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## **OMA Submission: ACT Planning & Land Authority – Signs General Code March 2008**

Dear Alix

### **Executive Summary**

The OMA appreciates being invited to comment on the ACT Planning and Land Authority Signs General Code – March 2008. As the peak body representing 90% of Australia's Out-of-Home media display companies and production facilities, the OMA works to develop constructive relationships with governments to facilitate better policy outcomes. The OMA has reviewed the Signs General Code in its current form and has found that it does not meet the industry's requirements. This is because the Signs General Code virtually prohibits third-party advertising. The OMA recommends that the Code is amended to become more future-focussed allowing for the consideration and approval of innovative signage types. This is especially important as our cities embrace principles of connectivity which can be facilitated by using smart city technology.

### **Introduction**

Thank you for inviting the Outdoor Media Association (OMA) to comment on the ACT Planning & Land Authority Signs General Code – March 2008 (Signs General Code). As the peak industry body representing 90% of Australia's Out-of-Home (OOH) media display companies and production facilities, the OMA is an important partner in discussions regarding regulations that apply to the industry.

### **Background**

Advertising and marketing play a fundamental role in the Australian economy, and are significant drivers of economic growth, contributing some \$40 billion of value in 2014. This means that advertising is responsible for driving approximately 2.5% of Gross Domestic Product. For every person directly employed by advertising another three people are reliant upon advertising for their jobs. There are over 200,000 people in Australia employed due to advertising.<sup>1</sup>

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<sup>1</sup> 2016, Deloitte Access Economics, *Advertising Pays - The economic employment and*

The OMA is the peak national industry body for the Outdoor advertising industry. Part of the role of the OMA is to develop constructive relationships with governments and stakeholders to facilitate better policy outcomes. The OMA advocates for regulation that is fair and equitable for governments, the community and the OOH industry.

OMA media display members advertise third-party products on both 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, trams, universities and street furniture (bus/tram shelters, public toilets, telephone booths and kiosks).

The OMA's current media display members are:

ADLED Advertising	oOh!media
Adshel	Outdoor Systems
APN Outdoor	Paradise Outdoor Advertising
Bailey Outdoor	QMS Media
Bishopp Outdoor Advertising	TAYCO Outdoor Advertising
Executive Channel Network	Tonic Health Media
goa Billboards	TorchMedia
JCDecaux	

OMA members also play an important role in supporting the arts, sports and charitable organisations and OOH is widely used by government bodies to advertise community messages such as road safety alerts and health awareness campaigns. In 2015, the industry donated advertising space valued at more than \$34 million to more than 160 charitable and community campaigns.

The industry also provides over 17,600 items of infrastructure to the community across Australia, including pedestrian bridges, bus shelters, kiosks, telephone booths, park benches and bicycles. Total replacement value for this infrastructure was estimated at around \$352 million in December 2014.<sup>2</sup>

### **Model Advertising Device Codes**

The OMA has developed a series of Model Advertising Device Codes for governments to use when preparing advertising and signage policies. The Model Codes will provide a set of practical and effective planning controls for governments to use when assessing development applications for advertising devices. Overall the Model Codes aim to balance industry requirements with best practice standards for placement, design and utility outcomes for governments and the community.

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*business value of advertising.*

<sup>2</sup> 2016 Deloitte Access Economics, *Out-of-Home Adds Value: Out-of-Home Advertising in the Australian economy.*

The OMA understands that the Directorate is planning to review the Signs General Code. The OMA has prepared a Model Advertising Device Code (Model Code) for the ACT and a copy is enclosed.

### **ACT Planning & Land Authority Signs General Code**

The OMA is pleased that the ‘Intent’ of the Signs General Code is generally consistent with the overall outcomes sought for advertising devices within the OMA’s Model Code. The overall outcomes of the Model Code are, as follows:

<b>CHARACTER, AMENITY AND VIEW CORRIDORS</b>
To promote innovative, unique and creative signs that contribute positively to the character and vibrancy of the council area and integrate well with local buildings, streetscapes, the urban skyline and also the natural setting if placed within a rural zone.
Advertising devices should be compatible with the existing or proposed streetscape, present a visually attractive appearance and provide for a functional purpose in public spaces.
Where placed on buildings, advertising devices should be compatible with the design of the building and with the type, nature and scale of development within the locality.
Advertising devices should not compromise access to key vistas and view corridors or excessively block sunlight and breeze flows.
Newly placed advertising devices should not unreasonably obstruct existing advertising devices that are lawfully installed.
<b>CHARACTER AND AREAS OF HERITAGE SIGNIFICANCE</b>
If the advertising device is located in an area of heritage significance its design should be sensitive to the heritage features of the building or place.
<b>HEALTH AND SAFETY</b>
Advertising devices, even if for a temporary use, must be safely secured and not pose a physical hazard or obstruction to motorists, pedestrians, cyclists or residents. Agreements should be in place to manage and maintain vegetation around advertising devices for visual amenity purposes and driver safety purposes, including tree trimming.

