PLANNING COMMITTEE REPORT

Agenda Item 3.2

4 April 2006

REVIEW OF POLICY FOR ADVERTISING ON TRAM AND BUS SHELTERS

Division Sustainability & Innovation

Presenter Con Livanos, Manager Development Planning

Purpose

1. To report to the Committee on the policy for advertising on tram and bus shelters, adopted in October 2005. The report addresses three issues identified at the October 2005 meeting of the former Planning and Environment Committee, including: advice from the Heritage Advisory Committee; an analysis of the effectiveness of the policy and the cost implications of removing advertising from tram and bus shelters.

Recommendation

2. That the Planning Committee:

2.1. adopt a revised policy for advertising on tram and bus shelters (as per Attachment 1); and

2.2. investigate the inclusion of the revised policy into the Melbourne Planning Scheme.

Key Issues

3. In 1991 Council adopted a policy which supported the introduction of bus and tram shelters and their funding by way of income from advertising but discouraged advertising under some circumstances (this policy is not part of the Melbourne Planning Scheme).

4. On 4 October 2005, the former Planning and Environment Committee considered the ‘Review of Policy for Advertising on Tram and Bus Shelters’. In the October 2005 report, the outdated 1991 policy was reviewed to provide guidance on the design and size of tram shelters and the extent of advertising that is considered acceptable and a revised policy was adopted. A copy of the adopted October 2005 policy is at Attachment 2.

5. At that meeting, the former Committee resolved that officers report back on three key issues:

5.1. advice from the Heritage Advisory Committee on the revised policy;

5.2. feedback on the effectiveness of the policy; and

5.3. the cost implications of removing all advertising from tram and bus shelters.

6. The Heritage Advisory Committee has provided detailed feedback on the policy adopted by Committee at October 2005. Their position is that the policy has been watered down and permits advertising signage that would have significant impacts on heritage buildings.
7. Because of the financial arrangements in place between the Department of Infrastructure, Yarra Trams and advertising companies there is very little scope for Council to remove existing advertising from tram and bus shelters.

8. If the Council was to provide shelters on tram and bus stops in the future the following costs have been estimated – assuming no revenue from advertising:

8.1. capital cost per shelter - $13 000 approximately;
8.2. cost for small tram stop (2 shelters) - $25 000 approximately;
8.3. cost for large tram stop (4 shelters) - $104 000 approximately; and
8.4. maintenance costs - $20 000 to $80 000 per stop per annum.

9. It is estimated that almost 100 additional tram stops and 30 bus stops could be created or refurbished in the next 10 years, with the following approximate costs, based on the costs outlined in paragraph 8:

9.1. total capital cost: $4.2 million; and
9.2. maintenance cost: $3.2 million per annum.

10. This report also revisits the policy adopted by Committee in October 2005 and makes suggestions to improve its clarity and workability.

Heritage Advisory Committee

11. Council’s Heritage Advisory Committee considered the matter on 17 November 2005 and subsequently adopted a formal resolution on the issue on 15 December 2005. The Heritage Advisory Committee also requested that Council be advised in writing of the Committee’s position prior to the presentation of this report. Councillors were advised of the Heritage Advisory Committee’s position via memo dated 10 February 2006. This advice is at Attachment 3.

12. The Heritage Advisory Committee resolved to advise the Planning Committee that:

“The Committee considers that the proposed policy (Policy for Advertising on Tram and Bus Shelters) provides less heritage protection than the Council’s 1991 policy. While that policy needs to be updated and included in the planning scheme, it should not be watered down to accommodate more advertising. The Committee agrees with the Council’s heritage consultants. The proposed policy does not give effect to their advice.

There should not be any advertising on shelters in the following locations:

- within a road reservation identified as a Principal Boulevard, as nominated at 2.1.3 in the officers report to the Planning and Environment Committee Report 5 October 2005 as those places identified as a Principal Boulevard in the City of Melbourne Strategy Plan 1985, that is, Royal Parade, Elizabeth Street, Victoria Parade, St Kilda Road, Dynon Road and Flemington Road or an additional place considered by the Committee to be a Principal Boulevard, namely, Peel Street;
- within a Heritage Overlay area;
- adjoining, adjacent or opposite a building graded in Council’s Heritage Places Inventory 2002 or as subsequently amended;
- adjoining, adjacent or opposite a place included in the Victorian Heritage Register or the Register of the National Estate;
• adjoining or adjacent to public open space, including public open recreation areas and parkland;
• adjoining, adjacent or opposite a building, structure or monument, planting or place designated by Council to be of cultural heritage significance.

The Committee recommends existing advertising on bus and tram shelters that does not meet these criteria should be removed as the opportunity arises.”

13. It should be noted that in terms of heritage, the 1991 policy is out of date as it uses language and concepts that are no longer relevant. Some translation using new terminology is required (for example, Urban Conservation Areas have generally been replaced with Heritage Overlays).

