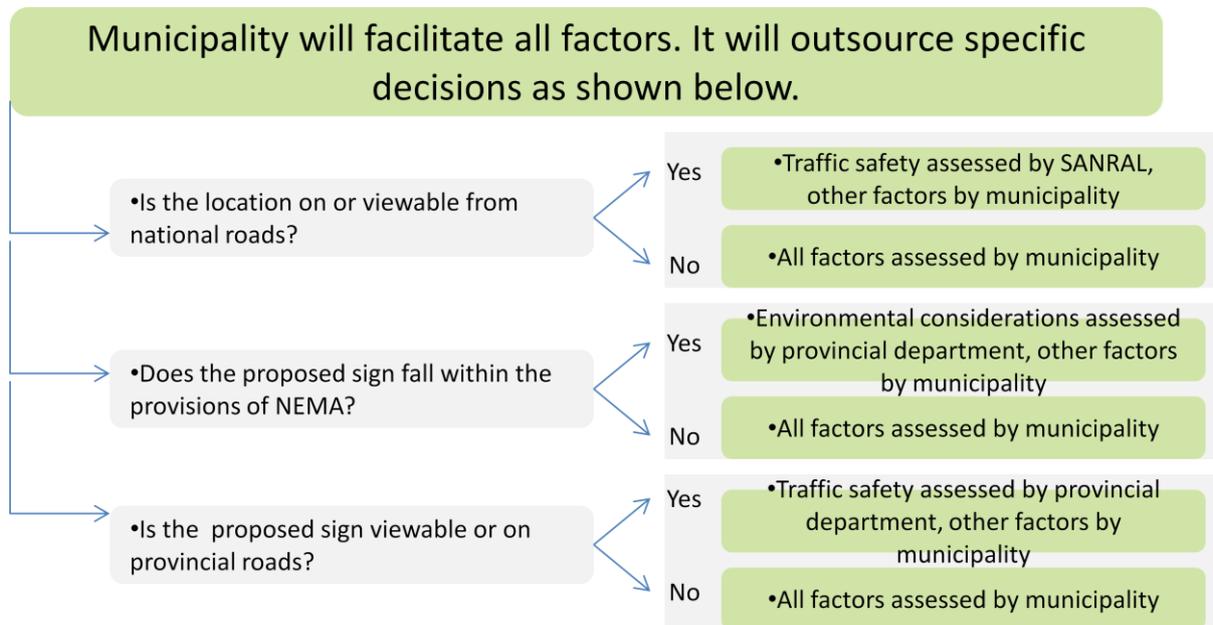


Authorization decision tree to avoid duplication



In trying to raise the benchmark for specific legislation i.e. placement, technical and procedural bylaws it would be helpful to summarize or reiterate the sought after criteria in an ideal scenario and to keep these in mind when making comparisons to the status quo.

An ideal set of bylaws would be:

- Balanced
- Collaborative
- Effective
- Objective
- Transparent
- Dynamic
- Concise
- Standardized

Currently there are a myriad of different bylaws in operation in the country. Some are highly developed, some have areas which are well defined and others fall short of a satisfactory bylaw for various reasons.

Balanced

A balanced bylaw takes cognisance of the fact that there are a multitude of concerns to be taken into account when regulating signage. A balance is necessary because some of those inputs, such as heritage or tourist site visual pollution are generally considered negative, but other aspects like local business promotion or alternative municipal revenue generation is undoubtedly positive.

Currently some municipalities and consequently their bylaws are far more attuned to the benefits that outdoor advertising is able to bring to their jurisdictions than others. Some municipalities at one end of the spectrum have demonstrated this by actively sourcing tender proposals in order to use advertising to develop infrastructure while others have not been as aggressive and simply been open to the idea. Traditionally though outdoor advertising is a function which has been housed by environmental departments and as such emphasis has always been placed on restricting advertising without considering the possibilities for leveraging advertising opportunity.

The environmental sensitivities are certainly more important in tourist hotspots or heritage sites for example but these influences should not deter from that fact that operators and communities can benefit a lot from advertising in less sensitive areas or indeed those in which the vibrancy generated by signage is sought-after.

The following concerns should be effectively managed by municipalities:

- Environmental
- Road safety
- Town planning
- Building
- Community development
- Operators
- Commercial

Collaborative

Having taken cognisance of the interests at play, a bylaw should effectively consult with various specialist representatives of those interests. In fact, it should provide anybody who wishes to make a contribution the opportunity to do so. The authorities responsible for governing these concerns, those who manage them as well as the materially affected private interests that those municipalities ultimately represent should all be consulted. Collaboration is imperative to a well functioning system for without it there would be contradiction between differing entity's regulations. All stakeholders would be dissatisfied and there would be no respect for the bylaw. Collaboration is also a key driver for management by exception. The more one is sure that a bylaw has been designed to incorporate all concerns the more trust a regulator can put in it. This in turn leads to a management by exception approach.

Both of the above symptoms are currently displayed in outdoor advertising control. Roads department judgements have on occasion conflicted with regulations of the municipality as an example. In the higher level framework it was advised that the municipality be the sole consultant for the placement of signage and a roads authority be consulted only on traffic safety issues or to rubber stamp the approval. It stands to reason that this cannot happen whilst differing entities have different sets of signage regulations. A workshop would need to be held in order to establish procedural, technical and placement guidelines that are satisfactory to all regulators as well as accepted by those they regulate.

Operators sees private land owners as having a given right to advertise or choose what to do with the advertising right on private land. There is obviously an awareness of environmental concerns to be taken into account but if municipalities were to maintain a viewpoint that signage needs to be mostly restricted then this imbalance could precipitate into a non-acceptance. By including operators in the thinking towards developing signage municipalities are able to gain a buy in as

well as learn from operators insights. It is also important that the operators acknowledge other stakeholders input.

Objective

Through collaboration with all involved entities one is able to generate a bylaw which maximises community benefit as well as minimises duplication of effort and subsequent inefficiencies. A bylaw which has had qualified people or entities assist with its design will then ensure it is based on objective principals.

Currently in the industry there are varying amounts of respect for the bylaws. This seems to be a function of the level of efficiency in a municipality, the ability to enforce a bylaw and the extent to which an operator agrees with judgements made by the municipality. The level of agreement in turn stems from the transparency and perceived fairness with which a municipality deals with an application.

Part of the problem currently witnessed is the fact that bylaws allow for a large amount of subjectivity, and subjectivity can quite often open the door to inconsistencies as a result of human error or bias. There are many instances in which applications for signage have been rejected in one location while another would have been approved in almost exactly the same spot within the same municipality.

If bylaws insist on using tools which are based on quantitative rules to address any particular signage application then municipalities become able to unquestionably justify any decision that is made and thus are less likely to be questioned by the rejected approvals. More elaboration will be given on appropriate tools to use to this end further on.

Rejected approvals are also less likely to dispute decisions as well and this contributes to better management of outdoor advertising. Management will be spoken about in more detail later on in the document but at this stage it is worthwhile highlighting how important objectivity is not only for increasing acceptance of municipal decisions but also to improve speed and effectiveness of decision making as well as facilitating self regulation from other agreeing operators.

Transparent

Closely linked to objectivity is the principal of transparency. A transparent bylaw and approval system will allow applications to be more accurate and ready for approval and thus minimize the leg work that needs to be done by both operators and regulators. The less subjective an assessment the easier it is to provide transparency in the market and this reinforces the concept of structuring an approval system to be based on a set of tools and quantifiable measurements.

Currently, as discussed, there is a perceived lack of transparency and as a result municipalities are seen by operators as not having a systematic means for judging signage applications or that they have a bias towards certain applications. By developing a system of transparency one not only streamlines the system but builds an environment of obedience and trust between the regulator and the regulated.

Dynamic

The advertising industry is an ever changing one. With a changing cityscape and new technologies being introduced all the time one can never be sure what exactly the industry will use to convey advertising messages to its every increasing outdoor audience. With uncertainty about what will need to be regulated in the future there is a certain amount of uncertainty about how a bylaw should deal with this.

Some municipalities provide provision in their bylaws to adapt or introduce legislature and this seems to have proven an effective way of dealing with the potential problem of leaving a format unregulated. Some municipalities have however not managed to adapt bylaws with the introduction of new formats.

Standardized

A benchmark should be set nationally for municipalities with regards to the management of signage. Having a national standard can ensure that all municipalities have reliable mechanisms in place to deal with outdoor signage whether it be from a regulatory or operational perspective.

A standardized guideline ensures that intellectual property regarding the best ways to deal with outdoor advertising are transferred to smaller municipalities as well as consolidated amongst larger more developed ones. Standardization of outdoor advertising management also helps to formalise it as well as attract more credible operators.

Currently no two bylaws are alike. Some are far superior to others at dealing with outdoor advertising and media players across municipal boundaries become confused as to what bylaw governs which area. By standardizing a bylaw one is able to harness inter municipal collaboration as well provide a clearer legislative path for media companies to navigate through. The operational as well as legislative benefits are plentiful and will be discussed more in the operational section to follow.

It is important to re-emphasize that certain aspects of a guideline will not be standardized. The procedural and technical guidelines are more easily standardized than placement guidelines across different municipalities. The tools used to assess these guidelines will also be largely standardized whilst the acceptable measurements might again be unique in different municipalities. Therefore it is not imperative that the bylaw is standardized but rather that the tools used to make the key decisions of environmental and traffic safety impact are standardized.

To summarize the following benefits are derived from standardizing guidelines where possible.

- Operators familiarity;
- Learning capabilities throughout municipalities;
- Smaller municipalities have a viable means to deal with outdoor advertising;
- Formalization of outdoor advertising management.

Concise

An uncomplicated point but one often overlooked in the market currently. A bylaw should be concise and easy to follow. SAMOAC as a guidance document has been criticized for being too detailed. Many municipalities have used SAMOAC directly as legislation whilst other more developed municipalities have disapproved of it.

By having a clear and well documented procedure as well as location and technical guideline media companies are far better able to comply with regulator demands. A bylaw should take cognisance of this fact and strive to simplify the requirements needing to be met as best possible – currently this is not always the case.

Effective

The underlying aim of a bylaw is to be effective and holistic in the way in which it deals with outdoor signage in any given area. In fact all of the above criteria contribute towards an effective legal framework to manage advertising signage. Through the bylaw a municipality

would like to ensure that it can control advertising as best possible in order to ensure that the community is safe as well as able to draw the greatest value possible from it.

Current legislation in South Africa often prohibits signage from being placed within the road reserve. The traditional train of thought has been that signage is a traffic safety risk and needs to be kept out of the road reserve. Ironically research shows that not allowing signage in the road reserve is making it harder for regulators to maintain control over the industry.

Commercial, safety, aesthetic and control could all be considerably improved were signage to be allowed in the road reserve. Traffic safety studies suggest that signage which allows drivers peripheral vision to remain on the road is safer than signage outside of the road reserve which requires that the driver take his/her eyes off the road completely. Any signage on public land would also mean that the municipality would draw larger value from any structure erected on its land as it would essentially take the place of a private land owner in the value chain.

If the municipality is positioned as the landlord the level of control it has over the signs erected would be increased. Because signage along roadsides is more highly demanded than peripheral signage advertisers would look to advertise on it before peripheral signage and as such media owners would be forced to apply for signage inside the road reserve to satisfy demand and thus wilfully placing more control in the municipalities hands.

Current issues experienced in the market are predominantly on private land. The *Mandament van Spolie* law which continues to prevent municipalities from removing illegally placed signage on private land is not applicable when it comes to signage erected on public land.

3.7) RECOMMENDED OPERATIONAL FRAMEWORK

Operations are concerned with ensuring that bylaws are carried through on a practical level. If a sound regulatory framework is in place then it is the operations which ensure its integrity by enforcing them in a consistent, transparent and efficient manner.

This section will map out a high level framework for effective management of outdoor advertising in the South African context based on the regulatory framework described above. The operational component of the framework deals with the practicalities necessary to carry out a regulator's responsibilities of approving, inspecting, monitoring, enforcing and administering signage.

This section of the document will proceed to do the following:

- Discuss the appropriate structure for outdoor advertising control;
- Discuss the appropriate organizational structure;
- Establish tools needed to
 - Formalise outdoor advertising control;
 - Support the managing entities (most commonly the municipalities);
 - Managing signage (signage approval and enforcement);

It is essential to lay an operational foundation for outdoor advertising control. At a national level it makes sense to co-ordinate and formalise how outdoor advertising control should be run and provide collaborative and contextual support to those regulators who have limited resources.

Following on from this the module discusses the importance of the correct organizational structure and supporting capabilities necessary to enable an organization to effectively facilitate the processes surrounding outdoor advertising.

Lastly on an operational level relevant tools are discussed with the aim of strengthening the assessment ability of signage and the enforcement of signs approved in the market.

3.7.1) Structure for outdoor advertising control

Outdoor advertising control is currently characterised by uncertainty and conflict on a far larger scale than is acceptable. A myriad of different cases, in multiple municipal jurisdictions, have been seen which support this statement.

Media owners have been witnessed erecting signage infrastructure prematurely without the correct approvals because they see the municipal systems as taking too long, lacking transparency or credibility and not being able to effectively enforce wrong doings. Municipalities are often unable to remove such structures because of the fact that they need to obtain court orders before doing so and media owners are able to realise revenues far in excess of the legal fees they eventually pay if found guilty.

Regulators on the other hand are criticised for not being able to administer applications effectively or in a timely manner which in turn impacts on operators being able to take advantage of advertising opportunities especially if they are campaigns. On occasion municipalities have also been guilty of contravening their own bylaws or showing a lack of consistency in their procedures and approvals which detracts from their credibility and operators obedience.

Illegal sign boards are numerous and constitute a great percentage or even the majority of signage in some municipalities. Inabilities to administer signage effectively will only become greater if inefficiencies are not addressed. Administrative shortfalls are not only evident during approval procedures but also in inspection and enforcement.

