

SCOPING PAPER: OUTDOOR ADVERTISING IN THE ACT

Executive summary

There is the opportunity to undertake reforms to current regulatory settings for outdoor advertising to improve the look of the city and benefit the ACT community more broadly¹. Such reforms should consider advertising that is outdoor, out-of-home and/or openly visible to the general public.

The approach to any reform would involve:

- early and ongoing broad community and stakeholder² engagement, including use of new digital forms of communication to reach out to groups that are not often heard
- the adoption of a sophisticated approach that supports the form of Canberra as the nation's capital, and as a Smart City and a Cool Little Capital
- changes to promote the effective regulation of signs and advertising – to provide clarity in the intent of the regulations, to remove inconsistencies, and to support a single regulator access point
- better recognising the economic and community potential from such advertising for the benefit of all Canberrans.

Preliminary activities that could be pursued in 2017-18 include:

- internal review and development of reform proposals to remove inconsistent or inappropriate regulatory outcomes, including:
 - aligning thresholds for regulation, compliance and enforcement
 - the separate regulation of outdoor advertising depending on whether the associated property is or is not unleased land
 - reducing impediments to quality design outcomes
- developing an outdoor advertising implementation strategy, subject to the outcomes of Standing Committee inquiry, that:
 - better connects the National Capital Plan and Territory Plan³ to regulation and enforcement
 - provides for Canberra as a smart and sophisticated national capital
 - includes a hierarchy of preferred advertising and public amenity outcomes across different land uses
- research of best practice outdoor advertising regulatory settings both internationally and in other jurisdictions nationally.

¹ This objective could be subject to a range of factors, such as: the use new technologies (e.g. smart digital advertising), maintaining or enhancing the bush capital and garden city character, ensuring the safety of road users, or supporting communication of important government and emergency services messages.

² Including engagement with the National Capital Authority and peak national industry bodies such as Outdoor Media Association who represent major advertising companies.

³ Note: The National Capital Plan must not be inconsistent with the Territory Plan. As a result of a review, amendments to the National Capital Plan by the NCA and amendments or variations to the Territory Plan by EPSDD may be required.

Contents

Executive summary	1
Contents	2
What is outdoor advertising?	3
Basis for regulation.....	3
The current regulatory environment	4
National Capital Plan	4
Territory Plan	4
ACT Government Regulation	5
Content.....	6
Fair trading	6
Industry self-regulation	6
Government.....	6
Why undertake a review?	8
Standing Committee on Planning and Urban Renewal Inquiry.....	8
Innovation.....	9
A changing cityscape	9
Limits of current regulations	9
Industry.....	11
Community	11
National and international activities	11
A platform to go forward.....	13
Purpose of a review	13
Smart and sophisticated	13
National capital.....	14
Consistency.....	14
Community	14
Public safety, amenity and environmental impacts	14
Economic	15

[Attachment A – National Capital Plan Designated Areas](#)

[Attachment – Industry Performance: Extract from Outdoor Media Association \(OMA\) Website](#)

Attachment – Outdoor Media Association (OMA) Submission

BACKGROUND

What is outdoor advertising?

In this paper outdoor and out-of home advertising is considered to include promotional messaging that is accessible and openly visible to the public. It could promote goods, services, events, emergency warnings or behaviours by individuals, businesses, community groups, charitable organisations⁴ or government. Types can include static or dynamic displays, billboards, signs (in situ or moveable), hoardings, flags, banners, sandwich boards and corflutes.

This definition is drawn from the 2011 Commonwealth House of Representatives Standing Committee on Social Policy and Legal Affairs inquiry into the regulation of billboard and outdoor advertising entitled 'Reclaiming Public Space'. The Committee considered that outdoor advertising constitutes a specific category of advertising because of the way that it occupies public spaces, dominates civic landscape, and targets captive, unrestricted audiences.

- Outdoor, or out-of-home, advertising is distinct from other forms of advertising. It is highly visible to the public, often very large, placed in heavily trafficked areas in order to attract as many viewers as possible, and cannot be easily avoided.
- The Committee resolved to include within its inquiry consideration all types of advertising which can be viewed from public spaces (ie the public does not have a choice about what they see). While these spaces may be privately owned, their access is generally unrestricted to the public.

Basis for regulation

By its nature, outdoor advertising is intended to attract the attention of an audience.

Regulation of outdoor advertising is necessary to address the impact that this may have on the amenity of public spaces and broader city design, environmental and heritage considerations, and the potential risks to public safety that may arise. Advertising content is also regulated by governments from a consumer fair trading perspective, while content more generally is subject to industry self regulation.

Outdoor advertising can affect public amenity due to its visual impact arising from the prevalence, size, form, colour or content. It can act as a form of visual pollution reducing people's enjoyment of a vista and use of an area. It can affect surrounding property values. In heritage areas, there can be conflict with the preservation of built form and ambience. In residential and mixed use areas, it can impact on views from homes. Illuminated or laminate signs can produce excess light. Items like billboards and signs can impact the solar access of an area.

In areas like roadsides, the placement of signs and billboards can act as a distraction to passing traffic. Studies have identified links between driver attention, roads with advertising and dynamic advertising. Signs and advertising can also create other hazards⁵ if inappropriately secured or placed in trafficked areas.

Canberra has mostly been devoid of large outdoor advertising signage, dating back to a 1937 ordinance prohibiting unauthorised signs on Commonwealth property. The original intent of these strict controls for outdoor advertising signage was that it was not considered appropriate in the Parliamentary Triangle and significant national areas. However, it may be appropriate in other parts of Canberra. There is some outdoor advertising signage already in place at the Canberra Airport, National Convention Centre and Canberra Centre.

⁴ The OMA has advised that advertising signage companies are willing to provide a percentage of time on signs to advertising for charities.

⁵ For example : trip hazards, visual impacts, blocking sight lines and wind hazards.

The current regulatory environment

Governments at the state, territory and local level regulate advertising signage and position in terms of public safety (including safety of all road users), planning laws, and the visual impact. Private and third-party outdoor advertising must comply with council regulations regarding placement.

In the ACT, outdoor advertising is considered with urban planning, land use and development functions. The responsibility for these functions rests with the National Capital Authority or the ACT Government under the operation of the National Capital Plan and the Territory Plan, respectively.

National Capital Plan

Development applications for signs on Designated Areas, including Approach Routes and Main Avenues in Canberra are determined by the National Capital Authority (see attached Map at [Attachment A](#)). The NCP includes a Signs General Code (SGC-NCP) under schedule 4.20 which applies to proposals for signage.

Notable amongst the requirements is a prohibition on the use of billboards within Designated Areas. Other forms of advertising may be permitted subject to conditions determined against various categories, such as:

- location – residential, commercial and industrial buildings and sites, unleased land
- type – freestanding, flags and banners, street furniture
- nature of information provided – business (real estate, hawkers, services, directional); community and tourism (events, services, radio, directional and destination).

The related conditions involved affect the nature, wording and type of advertising material in certain areas, the placement, size, illumination and animation of any advertising.

Territory Plan

Development applications for signs on all other land in the ACT are determined by the ACT Government's Environment, Planning and Sustainable Development Directorate. Advertisements and signs must be consistent with the Statement of Strategic Directions of the Territory Plan and carefully controlled to maintain environmental amenity (clause 2.17), and with the Signs General Code, March 2008 (SGC-TP).

Generally, the installation of a sign requires a development application, but can be exempt from requiring development approval under schedule 1 of the *Planning and Development Regulation 2008*.

This SGC applies to the design, content and positioning of signs in the Territory in the code track and merit track for development applications. This code may also be used in the assessment of impact track developments.

The Code provides in detail the requirements for signs in relation to the following:

The type of signs permissible in different zones, to:

- ensure that signs are a type appropriate for the zone and contain appropriate content for the location
- ensure that advertisements and signs do not compromise the role of the Territory as the setting of the National Capital and Seat of Government of the Commonwealth
- ensure that signs and advertisements complement the attractiveness, safety, legibility and amenity of the natural, modified and built environments both by day and night

- ensure that signs and advertisements are not incompatible with the existing or future desired character of the locality
- support the role of signs and advertising as an important factor in identifying the commercial character and vitality in locations such as ground floor level retail, mixed services and industrial areas
- establish provisions for signage in a specified area which create and coordinate a particular design theme
- ensure appropriate agreement is established for proposals that are on or encroach into Territory Land.

The built form of permitted signs, to:

- ensure signs are designed and positioned to enhance and enliven the natural and built environment, in addition to informing, directing and advising, and assist in the legibility of the area
- restrict the number of advertising signs per site to minimise and avoid visual clutter and to avoid one sign obscuring another
- ensure signs do not unnecessarily repeat or duplicate similar signs
- ensure the original architectural character, set by the lines of awnings, windows, doors parapet lines, etc. remains dominant.

The construction of permitted signs, to:

- allow signs to complement the streetscape and amenity of the locality
- ensure that signs affixed to a building complement the architectural style of the building.

The environmental impact of permitted signs, to:

- provide for sustainable development that does not have adverse impacts on the surrounding environment
- ensure that signage proposals in areas subject to special requirements of the National Capital Plan are not inconsistent with the National Capital Plan
- ensure that signage on places on the Heritage Register appropriately recognises the heritage value of the site.

Third-party signage (i.e. advertisements displaying the name, logo and/or symbol of a company or other organisation that does not own or substantially occupy the land) is currently only permitted by the ACT Government on the ground floor of commercial and industrial zones and limited to 2m² or 20 per cent of the area of the sign, whichever is the lesser.

There is a question of whether a stand-alone Signs Code continues to be the most suitable planning mechanism to regulate outdoor advertising. An alternative approach may be to consider a precinct-based approach to the approval of signs.

ACT Government Regulation

The operation of the NCP and TP are supported by legislative provisions in the *Public Unleased Lands Act 2013* (PULA) and the *Planning and Development Act 2008* (PADA).

- Under the PULA, approval must be sought to place signs (advertisements, public notices) on public unleased land. A code of practice is also operated for movable signs. Offence provisions apply.

- Under the PADA, development applications for signs are required except where exempt. Broadly, exempt signage is defined to include those for public works under the Act or required under the *Building Act 2004*, those subject to general exemption criteria or operating under the SGC.

As a result of these regulatory settings, responsibility for signs in the ACT is undertaken by Transport Canberra and City Services (TCCS) under the PULA, and Environment, Planning and Sustainable Development Directorate (EPSDD) and Access Canberra under the PADA.

Content

Fair trading

Advertising content is regulated by the Australian Government with respect to false and misleading representations and misleading and deceptive conduct under the *Competition and Consumer Act 2010* (Cth) (the CCA). The CCA contains the Australian Consumer Law.

Industry self-regulation

A further system of self-regulation of content was established by the Australian Association of National Advertisers (AANA) in 1998. Self-regulation of the advertising industry involves a set of rules and principles of best practice to which the industry voluntarily agrees to be bound. These rules are expressed in a number of Codes and industry Initiatives. The rules are based on the belief that advertisements should be legal, decent, honest and truthful, prepared with a sense of social responsibility to the consumer and society as a whole and with due respect to the rules of fair competition.

As part of self-regulation under the AANA, the Advertising Standards Bureau (the Bureau) manages the complaint resolution process of the advertising self-regulation system. The Bureau functions as secretariat for the Advertising Standards Board and the Advertising Claims Board – the two independent bodies established to determine consumer and competitive complaints against the advertising self-regulatory Codes. The work of the Advertising Standards Bureau is not underpinned by any Government legislation.

Government

Variable message signs

Variable message signs are operated by the ACT Government at five locations in the ACT for traffic management purposes. Content is restricted under a specially determined policy to include only information prioritised as follows:

- Unplanned events affecting traffic management (e.g. a significant car crash, bushfire, flooding)
- Planned events affecting traffic management (e.g. scheduled road closures and congestion due to events and road construction and maintenance)
- Road safety (e.g. messaging on current ACT Policing operations)
- Community messages not directly affecting a journey (e.g. emergency services messages such as total fire ban or advertisements for charity organisations).

The VMS are located at: Gungahlin Drive (Mitchell), Tuggeranong Parkway (Warramanga), William Hovell Drive (near Bindubi Street), Yarra Glen (near Carruthers Street) and Hindmarsh Drive (Symonston).

Campaign advertising

The Government Advertising (Campaign Advertising) Guidelines provide the basic principles that should be observed by all ACT Government Directorates, Agencies and Territory-Owned Corporations in the planning,

development and delivery of Government advertising and promotion, as stipulated by the *Government Agencies (Campaign Advertising) Act 2009* (the Act).

Election advertising

Electoral advertising signs are movable signs containing any printed electoral material. Such signage is subject to the Public Unleased Land (Movable Signs) Code of Practice 2013.

Electoral advertising signs may be displayed for a period of up to six weeks immediately preceeding the election date. These signs are only covered by the Code for 48 hours after the official election day and must be removed within 48 hours of the close of the polling booths.

Traffic signs

While not included in the definition of outdoor advertising, traffic signs and road markings are regulated under the Australian Road Rules and the *Road Transport (Safety and Traffic Management) Act 1999*.

REVIEW OPTIONS

Why undertake a review?

Current regulatory settings for outdoor advertising are outdated and promote inconsistent outcomes for advertising across Canberra. It is no longer clear that they meet community or advertising industry expectations and needs.

Current Inquiries/Reviews

Standing Committee on Planning and Urban Renewal

On 30 March 2017, the Chair of the Standing Committee on Planning and Urban Renewal, Ms Caroline Le Couteur MLA, advised the Legislative Assembly of the Committee's decision to initiate an inquiry into billboards for outdoor advertising in the ACT. This will include consideration of:

- current rules and practices;
- community views on placement and construction;
- whether there should be designated areas for billboards;
- regulation of billboard advertising to limit environmental or aesthetic impact; and
- any other relevant matter.

This inquiry is to report to the Assembly by the last sitting day of October 2017.

Report on the 2016 Election

The Elections ACT Report on the ACT Legislative Assembly Election 2016 included a recommendation on election signage (corflutes). In the report, the proliferation of corflutes was cited as subject to a relatively widespread degree of dissatisfaction⁶.

Elections ACT recommended that, subject to consultation with TCCS, the movable signs code of practice be amended to provide that electoral signs displayed on public land may not be placed on suburban streets and may only be placed on specified stretches of major arterial roads, outside designated areas that have the special characteristics of the national capital. Singapore has been publicly cited as an example of restricted election signage – see [Attachment B](#).



⁶ Though the formal number of complaints had decreased from the previous election; social media and letters to the editor of the Canberra times were the basis for the Elections ACT comments.

Innovation

The Signs General Codes of the Territory Plan and the National Capital Plan have not been updated for nearly 20 years. It includes advertising forms that are no longer in common use and does not recognise advertising and signage that uses new forms of technology, such as digital signage.

Jurisdictions across Australia have been investigating and adopting the use of digital billboards and advertising over recent years. In 2013, Austroads prepared a report on the safety of roadside advertising, including recommendations on a preferred model which allows for digital advertising.

Digital advertising has a range of pros and cons over traditional static advertising.

- Pros – content is more adjustable (supporting advertiser access); there is the potential for multiple applications including use for emergency services and event coordination; effectiveness in attracting audience attention.
- Cons – energy use (though could be supplemented through renewable energy sources); greater upfront cost; distraction (though potentially addressed through safety requirements); privacy (some smart advertising can use mobile data).



A changing cityscape

The introduction of light rail, greater urban infill and mixed-use development at commercial centres and along major transport corridors, and growth at Canberra Airport may increase the Canberra community's interaction with outdoor advertising and affect preferences.

- Transport systems nationally and internationally engage with advertising as a supporting revenue source.
- Greater urban density and mixed-used developments will cause an increase in advertising of commercial premises next to residences.



Limits of current regulations

Mobile outdoor advertising on private vehicles such as trucks, cars, utes and motorbikes and public transport (trams, buses, taxis) – both parked and being driven around the city.

- Informal indications from the advertising industry suggest that the use of this type of advertising has been driven by restrictions on other forms of media around Canberra.

- Advertising signage on vehicles is not regulated by EPSDD through the Territory Plan or by the NCA through the National Capital Plan.
- With parked vehicles there is some discretion in terms of regulatory to the approach i.e. regulation as a sign or as a vehicle. TCCS and Access Canberra have now agreed to treat it as a parking matter.
- Any consideration around the regulation of such advertising needs to be considered in the context of the advertising undertaken on public transport in the ACT.



Examples of inconsistent regulatory outcomes include:

- businesses with awnings (on the edge of their lease) can put up signs on their lease, however other businesses with similar signs cannot do this if it is not part of their leased land;
- a business in O'Connor was not permitted to put up a sign up, so instead painted fence to advertise the business (not regulated); and
- signage at Majura Park and the Canberra Airport differs from other areas of Canberra. Consider the size and height of signage and whether the IKEA sign against the backdrop of Mt Ainslie would be acceptable in other areas.



Compliance and enforcement

- The actual level of non-compliance of signage and advertising across Canberra with regulatory requirements is not known but is anticipated by officials to be substantial.
- Compliance activity under the PADA is undertaken on a complaints basis and is subject to a risk-based approach which generally perceives signage as a low-risk activity.
 - Accordingly, there are some prominent examples where compliance of signage is open to question but has not been tested as no complaint has been raised. This includes signage and advertising arranged by the ACT Government (e.g. bus shelter advertising, in particular those along transport corridors in Designated Areas).
- There is a separation of compliance activity depending on whether or not the advertising is taking place on unleased public land, which does not support a single gateway to business regulation.



Campaign advertising

- CMTEDD Communications (with assistance from Regulatory Reform) is currently scoping a review of campaign advertising guidelines.

Industry

Approaches have been made recently by the Outdoor Media Association for the ACT Government and National Capital Authority to consider changes to the outdoor signage policy – see proposal at Attachment C.

Nationally, the industry has revenues of over \$670 million per annum – see Attachment D.

Currently, the economic potential in the Canberra market would be constrained by regulatory restrictions and outdated or unnecessary requirements. Further work would be required to determine the extent and potential of the ACT market with any proposed actions.

Community

The apparent lack of complaints raised by the community on outdoor advertising that could potentially be non-compliant raises the question as to what constitutes acceptable advertising. This could be tested as part of a review, and individually with any project initiatives to promote the alignment of community perceptions and industry approach.

National and international activities

There is a continuum of approaches to outdoor advertising across cities in Australia and internationally. From initial desktop research, the best outcomes reflect a balancing of community and business interests.

Cities will generally outline a planning policy for outdoor advertising materials, consistent with the basis for regulation above. However, some go further to recognise that display opportunities are an effective way of showcasing an event, festival, attraction or business.

Other cities, nationally and internationally, have permitted outdoor advertising more extensively than Canberra. In doing so, some cities suggest concerns with a dependence on the associated revenue as well as the issue of when advertising dominates the cityscape.

Several cities have started to reclaim public space with a ban on advertising – most cities have been reducing number (Paris, by a third) with only a few that have enacted a ban (such as Grenoble, France; Chennai, India banned the erection of billboards; and several US states including Vermont, Maine, Hawaii, and Alaska are billboard-free).⁷

Sao Paulo is an interesting case in point. It banned billboards and in a single year, the city removed 15,000 billboards and 300,000 oversized storefront signs. Five years later it began to gradually reintroduce advertising in a controlled manner.⁸

Other cities have sought to modernise regulations – with US cities reducing the number of billboards but allowing digital. For example, in 2015, the Philadelphia City Council passed a bill allowing existing static

⁷Source: <https://www.theguardian.com/cities/2015/aug/11/can-cities-kick-ads-ban-urban-billboards>; <http://www.connexionfrance.com/paris-outdoor-advertising-billboards-banned-size-limits-new-rules-12816-view-article.html>

⁸ <https://www.newdream.org/resources/sao-paolo-ad-ban>

billboards to be converted to digital in certain parts of the city, as long as the owner removed two other static billboards.⁹

Citizens, artists and the community can be an important component to determining the outcome. In some cities this has been promoted. For example, in 2015, 1,500 advertising billboards in Tehran were replaced with art for 10 days. In New York [No Ad](#), an augmented-reality app that strips the New York City subway of ads, replaced them with art.

In contrast, outdoor advertising can also support community and associated organisations through the promotion of issues, activities and events. The range is broad. For example, in 2015, the London is Changing project brought the voices of those affected by the housing crisis to the city's billboards.¹⁰ While in Canada billboards were used by a community curling organisation to increase participation – billboard was much more effective than other strategies.¹¹

⁹ <http://philadelphia.cbslocal.com/2015/04/16/city-council-approves-new-rules-for-billboards-in-city-of-philadelphia/>

¹⁰ <https://www.theguardian.com/cities/2015/feb/23/forced-out-london-billboards-share-stories-housing-crisis>

¹¹ <http://www.curling.ca/blog/2016/03/01/billboards-help-paris-curling-club-boost-its-learn-to-curl-program/>

NEXT STEPS

A platform to go forward

Purpose of a Review

A review of outdoor advertising would need to be considered in the context of both the existing inquiries/reviews in this area, as well as the broader community engagement reform work being undertaken by CMTEDD Communications.

If government decide to proceed with a formal Review, it could focus on promoting better and consistent outcomes for the community, recognising recent innovations in advertising and the associated opportunities, while ensuring the protection and enhancement of the character of the ACT as the nation's capital and a garden city.

This may include a review framework that considers actions such as:

- improving the look of the city to match community expectations
- promoting Canberra as a smart and sophisticated city
- complementing Canberra's role as the nation's capital and its character as a garden city
- providing for consistent outcomes across forms and land use
- promoting the integration of the Canberra community through improved access to community, public service, public emergency or tourist information
- addressing public amenity, safety and environmental concerns
- embedding the principle of sustainability through types of technology use and impact on the environment
- allowing for greater economic opportunities for organisations, businesses and government.

A review could also provide the basis for community education and engagement on outdoor advertising.

Smart and sophisticated

Technological innovation and the development of a smart city approach could be an appropriate catalyst on which to revisit current regulatory settings for outdoor advertising.

The Statement of Ambition (2016) states that:

"We must embrace the digital mindset and deliver integrated smart city initiatives. Everything Canberra does should ensure that our communities and businesses have access to the digital infrastructure and skills they need to successfully participate and compete in the knowledge and innovation economy. There is economic potential that can be realised by effectively using the increasing volumes and diversity of data to make better decisions at the city scale.... we will demonstrate to the nation the benefits of a well managed and data driven city."

Advertisers are increasingly exploring digital and interactive advertising as an effective means of conveying information. This is no longer considered revolutionary; this is becoming the norm for advertising worldwide.

Smart advertising allows for the potential for mixed use advertising boards, for example: government owned infrastructure which can be leased to an advertiser (local or otherwise) for a certain amount of time per day/week, while providing community information (such as traffic information or events) the remainder of

the time. It could also be used for community messaging in emergencies or supporting access to events and activities.

Smart advertising has the potential to blend seamlessly into a smart city such as Canberra if done in the right way. Sustainability, both in terms of technology and environmental impact, would also be an important consideration.

National capital

Any review of outdoor advertising would require consideration of Canberra's role as national capital, in particular given the overarching role of the NCP and involvement of the NCA, along with any changes to the Territory Plan, as the Territory Plan must not be inconsistent with the NCP.

Addressing these points could be best supported through early and effective engagement with the community and the NCA to ensure an appropriate balance is struck in terms of form and content of any advertising against the streetscape.

A further element that could be considered to mitigate any impact on national capital vistas is the use of existing street furniture and infrastructure, rather than the development of additional new signage. For example, Smart Poles can have multiple functions such as lighting, signage etc on one pole.

Alternatively, as per other jurisdictions approach, any new advertising could require a reduction in old signage. For example, the replacement of multiple sandwich boards on footpaths and median strips with dedicated advertising points (digital or otherwise) at entrances to suburban centres and thoroughfares that reduce the visual and physical impact on the streetscape.

Consistency

As discussed, regulation, compliance and enforcement should be reviewed to support consistent outcomes against community expectations for venue on which any advertising is sited.

The thresholds and requirements for any regulatory actions should be clear and well communicated to regulators and the community. The operation of a passive (complaints-based) versus active compliance and enforcement arrangements would need to be considered in determining these points. The effectiveness of a policy is degraded if it is not supported through implementation.

Community

To promote support for reform, an early focus of any initial focus could be advertising that directly supports community interests and organisation. In particular, if trials of advertising methods were to occur in particular locations or near determined activities where there was a communal undertaking or tourism activity.

Temporary advertising may also promote acceptability. For example, projections on the blank walls of buildings, wraps of unoccupied buildings to remove potential eyesore such as those in Woden¹², and non-government advertising on government building sites.

Public safety, amenity and environmental impacts

As outlined in the basis for regulation this may include:

¹² <http://www.canberratimes.com.au/act-news/wodens-wasteland-community-push-to-end-urban-decay-20170211-guaw2u.html>

- hazards for persons who will be passing and in view of the advertising – such as, driver distraction and pedestrian impediments
- prevalence of advertising and the cumulative impact on certain demographics of the content (eg children)
- energy consumption
- noise or light pollution/LEDs – including effects on human health and animal behaviour
- visual pollution – see ‘delete’ project in Vienna (for an inner streetscape)
- impact on property values
- the ability to remove advertising once installed – infrastructure may be temporary/fixed/semi permanent and require appropriate regulation.

Current regulations in the ACT and other jurisdictions suggest that such factors can be mitigated to a community acceptable level.

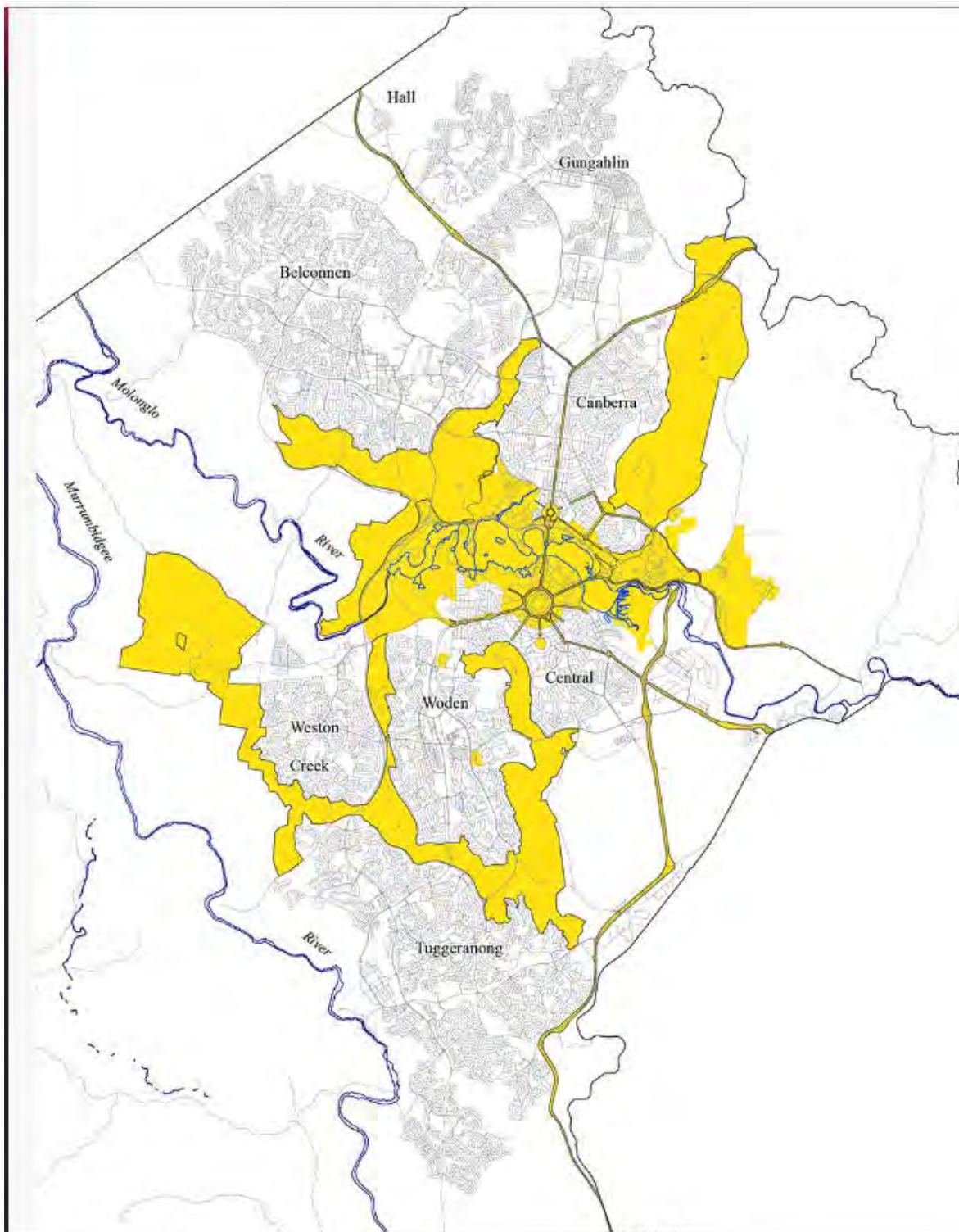
Economic

Increased advertising has the potential to generate economic activity in the Territory from the advertising itself (investment in infrastructure and related income stream) and the promotion of the advertised good or service.

