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**REPORT 1**  
(1215/52/IM)

## **BACKGROUND TO ORAL SUBMISSION- 141 RONGOTAI ROAD, KILBIRNIE- BUS SHELTER**

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### **1. Purpose of Report**

The purpose of this report is to provide the Strategy and Policy Committee (SPC) with background information to an oral submission which will be made at the SPC meeting on 22 September 2011.

No decisions will be made on the day. A report on the proposal and the written objection and any new issues raised in the oral submission will be prepared for Council on 28 September 2011.

### **2. Executive Summary**

Council seeks to erect a bus shelter at an existing bus stop located outside 141 Rongotai Road, Kilbirnie.

Section 339 of the Local Government Act 1974 allows Council to erect a bus shelter on the footpath of any road provided that the bus shelter does not unreasonably prevent access to any land that has frontage to the road where the shelter is proposed.

Council is required to give notice to the owner of the land whose frontage may be injuriously affected by a proposed bus shelter. The owner has a right to object to the Council.

Council has given notice to the owner of 141 Rongotai Road, Kilbirnie. Attached as Appendix 1 is a copy of the notice.

The owner of 141 Rongotai Road has objected to the proposed bus shelter. A copy of the objection is attached as Appendix 2.

The Council is required to consider the objection and after hearing any submission made by the objector, may dismiss the objection, decide not to proceed with the proposal or make such modifications to the proposal, as it thinks fit.

It is proposed that Council will make a decision on the objection at its meeting on the 28 September 2011.

Contact Officer: *Maria Archer, Manager Infrastructure Planning and Steve Spence, Chief Transport Planner.*