If an application has been made and the legislated time passed within which an assessment should have been made then it becomes less clear as to who is in the wrong when an unapproved sign board is erected. There appears to be a type of deemed consent for signage such signs which may or may not eventually be illegal. Such signs become harder and harder to remove the longer it takes for municipalities to communicate any disapproval they may have with the sign being erected. Offenders have in some cases been issued notices by the municipality only many years after infrastructure has been erected – this however cannot be put down purely to a slow approval system. This demonstrates a need for greater control in addition to a more efficient system.

Careful attention needs to be paid towards formalising outdoor advertising control in order for it to develop into a credible one. Changes need to be made to develop a respect for the regulators not only through effective repercussions but also through buy in from the operators. There is a large amount to be gained from collaborating between regulators and operators. Municipalities have been operating in isolation and as such have developed different interpretations of the laws and mechanisms to cope with managing outdoor advertising. Some are superior to others and it makes sense to draw from the best in each facet of outdoor management. The outdoor advertising market can currently be thought of more as multiple smaller markets from a regulatory point of view. From a private stand point companies may operate on a national scale but on a control and regulatory front municipalities operate very much in isolation with little or no regular interaction at a national level. Municipalities are best suited to manage the local signage environment because of the fact that local staff is closer to the ground so to speak and also because of the fact that certain regulations will be unique to a specific area. This does not mean that mechanisms cannot be put in place to learn and benefit from a wider base of intellectual property at a national level.

The South African regulatory authorities should be aiming to move outdoor advertising control towards a more ideal scenario. The ideal scenario is of course to have a formalised control system which is both well regulated and well managed. Having dealt with regulatory adjustments a closer look at the operational ideal is to follow.

The municipal management responsibility is an agreed ideal. Municipalities can be more effective than provincial or national bodies at managing signage because of current infrastructure and the correct economies of scale. Bigger jurisdictions could easily risk losing touch with local cityscapes and applying city specific regulation.

It would be beneficial however to have a mechanism in place for municipalities to collaborate on all aspects of outdoor signage at a national level. Having a means to communicate changes in regulations, new technology available to regulators or store intellectual property which could otherwise be lost would be invaluable.

Standardised guidelines, which have been alluded to a number of times throughout this document, would pave the way to enable municipalities to come together in a more collaborative manner. The more similar guidelines are throughout the country the more benefit can be drawn from pooling intellectual property of individual municipalities to generate more effective approaches to dealing with outdoor advertising.

Outdoor advertising control which involves the players within the market would also be rewarded through buy in from private companies and more respect afforded to the regulators. Conflict between regulators and private business has manifested itself as the greatest conflict present in outdoor advertising control for obvious reasons. There are also disagreements between other stakeholders on a smaller level and which present themselves as inefficiencies in the market. A means of incorporating all material interests in outdoor advertising when deciding on regulations to be put in place would therefore be rewarded with a smoother functioning control system.

There needs to be a drive towards becoming a pro-active body of regulators rather than a reactionary one. In summary, on a macro level the aim should be to build up a control system with credibility and to eliminate the levels of conflict currently seen in the current system. One does this by creating a cohesive environment between regulators and operators and providing a platform for ensuring best practices are implemented throughout the country as opposed to just in isolated pockets of more affluent municipalities. With this backdrop in place municipalities should be better able to plot a path forward and ensure that on a micro level the inefficiencies currently experienced can be eroded and lead towards better control of outdoor advertising. The section to follow will deal with organizational operations more closely.

In the section entitled “operational tools needed” there will be a more narrowed discussion on the steps the regulators should take towards encouraging a successful operating platform spoken about above.

3.7.2) Organisational structure

A sound regulatory framework and set of bylaws is very important but if implementation of that framework cannot be done at an organizational level then it might as well not be legislated at all. The section above looked at ways of assisting the regulators, but implementation and active management of outdoor advertising will be left to the municipalities. Restrictions need to be practical and enforceable in order for the system to be effective and municipalities will need to ensure that it is appropriately set up to follow through with this implementation.

In the South African market three of Gauteng’s largest municipalities have positioned outdoor advertising as an entirely separate department within the municipality. These three municipalities

are Tshwane, Johannesburg and Ekurhuleni. Other more developed municipalities also have a similar organizational structure. Traditionally though, the outdoor advertising responsibility has been swallowed by other departments and responsible staff's job roles split between any number of other functions. Staff with other responsibilities and other areas of expertise are not always the best suited to manage outdoor signage. If the advertising responsibility sits within an environmental department for instance then one could expect any judgement passed to be skewed towards an environmental consideration. Similarly if an investments or finance department housed the function one might expect the value obtainable to concentrate more heavily on the commercial value of signage to a municipality. How the organization is structured becomes important and it should not bias the evaluation in favour of any of the interests concerned.

Structuring outdoor advertising management as a central unit ensures that dedicated staff is involved with the task and appropriate skills developed. Other municipal departments become more aware of the channels down which stray or opportunist applicants need to be directed. A large problem identified in regulating outdoor advertising is the issue of deemed consent. Media owners have on occasion received "landowner" approval and interpreted it as authority to erect signage. Creating an awareness amongst other municipal departments is an important step to ensuring applications are handled systematically.

Transparency of ownership and operation is also important to the successful management of an advertising landscape and international benchmarks have insisted that the outdoor advertising function is defined so that it is clear who to contact for advertising /operational issues. Markets in South Africa are often not transparent enough.

Transparency from a structural point of view means ensuring that all channels are formally mapped out for applicants to follow. There needs to be communication between advertising departments and other entities responsible for approving different aspects of an application. An applicant should be able to see exactly what authorizations are needed in order to get an application passed. Having defined process flows are paramount to reducing administrative efforts from both the regulator and signage applicant point of view.

Having settled on organizational structures best suited to managing signage and emphasized the importance of formalizing channels of communication between government departments, it is appropriate to discuss the actual operations that management of outdoor advertising would entail.

Regulators have the duty to ensure the following capabilities:

- Signage approvals
- Inspections
- Monitoring
- Enforcement
- Administration of the above

Managing signage on a municipal scale means that authorities will be dealing with a great volume of applications and other signage related duties on a daily level. Typically South African municipal departments dealing with outdoor advertising suffer from staff shortages and turnover like many other public offices, making it difficult at times to maintain operational efficiency. There are often large administrative back logs to be addressed which is one of the contributing factors to operators frustration.

The administrative burden which illegal signage causes makes up a large portion of staff time. In Cape Town for example it is estimated that as much as 80% of signage has not received a formal approval. The municipality is involved in numerous court cases which drains it of resources. Were resources to be freed up from this, they could be very easily used to a more proactive end. It is very important to explore ways and means of leveraging what little resources are available to municipalities and ensure that they are spent in the most meaningful ways.

International best practise has embraced technology in order to gain more visibility, understanding and control over the market. Many technological developments have meant that authorities have a host of new tools available to them and they are able to be more effective in their management approach to signage as well as adapt regulations to support these changes. Not only can technology be used to perform and streamline tasks but also to provide objective analysis based on a standard set of criteria removing the subjectivity of personal opinion. Collaboration and centralized assistance is also feasible because of technology.

Currently it seems that municipalities have not been afforded the time to upgrade processes regarding advertising. Almost all of the regulatory authorities interviewed used manual systems and often stored applications on excel spreadsheets. None of the municipalities were able to represent signage structure on a spatial map although many had the GIS capabilities to do so within the municipality. GIS capabilities can be used to drastically reduce the time taken to evaluate signage applications as well as bolster inspection, monitoring and enforcement duties.

Many of the considerations taken into account to evaluate, inspect, monitor and enforce signage applications could be improved through the use of technologies as they require very manual procedures at present.

Transparency and objectivity have been heavily emphasized throughout this document with regards to formalizing outdoor control. The development of tools can provide the transparency and objectivity needed in outdoor advertising control. Outdoor advertising departments should move towards a management by exception scenario. In this scenario there would be a certain set of tools to assess regular applications enabling a regulator to consistently weigh up signage potential against a set of benchmarks or standards (incorporating all material interests involved with outdoor signage). In this way a municipality would ensure that the provisions of their bylaw would be considered rather than opening themselves up to interpretation.

In the section to follow this document will evaluate the different tools available to assist municipalities in providing an effective structure between regulators and operators but also for municipalities to effectively use when conducting their routine daily functions.

3.7.3) Operational tools needed

Formalising outdoor advertising control and support

Municipalities are both executive and legislative authorities meaning that they make laws and enforce them. The average outdoor advertising bylaw is not a strong document and is often challenged because of errors, contradictions and the over-wording of the drafters in trying to close all loop holes.

Alteration of the legal framework and various bylaws has been discussed at length during the legislative portion of this document. It is the facilitation of these changes which are addressed here. It is also important to consider how any changes in a bylaw will affect the ease with which management are able to ensure that the bylaws are enforced.

A standard bylaw to the extent possible has also been suggested with which to regulate signage across the country. This amongst other things provides a platform for all municipalities and other regulators to work together in developing the optimal set of guidelines.

Promotion of a national affiliation which we have referred to as the OAB (Outdoor Advertising Board) would be able to drive such collaborations and any other conformity for the benefit of outdoor advertising control. The concept of an OAB is discussed at length in section 2.2 of this document. A licensing committee as an output from this OAB is also discussed there. Both are touched on again below.

The list of benefits afforded by such an organisation would be as follows:

- Expert collaboration for the development of optimal guidelines (A guidelines panel would incorporate all material interests including but not limited to municipalities, roads departments, environmental, planning, commercial, legal and traffic safety experts);
- Ensuring regulation is able to keep abreast of industry changes;
- Obtain feedback from the operators;
- Communicating changes to the operators and regulators;
- Establishing a national affiliation with which operators would need to be registered;
- Ensuring appropriate skills are available to assist regulators in areas where they are short of resources. This could be in the form of an affiliate or centralized task team able to resolve issues;
- Ensure adequate operational etiquette by all registered media operators;
- Ensure education of operators particularly with regard to traffic safety and aesthetic considerations.

The above responsibilities would be assisted by a portal for communicating information and offering assistance to members as well as relaying feedback to the OAB. Such a portal might have a separate access for regulators as well as media operators. Functionalities such as the following would be built into this tool:

- Troubleshoot for staff educational purposes – dealing with legal, commercial, environmental and other procedures;
- A database of relevant entities and contacts;
- Q&A section – dealing with retention of intellectual property. How best to deal with certain situations concerning outdoor advertising control. This will assist with staff turnover and intellectual property as well as allow for learning;
- A forum as a means for communicating common problems and receiving quick feedback on solutions. This will also server to gain insights when evolving the guidelines;
- Communication information so to all departments/members;

In continuation from the concept of a changing environment and a need to alter the guidelines periodically to keep abreast of changes it is recommended that an approval is no longer considered evergreen. A sunset approval should be used which means that a site will not be approved indefinitely but rather on a term basis which requires reapplication every so often. This

would ensure that signs are easily able to be removed if their location becomes inappropriate as the cityscape changes.

Self regulation techniques should be promoted in order to assist outdoor advertising control to move forward. Private media operators are incentivised to protest an alert the authorities to signage which they believe to be illegal because it dilutes the market they are in. Formal and quick procedures need to be in place for anyone to notify authorities of such signage. Equally important is the need for a quick response mechanism. This process needs to be communicated to other municipal departments along with other procedures and also to other media operators. Promotion of an industry association, as spoken about, will also improve the obedience of registered members. If one needs to be a member to display signage and it is a prerequisite in order to be a member that your signs be legal then operators would not risk an entire portfolio for the sake of another income from an illegal sign. It will help to alleviate the burden on municipalities as the OAB will take up the responsibility of legal action against persons operating without a license.

Supporting functions

It is recommended that outdoor advertising signage essentially be managed by two sets of software, namely GIS software and with CRM as opposed to only with CRM.

CRM Systems

A CRM (Customer Relationship Management) system allows effective control over the various functions associated with outdoor advertising namely, application, approval, construction and follow-up, inspection and coordinating enforcement. Without a dedicated CRM system the administration of these tasks can increase tenfold. Given the shortage of personnel in many municipalities a CRM system would be a highly valuable tool for decreasing backlogs and ensuring prompt responses to operators.

Typically a CRM system is designed to effectively transact, store, analyse and report on data to do with customer interactions. In this case it would be to do with signage infrastructure. A CRM would for instance allow the municipality to collect information from an operator and applicant and link any number of interactions to this operator. Requested approvals, approvals, successful and unsuccessful inspections, monitoring runs, payment histories, contract details and inception and expiry dates etc. are all integrated and able to be reported on at the touch of a button as and when the regulator would require.

Being able to report effectively means a municipality would be able to carry out functions in an orderly and systematic way with far fewer mistakes. Reports can be generated in order to get specific reflections on customers and the market.

Examples include:

- Detail regarding signs approved but not constructed;
- Signs inspected and accepted;
- Signs not built to specifications;
- Specific sign format detail;
- Unapproved signs reports;
- Macro and buffer density reports;
- Payment history reports;

- Number of signs per contractor and per contract.

CRM systems are also able to co-ordinate approvals between other governmental departments which need to authorize signage. Access can be granted for certain systems and notification sent when new locations need to be approved. This automated approach can improve the regulatory duties.

GIS capability

Currently many municipalities have GIS departments which if utilized could assist advertising departments to gain a lot more visibility and therefore control over the market.

GIS functionality in an outdoor advertising context has allowed more developed markets internationally to associate CRM data and signage dimensions to a physical location. This then enables the outdoor signage population to be located on a spatial map.

This alone is beneficial but when used in conjunction with other GIS data (for example road signs or national monuments), zone overlays or to conduct density measures, buffer analysis such a system is very powerful. The practical uses of these functionalities will be discussed more under the appropriate sections to follow.

