



21 March 2016

Chief Executive Officer
City of Bunbury
PO Box 21
BUNBURY WA 6231

records@bunbury.wa.gov.au
nhribar@bunbury.wa.gov.au

Dear Mr Brien

OMA Submission: Draft Local Planning Policy: Signage and Advertisements (Illuminated Signs)

Introduction

The Outdoor Media Association (OMA) is pleased to be invited to comment on the City of Bunbury Draft Local Planning Policy on Signage and Advertisements (Illuminated Signs). The OMA has spoken broadly with Mr Thor Farnworth, Manager Sustainability, Planning and Development about the role of the OMA and the content of this submission. A key role of the OMA is to participate in processes to develop policies for outdoor advertising that are fair and equitable to governments, the community and the industry.

Background

The OMA is the peak national industry body representing 90% of Australia's Out of Home (OOH) media display and media production companies, as well as some media display asset owners. The OMA's current media display members are:

- Adshel
- APN Outdoor
- Bailey Outdoor
- Bishopp Outdoor Advertising
- Executive Channel Network
- goa Billboards
- Independent Outdoor Media
- JCDecaux
- Metrospace Outdoor Advertising
- oOh!media
- Outdoor Systems
- Paradise Outdoor Advertising
- QMS Australia
- ROVA Media
- TAYCO Outdoor Advertising
- Tonic Health Media
- TorchMedia

OMA members display advertisements 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.

Economic and Community Benefit of OOH

Advertising and marketing play a fundamental role in the Australian economy, contributing \$7.2 billion a year in revenue to the national economy and employing 183,270 people throughout its industries.¹ In 2014, the OOH industry experienced unprecedented growth, posting a 10% overall increase on net revenue, taking the industry's net revenue to \$602.1 million, from \$547.6 million in 2013. In 2014 OOH contributed to just over 5% of the advertising spend in Australia².

In Australia, the OOH industry contributes over 17,000 items of infrastructure to the community, including pedestrian bridges, bus shelters, kiosks, phones, park benches and bicycles. The replacement value of these items to date is approximately \$275 million. Government and superannuation funds also profit from OOH through rents paid on leasing inventory stock from roads, railways and buildings.

The OOH industry plays an important role in promoting the arts, sports and charitable organisations. In 2014, OMA members donated over \$22 million worth of advertising space to community campaigns. The Outdoor industry is very aware of its responsibility to the community. In 2014, the industry's investment into building infrastructure, as well as donating advertising space to not-for-profit organisations, amounted to approximately \$1 in \$5 of revenue.

Draft Local Planning Policy: Summary of issues

The OMA congratulates the Council for developing the Draft Local Planning Policy: Signage and Advertisements (Draft Policy). We have read and reviewed the document and would like to raise the following issues for consideration:

1. Third-Party Signs

The OMA has noted the Council's definition of a third-party sign provided on page 7 of the Draft Policy and agrees that this is an accurate definition. The OMA however, is concerned about the restrictive nature of Clause 8.4 of the Draft Policy which states that third party signs are prohibited within the Local Planning Policy Area, unless located within the City Centre Zone Signage Control Area, as shown on Map 2 (page 41). The City Centre Zone Signage Control Area covers only a small area of approximately 1.4 km by 0.6 km. This Policy is reinforced within Clause 8.5 which states that "*Third party signs and advertisements may only be located within the City Centre Zone Signage Control Area*".

The OMA does not support the restriction of the display of third-party signage to such a limited area within the City. The OMA advocates for planning systems across Australia that recognise outdoor third party advertising signage as a legitimate land use. There is no rationale for the distinction between 'on-premise' and third-party signage in planning policy.

Restricting third party signage to the City Centre limits the opportunity for the industry to have a successful commercial presence within the City of Bunbury and also limits the opportunity for the 'spin-off' economic and community benefits associated with signage outlined above.

¹ Valuing Australia's Creative Industries, Creative Industries Innovation Centre December 2013

² Commercial Economic Advisory Service of Australia (CEASA)

The OMA's members seek a set of fair and reasonable development standards that are appropriate for signage land use. These standards should also provide for the responsible display of outdoor advertising signage within city centre, industrial, commercial, some mixed-use zones and along transport corridors.

