser Street. These users commute into town and to other parts of the city, and also come from other parts of the city to attend Tauranga Intermediate and work opportunities in the surrounding businesses and services (including Fraser Cove and the Tauranga Hospital). Within proximity to the bus stop in front of 191A Fraser Street, there are already bus shelters which can be enjoyed by users of the bus service on days when conditions are such that shelter is required. The nearest is approximately 200m to the north east at the stop fronting 167 Fraser Street (shown within an aerial photo below). In addition to this, for bus users travelling to and from Fraser Cove, bus shelters are provided at the north and south bound stops in front of Fraser Cove.

When we were living at 191A Fraser Street, we regularly caught the bus. We would use the stop in front of 191A when shelter wasn't required. On days when it was, we walked a short distance to 167 Fraser Street.

Recognising the proximity of existing bus shelters, it is our opinion that an additional shelter in front of 191A Fraser Street is not justified, when the comments below in points 2 and 3 are considered.



2. Maintenance/vandalism

As noted, there are existing bus shelters within the surrounding area. Based on our observations, they are frequently vandalised, with vandalism slow to be remedied by Council contractors. Contrary to how bus shelters are portrayed in the letter, based on our observations, we consider that the provision of them does not provide a *professional city-wide bus network 'look and feel'*, nor do they contribute to a *clean street environment*. Instead, the opposite is true. While bus shelters serve a purpose at times when shelter is required, the absence of bus shelters contributes to a more pleasant street environment due to reduced built form and increased openness. In the context of Fraser Street, the streetscape pattern is one of generous grass berms, numerous mature street trees, as well as consistent setbacks of dwellings from the road corridor. The presence of bus shelters, and bus shelters which are vandalised and poorly maintained, contribute negatively to the streetscape and the enjoyment of it by residents and persons to travel along Fraser Street.

3. Use of bus shelters for non-related activities

While the purpose of the bus shelters is clear, they are often occupied by people who are not catching the bus, and who are instead acting/undertaking alternate activities (drinking, drug taking, vandalism, general loitering). These activities can be off-putting/intimidating for legitimate would-be bus shelter users, who instead distance themselves from those people and stand outside

the shelter with an aim of keeping themselves safe. In addition, it can be intimidating for residents of adjoining/nearby dwellings and increases the burden on them given they generally take on the regular maintenance of the berm (mowing of grass, picking up of rubbish etc). The outcome is twofold; 1) the bus shelter is encouraging less than ideal behaviours which are at odds with the expected professional and clean street environment goal and impacts on nearby residents, and 2) persons who actually want to use the shelter are less inclined to as they do not feel safe.

Overall, while efforts to improve patronage of public transport should be encouraged, the response should result in a nett benefit for users of the service and residents of the area. Based on our experience, the bus stop in front of 191A Fraser Street is not a significant bus stop in terms of number of users, when considered in the context of the wider network. Because of the limited use, any benefits will be limited to this small number of users. While a shelter will provide greater choice for bus users, the benefit is not significant, and it does not provide anything that hasn't already been provided. What we mean by this is that if bus users feel they need a shelter, there are shelters available to them nearby, the nearest being 200m to the north east.

As noted in the paragraph above, the benefits of the proposed shelter are limited. In our opinion, they do not out-weigh and do not result in a nett benefit, when the negatives (vandalism, intimidation etc) are considered.

For these reasons we oppose the proposed bus shelter and ask that you reconsider your proposal.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

69 Condor Dr

Staff Note: This site was not part of the original scoped works, but was added to the scope after multiple requests from the nearby Copper Crest retirement village residents.



From: [REDACTED]
Sent: Wednesday, 2 March 2022 6:57 pm
To: Paula Simmonds [REDACTED]
Subject: Bus shelter close to property at 69 Condor Drive

CAUTION: External Email.

Hi Paula,

Please take this email as written notice that as the land owner of the property at 69 Condor Drive, **DO NOT ACCEPT** the installation of the bus shelter close to or outside my property at 69 Condor Drive.

Any bus shelter close to this location should be situated on the opposite side of Condor Drive, where the residents of the Copper Crest retirement village are not required to cross the street. The opposite side of this street is also less imposing on the properties that such a shelter would be located outside of, as they have large fences to protect the privacy of their homes. Given properties close to the proposed planned site, have covenants preventing the erecting of fences, or structures that are dis-similar to the cladding of the houses for example, I feel the bus shelter is in complete breach of what the land owner is allowed to do. Also, placing a bus shelter outside/close to my property will devalue and intrude on the privacy of my property.

Therefore I **STRONGLY DO NOT ACCEPT** the installation of such bus shelter.

Please confirm the acceptance of this email by reply.

Thanks

STAFF NOTE: There is an existing shelter outside the Copper Crest Retirement Village on the other side of the road. Unfortunately, a change in the bus routes means that the direct route towards the CBD now travels in the opposite direction to previously. Therefore, anyone wanting to get to town needs to board at 69 Condor Dr. Were people to board at Copper Crest a Bus Transfer would be required to get to the CBD.

2 Autumn PI

Staff Note: This site was not part of the original scoped works, but was added to the scope after a request from the public.



From: [REDACTED]
Sent: Wednesday, 10 August 2022 7:50 am
To: Paula Simmonds <[REDACTED]>
Subject: Proposed bus shelter near 2 Autumn Place

CAUTION: External Email.

Hi Paula,

I am writing to protest the proposed bus shelter near our house.

It would be an eye sore as we will be able to see it over the top of our fence. It would also mean people can see into our private area, our bedroom is on that corner of the house as well as our deck & outdoor dining area. We also have small children who would be visible playing in the backyard.

We have had issues with the buses driving past the house. They often speed down Rowsdale Rd and when they hit the bottom of the hill the you can hear the windows rattle & the house moves. We have cracks in the walls/ceilings which we have tried to repair several times. I have included photos of the ongoing damage.