If the CRM and GIS systems are not integrated then applications are able to be designed to enable necessary CRM data to be used to run GIS analysis as will be explained below. Immediately a task such as enforcement for example becomes more efficient because expired signs are able to be located, grouped by vicinity and inspected at one time. Pinpointing a location is another instance which allows the advertising department to communicate more accurately with road works departments and saves the time of having to physically go to one site if the GIS co-ordinates are supplied by the applicant. These are two examples of how GIS can assist in regulator procedures but benefits are seen in almost every function.

Procedures

Organizations such as municipalities are particularly complex. The administrative requirements, compliances, contract completion, billing and payment structures surrounding outdoor advertising are immense. Therefore in order to fully benefit from any management framework there must be defined processes and established working channels and relationships in place to ensure there is not a significant delay. Delays in the installation of new sites or new structures can cost the municipality and media operators substantially with claims and rent abatements.

Once the optimal application and approval processes as well as follow-up procedures for each form of sign have been finalized for the municipality, the relevant involved parties at all positional levels need to be clearly informed of their roles, responsibilities and consequently the actions and expectations related to them. This should include clearly defined:

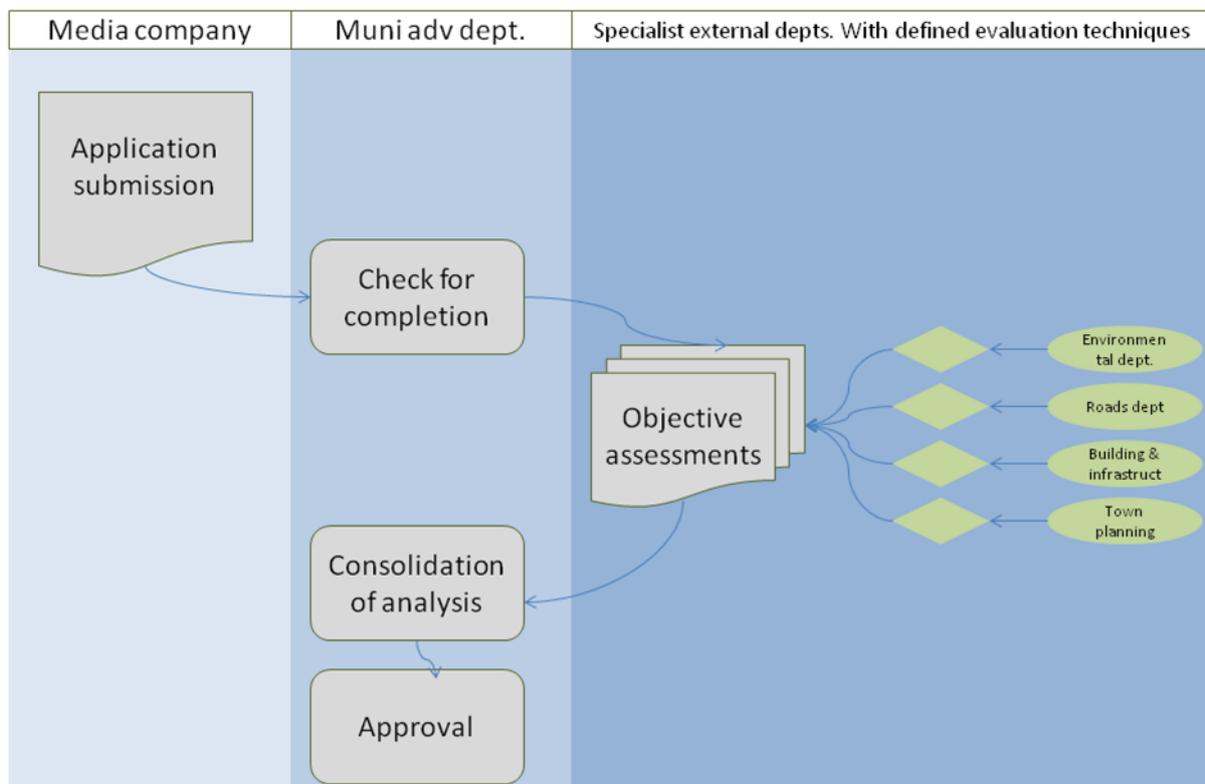
- Organisational structure;
- Resource and reference documentation;
- Specialist equipment, tools or experience required;
- Channels and methods of communication;
- Responsibilities and actions;
- Turn-around times and deadlines;
- Expectations and outcomes.

One of the benefits of having a defined process flow is that it will afford the regulator the ability to provide a level of transparency to stakeholders. Any expectations can be managed and time taken to manage signage justified.

The main functions to be carried out by a regulator are as follows

- Approval - (This extends to approvals needed from other authorities such as building plan approvals, road traffic safety approvals etc);
- Inspection;
- Monitoring;
- Enforcement;
- Receipt of fees;
- Administration.

The example below demonstrates a very high level process flow of how an application might move from a media company to municipal advertising department. The advertising department would then co-ordinate the application to various specialists in accordance with the ideal regulatory framework.



Management tools

The bulk of the problems of outdoor advertising control are not perceived to be as a result of poor legislation but rather the systems with which regulators govern it. Due to management failures specifically lack of consistency there appears to be an attitude of “why should one comply if there is no compliance from another” within the market. This stands to reason as what is a legal framework if it is not applied to all? Furthermore the lack of clear policy and systems means that it is difficult for the municipalities to distinguish between what is legal and what is not.

Echoing what has been said before; tools promote consistency, especially with regards to external interactions. Numerous motivations have been given for a more objective means of managing outdoor advertising and Second Harvest has developed tools for this purpose. The important thing is that tools are measurable and able to contribute to efficiency (and resource relief) because of this and lay a platform for management by exception. This measurability characteristic promotes consistency, credibility and transparency.

In accordance with a balanced guideline it is suggested that tools be developed for each area of concern which needs to be taken into account when approving signage construction. Tools should be designed to manage each material interest in an accurate and quantifiable manner. The tools should determine whether there is an appropriate reason to reject the sign because a) it is detrimental to the environment or b) it is detrimental to traffic safety. If it is neither detrimental to the environment or traffic safety, it should be accepted. This creates a balance as the commercial value has been considered by means of the application taking place, the environmental factors have been considered by means of determining if it is detrimental to the environment and the traffic safety considerations have been made by means of determining whether it will pose a danger to road safety.

Additional functions to be carried out are as follows: Inspection and monitoring as well as payments are not perceived as substantial problems in the South African market. These are vastly improved by the use of a CRM reporting system. Enforcement however is a key failure in the market and as such we have looked at tools to improve compliance in the system to go along with alterations in legislation.

- Enforcement tools
- Inspection
- Monitoring
- Payment

Signage approval tools

Traffic safety

A traffic safety matrix can help to collate a number of often non-qualitative safety concerns. The concept involves defining all safety concerns and then predefining a rating system in order for one to rank the gravity of each concern. Consolidating the rank of each safety concern should produce an indication of the overall safety concern that a sign presents to its surroundings.

For example, a safety concern would be the distance a sign is placed from a decision point. A distance of less than 50 metres would translate into an unfavourable score and contribute to the sign being rejected. Other items include, proximity to an intersection, speed zone etc.

GIS and buffer analysis are able to accurately provide insights into the placement of a sign. Buffers can be constructed around intersections for example to establish if a proposed site would fall inside or outside a dangerous distance from an intersection.

GIS overlays can also be used to reflect any high accident areas. Valuable insights can be drawn as to whether or not there is in fact a correlation between accidents and the number of signs displayed in a particular area.

Technical specifications are designed with a multitude of interests in mind. Specifications would most obviously take into account visual and aesthetic impacts but it is important to insure that any signage allowed is designed to be of least risk to motorists and other traffic flows. Items such as

lateral and vertical clearances, construction and materials all play a role in ensuring a safe structure.

Environmental impact

Environmental concerns were held more highly in coastal municipalities. It is thus assumed that these municipalities might weight their environmental results more heavily than other inland based municipalities. It is important to distinguish between the tools used and the level of sensitivity towards the measurements provided by those tools. The tools used will assist in providing a best practise for managing environmental concerns but how heavily one weighs the outcomes in favour of environmental concerns as opposed to others is another issue which has been discussed at length earlier on in this document.

Again GIS capability plays an important role assisting the types of analyses which are able to be conducted to the benefit of environmentalists.

Density analysis is a tool developed to, amongst other things, limit clutter. It makes use of GIS mapping and allows assessments to consider the macro density of signage within any particular area as well as micro and visual densities. All three density measurements should be interpreted against a predefined standard or benchmark. Macro density allows one to take into account all surrounding signage in a mapped area and enables one to make a judgement on whether or not signage is becoming too cluttered for the area given its sensitivity. Micro density makes use of buffer analysis and assesses a proposed signs location in relation to other signage in the area. Finally a visual density analysis allows one to evaluate whether one sign affects the visibility of another. On the ground signs may be perpendicular to each other and therefore not interact with each other at all.

GIS and restrictive overlays allow one to map out different areas of sensitivity. If an applicant provided an application for a sign with the proposed location falling inside a restricted area one would easily and quickly be able to refuse the proposal and justify this with an indication of the restricted area on the map. This ensures no unnecessary effort from either party.

GIS overlays can also be used to incorporate land use and planning. If guidelines stipulated that certain signage would not be allowed within the vicinity of a residential area then a predefined overlay would prevent operators from ever considering it. Similarly future plans could also been taken into account when approving or rejecting a site.

Buffer analysis - Heritage sites and tourism destinations would make use of predefined buffers in order to represent the area of limited signage around them.

Technical guidelines play a large role in ensuring environmental impact is minimized and signage aesthetics are kept pleasing. From a visual point of view it is important to define dimensions and materials able to be used for signs in order to ensure an element of uniformity or provide a theme across a city. Having a predetermined national or city standard, will go a long way to ensuring visual impact is minimized. One also needs to take into account proportions of signage relative to its surroundings. In CBD large format signage may not be out of place because it is engulfed by skyscrapers. Technical guidelines are also responsible for this relationship.

Public utility offered by signage can also have a large positive environmental impact which should be considered favourably to other signage which does not. Public utility criteria such as value of benefit, level of utility, associated inconveniences etc. should be ranked in much the same way as was illustrated in the traffic safety matrix.

Outsourcing – with more clearly defined environmental criteria to consider with regards to signage one is essentially opening up the possibility of outsourcing certain functions which are not held in-

house. There may be an opportunity to make use of skills in the private sector. Although the necessary skills in the private sector are also limited the turnover is not so high and these skills will always be available. The expenses incurred to obtain necessary skills may be worthwhile since it will be more than recovered through a more effective operational framework. There is a possibility of pooling the skills of all controlling authorities within a province and adding skills from the private sector to the pool on a consultancy basis. Appropriate consultants could be registered with the OAB. Adapted SEA's, such as Outdoor Advertising Potential Assessments (OAPA's) may be performed to provide a balanced expectation of signage density in a manner that contributes to sustainability of the region.

Future urban development

City planning is an important element to consider when approving signage locations. Future developments such as rezoning and planned land use as well as city infrastructure projects are taken into account by such a department. These considerations will undoubtedly play a role in signage approvals. The necessary spatial data regarding city plans will support decisions and streamline responses. This is however a minor consideration and should not in any way delay the process. It should merely flag situations where the land use of the property or surrounding area is changing in such a way that the sign may be inappropriate.

Construction

Road works and building permissions departments will supply information regarding the practicalities of constructing signage in a proposed location. With the use of accurate GIS equipment one is easily able to identify the location and communicate it with relevant authorities. In conjunction with this data the relevant authorities would be able to compare this with public facility networks or locate the site for further analysis far more easily than if it were not able to be supplied with GIS data. Please see CRM system for talk on integration of other authorities.

Financial component

The commercial value has been considered by the fact that the application has been made. The applicant has determined that this is a commercially viable site. Given the fact that the application will be accepted unless it can be appropriately shown why it should be rejected on traffic safety or environmental grounds, a balance is struck between environmental impact, traffic safety and commercial value.

Enforcement tools

A number of methods have been suggested to improve enforcement throughout this document. Some more high level concepts have been addressed earlier in this section but will be consolidated here with more micro management tools.

Signage within the road reserve or on other public land is far more controlled by the municipality because it allows the municipality to take the position of landlord as well as regulator. Any signage needing to be placed on such land would need permission or could be removed without a court order. Signage inside the right of way is more attractive to advertisers and so media operators would choose such sites before those on public land.

Standardised guidelines and defined procedures allow for transparency and justifiability to approvals. This in turn bolsters respect for the municipality because of the perceived non-bias judgements. More obedience ultimately translates into an industry which is better regulated.

Promotion of a national body which signage operators need to be affiliated with will add to enforceability. The idea is that if an operator had illegal sites then its license will not be renewed.

Advertisers are more likely to want to advertise with registered media owners and therefore it is in a media operator's best interest to ensure compliance. Communication between regulators and operators will also be facilitated through an association which will contribute to a better run control system.

Sunset approvals are permits which are awarded with a limited validity. This is to ensure control. Many sights have in the past been evergreen in the sense that once approved they would never need to be reapplied for. Permits to erect signage should only be on a medium term basis long enough to ensure that media operators are able to recoup their investment. Evergreen clauses make it difficult to have signage removed should the city layout change.

In accordance with best practice legislations should insist that signage display the sign owner's name. Many sites are currently difficult to trace back to an owner and it is therefore difficult to carry out enforcement procedures. It would be useful for an ownership and operator register to be maintained and published by the association (i.e. website of contacts) so that potential users, advertisers and suppliers can be clear about whom is operating which site or network of sites. This would add a lot of value and reduce inefficiency.

Peer monitoring/self regulation takes a large burden off regulators. If unauthorized signage is erected to the detriment of other signage operators then those operators would be motivated to alert the authorities about these wrong doings.