Other jurisdictions derive revenue from outdoor advertising.

The Government should determine an approach to ensuring an appropriate return for the use of any public assets and additional permitted activities. Such approaches could involve a mix of direct remuneration or the provision of services or assets (such as, the bus shelter approach) to derive the greatest benefit for the ACT and its community. Final approaches however may need to be subject to a case-by-case evaluation of proposals.

NATIONAL CAPITAL PLAN - DESIGNATED AREAS



SINGAPORE ELECTION ADVERTISING – CASE STUDY¹³

At the end of nomination proceedings, the Returning Officer will issue to the candidate or his election agent a permit authorising the display of posters and banners in public places within the constituency where the candidate is contesting in. The permit will specify the maximum number of posters and banners allowed to be displayed in public places within the constituency (other than election rally sites) and may contain certain conditions restricting the place at and manner in which the posters and banners may be displayed.

Maximum number of posters and banners allowed

The maximum number of posters and banners allowed is:

1 poster to every 50 electors in the register (rounded to nearest 100), subject to minimum of:

- 500 per Single Member Constituency (SMC),
- 2,000 per 4-MP GRC Group Representation Constituency (GRC),
- 2,500 per 5-MP GRC, or
- 3,000 per 6-MP GRC.

1 banner to every 5,000 electors in the register (rounded to nearest whole number), subject to minimum of:

- 5 per SMC,
- 20 per 4-MP GRC,
- 25 per 5-MP GRC, or
- 30 per 6-MP GRC.

SMC and GRC are types of electoral divisions in Singapore.

¹³ Source: http://www.eld.gov.sg/candidates_postersbanners.html

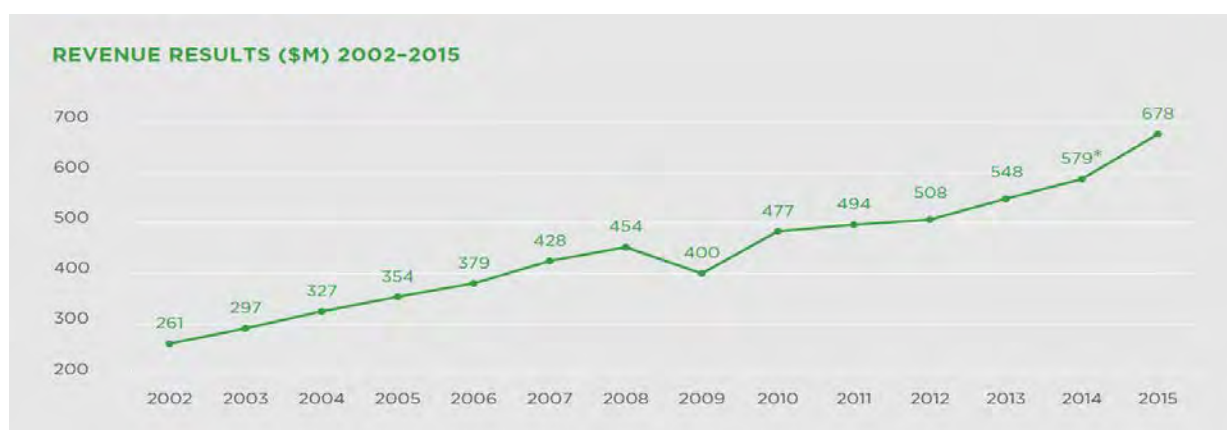
Industry Performance – Extract from Outdoor Media Association (OMA) Website

Revenue Results

The OMA generates performance reporting for the Out-of-Home (OOH) industry through the compilation of revenue results and share of advertising spend for its members, which comprise 90% of the industry.

OOH experienced its sixth year of consecutive revenue growth in 2015, posting a 17% increase on net revenue year-on-year, taking the industry's revenue to an all-time high of \$677.8 million, up from \$579.3 million* in 2014.

In 2015, the industry was off to a stellar start with a 21.6% year-on-year increase for quarter one. In quarters two and three, the double digit growth continued, with a 16.3% and 14.2% increase, respectively. The year ended with a strong finish in quarter four, showing net revenue up by 16.6% to \$213.5 million.

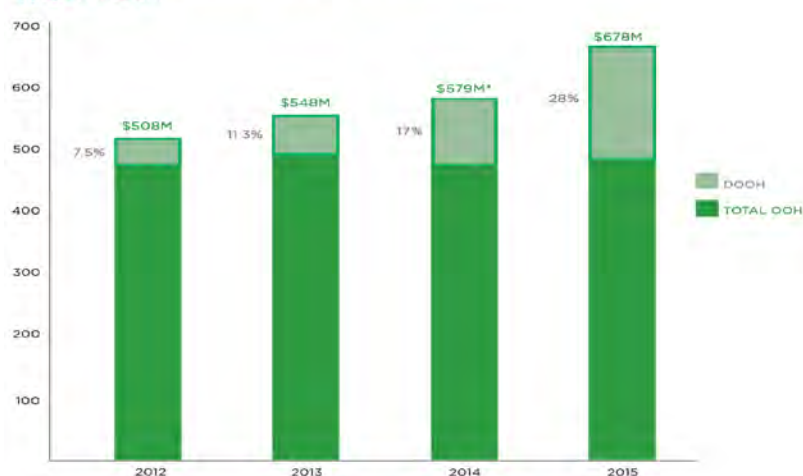


* 2014

figures have been adjusted to reflect changes in OMA membership, as well as a minor adjustment due to over-reporting.

Digital OOH Revenue Results

DIGITAL OUT-OF-HOME (DOOH) AS A PERCENTAGE OF TOTAL OUT-OF-HOME (OOH) REVENUE (\$M) 2012-2015

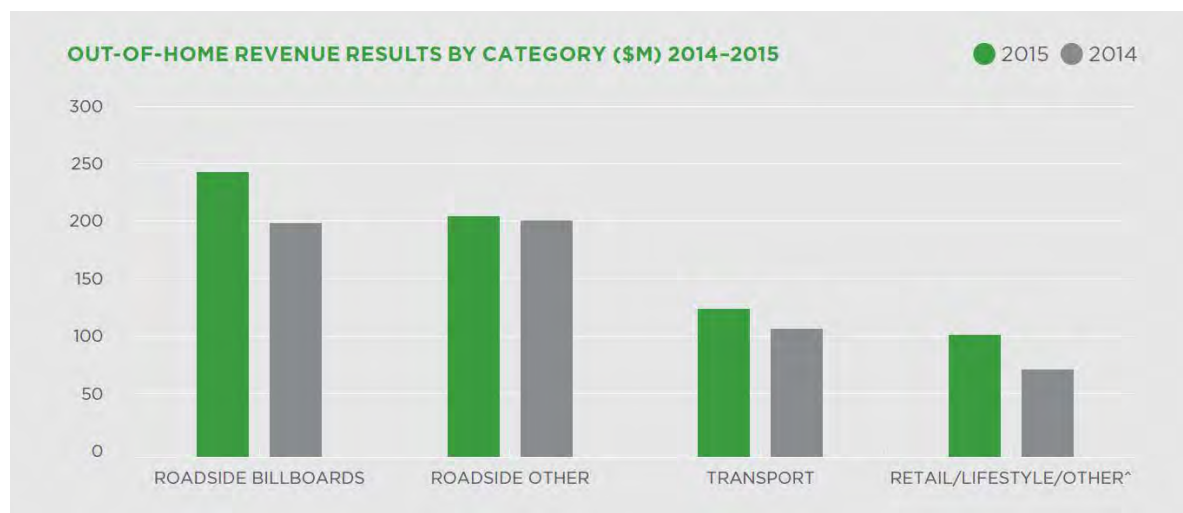


* 2014 figures have been adjusted to reflect changes in OMA membership, as well as a minor adjustment due to over-reporting.

Performance by format and quarter

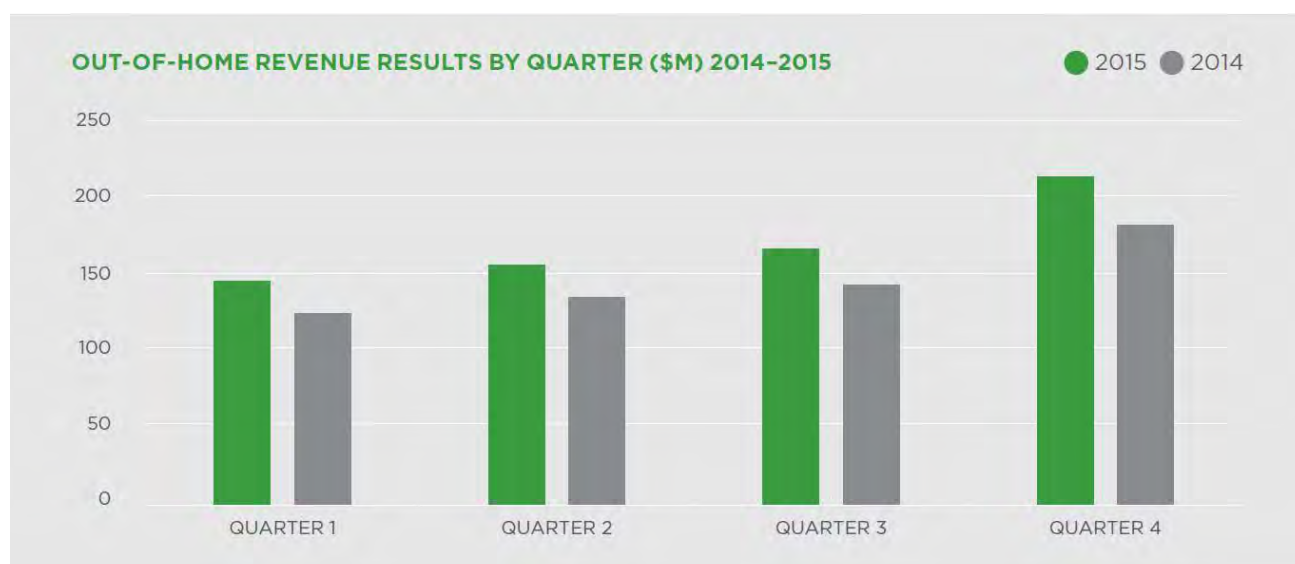
Performance by category 2015**

- Roadside Billboards (over and under 25 square metres): \$242.1 million
- Roadside Other (street furniture, taxis, bus/tram external, small format): \$208.6 million
- Transport (including airports): \$126.4 million
- Retail/Lifestyle/Other: \$100.7 million



Performance by quarter 2015**

- First quarter net revenue increased by 21.6% to \$147.9 million, up from \$121.7 million in 2014
- Second quarter net revenue increased by 16.3% to \$154.9 million, up from \$133.2 million in 2014
- Third quarter net revenue increased by 14.2% to \$161.5 million, up from \$141.4 million in 2014
- Fourth quarter net revenue increased by 16.6% to \$213.5 million, up from \$183 million in 2014



Note: 2014 figures have been adjusted from previously reported revenue to reflect changes in OMA membership, allowing direct comparisons in revenue year-on-year.

^ This category reports shopping centre panels, as well as all place-based digital inventory including office media – covering inventory in lifts and office

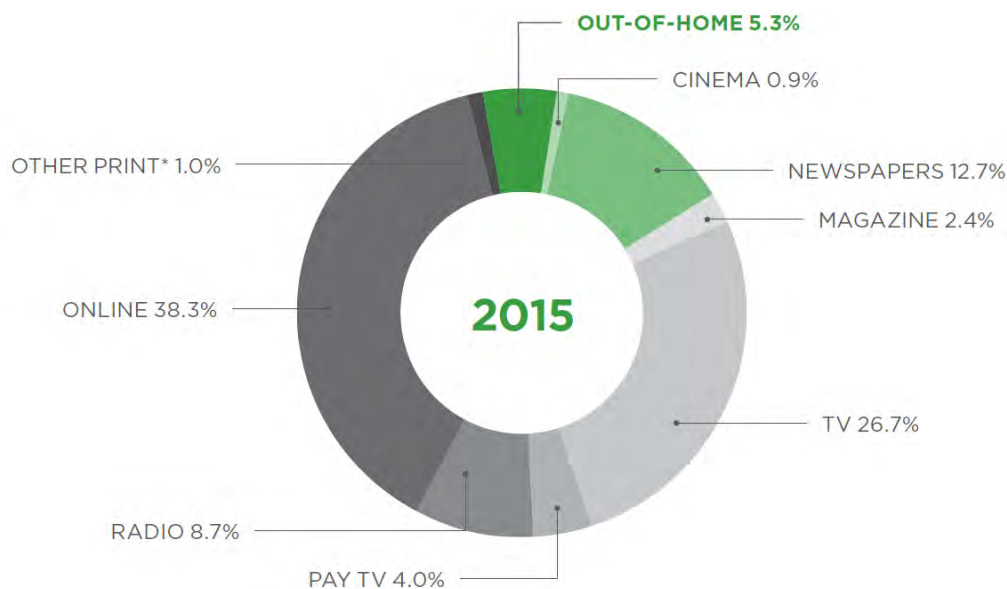
SENSITIVE

buildings, cafe panels, as well as digital screens in doctors' surgeries and medical centres.

****Figures may not add to total due to rounding.**

Economic

Commercial Economic Advisory Service of Australia (CEASA) reported the Out-of-Home share of advertising spend in 2015 at 5.3% of the \$12.8 billion total spend.



% SHARE BY MEDIA RESULTS

	2011	2012	2013	2014 [*]	2015
OUT-OF-HOME	4.6	4.6	4.8	5.1	5.3
CINEMA	0.7	0.8	0.9	0.8	0.9
NEWSPAPER	22.1	18.9	16.6	15.0	12.7
MAGAZINE	5.6	4.4	3.5	3.0	2.4
TV	33.1	31.8	30.6	29.3	26.7
PAY TV	3.7	4.0	4.4	4.1	4.0
RADIO	9.4	9.3	9.0	9.0	8.7
ONLINE	19.0	24.5	28.4	32.9	38.3
OTHER PRINT*	1.8	1.7	1.8	0.8	1.0

Source: CEASA (excluding classifieds and directories)

*Other Print includes business and rural publications

[^] 2014 figures have been adjusted to reflect changes in online media reporting methodology

From: [McFarlane, Trina](#)
To: [Hartwig, Tasha](#)
Cc: [Flanery, Fleur](#)
Subject: FW: FOR REVIEW - PUR - Proof transcript - 9 August 2017 - Billboards - Due Friday 25 August 2017 [SEC=UNCLASSIFIED]
Date: Tuesday, 22 August 2017 2:42:00 PM
Attachments: [PUR_Proof_9_August_2017.docx](#)
[image001.jpg](#)

Hi Tasha

I have no comment.

Regards

Trina

From: Hartwig, Tasha
Sent: Tuesday, 22 August 2017 12:23 PM
To: Ponton, Ben; Phillips, Brett; Flanery, Fleur; McFarlane, Trina
Cc: Magee, Alexandra
Subject: FOR REVIEW - PUR - Proof transcript - 9 August 2017 - Billboards - Due Friday 25 August 2017 [SEC=UNCLASSIFIED]

Good Afternoon

Please find attached the proof transcript from the Billboards hearings for review. Please let me know if you have any suggested changes by COB Friday 25 August 2017.

The transcript is intended to be a verbatim record of evidence to the Committee. Only errors of transcription and spelling may be corrected. If you wish to alter the substance of, or elaborate on your evidence, you will need to advise the Committee in writing. Please bear in mind that your corrections may not necessarily be accepted by the Committee.

Many Thanks

Tasha Hartwig

☎ 02 6207 0701 | Government Services | Environment, Planning & Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601
(Wednesday to Friday only)

From: EPSDD DLO
Sent: Monday, 21 August 2017 4:24 PM
To: Hartwig, Tasha
Subject: FW: PUR: Proof transcript: 9 August: Billboards [SEC=UNCLASSIFIED]

FYI

Kind regards
Kim Bailey

Kim Bailey | Directorate Liaison Officer | ACT Legislative Assembly
Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra, ACT 2601
Phone: 6205 4521 | Email: epsdddlo@act.gov.au

From: Finlay, Hamish
Sent: Monday, 21 August 2017 3:58 PM
To: GENTLEMAN
Cc: EPSDD DLO; Bailey, Kim.P
Subject: PUR: Proof transcript: 9 August: Billboards [SEC=UNCLASSIFIED]

Dear Minister

Re: request for corrections to proof copy of transcript of evidence

I write on behalf of the Standing Committee for Planning and Urban Renewal to thank you and your officials for attending the public hearing for the inquiry into Billboards on 9 August 2017.

Attached is a proof copy of the transcript of the evidence that you and portfolio officials presented at the hearing. As the Committee needs to ensure that this is an accurate record, would you please check the transcript, and ask officials to check it, and return it to me by close of business on 28 August 2017 with any corrections that should be made.

The transcript is intended to be a verbatim record of evidence to the Committee. Only errors of transcription and spelling may be corrected. If you wish to alter the substance of, or elaborate on your evidence, you will need to advise the Committee in writing. Please bear in mind that your corrections may not necessarily be accepted by the Committee.

If you are returning the transcript electronically, would you please make any corrections in revision or track-change mode. If you are returning hard copy, please make amendments in your own handwriting.

Unless the Committee Office has received corrections by the due date, or more time has been requested, we will assume that you agree with the accuracy of the proof transcript. If you require any further information or assistance, please do not hesitate to contact me.

Kind Regards

Hamish Finlay

Acting Committee Secretary
Standing Committee on Planning and Urban Renewal
P 02 62050129 | E hamish.finlay@parliament.act.gov.au



The Office of the Legislative Assembly:

Providing professional services and reliable, impartial advice to support, strengthen and promote the institution of parliament in the ACT.

www.parliament.act.gov.au



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL

(Reference: [Inquiry into billboards](#))

Members:

MS C LE COUTEUR (Chair)

MS S ORR (Deputy Chair)

MS T CHEYNE

MS N LAWDER

MR J MILLIGAN

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 9 AUGUST 2017

This is a **PROOF TRANSCRIPT** that is subject to suggested corrections by members and witnesses. The **FINAL TRANSCRIPT** will replace this transcript within 20 working days from the hearing date, subject to the receipt of corrections from members and witnesses.

Secretary to the committee:

Ms A Jongsma (Ph: 620 51253)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

WITNESSES

FLANERY, MS FLEUR , Executive Director, Planning Policy, Environment, Planning and Sustainable Development Directorate.....	1
GENTLEMAN, MR MICK , Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal.....	1
PHILLIPS, MR BRETT , Acting Deputy Director-General, Sustainability and the Built Environment, Environment, Planning and Sustainable Development Directorate.....	1
PONTON, MR BEN , Director-General, Environment, Planning and Sustainable Development Directorate	1

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 3.32pm.

GENTLEMAN, MR MICK, Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal

PONTON, MR BEN, Director-General, Environment, Planning and Sustainable Development Directorate

PHILLIPS, MR BRETT, Acting Deputy Director-General, Sustainability and the Built Environment, Environment, Planning and Sustainable Development Directorate

FLANERY, MS FLEUR, Executive Director, Planning Policy, Environment, Planning and Sustainable Development Directorate

THE CHAIR: Good afternoon, everybody, and welcome to this public hearing of the Standing Committee on Planning and Urban Renewal inquiry into billboards. On behalf of the committee, I would like to thank you, Minister Gentleman, and your officials, for attending today. Can I draw your attention to the privilege statement that is before you, which is on the pink card. I am sure you have all seen it many times before. Can you please confirm for the record that you understand the privilege implications of the statement?

Mr Gentleman: Yes, we do, thank you, chair.

Mr Ponton: Yes.

THE CHAIR: I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and webstreamed and broadcast live. Minister, before we go to questions, do you have an opening statement?

Mr Gentleman: Yes, thank you, chair. I do have a short statement for the committee. The government is pleased to provide a submission and support this inquiry into the use of billboards in the ACT. We welcome the debate about the issue, noting, of course, that if there were to be any change to policies in the ACT this would come after consultation by this committee and then further public consultation by the government with the community.

We welcome this inquiry for several key reasons. Firstly, signage policies in the ACT, as you have seen in our submission, have not been updated for some time. They include advertising forms which are no longer in common use or do not recognise modern forms of signage, including electronic and digital screens. Secondly, there is an opportunity to undertake reforms to the current regulations to improve the look of the city and benefit the ACT community more broadly.

It will also provide the option of bringing into line regulations and rules surrounding billboards with other advertising forms currently permitted in the ACT. While it should be noted that billboards are distinct from other forms of advertising, a harmonised regulatory system would have many benefits for the community, to keep us up to date on all laws surrounding advertising in the ACT.

Lastly, the responsibility for signage policy in the ACT is currently divided between the ACT government and the National Capital Authority. This review, therefore, will allow for an intergovernmental update on existing laws and a harmonising of them between the two. The National Capital Authority has lodged a separate submission with this committee, with their goals and ideas, and I encourage the committee to consider their recommendations.

The outcomes of this inquiry will allow the ACT government to develop a better, more modern policy regarding billboards and outdoor signage in Canberra. It will also let both the broader public and local stakeholders provide views on what they would like to see in the new regulatory system, reiterating the ACT government's commitment to community consultation and giving all Canberra a voice in government. I look forward to the outcomes of the inquiry and the recommendations it produces. It is a unique opportunity to discuss the billboards and signs that we want to see in our city. I and officials stand ready to answer any questions.

THE CHAIR: Thank you, minister. Reading your submission, you talk about billboards acting as a form of visual pollution, affecting surrounding property values, acting as a distraction to passing traffic, impacting on views from homes, affecting public amenity and impacting solar access. Given all of this, why does this submission, in effect, support billboards, and, probably, from the impression I got, an extension of billboards?

Mr Gentleman: It is an appropriate time for a review. As I said, it has been 20 years since the original policies were developed. There has been quite a lot of change since then. We want to see the community input into the committee's inquiry, to determine what we should do in a policy sense moving forward.

THE CHAIR: On page 15 the submission notes you have been lobbied by the Outdoor Media Association, presumably to make it easier to have billboards in the ACT. Was this lobbying before or after Chief Minister Barr said that he thought there should be an inquiry into billboards?

Mr Gentleman: I will see whether I can get the timing on that for you, chair.

THE CHAIR: I remember Chief Minister Barr's comments very well regarding the billboard with the two young Muslim women on Australia Day. That was the context of his comments. At the time, of course, I assumed that his comments came as a result of that.

Mr Phillips: My understanding is that there have been ongoing approaches and there has been some work around whether there needs to be a policy review on billboards for quite a bit of time.

THE CHAIR: So the approaches would have come before Chief Minister Barr's comments. I note that the ACT government has only responded to this by way of ACTPLA. Do I take it from this that the ACT government does not see any impact on road safety, despite the fact that it is one of the things that you mentioned—that it is a distraction to passing traffic? Certainly, other people have extensively commented on the potential for increased traffic accidents as a result of electronic billboards in

particular.

Mr Gentleman: Yes, we have noted some of those comments in submissions. EPSDD is the lead agency when it comes to this inquiry and the submission. That is coordinated across government. We have talked to TCCS and WorkSafe to ensure that we have a safe road system with regard to signage as well. There are national codes on road safety and signage. In particular, the formation of signs within our policy program does take into account road safety as one of the key riders for allowing signage on our roadsides.

Mr Ponton: As the minister said, and I want to reiterate this point, as the lead agency we put the call out to all agencies across government, advising that we would be coordinating the submission on behalf of the government and preparing something. So whilst it was prepared by the directorate, it was certainly in response to that call to all agencies. Of course, not all agencies responded. For those that did, we certainly incorporated those comments into the submission.

THE CHAIR: Would it be a fair conclusion that you do not see a change in billboards as being something that would impact on road safety, given that it clearly has not been canvassed in this response?

Mr Ponton: It certainly has not been canvassed by the relevant entity. Having said that, should this committee make recommendations in relation to changes to the signs code that allowed for certain types of billboards, certainly, as part of us responding to that process, we would engage with those entities, keeping in mind that at this stage it is quite a broad call for information as opposed to perhaps having something more substantial for an agency to comment on. I see this as an iterative process, and it would really depend on the outcomes of the deliberations of this committee and further consultations that the minister alluded to, should the government seek to make changes to the code in response to the committee's recommendations.

Mr Gentleman: In the sign construction code—that is the signs general code of March 2008—there is a specific allocation in that policy for traffic safety, and it indicates the types of signage that would be allowed in regard to traffic safety.

MS ORR: Ms Le Couteur mentioned that the government's submission seemed to support billboards. I actually did not take that away from the submission. Can you clarify what the government's position is on this?

MS LE COUTEUR: I must admit that I thought some pages supported it and some did not, but overall—

Mr Gentleman: I think you summarised the position quite clearly. The government's position is neutral at this time. In reference to my earlier statement, that it has been 20 years since we have had a look at this, it is important that we take all the information from stakeholders that have presented to your committee and others that have come to the government as well, in order to ensure that we have an up-to-date policy for the future.

MS ORR: This is an issue of semantics: we are talking about billboards but there is a

lot of discussion about signage, and I could not find a clear definition of a “billboard”; it seems to sit within this broader remit of “signage”. Can you run me through what you view a billboard as being? Are they interchangeable? Do we take one from the other?

Mr Phillips: From a layman’s point of view, my perspective of a billboard would be the sign on the side of the road—the big golden arches or an “advertise here” sign. But there are a variety of things. The signage code deals with signs in the street. It deals with signs from buildings per se that people might not perceive to be billboards; nevertheless, they are signs.

The Planning and Development Act, in its exemptions, refers to advertising signs. That could be billboards; that could be general signage. It refers to mobility signs; it refers to temporary signs. You are quite right; there is no specific definition of “billboards” in ACT legislation. As to what you would understand billboards to be, that might be different for different people.

Mr Gentleman: I can identify the reference in the Territory Plan:

Sign means any device or representation openly visible to the general public for the purposes of direction or control or information, or displaying an *advertisement* ...

Advertisement means any device or representation visible to the general public which is for the purpose of directly or indirectly promoting sales or drawing attention to an enterprise or undertaking, and includes any hoarding or similar *structure*, any bunting, flag or streamer, or any balloon used or adapted for use for the display of *advertisements* or attracting attention.

So it is quite broad.

MS ORR: My understanding from the submission is that billboards are not allowed in the ACT, so when you get a submission for signage, how do you determine that it is a billboard and not allowed?

Mr Phillips: There are two things. There is a general signs code. There are a series of exemptions under the Planning and Development Regulation that relate to size, shape, whether signage is temporary, whether signage is permanently affixed, whether it is mobile. So the assessment is based upon a development application. If a development application comes in for approval of a sign, it is matched up against the general code for signs. In relation to somebody putting a sign on their premises without a development application, they would weigh up the exemptions in the Planning and Development Regulation to see whether those exemptions met what they wanted to put on it. So it is an assessment against an application.