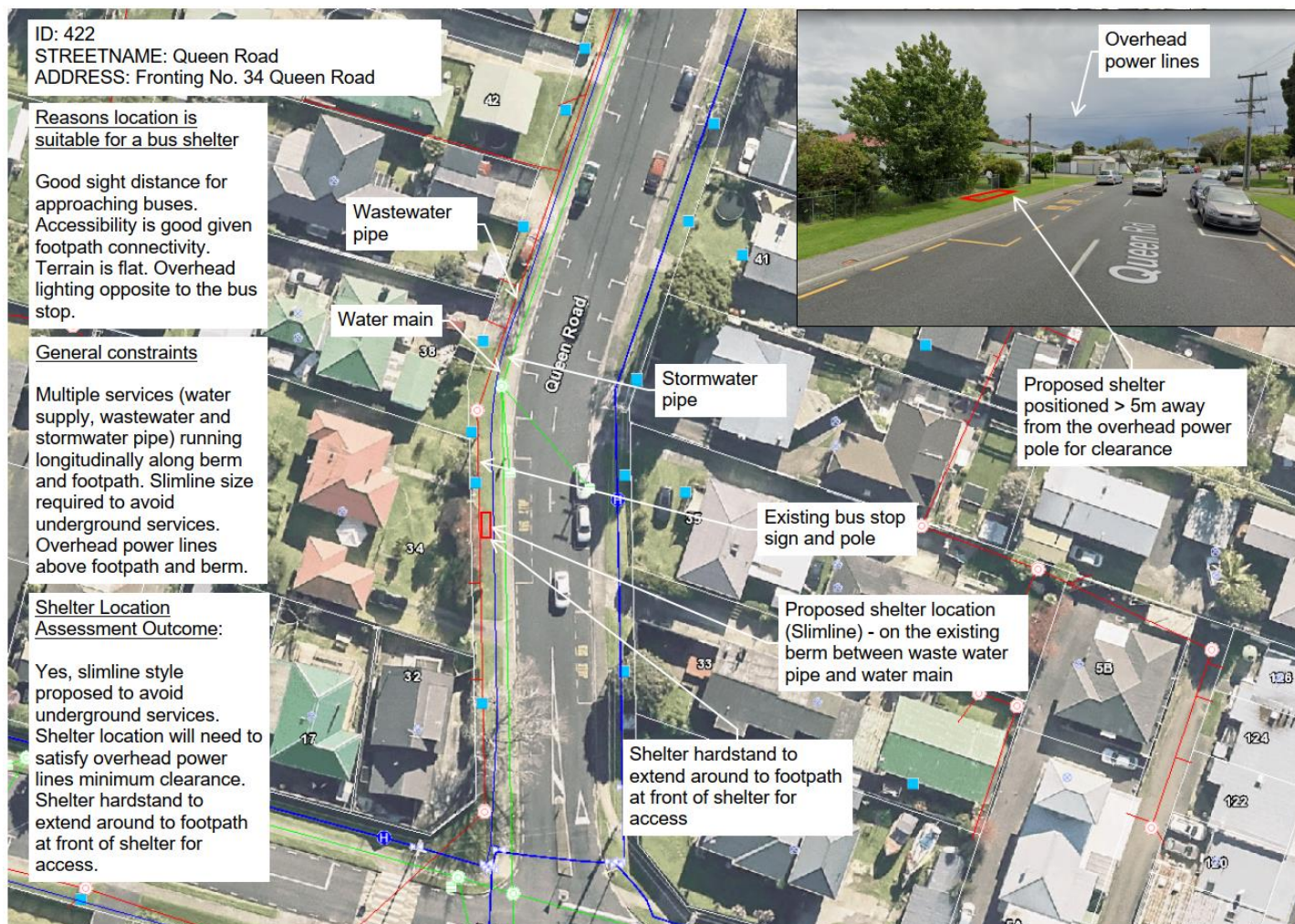
Kind regards

[REDACTED]



Staff Note: The shelter is not going to cause any additional damage to the house or impact the frequency of the bus services. TCC will investigate whether there are any pavement or curvature issues causing excessive vibrations and damage, separately to this project.

34 Queen Rd



From: [REDACTED]
Sent: Monday, 21 February 2022 7:11 pm
To: Paula Simmonds [REDACTED]
Subject: Proposed Bus Shelter outside 34 Queen Road

CAUTION: External Email.

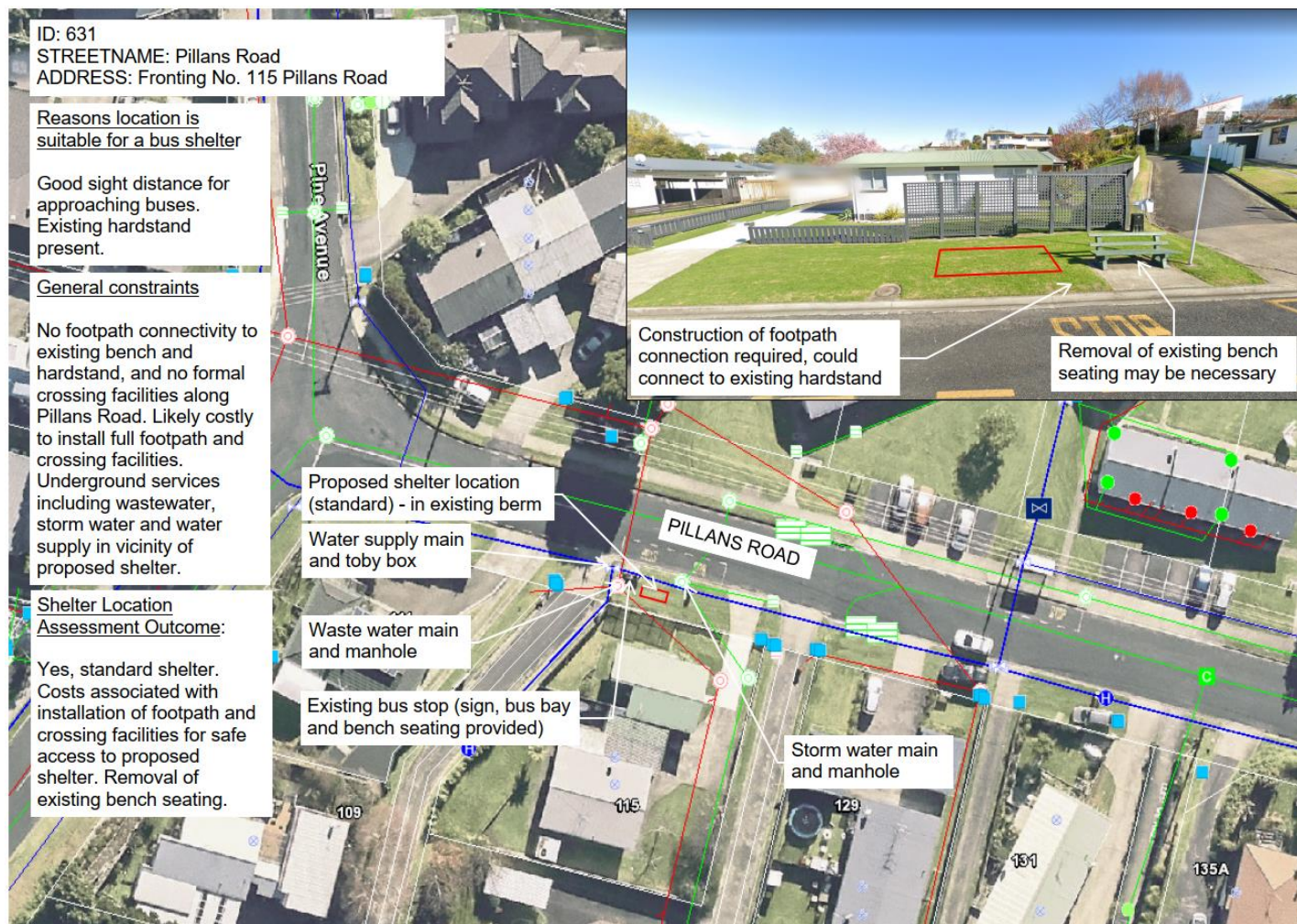
Attention: Kurt Graham, Transportation, TCC

I am very concerned to learn of a planned bus shelter being proposed for outside my property at 34 Queen Rd, Bellevue. The land could have three dwellings on it and the placement of a bus shelter would seriously affect the property's development potential. Currently there is only one home on the land and the entrance(s) would need to be changed for additional homes. I categorically **do not give my consent** for the proposed installation of a new shelter outside 34 Queen Rd.