Fines are a means of enforcement but it is important to note that although the size of the fine may be material it may have no effect if the probability of getting caught is perceived to be minimal. This is why emphasis has been placed on ensuring water tight management systems and procedures. However, an efficient fine system is still a necessity.

CRM systems enable all permits to be routinely monitored. Integration with GIS systems can ensure that signs which need to be followed up on are flagged in the system and easily located by enforcement authorities.

3.8) CONCLUSIONS AND RECOMMENDATIONS

A framework for controlling outdoor advertising may be divided into:

- **Regulatory framework**

Apart from the legislation delegating authority for regulating outdoor advertising the regulatory framework should consist of:

- Placement guidelines dealing with the location of signage.
- Technical guidelines dealing with specifications and conditions for various sign types.
- Procedural guidelines dealing with site approval, follow-up, monitoring, inspection, enforcement and administration of signage.

- **Operational framework**

The operational framework deals with the practicalities necessary to carry out a regulator's responsibilities of approving, inspecting, monitoring, enforcing and administering signage.

The need for regulation - stakeholder interests:

Outdoor advertising not only provides economic benefits to sign operators and enterprises, but should also be seen as a valuable secondary source of income to municipalities and local communities. Outdoor advertising need to be regulated to ensure its sustainability as an **economic**

resource. Regulation should also address **environmental** and **traffic safety** interests. A balanced approach is needed considering the interests of these three stakeholder groups.

3.8.1 Regulatory framework

The fact that current legislation does not appear to be operating effectively has been one of the main problems identified in interviewing stakeholders in outdoor advertising. Municipalities do not always acknowledge other controlling authorities at national and provincial level.

The number of pieces of legislation delegating authority to manage signage in South Africa is testament to the fact that there are so many overlapping areas of concern when it comes to dealing with outdoor advertising. The municipality currently is seen as the primary authority with regard to authorization of proposed signage. It is **recommended** that municipalities should be solely responsible for **facilitating** this function. However, all other relevant controlling authorities should also play a role considering sign applications (See sec. 1.5 of this report for more detail recommendations in this regard).

A regulatory framework centred around the municipal bylaw should be devised which will address both traffic safety and environmental concerns and which will represent the interests of all authorities involved without duplicating efforts by implementing the principle of “management by exception.”

It is **recommended** that all outdoor advertising bylaws and by implication the regulatory framework in South Africa should be standardised. Such standardisation should be flexible by taking local needs and preferences into consideration.

A distinction should be made between tools and mechanisms (approach) and specifications (benchmark), in other words between the what and how of control and the degree of control. Making this distinction will allow one to use a standardised approach to managing outdoor advertising whilst allowing freedom for regulators to cater for local differences in the advertising environment

Placement guidelines

Placement guidelines should:

- Be pro-active, integrative and macro oriented by viewing all outdoor advertising as a whole instead of looking at each site in isolation. The placement guidelines for example, will stipulate what types of formats are suitable to be placed in certain locations and in what quantity and proximity to other structures.
- Ensure that advertising is placed at sites where it is commercially viable whilst minimising impact on traffic safety and visual assets.
- Accommodate local objectives, preferences and needs.

Technical guidelines

Having a standard technical guideline throughout South Africa will ensure:

- That all signage throughout the country will adhere to adequate traffic safety and visual benchmarks.
- A level of uniformity and distinctiveness in signage design in any municipal area thereby contributing to local character or sense of place.

Procedural guidelines

Well defined and standardised procedural guidelines are needed to:

- Ensure completeness and effective management.
- Ensure proper collaboration between all responsible entities for considering signage applications.
- Offer operators clarity and serve as a catalyst for operator discipline.

Requirements for a regulatory framework

The average outdoor advertising bylaw is not a strong document and is often challenged because of errors, contradictions and the over-wording of the drafters in trying to close all loop holes. It is also difficult to interpret and apply.

An effective regulatory framework should be:

- **Balanced** by taking a multitude of concerns into consideration such as environmental, traffic safety, town planning, building regulations, community development, operators and commercial benefits.
- **Collaborative** by providing any interested and affected party who wishes to make an input to the management of outdoor advertising an opportunity to do so.
- **Objective** by preventing subjective decisions by regulators.
- **Transparent** not only to operators, but to all other interested and affected parties as well.
- **Dynamic** in order to accommodate changing advertising technology.
- **Standardised** in order to ensure inter municipal collaboration and to provide a clearer regulatory path for media companies to navigate through. The emphasis should be placed on standardising tools and mechanisms, in other words the approach to outdoor advertising control.
- **Clear**, well-documented and easy to interpret. Over-wording should be prevented by making use of a more user-friendly format
- **Effective** and holistic by including all aspects of outdoor advertising. It is **recommended** that the difference in opinion regarding outdoor advertising inside road reserves be solved as soon as possible.

3.8.2 Operational framework

Structure of the regulator establishment

It is **recommended** that the current conflict between regulators and operators be resolved by:

- Addressing the fundamental difference in mindsets between regulators and private operators. Regulators and operators should be schooled in each others' needs and perceptions.
- Solving administrative shortfalls by means of an efficient operational framework.
- Obtaining the operators' participation in the regulatory process.
- Obtaining the operators' cooperation by extending signage tenure. The longer a permit for infrastructure is, the better investment in capital structures are likely to be. This would

also improve operators' commitment to seeking approval (for the sake of business security) before erecting signage. However, tenure should not be indefinite.

Organisational structure

A survey among stakeholders has shown that centralised municipal departments who are given the sole responsibility of outdoor advertising seem to be operating more efficiently than allocating the outdoor advertising control function as an additional responsibility to departments such as environment, planning and roads. Structuring outdoor advertising management as a central unit ensures that dedicated staff is involved with the task and that appropriate skills are developed. Channels down which applications flow and through which inputs from other regulators and internal departments are obtained also become more formalised and efficient.

Most controlling authorities experience staff shortages and a high staff turnover together with a lack of design skills and skills in aesthetic appreciation. This problem is enhanced by the administrative burden caused by the large number of illegal signage and an involvement in numerous court cases. The current re-active approach should be changed to a pro-active and management by exception approach

Operational tools needed

Formalising outdoor advertising control and support

As a long-term solution the establishment of an Outdoor Advertising Board (OAB), which will provide national affiliation and registration opportunities to regulators and operators respectively, is **recommended**. The list of benefits afforded by such an organisation would be as follows:

- Expert collaboration for the development of and revision of optimal guidelines;
- Ensuring regulation is able to keep abreast of industry changes;
- Obtain feedback from regulators and operators;
- Ensuring appropriate skills are available to assist regulators in areas where they are short of resources in the form of an affiliate or centralized task team(s) at national or provincial level. Existing skills of controlling authorities may be pooled while skills from the private sector may also be added on a consultancy basis for this purpose;
- Ensure adequate operational etiquette by all registered media operators;
- Ensure education of operators particularly with regard to traffic safety and aesthetic considerations.

As a short-term solution the following are **recommended**:

- That a number of workshops be held in order to finalise placement, technical and procedural guidelines that will be satisfactory to regulators and operators as well as other interested and affected parties. This will pave the way for cooperation among regulators and between regulators and operators.
- Assist regulators by making use of consultants.
- Implement an Internet portal for communicating information, initiating collaboration among operators and offering assistance to regulators.
- Establish communications with operators in order to initiate a united front among operators.

Supporting functions

In order to improve the management of outdoor advertising it is **recommended** that municipalities who have the capacity to do so should make use of CRM (Customer Relationship Management) and GIS software in an interactive manner.

For smaller municipalities it is **recommended** that an efficient manual system should be developed, while the necessary training support should also be provided.

Sufficient procedures such as application process flows, follow-up procedures and working relationships should be established.

Signage approval and management tools

Apart from placement and technical guidelines the following can be seen as valuable tools for managing outdoor advertising:

- A modified Strategic Environmental Assessment (SEA) procedure such as the Outdoor Advertising Potential Assessment (OAPA) procedure which results in Outdoor Advertising Master Plans (OAMP's). The OAPA-procedure can be seen as a valuable pro-active and holistic assessment tool which takes the cumulative influence of all signage into consideration and facilitates collaboration among all interested and affected parties. (See Chapter 6 of the Draft Revised SAMOAC). Depending on the detail of OAMP's this procedure may also simplify sign applications by making sign bundles available through a tender procedure thereby limiting individual applications.
- Traffic safety matrices which can help to collate a number of often non-qualitative safety concerns. The concept involves defining all safety concerns and then predefining a rating system in order for one to rank the gravity of each concern. Consolidating the rank of each safety concern should produce an indication of the overall safety concern that a sign presents to its surroundings.
- Density analysis of signage.

Enforcement tools

Large numbers of illegal signage create a serious problem. Fines are currently not a satisfactory means for incentivising operators to abide by municipal bylaws. The *Mandament van Spolie* (legal principle) prevents regulators from removing illegal signage on private land without a court order which may take several years to obtain.

It is recommended that the following measures are considered for solving these problems:

- Allowing signage within the road reserve. Since the municipality will be the landlord any such signage may be removed without a court order. Signage inside the road reserve will be more attractive to operators than those on private land.
- More effective frameworks for controlling outdoor advertising.
- Establishing a national body for the registration of operators.
- Requiring the sign owner's name to be displayed on signage.
- Promoting peer monitoring and self-regulation by operators.
- Improve the fine system as recommended in section 2.3 of this report.

4) A UNIFORM NATIONAL STANDARD

4.1) INTRODUCTION

The standardization of guidelines is a concept that has run throughout this document as a mechanism for formalizing the management of outdoor advertising. It has positive and far reaching effects in all legislative and operational layers of the management framework.

General perceptions are mixed. Whilst some regulators are in favour of a standardised and legislated guideline others perceive it to be a difficult task to produce a standard that still allows the flexibility to cater for uniquely sensitive environments.

Although SAMOAC has certain limitations it has been a cornerstone for the majority of bylaws produced in South Africa and its name carries a brand recognised as the base document for regulating outdoor advertising in the market. A draft revised version of the document addresses out of date issues and has also evolved to a stage where it educates regulators not simply about what needs to be regulated but also about how to effectively manage outdoor advertising. The Outdoor Advertising Potential Assessment (OAPA) procedure provides a pro-active, cumulative and holistic approach to the management of outdoor advertising. This procedure also allows for flexibility by accommodating local needs and environments. The absence of operational guidelines can be seen as the main limitation of the Draft Revised SAMOAC.

Various pros and cons are demonstrated in this section to having a national standard in place. The benefits of a national standard are however deemed to far outweigh the disadvantages.

This section ultimately recommends that a national standard be set with allowance and recognition of flexibility needed in differing jurisdictions in certain aspects of the bylaw.

4.2) GENERAL PERCEPTION

Interviews conducted with various stakeholders in outdoor advertising throughout South Africa revealed mixed feelings when asked whether or not they were in favour of a national standard to regulate signage.

The absence of a standard outdoor advertising bylaw appears to be stifling on the side of operators because of the fact that media operators need to comply with a number of different guidelines and conditions with each market they enter. Media operators are understandably in favour of having guidelines being standardized as it would make the process of application as well as other procedures far more convenient. They also perceive standardization as a step towards formalising the management of outdoor advertising which is a goal they have in common with regulating entities throughout South Africa.

The ideal of a nationwide standard, although firmly supported by operators, was greeted by some regulators with a level of apprehension. The responses Second Harvest received during the interviews can be categorized as follows:

- Agreement of a national standard
- Disagreement of a national standard
- Bylaws should be partly standardised

When questioned as to whether or not a standard set of guidelines should be brought about at a national level, many of the smaller municipalities responded favourably. It is assumed that this response is a due to the fact that smaller municipalities are less capable of developing a

comprehensive bylaw themselves and would relish the chance to implement a well rounded one designed by a central body.

Larger municipalities on the other hand were more apprehensive about a national standard. A large amount of resource had been poured into developing a standard that these municipalities believed were well suited to their needs and specifically tailored to the local environment. It was perceived as difficult to have a similar bylaw across Tshwane, Cape Town, Durban and Bloemfontein for example as their environments differed significantly. This is an understandable general viewpoint since Cape Town and Durban are more natural areas and would be more heavily focused on tourism and other environmentally related concerns than other cities. The solution to this is to make use of the land use zoning as described further on in this report. In this way, more scenic cities would have more protected zoning and as such less signage. The Draft Revised SAMOAC makes provision for incorporating Outdoor Advertising Master Plans (OAMP's) into municipalities' Land Use Management Systems (LUMS). However, the criteria for areas of minimum, partial and maximum control in the SAMOAC document need to be amended to align with land use zoning classifications.

Of the pool of stakeholders who were against a national standard many conceded that indeed certain aspects such as procedures and technical standards, which should be similar across markets, allow room for a nationwide standard.

4.3) SAMOAC AS A LEGAL AND NATIONAL STANDARD

Most municipalities, despite having used SAMOAC in formulating their own bylaws, have criticised it in one way or another. The largest criticism is that SAMOAC is out of date and it has failed to keep pace with changing formats in the outdoor advertising environment. It is also criticised for being overly detailed which detracts from its practicality. A draft revised version of SAMOAC is due to be released shortly which is likely to address many of these issues.

All municipalities find themselves at logger heads with a number of private operators and given the amount of signage in contravention with local bylaws one can draw the conclusion that signage is insufficiently managed. The same can be said of signage along national and provincial roads.

The current theme running through SAMOAC is of control rather than management. There is no doubt that outdoor advertising management has many conflicting interests. Municipal departments are in place to ensure that community concerns are taken into consideration. The community concerns most highlighted by authorities with regards to outdoor signage at present are those of environmental impact and traffic safety. Private operators on the other hand are in existence because of the commercial interest businesses have in promoting their products and services to potential consumers. If private operators are truly to operate in harmony with regulatory authorities then a framework that is representative of all the concerns involved will be required.

