



Draft Redland City Council Subordinate Local Law No.1.4 (Installation of Advertising Devices) 2017 Submission from the Outdoor Media Association

01 ABOUT THE OUTDOOR MEDIA ASSOCIATION

The Outdoor Media Association (OMA) is pleased to provide comments on the Redland City Council, Draft Subordinate Local Law No.1.4 (Installation of Advertising Devices) 2017 (draft Local Law).

The 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 policy for Outdoor advertising that is both fair and equitable to governments, the industry and the community. The OMA advocates that governments:

- recognise Outdoor advertising signage as a legitimate land use
- provide fair and reasonable development policies for signage land use
- remove planning policy distinction between 'on-premise' and 'third-party' advertising
- recognise the emerging role of digital signage in government policy

OMA members advertise third-party¹ products on digital and static signs across a variety of OOH formats and locations, including, airports, bicycle stations, billboards, buses, bus stations, cafes, doctors' surgeries, free-standing advertisement panels, medical centres, office buildings and lifts, pedestrian bridges, railway stations, shopping centres, taxis, trains, trams, universities and street furniture (bus/tram shelters, public toilets, telephone booths and street kiosks).

The OMA does not represent companies displaying on-premise² advertising signage.

¹ A sign advertising goods and/or services not associated (sold, stored or manufactured) on the site/premise on which the advertising sign is located.

² A sign advertising goods and/or services sold, stored or manufactured on the site/premise on which the advertising sign is located.

02 OMA COMMENTS ON THE DRAFT LOCAL LAW

The OMA has undertaken a detailed review of the draft Local Law and has found that the Council's position towards third party advertising, particularly on billboards, is very restrictive and that there are inconsistencies within the text of the draft Local Law. We will address our comments by referring to each Schedule of the draft Local Law, as follows:

2.1 Schedule 1 Installation of advertising devices

- 2.1.1 Clause 3(c) Documents to accompany an application - It is not possible to supply the details of the name and address of any business which will be advertised on the advertising device for a third party sign. This is because the business name will change depending upon the product advertised at the time.

Recommendation: Amend Clause 3(c) to read the name and address of the owner of the advertising device.

- 2.1.2 Clause 3(7)(b) Documents to accompany an application - As above, it is not possible to provide plans and specifications of the content of a third party sign as the content will change depending upon the product being advertised at the time. In addition, the content of an advertising sign is not regulated by a Local Government Authority (LGA) but through the compliance with the Standards and Codes, administered by the Advertising Standards Board (Ad Board). The role of LGAs in relation to Outdoor 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 its location.

Recommendation: Amend Clause 3(7)(b) to delete the reference to content.

- 2.1.3 Clause 7(1)(2) Term of an approval - There should be some certainty in the draft Local Law over the minimum term of approvals, ideally ten (10) years. The cost of designing, constructing and gaining the approvals for an Outdoor advertising sign is considerable for the industry and there should be some certainty within this Clause about timeframes.

Recommendation: Amend Clause 7(1)(2) to add ten (10) years as the minimum term for approvals.

2.2 Schedule 2 Categories of approval that are non-transferable

Permits for advertising devices should be transferable. In the event of an acquisition or merger of a signage company the ownership of the sign will change and therefore, the permit should be transferrable to the new owner.

Recommendation: Delete Schedule 2.

2.3 Schedule 3 Definitions and prescribed criteria

Billboard sign

- 2.3.1 Clause 5(1) - A billboard sign is defined as a free-standing display surface. Sub-clause (2) effectively makes billboard approvals subject to council discretion, without listing any definitive requirements. This however, completely conflicts with the 'Zone categorization table for advertising

devices' on page 47 of the draft Local Law which appears to prohibit billboard Signs in all zones.

Recommendation: Delete this clause and replace it with the following:

- 1) An acknowledgement that billboards are permitted
- 2) An acknowledgement that each application would be subject to council approval for suitability (based defined controls including design, traffic safety and environmental considerations).
- 3) Deference to general requirements in Schedule 4.