Please also note that the acceptance slip on your letter was for 1170 Papamoa Beach Road, not our property.

Regards
[REDACTED]

115 Pillans Rd



Your consent

In accordance with the Local Government Act, we are consulting with adjacent landowners to seek consent for the installation of this bus shelter.

Please consider this letter our formal request for your approval of the installation of a new shelter. We would appreciate your response to this request by the updated date of **Friday 18th March 2022**.

You can send your response by email to paula.simmonds@tauranga.govt.nz, or complete the acceptance slip below and post to the address supplied.

Please feel free to contact us with any questions or concerns on 07 577 7000 or at <https://www.tauranga.govt.nz/council/contact-us>. We welcome an opportunity to provide more information on the position and design of the shelter or discuss any aspects of the bus shelter in advance of your decision.

If we do not receive a reply by Friday 18th March 2022, we will assume you are happy for us to proceed with the installation of a bus shelter in this location. Installation of the shelters will commence in Autumn 2022 and roll out over the next two years.

Yours sincerely,

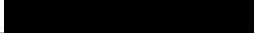


Kurt Graham
Project Manager
Transportation, Infrastructure
Tauranga City Council

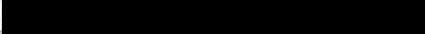
<

[Please email the following information to paula.simmonds@tauranga.govt.nz or detach and post:
Attention Kurt Graham -Transportation, Tauranga City Council, Private Bag 12022, Tauranga 3143]

I/We understand a bus shelter is planned for a location near our ^{property} at **115B and 115A**
PILLANS ROAD and ~~approve~~ object to this installation.

Name:  owner

Signature:  date: 17 March 2022

Email: 

(for future correspondence)

From: [REDACTED]

Sent: Friday, 18 March 2022 8:05 am

To: Paula Simmonds [REDACTED]

Subject: Bus Shelter near 115 Pillans Rd

CAUTION: External Email.

Good morning Paula,

Please find form attached. We object to the installation of a bus shelter outside 115 Pillans Rd.

Also please note we only received a letter for 115B Pillans Rd. We also own the adjacent property at 115A Pillans Road but did not receive a letter for that property.

Therefore please record this as two objections.

Thanks,

[REDACTED]



Technical Memorandum

August 15, 2022

| | | | |
|---------------------|----------------------------------------|--------------------|--------------|
| To | Kurt Graham (TCC) | Contact No. | 027 859 9084 |
| Copy to | Nick Gurr (GHD) | Email | |
| From | Matty Flowers, Jordan Redfern | Project No. | 12580552 |
| Project Name | TCC Supporting Bus Shelter Delivery | | |
| Subject | Desktop and site investigation summary | | |

1. Introduction

Tauranga City Council (TCC) are preparing to install bus shelters throughout the Tauranga City area where plausible locations have previously been identified. For the delivery phase of this project, TCC require specialist input on both resident and safety concerns of the existing bus stops, as well as location constraints for the proposed shelter locations.

TCC have requested GHD to review 22 bus shelters for installation. Of these 22, 10 have been conducted via on-site investigations and 12 via desktop assessment. Both processes address the core focus of highlighting possible safety issues and their practicality for construction to identify suitable locations for both bus stops and shelters.

1.1 Purpose of this Memorandum

The purpose of this memorandum is to complete a high-level safety investigation of the 22 site locations provided by TCC. This memorandum includes findings and recommendations regarding the location and type of bus shelter suitable for the available space. Alternative locations have also been proposed for some sites if a more appropriate location was identified.

This Technical Memorandum is provided as an interim communication under our agreement with TCC. It is provided to foster discussion in relation to technical matters associated with the project and should not be fully relied upon in determining finalised bus shelter locations.

1.2 Scope and limitations

The scope of work included in this technical memo, as outlined in the Offer of Service, has been requested as the following item:

- Review bus stop and shelter locations where residents have identified possible safety issues and/or general concerns. It is understood that safety issues raised are generally obscured sightlines, proximity to driveways and intersections.

This technical memorandum has been prepared by GHD for Tauranga City Council. It is not prepared as, and is not represented to be, a deliverable suitable for reliance by any person for any purpose. It is not intended for circulation or

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in determining finalised bus shelter locations.

→ The Power of Commitment

12580552

1

incorporation into other documents. The matters discussed in this memorandum are limited to those specifically detailed in the memorandum and are subject to any limitations or assumptions specially set out.

2. Bus Stop and Shelter Investigation

The investigation began with all 22 sites undergoing a preliminary desktop review to categorise which locations would most benefit a site assessment. A total of 10 sites were chosen to have their sites assessed on site, with the remaining 12 assessed via desktop study only. The key factors that were addressed in both desktop and site assessment include:

- Constructability - Visually inspecting any problems that may cause construction issues or require additional costs, such as services, retaining walls, additional footpath requirements
- Bus stop and shelter position - Whether the location is considered safe and suitable
- Practicality - Visually inspecting the practicality in the construction and usability of a bus shelter for pedestrians, adjacent residents, and bus drivers

The key factors for determining the location and position of bus shelters include:

- Berm width in the roadside and/or roadside of the footpath (property side preferable)
- Site view for the pedestrians and vehicles, particularly adjacent driveways
- Any intersection or possible barriers that may affect the bus shelter
- Any possible problems that can affect the public or nearby houses due to the bus shelter.
- Driplines for nearby trees

Key factors in determining the suitability of the bus stop include:

- Forward visibility for approaching vehicles from all directions
- Kerb length and obstruction with driveways
- Road width for a parked bus and oncoming vehicles
- Proximity to intersections and driveways.
- Any possible problems that can affect the public or nearby houses due to the bus stop location
- Footpath access to bus stop.

Two bus shelter sizes have been recommended throughout the report. These are:

- Standard bus shelter (2100mm tall, 3850mm long, 1330mm wide)
- Slimline bus shelter (2100mm tall, 3850mm long, 800mm wide)

The preferred option is the standard size. Where this was not suitable then the slimline size has been recommended.

Google Street View and Tauranga City Council MAPI websites have been used as reference material. All aerial views and measurements provided are based on 2022 aerial imagery, and street photos are captured from either site photos or Google Maps. Sites that were visited are outlined in Section 2.1 and those that were reviewed via desktop assessment only are outlined in Section 2.2.

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1 Site Investigations

2.1.1 1 Torbin Place

1 Torbin Place (also 143 Wairakei Avenue) is a suitable location to relocate the existing bus stop from 147 Wairakei Ave. This position will also suit a standard sized bus shelter on the property side of the footpath as there are no conflicting driveways or intersections. To avoid the underground water main, a slimline shelter can be used as an alternative option.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 143 Wairakei Avenue.

Bus stop suitability: Safe place for bus stop. Relocate bus stop to 1 Torbin Place.