14. The Heritage Advisory Committee recommendation is difficult to implement and would effectively mean that tram and bus shelter advertising could not be placed along most of the tram and bus routes in the City of Melbourne. It is considered that the revised policy adopted in October 2005 adequately considers the impacts of signage on the heritage significance of individual buildings, precincts and parkland. The relevant matter is whether or not the advertising will reduce the heritage significance of a recognised heritage place, (such as being visually dominating), rather than a blanket ban on advertising which is unrealistic particularly in the Central City. The revised policy is sufficient in guiding Council's discretion on whether not or not a proposal has a negative impact.

Effectiveness of current policy

Need for the policy

15. Advertising signs on tram and bus shelters fund the construction of the shelters improving public transport facilities and contributing positively to the public transport experience. However the City of Melbourne experiences significant pressures for promotional advertising signs including signs on buildings, hoardings, billboards and other public street furniture such as telephone booths. A level of saturation is being reached and further applications for advertising signs need to be considered carefully and consistently.

16. Council has committed significant resources to improving streets through design control of private developments, and street improvements. It is important that advertising signage is consistent with the City’s efforts in the public realm. In particular, Council has a long record of successfully implementing policies which protect the quality and integrity of the streetscape, heritage character, landscape qualities and open space in the City of Melbourne. A clear and consistent policy is important to ensure a balance between the need for advertising signs on tram and bus shelters and the protection of the City’s heritage, landscape and streetscape character. The revised policy seeks to fill this role.

Revision of the policy

17. The revised October 2005 policy applies to advertising on all tram and bus shelters in the City of Melbourne (including tram and bus shelters outside the Central City). It provides guidance additional to the existing Clauses in the Planning Scheme, when a planning permit is required.
18. The revised policy has been used for approximately 30 decisions since October 2005. Since its adoption, Council planners and urban designers have identified several areas where the clarity of the policy could be improved to further assist in decision making. For example, there is a lack of clarity about the application of policy to graded heritage buildings as well as confusion with terminology such as ‘adjacent to’. It was also considered that the reference to the 1985 City of Melbourne Strategy Plan which identifies principal boulevards was out of date and other streets and roads should be included. The reference to heritage buildings in the Heritage Overlay was also considered narrow, particularly as in the Central City, there are a number of graded buildings that are not covered by the Heritage Overlay.

19. The Department of Infrastructure has raised further issues with the revised policy. The Department does not support the restriction on the density of signage in the policy. The Department of Infrastructure states that it requires an advertising sign density of one sign per four metres of shelter to fund a shelter and its maintenance. The policy currently allows one double sided panel per eight metre shelter. The Department also seeks changes to the policy to allow scrolling panels. A further issue raised by the Department is that the policy requires 8 metre long shelters at Superstops; in some circumstances this is not required.

20. As a result, further revisions have been made to policy for advertising on tram and bus shelters mainly in terms of clarity (see Attachment 1). The format of the policy has been changed as well as some wording. The policy has also been altered to apply to major avenues as well as boulevards. Major avenues include (but are not limited to) Wellington Parade, Nicholson Street, Peel Street and Swan Street. The major avenues are identified in the Policy. The change means that the policy will apply to a greater area, however advertising signs may be considered in these locations subject to criteria which it sets out. Similarly the policy refers to graded buildings rather than heritage buildings in a Heritage Overlay. The intent of the policy has not been altered. In respect of B,C and D graded buildings, the same approach as major avenues has been adopted. No changes are proposed to the density of signage nor is there any support for the concept of scrolling signs.

Status of the policy

21. The revised policy is currently used as a guideline for decision making however it does not have statutory weight. In a recent Victorian Civil Administrative Tribunal decision regarding advertising signs on a tram shelter (1309/2004) in Port Phillip, the Tribunal set aside a decision of the City of Port Phillip because council policy did not sit within the Planning Scheme. This highlights the importance of including such controls within Planning Schemes. It is proposed that officers investigate whether this policy should form the basis of a planning scheme amendment. It is suggested that the policy could be inserted into Clause 22.07 – Advertising Signs.

22. It is also recommended when investigating the inclusion of the policy in the Melbourne Planning Scheme, other street furniture where advertising signs are also integrated such as telephone booths should be included.

Cost implications

How the current contracts work

23. The Department of Infrastructure oversees contracts between the public transport provider (ie Yarra Trams for trams and themselves for buses) and advertising companies to provide tram and bus shelters. Contracts between Yarra Trams and advertising companies, Adshel and JC Decaux for tram shelters were recently re-signed and will expire in 2011. The bus shelter contract is currently being re-tendered.
24. The contracts between the Department of Infrastructure, Yarra Trams and the advertising companies set out requirements for specific numbers of shelters, the style of the shelters as well as cleaning and maintenance requirements. The advertising companies provide the shelters and are also responsible for the maintenance of the shelters. Therefore shelters with advertising signs are on the whole constructed and maintained at no expense to the State Government. Revenue from advertising signs on tram and bus shelters are used to fund the capital cost and maintenance of shelters without advertising.