MS ORR: Potentially, you could put forward a development application for something that would be considered a billboard—a big sign on a roadway?

Mr Phillips: Yes.

MS ORR: Whether it is approved or not, it would still be considered and could

potentially be approved, or would it not be approved under the current regulations? If we have a signage code that says, “Yes, you can do this and this,” you could bring forward an application and show that the merits of it are fine. I know this is hypothetical.

Mr Ponton: Mr Phillips was talking about it in layman’s terms, and in terms of what the person on the street might consider to be a billboard. It tends to be a large sign on the roadside advertising events, businesses or goods and services as opposed to signs on a building relating to what is occurring inside that building. So there is a slight distinction there.

Certainly, other jurisdictions make that very clear by ensuring that any sign relates to the property upon which it is located or adjacent to. New South Wales do that, as I recall. They certainly did when I worked there. Things may well have changed. Where we are getting to with this conversation is reinforcing that it is 20 years since the code was reviewed and the committee may wish to turn its mind to some recommendations on definitions and the like, in terms of updating the code to ensure that it is more contemporary, because it is 20 years since it has been reviewed.

MS ORR: Can I clarify one other thing: under the NCA plan, billboards are not allowed. I know that you are not the NCA, but they do define it; therefore, in those areas where the two plans have to be consistent, that would—

Mr Ponton: Yes.

Mr Gentleman: Yes, and, of course, we cannot be inconsistent with the NCA.

MS LAWDER: I will start with a follow-on question. In your submission you have said that billboards are not currently a permitted form of signage. But if you do not have a definition, how do you know they are not permitted?

Mr Ponton: I might ask Mr Phillips to expand on this, but the National Capital Plan sits above everything. The National Capital Plan identifies where billboards cannot occur. Then, in terms of our code, whilst we do not define it, it really comes back to location and size. It has been a while since I have looked at the National Capital Plan. I will ask Mr Phillips to expand a little on that. But my understanding is that it really is the fact that the rules and criteria within our code are not inconsistent with the National Capital Authority’s National Capital Plan.

Mr Phillips: Typically, a six by four-metre high billboard would be outside the signs code for the ACT. So it is outside the National Capital Plan. It also would be outside our general signs code.

MS LAWDER: I think there is a bit of a view amongst some of the submissions that we already have a few examples of billboards in the ACT.

Mr Ponton: But the question is whether or not they are approved.

MS LAWDER: Yes. Minister, I go back to your opening statement. I think you said—maybe you would like to look it up—something about a bit of an opportunity to

improve the look of the city. Do you mean by that that allowing billboards would improve the look of the city? Is that what you said?

Mr Gentleman: More generally, we are looking for the committee, and stakeholders that have put submissions to the committee, to give their views on how they would see the look and feel of the city in a modern way.

MS LAWDER: Could you re-read that bit from your opening statement? I wrote it down at the time. I thought you said “improve the look of the city”.

Mr Gentleman: “Secondly, there is an opportunity to undertake reforms to the current regulations to improve the look of the city and benefit the ACT community more broadly.”

MS LAWDER: That sort of implies to me that you feel that by reviewing them, perhaps changing them and allowing billboards, it would improve the look of the city.

MS CHEYNE: Potentially we could be banning them, which could also improve the look of the city.

Mr Gentleman: Indeed. So it is much broader than simply billboards; it is about advertising more generally too. Of course, in those last 20 years there has been a lot more of a move towards electronic signage. If stakeholders have made submissions to the committee or the committee deliberates from these submissions that they would like to see more modern advertising in the city compared to what we have had previously, then that is something that we need to consider.

MS LAWDER: There are a few examples of those electronic or digital boards around the place. Would you currently consider them as billboards?

Mr Ponton: It would be useful if you gave us examples of the particular signs that you are referring to. That would allow us—

MS LAWDER: There is one on the corner of the convention centre.

THE CHAIR: There is one on the Canberra Centre, where I am pointing.

Mr Ponton: My next point to that would be that we would need to go away and have a look to see whether or not they are approved—whether the relevant entities, be it the National Capital Authority or the planning authority, have, in fact, approved those.

MS LAWDER: I had better be careful about giving more examples in case you go away and tell them they cannot have them.

Mr Ponton: We are certainly happy to look at those examples, to look at the approval status of those and also to see whether or not, for example, the signs—I am speculating here on the Canberra Centre—might have been considered as ancillary to the bigger development. But I am not saying that that is the case. If we have some examples, we can certainly have a look at them in more detail and provide the committee with the reasoning behind the approval or, if they have not been approved,

consider what might be done in relation to them.

MR MILLIGAN: You mentioned the possibility of signs improving the look of the city and you mentioned digital signs. Have you got any examples of locations where you think a sign could improve, say, the local area or the landscape? Is it also in relation to the environment? Is it that the environment where that sign could potentially be placed needs improving or is it that the area is not well maintained and you are putting up a sign to hide that?

Mr Gentleman: No, but you make a very important point with regard to where signage is put up and our environment. It is particularly about our visual environment and what we perceive to be amenable or not in a community sense. No, I do not have any specific examples to give you because we are looking for input from the community, really, in this situation. But I would imagine the community would have views on what they see as a positive amenity and what they see as a negative amenity. I will not give our jurisdiction as an example, but in other jurisdictions construction occurs and you have hoardings around a building, which gives you a much better amenity than if you had no hoarding and you could look straight through to a building site. Those are the sorts of ideas we are trying to float here and get the community's view on.

MR MILLIGAN: If that is the reason, it would have been great for that to be shown in this report, to make it a bit clearer both to us but to anyone else who may be reading this report as well. I am just saying that you could have elaborated on that a little more.

MS ORR: I wanted to follow on from the point Ms Lawder was making on the few examples of billboards—the convention centre et cetera—and the discussion that they would be ancillary. Correct me if I am wrong, but they would not be treated as billboards. They would be treated as signage so far as the application went.

Mr Ponton: Yes.

MS ORR: Is there potential, then, for things, with wider general perception, to be considered as billboards because we do not have a clear definition? Is there potential for them to come in and be considered? Is this where we get this sort of bracket creep, for lack of a better word?

THE CHAIR: Sign creep.

Mr Gentleman: It could be. As I said, it has been 20 years since we have looked at this. It is a very good time, I think, to have a look at it and get the community's view and, of course, the committee's deliberations after they look into all of those stakeholder comments. I reflect on the convention centre for a moment. I think that would have needed NCA approval in its final stage.

Mr Ponton: Certainly.

Mr Gentleman: I am thinking, therefore, that it probably would not be a sign that is approved by the NCA.

Mr Ponton: Indeed, yes.

MS CHEYNE: I have a clarifying question which I think you covered but I was distracted, I am happy to confess. What does “approved” mean? We keep talking about signs that are approved. Who is doing the approving? Are we talking about TCCS? What does that involve?

Mr Ponton: I am glad you asked the question, Ms Cheyne, because, first of all, a sign could be exempt from requiring any approval under the regulations. The sign could be approved as a DA—development application—by the Planning and Land Authority or if is located in a designated area then it could be approved by the National Capital Authority. Also, there are some signs that require Transport Canberra and City Services approval because of where they are located—if they are in the road reserve, for example. That is correct, is it not?

Mr Phillips: That is correct.

Mr Ponton: There are a number of entities that have a role to play in this space.

MS CHEYNE: I will refrain from comment. I stay on the theme of the look and feel of the city for a moment. I have two slightly related questions. I turn to some of the research on what other cities do and how cities are balancing commercial and community interests. We have seen that Miami, Dallas, New York City and Warsaw have actually taken an approach to using murals, painted murals, for advertising. This has limited the prevalence of branding but also introduced some local art into the advertising space. If we are talking about positively improving the look and feel of the city, is this something that could be considered or taken into account outside the current definition of what is a sign or a billboard?

Mr Gentleman: It certainly could be. You have given some examples there. But we have some examples in our own jurisdictions in Australia as well. I have seen very large mural advertising in Melbourne produced for the city by local artists. It is very inspiring and thought-provoking. It does not take your mind off the street, so you can still proceed in a safe manner, but it gives you a way of thinking about a particular social issue in Melbourne, which is very important to the Melbourne community. That could be something we could do in the ACT as well.

If you have a look at a most recent social art experiment in Tuggeranong—I think Ms Lawder was there with me when we did the Erindale bus stop mural—it was really interesting to see this mural portray a bit of history about the local area and some Indigenous history as well whilst taking away the really uninspiring wall that was there. It was just a brick wall. So there are some opportunities, I think, for that too.

MS CHEYNE: Could it be possible, along those lines, potentially to be limiting the introduction of billboards only for the use of something like community messaging or government messaging rather than allowing commercial interests? I think there is an example in Hobart. There is a big sign about how to compost—essentially a public service announcement. Is that one way that billboards could be regulated?

Mr Gentleman: Certainly, but that has in that case possibly an economic benefit as well in that government would be perhaps paying for advertising to get a social outcome, if we are looking at compost or that sort of thing, for example. If in that case we were to hand over to a local artist to do some work, it might cost less. Therefore, there is an economic saving for the territory and you have that outcome of having somebody local producing the advertising for you.

MS CHEYNE: We have been talking about the usefulness in communicating information. I am conscious that in a lot of high density, high traffic areas they come under the jurisdiction of the NCA. I guess this is where my question is going. Given that the NCA's submission says they would not consider changing their rules around billboards in designated areas, is it really worth while to consider community messaging or allowing billboards in the areas that would not have the same amount of population or traffic, for example?

Mr Gentleman: Yes. It would be interesting to have a look at what the NCA currently allow. If you look at the War Memorial, for example, of an evening there are broadcast billboards up on the wall of the War Memorial, which is in a traffic area as well. But I do not think it deters from your ability to traverse the road safely. It is more for those people that actually go there and want to hear the story about what is occurring there. I think there is an opportunity there. But we cannot be insistent about what the National Capital Plan says. If there are any changes that the committee thinks should be perhaps relayed to the NCA for their discussion then we would look forward to that as well.

THE CHAIR: I have a follow-up question on that. Given that, as Ms Cheyne pointed out, the NCA very clearly have said that they are not planning on allowing billboards and are not willing to see any designated area for the purposes of establishing a zone for billboard advertising, and given that they are looking after the main approaches to Canberra—that is, most of our high traffic areas—where do you think additional billboards could go? Would it be along Athllon Drive in Mawson? Is that the sort of place you are thinking about?

Mr Gentleman: We have not—

THE CHAIR: Hindmarsh Drive? Given the NCA's restrictions—

MS CHEYNE: Which are quite extensive.

THE CHAIR: which are quite extensive and include the best advertising sites, probably, where could they go? Where are we talking about?

Mr Ponton: Designated areas certainly are within the city centre. The approaches that you talk about are subject to special requirements, as opposed to being designated. The roadways are often designated themselves, but in terms of the land adjacent there are special requirements. I would need to look again at the National Capital Authority's submission to see whether or not they only referred to designated areas or whether they also referred to—

THE CHAIR: The NCA said it would also not be willing to vary its current approach

to development on land adjacent to main avenues and approach routes. So it seems like—

Mr Ponton: There are also town centres. But, again, as the minister said, the planning authority's recommendation to the government and the government's position is that its view on this is neutral, pending the consideration of this committee and any recommendations that it may wish to make. Then the government will certainly consider that, and I am sure we will seek advice from the planning authority in relation to what changes may or may not be required to respond to the committee's deliberations. But we are certainly not, from a planning authority's perspective, advocating for billboards. Equally, we are not saying that we are not supporting that. We are remaining neutral until we receive the feedback from this committee.

MR MILLIGAN: My question is in relation to page 15 of your submission. It is mentioned there that there is a possibility of increasing the potential to generate more economic activity in the territory through more billboards. Has there been any modelling done to suggest that? Has there been anything done here in the territory to suggest what potential economic activity can be generated?

Mr Gentleman: Overarchingly, we have not done any specific modelling. We only have the information in regard to outdoor advertising for the industry nationally, which has revenues of \$670 million per annum for outdoor advertising. We have not looked specifically at this stage at what we might have as income.

As I mentioned, there are a lot of opportunities for government to use advertising. We do so on buses at the moment, for the healthy weight initiative, for example, which gives us an opportunity to advertise in a different way to provide a social outcome. Because they are on our assets, that may save us some money. Mr Ponton might have something to add.

Mr Ponton: The only comment I would make in addition to what the minister said is that the submission is intended to identify issues for this committee to consider further. In terms of what we understand, clearly, advertising space is able to be sold; therefore income could be generated from that. Whether that is within government-owned sites where the billboards might be located or whether it is the private sector that benefits from that, all we are saying is that that may be a consideration for this committee. We are not saying whether or not it is a good or bad thing; we are simply saying that, in terms of considering all the pros and cons, we wanted to put as much information to you as possible. That may generate further questions for you to ask other witnesses who may appear before this committee.

MR MILLIGAN: In relation to generating more potential economic income, and the government advertising its programs, initiatives or services on your property—buses, land or whatever—is that in terms of generating more economic activity for the government? What about the private sector? How can private businesses generate more economic activity from that through advertising their products and services? When there is limited land or places available for them to do that, it would seem that the government has more opportunity than private business.

Mr Ponton: Not necessarily. That is something for the committee to consider. Where

do we allow the billboards to occur? Are they on the roadside? In New South Wales, for example, and in Queensland, for that matter—I can clarify that—it tends to occur on privately owned land. Therefore the landowner benefits in terms of renting out the space to the sign provider; and the person who is advertising would achieve a benefit as well.

MS CHEYNE: The submission also says that other jurisdictions potentially get an economic benefit or revenue from outdoor advertising, particularly if it is on their land. If revenue were derived from allowing billboards on public land, could we potentially restrict what that revenue went on to fund, for example?

Mr Gentleman: That is a good point.

MS CHEYNE: I am asking because we have many people expressing their views, and I wonder about palatability. Billboards might be—maybe not—more palatable if people could see that the revenue generated for government out of leasing the land for that billboard or allowing the billboard on that land went to a homeless shelter.

Mr Gentleman: Yes, exactly. That is a very good point, and I would be interested to hear what the committee has to say, after reading all of the submissions in regard to that. Perhaps we could point to an example with Adshel. The government went into an agreement with Adshel a number of years ago to supply and maintain bus shelters in the ACT. These particular bus shelters are of very good quality and are maintained, but they do have advertising on one panel. My understanding, from memory—I will not go into specific detail because I do not have all of it in front of me—was that these bus shelters were supplied and maintained by the company, at no cost to government. That meant a great social outcome for the territory and a financial outcome as well which was palatable. I think the community looks at that as a good example.

THE CHAIR: I might go back to the enforcement question and illegal billboards which Ms Orr was asking about.

Mr Gentleman: Mr Phillips is ready for that.

THE CHAIR: Good; we have some piccies. They are fairly innocuous pictures. I could find some much more exciting ones. They are both actually small, suburban numbers.

MS CHEYNE: Will you show your colleagues?

THE CHAIR: Yes.

MS CHEYNE: The circus.

MS ORR: But these are not billboards, apparently.

THE CHAIR: We do not have billboards. They are signs.

MS CHEYNE: Is a big clown a billboard?

Mr Ponton: It is probably an inflatable sign, which is covered under the code.

THE CHAIR: I would have asked: are you aware of any illegal billboards? Ms Orr went there. I only brought a couple of piccies with me, so I thought I would go to the pictures. Would these qualify? They are not billboards because we do not know what the definition of a billboard is. But would they qualify as illegal signs?

Mr Phillips: Can I turn to the circus clown first?

THE CHAIR: Yes.

Mr Phillips: Noting that it is not on public unleased land, it is on private property, there are exemptions in the Planning and Development Act for temporary signs: temporary, movable and mobile signs. So the issue would be, without knowing all the details, whether that sign fitted one of the exemption provisions of the Planning and Development Act; and, if it is there for a day or two, or a week or two, what the compliance activity might be in response to that.

THE CHAIR: My understanding is that it was weeks rather than days.

MS CHEYNE: Is that the Planning and Development Act or is that the movable signs regulation?

Mr Phillips: The Planning and Development Regulation has a series of exemptions in it, as you scroll down. One of the parts relates to sign exemptions.

THE CHAIR: The other one has been there for years. It has changed. The advertiser has changed. I think it was a butcher at some stage. It has not always been the same advertiser, but that location has had advertising for years. It is at Ainslie oval.

Mr Phillips: There are some other signs there as well.

THE CHAIR: Yes. These are just a couple of photos.

MS LAWDER: Ainslie footie club are getting a bit of income from it.

THE CHAIR: I assume they would be, or that one of the clubs is getting something out of it.

MS LAWDER: So it is a sponsor of the footie club or something.

THE CHAIR: Yes, I do not know precisely. The follow-up on these two is: how many questions does Access Canberra get about problematic signage, whether it is illegal or not?

Mr Phillips: Access Canberra gets very few complaints every year about signs, less than a handful. The average is two.

THE CHAIR: Two a year?

MS ORR: What about the last election?

MS CHEYNE: Are you serious? What about this year?

THE CHAIR: That is unbelievable.

MS CHEYNE: Now that it is in people's minds, what about this year?

Mr Phillips: That is the information that has been provided to us.

Mr Ponton: From Access Canberra.

MS CHEYNE: That blows my mind. Over what period?

THE CHAIR: That is kind of unbelievable. I suspect that probably all of us—

Mr Gentleman: Twelve months, I think, is the period.

Mr Phillips: It is an average period over a few years; that is my understanding.

THE CHAIR: That is really unbelievable. I would hazard a guess that if you averaged the MLAs, we would get at least two per year—

Mr Gentleman: I think, chair, you should report those to Access Canberra when you get them, so we do know the further detail.

Mr Phillips: I would qualify that, Ms Le Couteur. That does not necessarily reflect the complaints that TCCS might get in relation to signs on unleased public land.

Mr Gentleman: In fact I can remember a previous MLA who had a strong concern about normal road traffic signs in his jurisdiction. He wrote to me regularly and asked for them to be removed. They warned of safety, particularly on roads. We have a national code which says that these signs must be upheld. So there was sometimes quite a discussion between him and me on whether or not these signs should be in place.

THE CHAIR: I have largely had complaints about the Canberra Centre and the convention centre. There did not seem to be an awful lot of point in sending anything further.

Mr Phillips: In relation to the Canberra Centre, Ms Le Couteur, there is some notion that the signage had been approved as part of the DA system way back in 2005, 2006 or whenever the development applications were initially done.

MS CHEYNE: Talking about complaints, I note that there is a risk-based approach based on the complaints-based approach, and there is an average of only two a year. You said that Access Canberra receives complaints, as does TCCS. Are they the only directorates or bodies that receive complaints? Who else handles complaints?

Mr Phillips: Complaints in relation to unleased public land?

MS CHEYNE: Yes.

Mr Phillips: They go through TCCS. Complaints in relation to unlawful signage under the planning and development legislation would be through Access Canberra.

Mr Ponton: Could I clarify that the reference to two would be complaints relating to the Planning and Development Act as opposed to unleased land. We do not have the figure for the other.

MS CHEYNE: I know that TCCS is not here, but could we put that on notice for them; is that all right?

Mr Ponton: I am sure we could get that information; of course.

Mr Gentleman: We will come back to you on that.

MS CHEYNE: That might change things dramatically.

THE CHAIR: You could exclude the election-related ones, probably, for the purposes of this, as we do have another inquiry into elections, which corflutes are starring in.

MS LAWDER: For example, following on from Ms Cheyne's question, it is not election related but I think there was an instance in Ginninderry, the roundabout at Drake-Brockman, about a sign which I think had permission.

MS CHEYNE: Two signs, actually. There is one on the corner of Drake-Brockman and William Hovell going into Kingsford Smith and then there is one closer to Spofforth Street.

MS LAWDER: Whilst I think they said they had approval or did not get any objections when they were notified of it, who might those complaints have gone to?

Mr Phillips: If those complaints were made, they will be under the Planning and Development Act. Depending on the size of the sign, those exemptions provisions I mentioned under the Planning and Development Regulation relate to signs for future urban areas. So it is a specific exemption.

MS CHEYNE: That is good clarification. We might be talking about correspondence that many of us received, which went on to say that it had received all necessary approvals. I think the one you are talking about is still there—the bigger sign is still there—but one of them has been removed, based on houses having to look at it all day versus cars driving past it.

We talked also about making complaints about billboards. I know that Access Canberra has a regulatory function as well as serving as the front for receiving complaints. When I went onto the fix my street portal—not to make a complaint but just to look at it—there is an option for making a complaint about election signage but there is no option for signage or billboards generally.

MS LAWDER: It makes it hard to complain.

MS CHEYNE: It makes it a little bit hard to complain. Of course, there is an “Other” option, but if you are not prompted, you might feel that you cannot. I wonder whether that may potentially skew the number of people who maybe would have complained and ended up not doing so because they did not feel that they could. Are there any other ways that we could consider; or would the government or the directorate be open to considering making it easier to complain about signage?

MS LAWDER: Either election or other signage.

MS CHEYNE: Yes, that is right. Signage generally.

Mr Gentleman: We would be happy to take any recommendation from the committee, after you have finished your deliberations, on how we should change government policy or access in regard to complaints.

MS CHEYNE: These questions might need to be taken on notice for TCCS: in addition to how many complaints about signage have been received over the past few years, what kind of compliance activity can be taken in response to a complaint? Is every complaint about signage investigated, or, if it is perceived as a low-risk issue, is it perhaps not investigated because it is a risk-based approach? Finally, with respect to complaints that are investigated, how many signs have turned out to be compliant or approved based on one of the four different approval areas? This may be really pushing the bar here, but I am interested in whether some signage was slightly beyond what was allowed versus things that are really blatantly pushing the limits.

Mr Gentleman: There is quite a bit of detail there.

MS CHEYNE: There is.

Mr Gentleman: We are happy to take that on notice and get that detail for you.

MS CHEYNE: Thank you.

MS ORR: Mr Phillips, I want to follow on from something you mentioned earlier. You mentioned that the government has done work around policy review on billboards in the past. Are you able to give an overview of what that work might have been?

Mr Phillips: No. If I said that, I did not mean to convey that.

MS ORR: Okay, I have misunderstood.

Mr Phillips: There has been no policy work done, as far as I am aware, since that current signs code.

Mr Ponton: Could I draw your attention to the fact that they are hand-drawn images, which is a demonstration of how old the code is in terms of when it was last updated.

MS ORR: Given that we have had a lot of technological change, including computers, is there a reason why we have not looked at the signage code or is it just one of those things we have not got to?

Mr Ponton: It is just in terms of priorities. There have been greater priorities in terms of review of the planning legislation and the Territory Plan. That is essentially the reason why.

Mr Gentleman: We do not have the mass billboard advertising that we see in other cities, so I think that whilst the community has been responsive to what is occurring now, which is really good, there has not been the urgency for this. So it really is a good point in time for us to be able to take the recommendations from this inquiry and look at what we should do for the future.

MS CHEYNE: I have a supplementary question. It is short. I say this all the time, but I think it is. I saw a TED Talk recently that talked about—

Mr Gentleman: Was it advertised?

MS CHEYNE: Funny! It suggested that the future of advertising might include drone technology, with ever-changing targets and even interactive ads on our city streets. While we are talking about historical change and things over the last 20 years, we should also be looking towards the future at this juncture, when we are having a look at the rules relating to our billboards. I note that we have flagged the possibility of the government review but also we have a general definition of what we think a billboard is. Should we really be starting to look at billboards in technology-neutral terms?

Mr Gentleman: I think you should, yes. The air safety authority, CASA, has regulations with regard to drones. Firstly, you have to be a licensed operator. You can only operate in a certain area. Obviously, you cannot operate near airports or anywhere like that. They have policies and regulations about what the drone can carry as well. Currently, at this stage, I do not think they can carry advertising and I do not think they can carry pizzas, either. There was an incident recently—

MS CHEYNE: I have been thinking about this.

Mr Gentleman: Yes. There was an incident where somebody used a drone to bring a pizza back to their spa and was later fined. This comes from recent conversation with CASA. I do not think they are quite there in terms of advertising yet, but it would be worth while having a look at their regulations as well, as you deliberate on this, to see what future advertising could occur in that sense.

MS LAWDER: I refer to the bottom of page 7 and the top of page 8 of your submission, where you deal with the content of signage. The first part is about fair trading and the second part, on page 8, is about industry self-regulation. Have you done any work on self-regulation and how effective it is in other jurisdictions? Have there been many complaints? How are they resolved? Have you looked at that at all? I know in some other industries, from a consumer perspective, there are always complaints about self-regulating industry.

Mr Ponton: The short answer is that we have not done any policy work in this space, as Mr Phillips alluded to. We are awaiting the deliberations of this group. The short answer is no. As I said earlier, the idea behind the submission really was to raise issues for you, to prompt ideas or questions for others who may give evidence. It really was not to say that we have done all of this work; it really was just an ideas generator. That was the intention.

MS LAWDER: If at some time in the future it was to go ahead, you would examine that as part of your policy development?

Mr Ponton: That is a possibility, yes.

MR MILLIGAN: I have a supplementary question on that, relating to self-regulation and the federal Consumer and Competition Act. You also have regulations in relation to what content can be advertised on ACTION buses. Would you be looking at implementing some of that self-regulation in private advertising—what they can and cannot advertise? Will you be incorporating some of this—part of it or all of it—or is that already incorporated?

Mr Gentleman: I think that is up to committee, the recommendations from the committee, and what the community feels about that advertising. Certainly, we can regulate further. It appears at this time that most people accept the regulations around advertising on ACTION buses. However, if there is commentary that has a different view, we would be interested in taking that on board.

Mr Ponton: I make the point that, of course, advertising on ACTION buses is not something that is managed by the planning system. Certainly, the government can consider that through other means but it is not something that would be appropriately dealt with through the planning system.

Mr Gentleman: Just to add, there are 14 specific links that TCCS has in regard to the approval of advertising on ACTION buses. Each of them is quite detailed. We are happy to get those to you.

MR MILLIGAN: Yes, that would be fantastic, and the process for that approval.

MS CHEYNE: I want to talk about the potential for a precinct-based approach. I think it is clear throughout your submission that there is a need for regulatory reform. We currently have inconsistent outcomes across the territory. Would taking a precinct-based approach to regulation make these differences more transparent? Would it potentially achieve greater consistency within a precinct at least and make it clearer to the community what is allowed and where?

Mr Gentleman: That is certainly how it works in our planning system. We have precincts that are distinct, that have central areas for our shopping centres and move out into residential, so there may well be an opportunity to go forward in that manner.

MS CHEYNE: I note that we have a lot of precinct codes—over a dozen.

Mr Ponton: Precinct codes—there is one for every suburb. Having said that—

MS CHEYNE: Then I do not know what I am thinking of. It may have related to town centre things. From a directorate perspective, if we went with a precinct-based approach, what would be needed to update all the precinct codes? Is that genuinely feasible?

Mr Gentleman: Yes.

Mr Ponton: I think the short answer is yes, it is feasible. Whether it is an approach that we would take, you would consider, for example, residential areas. As I said, every suburb has its own precinct code. I suspect that you could have commonality across the residential areas. You might look at town centres differently. Then you might actually analyse the different town centres and see whether or not you needed to treat each of those differently.

I would be thinking that you would be looking at the city centre, keeping in mind that much of that is designated land. You would be looking at the town centres, you would be looking at your group centres and you would be looking at the commonalities across those groups and perhaps the precincts in that way. Certainly, as the minister said, it is something that is open to the committee to recommend. We could certainly work on that basis, and much of our planning is already moving towards precinct-based planning.

MS CHEYNE: I appreciate that you are not here doing modelling, but would it potentially be a significant amount of work? I am wondering about the value of the work versus the potential outcome.

