



SAMOAC

South African
Manual
for
Outdoor Advertising
Control

2010





Final Draft of the Revised South African Manual for Outdoor Advertising Control

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IMPORTANT

Legality of Outdoor Advertisements within Road Reserves

According to a specific interpretation of The National Road Traffic Act 93 of 1996, the National Road Traffic Regulations, 2000, the Southern African Development Community Road Traffic Signs Manual (SADC RTSM) and the South African Road Traffic Signs Manual (SARTSM) no advertising shall be allowed within road reserves while only "road traffic signs" may be erected within such road reserves.

Currently a large number of outdoor advertisements may be found within South Africa's road reserves – both approved and not approved by controlling authorities. The Draft Revised SAMOAC also makes provision for certain sign types within road reserves under certain conditions. As the name indicates, this is only a draft document and cannot be finalised until the matter regarding advertising within road reserves has been sufficiently addressed by South Africa's roads authorities.

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DISCLAIMER

The Department of Environmental Affairs accepts no liability or responsibility whatsoever if any data in this document is incorrect for whatsoever reason.

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FOREWORD 1998

The importance of the visual environment is often underestimated or is perceived as a fashionable and luxury environmental concern with no relevance outside the extravagant lifestyle of the upper reaches of modern society.

The real value of the visual environment must be measured against the background of the tourism industry. Visual resources such as scenic landscapes and cultural streetscapes constitute major tourist attractions. The visual environment also forms a backdrop to most other tourist activities such as game watching, touring, entertainment, shopping and sport. The visual environment can be seen as the fabric that gives meaning and substance to any tourism experience. Each country, area, city or town has its own unique visual character and atmosphere which plays an important role in the quality of any tourist experience. In South Africa, with its richness and diversity of landscapes and cultures, it is of the utmost importance that the element of local character should be strengthened and enhanced when and wherever possible.

Since the visual environment is interwoven with the fabric of any tourism industry the real need for visual resource management in South Africa is evident from the fact that the tourism sector of this country has all the potential of providing the basis for and sustaining the Reconstruction and Development Programme of the South African government.

The visual environment also plays an important role in creating better human living environments for all communities in South Africa. Section 24 of the Bill of Rights in the Constitution of the Republic of South Africa states that "... Everyone has the right to an environment that is not harmful to their health or wellbeing ...". The visual environment is a key to ensuring mental health and psychological well-being. It has an immense impact on how we think and act as human beings. Research has shown that the visual environment has a definite influence on human behavioural patterns such as vandalism, attitudes that determine the productivity of office workers or even the crime rate. It also plays an important role in creating healthy communities. A sense of place and identity is created by means of the visual environment which leads to community pride, a sense of security and permanent belonging, human dignity and enthusiastic citizen involvement.

Outdoor advertising and information transfer fulfils an essential function in modern society. It directs, guides and informs as to locality, product, activity or service and contributes to economic growth in general. However, if outdoor advertising is not controlled properly it could have a very real impact on tourism resources and the human living environment, as was experienced in countries such as the United States of America. Most advertisements are aimed at the road user and may therefore also impact on the road environment. Control measures are therefore needed to ensure that road environments will be conducive to safe and pleasant driving.

In the past a rather strict control system was in force in natural and rural areas. However, a recent relaxation of the enforcement of these control measures has led to a serious proliferation of advertisements and signs in certain cases. The need was also expressed by the outdoor advertising industry for a revision of existing control measures in order to arrive at measures that would be more representative of the needs and lifestyle of modern society. Seen against this background, this

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manual is aimed at providing an efficient and effective framework and guidelines for outdoor advertising control in South Africa.

In applying these guidelines controlling authorities and the advertising industry alike should strive to strike a balance which would allow for advertising opportunities and economic development, on the one hand, and traffic safety and the conservation of visual resources, on the other hand. Instead of being detrimental to the visual environment outdoor advertising should be used in a manner that will be conducive to urban streetscapes. This leaves the outdoor advertising industry with an immense challenge to contribute to the creation of more pleasant visual environments.

Since this manual constitutes only a framework and guidelines for outdoor advertising control practical cases may be encountered which do not match the prescribed classification or conditions. The needs of controlling authorities may also differ in accordance with local conditions and the character of the areas under their jurisdiction. Municipalities who wish to publish advertising by-laws may therefore have to adapt this manual to suit their specific needs. Since by-laws must be more exact this document will not be entirely suitable to be used for the purpose of by-laws in its present format. However, a basic legal and technical check has been done on this document to minimize any possible vagueness or ambiguity in the interpretation thereof, and to facilitate the drafting of by-laws by municipalities.

