



12 May 2016

Review of the Native Vegetation Clearing Regulations  
Regulatory Strategy and Design  
Department of Environment, Land, Water and Planning  
PO Box 500  
East Melbourne VIC 8002

Kate.Adamson@delwp.vic.gov.au

Dear Kate

## **Review of the Native Vegetation Clearing Regulations Consultation Paper – April 2016**

### **Submission from the Outdoor Media Association**

#### **01 EXECUTIVE SUMMARY**

The purpose of this submission is to provide an introduction to the Outdoor Media Association (OMA) and to outline the issues faced by the Out-of-Home (OOH) advertising industry with vegetation management around roadside advertising signs in Victoria.

Vegetation control and maintenance of both native and non-native species is an important part of highway safety programs undertaken by business. The OOH industry is also committed to the management and maintenance of vegetation surrounding billboards to ensure driver safety and to maintain the quality of presentation and commercial integrity of advertising signs.

OMA members can experience difficulties in securing approvals to trim vegetation around advertising signs from both VicRoads and local councils. In order to trim vegetation, members must first apply for a planning permit. Unfortunately, this can be a lengthy process due to jurisdictional issues between VicRoads and local councils.

The OMA advocates for a simplified process for native and non-native vegetation management around roadside advertising signs, including an amendment to Clause 52.17-7 – Table of Exemptions of the Victoria Planning Provisions (VPPs) – to ensure that where vegetation grows in front of a legal, permitted sign, pruning of vegetation can occur in a straightforward approval process.

## **02 OUTDOOR MEDIA ASSOCIATION**

The Outdoor Media Association (OMA) is pleased to participate in the Review of the Native Vegetation Clearing Regulations Consultation Paper (Consultation Paper). The OMA has a long history of engagement with the Victorian Government in relation to planning policy for advertising signage and also regarding vegetation management around outdoor advertising signs. Most recently, the OMA has made a submission to the DELWP's 'Plan Melbourne Refresh' project (refer Attachment 1) and to the City of Melbourne's 'Future Melbourne 2026' plan (refer Attachment 2).

The Outdoor Media Association (OMA) is the peak national industry body representing 90% of Australia's Out of Home media display and media production companies, as well as media display asset owners. Part of the role of the OMA is to develop constructive relationships with federal, 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 all stakeholders.

Outdoor advertising is a cost effective way for organisations and businesses to advertise their products, services and events, while also being a key channel for government bodies to engage with the community.

Advertising and marketing play a fundamental economic role in Australian society and in 2015 the OOH industry raised revenue of \$677.8 million, making up over 5%<sup>1</sup> of advertising spend in Australia.

The OOH industry also gives back to the community. Across Australia, the OOH industry contributes more than 17,000 items of community infrastructure, including pedestrian walkways, bus shelters, kiosks, telephones, park benches and bicycles valued at approximately \$275 million. The industry contributes \$250 million GDP each year to the economy and directly employs more than 750 people. Government and superannuation funds profit from OOH through rents paid on leasing signs, stock from roads, railways and bridges.

In addition, the OOH industry also plays an important role in promoting the arts, sports and charitable organisations and in 2015 donated approximately \$34 million of advertising space to community campaigns.

## **03 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 in place when a signage application is approved by Council, it becomes extremely difficult for members to manage any surrounding vegetation once it encroaches on 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 legibility of the signs becomes difficult for drivers to read, presenting driver safety issues. In addition, the presentation quality and commercial viability of the sign also becomes compromised.

The OMA has made a number of representations to the Victorian Government on this matter. Most recently the OMA sent an email to Peter Keogh, Chief of Staff for Hon Richard Wynne, Minister for Planning, to reconfirm its ongoing concerns regarding vegetation management.

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<sup>1</sup> Commercial Economic Advisory Service of Australia (CEASA) 2016

OMA members have experienced difficulties in applying for permits to trim vegetation from both VicRoads and various local councils. As such, the OMA advocates for a simplified process for vegetation management around its legal advertising signage.

Vegetation control and maintenance policy is an important part of highway safety programs both within Australia and overseas. Vegetation management is a common practice by utility industries, including electricity supply companies. The same practice applies to outdoor advertising companies, for the sake of driver safety by maintaining sign visibility.

In America, for example, 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 (refer Attachment 3).

The OAAA best practice 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 considered to be essential. The best practice guide includes advice on vegetation management within the view zone, including tree planting, tree pruning and tree removal.

#### 04 RECOMMENDATION

Section II. Review Scope of the Consultation Paper clarifies that the removal of native vegetation is primarily regulated by the Victoria Planning Provisions (VPPs) that sit under the Planning and Environment Act 1987. The Consultation Paper outlines that the review will consider several components of the VPPs, including the interaction between Clauses 52.16 and 52.17 and overlays that include a permit requirement to remove native vegetation.

The OMA proposes that a small amendment could be made to Clause 52.17-7 – Table of Exemptions to the VPPs to stipulate that where vegetation grows in front of a legal sign, a permit should **not be** required to undertake minor pruning to ensure legibility. The addition is highlighted in red below:

Clause 52.17-7 states that:

*“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"> <li>Pruning or lopping for maintenance only and no more than 1/3 of the foliage is removed from any individual plant.</li> </ul> <p>This exemption does not apply to:</p> <ul style="list-style-type: none"> <li>Pruning or lopping of the trunk of a tree or shrub.</li> <li>Native vegetation within a road or railway reservation, <b>unless that vegetation obscures the view of a legal sign.</b></li> </ul>
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The OMA is happy to work together with the DELWP and VicRoads to establish parameters for the distance from the sign for which the exemption should apply.

## 05 CONCLUSION

The OMA requests that the DELWP considers this submission to the review process, particularly as the OMA's concerns have been raised over a number of years.

If there is any further information that you require please do not hesitate to contact Tess Phillips, Senior Policy Adviser on telephone number 02 9357 9922 or email [tess.phillips@oma.org.au](mailto:tess.phillips@oma.org.au).

Yours sincerely



**Tess Phillips**  
Senior Policy Adviser

Encl.

## **Attachment 1:**

# **OMA Submission - Plan Melbourne Refresh**

**Attachment 2:**  
**OMA Submission – Future Melbourne 2026**

## **Attachment 3:**

### **Outdoor Advertising Association of America**

#### **'Vegetation Management around Outdoor Advertising Facilities'**