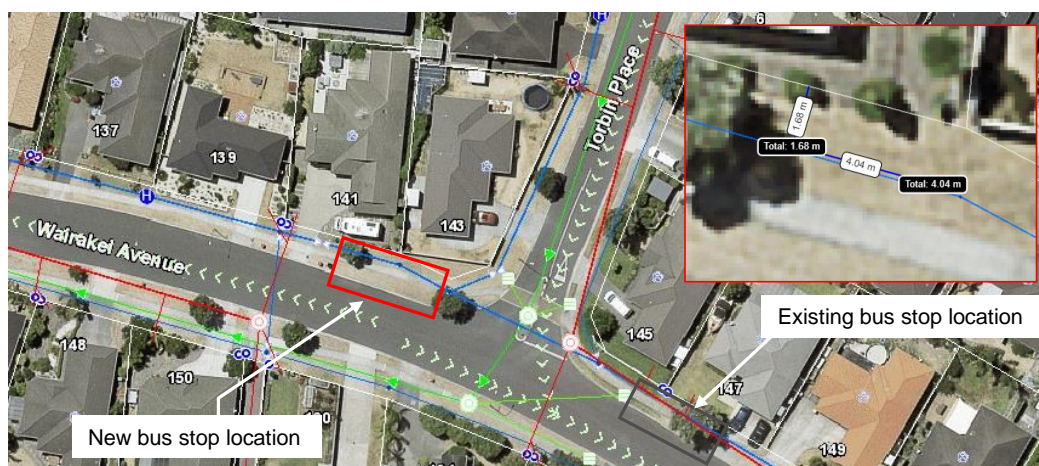


Figure 1 TCC MAPI Site location Aerial imagery with Utility services



Figure 2 On-Site Image of proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.2 9 Te Ranga Memorial Drive

There is an existing bus stop located in front of the property at 9 Te Ranga Memorial Drive. The bus stop is located at the top of the T intersection between Te Ranga Memorial Drive and Turnbridge Street. Both roads are residential streets with vehicles travelling at low speeds so the existing location of the bus stop is acceptable. The bus stop does not have a suitable layout for a bus shelter; the berm width is not very wide (1.4 m between the kerb and footpath, 1.1 m between the footpath and property boundary); it is adjacent to an intersection, and a shelter would be visibly disturbing for the resident. If a bus shelter were to be installed then it would likely need to be positioned in the location of the current footpath, and have the footpath repaved to maintain pedestrian movements. This is possible to execute but the preferred solution is to not install a bus shelter at this site.

Shelter recommendation: Do not install a bus shelter.

Bus stop suitability: Safe place for bus stop. Retain existing bus stop location.



Figure 3 TCC MAPI Site location Aerial imagery with Utility services



Figure 4 Google Street View image of existing bus

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.3 174 Doncaster Drive

This site is located on Doncaster Drive, opposite Papamoa College. There is sufficient space in the berm to install a bus shelter between the footpath and kerb with a 1 m access in front of the shelter. The proposed shelter location is 2 m from the 174 Doncaster Drive access to avoid blocking driveway visibility. Note that this location will require the bus stop sign and pole to be relocated.

One of the concerns noted was the use of the bus stop during school pick-up / drop off times, so the site inspection was scheduled to observe pedestrian behaviour at the completion of school (2:45pm - 3:30pm). As mentioned in the resident's letter, vehicles were in fact using the school entrance adjacent to the bus stop to make U-turn movements (which was not coned off during the inspection). Pedestrians were crossing the road from the footpath on either side of the driveway, not only to get to the bus stop but also to parked vehicles on this side of the road. The current bus stop position is in a suitable location in front of the school carpark entrance and the installation of a shelter would not increase the safety risk of pedestrians crossing the road. To address this crossing concern, it is recommended to investigate pedestrian crossing point options as part of a separate scope of works.

Shelter recommendation: Standard Bus Shelter on the roadside of footpath at existing bus stop.

Bus stop suitability: Safe location for bus stop but recommended to investigate pedestrian crossing options. Retain existing bus stop location.

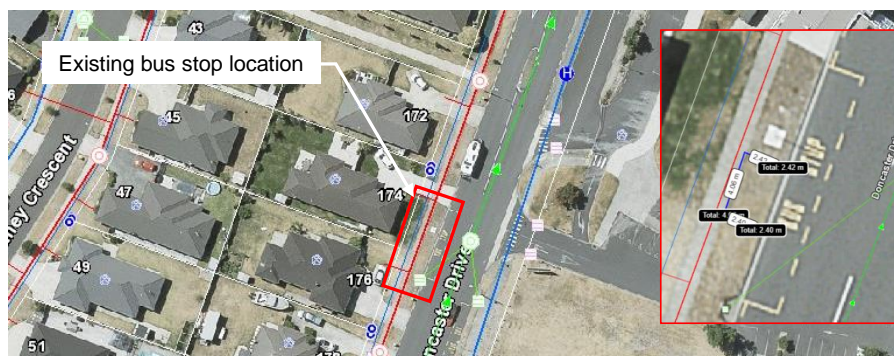


Figure 5 TCC MAPI Site location Aerial imagery with Utility services



Figure 6 On-Site Image of proposed bus shelter location at existing bus stop

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.4 918A Papamoa Beach Road

The current bus stop is located outside property #918A Papamoa Beach Road, which overlaps the property accessway. A standard sized bus shelter is suitable for this location, however, it would likely protrude above the fence and be visible from the adjacent house. Due to the bus stop overlapping with a property accessway and being close to two other accessways, it is not considered to be in the safest location. As it currently operates as a bus stop it is considered adequate, however, an alternative position would be to relocate the bus stop outside 926 Papamoa Beach Road (where there is sufficient kerb space and no overlapping accessways) and install a standard shelter on the property side of the footpath.

Shelter recommendation: Standard Bus Shelter on the property side of footpath at current bus stop location

Alternative solution: Standard Bus Shelter on the property side of footpath outside 926 Papamoa Beach Road

Bus stop suitability: The current position is considered adequate, however, the alternative solution outside 926 Papamoa Beach Road would be safer and more suitable.

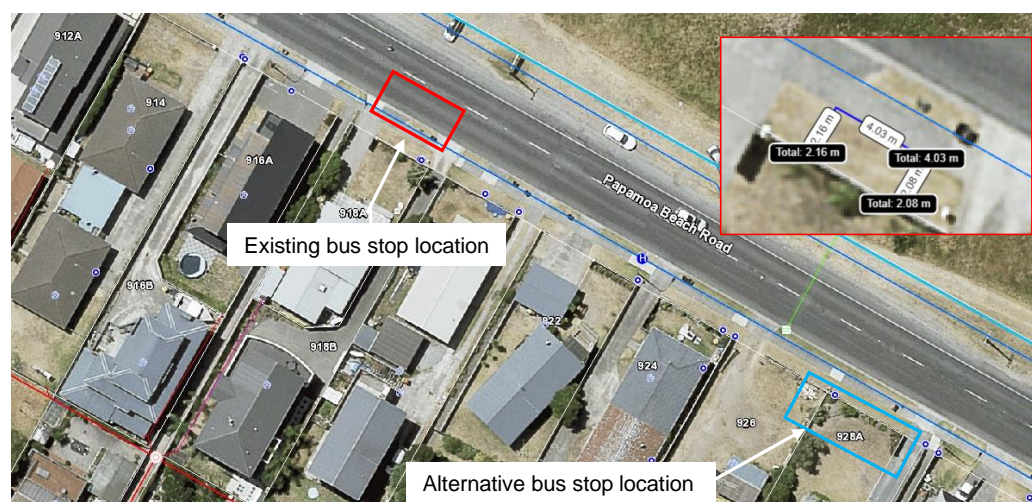


Figure 7 TCC MAPI Site location Aerial imagery with Utility services

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.



