



## Outdoor Media Association

24 November 2017

# Submission to ‘Reforming the Victoria Planning Provisions – A Discussion Paper (October 2017)’

### INTRODUCTION

The Outdoor Media Association (OMA) is the peak national industry body representing most of Australia’s Out of Home (OOH) media display companies and production facilities, as well as some media display asset owners.

As a key stakeholder in any signage regulation across Australia, the OMA was concerned at the lack of consultation on the proposed changes to the Victoria Planning Provisions (VPP) Advertising Signage Policy.

The OMA is supportive of a review of the existing Advertising Signage Policy to improve outcomes for stakeholders and streamline planning processes. While we understand a new policy has been drafted and is to be gazetted by mid December 2017, we are yet to see this policy. As the peak body representing the OOH industry, the OMA urges the Department of Environment, Land, Water & Planning to provide the draft Advertising Signage Policy to the OMA for its review and commentary prior to public consultation.

The role of the OMA is to develop constructive relationships with Federal, State and Local Governments with the aim of ensuring that new laws and regulations for outdoor advertising are fair and evidence based.

The OMA supports the planning reform process that enables outdoor advertising to remain a vibrant part of the community. Outdoor advertising is a \$789.5 million-dollar industry in Australia, and supports state and local governments in providing and maintaining public infrastructure, including pedestrian bridges, bus shelters, kiosks, bins and public toilets. Across Australia the replacement value of this infrastructure is valued at \$352 million.<sup>1</sup>

Outdoor advertising is used by many businesses in Australia, with a range of clients from small organisations through to established multi-national companies. The benefits of advertising also have a knock-on effect for employment extending beyond consumers and brand owners, to manufacturers, retailers, suppliers, printers, production houses and many

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<sup>1</sup> *Signs of Growth*, 2016 – summary of findings by Deloitte Access Economics on the economic contribution of the Out of Home industry in Australia

others.

The development of new technology is providing new challenges and opportunities for the industry, and the OMA believes this is an excellent time to be looking at the different ways that outdoor advertising can be developed that is sensitive to the urban environment and delivers benefits to cities of the future.

The four major concerns the OMA currently has in relation to Victoria's State Planning Policy Framework are as follows:

1. Local Planning Policies are imposing additional regulation on top of that provided in the SPPF section 52.05, Advertising Signs.
2. Vegetation management is an ongoing concern.
3. Ensuring content is not regulated by local government.
4. The reliance by local governments on VCAT decisions for advertising signs.

### **01 LOCAL PLANNING POLICIES**

While the current provisions in 52.05, Advertising Structures, are generally suitable for members, issues arise when Local Planning Policies are developed. Generally, this leads to a lack of consistency across local government areas which members would like to resolve. Of particular concern are issues around length of time consents for structures and existing use rights. Members are also concerned at changes being made by local governments without consultation with industry.

The OMA would like to see further development of a clear overarching statement that provides consistency for members around the state to resolve these issues. An updated policy is an excellent opportunity to provide a positive overarching statement about outdoor advertising.

### **02 VEGETATION MANAGEMENT**

Vegetation management around outdoor advertising signs has presented a longstanding issue in Victoria. Without a Vegetation Management Plan in place when a signage application is approved by Council, it becomes extremely difficult for members to manage any surrounding vegetation that may encroach on the visibility of the sign. As a result, the commercial viability of the sign becomes compromised.

The VPPs state that applicants are to include landscaping details in signage applications (Clause 52.05-2) and that responsible authorities must consider the relationship between a proposed sign and the surrounding streetscape, setting or landscape (Clause 52.05-3). This includes the ability to use landscaping to assist in integrating the sign into the surrounding environment.

The concern for OMA members is the difficulty experienced 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 Councils and VicRoads.

The OMA advocates for a simplified process for vegetation management around signs that would benefit VicRoads, Local Councils and the industry.

### **03 CONTENT**

Advertising in Australia is self regulated and the OMA has been very successful at reducing the number of complaints upheld by the Advertising Standards Board in this area. The OMA has a range of policies and education programs in place to assist members with decisions around content, and we do not believe an extra level of regulation is necessary in this area.

The OMA has previously been successful in developing a Practice Note with the Queensland Government to clearly state that content should not be regulated by local government, and believe that this or a similar statement within the updated Advertising Policy is appropriate.

#### **04 VCAT**

OMA members often face local government refusals that lead to an appeal through VCAT. There is a sense that VCAT is not being treated as a last resort by local councils or VicRoads. Greater consistency around advertising issues at the local planning policy level may ensure that this is less likely to occur.

#### **05 CONCLUSION**

The OMA is seeking further consistency for members around regulations for Advertising Structures to ensure that advertising is developed in a way that is appropriate for its urban environment but also contributes to the vibrancy of our communities.

The OMA strongly urges the Department of Environment, Land, Water & Planning to provide the draft Advertising Signage Policy to the OMA for its review and commentary prior to any public consultation.

Thank you for your consideration of the OMA's submission on this matter. We welcome the opportunity to meet with you to discuss this in further detail. Please contact OMA General Manager, Tess Phillips, on 02 9357 9900 or [tess.phillips@oma.org.au](mailto:tess.phillips@oma.org.au).