2.3.2 Editing comment - Clause 5 (2)(a) - Should the text 'section 4' be replaced with the text 'Schedule 4'?

Electronic display component – high impact sign

2.3.3 Clause 17 (2)(e) - Luminance means the objective brightness of a surface as measured by a photometre, expressed in candelas per square metre (cd/m²). Levels differ as digital signs will appear brighter when light levels in the area are low. The OMA's best practice guidelines for luminance levels are shown below:

Table 1: OMA Best Practice Guidelines for Luminance Levels

Lighting Condition	Zone 1	Zone 2	Zone 3
Full Sun on Face of Signage	Maximum Output	Maximum Output	Maximum Output
Day Time Luminance	6000-7000 cd/m ²	6000-7000 cd/m ²	6000-7000 cd/m ²
Day Time Luminance Morning and Evening and Twilight and Inclement Weather	1000 cd/m ²	700 cd/m ²	600 cd/m ²
Night Time	500 cd/m ²	350 cd/m ²	300 cd/m ²

Zone 1 covers areas with generally very high off-street ambient lighting, e.g. display centres, central city locations.

Zone 2 covers areas with generally high to medium off-street ambient lighting.

Zone 3 covers areas with generally low levels of off-street ambient lighting e.g. most rural areas, many residential areas.

Recommendation: Change Clause 17(2)(e) to reflect OMA's best practice guidelines for luminance levels.

2.3.4 Clause 17(2)(a) - It is not clear whether this clause is stating the maximum height of this sign type is 7.5m overall or 7.5m between the ground level and the bottom of the sign face. The comment on this clause is also transferrable to Schedule 4, clause 14.

Recommendation: Clarify parameters for measurement of sign height consistently throughout draft a Local Law.

- 2.3.5 Clause 17(2)(f) - Minimum dwell time of 10 seconds for a road speed of less than 80km/h should be adjusted to 8 seconds in line with Brisbane City Council Technical Guideline for Advertisements with Illumination or Electronic Display Components. Section 5.1.

Recommendation: Change minimum dwell time for a road speed of less than 80km/h to 8 seconds.

- 2.3.6 Clause 17 (g) & (h) - The distance requirements are complicated as they are determined by sight lines, which can be perceived differently by different officers. The distance requirements are also different to the Department of Transport and Main Roads (DTMR) and Brisbane City Council Technical Guidelines for Advertisements.

Recommendation: Change distance requirements and make them compatible with those adopted by Brisbane City Council.

- 2.3.7 Clause 17 (2)(i) - Evening/overnight turn off times for signs should be changes from 9:00pm - 6:30am, to 10:00pm - 6:00am in line with Brisbane City Council Technical Guideline for Advertisements with Illumination or Electronic Display Components.

Recommendation: Change evening/overnight turn off times to 10:00pm - 6:00am.

Electronic display component – low impact sign

- 2.3.8 Clause 18(2)(e) - The Disability Discrimination Act (DDA) requires bus shelters to be illuminated at night.

Recommendation: Change Clause 18(2)(e) to reflect OMA's best practice guidelines for luminance levels, as outlined above for Clause 17(2)(e) above.

- 2.3.9 Clause 18(f) - Dwell times.

Recommendation: Same as Clause 1.3.4 above.

- 2.3.10 Clause 18(g) - The Disability Discrimination Act (DDA) requires bus shelters to be illuminated at night.

Recommendation: Same as Clause 1.3.5 above.

Illuminated Signs

- 2.3.11 Clause 24 (2)(a)&(c) and repeated Schedule 4, Clause 17(b) – Comment: The distance criteria for setbacks for illuminated signs from residential zones and intersections seem uncommercial and unreasonable.

Recommendation: Delete Clause 24(2)(a)&(c).

Public Infrastructure Signs

- 2.3.12 Clause 31(2) – Comment: The OMA notes and supports this clause which specifies that a public infrastructure sign may include third party advertising.