Figure 8 Google Street View image with proposed shelter location



Figure 9 Google Street View image of alternative bus stop and shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.5 716 Grenada Street

There is sufficient space in the berm on the property side to install a standard sized shelter at the existing bus stop outside 716 Grenada Street. Note that the trees within the property boundary of 716 may require trimming. The bus stop itself, however, is not considered suitable as it is positioned on the inside of a corner as well as adjacent to the Grenada Street/Pirika Place intersection.

A possible alternative position for the bus stop and shelter is fronting 718 Grenada Street. At this position, there is greater forward visibility and will not result in any site line issues for accessways. There are two trees at this alternative location which may create difficulties for bus drivers to observe waiting pedestrians.

Alternative/preferred shelter solution: Slimline Bus Shelter on the property side of footpath on Grenada Place outside the Patewaitai Retirement Village property on the corner of Manaaki Crescent.

original bus stop solution: Standard Bus Shelter on the property side of footpath outside 716 Grenada Street

Bus stop suitability: Existing bus stop location is not considered safe to due obstructed forward visibility and conflict with Pirika Place. Alternative/preferred solution is a safer location



Figure 10 TCC MAPI Site location Aerial imagery with Utility services

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.



Figure 11 Google Street View image of existing bus stop



Figure 12 On-site Image of alternative/preferred bus stop location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.6 185 Castlewold Drive

The current bus stop is located outside 185 Castlewold Drive, which is a property that has no front fence (low hedge only) and the position of the house is lower than the road. The existing bus stop is safe and there is adequate space on the property side of the footpath to install a bus shelter, however, the bus stop location is on a corner and a shelter itself may intrude on privacy for the adjacent property.

A possible alternative position to consider is outside property #193 and #197. Here, the bus stop would be positioned on a straight section of kerb, away from nearby accessways, and is less intrusive on the two adjacent properties. One concern is that the roadside tree outside property #193 may restrict the visibility of the bus driver to see waiting pedestrians.

Preferred shelter solution: Standard Bus Shelter on the property side of footpath outside 185 Castlewold Drive

Alternative solution: Standard Bus Shelter on the property side of footpath outside 193 / 197 Castlewold Drive

Bus stop suitability: Existing location is safe for bus stop. Alternative bus stop location is safer as it is on a straight section of road with a flatter road gradient.



Figure 13 TCC MAPI Site location Aerial imagery with Utility services

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.



Figure 14 Google Street View image of existing bus stop with proposed shelter (property #185)



Figure 15 On-site image of proposed alternative bus stop location (property #193)

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.7 103 Te Hono Street

The existing bus stop outside 103 Te Hono Street is a suitable location to install a bus shelter. The existing bus stop is safe, there is clear forward visibility for both buses and pedestrians, and a bus shelter would not cause any site line issues for the adjacent accessways, including the central accessway. There is adequate space on the property side of the footpath to install a standard bus shelter at this location. The tree in the berm between the road and footpath may need to be removed to allow a clear path from the shelter to the bus.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 103 Te Hono Street

Bus stop suitability: Safe location for bus stop. Retain bus stop location.



Figure 16 TCC MAPI Site location Aerial imagery with Utility services



Figure 17 On-Site Images of proposed bus shelter location. Could also be positioned on right side of central accessway

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.8 306 Gravatt Road

The existing bus stop location is acceptable and is a suitable location to install a bus shelter. There is clear forward visibility for both bus drivers and pedestrians, with a generous length of uninterrupted kerb and channel. The proposed bus shelter location avoids obstructing the view from 306 Gravatt Road and slightly overlaps 304 Gravatt Road to avoid being within the tree dripline. The bus stop sign should be relocated 4m east to position the shelter at the front of the bus stop.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 306 Gravatt Road

Bus stop suitability: Safe location for bus stop. Retain bus stop location.



Figure 18 TCC MAPI Site location Aerial imagery with Utility services



Figure 19 Google Street View image of proposed shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.9 143 The Boulevard

The bus stop fronting 143 The Boulevard is in a safe location and is suitable for a standard sized bus shelter. There is sufficient berm space on the property side and there is good forward visibility for bus drivers and pedestrians. No site lines will be obstructed for the adjacent driveway as the bus shelter would be positioned on the property side of the footpath. It is worth noting that it seems as though the residents use this berm area to park their vehicles which may cause disagreement of the shelter.

Shelter recommendation: Standard Bus Shelter on the property side of footpath outside 143 The Boulevard

Bus stop suitability: Safe location for bus stop. Retain existing bus stop location.

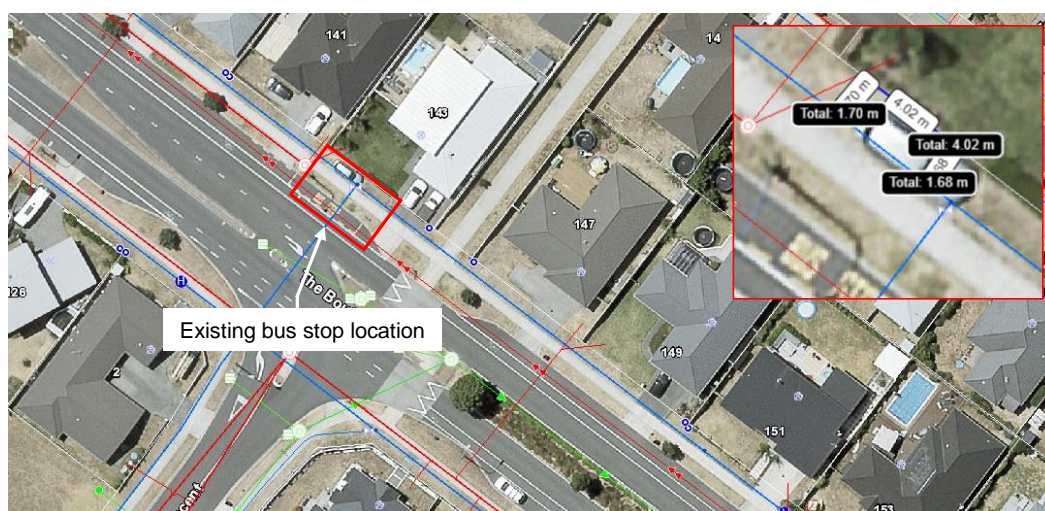


Figure 20 TCC MAPI Site location Aerial imagery with Utility services

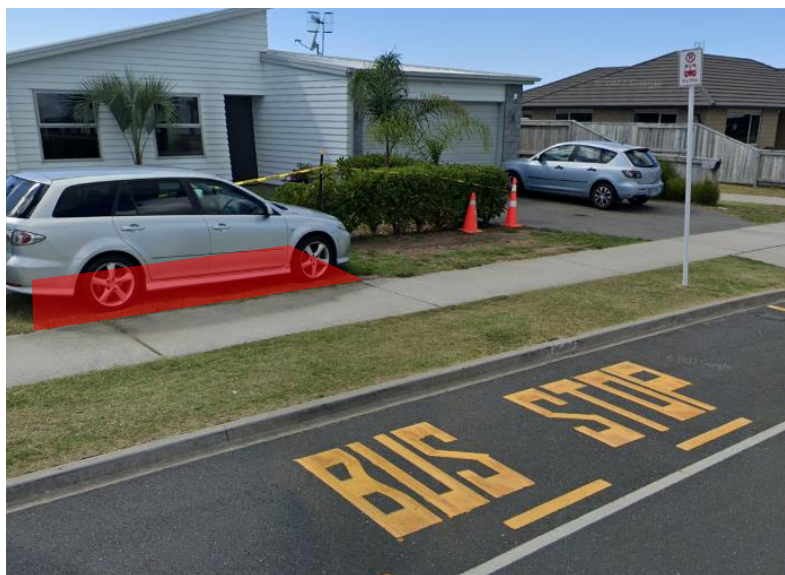


Figure 21 Google Street View image of proposed shelter location at existing bus stop

