



ABN 59 004 233 489

31 July 2009

Mr Chris Rose
Chief Executive Officer
Logan City Council
PO Box 3226
Logan City DC QLD 4114
(Email: council@logan.qld.gov.au)

Dear Mr Rose

Planning Scheme review

The OMA welcomes the opportunity to provide feedback on the review of the Logan City Council Planning Scheme. We support the direction of Council's reforms to ensure consistency across the City and the implementation of one set of rules for advertising devices, in accordance with the Plan-making Implementation Note No. 10 prepared by the Department of Local Government, Planning and Sport and Recreation (attached for information).

The OMA is the peak body for Australia's outdoor media display companies. The members of OMA are companies which carry out advertising on public transport, billboard signs and other sign types on private property, and street furniture on the road reserve including bus and tram shelters and kiosks.

The OMA has consulted with its Queensland-based members and is keen to be involved in the Logan City Council reform process as it evolves. We look forward to any further opportunities to contribute, and we would be grateful in particular to be informed of any subsequent drafts for comment of the Planning Scheme.

Merit-based applications

We believe as a general principle that applications for outdoor advertising should be assessed on their individual merits rather than by blanket rules restricting or prohibiting signs in an LGA. Examples of blanket rules are those which restrict third party advertising signs across the LGA, or those which automatically ban signs that are greater than a certain size. We believe the proper role of regulation is to set out principles, such as requiring public safety standards to be met, or requiring compatibility of construction with the location and character of a local area, rather than to make arbitrary content or size prohibitions.

Content restriction

The current Planning Scheme requires all third party advertising signage (called 'advertisement hoardings') to be Impact Assessable because of its content (ie, because the advertising relates to third parties rather than to the premises it is located on). On-premises signage, by contrast, is Self-Assessable or Code Assessable. This situation is an example of a blanket rule, and one in particular which makes a prohibition based on content, contrary to Plan-making Implementation Note No. 10 (para 1.0). The requirement for Impact Assessment also imposes significant costs on applicants, including public notification costs as well as time delays. In addition, it ties up limited Council resources.

A better position would be to allow third party signs to be assessed through the Code Assessment process where appropriate, for example where the impacts of a sign may be less because it is located in a commercial rather than residential area. This is consistent with Implementation Note No. 10 (para 2.0), which aims to reduce inappropriate levels of assessment and regulation of content.

Size prohibition

Table 5.3.15 of the Advertising Device Code in the Planning Scheme has a maximum face area requirement of 20m², which excludes large format signs (or supersites, with a 42.41m² face area) commonly used by the industry elsewhere. This, as well as being a blanket prohibition, is inconsistent with the position of the Gold Coast City Council, which allows supersites (Subordinate Local Law No 16 8(o)), and with that of the former Beaudesert Council, containing a maximum face area limit of 40m².

Integration of DAs under one system

The Implementation Note (para 3.1) states that the intent of the *Integrated Planning Act 1997* is to integrate development approvals under one system, with the planning scheme rather than a local law being the most appropriate regulatory tool for developments associated with advertising matters. Consistently with this, where regulation of third party signage is located in Local Laws (eg for bus sheds and identilites it is in Local Law No 12) we support the integration of such regulation under the Planning Scheme, in the interests as well of clarity.

Future technology in outdoor advertising

The technology of outdoor advertising is constantly evolving, bringing with it new opportunities for better achieving public interest and industry objectives. Static and non-static electronic message displays can add to a cityscape, be more environmentally friendly, avoid occupational health and safety issues associated with changing screens, and help disseminate emergency or

community information. We support specific regulation to guide the development of such technology on a permissible and reasonable basis. The OMA is working with councils and state governments across Australia on this matter and we would be happy to work with Logan City Council and to provide precedents for consideration.

Thank you again for the opportunity to put forward the case for the outdoor advertising industry. This industry, as well as generating direct employment in Queensland, contributes to the growth of the economy through indirect employment, community awareness and government advertising, and cost-effective support to local small and medium businesses. Please do not hesitate to call me on tel (02) 8356 9000 to discuss this important reform initiative further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Helen Willoughby', with a stylized flourish at the end.

Helen Willoughby
Chief Executive Officer