The Model Code also has economic and community outcomes to ensure that advertising devices cater for the needs of local and national businesses and government. Advertising devices can provide a communication platform to share information about brands, products and services with the public. In this way, advertising signage drives competition and is an important source of information for the community.

Generally, the OOH industry relies on the provision of planning policy which allows for the display of third-party advertisements on the following types of signage structures:

1. Billboard Signs
2. Roof Signs
3. Wall Signs
4. Street Furniture including Bus Shelters

The current ACT Signs General Code does not make provision for all of the signage structure types required by the OOH industry and makes only limited provision for third-party signage structures, as follows:

1. Clause 1.1 – Permissible Signs, together with Table 1 makes some provision for Roof Signs and Wall Signs in all zones, but no provision for Freestanding Billboard Signs or Bus Shelter/Street Furniture Signs. It is understood however, that bus shelters and street furniture signs may be regulated under other ACT legislation.
2. Clause 1.2 – Content of Sign, together with Table 2, prohibits third-party signage in all planning zones, with one exception. The one exception is for limited third-party signage at ground floor level in Commercial and Industrial Zones. The sign size can be no greater than 2 square metres.
3. Clause 2.27 – Wall Signs has restrictions about both the position and size of the sign. The maximum size is restricted to 20% of wall space or 6 square metres, whichever is the lesser, in addition to the third-party content restriction.

The restriction on third-party signage is a concern for the OMA as the careful planning and placement of advertising signage can contribute to the connectivity of cities and create a sense of place. This is especially important as our cities move towards global city status and embrace smart city technology.

### **Digital Signage**

The OMA is pleased that the General Sign Code makes broad provisions for illuminated signage within Criteria C4, which is a qualitative control. The OMA recommends that provisions for illuminated signage be extended to include digital signage to meet the digital age that we are in. Within the past five years the use of digital signage has grown rapidly across Australia, and currently digital technology makes up nearly 40% of total OOH advertising revenue.<sup>3</sup>

The OMA recommends that the ACT Signs General Code should include performance criteria/outcomes for digital advertising signs. An example of how this can be achieved is set out within the OMA's Model Code. Digital technology allows one sign to play the role of many, and offers immediacy, flexibility and utility to the OOH channel. These positives can be accessed by businesses, governments and community organisations alike. The OOH industry is investing in innovative new technologies that benefit the community as a whole, for example, across Australia OMA members have developed at least 572 Wi-Fi hubs.

The OMA also supports the use of renewable energy sources to power digital signs.

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<sup>3</sup> Source OMA: Based on digital Out-of-Home (OOH) as a percentage of total OOH revenue at October 2016

## Driver Behaviour

The OMA notes that Clause 3.1 – Traffic Safety of the Signs General Code (refer R132) includes provisions for sign construction and traffic safety. The OOH industry is committed to road safety and is available to collaborate with governments about road safety around advertising signs.

The OMA has undertaken unique research which looked at the behaviour of drivers around roadside digital, roadside static and on premise signage. The research found that driver attention is not unreasonably diverted away from the road if roadside advertising is present.

Key findings of the research were as follows:

1. People spend the same amount of time (average 78%) with their eyes on the road whether in the presence of digital, static or on premise signs. This is the same percentage reported by other studies even when there are no signs around.
2. Less than 1% of all looks (fixations) towards advertising signage was over 750 milliseconds, the safe time required to perceive and react to an unexpected event.
3. Drivers maintain the same safe average vehicle headway, (distance between their car and car in front) of 1.85 seconds in the presence of all three signage types. This is within the preferred safe headway of most drivers.
4. There may be some increase in lane deviation in the presence of different signage types but not enough to cause a single lane departure.

The OMA has produced a video of the results of the driver behavior research and this can be viewed on our website at the link below:

<http://www.oma.org.au/regulation-and-community/driver-behaviour>

Thank you for the time that you have taken to review this submission. I am looking forward to meeting you and your colleagues on Thursday 8 December at 9.00am at your offices. At the meeting I will be able to discuss the OMA's comments on the General Signs Code, the OMA Model Code and the driver behaviour research in more detail

To provide some further background to the OMA, I am enclosing a copy of our Annual Report 2015 and a copy of Open <sup>2</sup>, which is a book published by the OMA to provide information about the industry and to showcase examples of creativity in outdoor advertising campaigns.

Yours sincerely



Tess Phillips  
**General Manager,  
Government Relations**

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