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Further to previous reports on this matter, the purpose of this report is to make recommendations regarding the revision of the advertising on bus shelters policy.

### CONSULTATION

Over the past three months a review of the advertising on bus shelters policy has been undertaken. This has involved market research to gauge public opinion about bus shelters with advertising and obtaining the views of Community Boards, the City Services Committee and the Environment Committee.

#### (a) Market Research Findings

71% of the 400 residents interviewed when shown pictures of Adshel shelters and a Council CANRIDE bus shelter preferred the former. Seventy-five per cent of respondents felt advertising on shelters was acceptable to some degree. People felt in an 'ideal' world, bus shelters would not need advertising, however, there was a realisation that attractive and well maintained bus shelters, that do not require any ratepayer money, need to be financed somehow.

One of the main comments relating to advertising on bus shelters focused on the positioning of the advertising and that it should not take up the whole panel. From a security perspective it was felt that advertising should take up just part of the panel, so people can see if there is anyone in the bus shelter before they approach it and vice versa.

The main requirement identified for any advertising was that it be tasteful, appropriate for the area and as discreet as possible.

#### (b) Feedback From Community Boards

*Burwood/Pegasus* – Resolved to write to residents associations requesting their feedback on the draft policy and inform them that the policy may change to include advertising on bus shelters in residential areas.

Supported the installation of advertising on bus shelters in principle, with appropriate consultation with individual residents and residents' associations.

*Fendalton/Waimairi* – The matter was referred to the Board’s Works and Traffic Safety Committee. As a general principle the Committee was not supportive of shelters with advertising being located in residential areas. They made detailed comments as follows:

- (i) Creeping commercialism in the form of advertising into residential areas is not supported.
- (ii) Bus shelters are a core service provided by the Council but their positioning needs to take account of the local environment and surroundings.
- (iii) The Board supports the need to obtain the adjoining property owners’ agreement for the provision of a bus shelter along with an approval process akin to that for resource consent applications.
- (iv) More control should be placed over the advertising material contained in the panels.
- (v) Criteria should be drawn up which more effectively assess the need for a bus shelter.
- (vi) There is a limit to the number of bus shelters that can be provided in any given area.
- (vii) Suitably designed rubbish containers alongside bus shelters are requested.

*Hagley/Ferrymead* – Supports the existing policy with the following additions:

- (i) Policy guideline 4 be amended to read:

*“No advertising of alcohol or tobacco products of a religious, political or anything of an implicit or explicit sexual nature shall be permitted. (This does not prevent Community Boards placing further limits on advertising type if desired in a particular circumstance)”*

- (ii) That the following new policy guidelines be included:
  - (a) That all advertising should be to a standard which would be acceptable to the Advertising Standards Authority
  - (b) That the advertising displayed be limited to one end panel only on each shelter.

*Riccarton/Wigram* – Agreed that the current policy guidelines were still relevant, but that advertising standards (i.e. the type of product and its advertising) required strict monitoring by Council.

*Shirley/Papanui* – Agreed that there was no issue with advertising as long as the content was appropriate and there were benefits both to the users and the Council from the high standard of the shelters. The Board decided to convey its support of the change in policy to the Council Units concerned.

*Spreydon/Heathcote* – Decided to recommend approval of the existing policy, with the exception of the words “pornographic material” being replaced with “sexually explicit or titillating material”.

**(c) Feedback From City Services Committee**

The City Services Committee, after debating the matter at some length recommended, in view of the high degree of public support for shelters with advertising, a revised policy as follows:

*Advertising on bus shelters is permitted on any road subject to the conditions below:*

- (i) That a panel be appointed to hear objections, pursuant to Section 339 of the Local Government Act and to approve all bus shelters whilst ensuring their compliance with the amenity values of the City Plan.*
- (ii) That the following be assessment matters for the panel’s guidance:*
  - (a) Preferred locations should be:*
    - outside non-residential activities and/or*
    - against high walls/fences, vegetation, embankments/hillsides, as far as practicable*
  - (b) The cumulative effect of advertising on bus shelters should not impact significantly on the overall amenity and coherence of residential areas*
  - (c) The established need for shelters in the area concerned.*
- (iii) That the panel be Councillor Thompson, the City Streets Manager and the Environmental Policy and Planning Manager.*

