
REPORT 3
(1215/52/IM)

HATAITAI BUS TUNNEL – PROPOSED TRAFFIC RESOLUTION

1. Purpose of Report

This report outlines the recommended amendments to the Wellington City Council Traffic Restrictions as they relate to the Hataitai Bus Tunnel. These recommendations support the achievement of the Council's Transport Strategy Outcomes of safety, accessibility, efficiency and sustainability. The proposed traffic restriction was publicly advertised.

2. Executive Summary

The proposed resolution was advertised on 22 June 2010. Council received 97 submissions.

There is general support for improved operation and enforcement of the use of the Hataitai Bus Tunnel.

Generally submitters would prefer that only in service buses be allowed to use the tunnel at all times. Officers believe that there are wider operational and network benefits to be gained by allowing the use of the tunnel by out of service buses.

In addition to this report, the following documents are appended:

Appendix 1 - Copy of background officers' report covering the issues and options.

Appendix 2 - Copy of the information sent to submitters.

Appendix 3 - Copy of the submissions received.

3. Recommendations

Officers recommend that the Committee:

- 1. Receive the information.*

2. *Note the 92 submissions.*
3. *Recommend that Council agree to the following amendments to the Traffic Restrictions, pursuant to the provisions of the Wellington City Council Consolidated Bylaw 2008:*

(a) *Delete the following Restriction*

Hataitai Bus Tunnel

No person shall drive any motor vehicle, ride any bicycle or walk in the bus tunnel leading from Pirie Street through Mount Victoria to Waitoa Road unless the vehicle is a scheduled passenger service as registered by the Wellington Regional Council. The provisions of this resolution shall not apply to emergency vehicles used by the Police, Fire or Ambulance services in the respective execution of urgent duty.

(b) *Add to Schedule C (Turning and One Way Restrictions) of the Traffic Restrictions Schedule*

Column One

Column Two

Column Three

Hataitai Tunnel (Pirie Street)

Bus only lane for public transport services which are registered with the Greater Wellington Regional Council and emergency service vehicles only at all times

Southeast bound traffic, commencing 124 metres southeast of its intersection with Austin Street, and extending through the Hataitai Tunnel, terminating 25m northwest of its intersection with Hapua Street.

Hataitai Tunnel

Bus only lane for public transport services which are registered with the Greater Wellington Regional Council and emergency service vehicles only at all times

Northwest bound traffic commencing 35 metres northwest of its intersection with Waitoa Road, and extending through the Hataitai Tunnel, terminating at its intersection with Pirie Street.

4. Background

In January 2009 a pedestrian illegally using the Hataitai Bus Tunnel as a short cut from the city to his home in Hataitai was struck by a car also illegally using the tunnel. This unfortunate incident gained significant community, Council

and media concern. As a result officers undertook an operational review of the issues relating to the use of the tunnel a copy of this review is appended.

The current restriction on the use of the tunnel limits use of the tunnel to vehicles that are a scheduled passenger service as registered by the Wellington Regional Council. As this is effectively a bylaw restriction, any offences against it can only be enforced by the New Zealand Police. While Wellington Police are aware of illegal use of the tunnel they have not given its enforcement a high priority.

Road controlling authorities are able to enforce static traffic offences (generally parking offences) but are currently prevented by legislation to enforce general moving offences however recently changes now allows RCA's to apply to the Commissioner of Police to have officers, or their agents warranted to undertake enforcement of certain types of moving offences.

If the underlying restriction on the use of the tunnel were to change from a "bylaw" restriction to a "Traffic Control Devices Rule" restriction this would enable warranted officers to enforce illegal use of the tunnel.

The review looked at options for allowing pedestrians to use the tunnel and options of physically stopping illegal car use of the tunnel. In each case it was felt that the status quo with an improved ability for enforcement provided the best overall benefits

The operational review also noted that in a survey there were 430 recorded bus movements through the tunnel in a typical workday, 30-50 of which were likely to be unscheduled. NZ Bus had indicated that if all bus movements were allowed through the tunnel, then based on their schedule there would unlikely be more than the current 50 additional movements over the current scheduled numbers. Ie no increase in the numbers currently using the tunnel.

NZ Bus stated that out-of-service buses using the tunnel at busy times could compromise the efficiency of the tunnel, and so would prefer to continue running out-of-service buses elsewhere through the network during busy times.

Some years ago Stagecoach (now NZ Bus) and residents of Pirie Street negotiated a memorandum of understanding that out of service trolley buses could use the tunnel rather than the longer running through Newtown.