Mr Ponton: I think that, because there would be so much commonality across certain areas, it would not be a huge amount of work. As I said, in suburban areas it would be pretty clear that the same rules and criteria could apply. You may just wish to review what those rules and criteria are. I think the city centre, being the city itself, could be different from the town centres. I am not saying that it would be, but it certainly could be. I do not think it is an enormous amount of work. If we are going to be reviewing the code, if that is an outcome—that the minister agrees to review the code overall—it would make sense to look at the format of the code as well as part of that.

Mr Gentleman: Of course, if the directorate needs more resources, I am happy to go to the Treasurer and ask for them.

MS LAWDER: Following on from the precinct-based approach question from Ms Cheyne, is there anything in the legislation for the CRA, the City Renewal Authority, that would allow or enable billboards or signage as it currently stands?

Mr Ponton: The City Renewal Authority is subject to the rules under the Territory Plan and the National Capital Authority. The policy responsibility rests with the planning authority. If you are asking whether there is a special arrangement or circumstances that apply to the City Renewal Authority, the answer is no. They are like any other proponent.

MR MILLIGAN: You raised digital advertising as a way of looking forward and bringing Canberra into the 21st century. Have you had any thoughts about how that would be implemented? Would that be implemented potentially by the government? Would government manage those signs? Would you give it out to the private sector and allow private industry to build these signs, manage them and sell advertising?

Mr Gentleman: I think it probably would be a mixture of both. There are social policy outcomes that the government wants to achieve and there is advertising for those. I have mentioned that on our buses, for example, we talk about our healthy weight initiative. That is a good way for government to advertise. Whether we move into an electronic sense—I think we do in the way of sending out messages from our government services. But in regard to billboards, I think it would probably be a mixture of what government wants to deliver in its space and then what the private sector wants to deliver in its space.

THE CHAIR: I continue on the digital theme. One of the reasons I thought your submission was supporting billboards was that there are a lot of very positive words about the potential of digital billboards. It is stated at the top of page 17 that the government is supportive of giving consideration to digital billboards as a means to provide more flexibility for event organisers. Then, on the page before, there is reference to the smart cities approach to enliven urban areas.

The impression I clearly got from this was that you would like to see more digital billboards and signage in the ACT. Whether or not that impression is correct, have you thought about, in particular, the privacy issues? For example, we are all walking around with smartphones in our pockets. Most of us are probably broadcasting on a continual basis our location to many different things. You certainly read about billboards interacting with the person going past—that I am an older woman or whatever—and advertising what I am likely to be interested in. If it is 7 o'clock, I have been at work and I have not been home yet, so it could be advertising for the pizza that will be delivered by the drone. That would probably be incredibly attractive.

Mr Ponton: Only if you have a licence.

THE CHAIR: Perhaps it will turn up at the next billboard and I could pick it up. But my question is: have you looked at the potential privacy issues relating to digital billboards and the management issues of digital billboards? You have a statement of ambition that we must embrace the digital mindset, deliver integrated smart city initiatives and look at demonstrating the benefits of a well-managed and data-driven city. As this is in the context of billboards, I am assuming that you are thinking about billboards in that vein?

Mr Gentleman: I think the submission is recognition of how far we have come in 20 years. As Mr Ponton was saying, our original code's descriptor has handwritten drawings on how you should advertise. The world has moved on from that. The submission is recognition of where we are now in our digital age, where we might be in the not-too-distant future and how we should perhaps embrace that because the community has moved there anyway. So it is time for us to move along with the community, recognise that they are looking at in terms of advertising and ensure that we have the right controls for that. Mr Ponton, did you want to add to that?

Mr Ponton: The only thing I would add, thank you, minister, relates to the specific question: have we undertaken any work? No, we have not. In developing the submission, as I said earlier, it was about ideas generation, acknowledging that, as the minister said, things have moved on in the last 20 years. We are saying that certainly we support the committee looking into this. We have not done a detailed amount of work, other than to identify the issues, simply because the government has not made a decision as to whether or not to review the code, because that is awaiting the outcome of your deliberations.

THE CHAIR: The other issue which you appear to have made up your mind on is the financial one. You note that if a billboard went on a piece of privately owned land the financial benefits would go to that landowner. I guess this is not so much a question as it is a suggestion. There is no reason why the government should not charge licence fees for things. The benefit from the advertising, to the extent that there is one, is because of the public going past and observing it. I am not advocating in any way that this should be done, but if changes are made I think the government should look at the concept of revenue to the public purse, not just revenue to the private landowner.

Mr Ponton: When I made that comment, Ms Le Couteur, I was not suggesting that the other options were not available. I was simply saying, in terms of economic benefit in response to Mr Milligan's question, that it is possible for the private sector also to benefit from those revenues, in addition to the government. What the mechanisms might look like is yet to be determined, again based on the recommendations of this committee and how the government then responds to them. It was really just about putting forward some ideas. I certainly have not made up my mind. I am sure that I cannot speak for the government, because it needs to deliberate in relation to any recommendations that you might make.

Mr Gentleman: I think it is well recognised, though, that the recipient of economic benefit from advertising is generally the entity that does the advertising. If it is a particular fast-food chain, they are the ones that normally get the benefit out of the advertising. Whilst the person or object that owns the place may get some economic benefit from it, the general recognition is that the person that does the advertising is the one that gets the benefit.

THE CHAIR: My point is that the government also could be a recipient of economic benefit—licence fees of some sort. I am not suggesting we go down this route, but, given that this is a route that clearly is being considered, billboard advertising could provide a type of rent. It would be entirely reasonable for the government, if it did allow such behaviours, to regulate them financially so that it costs a certain amount if you want to advertise, even if the billboard is on private land. You are advertising to the public as a whole.

Mr Gentleman: I look forward to the committee's recommendations.

THE CHAIR: Yes, I was just surprised that you seemed to rule it out.

MS ORR: I want to get my head a little bit more around the public versus private land divide, as to where you can and cannot put signs and who can get away with what. On

public land, am I correct in understanding that the rules come under the signage code?

Mr Ponton: On public land it is the unleased territory land.

Mr Phillips: Depending upon the nature of the sign, unleased territory land requires permission from TCCS to actually put a sign there. Depending on what else might happen, it might require development approval. So there might be two processes in that. If you put a sign on unleased territory land, you would go through TCCS for approval, to get that permission. The next stage is that if you put a sign on private property, depending upon the nature of the sign, you might then need development application approval, but not approval from TCCS. If you put a sign in the main thoroughfares, it will be works approval that you require from the National Capital Authority.

MS ORR: Going back to the example Ms Le Couteur raised regarding the Ainslie football ground with their Subway sign—because it is a tangible example—the picture indicates that it is on private land, so they have put it up. I am guessing it is not big enough to be a billboard, so it would be a sign, and it would come under some sort of development approval process.

Mr Phillips: Theoretically, if it did not fit within one of the exemptions under the planning regulation, it would need DA approval.

MS ORR: Okay; I wanted to clarify the process.

Mr Phillips: It does look like it is behind a fence.

MS ORR: Yes. It is one of those things where, if I am right in understanding, we can say that the billboards—and I will put “billboards” in inverted commas because we do not have a hard definition of a “billboard”—are on private land and other sorts of things can be put in place; is that right?

Mr Phillips: Yes.

MS LAWDER: In your submission you talk about regulation in other jurisdictions. On page 11 there is reference to “concerns with a dependence on the associated revenue”. Is it a one-off charge or is it an annual fee that is charged?

Mr Gentleman: We have put some references at the bottom to those particular jurisdictions.

MS LAWDER: That particular paragraph does not have a reference, on page 11. It states:

In doing so, some cities suggest concerns with a dependence on the associated revenue ...

I wondered what the regime was. Is it a one-off approval fee or is it an ongoing annual fee?

Mr Ponton: I am sure there is a combination of all of those. Perhaps we could take it on notice and come back to you with some more detail.

MS LAWDER: That would be good.

Mr Ponton: It has been a while since I read the submission.

MS LAWDER: It says that some cities have started to reclaim public space, or take away or minimise signage. There is a reference to Grenoble and some other places. Do you know why particular cities are reducing it? Is it about visual pollution? Is it about visual amenity or distraction? Do you know on what basis they were starting this process of reducing it?

Mr Gentleman: I am looking at one of the references in regard to Philadelphia. It talks about input from the community and what they thought about those particular signs.

MS LAWDER: Philadelphia is a slightly different example.

Mr Gentleman: Yes.

MS LAWDER: A couple of paragraphs above it talks about banning the erection of billboards and some states in the US being billboard free. I was interested in the research that you did and whether you knew what prompted that reduction.

Mr Ponton: Off the top of my head, no. It has been a little while since I have looked at those references. I am happy to come back to you, having looked at those references. I suspect it was to do with reducing the visual impact that too many signs can have in certain cities. I am happy to come back to you.

MS CHEYNE: We have talked about size and location and private and public. We have touched a little bit on content, including the healthy weight initiative. A number of the submissions that we have received talked about the psychological impact or the impact on someone's psychological wellbeing. For my part, I am interested in what consideration is currently given to the content that is on a sign that we approve. If we were to strengthen our regulations around content, how would we do that?

Mr Gentleman: There are currently some regulations around approved signage. Principally, it needs to be predominant signage on the site that relates to perhaps the building name, the name of the business, the nature of the business, advertising of products made on the premises, business insignia, trademarks and those sorts of things. There is a secondary party code which looks at advertising for a secondary party. Those are products that are not initiated on the site but are associated with the business in its day-to-day business activity. That is the code structure at the moment. There is also third-party advertising, which is generally not allowed. That is where it is completely unrelated to what occurs on the premises, for example.

Mr Ponton: Table 2 within the code identifies where the placement of particular signs can occur, based on the principles that the minister just spoke about, or the definitions.

MS CHEYNE: Let us pick a somewhat random example. I was watching *Stacey Dooley Investigates* last night, so this is at the top of my mind. In that show they had quite a lot of very graphic images about abortion, for example. If a pro-life organisation wanted to have a sign or a billboard with some quite graphic images on it, would that currently be allowed based on our rules?

Mr Ponton: In terms of the code itself, there is nothing there that specifically requires the Planning and Land Authority, in considering a development application, to consider the specifics of the content. Having said that, there are other provisions in the act in considering a development application where we need to consider the appropriateness of the use or the land for the use. There is a hook there, I guess, in terms of applying a common-sense approach, if there was something that was particularly deemed to be offensive, to rely on that provision within the legislation itself as opposed to the code. Of course, if that were appealed, we would need to consider how we would defend that, because it is somewhat subjective.

MS CHEYNE: Yes, as to what is offensive and what is not.

Mr Ponton: It certainly could be strengthened. If the committee were to turn its collective mind to that particular issue, again, we are happy to receive any recommendations in that regard.

THE CHAIR: On page 10 there is a section headed “Enforcement and noncompliance issues”. At the end it says:

Accordingly, there may be examples where compliance of signage is open to question but has not been tested as no complaint has been raised.

I am confused, because earlier you talked about two complaints a year, which is greater than none. Is it just that they have always been regarded as so low a priority that no-one has bothered going any further?

Mr Ponton: I suspect the reference there—keeping in mind, as I said, that this is bringing together comments from a range of different agencies, including Access Canberra—is as to whether or not Access Canberra would initiate a compliance action of its own accord. Without having received a complaint, it would need to prioritise whether it did that, as against how it would respond, or the resources that it has to respond, to complaints that have been made.

THE CHAIR: It says that this “has not been tested as no complaint has been raised”. I am interpreting this as saying no-one has complained about—

MS LAWDER: I do not think that is what it means.

THE CHAIR: That is not what it means?

MS LAWDER: No, I think it is about compliance.

Mr Ponton: It is in relation to compliance.

MS CHEYNE: There might be some questionable signs around the place but because no-one has ever contacted anyone about them, they just keep going.

MS LAWDER: On that particular sign.

Mr Ponton: It is like this one that you provided to us: if there is not a complaint that has been lodged then it would not be investigated.

THE CHAIR: I thought earlier today you said that there were two complaints a year that actually came in. If there are two a year that come in, that is not no complaints.

Mr Phillips: The premise of what is intended in the submission is, as Ms Cheyne and Ms Lawder have said, there may be issues relating to certain signs where they have received complaints. The complaints in relation to particular signs—

THE CHAIR: To other signs.

Mr Phillips: To other signs have been investigated, with no follow-up compliance activity.

MS LAWDER: There are other examples like this one that may not be compliant, but because no-one has ever complained about it—

MS CHEYNE: I could have a big sign out the front of my place, but if no-one ever says anything, I could have it forever more.

THE CHAIR: I appreciate that. I interpreted this as meaning that you have not had any complaints; therefore you have not done anything.

Mr Phillips: I think the intention is as Ms Cheyne has just said.

THE CHAIR: I think I understand that there is no proactive enforcement. If you do not get a complaint, you do not do any enforcement. Where I am obviously confused is that I thought earlier you said you were getting about two complaints a year.

Mr Ponton: Yes.

THE CHAIR: Do I take this as saying that they are not really looked at? You are getting two a year, but it says “there may be examples where compliance of signage is open to question but has not been tested as no complaint has been raised”. It is on page 10.

Mr Ponton: We are saying that there may be examples like the one you have just provided to us that are not the subject of a complaint, and their compliance may be questionable, but we have not investigated those ones because there has not been a complaint.

MS LAWDER: The paragraph above says it is on a complaints basis, of which there are two.

THE CHAIR: But it does not say there are two. The one below it says there have been none.

MS LAWDER: But the ones where there has been no complaint—

Mr Ponton: In the circumstances where there has been no complaint.

THE CHAIR: So the bottom one is only relating to a specific unnamed one? I read that as saying you have not tested anything about your compliance laws because nobody ever complains.

Mr Ponton: No. If we have two complaints, we investigate those. But what we are saying is there could be other signs out there that we have not investigated because there has not been a complaint.

THE CHAIR: Okay. I now understand what you are trying to say, but it is not helping me to interpret it.

MS CHEYNE: Not to verbal any of the officials, so please correct me: potentially, we could have a thousand non-compliant signs throughout the territory but if only two of them have been complained about, only two have been investigated and then there are 998 hanging around that are not compliant as well.

THE CHAIR: That is what I would understand to be the situation, except for the no complaints. I did not understand your sentence to mean that, although what Ms Cheyne says would seem to be what I would think.

MS CHEYNE: You are reading that as no complaint having ever been raised.

THE CHAIR: Yes.

MS CHEYNE: Whereas they are talking about no complaint has been raised about some examples where the compliance might be—

Mr Ponton: The intent certainly is as Ms Cheyne—

THE CHAIR: Yes, okay.

Mr Gentleman: For completeness, too, for the committee and those listening, it would be worthwhile letting the public know that if they see a sign that they think is non-compliant, they should contact Access Canberra and let them know.

MS LAWDER: I have a question about inconsistent regulatory outcomes: a business with an awning, someone who has a fence. You talked about the fact that you have not reviewed the signs code for a while. Is that the kind of thing, irrespective of billboards, that you might be looking at if you are reviewing?

Mr Ponton: Yes.

MS LAWDER: To get more consistent results?

Mr Gentleman: Certainly in regard to what you just referred to in relation to awnings, blind signs and business plate signs, they are still handwritten in the code; so Mr Ponton made a very important point there, I think.

MS CHEYNE: I go back to those two sentences in the question before about complaints and investigation. Could I clarify that compliance activity under the Planning and Development Act is on a complaints basis, and that is where, on average, there are two a year?

Mr Ponton: Yes.

MS CHEYNE: But is that the same way that compliance activity is undertaken by TCCS?

Mr Phillips: I think TCCS takes a bit more of a proactive stance in compliance.

Mr Ponton: And that is essentially because it is on government land, as opposed to private land, and the regulatory arrangements are different for the two.

MS CHEYNE: Could we get that doubly confirmed? If they do not do it on a complaints basis, could they explain what approach they take to investigating? I am sure that complaints help as well.

Mr Ponton: I have somebody here who could actually answer the question now, if you like.

MS CHEYNE: Sure.

Ms Flanery: In my former role at Transport Canberra and City Services I was responsible for the city rangers who had the moveable signs code of practice. Election signs, community signs, real estate and advertising signs in the city were part of that portfolio. There is a mixture of follow-up responses from the city rangers for specific complaints. They are followed up very actively. People are sent infringements—those kinds of things. The infringement fines are reasonably high. I cannot recall the specific section of the Public Unleased Land Act but the fine is around \$220 for an individual who does not comply with the code and five times that for a corporation. So the fines are significant.

There was a mixture. Where someone had reported a sign there would be some response. I took a particular interest in making sure that there are signs in the right spot so the city did not look cluttered. In the city we were also very active in trying to make sure that signs were in the correct spot; so there was a mixture of both in that respect.

THE CHAIR: I should also have asked you before you came to the table to confirm that you are familiar with the privilege statement, which hopefully you are.

Ms Flanery: Yes. With four minutes to go, I had forgotten that.

THE CHAIR: No, I had also, Ms Flanery.

MS CHEYNE: I have only one more question and you might refer your previous responses. I guess that throughout this hearing, and in the submission as well, reference has been made to the fact that it is an options paper; that issues do not have a view. But in terms of the best planning outcomes that we could get here, if we were not doing an inquiry and you were hypothetically just starting your own review, what are the things in the directorate's view that need to be addressed urgently?

Mr Ponton: I might ask Mr Phillips to provide further detail but I think, as we alluded to earlier, we were talking about consistency. I think that would be the most important thing: consistency and also modernisation, given that it is some time since the code has been reviewed. They would be the two key things for me.

MS CHEYNE: As part of that modernisation, would transparency be part of that as well in terms of communicating to the public what is allowed where?

Mr Ponton: Absolutely. In fact, that is a good point. It has just prompted another thought: simplicity; so making it easier to understand. You have heard today that we have talked about unleased land, about the Planning and Development Act, about the Planning and Land Authority's role, about TCCS's role and about the NCA's role. So if we could achieve an outcome that is simpler, easier to navigate, more consumable, I think that would be ideal. Do you want to add anything, Mr Phillips?

Mr Phillips: Yes, Mr Ponton, thank you. I think I would just make a reflection on the level of complexity in relation to something that should be a rather simple policy to have for signs. There is a general signs code under the Territory Plan, but then there is a whole series of exemptions under regulation and then there are specific differences. Then there is another process in relation to use of unleased territory land. So I think I might echo what Mr Ponton has said.

MS CHEYNE: Yes, I guess that is important for me to clarify, because so many of these submissions do not change the laws or the current regulations, but I think that actually points to perhaps—

MS LAWDER: An outcome.

MS CHEYNE: Yes, people are looking at the outcome—clean streets and clean highways—rather than the fact that in practical terms we have really got potentially quite an unregulated environment in what is happening in practice. That is extremely helpful. I do have one final question.

THE CHAIR: Be quick.

MS CHEYNE: It is very quick. Are billboards that light up at night or big signs that light up at night allowed under any act, especially if they are attached to a development application or an urban area?

Mr Ponton: The code does talk about a changeable sign. Whether it—

MS CHEYNE: I might as well be specific. There is a very large sign in the town centre on the former site of section 200. It lights up at night. It is really quite a stunning design, but I guess I am just interested in whether that is consistent with the Planning and Development Act, what would be approved under that act or through the DA process.

Mr Ponton: For the specific detail, I might ask Mr Phillips to comment, but I would note, as we alluded to earlier, that arguably that could be a real estate advertising sign, but then there are the requirements around the size of that. In terms of the illumination, I would point you back to the fact that the code is 20 years old and it needs to be modernised because we are seeing more illumination of signage across the world.

MS CHEYNE: So there just might not be any—

Mr Ponton: I can start to think about whether it is a changeable sign, whether it is a real estate sign. There are areas or definitions that it could fit. But it may not be a neat fit, which is why I come back to our needing to look at modernising and updating the code.

Mr Phillips: The only thing I would add is that it could also be a temporary sign. Any long-term sign around that area would need development approval.

Mr Gentleman: The inflatable clown.

THE CHAIR: Thank you very much. This concludes the committee's proceedings for today. On behalf of the committee I thank you for attending the hearing today. Responses to questions taken on notice should be submitted to the committee office within five business days of the uncorrected proof transcript becoming available. The committee's hearing for today is adjourned.

The committee adjourned at 5.03 pm.

From: [Gilbert, Barbara](#)
To: [McFarlane, Trina](#)
Subject: Informal Notes on Signage Review [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Wednesday, 30 November 2016 3:42:29 PM

Hi Trina,

Below are a few informal notes I took during a teleconference with the Outdoor Media Association a few months ago. They might help get you thinking about some relevant areas to look at.

Notes:

- [REDACTED] are the key contacts
- [REDACTED] is the General Manager of the Outdoor Media Association
- The association sparked the review through a meeting with the CM
- Shane Rattenbury has proposals to ban certain ads
- They want more third party signage allowed
- The association represents advertising groups and industry
- They made reference to the light rail and international airport being drivers for more third party advertising
- Noted that advertising can provide a revenue stream to the government such as through bus shelters
- There was discussion about signage on vehicles such as buses and travelling billboards, we need to be clear in the scope that we only regulate built form signage not signage on vehicles
- They noted a move toward more digital signage
- It was noted that digital signage has the capacity to double as a wifi hub
- Noted that their members currently think of Canberra as a no go zone
- It was noted that key areas around light rail, the airport and approach routes are under the control of the NCA
- The OMA noted that they had spoken to the NCA and did not receive a keen response
- Noted the need to look at controls for electronic signs
- Would like to see more exempt signage
- Noted there is an advertising standards bureau
- They also have their own review mechanism
- Discussed need to consider illumination and related standards
- Noted that they can provide information relating to driver safety eg dwell time
- The question of whether 3rd party advertising should only be allowed on government infrastructure was discussed, it was noted that this would provide some public benefit through revenue while also limiting the extent of advertising possible
- The OMA offered to develop a tailored guide for the ACT
- Will give us information on current common types of signage (more modern types)
- Sound may become more relevant with moves toward more digital signage, this can be beneficial for visually impaired, need to consider noise standards too though
- It was noted that sign writers are having difficulty with the system and that it needs to be easier to understand
- It was noted that cost of compliance is an issue, people are choosing to take the change

rather than pay

- They will give us some information on a draft policy NSW have in train for trailer advertising
- The question of whether in window illuminated signs are regulated was raised
- Illumination standards to be addressed

Kind Regards,

Barbara Gilbert

Phone 02 6207 8397

Territory Plan Section | Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

Monday-Thursday

From: [REDACTED]
To: [Kaucz, Alix](#)
Cc: [McFarlane, Trina](#); [REDACTED]
Subject: Outdoor Media Association Meeting on Thursday 8 December 2016
Date: Tuesday, 29 November 2016 4:37:39 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[OMA Submission Signs General Code 29 November 2016.pdf](#)
[OMA SCREEN FINAL ACT Advertising Device Code.pdf](#)

Dear Alix

I have posted a package to you this afternoon which includes a copy of the OMA's letter to you about the ACT Signs General Code 2008. The package also includes a copy of the OMA's Model Advertising Device Code for the ACT, and copies of our 2015 Annual Report and Open² publication. I have sent everything by Express Post, but just in case there is any delay I am attaching a copy of our letter and Model Code to this email.

Please let me know if there is any further information that you require prior to you meeting with [REDACTED] on Thursday 8 December. [REDACTED] will be bring a PowerPoint presentation to the meeting that includes audio and embedded video. Would it be possible for you to meet with Tess in a meeting room with technology to run the presentation. [REDACTED] can bring her own laptop if it would help but a projector screen is needed. Please could you let me know if [REDACTED] needs to bring a laptop or whether you have one available for her to use.

Many thanks

[REDACTED]



[REDACTED]
Outdoor Media Association
(Monday to Thursday)
Suite 504, 80 William Street, East Sydney NSW 2011
[REDACTED]
www.oma.org.au

[2016_data_update_sig_final](#)



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. OMA accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access. If you are not the intended addressee please contact the sender and dispose of this e-mail.

29 November 2016

Alix Kaucz
Access Canberra
ACT Environment & Planning Directorate - Planning
GPO Box 158
CANBERRA ACT 2601

Email: Alix.Kaucz@act.gov.au

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.¹

¹ 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 2014.²

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.

business value of advertising.

² 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:

CHARACTER, AMENITY AND VIEW CORRIDORS
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.
CHARACTER AND AREAS OF HERITAGE SIGNIFICANCE
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.
HEALTH AND SAFETY
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.³

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.

³ 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 ², 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



**General Manager,
Government Relations**

Enc.

OMA MODEL ADVERTISING DEVICES CODE

AUSTRALIAN CAPITAL TERRITORY

**OUTDOOR
MEDIA
ASSOCIATION**

Contents

01	Purpose of the Model Advertising Devices Code	2
02	The Outdoor Media Association	3
03	Investing in our Community	4
04	Digital Signage	5
05	Road Safety	6
06	OMA Model Advertising Devices Code: ACT	7

01 Purpose of the Model Advertising Devices Code

The Model Advertising Devices Code ACT (Model Code) is a best practice guideline for the regulation of Outdoor advertising devices. This guideline can be used by the ACT Government to assist in the drafting of advertising signage policy. The Model Code relates primarily to third party¹ advertising signage, but its provisions can also be applied to on-premise² advertising signage.

The Model Code provides a set of practical and effective planning controls for advertising devices. Overall, the Model Code aims to balance placement, design and utility outcomes for local government and the community with the commercial requirements of the Out-of-Home advertising industry.

The Model Code has been prepared to apply to advertising devices situated in both urban and rural settings. The Model Code applies to both large format (billboard style) advertising devices as well as small format styles (including bus shelter advertising panels and street level portrait advertising panels). It is not intended to apply to temporary advertising devices such as building wraps (structures installed to cover construction sites) and trailer signs, although the Outdoor Media Association (OMA) recommends that these advertising devices should be closely regulated by government.

The OMA works closely with state planning departments, state road authorities and local governments across Australia to ensure that planning controls promote safe, high quality signage and advertising that is well integrated with the surrounding environment. The OMA supports the reasonable regulation of Outdoor advertising signage and advocates for planning systems within Australia that:

- Recognise Outdoor advertising signage as a legitimate land use.
- Provide a fair and reasonable set of development standards for advertising signage.
- Allow for the evolution of the industry, including new styles of digital signage.
- Protect the industry's existing signage investments.

In Australia, advertising content is self-regulated. The OMA works closely with the Advertising Standards Bureau, The Australian Association of National Advertisers, The Communications Council and the Alcohol Beverages Advertising Code Scheme to ensure that members only display advertising that meets acceptable community standards. The Model Code includes a new provision developed by the OMA that requires signage operators to comply with the determinations of these self-regulatory bodies regarding content.

The Model Code applies to both large format (billboard style) advertising devices as well as small format styles (including bus shelter advertising panels and street level portrait advertising panels).

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

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

02 The Outdoor Media Association



The Outdoor Media Association (OMA) is the peak industry body representing 90% of Australia's Outdoor media display companies, production facilities and some media display asset owners. The organisation operates nationally, and prior to July 2005, traded as the Outdoor Advertising Association of Australia. It was first incorporated in 1939.

OMA members display third party advertisements across static and digital signs, including signs on buses, trams, trains, pedestrian bridges, billboards, freestanding advertising panels and street furniture (bus/tram shelters, public toilets, bicycle stations, telephone booths and kiosks), as well as in office buildings, cafes, bus stations, railway stations, shopping centres, universities and airports.

Members of the OMA adhere to an industry Code of Ethics to ensure they operate their businesses responsibly and abide by the industry's regulatory framework.

03 Investing in our Community



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 advertising is responsible for contributing approximately 2.5% of the Gross Domestic Product. For every person directly employed by advertising another three people are reliant upon advertising for their jobs. Over 200,000 people in the workforce are there due to advertising³.

In 2015, the Out-of-Home (OOH) industry in Australia provided more than 17,600 items of infrastructure for use by the community, including pedestrian bridges, bus shelters, retail kiosks, telephone booths, park benches and bicycles. The total replacement value for this infrastructure was estimated to be more than \$350 million in December 2014⁴.