The SAMOAC document although criticised in some instances is undeniably recognised as a comprehensive base document addressing how to regulate signage in South Africa. The Draft Revised SAMOAC goes further than its predecessor by providing a pro-active and holistic approach to the management of outdoor advertising by means of the OAPA procedure which results in Outdoor Advertising Master Plans (OAMP's). It is recommended that the revision of SAMOAC be completed as soon as possible by inter alia addressing all aspects of a framework for the management of outdoor advertising and by testing the OAPA-procedure by means of a pilot project. This will bridge the gap between effective regulation and effective management and will ensure that resources are leveraged and the management of outdoor advertising is run as effectively as possible.

4.4) ADVANTAGES AND DISADVANTAGES OF A NATIONAL STANDARD

4.4.1) Disadvantages

- A perceived disadvantage is that with standards a certain amount of flexibility is reduced. Currently a large element of subjectivity has crept into many municipalities decision making. On the other end of the spectrum an advantage would be seen that standards improve consistency and transparency. Tshwane as an example disposed of the system where partial or maximum control was stipulated due to its apparent “impracticality” in the Tshwane market. They rely more heavily on an element of subjectivity than before.
- Each guideline is tailored to the immediate environment. It would be difficult to produce a standard which would cater for the uniqueness of each municipality. This has however been addressed in the report as indicated through making use of land use zoning.
- Having a standard which would be legally enforced throughout South Africa would require a large amount of buy-in from all regulatory authorities in order for this to be approved

4.4.2) Advantages

- A national standard enables a pooling of intellectual property for regulators around the country. Experience and best practises become relevant to other regulatory bodies around South Africa and not just to a small area with a unique bylaw.
- Loss of knowledge upon transfer of skills is limited. Many regulatory bodies suffer from skills shortage, transfers and budget cuts and having a national standard allows learning from other bodies around the country.
- A common guideline would promote guideline familiarity not only from the regulator’s point of view but also from an operator’s point of view. Many media operators need to understand multiple bylaws in order to operate in different jurisdictions. A common guideline would ensure a more efficient practice across the country because of a clear legislative path.
- Collaboration amongst regulators. Having a national standard enables regulators to work together in managing outdoor advertising and developing new approaches to common problems as the industry changes. Central supporting bodies become feasible and can be set up to support regulators throughout the country with skills shortages or legal battles.
- Buy in from all stakeholders means that conflict between parties will be limited. Assuming that all stakeholders have consented to a national standard it would follow that such a standard would be designed with all interests in mind. Having such a collaborative guideline would certainly serve to alleviate any jurisdictional overlap or contradicting regulations.
- Resources are able to be pooled in certain instance which allows regulators to better address common problems. Pooled resources would mean more skilled resources dedicated to the development of a standard bylaw thereby improving its quality. This would also lower the cost of adopting an outdoor advertising bylaw thereby putting it within reach of every municipality in the country.

- It reduces the possibility of political influence in decision making and lobbying from the operators.
- Having an effective bylaw is a key component of the management framework. If such a bylaw is not up to standard regulators will have trouble controlling outdoor advertising through lack of transparency, subjectivity and consistency. A well drafted bylaw will also result in a higher degree of dedication from regulators resulting in more effective control measures.
- Smaller municipalities would have access to an appropriate bylaw (as explained above).
- Procedural completeness is ensured. A thorough standard will have defined processes that will ensure any approval will move through a systematic approach. This will lead to consistency and justifiability upon approval which will ultimately translate into building up regulator credibility.
- Formalization of outdoor advertising control will be assisted upon the introduction of a national standard given the advantages mentioned above.
- A formalized management system would limit new entrants to the industry to credible operators. A formalized system with national regulations, which need to be adhered to, will ensure that the entrance of opportunist operators is limited.
- Case studies on the property and liquor markets in South Africa have revealed many advantages of having set national standards and norms.

4.5) CONSTITUTIONAL PROVISIONS

Although municipalities have executive authority in respect of, and the right to administer billboards and the display of advertisements in public places and which may be extended to include all outdoor advertisements and signs, they cannot fulfil this function independent from provincial and national government. The following provisions (principles) of the Constitution indicate that a national organ of state should be responsible for ensuring a uniform approach to outdoor advertising control on a national scale:

- According to Part A of Schedule 4 the functions of environment and road traffic regulation have been allocated to both national and provincial government which cover both the road safety and environmental aspects of outdoor advertising. Both these aspects of outdoor advertising are also covered by urban and rural development allocated as a functional area to national and provincial government concurrently.
- Section 156(3) indicates that national or provincial legislation should take preference over local legislation (“Subject to section 151(4), a bylaw that conflicts with national or provincial legislation is invalid”).
- The provision for national intervention in provincial administration and provincial intervention in local government to inter alia “maintain essential national standards or meet established minimum standards for the rendering of a service” (sections 100 and 139) This implies that national government should develop national standards and procedures and ensure that it is applied.
- Principles of co-operative government and intergovernmental relations (sec. 41) to inter alia consult with one another in matters of common interest and to co-ordinate actions and

legislation with one another. It would be appropriate for a national organ of state to take the initiative to ensure that the principles of cooperative governance are adhered to.

4.6) RECOMMENDATIONS

Operators will be better able to conform to government requirements in different regions the more familiar they become with standardized bylaws. Municipalities have had trouble across the board retaining skills and experience in the departments responsible for dealing with outdoor signage. Having standardised guidelines or specifications attached to bylaws would allow knowledge to be far better retained between municipalities and in some sort of centralised support mechanism. This would also allow smaller municipalities to be able to adopt a comprehensive and working set of bylaws rather than operating without one or adopting SAMOAC without any legal backing.

It is important to distinguish between guidelines and the tools needed for implementing such guidelines. Whilst it may not be practical to standardise the bylaws in every aspect it is practical to standardise the approach, tools and guidelines that are used for assessing sign applications. A number of tools, identified as best practice, have been discussed in this document and which will serve the municipalities in gaining better insights into outdoor advertising control and in improving their ability to manage signage across the country. Such tools have been designed for quantifying aspects of outdoor advertising which need to be regulated such as environmental impact and traffic safety.

From a traffic safety point of view a national standard is obvious as the road network and road management structures are consistent throughout the country. This also complies with the constitutional guidance indicated above.

Standardised environmental impact guidelines are slightly more difficult to develop. Each municipality may want to have separate thresholds or benchmarks which they deem to be acceptable or minimum requirements in each area due to differences in objectives and local landscape character. An urban planning zoning approach has been recommended to address the concerns of the municipalities. For more on this zoning see the section 5.2 of this document.

Certain aspects of guidelines can be standardised across a market and in promoting an environment of consistency in South Africa it is suggested that where possible all bylaw guidelines should be made to conform to an acceptable standard throughout the country. The idea of standardising guidelines to be attached to bylaws as signage regulations or specifications has far reaching positive effects as spoken about earlier.

If one looks at bylaw guidelines as three distinct parts, namely placement, technical and procedural guidelines, it is the placement guidelines that are perceived to be the most tailored to a particular environment and hence are more difficult to conform to a uniform standard. For example Cape Town's location and focus on tourism means that it is far more environmentally focused than a city like Johannesburg or Bloemfontein. The restrictions in terms of where a sign will be allowed and in what frequency will be far more rigid than many other areas around the country. Given the understanding of how benchmarks are set as threshold measurements to be evaluated against outcomes from tools one can see how tighter threshold measurements might be given for the amount of signs placed along a certain type of road in Cape Town as opposed to Johannesburg. This is addressed through the recommendation to use an urban planning zoning classification where certain land use types will allow for more advertising opportunities than others. Land use criteria may be adapted according to local needs and objectives. Cape Town's urban planning is also covered with various overlays of sensitive areas such as scenic drive

overlays. By reducing the density of signage allowed in areas of scenic drive overlays, Cape Town is protected from an increased density of signage. There may be less such overlays in the City of Johannesburg which would therefore produce the desired results of the density of signage being higher in a city such as Johannesburg as opposed to a city such as Cape Town. Procedural and technical guidelines are more easily standardised and the benefits through collaboration and the formalization of outdoor advertising control by adopting a national standard would far outweigh the short term inconveniences.

The **main recommendations** in this section may be summarised as follow:

- A national standard should be set for:
 - Placement, technical and procedural guidelines to be attached to bylaws in the form of “regulations” or specifications.
 - An approach to and tools for implementing such guidelines.
- Placement guidelines should be based on an urban planning or land use zoning classification in order to allow for variations in local needs, objectives and environments.
- The Draft Revised SAMOAC should be used as basis for setting up national standards

5) ENVIRONMENTAL MANAGEMENT TOOLS

5.1) INTRODUCTION

The visual impact of signage is very difficult to address. As opposed to traffic safety where some measure of science can be implemented to determine driver distraction, visual impact is generally a matter of opinion. Long Street in Cape Town is a case in point. Designated as an area of maximum control, in order to preserve the heritage of the street, signage on this street should preferably be limited. However, others are of the opinion that it is the signage on the street that makes Long Street what it is.

As already indicated in this document, leaving the regulation of signage up to a matter of opinion is the first mistake regulation can make. It may sound ludicrous to suggest that any regulatory system would allow for such subjectivity, but it has been observed that the opinions of individual regulators within the various municipalities have surfaced as the most important factor in determining whether signage permit applications should be approved or rejected. This is certainly not the intention of the regulations that govern the industry. Rather, it is a reflection of the frustrations experienced by regulators who do not have the tools to appropriately assess the aesthetic / environmental impact of signage and who are often let down by inappropriate bylaws.

The problem with decisions being left to the discretion of an individual /department, is that it will be biased according to their individual bias. The assessment of sign applications needs to be balanced to reflect the interests of all stakeholders. Traffic safety is important, environmental aesthetics are important, but so too are commercial interests, employment, communication, etc.

Such a balance has been sorely missing from the adjudication process. A cumulative approach to the management of outdoor advertising is required which will cover all signage in a specific area, but will also take all stakeholder preferences into consideration. A balanced approach to the regulation of outdoor advertising may be obtained through the framework for outdoor advertising control as described in section 3 of this report, but the most effective way to have a cumulative, balanced assessment of signage is to do so through an adapted format of the Strategic Environmental Assessment (SEA) procedure.

5.2) AN ENVIRONMENTAL MANAGEMENT TOOL

An SEA is referred to in the White Paper on Environmental Management Policy for South Africa (1998), as “a process to assess the environmental implications of a proposed strategic decision, policy, plan, programme, piece of legislation or major plan.”

According to the Guideline Document on Strategic Environmental Assessment in South Africa SEA has the following benefits:

- **Pro-active:** It pro-actively informs the development of plans and programmes;
- **Opportunities and constraints:** SEA identifies the opportunities and constraints which the environment places on development;
- **Sustainability:** It provides guidelines to ensure that development is within sustainable limits;
- **Integration:** It has the ability to integrate across areas, regions or sectors;

- **Cumulative effects:** SEA improves the way in which cumulative effects are dealt with in environmental assessments, for example, through the use of thresholds and limits of acceptable change;
- **Chosen level of environmental quality:** It focuses on the maintenance and enhancement of a chosen level of environmental quality, rather than on minimising individual impacts.

The SEA approach provides the best approach to the management of outdoor advertising.

In order to ensure a balanced approach to the regulation of outdoor advertising an adapted SEA procedure should be implemented to address the specific needs of outdoor advertising management and in particular the environmental / visual impact. The Draft Revised SAMOAC makes provision for such a procedure, called the Outdoor Advertising Potential Assessment (OAPA) procedure, which can be applied to create Outdoor Advertising Master Plans (OAMP). These OAMP's need to be written in such a way as to be incorporated into municipal bylaws governing outdoor advertising in order to provide it with the necessary legal status.

It is envisaged that the OAMP will provide an output that is derived from the land use classification and overlay zones of municipal Land Use Management Systems (LUMS). It may then serve as additional overlay zones to a LUMS. The OAPA-procedure may be integrated into the LUMS by simply making use of a directive or policy statement.

5.2.1) OAPA Output

In applying the OAPA-procedure an OAMP is to be developed for a municipal area of control. A placement layer forms the key component of such an OAMP. This is achieved by making use of SAMOAC's areas of minimum, partial and maximum control which will serve as overlay zoning units for an OAMP overlay onto an LUMS. Since most municipal bylaws already contains areas of minimum, partial or maximum control, this will only need an adjustment in order to align an existing bylaw with the municipal LUMS. As an example, using the proposed City of Cape Town urban planning zones, an OAPA could be performed to impose one of the three degrees of control (minimum, partial or maximum) onto each of the following:

- Single Residential Zones which are further broken up into conventional housing and incremental housing sub-zones;
- General Residential Zones which are further broken up into 6 sub-zones;
- Local Business Zones including intermediate and local sub-zones;
- General Business and Mixed Zones which are further broken up into 10 sub-zones;
- Industrial Zones broken up into 3 sub-zones;
- Utility, Transport and Port Zones which are broken up into 4 sub-zones;
- Open Space Zones broken up into 3 sub-zones;
- Agricultural, Rural and limited Use Zones broken up into 3 sub-zones.

Such a step should not be interpreted as creating a new zonal classification, but only as allocating control values to existing land use zones. Which degree of control is to be allocated to which land use zone will depend on local environments and objectives and the needs and preferences of stakeholders. This approach therefore allows for a large amount of flexibility.

The Cape Town LUMS is also making use of overlay zones which could be used to refine the outdoor advertising control values allocated to the above land use zones. Such overlay zones may include:

- Overlay zones providing specific development directives;
- Overlay zones providing strategic development directives;
- Overlay zones for specific management mechanisms. Such overlay zones include:
 - Heritage protection overlay zones;
 - Environmental management overlay zones;
 - Urban edge overlay zones;
 - Scenic drive overlay zones;
 - Local area overlay zones.

The existing road hierarchy and traffic conditions should also be taken into consideration in order to cover traffic safety issues.