25. It is understood that the revenue from advertising signs from the tram network is millions of dollars per year. The maintenance costs are also in the millions (due to contractual agreements the Department of Infrastructure cannot provide Council with an exact amount.) Any decrease in revenue from advertising would mean increased subsidies from the State Government.

Where will new shelters be located?

26. Council is considering a number of planning applications for new tram shelters due to changes in the contracts of the advertising companies. New shelters will be constructed at stop upgrades, Superstops and along St Kilda Road (officers from a number of Council Departments are currently working with the Department of Infrastructure, Yarra Trams, VicRoads and the City of Port Phillip on the proposed changes to Bourke Street and St Kilda road).

27. With the renewal of bus shelter advertising contract, changes to bus shelters within the City of Melbourne are likely in the near future. The Department of Infrastructure does not predict an increase in the number of shelters in the inner city (as they are focusing on providing shelters in outer suburbs). However some changes will include the relocation of stops and replacement and tidying up of shelters. The Department of Infrastructure is also mindful of changes to bus routes suggested in Council’s Transport Strategy as this will have impacts on the location of shelters.

Costs of new shelters

28. Costs of tram shelters include the capital costs of the shelter itself and on-going maintenance costs. The capital cost of installing a four metre long Yarra Trams shelter with no advertising is approximately $10,000-$13,000. The maintenance cost (including cleaning twice a week) is approximately $10,000 per shelter per annum (maintenance also includes the cost of replacing glass if broken.) (See Attachment 4 for examples of Yarra Tram shelters).

29. Council owns and maintains a number of specially designed tram shelters including the Swanston and Bourke Street tram shelter (south west corner). These shelters generally cost between $25,000 (painted steel) to $40,000 (stainless steel) and are generally easy to maintain. The shelters have been successful in terms of minimal vandalism whilst still providing shelter and seating to patrons (see Attachment 5). Maintenance costs are in the order of $5,000 per year.

30. The former Planning and Environment Committee, at its October 2005 meeting, asked officers to investigate the cost implications of removing all advertising from tram and bus shelters. In the short-medium term removing advertising from all tram and bus shelters is not possible. The Department of Infrastructure is locked into its contracts for existing stops/shelters until 2011. Officers from the Department of Infrastructure have indicated that they will not dishonour their contracts with the advertising companies. This means that Council cannot facilitate the removal of shelters that already have advertising until the current contracts expire or until the planning permits for specific shelters expire.
31. This leaves the shelters which are not tied up in contracts and need renewal on new shelters. It is unclear how many new shelters would be involved. However assuming 130 tram and bus stops require shelters, it would cost approximately $4.2 million for Council to construct shelters and $3.2 million in maintain once per annum for these shelters (this assumes 120 stops with two 4 metre long shelters and 10 stops with four 8 metre long shelters). The figure is based the cost of Yarra Tram designed shelters ranging from $26,000 per stop for two 4 metre long shelters (one for each direction) to $104,000 per stop for four 8 metre long shelters (two in each direction). In addition, the maintenance costs for the stops range from $20,000 to $80,000 per annum. At present this is not budgeted for. If Council wishes to pursue this option then budget will need to be found.

**Design of tram shelters**

32. The City of Melbourne has in the past exercised little control over the design of tram and bus shelters as they often do not require a planning permit in the Planning Scheme unless they are in the Heritage Overlay or have a promotional sign as part of their design. The design of the shelters is part of the contracts with the advertising companies.

33. A further issue that has been raised is the current design of Adshel and JC Decaux shelters. Where a number of shelters are located on one platform, support poles dominate. Council’s own design is simpler and easier to maintain.

34. The revised policy limits the number of small four metre shelters at a stop. This will assist with reducing the proliferation of poles. Unless Council wishes to construct shelters of its own, there is little opportunity to influence the design.

**Relation to Council Policy**

35. There are a number of existing clauses in the Planning Scheme which assist in providing guidance on the appropriateness of advertising signs. These include:

35.1. Clause 21.05-1 - the *Municipal Strategic Statement* identifies the importance of conserving Council’s unique boulevards, parks, and heritage character as it is a significant part of Melbourne’s attraction;

35.2. Clauses 21.05-3 – the *Municipal Strategic Statement* aims to “ensure advertising signs respect the architecture of the building they are on and the character of the surrounding streetscape and skyline, avoiding visual pollution and intrusive lightspill”;

35.3. Clause 21.06-1 of the *Municipal Strategic Statement* supports the use of public transport through strategies of increasing patronage, identifying improvements in network connections and accessibility;

35.4. Clauses 22.04 – Heritage Places within the Capital City Zone and Clause 22.05 - Heritage Areas outside the Capital City Zone aim to ensure that buildings and works make a positive contribution to the built form and amenity of the area and are respectful to the architectural or historic character and appearance of the streetscape and the area;

35.5. Clause 22.07- Advertising Signs – aims to “protect the characteristics of significant buildings and streetscapes, protect important vistas from obtrusive and insensitive advertising, and ensure that signs do not detract from the significance of a heritage place”; and
35.6. Clause 52.05-Advertising Signs – seeks to “allow adequate and effective signs appropriate to each zone and to ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road”.