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.1.10 17 Bellevue Road

The existing bus stop outside 17 Bellevue Road is an acceptable location for a bus stop but is not suitable for a bus shelter. There is an existing bench with a 300 mm retaining wall which will need to be removed for a new retaining wall to be installed to accommodate a shelter. The slope and adjacent property would likely apply additional load or surcharge to the retaining wall, likely triggering a building consent. Underground services exist near the retaining wall which also means input from a chartered professional engineer would be required to ensure that displacements of the retaining wall are such that the existing services are not affected. Furthermore, there are overhead services near the berm and footpath which appear to be within the minimum vertical clearance zone.

Shelter recommendation: Do not install a bus shelter

Bus stop suitability: Safe location for bus stop. Retain existing bus stop and seat.



Figure 22 TCC MAPI Site location Aerial imagery with Utility services



Figure 23 On-Site Image of existing bus stop (left), Google Street View image of existing bus stop (right).

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2 Desktop assessments

2.2.1 42 Fifteenth Avenue

The existing bus stop location is suitable for a shelter on the property side of the footpath. It should be noted that the bus stop is located within 20 metres of a major intersection and where two lanes merge so the available merging length on Fifteenth Avenue is reduced when a bus is present. It has been assumed that the left-hand lane is predominantly used for turning left into Burrows Street and as such the bus stop position in the merging area is less critical and the existing bus stop location is acceptable. It is also worth noting that this location may require partial retaining of the ground and therefore an increase in construction costs.

An alternative location is to move the bus stop and construct a shelter approximately 30 m west (outside the Fifteenth Avenue laundromat), which has a level surface, is near the end of the two-lane merge, and will not be intruding on any nearby properties.

Preferred Shelter solution: Standard Bus Shelter on the property side of footpath outside 42 Fifteenth Ave

Alternative solution: Standard Bus Shelter on the property side of footpath outside 56 Fifteenth Ave (outside laundromat)

Bus stop suitability: Existing location is safe for bus stop based on the assumptions noted above, however, the alternative solution would be a safer location for a bus stop.

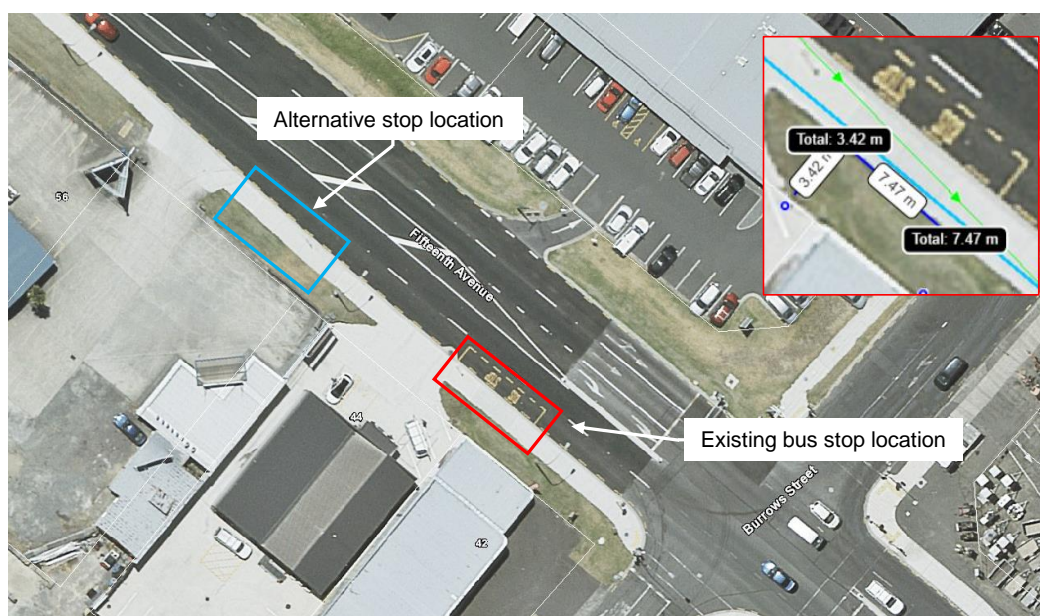


Figure 24 TCC MAPI Aerial imagery with proposed location for bus shelter

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.



Figure 25 Google Street view image of existing bus stop with proposed shelter location

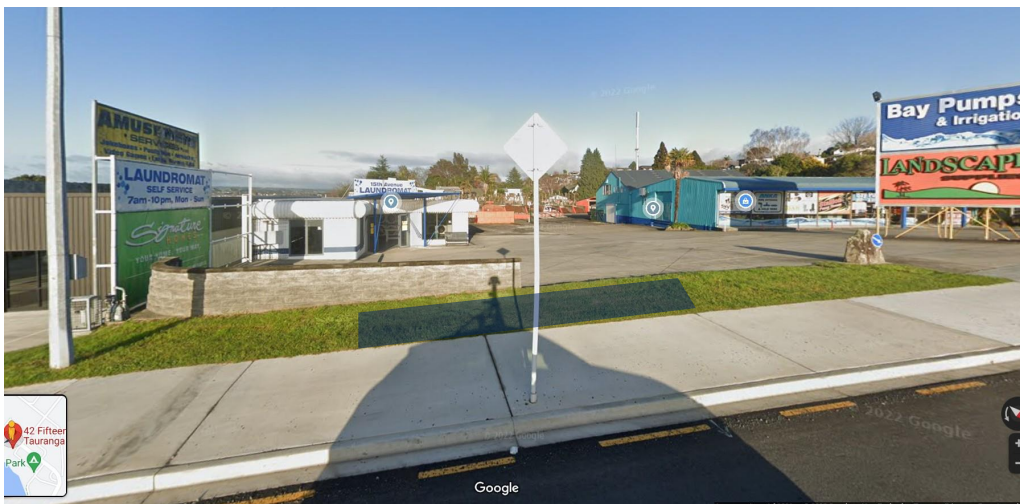


Figure 26 Google Street view image of alternative bus stop and shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.2 56 Te Ranga Memorial Drive

The current bus stop is located next to 117 Penetaka heights, immediately south of the driveway of 56 Te Ranga Memorial Drive. The bus stop is adjacent to the intersection of Te Ranga Memorial Drive and Penetaka Heights. Assuming that vehicles will travel at low speeds due to this being a residential area, the proximity to an intersection should not largely impact safety and the existing bus stop location is acceptable. At this location there is approximately 1.5 m of berm between the footpath and property boundary, which is suitable for both a slimline shelter and standard shelter. To ensure the property boundary is not encroached on, a slimline shelter is recommended.