Pylon Sign

- 2.3.13 Clause 32(2)(b)–(i) – Comment: It would seem commercially unreasonable for such an exact size to be a requirement for Pylon signs.

Third party advertising sign

- 2.3.14 Clause 42(4) – The intent of this clause is not clear. It appears to be restricting the content of a third party advertising sign on premises other than a road or a public place. As outlined above, sign content is not regulated by a Local Government Authority (LGA), but through compliance with the Standards and Codes, administered by the Advertising Standards Board (Ad Board). The role of LGAs in relation to Outdoor 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 its location.

Recommendation: Delete Clause 42 (4).

- 2.3.15 Clause 42(5)(a) Clarity is required on the definition of a sign, is “1 sign per premise” 1 (one) panel or does it include 2 (two) panels on one structure, i.e. a two-faced sign. The industry requires at least 2 (two) third party panels to be allowed per premises.

Recommendation: Change clause 42(5)(a) to 2 signs per premise.

- 2.3.16 Clause 42 (5)(b)&(c) The development parameters for the height and face area for third party signs are inconsistent with the parameters given within Schedule 4, clauses 13 and 14 for free standing signs. Third party signs are commonly displayed (and referred to as billboards) and a billboard has previously been defined in Clause 42(5), as a free standing sign. The permissible face area for a third party sign should therefore, be at least 22.5m², for a third party sign with a height of 7.5m for consistency. However, current industry requirements for the OMA in the Redland City Council LGA is a billboard face area of 48m².

Recommendation: Change clause 42(5)(b) to a maximum height not greater than 7.5m above ground level and directly below the sign.

Recommendation: Change clause 42(5)(c) to not have a face area more than 48m², or add provision to assess suitability of size of sign on a case by case basis.

2.4 Schedule 4 General criteria for installation, erection and display of advertising devices

- 2.4.1 Clause 4 – As outlined above, the content of an advertising sign is not regulated by a Local Government Authority (LGA) but through the compliance with the Standards and Codes, administered by the Advertising Standards Board (Ad Board). The role of LGAs in relation to Outdoor 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 its location.

Recommendation: Delete clause 4.

- 2.4.2 Clause 12 – This clause and previous Clause 42(5)(a) need to be consistent in definition (see above).

Recommendation: Change Clause 12 to reflect recommended changes to Clause 42(5)(a) above so that a single v-shaped advertising device is classed as 1(one) advertising sign.

- 2.4.3 Clause 13 – This clause and previous Clause 42(5)(c) need to be consistent in definition (see above).
Recommendation: Change Clause 13 to have a face area not more than 48m², or add provision to assess suitability of size of sign on a case by case basis.
- 2.4.4 Clause 14 - This clause and previous Clause 42(5)(b) need to be consistent in definition (see above).
Recommendation: Change Clause 14 to a maximum height not greater than 7.5 m above ground level and directly below the sign.
- 2.4.5 Clause 15 – This clause states that an advertising device must not have moving and rotating parts, flashing, chasing, scrolling or the like display. This is not consistent with the mechanism used to scroll static advertisements in bus shelters, which are static for seven (7) seconds and then scroll for two (2) seconds.
Recommendation: Change Clause 15 to allow for scrolling advertisements in a public infrastructure sign, including a bus shelter.
- 2.4.6 Clause 17(b) (also Schedule 3, Clause 1.3.12) – The distance criteria for setbacks for illuminated signs from residential zones and intersections seem uncommercial and unreasonable.
Recommendation: Amend wording for Clause 17(b) to request Traffic Engineering report if within these distances.
- 2.4.7 Clauses 18(a)(d)(e)&(f) - The location criteria for setbacks for advertising devices is too prescriptive.
Recommendation: Amend wording for Clauses 18(a)(d)(e)&(f) to request Traffic Engineering report if within these distances.
- 2.4.8 Table for zone categorisation for advertising devices (page 47) – The prohibition of billboard signs is unreasonable and is inconsistent with provisions of Schedule 3, Clause 5 for Billboard sign. It is also inconsistent with the zone categorisation provisions for Third Party in the same table which allow Third Party advertising devices in all zones with consent. Third party advertising devices are frequently billboards so the zone categorisations for the two types of sign are not compatible.
Recommendation: Change symbol 'X' to 'O' for 'billboard sign' in Industrial and Commercial centres. This will be consistent with the zone allowance for 'electronic display component - high impact' and in part with the zone allowance for 'third party advertising sign'.

