



# City of Gold Coast Draft City Plan 2015

20 August 2014

## Submission from the Outdoor Media Association

### 01 ABOUT THE OUTDOOR MEDIA ASSOCIATION

The Outdoor Media Association (OMA) is the peak national industry body representing most of Australia's Out of Home (OOH) media display and media production companies, as well as some media display asset owners.

Part of the role of the OMA is to develop constructive relationships with State and Local Governments and to contribute to the process of developing policies, laws and regulations for outdoor advertising that are both fair and equitable to governments, the community and the industry.

On behalf of its members, the OMA advocates for planning systems across Australia that deliver the following:

- The recognition of outdoor advertising signage as a legitimate land use;
- The removal of the distinction between 'on-premise' and 'third-party' signage in planning policy and local laws;
- Provision of a set of fair and reasonable development standards that are appropriate for signage land use; and
- Provision for the responsible display of outdoor advertising signage within urban centres and along transport corridors.

OMA members advertise 'third-party' products on billboards, free-standing advertising panels, buses, trams, taxis, pedestrian bridges and street furniture (including bus/tram shelters, public toilets, phone booths and street kiosks). OMA members also display advertisements in bus stations and train stations, at shopping centres, universities and airport precincts.

The OMA does not represent the owners of 'on-premise' advertising on privately owned buildings and land.

## **02 VALUE OF THE INDUSTRY TO THE QUEENSLAND ECONOMY AND COMMUNITY**

Advertising and marketing plays a fundamental economic role in Australian society and in 2013 the OOH industry raised revenue of \$543.8 million, making up approximately 5% of advertising spend in Australia.

The OOH industry also plays a considerable role in the Queensland economy. In 2013, the OMA engaged Deloitte Access Economics<sup>1</sup> to estimate the economic contribution of the OOH industry in Queensland for the calendar year 2012. The Deloitte research found that in Queensland in 2012 the OOH industry:

- Employed 150 full time equivalent staff;
- Raised revenue of \$115 million;
- Made a value added contribution to the Queensland economy of \$42.6 million;
- Contributed an estimated \$10.43 million to the upkeep of public infrastructure; and
- Donated a considerable amount of money and free advertising space to charities and ‘not for profit’ organisations.

The industry provides, maintains and cleans public infrastructure at no cost to local government, including bus shelters, footbridges, public toilets, bicycle stations and park benches.

## **03 CITY OF GOLD COAST DRAFT CITY PLAN**

The OMA has reviewed the City of Gold Coast Draft City Plan 2015 (Draft Plan) and has noted that the Advertising Devices Code, which is currently included within the Gold Coast Planning Scheme 2003 (Part 7, Division 2, Chapter 2) is not included within the new Draft Plan. The absence of an advertising devices code within the Draft Plan will mean that advertising devices will only be assessed under the Subordinate Local Law No 16.8 (Advertising) 2008.

The OMA submit that the removal of the Advertising Devices Code from the Draft Plan is contrary with the advice given in the Sustainable Planning Act 2009 (SPA) Draft Planning Note on Advertising Devices (Refer Attachment 1). The Draft SPA Planning Note states that the planning scheme is the most appropriate regulatory tool for development matters associated with advertising devices, rather than a local law under the *Local Government Act 2009*. Furthermore, it states that when a local government is preparing a SPA planning scheme, or making amendments to a planning scheme, local governments should make changes consistent with the intent of the Draft Planning Note.

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<sup>1</sup> Deloitte Access Economics, Contribution of the Outdoor Media Industry (Queensland), published 2013

The Subordinate Local Law also seeks to regulate the content of ‘third party’ advertising under clause 8 (n) (ii), to advertising that will promote a major tourist attraction. However, the Draft Practice Note clearly states that since the content of advertising is regulated through advertising industry codes, and must not contravene or infringe any laws, content should not be regulated in local law.

This ‘content’ restriction placed in the Local Law is not supported by the OMA. It is important to point out that the issue of ‘content’ is not a planning related matter, but an industry matter. Content is regulated through strict compliance with the standards and codes, administered by the Advertising Standards Bureau (ASB). The role of planners in relation to OOH advertising is not to assess content but to assess the development components of a signage proposal in terms of the sign’s structure (size and height) and also its location.