Shelter recommendation: Slimline bus shelter outside 117 Penetaka Heights on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 27 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 28 Google Street view image of existing bus stop location and proposed shelter

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.3 57 Te Ranga Memorial Drive

The existing bus stop outside 57 Te Ranga Memorial Drive (119 Penetaka Heights is the same location) is in close proximity to the Penetaka Heights and Te Ranga Memorial Drive intersection. This is a residential area with vehicles travelling at low speeds, therefore the proximity to an intersection is acceptable. The berm is suitable for a slimline shelter to be placed on the property side of the footpath. There is landscaping (including vegetation and loose stones) outside 119 Penetaka Heights that overlaps the property boundary. The bushes will need to be trimmed or removed, and the loose stones removed in the berm area where the shelter will be positioned. This proposed location may block the view from the property at 57 Te Ranga Memorial Drive.

An alternative solution is to install the bus shelter 10 m north of the bus stop, in front of the property fence. However, the berm narrows in this location and a slimline shelter will overlap the footpath. The footpath will need to be chicaned to allow for the shelter.

Preferred shelter solution: Slimline bus shelter outside 119 Penetaka Heights on property side of footpath

Alternative solution: Slimline bus shelter outside 119 Penetaka Heights on property side of footpath in front of fence.

Bus stop suitability: Safe location for bus stop. Retain existing bus stop. Alternative solution would be safer as it is further away from the Penetaka Heights intersection.

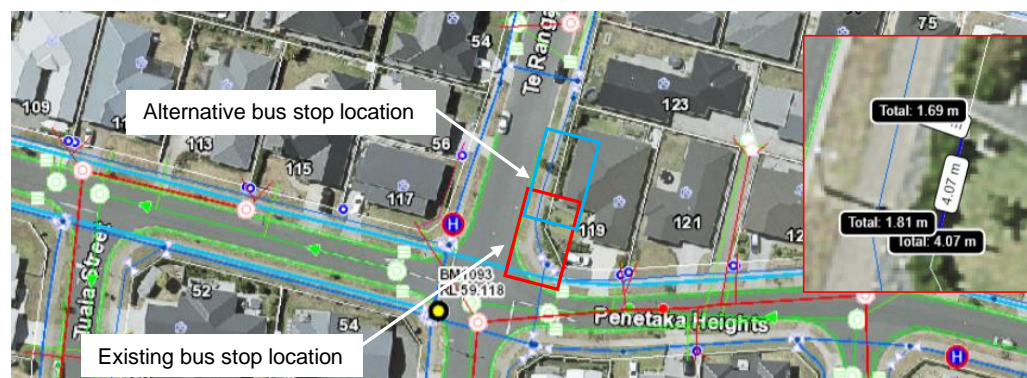


Figure 29 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 30 Google Street view image of proposed bus shelter location (red) and alternative location (blue)

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

The bus stop currently outside 150 Maranui Street is being relocated approximately 100 m east. The preferred location is immediately east of the streetlight, which is a suitable location for a bus stop and shelter. Note that there is a drainage inlet located 4 m from the streetlight, which may be a trip hazard for pedestrians. It is recommended that the footpath access point is extended from the shelter to kerb to provide pedestrian access on and off the bus which will alleviate catchpit trip hazard.

Bus stop suitability: New proposed position is considered a safe location for a bus stop.



| | |
|----------|----|
| 12580552 | 20 |
|----------|----|

2.2.5 100 Millers Road

The current bus stop is proposed to be relocated as shown in Figure 33. The new location has clear site view with a long kerb length and no nearby driveways to hinder site lines. The berm width between the road and footpath has adequate space to install a standard bus shelter with a connecting footpath for pedestrian access.

Shelter recommendation: Standard bus shelter outside 100 Millers Road on roadside of footpath with connecting footpath

Bus stop suitability: New bus stop location is considered safe,



Figure 33 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 34 Google Street view image of proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.6 196 Grenada Street

The existing bus stop outside 196 Grenada Street is an acceptable location for a bus stop and is suitable for a bus shelter. The proposed location has plenty of space in the berm to install a standard sized bus shelter on the property side of the footpath. This will not impact any site lines for the adjacent driveways.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 35 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 36 Google Street view image of proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.7 196 Te Hono Street

The existing bus stop location is suitable for a bus shelter, with a suitable location being in the wide berm in front of the reserve. There is an access in front of 196 Te Hono Street which appears to be infrequently used but should not be obstructed, so the preferred solution is to place the shelter between the two trees at the front of the bus stop. There is potential for this location to conflict with the dripline of the trees, in which case an alternative location in front of the fence of 196 Te Hono Street should be used.

A resident has highlighted their concern with the vehicle movements and the potential pedestrian movements in the area due to the kindergarten. Due to the kindergarten being located on the opposite side of Te Hono Street and the crossing being located 25 m to the west of the bus stop, the bus stop location is acceptable and does not seem to raise any immediate safety concerns.

Preferred shelter solution: Standard bus shelter on property side of footpath between the two trees.

Alternative solution: Standard bus shelter on property side of footpath fronting 196 Te Hono Street.

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 37 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 38 Google Street view image of proposed bus shelter location (left), and alternative bus shelter location (right).

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.8 984 Papamoa Beach Road

The bus stop outside property 984 is in a safe location and is suitable position for a bus shelter on the property side of the footpath. From aerial imagery, there is approximately 2 m between the footpath and property boundary, which provides sufficient room to install a standard sized shelter. It is recommended to install the shelter as close as possible to the fence of property 982 as property 984 does not have a front fence and installing it here would reduce the likelihood of the shelter obstructing entrance to the property. There are overhead power lines located near the bus stop running transverse across Papamoa Beach Road. The power line is 400V, which are typically 8 metres tall, therefore, a bus shelter is likely to comply with the 4 m minimum vertical setback required for a 400V power line.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 39 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 40 Google Street view image of proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.9 1142A Papamoa Beach Road

The existing bus stop location outside 1142A Papamoa Beach Road is suitable for a standard sized bus shelter in the property side of the berm. It is worth noting that a standard size shelter will overlap the water supply main. If this was to be avoided, then a slimline shelter can be used. Given there is a stormwater catchpit located in the berm on the roadside, potentially causing a trip hazard for pedestrians getting on or off the bus, this is not the preferred solution.

The preferred location for a bus stop and shelter to avoid the catchpit would be outside property 1140B Papamoa Beach Road, where there is sufficient kerb length and adequate space for a shelter. Both solutions require minor cut and fill due to the gradient of the berm.

Alternative / preferred shelter solution: Standard bus shelter on property side of footpath, outside 1140A Papamoa Beach Road.

Original bus stop solution: Standard bus shelter on property footpath, outside 1142A Papamoa Beach Road

Bus stop suitability: Both bus stop locations are considered safe. Preferred solution is safer.