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



³ 2016, Deloitte Access Economics, Advertising Pays – The economic and business value of advertising

⁴ 2016 Deloitte Access Economics, Out-of-Home Adds Value: Out-of-Home advertising in the Australian economy

04 Digital Signage



In recent years, the use of digital signage has grown across Australia. As of August 2016, nearly 40% of the industry's advertising revenue came from digital media and this percentage will continue to grow. As our cities work to improve connectivity, digital signage will play a vital role in communication, messaging and way-finding.

Digital signage can be innovative and entertaining and is becoming one of the ways that people interact with their cities. Digital signs also contribute to placemaking by adding vibrancy, colour and lighting, which are seen as part of the make-up of a contemporary global city. Public attitude testing undertaken for the City of Sydney found that 67% of people 'expect any large city to promote the use of new technology in advertising'⁵.

Digital signage offers a number of benefits to the Out-of-Home industry and the community including:

- **Community benefit** — digital advertising is more cost efficient for charities and governments. One digital sign can display many advertisements on a rotation without the cost of printing.
- **Utility** — digital screens can be used at short notice for emergency messaging and to provide up to date community information. They can also act as Wi-Fi hubs and charging stations.
- **Vibrancy** — digital technology allows for signage that is vibrant, has high image quality and is visually interesting, contributing to placemaking and the creation of exciting and lively urban spaces.
- **Environment** — digital screens produce no PVC or vinyl waste and can be designed to be energy efficient.

⁵Sweeney Research, City of Sydney Outdoor Communication Report – July 2014

05 Road Safety



The Outdoor Media Association has undertaken research on driver behaviour in the presence of advertising signage, using eye-tracking glasses and a vehicle recording device. The research found that:

- Drivers 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.
- There is no significant difference in the length of time people look (fixation duration) at digital signage compared with static signage.
- Drivers maintain the same safe average vehicle headway (distance between themselves and car in front) in the presence of all signage types.
- Over 99% of all glances towards advertising signage were less than 750 milliseconds, which is the minimum time needed by a driver to perceive and react to an unexpected event.

06 OMA Model Advertising Devices Code: ACT

Introduction

Urban planning, land use and development in the ACT are the responsibility of the National Capital Authority or the ACT Government. Development applications for signs on or adjacent to main roads in Canberra or within 'Designated Areas' are determined by the National Capital Authority. Development applications for signs on all other land are determined by the ACT Planning and Land Authority using the Territory Plan, Signs General Code, March 2008.

The Model Code applies to development applications for third party advertising devices requiring consent from the ACT Planning and Land Authority and covers all planning zones.

The Outdoor Media Association recommends that the ACT Government inserts the following overall outcomes, performance criteria and acceptable outcomes into future policies regulating advertising signage.

Overall outcomes sought for advertising devices



CHARACTER, AMENITY AND VIEW CORRIDORS

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.

CHARACTER AND AREAS OF HERITAGE SIGNIFICANCE

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.

HEALTH AND SAFETY

Advertising devices, even for 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.

ECONOMIC BENEFITS OF ADVERTISING DEVICES

Advertising devices should cater for the needs of local and national businesses and governments, giving them a communication platform to share information about their brand, products and services with the public. In this way, advertising signage drives competition and is an important source of information for the community.

06 OMA Model Advertising Devices Code: ACT

Performance criteria and acceptable outcomes for advertising devices

Advertising devices should be assessed against the Model Code. Compliance with the Model Code can either be assessed by the applicant (self-assessable) or by the local council (council-assessable). Advertising devices will comply with the Model Code if the 'Performance Criteria' and 'Acceptable Outcomes' listed below are addressed and achieved.

Advertising signs are an essential part of the fabric of our cities and towns. They provide critical information for the identification of local businesses, for promoting local goods and services, for informing the public about local community events and for national safety messages (e.g. driver fatigue and missing persons). Advertising signs also create a sense of place and with the application of good design can provide vibrant and active meeting places and centres of connectivity for the community.

LOCATION AND ZONING			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P1	Advertising devices to be located in appropriately zoned areas and are of a scale and nature that is compatible with both existing and/or proposed development in the zone.	A1	Advertising devices are usually located within the City Centre /Town Centre, Business/ Commercial, Industrial, Mixed Use or Rural Zones. Street furniture is also located in Residential Zones.
P2	Advertising devices do not detract from an identified heritage place or the overall character and amenity of the locality (such as an open space, streetscape, town entrance, landscape feature and vista or view corridor).	A2	The sign face area is an appropriate size for its position and location.
		A3	Freestanding signs are supported on single or multiple pylons or on architecturally designed structures.

FREESTANDING SIGNS – HEIGHT AND SIZE			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P3	The height* of an advertising device complements and reflects the surrounding character and amenity of the locality and environs.	A4	The height of the advertising device is appropriate for its position and location.
P4	Freestanding advertising devices are of a size and scale which is considered appropriate for both the natural and built environment and does not create a physical hazard or obstruction to motorists, pedestrians, cyclists or residents.	A5	The sign face area is an appropriate size for its position and location.

*The height is measured from finished road level to the uppermost projection of the device.

An important design consideration for advertising signage is the optimum height needed to obtain effective visibility of the advertising face.

06 OMA Model Advertising Devices Code: ACT

FREESTANDING SIGNS (≥ 18M²) – SEPARATION DISTANCES

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P5	Advertising devices are separated by distance in all zones so that the character and amenity of the locality and existing view and vista corridors are not adversely impacted.	A6	For all freestanding signs, a separation distance is required within the same direction of travel.
		A7	Where the topography of the environment creates a natural visual separation between two advertising devices, the separation distance in A6 does not apply.

The purpose of an advertising sign is to be noticed and safely read by the audience. A requirement for a reasonable spacing between signs can achieve this goal.

When signs are well spaced, the audience has the ability to absorb each advertising message and this increases its effectiveness.

ADVERTISING WALL SIGNS

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P6	Advertising wall signs are designed to cover unused or unsightly wall spaces.* *Advertising wall signs do not include building wraps, which are temporary structures.	A8	The sign face area is an appropriate size for its position and location.
		A9	Advertising wall signs must not cover architecturally prominent building design features or other architectural elements that feature in the façade of the building.
		A10	Advertising wall signs should be contained within the outermost projection of the wall of the building and should be designed and positioned to ensure integration with the design of the existing building and character and amenity of the surrounding area.

ADVERTISING DEVICE ROOF SIGNS

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P7	The advertising device is compatible with the design of the building and is consistent with the type, nature and scale of development in the locality.	A11	Advertising device roof signs must not cover architecturally prominent building design features or other architectural elements that feature in the façade of the building.

The Outdoor Media Association does not recommend a specific sign size for advertising wall signs and roof signs as this may restrict the optimal design outcomes for the space.

06 OMA Model Advertising Devices Code: ACT

BUS SHELTERS & STREET FURNITURE			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P8	The advertising face is compatible with the design of the bus shelter/street furniture and does not impact on the amenity of nearby residents.	A12	<ul style="list-style-type: none"> Advertising sign not to extend above height of bus shelter structure. Luminance of the advertising sign not to impact on local residents.

Advertising faces on bus shelters and street furniture require a different set of controls compared to large format signs as they are generally smaller, are often located closer together and can also be located in residential areas.

DIGITAL ADVERTISING DEVICES			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P9	Digital advertising devices, including Liquid Crystal Display (LCD) and Light Emitting Diode (LED) are allowed in appropriate zones.	A13	Digital advertising devices permitted in: <ul style="list-style-type: none"> The City Centre, Commercial, Mixed Use and Industrial Zones; and/or Locations where there is a high flow of pedestrian or vehicular traffic.
P10	Digital advertising devices do not create a road safety risk or hazard.	A14	The static images on LCD and LED advertising devices have a minimum dwell time of 6-8 seconds per advertisement.
		A15	There is an instantaneous transition from one message to the next (approximately 0.1 seconds). No transitional effects such as fly-in or fade-out are supported.
		A16	Advertisements on digital advertising devices are designed so that the amount of text is kept to a minimum and is no more than a driver can read at a short glance.
		A17	Advertisements are designed so that content cannot be mistaken for a traffic control device.
P11	Illumination of digital advertising devices does not create a safety risk to motorists or detract from the amenity of the local community.	A18	The luminance of digital advertising devices are modified according to location, time of day and ambient light conditions (refer to luminance levels table on page 11).
		A19	LCD and LED advertising devices use light sensors to adjust illumination levels according to the ambient light levels.
P12	Digital advertising devices minimise energy consumption where possible	A20	Where possible, digital advertising devices will be designed to minimise energy consumption.

06 OMA Model Advertising Devices Code: ACT

Digital advertising devices differ from conventional signs in that they have the capacity to display changing digital messages. The digital effect can contribute to the vibrancy of cities, streetscapes and contribute to placemaking. The Outdoor Media Association (OMA) advocates for a 6–8 second dwell time in all speed zones and for instantaneous transition from one message to the next avoiding transition effects (generally approximately 0.1 seconds). The 6–8 second dwell time is based on international best practice and is long enough for the change not be mistaken for animation.

Advertising devices may be illuminated either externally or internally. Either method is appropriate provided that the illumination does not cause glare to surrounding residences nor impact upon the safety of drivers.

LCD and LED advertising devices can appear to be too bright if the light is not dimmed during twilight, night time and inclement weather. Luminance levels can be controlled with light sensors that adjust the illumination according to the surrounding ambient light level. If there is full sun on the face of a digital sign, it can become difficult to read and maximum luminance output is needed to ensure that the advertising message is clear to the eye, to avoid distraction. The OMA has developed the following best practice guidance for luminance levels for different locations and time of day in conjunction with a lighting expert.

OMA members will work with the community to alleviate any concerns in relation to new digital signage, particularly in relation to luminance levels.

LIGHTING CONDITION	ZONE 1	ZONE 2	ZONE 3
Sun on face of signage	Maximum Output	Maximum Output	Maximum Output
Day time (full light conditions)	6,000–7,000 cd/m ²	6,000–7,000 cd/m ²	6,000–7,000 cd/m ²
Day time (dawn, dusk and inclement weather)	1,000 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. 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.

VEGETATION MANAGEMENT			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P13	Legal advertising devices are not obscured by vegetation.	A21	A Vegetation Management Plan is in place to enable the pruning and maintenance of trees and shrubs adjacent to the advertising device, to ensure the sign continues to be legible for driver safety reasons.

06 OMA Model Advertising Devices Code: ACT

CONTENT MANAGEMENT			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P14	Advertising devices should display content that is compliant with the Australian Association of National Advertisers (AANA) Code of Ethics and must comply with any decisions by the Advertising Standards Board (Ad Board).	A22	<p>A system of content management and complaint handling arrangements for the content displayed on advertising structures must be in place.</p> <p>Advertising content should be compliant with the AANA Code of Ethics. Where an advertisement is found by the Ad Board to be in breach of the AANA Code of Ethics, the determination of the Ad Board must be complied with and the advertisement removed.</p>

**OUTDOOR
MEDIA
ASSOCIATION**

OMA
Suite 504, 80 William Street
East Sydney, NSW 2011

T 02 9357 9900
E info@oma.org.au
.....
oma.org.au

From: [Gell, Chris](#)
To: [McFarlane, Trina](#)
Subject: RE: Comments from EPSDD Territory Plan - CMTEDD Outdoor Advertising Scoping paper [DLM=Sensitive]
Date: Tuesday, 28 March 2017 3:37:21 PM
Attachments: [image001.png](#)
[image002.png](#)

Trina

Thanks for this.

I'd attended the earlier meeting and looked through the documentation, however didn't get time to provide comments.

You've been through these comprehensively & I support all of your comments.

Thanks Again.

Chris

From: McFarlane, Trina
Sent: Tuesday, 28 March 2017 9:47 AM
To: Gell, Chris
Subject: FW: Comments from EPSDD Territory Plan - CMTEDD Outdoor Advertising Scoping paper [DLM=Sensitive]

Hi Chris

I saw your name on the circulation list.

FYI – attached are comments I have sent to CMTEDD from Territory Plan section.

Regards

Trina

From: McFarlane, Trina
Sent: Tuesday, 28 March 2017 9:28 AM
To: Wilesmith, Brett
Cc: Kaucz, Alix
Subject: Comments from EPSDD Territory Plan - CMTEDD Outdoor Advertising Scoping paper [DLM=Sensitive]

Hi Brett

Thanks for forwarding the draft scoping paper for comment.

Please find attached comments that have been cleared by Alix Kaucz, Senior Manager, Territory Plan.

Regards

Trina



@EPD_Comms



facebook.com/actgovepd

From: Wilesmith, Brett

Sent: Tuesday, 21 March 2017 1:29 PM

To: Sloan, Sean; Weller, Craig; Kaucz, Alix; Gell, Chris; Davis, Matt; Keppell, Cassandra

Cc: Alegria, Stephen; Corrigan, Jim; Phillips, Brett; Cubin, Derise; Kalleske, Mark; Dixon, Brook; Rutledge, Geoffrey; Perkins, Anita

Subject: For Comment by 28/3: Outdoor Advertising - Scoping paper [DLM=Sensitive]

Good afternoon colleagues

Thank you again for your time in our recent discussions on the potential to reform outdoor advertising requirements, which the Chief Minister had asked Regulatory Reform to investigate. Attached for your consideration are the working drafts of a covering brief to the Chief Minister and related scoping paper.

Broadly, it does appear that there are opportunities to update and improve current requirements, with a number of factors supporting such action. This needs to be considered along with the need for effective community and stakeholder engagement (including the NCA).

I would be grateful for any comments by **noon 28 March 2017** on: the drafts; possible arrangements for a review; and implications for your areas.

I am available to discuss any points [REDACTED]

Kind regards

Brett

Brett Wilesmith | Senior Manager

Regulatory Reform | Government Reform | Chief Minister, Treasury & Economic Development | **ACT**

Government

Phone. +61 620 50202 | Email. brett.wilesmith@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

From: [Sayers, Caroline](#)
To: [McFarlane, Trina](#); [Kaucz, Alix](#)
Subject: RE: Outdoor Media Association Meeting on Thursday 8 December 2016 [SEC=UNCLASSIFIED]
Date: Wednesday, 7 December 2016 2:36:20 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
Importance: High

Hi Trina and Alix,

Goodness this is a proactive bunch. They have prepared a draft general code for:

- third party signage – this is basically signage not attached to the use or activity it's advertising -
 - o We do already have this type of signage i.e. at bus stops and the like
 - o However, I think their main thrust will be for bill boards and larger wall signage.
 - o It has been consistent policy for years in the ACT to avoid this type of third party signage based on a number of considerations including road safety, visual pollution, bush capital and garden city character. As such I we can make no commitments to this, other than to look at their proposal.
- Digital signage – this is basically updating our provisions for modern forms of signage – I have no problem with considering this aspect of their proposal.

I have also looked through their promotional material and I think we need to respond to a blurring of the lines between when a sign is only a sign or when is it a use or attraction in its own right. Examples are:

- The sign is also a rubbish bin (rather than just a sign on a rubbish bin)
- The sign incorporates seating or awning into its design
- The sign doubles a homeless shelter
- The sign is also public art/ attraction in its own right – this will be important for the city activation, pop up commercial and micro parks proposals –

Thanks
Caroline

From: [REDACTED]
Sent: Tuesday, 29 November 2016 4:37 PM
To: Kaucz, Alix
Cc: McFarlane, Trina; Tess Phillips
Subject: Outdoor Media Association Meeting on Thursday 8 December 2016

Dear Alix

I have posted a package to you this afternoon which includes a copy of the OMA's letter to you about the ACT Signs General Code 2008. The package also includes a copy of the OMA's Model Advertising Device Code for the ACT, and copies of our 2015 Annual Report and Open² publication. I have sent everything by Express Post, but just in case there is any delay I am attaching a copy of our letter and Model Code to this email.

Please let me know if there is any further information that you require prior to you meeting with [REDACTED] on Thursday 8 December. [REDACTED] will be bring a PowerPoint presentation to the meeting that includes audio and embedded video. Would it be possible for you to meet with [REDACTED] in a meeting room with technology to run the presentation. [REDACTED] can bring her own laptop if it would help but a projector screen is needed. Please could you let me know if [REDACTED] needs to bring a laptop or whether you have one available for her to use.

Many thanks

[REDACTED]



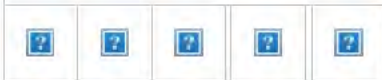
Outdoor Media Association

(Monday to Thursday)

Suite 504, 80 William Street, East Sydney NSW 2011

www.oma.org.au

[2016_data_update_sig_final](#)



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. OMA accepts no liability for any damage caused by this email or its attachments due to viruses, interference, interception, corruption or unauthorised access. If you are not the intended addressee please contact the sender and dispose of this e-mail.

From: [Noack, Bronwyn](#)
To: [Gilbert, Barbara](#)
Cc: [McFarlane, Trina](#)
Subject: RE: Review of Signs General Code [SEC=UNCLASSIFIED]
Date: Wednesday, 30 November 2016 1:45:36 PM

Thanks for the update Barbara and for keeping us in the loop.

Kind regards
Bronwyn

From: Gilbert, Barbara
Sent: Wednesday, 30 November 2016 10:41 AM
To: Noack, Bronwyn
Cc: McFarlane, Trina
Subject: RE: Review of Signs General Code [SEC=UNCLASSIFIED]

Hello Bronwyn,

As discussed we are currently writing a brief to the DG to get some direction on a general approach regarding the review of signage controls in the ACT.

We are not yet at the stage of writing a detailed scope, however, we would be keen to receive any early suggestions you have for new types of signage to be addressed in the review.

Trina will be running the project from now on as I am going on extended leave. I have let her know that you are keen to see the brief when it is written and to be involved when the detailed scope is being written.

There is a meeting scheduled with the Outdoor Media Association in early December as they would like to provide us with a copy of a model code they have been working on. Trina may choose to keep the brief on hold until after that meeting.

Kind Regards,

Barbara Gilbert
Phone 02 6207 8397
Territory Plan Section | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

Monday-Thursday

From: Maxwell, Naomi
Sent: Wednesday, 14 September 2016 2:42 PM
To: Noack, Bronwyn
Cc: Gilbert, Barbara
Subject: Review of Signs General Code [SEC=UNCLASSIFIED]

Hi Bronwyn,

Thanks for your time today. As discussed, below is the request that has come through to us. Barbara will be the contact officer on this work going forward.

Happy to discuss

Naomi

From: Carmichael, Tony
Sent: Monday, 22 August 2016 3:19 PM
To: Jurcevic, Suzanne; Oswald, Petra; Noack, Bronwyn; Gell, Chris; Riches, Ben; Wyatt, Tim
Cc: Phillips, Brett; Croke, Isabella
Subject: Review of Signs General Code [SEC=UNCLASSIFIED]

Colleagues

The CM has requested a review of the Signs General Code which can be found online here:
<http://www.legislation.act.gov.au/ni/2008-27/copy/56699/pdf/2008-27.pdf>

Brett Phillips will lead.

He will scope the work to be undertaken over the next 6 months or so.

If there are things you want to be considered e.g. Way Finding; say the electronic Carpark signs to be placed at each entrance to Civic [to show there are plenty of parks available], place-making/urban design considerations etc please let me know so i can feed into scoping work.

Thanks

Tony

Tony Carmichael | Executive-Director
Phone 02 6207 7226 | Mobile 0417415790
Strategic Planning | Environment and Planning | **ACT Government**
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

From: [Hartwig, Tasha](#)
To: [McFarlane, Trina](#)
Subject: TCCS have Nil comment on billboards!! [SEC=UNOFFICIAL]
Date: Friday, 23 June 2017 12:59:30 PM

From: Marcantonio, Laura
Sent: Friday, 23 June 2017 12:57 PM
To: Hartwig, Tasha
Subject: Fwd: Missed call from Marcantonio, Laura [SEC=UNOFFICIAL]

TCCS have Nil comment on billboards!!

Laura

Begin forwarded message:

From: "Turner, Samantha" <Samantha.Turner@act.gov.au>
Date: 23 June 2017 at 12:55:29 pm AEST
To: "Marcantonio, Laura" <Laura.Marcantonio@act.gov.au>
Subject: FW: Missed call from Marcantonio, Laura [SEC=UNOFFICIAL]

If this was about the cabinet submission?

I have commented with supported Nil Comment.

Sorry we are so late!

Samantha Turner | Ministerial Liaison Officer
P: 6205 5357
Ministerial, Assembly and Cabinet Services
TCCS | ACT Government

From: Microsoft Outlook **On Behalf Of** Marcantonio, Laura
Sent: Friday, 23 June 2017 11:28 AM
To: Turner, Samantha
Subject: Missed call from Marcantonio, Laura

You missed a call from Marcantonio, Laura at 78263

Caller-Id: [78263](#)
Job Title: Executive Officer to the Deputy DG/CEO
Work: [\(02\) 6207 8263](#)
E-mail: Laura.Marcantonio@act.gov.au
IM Address: Laura.Marcantonio@act.gov.au

From: [Kaucz, Alix](#)
To: [Wilesmith, Brett](#); [McFarlane, Trina](#)
Subject: FW: Billboards - Assembly Petition [DLM=For-Official-Use-Only]
Date: Wednesday, 2 August 2017 3:25:00 PM

Hi Brett

I have forwarded your email on to Trina McFarlane as she is currently the a/g senior manager Territory Plan section (until 30 August) while I am at Parks & conservation. She is also very familiar with the billboard enquiry.

Kind regards

Alix

From: Wilesmith, Brett
Sent: Wednesday, 2 August 2017 10:10 AM
To: Kaucz, Alix
Cc: Phillips, Brett; Stankevicius, Adam
Subject: Billboards - Assembly Petition [DLM=For-Official-Use-Only]

Hi Alix

There was a petition in the Assembly yesterday on Billboards (see extract from draft Hansard below). Due to timing requirements for Ministerial responses to petitions (within 3 months) and the reporting of the Standing Committee inquiry (October) we are seeking advice on possible approaches for how to respond and will advise further.

Happy to discuss.

Regards

Brett

[Brett Wilesmith](#) | Senior Manager

Regulatory Reform | Government Reform | Chief Minister, Treasury & Economic Development | **ACT**

Government

Phone. +61 620 50202 | Email. brett.wilesmith@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

Billboard advertising—petition [insert no]

By Ms Lee, from 30 and 749 residents respectively:

TO: The Speaker and Members of the Legislative Assembly for the Australian Capital Territory

The following residents of the ACT draw to the attention of the Assembly:

Billboards have been prohibited in the ACT since the early 20th century, a move designed

to protect the new capital's national significance and preserve its natural character and bush setting.

Cities around the world - from Paris and Sao Paulo to New York and Chennai - have moved to ban or significantly reduce the number of billboards in their cities, an acknowledgement of the negative effects that billboards have on the urban landscape. Time and again, when people have been given the opportunity to have a say about billboards in their cities, they have elected to remove them from the public sphere.

The benefits of advertising billboards are concentrated amongst the few - major advertising firms, corporations and the private owners of billboards - while the costs are carried by all.

As people suffer from information overload, lose their connections with the natural environment and experience the feelings of inadequacy and craving that advertisements seek to instil, there is no sensible reason to consider relaxing the ACT's current prohibition on billboards.

Canberra's unique status as the 'bush capital' is now threatened by a proposal to relax the regulations that prohibit fixed billboards in the ACT. This is not something that Canberrans have asked for.

Your petitioners, therefore, request the Assembly to maintain the prohibition on billboard advertising in the ACT, and properly enforce the current rules that regulate public advertising in the Territory.

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Planning and Urban Renewal.

Billboard advertising—petition [insert no]

MS LEE (Kurrajong) (10.51), by leave: I acknowledge the enormous efforts of Mr Sam Hussie-Smith, a fellow Kurrajong resident, the petitioner of this petition that I present in the Assembly today. I congratulate him in taking initiative on a matter that clearly is of importance to him, as it is to a lot of Canberrans, and perhaps the greatest kudos must go to him and the other brave souls for their innovative approach in attracting publicity for it, especially on a cold winter's day on Black Mountain.

Earlier this year the Chief Minister stated that the ACT's policy of no advertising billboards was in need of a shake-up. In calling for a revision, the Chief Minister acknowledged that it did not mean turning Canberra into Times Square, and that billboards should not be placed around the parliamentary triangle and other significant national areas. However, he did say that in other parts of Canberra it might be appropriate.

The petition tabled today, and the record number of submissions the Assembly's Planning and Urban Renewal Committee received on its inquiry into billboards would suggest that many Canberrans believe changes to the current rules are anything but appropriate.

Madam Acting Speaker, it is to be remembered that Canberra is not entirely without billboards. There are exceptions, with large banners at the airport and signage at the Canberra Centre which for all intents and purposes is a large billboard, currently advertising from, what I gather, are beer with a clever play on comparing our apparent love of roundabouts to a round of drinks.

The government already accesses electronic screens outside the Canberra Theatre and ACTION Buses and bus stops to promote various messages, and other businesses already access ACTION Buses and bus stops for commercial advertising. These exceptions are currently just that, exceptions, and should not and cannot be interpreted to mean that Canberrans would be happy to have the no-billboard rules relaxed or abandoned.

Concerns raised by constituents on relaxing the no-billboards policy are varied and come from a diverse cross-section of our community. Concerns about subject, content and location, concerns about it introduced purely as another source of revenue, concerns about whether the light rail corridor will be turned into prime billboard real estate, concerns that the large, expensive and impressive "Welcome to Canberra" signs may be turned into an opportunity for adjacent or even replacement commercial messaging, concerns about the impact on small businesses who most likely will not be able to afford to advertise on billboards, concerns about international companies taking advertising revenue from local radio stations, local print media like the Canberra Times, City News and the Canberra Weekly, and local websites like the RiotAct and Her Canberral, concerns that billboards will be exploited by organisations with deep pockets at election time to promote misleading messages like the "MediScare" campaign.

These are important policy questions that must be considered in any change to the current rules. Madam Actin Speaker, I have great confidence that the Assembly's Planning Committee will diligently and faithfully carry out its duties in undertaking this inquiry, and these issues may already have been considered or are being considered.

And Mr Hussie-Smith is well aware of the work currently being undertaken by the committee, having made a submission himself. Even in the throes of a current inquiry with a record number of submissions, the fact that this petition has garnered almost 800 signatures speaks volumes of how strongly many Canberrans feel about the proposed changes to the current rules.

The petition states, inter alia:

Cities around the world—from Paris and Sao Paulo to New York and Chennai—have moved to ban or significantly reduce the number of billboards in their cities, an acknowledgement of the negative effects that billboards have on the urban landscape.

The benefits of advertising billboards are concentrated amongst the few, whilst the costs are carried by all.

Madam Acting Speaker, we all know and love the unique beauty of Canberra and its place in Australia as our nation's capital. Some of my constituents have expressed that our no-billboards policy should not be seen as a reflection of our city not being big or sophisticated enough, but a reflection of our city's commitment to preserving our bush capital culture.

I look forward to the Assembly's Planning and Urban Renewal Committee's report on this inquiry by the last sitting date in October, and I thank the 779 petitioners, the much smaller number of brave Canberrans who got their kit off on Black Mountain, and of course Mr Hussie-Smith for his dedication in ensuring that the voices of many Canberrans on this important community issue are heard by the Assembly.

From: [Kelly, Shauna](#)
To: [Kaucz, Alix](#)
Cc: [Phillips, Brett](#); [Magee, Alexandra](#)
Subject: FW: FOR ADVICE PLEASE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]
Date: Wednesday, 17 May 2017 3:05:37 PM
Attachments: [17_11770 - Ministerial - Brief - Inquiry into Billboards - Standing Committee on Planning and Urban Renewal.obr](#)

Hi Alix

Can you provide a short brief to the Minister to ascertain his position on a whole of government response/Government submission for the Inquiry into Billboards matter?