Consultation

36. In reviewing the policy in October 2005, consultation was undertaken with Yarra Trams, Department of Infrastructure, advertising companies with contracts for tram shelters (for example Adshel and JC Decaux), Resident Associations and Council’s Heritage Consultants. As reported above, consultation has been undertaken with Council’s Heritage Advisory Committee.

37. Further consultation has also been undertaken with the Department of Infrastructure and Yarra Trams about the costs of advertising signs on tram and bus shelters. The Department of Infrastructure and Yarra Trams have also reiterated their concerns about the impacts of the policy on the commercial viability of providing shelters.

Government Relations

38. Discussions have occurred with the City of Port Phillip and City of Yarra in relation to the issue of advertising on tram and bus shelters. As identified above, the Department of Infrastructure has also been involved in discussions.

Finance

39. Depending on the recommendation adopted by Committee this report could have significant financial implications. If Council wishes to become involved in providing tram and bus shelters in the City of Melbourne, costs could be in the order of $4.2 million for capital costs and $3.2 million per annum for maintenance.

Legal

40. The proposed Policy for Advertising on Tram and Bus Shelters updates the current policy informing the processing of planning permit applications for advertising signs made for the purposes of considering permit applications under to Part 4 of the Planning and Environment Act 1987.

Sustainability

41. Public transport is considered to be a sustainable form of transport. The report supports the need for additional tram and bus shelters within the municipality which will make public transport more attractive and thereby increasing patronage numbers. Additional public transport infrastructure is also consistent with Council’s draft Transport Strategy.

42. The report provides guidelines for assessing planning applications for advertising signs on tram and bus shelters. The guidelines aim to prevent advertising signs from negatively impacting on the public realm, especially areas of cultural or heritage significance.
Background

43. For almost fifteen years, promotional advertising material has been used to generate income which funds the installation and regular cleaning and maintenance of tram and bus shelters, allowing them to be provided at no cost to Council, the transport operators or the community.

44. The original arrangement was made between the Public Transport Corporation (PTC) and the advertising company. The agreement provided for the supply, installation, cleaning and maintenance of 1,200 shelters containing advertising and an estimated 4,000 of non-advertising shelters across the metropolitan area. A greater number of these shelters are located in Central Melbourne contain advertising. This disproportionate number is due to the visibility of the signs to a larger proportion of the community.

45. The advertising signs have always been subject to planning controls and applications for planning permits have been made to numerous metropolitan Councils including City of Melbourne since 1991. Council adopted a policy in 1991 which supported the introduction of shelters and their funding by way of income from advertising, but discouraged advertising under some circumstances. It did not support advertising signs in the following locations:

45.1. within a road reservation identified as a Principal Boulevard in the 1985 Strategy Plan;

45.2. within a designated Urban Conservation Area;

45.3. adjoining, adjacent or opposite a building graded in Council’s Heritage Inventory;

45.4. adjoining or adjacent to public open space; or

45.5. adjoining, adjacent or opposite a building, structure or monument designated by Council to be of architectural or civic significance.

Attachments:
1. Revised Policy for Advertising on Tram and Bus Shelters (March 2006)
2. Policy adopted by Planning and Environment Committee 4 October 2005
3. Heritage Advisory Committee Minutes (15 Dec 2005)
4. Photos of Yarra Trams Tram Shelters
5. Photo of Council Tram Shelters
POLICY - ADVERTISING SIGNS ON OR ASSOCIATED WITH TRAM AND BUS SHELTERS

This policy applies to all applications for advertising signs on or associated with tram and bus shelters within the municipality.

OBJECTIVES

• To allow for integrated advertising on tram and bus shelters where it respects the visual amenity of Melbourne’s streetscapes.

• To ensure that advertising signs do not detract from the appearance or character of an area or result in visual clutter.

• To minimise the impacts of advertising on tram and bus shelters on the significance and context of graded heritage places, structures and buildings and to maintain their visual prominence.

• To ensure that advertising signs on tram and bus shelters do not adversely impact on the safety, amenity and visual and landscape qualities of the City’s boulevards, major avenues, roads and parklands.