It is important to bring to Council’s attention the great importance placed by local businesses in Queensland on billboard advertising. It is a highly cost effective advertising media that provides an effective platform for businesses to promote their goods and services to the community as well as the tourist drive market. Bishopp Outdoor Advertising has provided data to support this, with approximately 87% of advertising on Bishopp’s sites in the Gold Coast City area, related to a business or service located within a 20km radius of that billboard.

The OMA believes that ‘on-premise’ advertising and ‘third party’ advertising should not be treated as separate types of development and should be assessed against the same criteria. The use of a separate definition for third party advertising within the Subordinate Local Law or within any Planning Scheme is not supported by the OMA. This is also clarified within the Draft SPA Planning Note which states that the use of ‘sub definitions’ of advertising devices is considered as ‘inappropriate’.

#### **04 ADVERTISING DEVICES CODE**

The OMA submits that the Draft City Plan be amended to include an Advertising Devices Code. The OMA is concerned that the Draft Plan fails to include an Advertising Devices Code, particularly since the current 2003 Planning Scheme includes a code to assess the impact of proposed advertising devices, based on size, location, height and proximity to other signs and structures.

In March 2012 the OMA finalised a ‘*Model Advertising Devices Code*’ specifically for use in the urban areas of Queensland (Refer Attachment 2). The OMA’s ‘*Model Advertising Devices Code*’ could be used by the City of the Gold Coast as the base document for preparing a new Advertising Devices Code for the Draft Plan 2015.

The OMA is aware that there is a concern within the community about the occurrence of an over proliferation of billboard signage on roads and transport corridors. OMA members however, do not want to see a multitude of signs in any one location as this weakens the commercial impact and viability of their signage. The OMA would be pleased to work with Council to discuss guidelines for signage separation on road and transport corridors that could be incorporated within a Planning Scheme Advertising Devices Code.

## 05 DIGITAL SIGNAGE

The Planning Scheme Advertising Devices Code should include performance criteria/outcomes for digital advertising signs, as demonstrated within the OMA's *'Model Advertising Devices Code'*. In the past five years the use of digital rather than static signage has grown across Australia. Currently digital technology makes up 13.9%<sup>2</sup> of total OOH advertising revenue and it will continue to grow. The Queensland Government has worked with the OMA to develop guidelines around digital signage which are included as part of the 'Department of Transport and Main Roads *'Roadside Advertising Guide 2013'*. In addition the largest Queensland Council, Brisbane City Council, has prepared *'Technical Guideline for Advertisements with Illumination &/or Electronic Display Components'*. Digital technology is increasingly being accepted as the new way to advertise given its flexibility, creativity and versatility, and it is important that this is acknowledged within the City of Gold Coast Planning Scheme.

## 06 RECOMMENDATION

The OMA submits that the City of the Gold Coast takes the following matters relating to the OOH industry into consideration in the review of the Draft City Plan 2015:

- The regulation of advertising devices to be considered under the proposed City Plan 2015, rather than under the Subordinate Local Law.
- The inclusion of an Advertising Devices Code within the City Plan 2015, which can be based upon the OMA's *'Model Advertising Devices Code'* for Queensland;
- The recognition of the growth of digital advertising signage and performance criteria for this type of signage to be included within the Advertising Devices Code;
- Not to use 'sub definitions' for advertising devices, such as 'third party' advertising and 'on premise' advertising; and
- Not to regulate the content of advertisements through either the Planning Scheme or Local Laws as this is achieved through industry codes administered by the Advertising Standards Bureau.

## 07 CONCLUSION

Thank you for taking the time to read and consider the OMA's submission, and the OMA hopes that it will be of practical use in the review of the Draft City Plan 2015.

Should you have any questions regarding this submission, please contact the OMA's Senior Policy Adviser, Emma Luttrell on (02) 9357 9900.

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<sup>2</sup> Based on second quarter 2014 revenue figures – Outdoor Media Association

**ATTACHMENT 1**

**Sustainable Planning Act 2009 (SPA) draft Planning Note on Advertising Devices**

**ATTACHMENT 2**

**OMA Model Advertising Devices Code**