Since SAMOAC's placement and technical specifications for signage relate to the three areas of control, the Draft Revised SAMOAC may be used as a handy guideline for applying such specifications to the various sign types to be considered for the land use zones of a LUMS.

Through the OAPA-procedure an OAMP can be finalised by looking at aspects such as:

- Developing area specific design guidelines for signage reflecting local environments, history, culture and other aspects in order to enhance local character or sense of place.
- Whether certain sign types should not be allowed within the municipal area of jurisdiction or whether certain sign types should be excluded from regulation.
- The merging of existing sign types.
- The more accurate placement of certain sign types within specific zones of control. For example if advertising against lampposts is to be allowed within for instance zones of minimum control, specific streets or street sections may be identified for this purpose within such zones.
- Creating target visual densities for the various zones of control.
- Finalisation of procedural guidelines.

5.2.2) Who is to be involved in drafting an OAPA?

The OAPA-procedure needs to be championed by a national department as a uniform approach to be applied to the country as a whole. Since it is recommended that the OAPA-procedure and OAMP's are to be incorporated into Land Use Management Systems and OAMP's are to be incorporated into municipal bylaws it only makes sense that the Department of Cooperative Governance & Traditional Affairs (COGTA) takes responsibility in this regard. COGTA may be assisted by the National Departments of Environmental Affairs and Transport to fulfil this mandate.

It is important that the existing guidelines for the three areas of control as contained in the Draft Revised SAMOAC be aligned to the LUMS land use classifications and that visual density categories be established by using a number of existing municipal Land Use Management Systems as case studies.

The OAPA-procedure is a proactive approach to identify opportunities and constraints for outdoor advertising in a manner that is sustainable and integrated and which takes into account the cumulative effects of all signage and other relevant developments. In order to balance all of these characteristics various stakeholders will need to provide an input into the OAPA. This may include:

- Professionals such as town planners, traffic engineers and landscape architects or environmentalists with a background on aesthetic appreciation to cover the various aspects of outdoor advertising.
- Representatives from the operators with interests within a specific municipal area of jurisdiction who will identify opportunities for development. The application of the OAPA-procedure would provide an appropriate forum for communication between operators and regulators;
- All regulators within a specific municipal area of jurisdiction;
- Community leaders who should identify how the OAMP may help to sustain the community;
- Public participation. This is a very important part of the OAPA-procedure. Anybody who wants to make an input to the OAMP for a specific municipal area should be afforded the opportunity to do so.

5.2.3) Incorporating the OAPA-procedure into legislation

Many of the current bylaws request EIA's to be performed on certain signage. These requests are not consistent with the stipulations of NEMA and in fact request far more EIA's with regard to outdoor advertising than the Minister of environmental affairs deems necessary in GN R546. One of the reasons for this is that the bylaws have not kept up to date with amendments to NEMA. Another reason is that the municipalities feel that the environmental impact of outdoor advertising not covered in GN R546 needs to be considered and as such, they regulate these through EIA's. A recommendation to address these issues is the following:

- Instead of applying the OAPA-procedure as an environmental management tool by incorporating it into NEMA it should rather be utilised as a land use management tool applied to municipal Land Use Management Systems.
- The Department of Cooperative Governance and Traditional Affairs should adapt existing LUMS directives or policy documents to make provision for the OAPA-procedure and OAMP's thereby providing both the OAPA-procedure and OAMP's with the required status.
- Municipal bylaws should be amended to replace the EIA-procedure with the OAPA-procedure thereby covering the impact assessments required at municipal level by means of a single integrated and cumulative assessment with an OAMP as its final output.

5.3) OTHER TOOLS

A number of tools have already been suggested in the management framework that would improve the management of outdoor advertising. These include using GIS mapping to map all outdoor advertising sites and having an appropriate signage management software system.

Tools such as visual density assessments and GIS mapping can be used as part of the OAPA procedure for developing OAMP's

There are also numerous other tools and concepts that have been applied internationally which could be used by regulators entrusted with assessing individual sign applications. The signage impact assessment shown in the appendix provides an example of how various tools could be used to assess individual sign applications.

5.4) RECOMMENDATIONS

Recommendations in this section can be summarised as follow:

- The Outdoor Advertising Potential Assessment (OAPA) procedure should be integrated into and applied to municipal Land Use Management Systems (LUMS).
- The OAPA-procedure and Outdoor Advertising Master Plans (OAMP's) should be integrated into municipal outdoor advertising bylaws replacing the EIA-procedure.
- Existing guidelines for the three areas of control (minimum, partial and maximum), as contained in the Draft Revised SAMOAC, should be aligned to the LUMS land use classifications and visual density categories should be established by using a number of existing municipal Land Use Management Systems as case studies.
- At a national level the Department of Cooperative Governance & Traditional Affairs (COGTA) should take responsibility for promoting and implementing the OAPA-procedure at municipal level. The National Departments of Environmental Affairs and Transport should assist COGTA to fulfil this mandate.
- COGTA should adapt existing LUMS directives or policy documents to make provision for the OAPA-procedure and OAMP's thereby providing both the OAPA-procedure and OAMP's with the required status.

6) THE WAY FORWARD

6.1) CONCLUSIONS

The above report has addressed legal aspects for the effective control of outdoor advertising in South Africa. This included identifying the authorities involved in the control of outdoor advertising. An important finding with regard to outdoor advertising control is that clarity is required between those that own land / property on which outdoor advertising signage is erected and those that regulate the signage. In all instances both landlord approval and regulatory approval is required. The regulatory approval can only come from one of four sources being:

- Municipal approval;
- Provincial environmental approval;
- Provincial roads approval;
- SANRAL approval.

Municipal approval will be required in all instances. Additional approval will be required from one or more of the other three entities in certain instances.

It was found that legislation is fairly effective with regard to the comprehensiveness of regulatory authority jurisdiction. Although a duplication of jurisdiction does occur in certain cases, improved communication between all stakeholders will drastically improve the identification of jurisdictions, and although the outdoor advertising management mandate allocated to municipalities in terms of the Constitution does not cover all aspects of outdoor advertising such a mandate may be obtained in terms of the municipal planning function allocated to municipalities by the Constitution. The ineffective control in the industry was found to be more a function of the content and enforcement of the legislation than the jurisdiction of the regulators.

In order to facilitate the improvement of legislation and enforcement it is proposed that an Outdoor Advertising Board (OAB) be formed to report to the minister of the national governmental department that should take responsibility for initiating and coordinating outdoor advertising control. The Board should be made up by members of the operators as well as representation from other interested and affected parties. The Board will be tasked with licensing signage operators, maintaining and promoting a code of conduct, providing public participation in the amendment of legislation and instituting disciplinary proceedings against offending operators.

The creation of the OAB will inter alia create a level of self regulation by the operators and will lighten the municipalities' enforcement burden. However, the OAB should be seen as a long term solution.

There are a number of measures that can be taken by the regulators to improve the framework for controlling outdoor advertising as another way of improving the management of outdoor advertising. The recommended operating framework that can be implemented within the current legislative framework is to have the municipality act as the coordinator and facilitator of all signage applications. The municipalities could then refer sign applications to roads authorities and provincial environmental departments for key decisions such as environmental impact and traffic safety as and when applicable. As such, the main responsibility remains with the municipality but the decision making process becomes uniform across the country.

In order to enhance uniformity a standard approach to and guidelines (placement, technical and operational) for control are required. The use of Outdoor Advertising Potential Assessments (OAPA's) and Outdoor Advertising Master Plans (OAMP's) together with appropriate zoning

criteria are recommended to ensure the sustainable management of outdoor advertising. As such, the national standards will not pose a risk to sensitive areas which are not appropriate for signage such as scenic drives, environmentally protected areas, etc. as those areas will be protected by their zoning classification. The OAPA-procedure and OAMP's will become more functional by integrating it into municipal Land Use Management Systems (LUMS).

The ideal framework for controlling outdoor advertising is one that creates the appropriate balance between the key drivers of aesthetic/environmental impact, traffic safety and commercial value. It is proposed that this balance can be struck through approvals being accepted unless it can be shown that they should be rejected on environmental or traffic safety grounds. The commercial interests are represented by virtue of the fact that an application has been made and an operator has therefore identified a commercial value in the site. The environmental balance is considered through applying appropriate tools which will determine whether the sign will be detrimental to the visual / environmental surrounds. Traffic safety is balanced through a qualified individual applying an appropriate tool to determine whether the proposed signage will provide a distraction to drivers that will pose a risk to their safety and those around them.

The legislative make up of outdoor advertising in South Africa is a particularly interesting one. The views of the regulators interviewed range from those that are looking to increase the density of signage in order for the city to benefit from the revenue that such signage creates to those who believe the density should be minimal as it poses a threat to the aesthetics of a city. These views are generally played out in the enforcement of the legislation that covers outdoor advertising in the various municipal areas of jurisdiction. This report has set out and made recommendations for a more structured approach to the regulation of outdoor advertising which aims to provide a sustainable solution to the regulation of outdoor advertising through implementing a uniform approach and standard which is relevant to all stakeholders. Whilst there may be a cost attached to the implementation of certain recommendations such as the formation of an Outdoor Advertising Board, these costs will be quickly recouped through the improved efficiency in the regulation of outdoor advertising and the reduction in legal cases. The recommendations are such that they could be implemented within the context of the South African environment.

6.2) RESPONSIBILITY AT NATIONAL LEVEL

6.2.1) The importance of outdoor advertising as a source of revenue to municipalities

The importance of outdoor advertising as a revenue stream to municipalities and other regulators should not be forgotten. Government has a duty to extract appropriate value out of its assets and as such advertising revenues can provide a sustainable source of income for government organisations if it is well planned and managed. Whilst there are differences of opinion as to whether people like outdoor advertising or not, there are no complaints with respect to reducing taxes, rates, electricity or other such fees. Advertising income earned by government organisations contributes to subsidising those costs. Some relevant examples* as to the potential of outdoor advertising to subsidise costs include the following:

- Dubai earns R605 million annually from advertising on city infrastructure;
- In Nairobi a private company pays the electricity bill for the city lighting in return for full advertising rights on city street lights;
- New York City is earning R8 billion over 20 years on their street furniture concession;

* As per Second Harvest research with Booz & Co, 2009.

- Sydney earns R118 million annually on their street furniture concession;
- R24 million is earned annually on the street furniture concession in Cape Town though the city only participates in roughly 1% of this.

The regulators participate both as income beneficiaries and regulators, as such it is imperative that there is segregation of duties with regard to the control and that a national department plays a significant role in overseeing outdoor advertising regulation.

It is of the greatest importance that outdoor advertising and the visual environment should be managed as a sustainable economic and visual resource. The economic importance of both urban and rural landscapes as a tourism resource should also be taken into consideration. If managed in a responsible manner the benefits of outdoor advertising may be maximised while at the same time minimising any negative impacts. In many cases outdoor advertising may even contribute to the enhancement of visual resources if certain aesthetic principles are adhered to.

6.2.2) Previous involvement

In 1995, the then Department of Environmental Affairs and Tourism (DEAT) took limited responsibility for outdoor advertising control at national level through the development and updating of a national guideline document known as the SAMOAC. This was done due to the possible impact of outdoor advertising on the aesthetic environment which was seen as both an important resource for psychological health and as an important resource for tourism. The Department of Transport (DOT) also requested DEAT at that stage to take a leading role at national level for practical reasons. The Department of Environmental Affairs (DEA) can no longer fulfil this role since it is no longer responsible for tourism and environmental management of outdoor advertising through the EIA procedure has been scaled down. Furthermore, the DEA cannot be responsible for traffic safety aspects of outdoor advertising.

6.2.3) Passing the mantle

The Department of Environmental Affairs' release of responsibility for the control of outdoor advertising should not result in a situation where municipalities are left purely to their own devices for regulating outdoor advertising. As described throughout this document, there is a need for a uniform approach to outdoor advertising control together with uniform standards, particularly with regard to traffic standards and environmental standards. The principles of cooperative governance outlined in the Constitution should be embraced with regard to outdoor advertising regulation. Previously the DEA has embraced this task and the SAMOAC has played an integral role in guiding outdoor advertising regulation in South Africa. The mantle now needs to be taken up by a national department that will work closely with the municipalities in providing the municipalities with the appropriate tools to assess and regulate outdoor advertising in a uniform manner.

It has been recommended that municipalities remain the main role players and coordinators of outdoor advertising control at local level. It has also been recommended that outdoor advertising control be integrated into municipal Land Use Management Systems (LUMS) by means of the OAPA-procedure and Outdoor Advertising Master Plans (OAMP's). Seen in this light and due to the fact that it is the municipalities who stand to benefit most both financially and in terms of improved regulation it is recommended that the Department of Cooperative Governance and Traditional Affairs (COGTA) take up the function of national coordinator and initiator of outdoor advertising control. The DEA should take the lead in transferring the responsibility to COGTA and should provide preliminary support to COGTA. COGTA should be able to rely on the DEA and

DOT for assistance with regard to the development of uniform standards for environmental impact and traffic safety respectively.

6.2.4) Coordinating regulators

Until the proposed Outdoor Advertising Board (OAB) can be established it is recommended that a working group of controlling authorities be established in order to facilitate improved communication amongst regulators. Such working group should be chaired by COGTA and be made up of representatives from:

- Department of Environmental Affairs;
- Provincial environmental departments;
- Department of Transport;
- Provincial roads departments;
- SANRAL;
- Municipal roads departments;
- Municipal outdoor advertising departments.
- SALGA

Sub-groups within this working group will facilitate the creation of the environmental and traffic safety standards.

The development of such standards should also be done with input from the media operators. The Minister of COGTA, or other national department that takes control, should initiate legislation for the formation of an Outdoor Advertising Board that will report to the Minister and will provide operator feedback with regard to national standards and legislative improvements as a long term objective.