• To protect important views of and vistas to heritage places, structures, buildings, boulevards, major avenues and parklands from being obscured by signs on tram and bus shelters.

POLICY

The following policy provides guidance on whether advertising signs on a tram or bus shelter are appropriate in particular locations. Proposals are required to be assessed against the following criteria:

Heritage Places, Buildings, Structures and Precincts

• Advertising sign(s) on tram and bus shelters will not be supported adjacent to or opposite ‘A’ graded places, buildings and structures anywhere in the municipality.

• Advertising sign(s) on tram and bus shelters adjacent to or opposite ‘B’, ‘C’ and ‘D’ graded places, buildings and structures may be considered.

However before deciding on an application for signage in such a location, the responsible authority will consider:

• The potential impact on the cultural heritage significance of places, buildings and structures
• Compatibility with the heritage values and character of heritage precincts
• Existing level of signage and the potential for new proposals to create visual clutter
• Whether the advertising sign(s) would interrupt important views to places, buildings and structures
• Whether the level of signage impacts on the transparency of the shelter (ie the ability to see through the shelter to either side of the road).
Parklands

- Advertising signs on tram and bus shelters will generally not be supported adjacent to or opposite public open space, recreation areas and parkland.

Before deciding on an application for signage in such a location, the responsible authority will consider:

- Whether the amenity of the parkland is maintained
- Whether the level of signage impacts on the transparency of the shelter (ie the ability to see through the shelter to either side of the road).
- Existing level of signage and the potential for new proposals to create visual clutter
- Effects on key views and vistas (to and within the park)
- The heritage values of parkland.

Boulevards and major avenues

- Advertising sign(s) on tram and bus shelters will generally not be supported within the following boulevards; St Kilda Road, Royal Parade, Victoria Parade, Elizabeth Street (north of Victoria Parade).

- Advertising sign(s) on tram and bus shelters may be consider within the following major avenues; Footscray / Dynon Road, Kings Way, Lorimer Street, Wellington Parade, Nicholson Street, Spencer Street (north of La Trobe Street), Swan Street, Swanston Street (north of Victoria Street) and Peel Street.

- However before deciding on an application for signage in such locations, the responsible authority will consider:

  - Consistency with existing development, built form and land uses adjoining the boulevard or major avenue
  - Existing level of signage and the potential for new proposals to create visual clutter
  - Whether the level of signage impacts on the transparency of the shelter (ie the ability to see through the shelter to either side of the road).
  - Whether the proposal is for a sign on a boulevard or major avenue
  - Proximity of parkland to the boulevard or major avenue
  - The landscape treatment of the road reservation
  - Protection of key views and vistas
  - Visual and landscape qualities of the boulevard or major avenue.

Density of signage

Where a location for signage is considered suitable, the advertising requirements should not exceed the following:

**Superstops, raised platform tram stops and median (tramway) tram stops**

- A maximum of one double–sided advertising sign per 8 metre long shelter.
- Signage should not exceed three double–sided advertising panels per platform
- For stops where a smaller shelter is required, 1 double sided advertising sign per 4 metre long shelter per platform may be permitted.
• More than one 4 metres long shelter with advertising signage per platform is not supported. A single shelter of 8 metres is preferred to two 4 metre shelters as the latter tends to be more transparent.

• Alternative arrangements may be agreed to, so long as the average of one panel per shelter is maintained.

*Kerbside shelters*

• A maximum of one double-sided advertising sign per 4 metre long shelter for each side of the road may be supported.

*Design of signage*

• Signage may be internally illuminated

• Scrolling advertising sign panels are not supported.

• Signs must be integrated into the design of the shelter and should not be freestanding.

• Advertising signs perpendicular to the road are not generally supported.

*Removal of redundant shelters and replacement of existing shelters*

• For an advertising bus or tram shelter site which is no longer operational, the shelter and advertising sign shall be removed.

• An application to renew an existing shelter with advertising signs will be assessed on an individual site basis and this policy will be applied.

*Public amenity*

• Council will give consideration to public amenity provided by the proposal. This includes the provision of:
  • Lighting
  • Seating
  • Weather protection
  • Visibility and safety for users, pedestrians and vehicles.

*Special projects*

• Notwithstanding the above policy, Council may consider and support advertising signage for ‘special projects’ (such as the redevelopment of themed tram stops in St Kilda Road), as agreed between Council and the applicant (and in the case of St Kilda Road, with Port Phillip Council).
APPLICATION REQUIREMENTS

- All applications for tram shelters with advertising should be lodged with the support of or on behalf of the relevant transport company.

- In the case of bus shelters, applications should be supported by the Department of Infrastructure.

DEFINITIONS

- **Adjacent to or opposite to** – refers to any tram or bus stop located on either side of the road or within the centre of a road.

- **Graded heritage buildings** – Any heritage place graded A, B, C or D in the City of Melbourne Heritage Places Inventory or the Central City Activities District Conservation Study.