Please provide response for clearance by Brett by COB Thursday 18 May.

Kind regards
Shauna

Shauna Kelly | Executive Assistant - Office of the Executive Director, Planning Delivery
Phone 02 6205 9636 | shauna.kelly@act.gov.au
Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government**
Level 1 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601
| www.planning.act.gov.au

From: Magee, Alexandra
Sent: Wednesday, 17 May 2017 2:11 PM
To: Ponton, Ben
Cc: Rake, Gary; Phillips, Brett; Kelly, Shauna
Subject: RE: FOR ADVICE PLEASE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Thanks Ben.

Brett – are you able to coordinate a short brief through Alix's team? I have cc'd in Shauna to arrange in Objective for us.

Thanks
Alex

Alexandra Magee
Executive Officer to the Director-General
Environment, Planning and Sustainable Development Directorate | **ACT Government**
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au
Phone: 02 6207 5174

From: Ponton, Ben
Sent: Tuesday, 16 May 2017 7:12 PM
To: Magee, Alexandra
Cc: Rake, Gary; Phillips, Brett
Subject: RE: FOR ADVICE PLEASE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Thanks Alex – if there is to be a whole-of-government submission I suggest EPSDD take the lead. Having said that, **we should first seek the Ministers view on whether he would like to make a Government Submission.**

This could be via a very quick Brief this week (my preference) or we can seek his views at the next available meeting with him.

Cheers,

B

Ben Ponton | Director-General

Phone 6207 8359

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au

From: Magee, Alexandra

Sent: Tuesday, 16 May 2017 6:24 PM

To: Rake, Gary; Phillips, Brett; Ponton, Ben

Subject: FOR ADVICE PLEASE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Hi Ben/Gary and Brett

Seeking your advice please regarding a submission for the Billboard inquiry. Are we expecting that EPSDD will lead a whole-of-Government submission to the billboard inquiry? And if so we will need to arrange for Alix's team to get started straight away.

Ros from our Government Services team has kindly found an example (attached) of a Government Submission from JaCS which was prepared for the same type of thing.

Note: If we do want to do this, I will need to seek advice on Cabinet requirements and we will need to factor this into the timeframes. Apologies I wasn't onto this earlier, I had no idea up to today that we would be required to do anything.

Thanks

Alex

Alexandra Magee

Executive Officer to the Director-General

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

Phone: 02 6207 5174

From: Davey, Rosslyn

Sent: Tuesday, 16 May 2017 4:02 PM

To: Magee, Alexandra

Cc: Hartwig, Tasha

Subject: RE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards

[DLM=For-Official-Use-Only]

Alex

I've been doing a bit of research and found an example of a Government Submission to a Standing Committee.

See attached reference to a Cabinet file, that was prepared by JACS, for a Government Submission to the PETAMS committee when they did an inquiry into Vulnerable road users.

Maybe the Minister decides if he wants to provide a Government Submission??

For your info

Ros

From: Davey, Rosslyn
Sent: Tuesday, 16 May 2017 11:19 AM
To: Magee, Alexandra
Cc: Hartwig, Tasha
Subject: FW: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards
[DLM=For-Official-Use-Only]

Hi Alex

Just got this email ... are we supposed to be preparing a 'Government submission'????

Thanks for your advice

Ros

From: McFarlane, Trina
Sent: Tuesday, 16 May 2017 11:16 AM
To: Kaucz, Alix
Cc: Davey, Rosslyn; Hartwig, Tasha
Subject: RE: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards
[DLM=For-Official-Use-Only]

Hi Alix

My understanding is that we aren't coordinating a government submission on the inquiry into billboards, as Andrew suggests.

I thought we were putting together what is currently permissible under our Signs General Code?

Could you please clarify?

Thanks
Trina

From: Kaucz, Alix

Sent: Monday, 15 May 2017 5:09 PM
To: McFarlane, Trina
Subject: FW: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Hi Trina

FYI. I called Andrew about their input and he'll send it through early next week. I also suggested he contact the regulatory reform section re their work on outdoor advertising. He had asked if we were circulating to all agencies to get comments on the billboard inquiry but I said not as we were just focusing on what the provisions currently are.

Alix

From: Phillips, Brett
Sent: Monday, 15 May 2017 3:26 PM
To: Kaucz, Alix
Subject: FW: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Hi Alix

Could you respond to Andrew.

Cheers
Brett

From: Hogan, Andrew
Sent: Monday, 15 May 2017 12:01 PM
To: Phillips, Brett
Cc: Nixon, Erica (Health); Dahms, Narina
Subject: Standing Committee on Planning and Urban Renewal - Inquiry into Billboards [DLM=For-Official-Use-Only]

Dear Brett

I hope you're well.

I understand that your team in EPSDD is leading the Government Submission on the Inquiry into Billboards initiated by the Standing Committee on Planning and Urban Renewal.

In relation to the Healthy Weight Initiative, CMTEDD and ACT Health have an interest in this inquiry and would like to provide some details for inclusion into the Government Submission. As you may be aware, there is an existing Government policy in relation to limiting the junk food advertising to children on ACTION buses and ensuring that providers are advertising healthy choices. CMTEDD and ACT Health collaborates with TCCS on the implementation of this policy. If billboards were introduced in the ACT and the Government had some control over this, it would be useful if similar junk food advertising provisions could apply.

There are also restrictions relating to political or religious advertising, tobacco products, anti-social or offensive messages, weapons, gambling, alcohol and fossil fuels. There also may be merit in extending these requirements to any billboards that may be introduced.

I understand that submissions close on 20 June 2017. If you could let us know what timeframes you're working on, we can prepare some material and send it across to you.

I look forward to hearing from you.

Many thanks

Andrew Hogan | Manager

T: (02) 6205 4714 | F: (02) 6207 6775 | E: andrew.hogan@act.gov.au | W:

www.cmd.act.gov.au/governance

Workplace Safety and Industrial Relations | **Chief Minister, Treasury & Economic Development
Directorate | ACT Government**

address: Level 1, 221 London Circuit, Canberra City ACT 2601 | mail: GPO Box 158, Canberra ACT 2601

From: [Wilesmith, Brett](#)
To: [Kaucz, Alix](#)
Cc: [Phillips, Brett](#); [Stankevicius, Adam](#)
Subject: Input request: Outdoor Scoping Paper - Addendum [DLM=Sensitive]
Date: Tuesday, 6 June 2017 10:59:19 AM
Attachments: [Scoping Paper - Addendum.doc](#)

Hi Alix

Further to the scoping paper brief, the Chief Minister's Office has requested further advice on potential concerns with a selection of outdoor advertising placements. I would be grateful if you could review the attached draft document and confirm or amend suggested regulatory points. I understand that advice is sought by the end of the week.

Happy to discuss.

Regards

Brett

Brett Wilesmith | Senior Manager

Regulatory Reform | Government Reform | Chief Minister, Treasury & Economic Development | **ACT**

Government

Phone. +61 620 50202 | Email. brett.wilesmith@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

BILLBOARDS SCOPING PAPER – ADDENDUM

EXAMPLES OF BILLBOARDS

The following outlines potential regulatory matters related to a selection of outdoor advertising at various locations across the ACT, including:

- Convention Centre
- Canberra Theatre
- Canberra Centre
- Bus stops
- Eastlake Parade
- Capitol Apartments.

This represents the views of CMTEDD [and EPSDD] officials. The advice of the ACT Government Solicitor's Office has not been sought in preparing this paper.

Key

NCP SGC National Capital Plan, Signs General Code

ACT SGC ACT Territory Plan, Signs General Code 2008

C4 Signs must:

- a) Not create a hazard to traffic or pedestrians;
- b) Be of a character and design standard consistent with the objectives and controls for the relevant zone and locality;
- c) Recognise the heritage values of sites;
- d) Not compromise the role of the Territory as the setting of the National Capital and Seat of Government of the Commonwealth;
- e) Complement the streetscape and amenity of the locality by virtue of its size, location, illumination, utilisation of complementary shapes, forms, colours, durable quality materials and design concepts;
- f) If affixed to a building, complement the architectural style of the building by virtue of its size, location, illumination, utilisation of complementary shapes, forms, colours, durable quality materials and design concepts; and
- g) Not unnecessarily repeat or duplicate similar signs.

ACT Convention Centre



Source <http://www.bizimpactadvertising.com.au/outdoormedia/localknowledge.php>

Location: 31 Constitution Ave, Canberra
(Designated Area)

Sign type: Illuminated digital

Regulation concern:

NCP SGC

General Conditions 7: Animated or flashing signs and signs illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting, will generally not be approved.

ACT SGC

Table 2. Allowable Signage Content and Location: Third-party signage is only permitted on the ground floor of commercial and industrial zones and limited to 2m² or 20% of the area of the sign, whichever is the lesser.

2.21 Roof Sign: C99 The Sign meets the requirements of C4 and the illumination of the sign;

- a) minimises the spill effects or escape of light into the night sky; and
- b) eliminates shadows and promotes the safety of adjoining public areas; and
- c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties.

Canberra Theatre



Source <http://local.governmentcareer.com.au/archived-news/act-ad-ban-up-for-review>

Location: Civic Square, London Circuit, Canberra (Designated area & ACT Heritage listed)

Sign type: Illuminated digital billboard

Potential regulation concern:

NCP SGC

General Conditions 7: Animated or flashing signs and signs illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting, will generally not be approved.

ACT SGC

Table 2. Allowable Signage Content and Location: Third-party signage is only permitted on the ground floor of commercial and industrial zones and limited to 2m² or 20% of the area of the sign, whichever is the lesser.

2.4 Canopy Sign: C18 The Sign meets the requirements of C4 and the illumination of the sign;

- a) minimises the spill effects or escape of light into the night sky; and
- b) eliminates shadows and promotes the safety of adjoining public areas; and
- c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties.

Canberra Centre

Location: 148 Bunda St, Canberra

Sign type: Commercial building

Source: Google maps

Potential regulation concern:

NCP SGC

Signs on commercial and industrial buildings and on institutional and other buildings not located within residential areas

Item 1: Signs above first storey level, signs facing residential development nearby or on the opposite side of the street within residential neighbourhoods which may be visible from residential buildings nearby, must not be animated or flashing or be illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting.

Item 3: Signs above first storey level will be restricted in content to the name of the building and the name, insignia and type of activity of the principal occupant. Such signs must not project from the building and must constitute only separate characters and/or symbols individually affixed to or represented on the building façade. Generally there will not be more than one sign on each face of the building above first storey level.

ACT SGC

Table 2. Allowable Signage Content and Location: Third-party signage is only permitted on the ground floor of commercial and industrial zones and limited to 2m² or 20% of the area of the sign, whichever is the lesser.

Canberra bus stops



Source <http://www.abc.net.au/news/2009-09-08/under-the-deal-adshel-is-allowed-to-advertise-in/1420874>

Location: Various (including designated areas such as Northbourne Ave corridor)

Sign type: Static illuminated

Potential regulation concern:

NCP SGC

NCP SGC Billboards: Billboards are not permitted on unleased land in Designated Areas.

Advertising signs on street furniture: [Extract] Advertising signs may be displayed on bus shelters subject to the following:

- only one advertising sign will be permitted on each bus shelter [advertising is double sided]
- the sign is to be of a dimension not exceeding 1.5 metres by 1 metre [Masterplan states 1.8 x 1.2 subject to design areas – check dimensions along northbourne]
- the sign may be side illuminated
- the sign structure is to be an integral part of the design of the shelter on which it is displayed

Eastlake Parade banners

Location: Eastlake Parade, Kingston

Sign type: Banner on streetlight

Source: Googlemaps

Potential regulation concern:

NCP SGC

Flags and banners: [Extract selection] Such signs should generally comply with the following:

- approval may be granted by the National Capital Authority for the display of event banners and flags where these are of a standard which is consistent with the values of the National Capital and are **not in the form of a commercial advertising sign**
- the use of light poles for the flying of banners is to meet the requirements of the ACT Government's policy in respect of the use of its assets
- banners on light poles should not compromise existing landscapes
- the use of commercial wording or sponsorship acknowledgment is limited to no more than 20 per cent of the banner

ACT SGC

2.18 Pole Sign: Maximum number: One two sided pole sign per site.

Capitol Apartments



Location: 39 London Cct, Canberra City
(Designated area)

Sign type: Static illuminated

Potential regulation concern:

NCP SGC

Signs on commercial and industrial buildings and on institutional and other buildings not located within residential areas

Signs above first storey level will be restricted in content to the name of the building and the name, insignia and type of activity of the principal occupant. Such signs must not project from the building and must constitute only separate characters and/or symbols individually affixed to or represented on the building façade. Generally there will not be more than one sign on each face of the building above first storey level.

ACT SGC

2.13 High Rise Building Sign, R56: Maximum Number: One per building frontage.

2.25 Vertical Banner Building Sign, R118: Maximum surface area: 6 m² per side, for a maximum of two sides.

From: [McEvoy, Justin](#)
To: [Kaucz, Alix](#); [Dunstan, David](#)
Subject: RE: Planning Ctee - interpretation of regulation re signs [DLM=Sensitive]
Date: Friday, 21 April 2017 6:31:20 PM
Attachments: [image002.jpg](#)
[image003.jpg](#)
[image001.jpg](#)

David / Alix

In the first instance, it may be simplest to call him directly. It can be followed up with written advice, if required.

Granted the legend could be clearer. It may be good to double check with Rumana and George on how it is being applied.

At the ground level, Y2 limits the advertising space to the lesser of 2m2 or 20% of the primary or secondary-party signage. At the first storey and for free standing signs, Y2 refers to the principal signage on the building.

This signs policy is historical and I found it has not been changed since the first Territory Plan was adopted.

Justin

table2Signage.JPG



SignageDefinitions.JPG



From: Dunstan, David
Sent: Friday, 21 April 2017 4:27 PM
To: Kaucz, Alix
Cc: Phillips, Brett; McEvoy, Justin; Thomas, Heather
Subject: FW: Planning Ctee - interpretation of regulation re signs [DLM=Sensitive]

Hi Alix

This below query from the Committee Secretary, Standing Committee on Planning and Urban Renewal Legislative Assembly – re Signs general code would seem to be for your area ... (perhaps there might be a missing word? A missing reference to “content”?)

Cheers
David

From: EPSDD DLO
Sent: Friday, 21 April 2017 11:34 AM
To: Thomas, Heather
Cc: Dunstan, David; EPD Ministerials - Government Services
Subject: FW: Planning Ctee - interpretation of regulation re signs [DLM=Sensitive]

Hi Heather,

Please see the email below from Brian Lloyd below regarding the “Signs general code” section in the Territory plan.

Can someone from EPSD please respond to his question?

Billboards has come up before – see attached – and David Dunstan advised it sits with Planning Delivery.

Unsure of what approval level this needs to go through but if I could have something back by 1 May that would be great.

Kind regards
Kim Bailey

Kim Bailey | Directorate Liaison Officer | ACT Legislative Assembly
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra, ACT 2601
Phone: 6205 4521 | Email: kim.bailey2@act.gov.au

From: Lloyd, Brian
Sent: Friday, 21 April 2017 9:36 AM
To: Bailey, Kim (ESDD)
Subject: Planning Ctee - interpretation of regulation re signs [DLM=Sensitive]

Hi Kim –

Yesterday I asked you to put me in touch with an officer who holds responsibility for the administration of the Signs General Code, section 11.7 of the Territory Plan and available at:
<http://www.legislation.act.gov.au/ni/2008-27/copy/56699/pdf/2008-27.pdf>

My specific question relates to Table 2 of the Signs General Code.

The entry in the cell in the third row of the first column of the table (provision for Ground Floor, Third Party Signage) is 'Y2', which the legend for the table shows as meaning 'Size limited to 2 square metres or 20% of the area of the sign, whichever is the lesser'.

The difficulty of interpretation is: how can the size of a sign be limited to a percentage of the sign?

There must be a principle of interpretation that is used by the agency with carriage of the regulation in order to apply it. I need to know what that principle is so I can see what it means in practice.

If you can help it would be appreciated.

Many thanks –

- Brian

Dr Brian Lloyd
Committee Secretary, Standing Committee on Planning and Urban Renewal
Legislative Assembly for the Australian Capital Territory
P 02 62050137 | F 02 62050432 | M 0423611048 | E brian.lloyd@parliament.act.gov.au



The Office of the Legislative Assembly:

Providing professional services and reliable, impartial advice to support, strengthen and promote the institution of parliament in the ACT.

www.parliament.act.gov.au

OMA MODEL ADVERTISING DEVICES CODE

WESTERN AUSTRALIA

Get health
cover with

MORE

HBF members get more back
on hospital and dental.

hbf

**OUTDOOR
MEDIA
ASSOCIATION**

Contents

01	Purpose of the Model Advertising Devices Code	2
02	Outdoor Media Association	3
03	Investing In Our Community	4
04	Digital Signage	5
05	Road Safety	7
06	OMA Model Advertising Devices Code: Western Australia	8

01 Purpose of the Model Advertising Devices Code

The Model Advertising Devices Code Western Australia (Model Code) is a best practice guideline for the regulation of advertising devices. This guideline can be used by Western Australian local governments in the design of planning schemes, planning policies and local laws. The Model Code relates primarily to third party¹ advertising signage, but its provisions can also be applied to on-premise² advertising signage.

The Model Code provides a set of practical and effective planning controls for advertising devices. Overall the Model Code aims to balance placement, design and utility outcomes for local government and the community with the commercial requirements of the Out-of-Home (OOH) industry.

The Model Code has been prepared to apply to advertising devices situated in both urban and rural settings. The Model Code applies to both large format (billboard style) advertising devices as well as small format styles (including bus shelter advertising panels and street level portrait advertising panels). It is not intended to apply to temporary advertising devices such as building wraps (structures installed to cover construction sites), trailer signs and the like, although these advertising devices should be closely regulated by government.

The OMA works closely with state planning departments, state road authorities and local governments across the nation to ensure that planning controls promote safe, high quality signage and advertising that is well integrated with the surrounding environment. The OMA supports the reasonable regulation of outdoor advertising signage and advocates for planning systems within Australia that:

- recognise outdoor advertising signage as a legitimate land use
- provide a fair and reasonable set of development standards for advertising signage
- allow for the evolution of the industry, including new styles of digital signage
- protect the industry's existing signage investments.

In Australia, advertising content is self-regulated. The Outdoor Media Association (OMA) works closely with the Advertising Standards Bureau (ASB), the Australian Association of National Advertisers (AANA), the Communications Council and the Alcohol Beverages Advertising Code (ABAC) Responsible Alcohol Marketing Scheme to ensure that members only display advertising that meets acceptable community standards. The Model Code includes a new provision developed by the OMA that requires signage operators to comply with the determinations of these self-regulatory bodies regarding content.

The Model Code applies to both large format (billboard style) advertising devices as well as small format styles (including bus shelter advertising panels and street level portrait advertising panels).

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

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

02 Outdoor Media Association



The OMA is the peak industry body representing 90% of Australia's outdoor media display companies and production facilities, and some media display asset owners. The organisation operates nationally, and prior to July 2005, traded as the Outdoor Advertising Association of Australia (OAAA). It was first incorporated in 1939.

OMA members display third party advertisements across static and digital signs, including signs on buses, trams, trains, pedestrian bridges, billboards, free-standing advertising panels and street furniture (bus/tram shelters, public toilets, bicycle stations, telephone booths and kiosks), as well as in office buildings, cafes, bus stations, railway stations, shopping centres, universities and airports.

Members of the OMA adhere to an industry Code of Ethics to ensure they operate their businesses responsibly and abide by the industry's regulatory framework.

03 Investing In Our Community



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 advertising is responsible for contributing approximately 2.5% of the Gross Domestic Product. For every person directly employed by advertising another three people are reliant upon advertising for their jobs, with over 200,000 people in the workforce due to advertising³.

In 2015, the OOH industry in Australia provided more than 17,600 items of infrastructure for use by the community, including pedestrian bridges, bus shelters, retail kiosks, phones, park benches and bicycles. The total replacement value for this infrastructure was estimated to be more than \$350 million in December 2014⁴.

The OOH industry also plays an important role in supporting the arts, sports and charitable organisations and is widely used by government bodies to advertise community messages such as road safety messages 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.



³ 2016, Deloitte Access Economics, Advertising Pays – The economic and business value of advertising

⁴ 2016 Deloitte Access Economics, Out-of-Home Adds Value: Out-of-Home advertising in the Australian economy

04 Digital Signage



In recent years the use of digital signage has grown across Australia. By the end of 2015, over 28% of the industry's advertising revenue came from digital media and this percentage will continue to grow. As our cities work to improve connectivity, digital signage can play vital roles of communication, messaging and way-finding.

Digital signage can be innovative and entertaining and it is becoming one of the ways that people interact with their cities. Digital signs also contribute to place making by adding vibrancy, colour and lighting, seen as part of the make-up of a contemporary global city. Public attitude testing undertaken for the City of Sydney by Sweeney Research found that 67% of people 'expect any large city to promote the use of new technology in advertising'⁵.

Digital signage offers a number of benefits to the industry and the community and this includes:

- **Community benefit** — digital advertising is more cost efficient for charities and governments. One digital sign can display many advertisements on a rotation without the cost of printing.
- **Utility** — digital screens can be used at short notice for emergency messaging and to provide up to date community information, with future potential to add Wi-Fi hubs, charging stations and the like.
- **Vibrancy** — digital technology allows for signage that is vibrant, has high image quality and is visually interesting, contributing to place-making and the creation of exciting and lively urban spaces.
- **Environment** — digital screens produce no PVC or vinyl waste, with public opinion finding that people like digital billboards as part of the makeup of a contemporary global city.

⁵Sweeney Research, City of Sydney Outdoor Communication Report – July 2014

05 Road Safety



The OMA has undertaken research on driver behaviour in the presence of advertising signage using eye-tracking glasses and a vehicle recording device. The research found that:

- Drivers 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
- There is no significant difference in the length of time people look (fixation duration) at digital signage compared with static signage
- Drivers maintain the same safe average vehicle headway (distance between themselves and car in front) in the presence of all signage types
- Over 99% of all glances towards advertising signage were less than 750 milliseconds, which is the minimum time needed by a driver to perceive and react to an unexpected event.

06 OMA Model Advertising Devices Code: Western Australia

Introduction

Urban planning, land use and development issues in Western Australia are the responsibility of the Minister for Planning, the Western Australian Planning Commission and local governments. In addition, Main Roads Western Australia, in conjunction with local government, manages and controls roadside advertising within the boundaries of state roads, as well as advertising visible from state roads.

The Model Code applies to development applications for third party advertising devices requiring consent in City Centre/Town Centre, Business/Commercial, Industrial, Mixed Use and Rural Zones. The Model Code also applies to development applications for street furniture which can also be located within residential zones.

The OMA recommends that local councils insert the overall outcomes, performance criteria and acceptable outcomes outlined on the following pages into their policies regulating advertising signage.



Overall outcomes sought for advertising devices

CHARACTER, AMENITY AND VIEW CORRIDORS

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.

CHARACTER AND AREAS OF HERITAGE SIGNIFICANCE

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.

HEALTH AND SAFETY

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.

ECONOMIC BENEFITS OF ADVERTISING DEVICES

Advertising devices should cater for the needs of local and national businesses and governments, giving them a communication platform to share information about their brand, products and services with the public. In this way, advertising signage drives competition and is an important source of information for the community.

06 OMA Model Advertising Devices Code: Western Australia

Performance criteria and acceptable outcomes for advertising devices

Advertising devices should be assessed against the Model Code. Compliance with the Model Code can either be assessed by the applicant (self-assessable) or by the local council (council-assessable). Advertising devices will comply with the Model Code if the 'Performance Criteria' and 'Acceptable Outcomes' listed below are addressed and achieved.

Advertising signs are an essential part of the fabric of our cities, towns and communities. They provide critical information for the identification of local businesses, for promoting local goods and services, for informing the public about local community events and for national safety messages (e.g. driver fatigue, missing persons and alcohol awareness). Advertising signs also create a sense of place and with the application of good design can provide vibrant and active meeting places and centres of connectivity for the community.

LOCATION AND ZONING			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P1	Advertising devices to be located in appropriately zoned areas and are of a scale and nature that is compatible with both existing and/or proposed development in the zone.	A1	All advertising devices are located within the City Centre /Town Centre, Business/ Commercial, Industrial, Mixed Use or Rural Zones. Street furniture is also located in residential zones.
P2	Advertising devices do not detract from an identified heritage place or the overall character and amenity of the locality (such as an open space, streetscape, town entrance, landscape feature and vista or view corridor).	A3	The sign face area is an appropriate size for its position and location.
		A3	Freestanding signs are supported on single or multiple pylons or on architecturally designed structures.

FREESTANDING SIGNS – HEIGHT			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P3	The height* of an advertising device complements and reflects the surrounding character and amenity of the locality and environs.	A4	The height of the advertising device is appropriate for its position and location.
P4	Freestanding advertising devices are of a size and scale which is considered appropriate for both the natural and built environment and does not create a physical hazard or obstruction to motorists, pedestrians, cyclists or residents.	A5	The sign face area is an appropriate size for its position and location.

*The height is measured from finished road level to the uppermost projection of the device.

An important design consideration for advertising signage is the optimum height needed to obtain effective visibility of the advertising face. A sign structure that is positioned too high or too low is not effective for advertisers and does not provide a good outcome for the community.

06 OMA Model Advertising Devices Code: Western Australia

FREESTANDING SIGNS ($\geq 20\text{m}^2$) – SEPARATION DISTANCES

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P5	Advertising devices are separated by distance in all zones so that the character and amenity of the locality and existing view and vista corridors are not adversely impacted.	A6	In the Rural Zone, freestanding Signs ($\geq 20\text{m}^2$) have a minimum 300 metre separation distance within the same direction of travel.
		A7	In all other zones, a separation distance of 100-metres is required between freestanding Signs ($\geq 20\text{m}^2$) within the same direction of travel.
		A8	Where the topography of the environment creates a natural visual separation between two advertising devices, the separation distances in A6 and A7 do not apply.

The purpose of an advertising sign is to be noticed and safely read by the community. A reasonable spacing requirement between signs can assist in achieving this goal. When signs are well spaced, the audience has the ability to absorb each advertising message and this increases its effectiveness.

The OMA does not recommend a specific sign size for advertising wall signs and roof signs as this may restrict the optimal design outcomes for the space.

ADVERTISING WALL SIGNS

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P6	Advertising wall signs are designed to cover unsightly or unused wall spaces.* *Advertising wall signs do not include building wraps, which are temporary structures.	A9	The sign face area is an appropriate size for its position and location
		A10	Advertising wall signs must not cover architecturally prominent building design features or other architectural elements that feature in the façade of the building.
		A11	Advertising wall signs should be contained within the outermost projection of the wall of the building and should be designed and positioned to ensure integration with the design of the existing building and character and amenity of the surrounding area.

ADVERTISING DEVICE ROOF SIGNS

Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P7	The advertising device is compatible with the design of the building and is consistent with the type, nature and scale of development in the locality.	A2	Advertising device roof signs must not cover architecturally prominent building design features or other architectural elements that feature in the façade of the building.

06 OMA Model Advertising Devices Code: Western Australia

BUS SHELTERS & STREET FURNITURE			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P8	The advertising face is compatible with the design of the bus shelter / street furniture and does not impact on the amenity of nearby residents.	A13	Advertising face $\leq 2.5\text{m}^2$. Advertising sign not to extend above height of bus shelter structure Luminance of the advertising sign not to impact on local residents

Advertising faces on bus shelters and street furniture require a different set of controls compared to large format

signs as they are generally smaller, are often located closer together and can also be located in residential areas.