6.3) RECOMMENDATIONS

The final recommendations are as follow:

- **Jurisdiction of controlling authorities:** Within the current South African framework and in order to prevent any duplication of jurisdictions allocated to controlling authorities in terms of existing legislation the following is recommended:
 - Since the whole country is divided into municipal areas these geographical areas should serve as key areas of control. Municipalities should therefore serve as entry point for all applications for outdoor advertising while municipalities should also serve as coordinators and initiators of all approvals needed for such applications.
 - Preference should be given to SANRAL and provincial roads departments for considering traffic safety aspects along roads under their jurisdiction and in accordance with responsibilities allocated to them by relevant roads legislation.
 - Preference should be given to provincial environmental departments to consider billboards larger than 18m² within certain geographical areas that have been identified in terms of NEMA.

- Municipalities should consider all traffic safety matters allocated to them by means of legislation and which do not overlap with the responsibilities of SANRAL and the provincial roads departments
- Apart from billboards larger than 18m² in specific geographical areas, municipalities should consider environmental matters for all other applications.
- In order to prevent any duplication between district municipalities and local municipalities district municipalities' responsibilities should be limited to: (a) District management areas which are parts of a district municipality's area of jurisdiction which have no local municipality and which are governed by the relevant district municipality alone; and (b) the areas of jurisdiction of local municipalities which have not yet taken up the responsibility of controlling outdoor advertising.
- **National responsibility for outdoor advertising:** It is recommended that the Department of Cooperative Governance and Traditional Affairs (COGTA) take up the function of national coordinator and initiator of outdoor advertising control. The Department of Environmental Affairs (DEA) should take the lead in transferring the responsibility to COGTA and should provide preliminary support to COGTA.
- **Updating and consolidation of legislation:** Provincial roads departments who have not yet taken this step should adopt provincial roads acts in order to repeal the Advertising on Roads and Ribbon Development Act (ARRDA) and provincial roads ordinances which are outdated. The Eastern Cape roads department who has neglected to repeal ARRDA by means of their new roads act should rectify this matter.
- **Illegal billboards:** As a short term solution to the restrictions on the removal of illegal billboards caused by the *Mandament van Spolie* the fine system for illegal billboards should be improved by revising existing bylaws and other legislation or by drafting such legislation where it does not exist. Such a refined fine system should be based on principles mentioned in section 2 of this report such as "defacement," "sufficiently punitive" and "rates clearance certificates." Other relevant principles, such as "consent to removal," should also be implemented. As a long term solution this problem should be addressed by means of establishing an Outdoor Advertising Board.
- **Standardisation of regulatory framework:** It is **recommended** that all outdoor advertising bylaws and by implication the regulatory framework in South Africa should be standardised. Such standardisation should be flexible by taking local needs and preferences into consideration. Standardisation should include the following:
 - The Outdoor Advertising Potential Assessment (OAPA) procedure should be integrated into and applied to municipal Land Use Management Systems (LUMS).
 - The OAPA-procedure and Outdoor Advertising Master Plans (OAMP's) should be integrated into municipal outdoor advertising bylaws replacing the EIA-procedure.
 - COGTA should adapt existing LUMS directives or policy documents to make provision for the OAPA-procedure and OAMP's thereby providing both the OAPA-procedure and OAMP's with the required status.
 - The Draft Revised SAMOAC should be finalised by:
 - Developing procedural guidelines

- Finalising guidelines and conditions for traffic safety and solving the difference in opinion regarding outdoor advertising inside road reserves.
 - Aligning the existing guidelines for the three areas of control (minimum, partial and maximum) as contained in the Draft Revised SAMOAC to the LUMS land use classifications and establishing visual density categories by using a number of existing municipal Land Use Management Systems as case studies.
 - Holding a number of workshops in order to finalise placement, technical and procedural guidelines that will be satisfactory to regulators and operators as well as other interested and affected parties. This will pave the way for cooperation among regulators and between regulators and operators.
- **Developing supporting functions**
 - In order to improve the management of outdoor advertising it is recommended that municipalities who have the capacity to do so should make use of CRM (Customer Relationship Management) and GIS software in an interactive manner.
 - For smaller municipalities it is recommended that an efficient manual management system should be developed, while the necessary training support should also be provided.
 - Sufficient procedures such as application process flows, follow-up procedures and working relationships should be established.
 - Until the proposed Outdoor Advertising Board (OAB) can be established it is recommended that a working group of controlling authorities be established in order to facilitate improved communication amongst regulators. Such working group should be chaired by COGTA and be made up of representatives from:
 - Department of Environmental Affairs;
 - Provincial environmental departments;
 - Department of Transport;
 - Provincial roads departments;
 - SANRAL;
 - Municipal roads departments;
 - Municipal outdoor advertising departments.
 - SALGA

Sub-groups within this working group will facilitate the creation of the environmental standards and traffic safety standards.

- Implement an Internet portal for communicating information, initiating collaboration among operators and offering assistance to regulators.
- Assist regulators by making use of consultants.

- **Operator responsibility:** Establish communications with operators in order to initiate a united front among operators and to involve operators in the regulatory process.
- **Public awareness:** Launch a public awareness campaign on the importance of outdoor advertising control and involve the public in the regulatory process.
- **Establishing an Outdoor Advertising Board** as a long term priority: Such a board should make provision for the licensing of operators, coordinate regulators, ensure a uniform standards and a uniform approach to outdoor advertising control and should also represent all other interested and affected parties.
- **Optimising outdoor advertising revenue:** It is recommended that individual municipalities pool the public utility mandates they are responsible for, such as bus shelters, telephone booths and recycle bins, and plan in a holistic manner and not under separate departments such as transport and environment. Such pooling of outdoor advertising resources will ensure a better income and more stylish and durable infrastructure.

APPENDIX A

SIGNAGE IMPACT ASSESSMENT

A Signage Impact Assessment (SIA) is a process by which the heritage, structural, environmental, visual and traffic safety impact of a proposed large format advertising sign is assessed.

The SIA process may also be used to assess the impact of existing signs, smaller format signs, and commercial signs. The considerations and principles of the process remain largely the same.

The SIA process is broad but not comprehensive, and recognises that heritage, structural, environmental, visual and traffic safety considerations in the assessment process are uniquely complicated fields. These may require further specialist input towards the mitigation of a sign's impact on its immediate context and surrounding environment.

Thus the SIA process does not seek to replace a specialist impact assessment but rather works on the principle of "management by exception" to indicate where one is not needed (no significant or adverse impact) for a proposed sign. In addition the process also provides an indication of whether or not signs should be approved for installation (no significant or adverse impact), or will require mitigation.

This document provides an example of an SIA process that a signage regulator such as a municipality may wish to follow and provides examples of the assessment considerations, methodologies and tools that may be developed in order to perform an appropriate SIA that is based on application of a standard policy as opposed to individual opinion. The document makes reference to a Signage Assessor (SA) as the person tasked with performing the duties. This does not have to be the same person throughout the SIA. In fact, as per the management framework module we suggest that the SA is the municipal representative as far as collating the data goes, but the SA with regard to the environmental impact is an appropriate government official in an environmental department and the SA with regard to the traffic safety matrix is a traffic official as described in the previous module.

The Signage Impact Assessment is a five stage process:

1. Preparation
2. Inspection
3. Consolidation
4. Reporting
5. Recommendation

Appendices not included in this document:

- Illustrated Format List
- Sites of Interest and Value List
- Minimum Spacing Table
- Signage Density Squares by Format and Distance Table
- Target Visual Density Table
- Roadside Lateral Clearance Table
- Pedestrian Lateral Clearance Table

Preparation

Preliminary Information

Prior to an onsite Signage Impact Assessment (SIA) being undertaken, the Signage Assessor (SA) should have the following information available for the proposed sign and proposed sign location:

	Guide	Notes	Completed (Y/N)
Sign Format	<u>Illustrated Format List</u>		
Sign Location	GPS Coordinates and/or Street Address with directions		
Installation Details	How the sign will be installed relative to immediate context		
Number of Sign Faces	The number of sign faces that will display an advertising message		
Sign Facing Direction(s)	Compass direction with contextual description		
Sign Face Area Dimensions	Height x Width = m ²		

Preparing for the Onsite Inspection

The following guidelines are intended to prepare the SA for the Onsite Inspection. The resulting information, to be confirmed and cross-checked during the Onsite Inspection, will be used to describe the existing visual environment and visual significance and sensitivity of the area in the reporting phase of the SIA.

	Guide	Offsite Notes	Onsite Notes
Locate the sign on Google Earth	GIS coordinates		
Determine in which direction(s) the sign will be facing	Compass direction with contextual description		
Determine the directions, distance and range of sign visibility	Compass direction(s) and distance(s) in metres		
Identify main vehicle and	Use everyday road and route names,		

pedestrian approach route(s) to, and past, the sign	and the compass direction of approach as descriptors		
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In relation to the sign location take note of:

	Guide	Offsite Notes	Onsite Notes
Surrounding buildings and other infrastructure	Use compass directions, number of storeys, road and route names, and infrastructure type as descriptors		
Surrounding land use(s)	Dominant land use in the general area surrounding, and immediately adjacent, to the sign		
Nearby sites of social, cultural, heritage interest or value	<u>Sites of Interest and Value List</u> Adjacent and within 500m		
Scenic views that might be obstructed by the sign	Noting the size of the sign, and directions and distances from which it will be visible.		
Dominant direction and time of vehicle and pedestrian traffic	Use compass directions, and contextual landmarks as descriptors		

Offsite Regulations and Restrictions Analysis

Signage in certain urban areas is closely regulated and restricted according to land use and social, cultural and historical value. These typically include areas where:

- No signage is allowed
- Only specific formats of signage are allowed
- No digital signage is allowed
- Specific design guidelines apply to signage

Regulation and / Restriction	(YES/NO)
Does the proposed sign location fall into a zone of signage regulation and/or restriction?	

If **YES** provide details:

Inspection

Onsite First Impressions

On arrival at the onsite inspection location, take a few moments to survey the existing visual environment around the proposed sign location and to give a general description of the area.

- Firstly note the time, date, day of the week and weather
- Secondly note all the surrounding signage, activity levels, pedestrian and vehicle flows in the general area around the sign location. Rate these on an ascending scale of 1 (minimal) to 5 (substantial). Provide some key words to describe and support your rating for each category.
- Thirdly taking into account the time, date, day and weather conditions of the Onsite Inspection determine if the surrounding visual environment and general description of the area presents a typical everyday impression of the proposed sign location.
- Fourthly take photographs to document the general visual environment of the Onsite Inspection noting the general direction and orientation of the photograph in relation to the proposed sign location.

Onsite Inspection Details:

Time	Date	Day	Weather

Description of the General Area:

	Rating 1 – 5	Descriptive keyword(s)
Surrounding Signage		
Activity Levels		
Pedestrian Flow		
Vehicle Flow		

Impression of the Proposed Sign Location	(YES/NO)
Does surrounding visual environment and general description of	

the area present a typical everyday impression of the proposed sign location?	
--	--

If **NO** provide details:

Photographs of the Visual Environment:

Photo Number	Direction & Orientation Details

Update and Confirm Preparation Notes

Return to your notes from the Preparation Stage of the SIA and fill in any missing information, update or add new information as required.

Onsite Buffer Density Analysis

Signs of a similar size should not be placed too close together in order avoid signage clutter and visual pollution. The Minimum Spacing Table shows suggested minimum distances between signs of a similar size format according to road classification.

With reference to the Illustrated Format List and the Minimum Spacing Table, identify any similar size format signs within the suggested minimum distance from the proposed sign location:

Proposed Sign Format	Similar Sign Format	Distance from Location (m)	Minimum Spacing (m)

Onsite Visual Density Analysis

Visual Density is the amount of signage coverage in the view corridor of a driver or pedestrian. Visual Density takes into account existing advertising signage, existing directional signage, existing commercial signage and proposed advertising signage. Visual Density Analysis is where the Visual Density of signage is assessed relative to a Target Visual Density related to a land use classification. Note the Target Visual Density needs to be determined. It is proposed that an SEA is performed to determine Target Visual Density figures for zoning classifications.

Onsite Visual Density Analysis involves the use of a 28mm camera lens and a grid overlay use to determine the total area of signage within view. A series of three photos is taken at distances of 50m, 100m and 150m from the proposed sign.