2. Time Limit for Third-Party Signs

The OMA is unable to support Clause 8.5.4 of the Draft Policy which imposes a time limit of up to twelve (12) months on development permits for third-party signs.

Due to the high costs involved in the planning, design and installation of outdoor advertising signage it is not reasonable to expect our members to develop a sign that has such a limited lifespan. As with any organisation, there is a need for certainty in a project before an investment is made. Receiving a development permit for 12 months only (with the possibility of an extension) is not a viable commercial option for the industry.

3. Content

Clause 8.7 of the Draft Policy correctly notes that an advertisement's content is not a concern of local government in the consideration of an application for planning approval. The Draft Policy clarifies that matters concerning the content of advertisements are the responsibility of the Advertising Standards Board (ASB). The OMA confirms that content is regulated through strict compliance with the standards and codes administered by the ASB.

With the above information in mind, statements do appear in the Draft Policy which have the effect of restricting content, as follows:

- Clause 8.5.2 states that third party signs and advertisements “...*must not extend beyond the podium level ..., unless the sign or advertisement provides benefit to the City of Bunbury in terms of promoting the City as an investment, business and lifestyle destination as the regional capital of the South West, at the discretion of the local government.*”
- Clause 8.7 states that the content is considered when assessing proposals “... *with regard to potentially offensive or discriminatory advertising material.*”
- Clause 8.13.2 states that the assessment of an application for planning approval for a sign or advertisement by local government is to determine the combined total impact of the proposal, which is determined from a consideration of the “...*content of the sign or advertisement*”.

The OMA submits that any reference to control over content within the Draft Policy, including the examples above, should be removed.

4. Maximum Luminance Levels

The maximum luminance levels of an illuminated sign or advertisement presented within Clause 8.11.1 and Table 1 (page 13) of the Draft Policy do not meet the industry standard of the OMA's members. The maximum permitted luminance levels included in the Draft Policy fall short of the industry's requirements, which are presented in the Table over page.

OMA LUMINANCE LEVELS FOR DIGITAL SIGNS

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.

The Draft Policy has maximum luminance levels for all zones equivalent to the OMA's night-time luminance levels. Night-time luminance levels will have the effect of signage that is illegible in the face of full sunlight. This is a road safety concern. Luminance levels for digital billboards can be adjusted in response to changes in surrounding light levels so that the signs are not unreasonably bright. Digital billboards are equipped with sensors to make sure the billboards are only as bright as necessary to be legible.

The OMA has developed the best practice guidance for luminance levels in conjunction with an industry luminance expert, which is appropriate for different areas and times.

5. Dwell Time

OMA members display static advertisements in digital format which change with no blank screens between messages. In keeping with Clause 8.12.5 (page 15) transitional effects such as 'fade', 'zoom' 'fly-in/out' and scrolling effects are not used. The OMA supports instantaneous transition from one message to the next avoiding transition effects – approximately 0.1 seconds.

The data presented within Clause 8.12.5, Table 2 of the Draft Policy does not however, meet the dwell times required by OMA members. The OMA advocates for a 6-8 second dwell time in all speed zones and this standard is based upon international best practice.

The data presented in the Draft Plan proposes a dwell times ranging from 45 seconds for roads with a speed of less than 50 km/hour to 25 seconds for roads with a speed limit of 90 km/hour and greater.

Current dwell times in Queensland are 10 seconds for road with speed limits below 80km per hour and 25 seconds for road speeds 80km per hour and above³.

³ Queensland Department of Transport and Main Roads, Roadside Advertising Guide (August 2013), Appendix N: Supplementary Guideline for the Management of Electronic Billboard Advertising Devices

6. Road Safety

Overall, the OMA supports the proposed road safety controls relating to signage outlined in clause 8.12.9 of the Draft Policy. The OMA however, cannot support Note: 1. on page 18 which reads as follows:

“The applicant / owner of an animated or digital format sign or advertisement is to provide the City of Bunbury with indemnity from prosecution and exemption from any legal liability resulting from claims due to driver distraction that may be caused by the sign, with the applicant / owner of the sign accepting all responsibility for any such claims.”