DIGITAL ADVERTISING DEVICES			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P9	Digital advertising devices, including Liquid Crystal Display (LCD) and Light Emitting Diode (LED) are allowed in appropriate zones.	A14	Digital Advertising Devices permitted in: <ul style="list-style-type: none"> The City Centre, Commercial, Mixed Use and Industrial Zones; and/or locations where there is a high flow of pedestrian or vehicular traffic.
P10	Digital advertising devices do not create a road safety risk or hazard.	A15	The static images on LCD and LED advertising devices have a minimum dwell time of 6-8 seconds per advertisement.
		A16	Instantaneous transition from one message to the next (approximately 0.1 seconds). No transitional effects, such as fly-in or fade-out, are supported.
		A17	Advertisements on digital advertising devices are designed so that the amount of text is kept to a minimum, and is no more than a driver can read at a short glance.
		A18	Advertisements on digital advertising devices are designed so that content is not capable of being mistaken for a traffic control device and should not have red, amber or green circles, octagons, crosses or triangles.
P11	Illumination of digital advertising devices does not create a safety risk to motorists or detract from the amenity of the local community.	A19	The luminance of digital advertising devices is modified according to its location, time of day and ambient light conditions. It should comply with the luminance levels table below.
		A20	LCD and LED advertising devices use light sensors to adjust illumination levels according to the ambient light levels
P12	Digital advertising devices minimise energy consumption where possible	A21	Where possible, digital advertising devices will be designed to minimise energy consumption.

06 OMA Model Advertising Devices Code: Western Australia

Digital advertising devices differ from conventional signs in that they have the capacity to display changing digital messages. The digital effect can contribute to the vibrancy of cities, streetscapes and place-making opportunities. The OMA advocates for a 6-8 second dwell time in all speed zones and for instantaneous transition from one message to the next avoiding transition effects (generally approximately 0.1 seconds). The 6-8 second dwell time is based on international best practice and is long enough for the change not be mistaken for animation.

Advertising devices may be illuminated either externally or internally. Either method is appropriate provided that the illumination does not cause glare to surrounding residences nor impact upon the safety of drivers.

LCD and LED advertising devices can appear to be too bright if the light is not dimmed during twilight, night time and inclement weather. Luminance levels can be controlled with light sensors that adjust the illumination according to the surrounding ambient light level. If there is full sun on

the face of a digital sign, it can become difficult to read and maximum luminance output is needed to ensure that the advertising message is clear to the eye, to avoid prolonged glancing for drivers and possible distraction. The OMA has developed the following best practice guidance for luminance levels for different locations and time of day in conjunction with an industry lighting expert.

Zone 1 covers areas with generally very high off-street ambient lighting, e.g. 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.

OMA members work with members of the community to alleviate any concerns in relation to new digital signage, particularly in relation to luminance levels.

LIGHTING CONDITION	ZONE 1	ZONE 2	ZONE 3
Sun on face of signage	Maximum Output	Maximum Output	Maximum Output
Day time (full light conditions)	6,000–7,000 cd/m ²	6,000–7,000 cd/m ²	6,000–7,000 cd/m ²
Day time (dawn, dusk and inclement weather)	1,000 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

VEGETATION MANAGEMENT			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P13	Legal advertising devices are not obscured by vegetation.	A22	A Vegetation Management Plans is in place to enable the pruning and maintenance of trees and shrubs adjacent to the advertising device, to ensure the sign continues to be legible for driver safety reasons.

Vegetation Management Plans will allow the operators of the advertising device to keep the sign face clear of encroaching vegetation, to avoid the message on the sign becoming obstructed. An obstructed sign message can lead to drivers having difficulty reading the message which may impact on road safety.

06 OMA Model Advertising Devices Code: Western Australia

CONTENT MANAGEMENT			
Performance Criteria Development demonstrates compliance with the following performance criteria (P)		Acceptable Outcomes Development satisfies the following deemed-to-comply requirements (A)	
P14	Advertising devices should display content that is consistent with the Australian Association of National Advertisers (AANA) Code of Ethics and must comply with any decisions by the Advertising Standards Board (ASB).	A23	A system of content management and complaint handling arrangements for the advertising structure must be in place. Advertising content should be consistent with the AANA Code of Ethics. Where an advertisement is found by the ASB to be in breach of the AANA Code of Ethics, the determination of the ASB must be respected and the advertisement removed.

From: [REDACTED]
To: [Maxwell, Naomi](#)
Subject: Model codes for Naomi
Date: Thursday, 15 September 2016 10:04:17 AM
Attachments: [image001.jpg](#)
[image002.gif](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[OMA Advertising Device Codes WA Screen_03.pdf](#)

Hi Naomi

As discussed.

Thanks
Tess



[REDACTED]
Outdoor Media Association

Suite 504, 80 William Street, East Sydney NSW 2011

[REDACTED]
www.oma.org.au

cid:image002.gif@01D1F4B6.9E0EA480



From: [REDACTED]
To: Maxwell, Naomi; Gilbert, Barbara; Kaucz, Alix; [REDACTED]
Subject: RE: Thanks [SEC=UNCLASSIFIED]
Date: Thursday, 15 September 2016 11:49:23 AM
Attachments: [image001.jpg](#)
[image002.gif](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

Thank you all

[REDACTED] is also in this email. We will be in touch in the next couple of weeks with an ACT Model Code for Advertising Devices, comments on the existing Code and some proposals for changes to the current policy stance.

Warm regards
Tess



Outdoor Media Association

Suite 504, 80 William Street, East Sydney NSW 2011

www.oma.org.au

cid:image002.gif@01D1F4B6.9E0EA480



From: Maxwell, Naomi [mailto:Naomi.Maxwell@act.gov.au]
Sent: Thursday, 15 September 2016 10:46 AM
To: Gilbert, Barbara <Barbara.Gilbert@act.gov.au>; Kaucz, Alix <Alix.Kaucz@act.gov.au>; [REDACTED]
Subject: Thanks [SEC=UNCLASSIFIED]

Hi [REDACTED]

Thanks to you and [REDACTED] for your time on the phone this morning.

As discussed, Barbara will be your contact officer going forward on this work. I will be back in mid December. I have cced Barbara so you have her contact details.

We look forward to working with you both on the review,

Regards

Naomi

From: [REDACTED]
Sent: Thursday, 15 September 2016 10:04 AM
To: Maxwell, Naomi
Subject: Model codes for Naomi

Hi Naomi

As discussed.

Thanks



Outdoor Media Association

Suite 504, 80 William Street, East Sydney NSW 2011

www.oma.org.au

cid:image002.gif@01D1F4B6.9E0EA480



This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: [Maxwell, Naomi](#)
To: [Gibson, Roger](#)
Subject: Catch up about Signs [SEC=UNCLASSIFIED]
Date: Tuesday, 23 August 2016 11:46:00 AM

Hi Roger,

I have been given your details from Lisa Van Vucht in the EPD Gateway Team.

I have been asked to review the Signs General Code by the Chief Minister and am hoping to have a discussion with you about the signs you get reports on (i.e. what are people unhappy about), and any issues with compliance etc that you would like to see updated / we should be aware of.

Could you please let me know when is a good time to discuss with you?

Thanks

Naomi

Naomi Maxwell | Project Manager

Phone 02 6207 4600

Territory Plan | Environment and Planning Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

www.planning.act.gov.au

From: [Gilbert, Barbara](#)
To: [Noack, Bronwyn](#)
Cc: [McFarlane, Trina](#)
Subject: RE: Review of Signs General Code [SEC=UNCLASSIFIED]
Date: Wednesday, 30 November 2016 10:40:00 AM

Hello Bronwyn,

As discussed we are currently writing a brief to the DG to get some direction on a general approach regarding the review of signage controls in the ACT.

We are not yet at the stage of writing a detailed scope, however, we would be keen to receive any early suggestions you have for new types of signage to be addressed in the review.

Trina will be running the project from now on as I am going on extended leave. I have let her know that you are keen to see the brief when it is written and to be involved when the detailed scope is being written.

There is a meeting scheduled with the Outdoor Media Association in early December as they would like to provide us with a copy of a model code they have been working on. Trina may choose to keep the brief on hold until after that meeting.

Kind Regards,

Barbara Gilbert

Phone 02 6207 8397

Territory Plan Section | Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

Monday-Thursday

From: Maxwell, Naomi
Sent: Wednesday, 14 September 2016 2:42 PM
To: Noack, Bronwyn
Cc: Gilbert, Barbara
Subject: Review of Signs General Code [SEC=UNCLASSIFIED]

Hi Bronwyn,

Thanks for your time today. As discussed, below is the request that has come through to us. Barbara will be the contact officer on this work going forward.

Happy to discuss

Naomi

From: Carmichael, Tony
Sent: Monday, 22 August 2016 3:19 PM
To: Jurcevic, Suzanne; Oswald, Petra; Noack, Bronwyn; Gell, Chris; Riches, Ben; Wyatt, Tim
Cc: Phillips, Brett; Croke, Isabella
Subject: Review of Signs General Code [SEC=UNCLASSIFIED]

Colleagues

The CM has requested a review of the Signs General Code which can be found online here:
<http://www.legislation.act.gov.au/ni/2008-27/copy/56699/pdf/2008-27.pdf>

Brett Phillips will lead.

He will scope the work to be undertaken over the next 6 months or so.

If there are things you want to be considered e.g. Way Finding; say the electronic Carpark signs to be placed at each entrance to Civic [to show there are plenty of parks available], place-making/urban design considerations etc please let me know so i can feed into scoping work.

Thanks

Tony

Tony Carmichael | Executive-Director

Phone 02 6207 7226 | Mobile 0417415790

Strategic Planning | Environment and Planning | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

To:	Minister for Planning and Land Management	Tracking No.: 16/24493 Rec'd Minister's Office .../.../...
From:	Director-General Deputy Director-General Executive Director, Planning Delivery	
Subject:	Review of the Signs General Code of the Territory Plan	
Critical Date:	Routine	
Critical Reason:	N/A	

Purpose

To provide background to a review of the ACT's controls for signage that is out-of-home and openly visible to the general public, and seek your agreement to a general approach to the review.

Recommendations

That you:

1. **Agree** to a general approach to the review of signage controls in the ACT, with the aim of:
 - a. Relaxing controls to allow more exempt development where minimal impact of signage is anticipated, and relaxing prohibitions to allow assessment on merit where appropriate; and
 - b. Addressing a request from the Outdoor Media Association (OMA) for more opportunities for third-party signage in the ACT (refer to options at paragraph 8).

Agreed / Not Agreed / Please Discuss

Mick Gentleman MLA/...../.....

Minister's Office Feedback

Background

1. The Chief Minister has requested that the Signs General Code (the Code) of the Territory Plan be reviewed. The Environment, Planning and Sustainable Development Directorate (EPSDD) understands that this request is the outcome of a meeting in 2016 with the OMA, which is the peak national body representing 90% of Australia's outdoor out-of-home advertising industry.
2. Signage policies in the ACT have not been reviewed for some time. They were introduced when the Territory Plan came into effect in 1993 and last reviewed in 1998 (DV091). They were transferred with no technical changes in 2008 into the Territory Plan as the Code.
3. Signs are a permissible type of development in all zones of the Territory Plan.
4. Generally, the installation of a sign requires a development application, but can be exempt from requiring development approval under schedule 1 of the *Planning and Development Regulation 2008*. The National Capital Authority (NCA) has planning control over Designated Areas, including Approach Routes and Main Avenues, through the National Capital Plan and is responsible for approval of signage in these locations.

Issues

5. EPSDD is aware there are a number of signs that do not comply with the Code due to poor knowledge of signage controls, cost of compliance and complexity of approval processes.
6. There is a general need to review signage controls to reduce regulatory burden for simple signage of low impact, while ensuring higher impact signage is still assessed on merit where appropriate through development application process.
7. The signage controls could be updated to consider contemporary advertising industry trends and technology, best practice standards and planning objectives. This could include innovative signage types that contribute to connectivity and sense of place in Canberra, especially those that can be facilitated using digital technology. This is consistent with the general directions contained in the Chief Minister's Canberra: A Statement of Ambition (2016) and your Statement of Planning Intent (2015).
8. Consideration could be given to the request from the OMA for more opportunities for third-party advertising (i.e. advertisements displaying the name, logo and/or symbol of a company or other organization that does not own or substantially occupy the land). Third-party signage is currently only permitted on the ground floor of commercial and industrial zones and limited to 2m² or 20% of the area of the sign, whichever is the lesser.
9. Canberra's light rail corridor and other Approach Routes and Main Avenues to the city, which are drivers for economic growth and potential locations for third-party advertising at bus stops and other urban infrastructure, are under the control of the NCA. The NCA would be consulted early on as part of the review, as signage requirements of the Territory Plan and National Capital Plan must not be inconsistent.
10. Two options for addressing the OMA's request are:
 - a. Commence a detailed review to determine specific zones and locations where it may be appropriate to permit more third-party signage (e.g. on sporting fields and bus stops where it is already a common feature). In addition, reconsider how third-party signage is controlled by investigating the viability of regulating the size, physical type and location of signage but not its content. For example, if one wall sign is permitted on a building it would be up to the building owner to either use it to advertise the business occupying the building (on-premise advertising), or to hire it out to a third-party to advertise on it. This is the preferred option.

- b. Indicate to OMA that its request has been considered, but retain strong controls limiting third-party signage to protect the amenity of the Territory.
- 11. The OMA has prepared a Model Advertising Devices Code: ACT ([Attachment A](#)) as a best practice guideline for advertising signage (both third-party and on-premise), which they recommend to assist in the review of the ACT's signage policies.
- 12. In conjunction with the review of the Code, the *Planning and Development Regulation 2008* would be reviewed with a view to exempting certain low impact signs from the development approval process that meet the requirements of the Territory Plan. This would require a regulatory impact statement.

Financial Implications

- 13. There are no financial implications associated with this brief. There may be some limited costs associated with any public consultation.

Consultation

Internal

- 14. EPSDD's Planning Delivery Division will lead the review of the Code and consult the Strategic Planning Division in developing the scope of the review.

Cross Directorate

- 15. The Planning Delivery Division will consult with key ACT Government agencies and the NCA as part of the review process. There is a statutory requirement to consult with five government agencies on Territory Plan variations.

External

- 16. Consideration could be given to briefing the Standing Committee on Planning and Urban Renewal early in the review. The Territory Plan Section met with the OMA on 8 December 2016, but has not consulted with OMA in the preparation of this brief. There is a statutory timeframe for public consultation on Territory Plan variations.

Benefits/Sensitivities

- 17. The review of signage controls should be considered carefully ensure signage does not impact on the amenity of the Territory, safety of road users, and the bush capital and garden city character, or create visual pollution and physical barriers.
- 18. Relaxing signage controls would assist business and potentially allow a stronger compliance program for higher impact signage.
- 19. Some members of the community may oppose any relaxing of the signage controls.

Media Implications

- 20. There was an article in the Canberra Times in January 2017 in which the Chief Minister stated that the ACT's policy of no advertising billboards needs to be reviewed. The review of the Code is likely to generate public interest.

Signatory Name: Alix Kaucz

Phone: 6205 0864

Action Officer: Trina McFarlane

Phone: 6207 1920

GENERAL	National Capital Plan - Signs General Code	Territory Plan - Signs General Code
Objectives/Intent	Design and position signs to (in addition to their roles of informing, directing and advertising) may positively enhance and enliven Canberra's major commercial and tourist areas	a) To ensure that signs are a type appropriate for the zone and contain appropriate content for the location
	Aid in giving imaginability and form to the city	b) To ensure that advertisements and signs do not compromise the role of the Territory as the setting of the National Capital and Seat of Government of the Commonwealth
	Manage impacts from poorly design and position signs which may detract from the architectural appearance of buildings and limit the amenity of areas	c) To ensure that signs and advertisements complement the attractiveness, safety, legibility and amenity of the natural, modified and built environments both by day and night
	Protect residential development to ensure signs are appropriate to not diminish residential amenity	d) To ensure that signs and advertisements are not incompatible with the existing or future desired character of the locality
		e) To support the role of signs and advertising as an important factor in identifying the commercial character and vitality in locations such as ground floor level retail, mixed services and industrial areas
General Requirements	Signs must ensure a quality and character of appearance (day and night) that befits the National Capital Including type, position, size, appearance, illumination, animation, content or other characteristics	f) To establish provisions for signage in a specified area which create and coordinate a particular design theme
	Must not affect the amenity of locality of neighbourhood with particular regard to residential development	g) To ensure appropriate agreement is established for proposals that are on or encroach into Territory Land
	Must not affect the architectural character of a building	
	Must not affect traffic safety	
	Must not affect a 'place' within the meaning of and subject to the provisions of relevant Cth heritage legislation	
	Signs must not be offensive	
	Must not alter the silhouette of a building by extension beyond or above the walls, parapet or roof of the building, lift tower or plant room	
	Animated or flashing signs illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting not approved	
	Note the NCA can waive any of the requirements	
Definition	Any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol or trademark); flag (including banner or pennant); or any other figure of similar character which	
	- is a structure of any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure	
	- is used to announce, direct attention to, or advertise	
	- is visible from outside a building. A sign must include writing, representation or other figure of similar character within a building only when illuminated and located in a window	
Exclusions	Traffic or similar regulatory devices	
	Temporary signs announcing a campaign/event of political, civil, philanthropic, educational, religious organisations	
	Memorial signs or tablets	
	Some constructions site signs (single not greater than 0.5m2 or combined of 2.5m2)	
	Signs required by law or governmental order	
	Temporary signs announcing sale of lease (not greater than 0.5m2)	
	Small signs for directing public / public convenience (not greater than 0.5m2)	
	Temporary signs advertising group development (not greater than 0.5m2)	
RESIDENTIAL	National Capital Plan - Signs General Code?	Territory Plan - Signs General Code
Inclusions	Any residential blocks, including home businesses; purposes following approved lease variations; and institutional or recreational purposes in residential areas	
Requirements	Should not be animated or flashing	
	Should not be illuminated by exposed lamps or neon tubes (as distinct from backlighting or floodlighting)	
	Should only be the name and nature of the permitted occupation or institution	
	Are not greater in size than 0.2m2 (per unit) and 0.8m2 (per site)	
	Should be affixed to the building facade at ground storey level only	
	Should not be affixed to fascias, awnings or free standing	
COMMERCIAL	National Capital Plan - Signs General Code?	Territory Plan - Signs General Code
Inclusions	Signs on commercial and industrial buildings and on institutional and other buildings not located within residential areas	
Requirements	Should not be animated or flashing or illuminated by exposed lamps or neon tubes (as distinct from backlighting or floodlighting) if above 1st storey or across from (or visible from nearby) residential areas	
	If at ground level and 1st storey levels (including projecting from building or under an awning) must have at least 2.5m clearance between sign and awning	
	Signs above the 1st storey are restricted to name of building and name, insignia and type of activity of the principle occupant.	
	Generally there will only be one sign per building	

[illegible]



ACT
Government

Environment, Planning and
Sustainable Development

Signs General Code Review

**Scope of review and desktop assessment of
current planning legislation**

Territory Plan Section

Draft for comment

February 2017

This page has been left blank intentionally

DRAFT

Contents

1. SCOPE OF THE REVIEW	4
1.1 Background	4
1.3 Purpose and objectives	5
2. DESKTOP REVIEW OF CURRENT PLANNING LEGISLATION	10
2.1 Territory Plan	10
2.2 Planning and Development Regulation 2008	11
2.3 National Capital Plan	13
Appendix A – Consultation with stakeholders	16
Appendix B – OMA Model Advertising Devices Code: Australian Capital Territory	17

1. SCOPE OF THE REVIEW

1.1 Background

The Chief Minister has requested that the Signs General Code of the Territory Plan be reviewed. The Environment, Planning and Sustainable Development Directorate (EPSDD) understands that this request is the outcome of a meeting in 2016 with the Chief Minister, Mr Andrew Barr MLA, Mr Shane Rattenbury MLA and representatives from the Outdoor Media Association (OMA), which is the peak national body representing 90% of Australia's outdoor out-of-home advertising industry. The review will consider signage that is out-of-home and openly visible to the general public.

Signage policies in the ACT have not been reviewed for some time. Signage policies were introduced when the Territory Plan came into effect in 1993 and last reviewed in 1998 (DV091). They were transferred with no technical changes in 2008 into the current Territory Plan as the Signs General Code (the Code). Signs are a permissible type of development in all zones of the Territory Plan.

Generally, the installation of a sign requires a development application, but can be exempt from requiring development approval under schedule 1 of the *Planning and Development Regulation 2008*. The National Capital Authority (NCA) has planning control over Designated Areas, including Approach Routes and Main Avenues, through the National Capital Plan (NCP). All signage in Designated Areas is subject to detailed requirements under the Signs General Code of the NCP.

Canberra has mostly been devoid of large outdoor advertising signage, dating back to a 1937 ordinance prohibiting unauthorized signs on Commonwealth property. The original intent of these strict controls for outdoor advertising signage was that it was not considered appropriate in the Parliamentary Triangle and significant national areas. However, it may be appropriate in other parts of Canberra. There is some outdoor advertising signage in places such as Canberra Airport, the National Convention Centre and Canberra Centre.

Billboards in the ACT have received media attention recently. The Chief Minister has been quoted as supporting re-examining the ban on advertising billboards (ACT News, 25 January 2017). The ACT Government has the ability to promote certain campaigns on assets such as the electronic billboard outside the Canberra Theatre and on ACTION buses.

Advertisements and signs must be consistent with Statement of Strategic Directions of the Territory Plan and carefully controlled to maintain environmental amenity (clause 2.17).

There is a general need to review signage controls to reduce regulatory burden for simple signage of low impact, while ensuring higher impact signage is still assessed on merit where appropriate through the development application process. EPSDD is aware there are a number

of signs that do not comply with the Code due to poor knowledge of signage controls, cost of compliance and complexity of approval processes.

The signage controls could be updated to consider contemporary advertising industry trends and technology, best practice standards and planning objectives. This could include innovative signage types that contribute to connectivity and sense of place in Canberra, especially signs that can be facilitated using digital technology. This is consistent with the general directions contained in the Chief Minister's Canberra: A Statement of Ambition (2016) and the Minister for Planning and Land Management's Statement of Planning Intent (2015).

Consideration could be given to a request from the OMA for more opportunities in the ACT for third-party advertising (i.e. advertisements displaying the name, logo and/or symbol of a company or other organization that does not own or substantially occupy the land). Third-party signage is currently only permitted by the ACT Government on the ground floor of commercial and industrial zones and limited to 2m² or 20% of the area of the sign, whichever is the lesser.

Canberra's light rail corridor and main approach routes to the city, which are drivers for economic growth and potential locations for third-party advertising at bus stops and other urban infrastructure, are Designated Areas under the control of the NCA. The NCA would be consulted early on as part of the review for any proposed changes to signage controls in Designated Areas, as signage requirements of the Territory Plan and NCP must not be inconsistent.

In conjunction with the review of the Code, the *Planning and Development Regulation 2008* (the Regulation) would be reviewed with a view to exempting certain low impact signs from the development approval process that meet the requirements of the Territory Plan. This would require a regulatory impact statement.

The review of signage controls should be considered carefully ensure signage does not impact on the amenity of the Territory, safety of road users, and the bush capital and garden city character, or create visual pollution and physical barriers. Relaxing signage controls in the ACT would potentially assist businesses and allow a stronger compliance program for higher impact signage. However, some members of the community may oppose any relaxing of the signage controls.

1.3 Purpose and objectives

EPSDD's Planning Delivery Division will lead the review. The first step will be to look at the current provisions of the Code (and others codes) and Regulation and identify issues and possible changes and best practice; the next step will be to call for suggestions/thoughts from targeted stakeholders to identify further issues; and then the draft variation can be prepared.

A brief to the Minister for Planning and Land Management was prepared by EPSDD in early 2017 seeking agreement to a general approach to the review of signage controls in the ACT (16/24493). The scope and purpose of the review can then be further clarified.

AIM/PURPOSE OF THE REVIEW

- 1. Identify and address issues with current code and update it in accordance with best practice;**
- 2. Relax controls to allow more exempt development where minimal impact of signage is anticipated, and relax prohibitions to allow assessment on merit where appropriate; and**
- 3. Address a request from the OMA for more opportunities for third-party signage in the ACT.**

BROAD OBJECTIVES AND STRATEGIES OF THE REVIEW

- 1. Identify issues with the current Code**
 - a. What was the original intent of the Code?
 - b. What does the community want for Canberra now?
 - c. What has changed since the Code was originally written? What do we want to regulate?
 - d. There are a number of applicable standards. Is a code required? Can relevant development codes point to a relevant standard? Is the rules/criteria format appropriate?
 - e. Identify overlaps and points of conflict with the Signs General Code of the Territory Plan and NCP, e.g. Approach Routes, Main Avenues.
 - f. The Code includes information on the size and look of signs (rather than the requirement for them). This appears to be included in other general codes and appears to reflect some requirements in the Signs General Code in the NCP. Clarify what constitutes “not consistent with” under the NCP.
 - g. There are a number of signs that do not conform with the requirements of the Code. Should these signs still be prohibited? Should they be permitted under the merit track? What compliance and enforcement activities need to change to regulate signs still not included?
 - h. Are requirements for illuminated signs appropriate?
 - i. What issues can key stakeholders identify?
 - j. Consider previous issues raised by DA team
 - i. Signs illustrations and bringing to front of document and updating with new sign types

- ii. Make it code track accessible
- iii. Broaden the range of exemptions
- iv. Refer to standards only, rather than a code
- v. Combine hamper sign and stallboard sign controls
- vi. Neon signs – state distance from residential and other accommodation
- vii. Awning fascia – is reference to Australian Standard (AS) necessary
- viii. Throughout Code – reference to ‘only 1 per block’ and to size specification – why limit?
- ix. Allowable signs – commercial and industrial areas – why limit?
- x. Intent – build into rules and criteria
- xi. What is the importance of Principal Signage, Second Party Advertising Signage and Third Party Advertising Signage? Simplify or remove.
- xii. Table 1, Signs Permissible in Zones – why limit in C5?
- xiii. C4/C5 criterion – tighten controls

2. Research best practice in signage policies and controls

- a. Research interstate and international best practice in signage controls.
- b. Review the OMA Model Advertising Devices Code: ACT ([Appendix B](#)) and how it could work for the ACT context. This was prepared by the OMA as a best practice guideline for advertising signage (both third-party and on-premise), which they recommend to EPSDD to assist in the review.
- c. Movement and change in the industry and an appetite for opening up the city for other signage opportunities.

3. Update and simplify the provisions of the Code

- a. Change, move and remove provisions.
- b. Review sign types to group/streamline amount and applicable rules.

- c. Consider opportunities for more third-party signage¹. Reconsider the model of third-party advertising signage and what it can contribute – interactive messages, emergency messages, revenue stream, vibrancy, way finding, etc.
- d. Add new types of signs (i.e. 'election signs' and 'film on windows', etc).

4. Simplify the exemption process under the Regulation

- a. In conjunction with the review of the Code, the Regulation would be reviewed with a view to exempting certain low impact signs from the development approval process that meet the requirements of the Territory Plan.
- b. Move, change and remove provisions from legislation and codes. (This will require a regulatory impact statement).

5. Simplify signs on Public Land

- a. Simplify signs on Public Land by consulting with licensing authorities.
- b. Identify which signs do and do not require licenses on Public Land (i.e. are they affixed).

6. Other considerations

Consultation with key stakeholders

- a. ACT Government agencies and the NCA:
 - i. NCA regarding the NCP and signage in Designated Areas (consult early on).
 - ii. Justice and Community Services Directorate (JACSD), Transport Canberra and City Services (TCCS) and EPSDD's Leasing Services regarding licensing issues.
 - iii. EPSDD's Development Assessment team regarding feedback on the current Code.
 - iv. Chief Minister, Treasury and Economic Development Directorate's (CMTEDD) Construction Services regarding enforcement issues of the Code.