Step 1

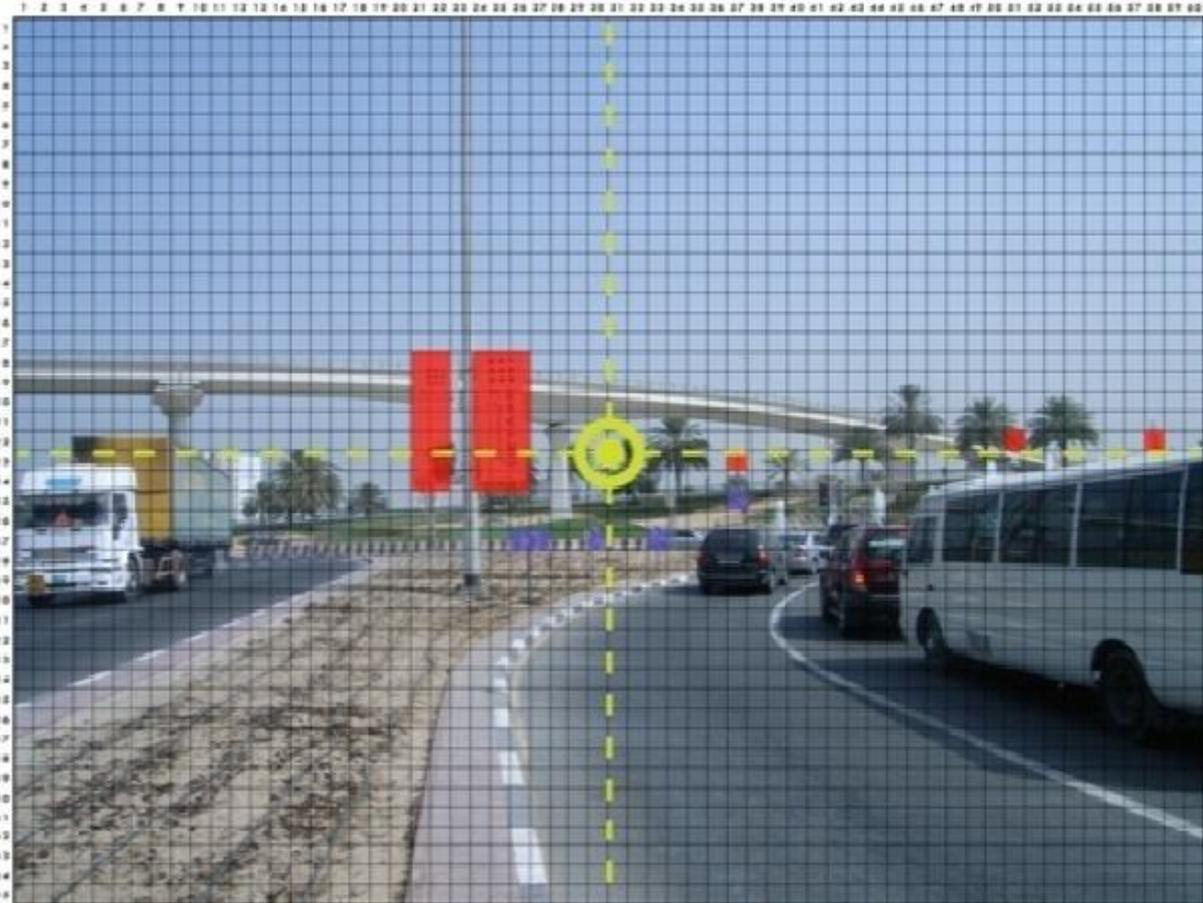
Visit the proposed sign location, and find a safe location adjacent to the road from which to take photographs. Take three photographs with a standard digital camera with a 28mm lens (35mm film equivalent) from the following distances: 50m, 100m, 150m. Be sure to align photo with the road – in other words replicate the driver or pedestrian's field of view. To do this the focal point of the photograph should be, or as close to, the centre of the road perpendicular to where the sign is on the side of the road. The horizon needs to be as close to the horizontal centre of the photograph as possible.

Step 2

Print out pictures at a scale of 180mm wide x 135mm high

Step 3

Neatly colour in all existing advertising, informational and commercial signage on each photo in red.



Step 4

Overlay plastic grid (or word document template) of 2mm squares on each photo and count the total number of 2mm squares that cover signage. Exclude pole, frame and signage structure area. Use standard rounding procedures: round up when 50% or more of a square is covered, otherwise round down.

Step 5

Divide the total number of squares in each photograph by 2700 (i.e. the total number of 2mm squares in the overlay grid) and multiply by 100 to determine the existing Visual Density percentage (e.g. $40 \div 2700 \times 100 = 1.5\%$).

Step 6

With reference to the Signage Density Squares by Format and Distance Table complete the Proposed Visual Density Formula, for the relevant proposed sign format, for each distance (50m, 100m, 150m).

EXISTING ALL SIGNAGE SQUARES + PROPOSED SIGNAGE FORMAT SQUARES

$$\frac{\text{TOTAL NUMBER OF BLOCKS ON GRID (2700)}}{\text{TOTAL NUMBER OF BLOCKS ON GRID (2700)}} \times 100 = \text{VISUAL DENSITY}$$

Step 7

The Proposed Visual Density totals for each distance (50m, 100m, 150m) are then added together and divided by 3 to determine the Average Proposed Visual Density.

Step 8

The Average Proposed Visual Density for the proposed sign is then checked against the Target Visual Density Table which is related to land use (Commercial, Semi-Urban, Rural).

Proposed signs where the Average Proposed Visual Density percentage ratings exceed the Target Visual Density percentage rating for a particular area may:

- Require a format change
- Require a change in sign face size
- Require relocation
- Require further in-depth assessment
- Not be approved for installation

Onsite Traffic Safety Analysis

Traffic Safety aspects play a significant role in assessing advertising signage. The following issues are to be considered:

- Lateral Clearance
- Vertical Clearance
- Hazards and Distractions

Lateral Clearance

These clearances depend on traffic volumes, the side slopes alongside the road and typical travel speeds, as indicated in the Roadside Lateral Clearance Table. Lateral Clearance should be increased by 20% to 40% at curves in the road to reduce the risk of “run-off the road” collisions in these areas.

Where an inadequate clear zone exists between the edge of the road and the proposed sign location, the traffic must be protected from the obstruction by means of a guard rail or similar barrier in compliance with internationally accepted safety standards. On low speed roads where curbs or pavements exist to separate vehicles and pedestrians, Lateral Clearances should allow for the adequate and safe movement of pedestrians between the proposed sign location and the edge of the curb or pavement.

With reference to the Roadside Lateral Clearance Table, determine if the proposed sign location falls outside the accepted minimum distances:

	(YES/NO)
Sign has acceptable roadside lateral clearance?	

If the proposed sign location is situated within a pedestrian area, adequate space must be provided to allow for the safety of pedestrians. The width of pedestrian walkways should be dictated by the volume of pedestrian movements, as outlined in the Pedestrian Lateral Clearance Table.

With reference to the Pedestrian Lateral Clearance Table, determine if the proposed sign location falls outside the accepted minimum distances:

	(YES/NO)
Sign has acceptable pedestrian lateral clearance?	

Vertical Clearance

The distance from the underside of the sign to the road or pavement surface.

- No sign that projects over a road should have a vertical clearance of less than 6m.
- No sign that projects over a pavement should have a vertical clearance of less than 2.5m.

With reference to the above guidelines, determine if the proposed sign fulfils the Vertical Clearance criteria for roads and pavements:

	(YES/NO)
Sign has acceptable road vertical clearance?	
Sign has acceptable pavement vertical clearance?	

Hazards and Distractions

The range of situations where a sign can be hazardous and distracting to a driver, or pedestrian is vast and may include:

- Obstructs lines of sight at an intersections or access points
- Could obstruct pedestrian or traffic flow
- When there are insufficient clearances
- Visual clutter detracting from other signage and decision-making at:
 - Heavy weave areas
 - Ramps
 - Proximity to complex intersections
 - Heavy pedestrian areas
- Distracts the driver by too much information
- Decision greater than 16 bits of information in any view shed
- Could be construed as a traffic control device or regulatory sign
- In illuminated to the extent that it causes discomfort so that it inhibits the vision of approaching pedestrians or drivers
- Be attached to a road traffic sign or signal, combined with a road traffic sign or signal, obscures a road traffic sign or signal, creates confusion with a road traffic sign or signal, interferes with the functioning of a road traffic sign or signal
- Obscure a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width

The Traffic Safety Matrix is a scoring mechanism that provides a definitive indication of Traffic Safety impact.

Explaining the Traffic Safety Matrix

- Signs that fall into the **bold red** categories should not be approved or installed.
- Signs that fall into the **bold orange** categories will require mitigation and re-scoring.
- Each category row in the Traffic Safety Matrix to be scored from 0 to 4, and the total score for each sign calculated

Recommended Outcomes of the Onsite Application of the Traffic Safety Matrix

Score	Recommendation
Less than 10	Low Traffic Safety Risk – Suggest sign approval and possible installation
10 to 15	Medium Traffic Safety Risk – Suggest measures to mitigate and re-score
Above 15	High Traffic Safety Risk – Sign should not be approved or installed

Driver’s Line of Sight

Generally practiced driver’s line of sight provisions:

- Does the sign obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property or obstructs a driver’s view of a traffic sign or signal.

Considerations	Less Risk					Score
	Very Low 0	Low 1	Fair 2	High 3	Very High 4	
Sign Location						
1 Driver’s line of sight	Clear line of sight	Relatively Clear Line of sight	Partly obscures a road hazard	Severely obscures a road hazard	Line of sight less than required	

Decision Point

A Decision Point is defined as the point where a driver needs to make a decision for one of the following:

- Major weave area, measured from the entry point of the weaving traffic
- Off ramp (measured from the exit gore taper)

2	Decision Point (Measured upstream from Decision Point)	More than 300m From Decision Point	Between 200m & 300m from Decision Point	Between 100m & 200m from Decision Point	Between 50m & 100m from Decision Point	Less than 50m from Decision Point	
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Interference with a Traffic Control Device

Score the proposed sign location based on the whether it may (has some likelihood to interfere) with or in the determination of the reviewer will interfere with a traffic control device. Traffic control devices are defined as follows:

- Minor control device – yield sign
- Intermediate control device – stop sign
- Major control device – traffic signal

3	Interference with the effectiveness of a traffic control device	Does not interfere with any traffic control device	May reduce the effectiveness of minor traffic control device (yield sign)	May reduce the effectiveness of intermediate traffic control device (stop sign)	Reduces the effectiveness of intermediate traffic control device (stop sign)	Reduces the effectiveness of major traffic control device (traffic signal)	
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Proximity to Centre of Intersection

This is the distance of the sign location to the stop or yield line of the approach lane measured in metres.

5	Proximity to intersection (on approach side)	More than 200m	200m-150m	150m-100m	100m-50m	Less than 50m	
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Pedestrians

Estimated number of pedestrians per hour as measured in both directions at the proposed location during peak hours.

6	Pedestrians Peak hour pedestrians	0-100	100-200	200-300	300-500	Over 500	
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Speed

The posted speed (kph) on the road immediately adjacent to the sign location. Where two or more speed limits are posted, the highest speed limit of the adjacent road closest to the proposed sign location applies.

7	Speed (km per hour posted)	Less than 40	41 to 60	61 to 80	81 - 100	Over 100	
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Consolidation

The following Offsite Research related information should be incorporated into the SIA process if and when the capacity and resources are available.

Macro Density

Macro Density is a citywide level measurement and management of signage density, or where the current density of signage within a community and future density after erection of the proposed signage is compared to the target density.

Buffer Density Analysis

Signs of a similar size should not be placed too close together in order avoid signage clutter and visual pollution which may in turn negatively affect the media value of the sign. The Minimum Spacing Table shows suggested minimum distances between signs of a similar size format according to road classification.

Using a Buffer Density Report (if available) for the relevant proposed sign format and location, or Google Earth and Street View, and with reference to the Illustrated Format List and the Minimum Spacing Table, identify any similar size format signs within the suggested minimum distance from the proposed sign location:

Proposed Sign Format	Similar Sign Format	Distance from Location (m)	Minimum Spacing (m)

Offsite Traffic Safety Analysis

The potential risk of a sign posed to motorists and pedestrians is evaluated according to the Traffic Safety Matrix

Explaining the Traffic Safety Matrix

- Signs that fall into the **bold red** categories should not be approved or installed.
- Signs that fall into the **bold orange** categories may require mitigation and re-scoring.
- Each category row in the Traffic Safety Matrix to be scored from 0 to 4, and the total score for each sign calculated

Recommended Outcomes of the Offsite Application of the Traffic Safety Matrix

Score	Recommendation
Less than 8	Low Traffic Safety Risk – Suggest sign approval and possible

	installation
8 to 12	Medium Traffic Safety Risk – Suggest measures to mitigate and re-score
Above 12	High Traffic Safety Risk – Sign should not be approved or installed

Accident Risk

The categories of Minimal, Low, Medium, High, Black Spot are to be determined using relevant information for accident risk from a national or provincial Traffic Safety Authority. This should include information relating to accident type, and recent (within two years) accident occurrences within 150m visibility of and relevant to the sign location.

Considerations	Less Risk					Score
	Very Low 0	Low 1	Fair 2	High 3	Very High 4	
Location						
Accident risk	Minimal	Low	Medium	High	Black Spot	

Brightness and contrast in relation to hazards and traffic signage and control devices

The relative brightness and reflective contrast of a sign may present a significant hazard to drivers.

Content and Physical Properties						
Brightness and contrast in relation to hazards and traffic control devices	The sign is unlit or not retro-reflective.	The sign brightness matches the minimum ambient light levels expected.	The sign varies its brightness to match the ambient light.	The sign intensity is unlikely to cause night blindness.	The sign brightness may cause night blindness or discomfort	

Animation and movement

An advertisement is a static display if it has:

- No moving images, or parts of moving images
- No moving text or sets of text
- No flashing background, text or images

An advertisement is an animated display if it has:

- Moving images, or parts of moving images

- Moving text or sets of text
- Flashing background, text or images

Ideally for digital signage the transition between one advertisement to another must not be flashing and must not have movement from side to side or top to bottom. Preferred transition between one advertisement to another may either have a ‘dissolving’ nature from frame to frame at the agreed interval or be an instantaneous transition.

	Animation and movement	The message is not animated or moving.	The message remains static for at least 1 minute.	The message stays static between 8 and 60 seconds	n/a	The message is animated, flashes and scrolls.	
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Traffic Volume

Total Annual Average Daily Traffic (AADT) measured in one direction.

		Volume					
	AADT Volume	0 – 10,000	10,001 to 25000	25,000 to 40000	40,000 to 55000	Over 55000	

Heavy Vehicles

This is the percentage number of heavy vehicles based on a 24hour traffic count

9	% Heavy Vehicles	0 - 5%	5 - 10%	10 – 15%	15 – 20%	Over 20%	
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Recommendation

Based on the proposed sign’s SIA Report the following recommendations for further action may be made:

- Approved for installation
- Approved for installation subject to the successful implementation of a suggested mitigation measure
- Further specialist and detailed assessment needed:
 - Heritage Impact Assessment
 - Structural Impact Assessment
 - Environmental Impact Assessment
 - Visual Impact Assessment

Legal Aspects for the Effective Control of Outdoor Advertising

- Traffic Safety Impact Assessment
- Not approved with reasoning