Officers believe that there are operational benefits to allowing all out of service buses to use the tunnel from time to time to allow more efficient repositioning to reduce potential congestion on other routes and save on fuel and emissions.

5. Discussion

Traffic Resolution TR 71-10 was formally advertised on 22 June 2010, and the Mt Victoria Residents Association was given a copy of the proposed resolution two weeks prior, copy appended.

Council has received 92 submissions on the proposal three of these are supportive of the move to allow all buses to use the tunnel while the remaining 94 submitters are opposed. Copies of these submissions are appended.

While there are some issues raised that are outside the scope of the proposal generally those that are opposed are supportive of the tunnel being kept as a bus only tunnel but would like further restrictions to allow only in-service buses.

The proposed resolution as made available for community engagement proposed that the restriction for use of the tunnel be altered to a "Bus Only Lane", however early in the engagement process officers have agreed that this may be a little too liberal as it will enable any bus or coach use the tunnel regardless of its purpose. For example a Bus Only Lane would enable tour coaches and charter services to use the lane without any consideration to the efficient operation of the lane.

Officers propose that the wording of the restriction change from that advertised to "Bus only lane for public transport services which are registered with the Greater Wellington Regional Council (GWRC) and emergency services" This modification of the draft resolution will allow exclusion of the type of bus traffic that is not part of the GWRC's public transport framework.

Many submitters were aware that this had become the officers preferred recommendation, however they are of a mind that this will still lead to an increase in bus activity through the bus tunnel and have reflected this view in their submissions.

Officers contend that the proposed change to the restriction will have minimal effect on the number of buses currently using the tunnel as it is not in the bus company's interest to run significantly more out of service buses through the tunnel since it may lead to an overall reduction to the level of service across the entire network.

5.1 Consultation and Engagement

Consultation and engagement has been undertaken as required under the bylaw provisions for making resolutions. Prior to the formal notification of the proposed traffic resolution, discussions took place with Kent Duston of the Mt Victoria Residents' Association, Greater Wellington, Wellington Police and NZ Bus on the issues and options around the operation of the bus tunnel as detailed in a background paper (copy appended).

In regard to the Bylaw, this provides for parties affected by a proposed traffic resolution to make a written objection, but does not provide any right to be heard. All submitters however have been notified that SPC is considering the submissions received on 19 August and that they can attend during public participation or make a deputation under Standing Orders.

5.2 Financial Considerations

The proposed programme fits with existing budgets and programmes and receives 53% financial assistance from the NZTA.

5.3 Climate Change Impacts and Considerations

Sustainable transport is a key contributor to reducing emissions from within the transport sector. This proposal supports improvements to a key public transport corridor

5.4 Long-Term Council Community Plan Considerations

This report does not seek to make any changes to that already proposed through our current approved projects and programmes and reflects the current LTCCP.

6. Conclusion

There is clear support for enforcement of the illegal use of the bus tunnel, changing the restriction to “Bus Only Lane” will enable Council to apply to enforce the restriction.

Officers believe that there are operational benefits in allowing all out of service buses to have access to use the tunnel. It is believed that operators will use judgement to when, how many and how often out of services buses will use the tunnel. The proposed changes will have no noticeable effect on the current number of buses using the tunnel.

Approval of the proposed restriction will allow Council to ultimately enforce the use of the tunnel leading to improved overall safety while also leading to improved efficiency of the public transport network.

If Council approves the proposed traffic changes then these will be publicly notified indicating the date when they will take effect.

Contact Officer: Paul Barker, Safe & Sustainable Transport Manager,
Transport Planning

Supporting Information

1) Strategic Fit / Strategic Outcome

The recommendations support Council's desire to provide a coherent and efficient transport system that aids economic development.

2) LTCCP/Annual Plan reference and long term financial impact

The work required is contained in a range of Operating Project budgets.

3) Treaty of Waitangi considerations

4) Decision-Making

This is not a significant decision. The recommendations reflect the views and preferences of those with an interest in this matter.

5) Consultation

a) General Consultation

Affected parties were identified. The effects of this work are confined to the street. Affected parties were notified by mail. General notification was by way of an advertisement in the Dominion Post 22 June 2010.

b) Consultation with Maori

6) Legal Implications

The recommendations comply with the legal requirements for amendments to traffic restrictions laid down in the Bylaws.

7) Consistency with existing policy

This report recommends certain measures which are consistent with existing WCC policy.