- **Tram or bus stop** – is a place designated for a tram or bus to stop where passengers board or leave it. A stop includes the passenger set down area on both sides of the road.

- **4 metre long shelters** – It is acknowledged that 4 metre long shelters will range in length from 4.0 to 4.5 metres.
Planning and Environment Committee, 4 October 2005
Adopted Policy – Advertising signs on Tram and Bus Shelters

1. That the Planning and Environment Committee adopt the updated policy of advertising on tram and bus shelters as follows:

1.1. subject to Clause 2.2 advertising signs on bus and tram shelters will not be supported:

1.1.1. adjacent to buildings graded A in Council’s Heritage Places Inventory 2002;

1.1.2. adjacent to public open recreation areas and parkland of significant heritage value, unless the location and placement of the advertising signs are such that they do not significantly detract from the appearance and enjoyment of those areas and parkland;

1.1.3. within a Road Reservation identified as a Principal Boulevard in the City of Melbourne Strategy Plan 1985, that is Royal Parade, Elizabeth Street, Victoria Parade, St. Kilda Road, Dynon Road and Flemington Road, unless the sign(s) are consistent with existing development and not detrimental to the function and visual quality of the boulevard;

1.2. nothing in clause 1.1 will prevent Council from considering and supporting proposals involving special situations (such as special stops in St Kilda Rd), as agreed between Council and the applicant (and in the case of St Kilda Road, with Port Phillip Council);

1.3. in addition to the above:

1.3.1. in Heritage Overlay areas, while the emphasis will be to not allow advertising, some advertising may be permitted at Council’s discretion if it does not significantly detract from the overall heritage aspect of the area having regard to factors such as purpose and relevance of the Heritage Overlay, the proposed shelter design, its proximity to the adjacent buildings, the level of existing signage, and the condition of existing infrastructure in the Heritage Overlay;

1.3.2. for superstops / raised platform tram stops a maximum of one double –sided advertising sign per 8m long shelter will be preferred, not exceeding 3 double – sided advertising panels per platform although alternative arrangements may be agreed as long as the average of one panel per shelter is maintained. Four metre long shelters are not supported on such stops;

1.3.3. kerbside tram shelters a maximum of one static double -sided advertising sign per 4 lineal metres of shelter length;

1.3.4. all applications for such shelters should be lodged with the consent of the relevant transport company (eg Yarra Trams) to attempt to ensure that the policy is adhered to and to attempt to achieve a spirit of cooperation and consensus. In the case of bus shelters, applications should be supported by the Department of Infrastructure;

1.3.5. for an advertising bus or tram shelter site which is no longer operational, the shelter and advertising sign shall be removed. The process shall be assessed on an individual site basis, and shall be separate and distinct from permit applications in relation to operational sites generally; and

1.4. consideration must be given by Council as to public amenity provided by the proposal.
MEMORANDUM

Date 10 February 2006

To Lord Mayor, Deputy Lord Mayor, Councillors

From Heritage Advisory Committee Members*

Subject POLICY FOR BUS AND TRAM SHELTERS ADVERTISING

On 4 October 2005, the Planning and Environment Committee considered the ‘Review of Policy for Advertising on Tram and Bus Shelters’. The Committee requested that the policy be referred to the Heritage Advisory Committee for advice and requested that a further report on the effectiveness of the policy be presented to the Planning and Environment Committee in the new year. Council officers will report on the effectiveness of the policy to the April meeting of Committee.

Council’s Heritage Advisory Committee considered the matter on November 17 2005 and subsequently adopted a formal resolution on the issue on 15 December 2005. The members of the Committee further requested that Council be advised in writing of the Heritage Committee’s position in advance of the future Committee paper.

The Heritage Advisory Committee resolved to advise the Planning and Environment Committee that:

The Committee considers that the proposed policy (Policy for Advertising on Tram and Bus Shelters) provides less heritage protection than the Council’s 1991 policy. While that policy needs to be updated and included in the planning scheme, it should not be watered down to accommodate more advertising. The Committee agrees with the Council’s heritage consultants. The proposed policy does not give effect to their advice.

1. There should not be any advertising on shelters in the following locations:

- within a road reservation identified as a Principal Boulevard, as nominated at 2.1.3 in the officers report to the Planning and Environment Committee Report 5 October 2005 as those places identified as a Principal Boulevard in the City of Melbourne Strategy Plan 1985, that is, Royal Parade, Elizabeth Street, Victoria Parade, St Kilda Road, Dynon Road and Flemington Road or an additional place considered by the Committee to be a Principal Boulevard, namely, Peel Street;

- within a Heritage Overlay area;

- adjoining, adjacent or opposite a building graded in Council’s Heritage Places Inventory 2002 or as subsequently amended;

- adjoining, adjacent or opposite a place included in the Victorian Heritage Register or the Register of the National Estate;

- adjoining or adjacent to public open space, including public open recreation areas and parkland;
• adjoining, adjacent or opposite a building, structure or monument planting or place designated by Council to be of cultural heritage significance.