Figure 41 TCC MAPI Aerial imagery with proposed location for bus shelter

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.



Figure 42 Google Street view image of alternative (preferred) bus stop and shelter location



Figure 43 Google Street view image of existing bus stop with proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.10 143 Carmichael Road

This existing bus stop is a safe location and is suitable for a slimline bus shelter on the roadside of the footpath between the bus stop sign and the existing tree. Additional footpath will need to be installed so pedestrians have access to the shelter. Note that the proposed bus shelter location may be within the dripline of the existing tree in the berm.

Shelter recommendation: slimline bus shelter on the roadside of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 44 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 45 Google Street view image of proposed bus shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.11 112 Dickson Road

The existing bus stop location is safe and is suitable for a bus shelter. There is clear site view for both pedestrians and bus drivers and can be installed at an offset from the footpath to ensure no site lines are compromised for vehicles exiting property 112. There is a larger concrete wall so a shelter would not be intruding on the adjacent property.

Shelter recommendation: Standard bus shelter on property side of footpath

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.



Figure 46 TCC MAPI Aerial imagery with proposed location for bus shelter

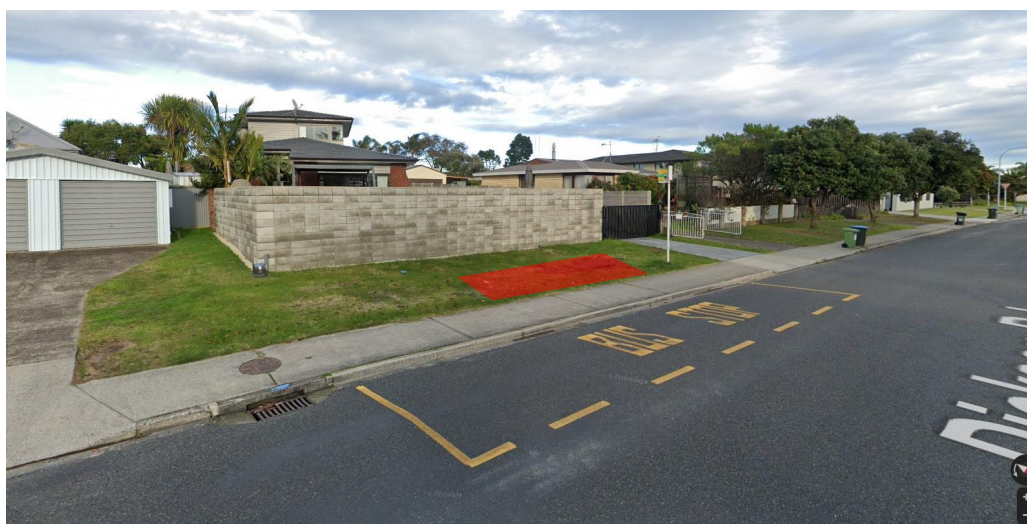


Figure 47 Google Street view image of proposed bus shelter and drainage inlet at the location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

2.2.12 42 Gloucester Road

The existing bus stop outside 42 Gloucester Road is located a sufficient distance from the Gloucester/Lambeth intersection and the location is suitable for a bus shelter. There is sufficient berm space in the property side of the footpath to install a standard sized bus shelter and there are no adjacent accessways to restrict site lines. The shelter location should be positioned to avoid the pedestrian gate of 42 Gloucester Road.

Shelter recommendation: Standard bus shelter on property side of footpath, to the left of the property gate

Bus stop suitability: Safe location for bus stop. Retain existing bus stop.

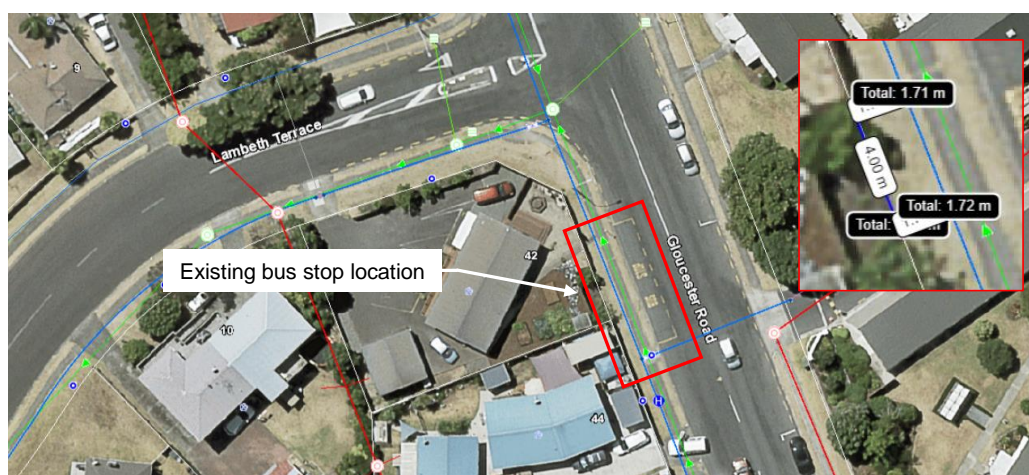


Figure 48 TCC MAPI Aerial imagery with proposed location for bus shelter



Figure 49 Google Street view image of with proposed shelter location

This Technical Memorandum is provided as an interim output under our agreement with Tauranga City Council. It is provided to foster discussion in relation to technical matters associated with the project and should not be relied upon in any way.

Existing Bus Shelters and Proposed New Bus Shelter Locations



5.2 Hearing Schedule (as at 19 August)

ATTACHMENTS

1. Hearing Schedule (as at 19 August) - A13804389 [↓](#)

Bus Shelter Objections Hearing

Venue

24 August 2022

| Time | Agenda Page Number | Name |
|--------|--------------------------|----------------------------------------------------------------|
| 2:00pm | | June Jeffs |
| 2:10pm | | Jody Sinkinson, on behalf of Sun Pacific Villas Body Corporate |
| 2.20pm | | Scott and Tracey Vermeulen |
| 2.20pm | | Jill and Brian Prosser |
| 2:30pm | | Dianne McGovern |
| 2:40pm | | Michel and Brigitte Nardi |
| 2:50pm | | |
| 3:00pm | | BREAK |
| 3:15pm | | |
| 3:25pm | | |
| 3:35pm | | |
| 3:45pm | | |
| 3:55pm | | |
| 4:05pm | | BREAK |
| 5:15pm | | |

| | | |
|--------|--|--------------------------|
| 5:10pm | | |
| 5:20pm | | |
| 5:30pm | | |
| 5:40pm | | |
| 5:50pm | | |
| 6:00pm | | Gavin and Jackie Schmidt |

26 August 2022

| Time | Agenda Page Number | Name |
|---------|--------------------------|--------------------------------------------|
| 9:30am | | |
| 9:40am | | Josephine Wilshire and Rossana Fredrickson |
| 10:00am | | Garry McFarlane |
| 10:10am | | Nathan Miller |
| 10:20am | | |
| 10:30am | | |
| 10:45am | | BREAK |
| 11:00am | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

6 PUBLIC EXCLUDED SESSION

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 - Public Excluded Minutes of the Regulatory Hearings Panel meeting held on 11 November 2021 | s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

7 CLOSING KARAKIA