



7 March 2017

Review of the Native Vegetation Clearing Regulations
Regulatory Strategy and Design
Department of Environment, Land, Water and Planning
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East Melbourne VIC 8002

nativevegetation.review@delwp.vic.gov.au

Dear Native Vegetation Review Team

**Review of the native vegetation clearing regulations – summary
of proposed amendments to the Victoria Planning Provisions
(VPP) – November 2016**

Submission from the Outdoor Media Association

01 EXECUTIVE SUMMARY

The Outdoor Media Association (OMA) made a submission to the Department of Environment, Land, Water and Planning (DELWP) in May 2016 about the Review of the Native Vegetation Clearing Regulations Consultation Paper. The submission outlined the issues faced by the Outdoor advertising industry with vegetation management around roadside advertising signs. A copy of the submission is attached.

The Outdoor advertising industry is committed to the management and maintenance of vegetation surrounding billboards to maintain clear visibility of the sign face and to protect driver safety. However, OMA members often experience a long timeframe to secure approvals to trim vegetation around advertising signs from local councils.

The OMA's May 2016 submission requested a simplified process for vegetation management around roadside advertising signs, including an amendment to Clause 52.17-7 – Table of Exemptions of the Victoria Planning Provisions (VPP) to allow for the pruning of vegetation obscuring a legally displayed advertising sign. The OMA is disappointed that this change has not been made to the proposed VPP amendment.

02 THE VEGETATION MANAGEMENT ISSUE

Vegetation management around Outdoor advertising signs is an important issue for the OMA in Victoria. If there is no Vegetation Management Plan (VMP) in place when a signage application is approved by the local council, it becomes extremely difficult for members to manage vegetation once grows and impacts upon the visibility of the sign. This is the case for both native and non-native vegetation species. As a result, vegetation grows in front of the sign-face, meaning that the sign's message becomes difficult for drivers to read, which can impact upon driver safety. In addition, the presentation quality and legitimate commercial operation of the sign also becomes compromised.

The OMA's members regularly experience difficulties in applying for permits to trim vegetation from VicRoads and local councils. The OMA therefore, advocates for a simplified process for vegetation management around legal advertising signage. The OMA has made a number of representations over several years to the government on this matter and most recently, in October 2016, met with representatives of VicRoads to attempt to move towards a resolution.

The VicSmart planning permit process has recently been brought to the attention of the OMA and we are now talking with our members to see if VicSmart can be used for applications to prune vegetation around advertising signs.

Vegetation control and maintenance programs are an important part of highway safety practices both within Australia and overseas. Vegetation management is a common practice undertaken by utility industries, including electricity supply companies. The same practice needs to be undertaken by the Outdoor advertising industry, to maintain driver safety, which can be compromised by obscured advertising sign faces.

In America, most states with billboards have laws or regulations designed to control vegetation to protect the visibility of Outdoor advertising structures. The Outdoor Advertising Association of America (OAAA) has produced a best practice guide for vegetation management around Outdoor advertising devices. The OAAA's guide describes the American National Standards Institute (ANSI) approved methods for maintaining vegetation in and around Outdoor advertising devices. In America, most jurisdictions allow for the provision and maintenance of view zones (often referred to as control zones) between the highway and the sign. The view zone must be wide enough to effectively convey the message of the sign to the occupants of passing cars and the protection of view zones from encroachment by trees is essential. The guide includes advice on vegetation management within the view zone, including tree planting, tree pruning and tree removal.

04 RECOMMENDED AMENDMENT TO VICTORIA PLANNING PROVISIONS

The Native Vegetation Clearing Regulations Consultation Paper (April 2016) clarified that the removal of native vegetation is primarily regulated by the Victoria Planning Provisions (VPP). The scope of the Consultation Paper included a review of the VPP including the clauses that set out permit exemptions for the removal of native vegetation.

In our May 2016 letter to DELWP, we suggested that an amendment should be made to VPP Clause 52.17-7 – Table of Exemptions to state that a permit should **not be** required for minor pruning works, where vegetation is growing in front of a legal advertising sign. The suggested amendment is highlighted in red over page:

Amendment - Clause 52.17-7:

“No permit is required to remove, destroy or lop native vegetation to the minimum extent necessary if any of the following apply:”

Lopping and pruning for maintenance	<ul style="list-style-type: none">• Pruning or lopping for maintenance only and no more than 1/3 of the foliage is removed from any individual plant. <p>This exemption does not apply to:</p> <ul style="list-style-type: none">• Pruning or lopping of the trunk of a tree or shrub.• Native vegetation within a road or railway reservation, unless that vegetation obscures the view of a legal sign.
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The OMA is disappointed to see that its recommended amendment to Clause 52.17-7 – Table of Exemptions, has not been made to the proposed VPP amendments (November 2016). There is no change proposed to the exemptions for “Lopping and pruning for maintenance”. The OMA therefore resubmits its May 2016 recommendation to DELWP and respectfully requests that the above amendment (in red font) is made to Clause 52.17-7 of the VPP.

Furthermore the OMA would be pleased to work together with the DELWP and VicRoads to establish parameters for the distance from the sign for which the exemption should apply.

o6 CONCLUSION

The OMA requests that the DELWP reconsiders the OMA’s submission to the native vegetation clearing regulations review process, particularly as the OMA has continued to raise these concerns over a long period of time.

If there is any further information that you require please contact Tess Phillips, General Manager, Government Relations on telephone number 02 9357 9922 or email tess.phillips@oma.org.au.

Yours sincerely



Tess Phillips
General Manager, Government Relations
Encl.