2. The Committee recommends existing advertising on bus and tram shelters that does not meet these criteria should be removed as the opportunity arises.

The Heritage Advisory Committee also resolved that it considers the old (1991) policy should be currently applied, irrespective of the possible outcomes from the review on advertising on bus and tram shelters. However, due to the fact that the old policy is out of date and as agreement has been reached with Yarra Trams on the revised policy as adopted by the Committee on 4th October 2005, this suggestion would be difficult to implement.

A response to the issues raised by the Heritage Advisory Committee will be included in the report to the April Planning and Environment Committee.

John Noonan
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CoM Reference 360897v2

*Heritage Advisory Committee members include representatives from North and West Melbourne Association and Parkville Association – full membership list at DM674623v4.
CITY OF MELBOURNE

HERITAGE ADVISORY COMMITTEE MEETING

Thursday 15 December 2005
1 – 3pm, The Meeting Room, Level 3, Melbourne Town Hall

- MINUTES -

ATTENDING
Rohan Storey – National Trust of Australia (Victoria)
John Dwyer – Independent Landscape Specialist
Kay Thorne – The Parkville Association Inc.
Mary Kehoe – North and West Melbourne Association Inc.
Anne Ritter – Carlton Residents Association Inc.
June Sherwood – Melbourne South Yarra Group
Roy Port – South Yarra Group Inc.
Kaye Oddie – North and West Melbourne Association Inc.
Con Livanos – Acting Manager, Development Planning
Lisa Rogers – City of Melbourne, Development Planning

APOLOGIES
Cr Ng – Chair
Cr Brindley – Deputy Chair
Willys Keeble – Independent Heritage Architect
Kate Prinsley – The Royal Historical Society of Victoria
Sheila Byard – Kensington Association
Mrs Margaret Wood – East Melbourne Group Inc.

1. WELCOME AND INTRODUCTIONS

Members were welcomed and apologies advised. Longstanding Melbourne South Yarra Group representative June Sherwood was presented with a small gift to thank her for her diligent participation and enthusiasm in serving on the Committee.

2. SPECIAL PRESENTATION – HERITAGE HIGHLIGHTS OF THE CBD

Rohan Storey made a powerpoint presentation on heritage highlights of the CBD. Copies of the presentation are available for interested members. Rohan’s presentation was much appreciated.

3. ADVERTISING ON BUS and TRAM SHELTERS and ADOPTION OF PREVIOUS MINUTES.

This matter was referred from previous consideration at the November 17 2005 Heritage Advisory Committee meeting (minutes at DM 3581302). At that meeting, John Noonan, Group Manager, Development Planning, presented to members a matter considered by the Planning and Environment Committee on 4 October 2005 and referred to Council’s Heritage Advisory Committee for advice.

The matter in question was advertising on Bus and Tram Shelters. The Committee considered a draft resolution prepared by member John Dwyer since the last meeting and made a final resolution which was unanimously adopted. This is recorded in the November 17 2005 minutes.
At the November 17 meeting it was proposed that Member John Dwyer would draft a resolution which may be included in the next report to Council on this issue, in response to the Council resolution to seek ‘advice’. Members subsequently considered the matter further and made the following formal resolution. The motion was made by John Dwyer, seconded by Kay Thorne and passed unanimously by the Committee.

The Heritage Advisory Committee resolved to advise the Planning and Environment Committee that:

The Committee considers that the proposed policy (Policy for Advertising on Tram and Bus Shelters) provides less heritage protection than the Council’s 1991 policy. While that policy needs to be updated and included in the planning scheme, it should not be watered down to accommodate more advertising. The Committee agrees with the Council’s heritage consultants. The proposed policy does not give effect to their advice.

1. There should not be any advertising on shelters in the following locations:
   - within a road reservation identified as a Principal Boulevard, as nominated at 2.1.3 in the officers report to the Planning and Environment Committee Report 5 October 2005 as those places identified as a Principal Boulevard in the City of Melbourne Strategy Plan 1985, that is, Royal Parade, Elizabeth Street, Victoria Parade, St Kilda Road, Dynon Road and Flemington Road or an additional place considered by the Committee to be a Principal Boulevard, namely, Peel Street;
   - within a Heritage Overlay area;
   - adjoining, adjacent or opposite a building graded in Council’s Heritage Places Inventory 2002 or as subsequently amended;
   - adjoining, adjacent or opposite a place included in the Victorian Heritage Register or the Register of the National Estate;
   - adjoining or adjacent to public open space, including public open recreation areas and parkland;
   - adjoining, adjacent or opposite a building, structure or monument, planting or place designated by Council to be of cultural heritage significance.