03 THE CONTRIBUTION OF THE OUT OF HOME INDUSTRY TO THE ECONOMY AND COMMUNITY IN QUEENSLAND

OMA members make significant economic contributions to government and the community:

- o Each year OOH contributes close to \$647 million to Australia's GDP and supports 3,100 jobs³.
- o Most OMA members are Australian owned and operated, with profits going back to the Australian economy.
- o The industry provides a revenue stream to government, returning \$1 in every \$2 of revenue in rent and taxes.
- o In 2015, OMA members donated \$34 million across 160 charities.
- o The industry delivers essential services and savings; OOH built and maintains \$352 million of public infrastructure.
- o The 17,664 pieces of public infrastructure delivered by OOH make our cities more user-friendly – the industry is investing in innovation and providing digital utility such as Wi-Fi and wayfinding services.
- o The OMA's members operate a gold standard of safe and well-designed signs, which only display appropriate advertising content that complies with the self-regulatory codes such as the Australian Association of National Advertisers (AANA) Code of Ethics and the Alcohol Beverages Advertising Code (ABAC).

Local businesses in Queensland place great importance on billboard advertising. It is a highly cost effective advertising medium that provides an effective platform for businesses to promote their goods and services to the community as well as the tourist drive market. The OMA considers that these positive outcomes for small business owners would not be achieved through the utilisation of other less targeted, higher cost advertising mediums.

The OOH industry in Queensland differs from other states in that there are more independent members working in a range of different regional and metropolitan areas. Queensland has a much higher rate of local or regional advertising campaigns compared to other states. This indicates that Outdoor advertising has a considerable positive impact for local business owners and operators in the state.

OMA members place a significant level of attention and investment in the development and presentation of billboards. Once a site is selected the industry liaises closely with all stakeholders from planning through to engineering to ensure the sign is well designed and meets Australian Standards.

Outdoor advertising is also widely used by government bodies to advertise community messages such as road safety messages and health awareness campaigns. In 2015, the Queensland Government was among the top twenty advertisers using Outdoor advertising, with a total spend of \$7.4 million on OOH advertising⁴.

³ Deloitte Access Economics 2016, Out-of-Home Adds Value. All figures, unless referenced are from this report.

⁴ Nielsen

04 FINAL COMMENTS

There is sometimes a misunderstanding that the industry seeks to build the largest signs possible. This is not the case. Larger signs require higher construction costs for the industry and may not be right in every location. The size of the sign is generally based on several factors such as road size, road category and speed limit. Main arterial roads or major highways sometimes need a larger sign to convey an advertising message, whereas smaller roads and streets can often utilise a sign which is smaller in size.

The architectural integration of an Outdoor advertising sign within the urban fabric or within its non-urban setting is also a key consideration for our members. In addition, if the sign is digital it can also be used to positively contribute to the community by providing wi-fi hubs, interactive screens, within the urban setting, and information alerts and emergency messaging in any location.

There is also a common misconception that the industry aims to develop large numbers of advertising signs leading to proliferation of billboards along transport corridors. In fact, proliferation of signs is not an advantage for the industry as it reduces their commercial value, impact and viability.

05 CONCLUSION

The OMA would be very pleased to meet with the Council to explain the nature of its business and the general provisions it requires to continue to operate successfully and allow it to 'give back' to governments and the community

Thank you for considering the OMA's submission, and we trust that it will be of practical use in the review of the Draft Local Law.

Should you have any questions regarding this submission, please contact the OMA's Acting Chief Executive Officer, Tess Phillips, on (02) 9357 9900.

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