¹ A brief was prepared for the Minister for Planning and Land Management (16/24493) in early 2017 seeking advice on a preferred approach for addressing the OMA's request for more third-party signage in the ACT. Two possible approaches are:

- 1. Commence a detailed review to determine specific zones and locations where it may be appropriate to permit more third-party signage (e.g. on sporting fields and bus stops where it is already a common feature). In addition, reconsider how third-party signage is controlled by investigating the viability of regulating the size, physical type and location of signage but not its content. For example, if one wall sign is permitted on a building it would be up to the building owner to either use it to advertise the business occupying the building (on-premise advertising), or to hire it out to a third-party to advertise on it. This is the preferred approach.
- 2. Indicate to OMA that its request has been considered, but retain strong controls limiting third-party signage to protect the amenity of the Territory.

- v. EPSDD's Strategic Planning Division regarding planning and urban design issues. (Are there any ideas from email sent to SPD on 22 August 2016?)
 - vi. There is a statutory requirement to consult with five government agencies on Territory Plan variations.
- b. Standing Committee on Planning and Urban Renewal – The Committee could be briefed early in the review.
 - c. Industry signage and advertising organization – A list of organisations, including the OMA, is provided at Appendix A. What are their concerns with the Code and signage in the ACT? What would they like to see addressed in the review?
 - d. General public – There is a statutory timeframe for public consultation on Territory Plan variations. The magnitude of the changes will guide whether pre-consultation community engagement is required. There could be opportunities to brief community councils and industry stakeholders.

Benefits/sensitivities and media

- a. The review of signage controls should be considered carefully to ensure signage does not impact on the amenity of the Territory, safety of road users, and the bush capital and garden city character, or create visual pollution and physical barriers.
- b. Relaxing signage controls would assist business and potentially allow a stronger compliance program for higher impact signage.
- c. Some members of the community may oppose any relaxing of the signage controls.
- d. The Chief Minister recently stated in the media that "... the ACT's policy of no advertising billboards may be in need of a shake-up". (*ACT Government should re-examine ban on advertising billboards, Chief Minister says, ABC News, 25 January 2017*).
- e. The review of the Code is likely to generate public interest.

Financial implications

- a. The review would be undertaken using existing resources within the Territory Plan Section. There may be some limited costs associated with any public consultation.

2. DESKTOP REVIEW OF CURRENT PLANNING LEGISLATION

2.1 Territory Plan

The Territory Plan definition of sign is:

“... any device or representation openly visible to the general public for the purposes of direction or control or information, or displaying advertisement.”

The Territory Plan definition of advertisement is:

“... any device or representation visible to the general public which is for the purpose of directly or indirectly promoting sales or drawing attention to an enterprise or undertaking, and includes any hoarding or similar structure and bunting flag or streamer, or any balloon used or adapted for use for the display of advertisements or attracting attention.”

Signs are a permissible type of development in all zones of the Territory Plan.

The Signs General Code of the Territory Plan identifies the following 28 types of signs:

- Awning/Fascia
- Blind
- Business Plate
- Canopy
- Changeable Message
- Construction Site Fence (Temporary)
- Display Home/Development Site Sales (Temporary)
- Event Sign (Temporary)
- Fence
- Flag Pole
- Ground
- Hamper
- High Rise Building
- Inflatable (Temporary)
- Information
- Lantern
- Mobile
- Pole
- Projecting
- Pylon/Column
- Roof
- Stallboard
- Territory
- Under Awning
- Vertical Banner Building
- Vertical Banner Freestanding
- Wall
- Window

The Signs General Code also contains provisions for each of these signs as well as general conditions for all signs. The review could look at a reduction or changing sign types as well as their use as there tends to be some overlap.

The following other codes of the Territory Plan affect signage requirements in the following ways:

- No mention of signs in rules and criteria
 - Residential Zones Development Code
 - Single Dwelling Housing Development Code
 - Commercial Zones Development Code
 - Community Facilities Zone Development Code
 - Inner North Precinct Code
- Mention of signs in rules and criteria, with a criteria stating only that they must comply with the Signs General Code
 - Industrial Zones Development Code
 - Parks and Recreation Zone Development Code
 - Transport and Services Zone Development Code
 - Northbourne Avenue Precinct Code
- Additional rules for signs
 - Non-Urban Zones Development Code

C29 Advertising signs are not large, obtrusive or incompatible with the rural character of the locality.

No assessment has been made of precinct codes of the Territory Plan, as this is a general review of the signage provisions and not targeted at a specific case or location.

2.2 Planning and Development Regulation 2008

Generally, the installation of a sign in the ACT requires a development approval, but can be exempt from requiring development approval under schedule 1 of the *Planning and Development Regulation 2008* (the Regulation). Signs can be exempt from requiring development approval under schedule 1 of the Regulation if all the relevant provisions of the General exemption criteria are met (schedule 1, part 1.2) and provisions which are specific to signs (schedule 1, part 1.3, division 1.3.3 Exempt developments – signs).

The types of signs covered under the Regulation, and thus possible exemptions from DA are:

- Section 1.65 – Public works signs excluded

If works are undertaken (and exempt) pursuant to section 1.90 (i.e. public works by or for the territory etc) of the Regulation require a sign, this sign is also exempt from requiring a DA.

- Section 1.67 – Signs attached to buildings, structures and land

This section is used for a variety of types of signs, which are put up, attached or displayed on land or a building. Generally these signs relate to signs which would normally require a DA under the signs general code. The process to work out whether you are exempt from DA for this type of sign is:

- i. Define the type of sign as per the Code (Appendix A)
- ii. Determine what zone the sign is in
- iii. Satisfy subsection (a)
- iv. Check tables in part 1.5 of the Regulation (satisfying subsection (b))
- v. Make sure the sign complies with all the relevant rules of the Code (satisfying subsection (c))
- vi. Satisfy the General exemption criteria.

As can be seen from above, the proponent who is from the general public is required to look back and forth between documents to determine if a sign is exempt. They will also need to meet all of these rules to be exempt, which could create instances where certain things are missed.

The table in part 1.5 of the Regulation (required by subsection (b)) allow many signs to be exempt within the commercial and industrial zones, however, very few in the residential, community and parks and recreation zones.

Also, under the current rules, any sign which is required to be illuminated cannot be exempt.

As this area is used quite often the review could consider simplifying this process and looking at which signs are/are not appropriate in certain zones.

- Section 1.69 – Temporary signs

These signs general work in the same fashion as above, however, are limited by subsection (c) – *the sign is put up, attached or displayed for not more than 2 weeks in any 1 calendar year...*

There could also be scope in the review for considering election signs, either by incorporating them in this section or introducing a new type of sign.

- Section 1.70 – Signs – information about future urban areas

These signs cannot be about the marketing or sale of the land (subsection (a)(ii)) and must be approved by the territory (subsection (a)(i)). They also have some specific controls about dimensions (subsections (b), (c) and (d)).

This section may require a clean up as it mentions ‘approved by the territory’ (subsection (a)(i)), which can be confusing to many as these are exempt criteria – the intention is for approval by a custodian if placed on unleased land. As other signs do not mention approval for being placed on unleased land in this way, this provision may be removed or revised for clarity.

- Section 1.71 – Signs – required under the Building Act

This section deals with signs required by legislation to notify neighbors and other relevant parties of unrelated exempt building work (i.e. a single dwelling which is exempt from DA will need to display a building works sign notifying passersby of general information about the works being undertaken, the primary point of contact and who is undertaking the work).

If a sign is not exempt through any of the above methods, a DA is required to be lodged and assessed against the rules and criteria of the Signs General Code (and any other code that is relevant with applicable rules/criteria) of the Territory Plan.

2.3 National Capital Plan

The NCA has planning control over Designated Areas and is responsible for approval of signage in these locations.

The National Capital Plan has specific controls for signs (Section 3) in the following categories (more restrictive controls listed each sign type):

- General Conditions
- Signs in Residential Areas
 - *Are not animated or flashing.*
 - *Are not illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting.*
- Signs on Commercial and Industrial Buildings and on Institutional and other buildings not located within Residential Areas

- *Signs above first storey level, signs facing residential development nearby or on the opposite side of the street and any signs at local centres within residential neighbourhoods which may be visible from residential buildings nearby, shall not be animated or flashing or be illuminated by exposed lamps or neon tubes as distinct from backlighting or floodlighting.*
- *Illuminated signs at local centres within residential neighbourhoods shall be located at ground storey level only.*
- Freestanding Signs
 - *The height of freestanding signs, other than billboards at Canberra Airport, shall not exceed 4 metres within residential neighborhoods and 6 metres in other locations.*
 - *The surface area of freestanding signs other than billboards at Canberra Airport, shall not exceed 3m² within residential neighbourhoods and 6m² in other locations except that the maximum surface area of a sign identifying a shopping centre shall be determined having regard to the particular circumstances and merits of a proposal.*
- Canberra Airport Outdoor Signage Plan
- Signs on Unleased Land
 - Real Estate Roadside Sign
 - Hawkers Signs
 - Community Roadside Signs
 - Flags and Banners
- Major Events Signs
 - Changing Events Signs
 - Groups of Signs for Events
- Services and Commercial Directional Signs
 - Services Signs
 - Commercial Directional Signs
- Site Identification Signs
- Tourist Destination Signs

- Advertising Signs on street furniture
- Tourist Radio Identification Signs
- Billboards
- Tourist Information Signs

No assessment has been made of individual Development Control Plans (DCP) of the National Capital Plan, as this is a general review of the signage provisions and not targeted at a specific case or location.

Appendix A – Consultation with stakeholders

Organisation	Contact	Relevant area/policies
Outdoor Media Association (OMA)	Tess Phillips	Outdoor and out-of-home advertising signage. OMA Model Advertising Devices Code: ACT, 2016.
Advertising Standards Bureau (ASB)		ASB is focused on codes and standards for advertising.
Australian Association of National Advertisers (AANA)		The AANA has a self-regulatory system for advertising and marketing communications (AANA Code of Ethics). The AANA is focused on the codes and standards on the content of advertising.
The Communications Council		The Communications Council is the peak professional body representing companies in the Australian advertising industry.
TCCS	Darren Gerrard, Glenn Tomlinson	Licensing and Compliance, Land Use Unit
CMTEDD Access Canberra	Roger Gibson	Compliance
EPSDD Environment Protection Authority (EPA)	Robin Brown	AS4282-1997: Australian Standard Control of the obtrusive effects of outdoor lighting
EPSDD Leasing Services	Monica Saad	The Lease Variation General Code of the Territory Plan does not cover signage (tbc with Leasing Services).
EPSDD Development Assessments	George Cilliers, Lisa Van Vucht	Exempt Developments under Part 1.3 and Part 1.5 of Schedule 1 of the Regulation. Development assessments under relevant development and precinct codes.

Appendix B – OMA Model Advertising Devices Code: Australian Capital Territory

DRAFT

[illegible]

Table of exempt signs - Part 1.5 Planning and Development Regulation 2008

Sign Type	Commercial Zones												Industrial Zones				Residential Zones										CFZ	Parks and Recreation				Other Zones	
	CZ1		CZ2		CZ3		CZ4		CZ5		CZ6		IZ1		IZ2		RZ1		RZ2		RZ3		RZ4		RZ5			PRZ1		PRZ2			
	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P	C	P		C	P	C	P	C	P
Awning/Fascia Sign																																	
Blind Sign																																	
Business Plate Sign																																	
Canopy Sign																																	
Changeable Message Sign																																	
Construction Site Fence Sign																																	
Display Home/Development Site Sales Sign																																	
Election Sign																																	
Event Sign																																	
Fence Sign																																	
Flag Pole Sign (do we even need it? 1.61 Regs)																																	
Ground Sign																																	
Hamper/Stallboard Sign																																	
High Rise Building Sign (all criteria)																																	
Inflatable Sign																																	
Information Sign																																	
Lantern Sign																																	
Mobile Sign																																	
Pole Sign																																	
Projecting Sign																																	
Pylon/Column Sign																																	
Roof Sign																																	
Territory Sign																																	
Under Awning Sign																																	
Vertical Banner Building Sign																																	
Vertical Banner Freestanding Sign																																	
Wall Sign																																	
Window Sign																																	

C Currently Exempt

P Proposed to be Exempt

Yes	No	Temp	?
Yes	No	Temp	?

Definitions:

a) **Principal Signage** is the predominant signage on any site that relates to:

- i) building name;
- ii) name of occupier/business, address and telephone number;
- iii) nature of business carried out on the premises;
- iv) advertising of products made or services provided on the premises;
- v) business insignia, trademarks, emblems, logos, etc. of the occupier;
- vi) directional information;
- vii) public notice information; and
- viii) particulars of any activities held or to be held at the place or premises.

b) **Second Party Advertising Signage**

Second Party Signs are advertisements for products not initiated on the site, but are associated with the business in its day-to-day business activity, for example signs advertising particular brands of products sold or distributed.

c) **Third Party Advertising Signage**

Third Party Signs are advertisements:

- i) displaying the name, logo and/or symbol of a company or other organisation that does not own or substantially occupy the land;
- ii) for a product, activity or event not sold or occurring on the land; or
- iii) displaying sponsorship details.

Table 1. Signs Permissible in Zones

NOTE THAT ALL SIGNAGE IN DESIGNATED AREAS IS SUBJECT TO DETAILED REQUIREMENTS UNDER THE NCP SIGNS GENERAL CODE

DSign Type	Zone											
	Commercial											
	C1	C2	C3	C4	C5	C6	Residential	Industrial	Community Facility	Urban Parks and Recreati on	Other	Notes
Awning Fascia Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Blind Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Business Plates	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Canopy Signs	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Changeable Message Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Construction Site Fence Sign (T)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Display/Development Site Sales Sign (T)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Event Sign (T)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Exempt in PRZ2 only
Fence Sign	Y	Y	Y	Y	Y	Y		Y		Y	Y	
Flag Pole Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Ground Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Hamper Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
High Rise Building Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Inflatable Sign (T)	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Information Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Exempt in PRZ2 only
Lantern Sign	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Mobile Sign	Y	Y	Y	Y		Y		Y	Y	Y	Y	
Pole Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Projecting Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Pylon/Column Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Roof Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Stallboard Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Territory Signs	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Under Awning Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Vertical Banner Building Sign	Y	Y	Y	Y		Y		Y	Y	Y	Y	
Vertical Banner Freestanding Sign	Y	Y	Y	Y		Y		Y	Y	Y	Y	
Wall Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	
Window Sign	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	

Y The sign type is permissible within that zone.

(T) The sign is temporary and approval is time limited.

Dark green is able to be exempt, light green is exempt as a temporary sign only

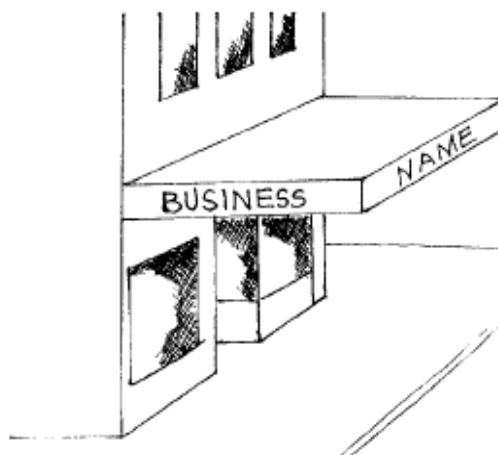
Table 2. Allowable Signage Content and Location

Location of Principal, Second and Third Party Signage								
	Commercial and Industrial Zones				Other Zones			
	Ground Floor	1 st Storey	Above 1 st Storey	Free Standing Sign	Ground Floor	1 st Storey	Above 1 st Storey	Free Standing Sign
Principal Signage	Y	Y	Y¹	Y	Y	Y¹	Y¹	Y
Second Party Advertising Signage	Y	Y²	N	Y²	Y	N	N	N
Third Party Signage	Y²	N	N	N	N	N	N	N
Y content of sign which is permitted. N Content of sign not permitted. Y¹ Signage content limited to building name and corporate logos. Y² Size limited to 2 square metres or 20% of the area of the sign, whichever is the lesser.								

Element 5: Appendix A: Description of sign types

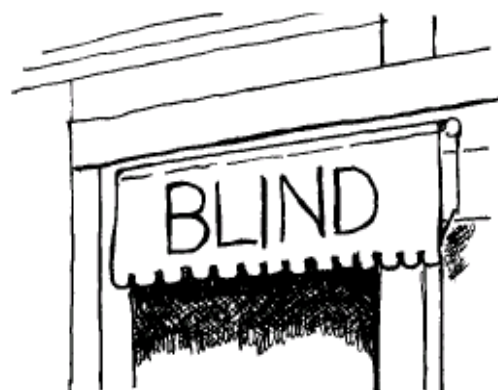
Awning/Fascia Sign

An Awning/Fascia Sign is an advertisement painted or otherwise affixed to the fascia of a building, an awning, verandah or return end of an awning.



Blind Sign

A Blind Sign is an advertisement painted on or otherwise affixed to solid or flexible material suspended from the edge of an awning, verandah, or wall.



Business Plate Sign

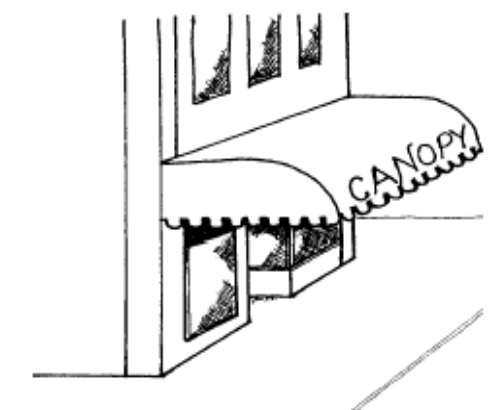
A Business Plate Sign is a small advertisement identifying the name and/or trade, business or calling of the occupant or business premises.

A Business Plate Sign may be painted or affixed to a wall, or freestanding.



Canopy Sign

A Canopy Sign is an advertisement, painted or otherwise affixed, to a canopy, whether the canopy is constructed from flexible or solid material.



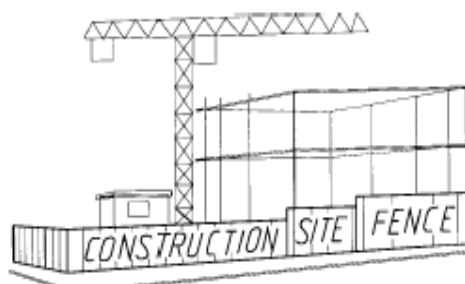
Changeable Message Sign

A Changeable Message Sign is an advertisement which allows the message to be readily changed.



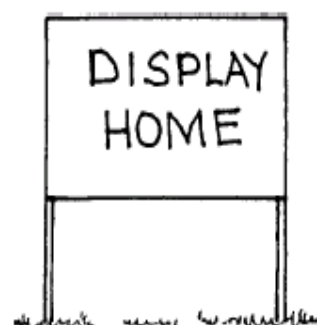
Construction Site Fence Sign (Temporary)

A Construction Site Fence Sign is an advertisement painted or otherwise affixed flat on a temporary safety fence of a construction site, usually along a boundary of the site.



Display Home/Development Site Sales Sign (Temporary)

A Display Home/Development Site Sales Sign is an advertisement to facilitate the sale; auction or leasing of a group of houses or building sites.



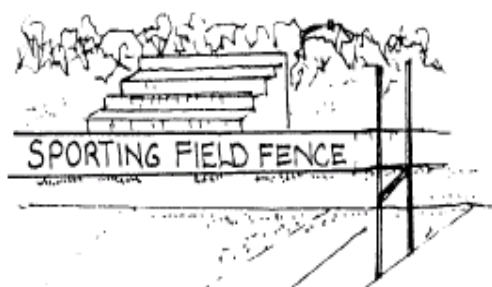
Event Sign (Temporary)

An Event sign is a temporary, non illuminated sign advertising non-profit, short term events such as fetes, fairs or festivals for charitable, religious, educational, community, sporting organisations etc.



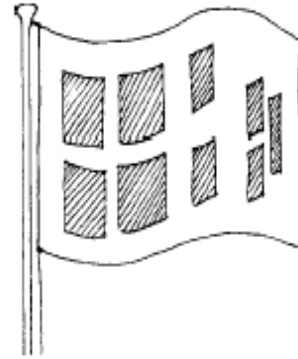
Fence Sign

A Fence Sign is a sign painted or otherwise affixed to a fence; eg a sporting field fence, a boundary fence, which is readily visible from a public place.



Flag Pole Sign

A Flag Pole Sign is a fabric sign hung from a pole.



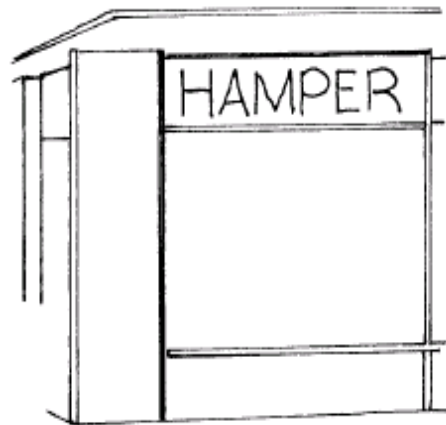
Ground Sign

A Ground Sign is a monolithic sign which, in effect, sits on or rises out of the ground.



Hamper Sign

A Hamper Sign is an advertisement, painted or otherwise affixed, between a door head and an awning, or their equivalent levels.



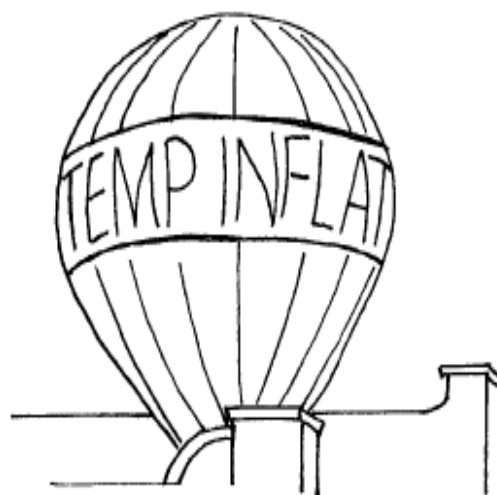
High Rise Building Sign

A High Rise Building Sign is an advertisement naming or identifying a high rise building by the use of a logo or the like.



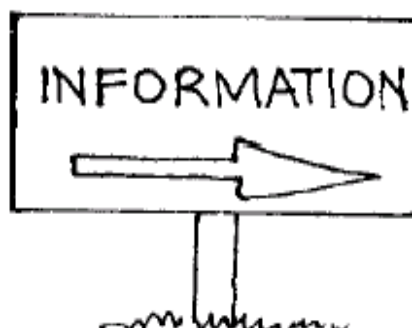
Inflatable Sign (Temporary)

A Temporary Inflatable Sign is a cold air inflated balloon displayed in conjunction with a special event such as a fete, fair, circus, sales promotion or the like.



Information Sign

An Information Sign is an advertisement providing information related to the use of facilities or features of the site, such as entry, exit, parking etc details.



Lantern Sign

A Lantern sign is a translucent lighting fixture displaying the name and/or trade, business or calling of the occupant



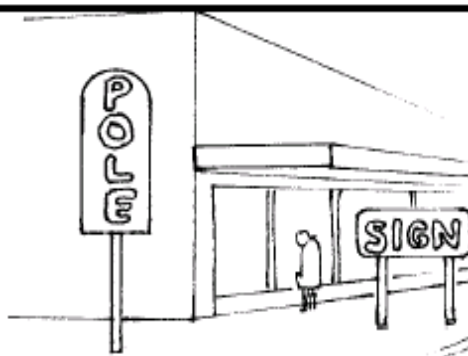
Mobile Sign

A Mobile Sign is a portable freestanding light weight sign, or a sign mounted on wheels to facilitate easy movement about a site.



Pole Sign

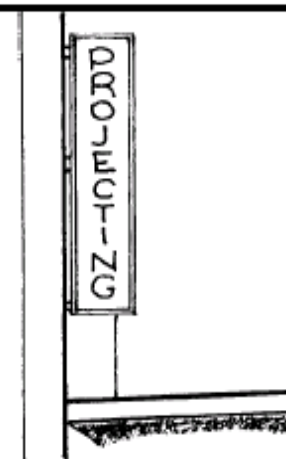
A Pole Sign is a freestanding sign mounted on one or more vertical supports which has a smaller surface area and a lower height than a Pylon/Column sign.



Projecting Sign

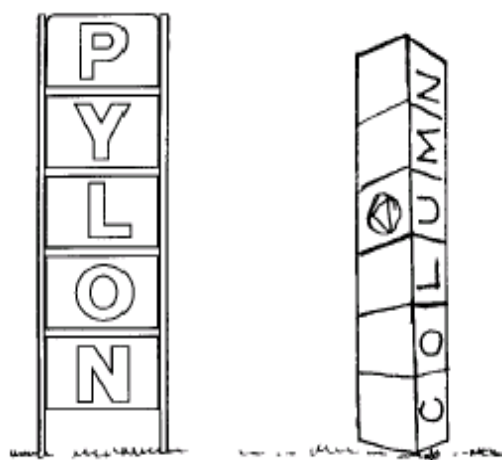
A Projecting Sign is a sign projecting at right angles to a wall and fixed to the wall.

A Projecting Sign is not an Under Awning Sign.



Pylon/Column Sign

A Pylon/Column Sign is a large display surface with its height being greater than its width. It may be erected on the ground or mounted on one or more vertical supports.



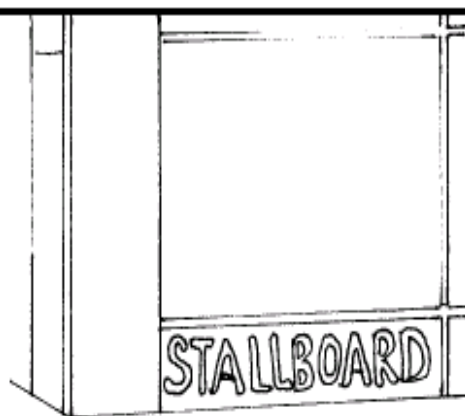
Roof Sign

A Roof Sign is a sign positioned at the top of a building where the roof remains the predominant backdrop when viewed from the ground.



Stallboard Sign

A Stallboard Sign is an advertisement, painted or otherwise affixed, at the base of a shopfront, normally below a shop window



Territory Sign

A Territory sign is a sign located within a road reservation or on unleased Territory land, which is not a traffic control sign and may include an Event sign, a Pole Sign, a Ground Sign, an Information Sign and a Flag Pole Sign.

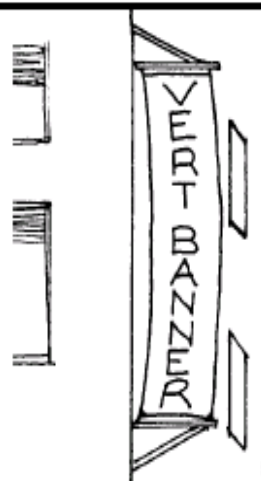
Under Awning Sign

An Under Awning Sign is an advertisement suspended under an awning or verandah.



Vertical Banner Building Sign

A Vertical Banner Building Sign is an advertisement of non-rigid material normally fixed at the top and bottom to brackets projecting from a building.



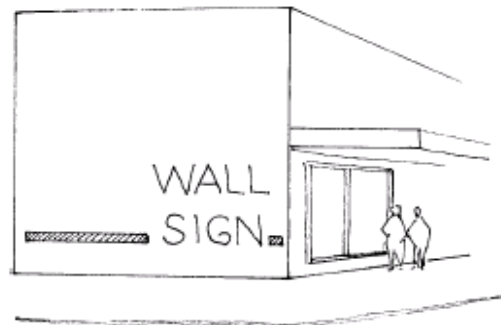
Vertical Banner Freestanding Sign

A Vertical Banner Freestanding Sign is an advertisement of non-rigid material normally supported at two or more locations from brackets extending from a freestanding pole.



Wall Sign

A Wall Sign is an advertisement, painted or otherwise affixed, flat to a wall.



Window Sign

A Window Sign is an advertisement, painted or otherwise affixed, on the outside of the glass of a display window.