2. The Committee recommends existing advertising on bus and tram shelters that does not meet these criteria should be removed as the opportunity arises.

Lisa advised that this resolution would be included in the subsequent officers report to Council in the new year. Kay Thorne again proposed that the Committee’s written advice be forwarded to members of the Planning and Environment Committee from the Heritage Advisory Committee. This was agreed, the Committee also observed that Council should ensure the current (1991) policy is applied, irrespective of the possible outcomes from a future review and that this statement should be included in the memo to Council. Kaye Oddie asked that the letter not be held over until a meeting of the Planning and Environment Committee sometime next year, but forwarded as soon as the wording is agreed. Lisa undertook to circulate a draft letter (memo) to the HAC for agreement, prior to sending it to the Planning and Environment Committee.

The minutes of the November 17 2005 meeting were adopted.
4. OTHER BUSINESS

Inquiry into Historic Heritage


Members noted that a number of submissions had been made, including, as previously advised, by the City of Melbourne, Australia ICOMOS, the Municipal Association of Victoria, the Victorian Government (including Heritage Victoria), the Heritage Council and the National Trust of Australia. The views of the 191 submitters are published online.


Hard copies of the Productivity Commission Draft report released for consultation may also be obtained from Jill Irvine on (02) 6240 3223. Kaye Oddie requested that the inquiry be added to the agenda of the next Heritage Advisory Committee meeting for discussion.

Key Performance Indicators in the Heritage Advisors Contracts

This matter was referred from previous consideration at the November 17 2005 Heritage Advisory Committee meeting (minutes at DM 3581302). Con Livanos spoke to the matter and advised members that he will distribute a skeleton contract or appropriate draft of the key performance indicators under consideration for members to comment. Members would then have to the end of January to make further specific comments as desired. Con Livanos will also respond to the questions and issues raised by Kay Thorne and Mary Kehoe in relation to his presentation at the last meeting.

Permit Enforcement Issues in North Melbourne

Mary Kehoe raised the matter of heritage guidelines for Errol Street and other Level 1 shopping centres. Mary advised that a ‘metal rollerdoor’ the full width of the shopfront has recently been installed on 25 Errol Street, a D graded building in the street. Mary advised that this follows illegal work on other buildings in the Errol St shopping centre, including the 'A' graded 1-11 and 'B' graded 63 Errol St, part of an 1850s 2 storey shop row, which had been eventually approved at VCAT. The Committee considered that the grading of retrospective permits encouraged a spate of illegal work. The property in question was at 25 Errol Street.

Con Livanos suggested that members are briefed on Councils compliance/enforcement procedures and that the facts relating to 25 Errol Street be reported back to Committee in the new year.

6. DATE OF NEXT MEETING

The meeting was closed at 3.20pm. The schedule of meetings for 2006 will be developed and provided to members.

Should committee members wish to propose items for the agenda, please contact Lisa on 9658 8404 or via e-mail at lisrog@melbourne.vic.gov.au. A final agenda provided one week prior to the next meeting.
Photo 1 - Example of a 4 metre Yarra Trams tram shelter with 2 signage panels
Photo 2 - Example of two 4 metre Yarra Trams tram shelters (Peel Street north of Victoria Street intersection)
Photo 3 - Example of a 8 metre Yarra Trams tram shelter (Collins Street west of Spring Street)
Photo 4 - Example of a 4 metre Yarra Trams tram shelter without advertising (Collins Street between Exhibition and Russell Streets)
Photo 1 - Example of Council tram shelter (south western corner of Swanston and Bourke Streets)
FINANCE ATTACHMENT

REVIEW OF POLICY FOR ADVERTISING ON TRAM AND BUS SHELTERS

Depending on the recommendation adopted by Committee this report could have significant financial implications. If Council wishes to become involved in providing tram and bus shelters in the City of Melbourne, costs could be in the order of $4.2 million for capital costs and $3.2 million per annum for maintenance.

There has been no provision made for the adoption of the advertising policy on tram and bus shelters in the preliminary draft budget 2006/07. Funding of the costs associated with recommendations contained in this report would be subject to the usual budget processes.

Joe Groher
Manager Financial Services
LEGAL ATTACHMENT

REVIEW OF POLICY FOR ADVERTISING ON TRAM AND BUS SHELTERS

The proposed Policy for Advertising on Tram and Bus Shelters updates the current policy informing the processing of planning permit applications for advertising signs made for the purpose of considering permit applications under to Part 4 of the Planning & Environment Act 1987 (“Act”).

Section 60 of the Act provides that before deciding on an application the responsible authority may if the circumstances so require consider:

‘(1A) any other strategic plan, policy statement, code or guideline which has been adopted by...a municipal council;’

Kim Wood
Manager Legal Services