**(d) Feedback From Environment Committee**

The Committee was generally happy with the existing policy. There was a view that it was preferable not to have advertising in residential streets. However, the Adshel shelters were of a high quality and, according to the market research, liked by the public. In view of this, allowing an advertisement panel on a bus shelter may be a reasonable price to pay for a high quality public facility being provided. An Adshel shelter with advertising could be more acceptable in many cases than a Council shelter without advertising.

A lack of control over the quality of a shelter was identified as a weakness in the existing policy.

The Committee felt that there should be a panel of two Councillors and two officers to address any concerns.

**SUMMARY**

On the whole, the existing policy is considered to be sound. However, there is some support for high quality bus shelters with advertising to be allowed in more locations, including non-arterial roads within residential areas, but these locations need to be selected with care.

Both the Environment and the City Services Committee supported the idea of a panel to assess any proposals for bus shelters with advertising. The panel would consider each proposal on its merits.

Concerns were raised about the content of advertising panels. This is controlled through the contract with Adshel and can be tightened up.

The need to consult affected property owners is recognised. Affected property occupiers are consulted in accordance with Section 339 of the Local Government Act.

With regard to the request for rubbish containers to be incorporated in bus shelters, the City Streets Unit has advised that problems have arisen with the provision of bins, leading to removal in some cases.

Under Section 339 of the Local Government Act 1974 the Council is required to give notice to any owner and occupier of any land where the frontage is likely to be injuriously affected by the erection of a bus shelter, whether it has advertising on it or not. The affected owner may object in writing against the proposal. The Council will then consider the objection and after hearing any submissions made by or on behalf of the objector, may dismiss the objection, decide not to erect the shelter or make modifications to the proposal. It is to be noted that there has never been a hearing under this section in recent years, as it has been the practice not to proceed with a shelter outside a person's property if that owner strongly objects.

**Recommendation:** 1. Review of Policy:

That the existing policy be revised as follows:

***Policy for Bus Shelters with Advertising***

- (i) *All requests for bus shelters with advertising which are not located in Business zones shall be approved by an officer panel, consisting of the City Streets Manager and the Environmental Policy and Planning Manager or their nominees.*
- (ii) *Each proposal will be considered on its merits. The panel will be guided by the following assessment matters:*
  - *the quality and design of the bus shelter*
  - *how the bus shelter will look in the proposed location*
  - *its impact on the surrounding properties*
  - *the effect of advertising on the overall amenity and coherence of the area (including the cumulative effect)*
  - *the need for a shelter in that location*
  - *whether or not the public will feel safe using or passing by the shelter*
- (iii) *Preference will be given to locations*
  - *on arterial or collector roads*
  - *outside non-residential activities*
  - *against high walls/fences, vegetation, embankments/hillsides*
  - *where they will not be an incongruous element in the street scene*
- (iv) *No advertising of alcohol or tobacco products, or of a racist, religious or political nature or anything of an implicit or explicit sexual nature shall be permitted on the shelter.*
- (v) *Affected owners will be notified in writing about a proposed bus shelter with advertising if it is approved by the panel.*

(vi) *This policy will be monitored by the Environment Committee.*

2. Other matters:

- (a) That the criteria for determining the need for a bus shelter be reviewed.
- (b) That the City Streets Unit report back to the Fendalton/Waimairi Community Board regarding the problems of providing rubbish bins at bus shelters.
- (c) That bus shelter advertisers be asked to consider the idea of a smaller advertising panel or a repositioned panel to enable a clear view into and out of the shelter.
- (d) That at the request of the Council, bus shelter advertisers be required to remove unacceptable advertising within 24 hours.