OMA members cannot be expected to agree to the inclusion of this clause. There is no data provided by Council to demonstrate that crashes are caused by driver distraction around advertisements. Furthermore, an accident in the vicinity of a sign could be caused by a range of other factors including poor driving practices and driver / pedestrian inattention. It is part of the development assessment process to determine whether a sign is in a safe location and the liability factor should not be placed upon the owner / operator of the sign.

There are many controls factored into the Council’s assessment process to assess whether the Council will approve an application for an advertising sign. Clause 11 of the Draft Policy covers the detailed assessment criteria to be addressed by a consultant as part of a development impact statement for an ‘impact assessable’ sign application. In addition, Clause 12 covers the requirements for a ‘road safety audit’ which must be undertaken for an animated or digital format sign or advertisement within 50 metres of traffic signals or a road intersection.

7. Assessment Categories for Signs and Advertisements

The OMA has noted that the Council is proposing different assessment categories for different types of signs and advertisements, with the most straightforward assessment category being ‘code assessable’. In regard to this, the OMA submits that some of the most contentious types of signage are included on the ‘code assessable’ list, including:

- Changeable message sign
- Electronic graphic display screen – small
- Mobile sign

These types on ‘on-premise’ business signs and mobile advertising signs often generate complaints from the community and have a negative impact on the image of the industry. Therefore, it is not clear why digital OOH is impact assessable in comparison.

8. Table 5: Standard design requirements for signs and advertisements

The OMA has reviewed Table 5 (pages 42 to 59): Standard Design Requirements for Signs and Advertisements and fully supports the clarification and detail that this table provides for sign developers.

The OMA has reviewed Table 5: Standard Design Requirements for Signs and Advertisements and has compared this with the OMA’s ‘Model Code for Advertising Devices’. The key areas of difference are shown over page.

'Billboard sign - large'

The OMA requires a maximum sign face area for freestanding advertising devices (static and electronic display) of 48m² in CBD, Industrial, Rural and Commercial Zones. The maximum sign face area in Table 5 is only 36m² (large billboard) and 20m² (Electronic graphic display screen – large).

The OMA requires a billboard height of up to 15m from finished road level, whereas Table 5 states the maximum height above the ground should not exceed 8.5m (large billboard), 10m (small billboard) and 12m (Electronic graphic display screen – large).

'Electronic Graphic Display Screen – large'

The significant variations between the luminance and dwell times for electronic display screens for the OMA and the Draft Policy are outlined in sections 4 and 5 above.

Wall Sign

OMA members display third-party advertising on wall signs and do not support the Table 5 clause restricting wall signs to only display the name, logo or slogan of the business premise to which the sign is applied.

The OMA requires a maximum sign face area for a wall sign of 48m² (but not covering more than 50% of the total surface area of the wall). The maximum sign face area in Table 5 is only 36m².

9. Digital Advertising Signs

The City of Bunbury has embraced digital signage within the Draft Policy and the OMA is supportive of this. The industry is increasingly transitioning from displaying static advertising posters to displaying digital inventory. There is an opportunity for the OOH industry to positively contribute to the operation of cities through digital technology, while also providing an opportunity to make cities and towns vibrant.

10. OMA Model Codes for Advertising Devices

The OMA is currently developing a 'Model Advertising Device Code' for local governments in Western Australia to use when preparing advertising and signage policy for local plans. The OMA will be undertaking consultation with its members on the Draft Code in coming weeks and would also like to invite the City of Bunbury to comment on the Code. A copy of the Draft Code will be forwarded to you as part of the consultation process.

Thank you for the time that you have taken to review this submission. Should you wish to discuss any of the issues raised in more detail, please contact me on 02 9357 9900 or tess.phillips@oma.org.au.

Yours sincerely



Tess Phillips
Senior Policy Adviser