Cases may also be encountered where existing signs for which permission has been granted may contradict important conditions in this manual. Controlling authorities will therefore have to consider phasing out such signs over a period of time. The necessary guidelines for the implementation of this manual, which will address problems such as these, is envisaged for the future.

The existing part of this document should not be seen as finalised since the development of new advertising techniques and methods will necessitate a continual updating-process in order to accommodate such changing circumstances.

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This edition of SAMOAC constitutes an update to the original *South African Manual for Outdoor Advertising Control* published by the then Department of Environmental Affairs and Tourism in 1998 in order to guide advertisers and authorities through the difficult task of outdoor advertising planning and control.

Since the completion of the 1998-edition of SAMOAC the outdoor advertising milieu has changed to a large extent. As can be expected human ingenuity led to radical changes in outdoor advertising technology over the past decade in order to make advertising messages ever more conspicuous. Digital outdoor signs are currently in vogue and are creating certain unexpected impacts on both road safety and the human living environment. These signs come in almost every shape and format, from digital screens in the form of a thin adhesive film attached to shop windows to messages on 600m² computer screens attached to the sides of airborne airships which can be read from a distance of up to three kilometres. Digital billboards are currently causing a major headache to roads authorities and other controlling bodies in countries such as the United States of America.

Although important lessons have been learned since 1998 the main problem of outdoor sign proliferation has not been solved, but has intensified instead. A huge increase in illegal billboards and other signs has become a major contributing factor in this regard. These illegal structures have also given rise to various malpractices related to public and occupational health and safety which need to be addressed urgently. This adverse situation created by illegal billboards can be attributed mainly to insufficient control and management of outdoor advertising due to ineffective legal mechanisms and a shortage of manpower. The inadequacy of the control system can be traced back to a singular and uncoordinated approach where sign applications are considered on a case for case basis. The tendency of local authorities to overexploit the allocation of outdoor advertising rights in order to obtain short-term monetary benefits can be seen as another contributing factor to outdoor sign proliferation. Such a tendency can only lead to an undermining of the long-term sustainability of both the aesthetic environment as a tourism resource and outdoor advertising as a source of income.

Apart from serving as a direct source of income to local authorities the sustainable management of outdoor advertising may also present quite a number of opportunities for creating employment and contributing to the development and empowerment of previously disadvantaged communities.

During the past ten years the need for a balanced approach to outdoor advertising control in terms of economic development, the conservation of aesthetic resources and the promotion of traffic safety has been reconfirmed. It has become imperative to minimise the impacts of outdoor advertising while at the same time maximising the benefits thereof, in this manner contributing to the enhancement of the aesthetic environment through outdoor advertising. In order to achieve this goal a more subtle and artistic approach to outdoor advertising, as applied in most European countries, should be propagated instead of the current American approach of taller, bigger and brighter.

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In order to address the above-mentioned issues a paradigm shift has been effected regarding the updated SAMOAC's approach to the planning, management and control of outdoor advertising. The singular approach of the 1998-edition, focusing on individual signs, has now been replaced by an integrated and cumulative approach focussing on the aesthetic and functional interaction between all signs. This involves the long-term, sustainable planning and management of outdoor advertising which is achieved through the application of Outdoor Advertising Potential Assessments (OAPA's), an environmental management tool specifically developed for this purpose, and the development of Outdoor Advertising Master Plans (OAMP's).

Although the updated version of SAMOAC should still be seen as constituting only a framework and guidelines for outdoor advertising control it now also serves as a manual for best practice in order to attain to the sustainable and integrated management of aesthetic resources and the improvement of road safety. Seen in this light and by applying the precautionary principle some of the higher impacting sign types currently employed by the outdoor advertising industry had therefore to be excluded from the updated SAMOAC.

The need for a sustainable, integrated, long-term approach to the planning, management and control of outdoor advertising should be propagated through an awareness raising campaign amongst controlling authorities. As a manual for best practice it is imperative that all controlling authorities should undertake to implement SAMOAC as the corner stone for controlling outdoor advertising.

DEFINITIONS

For the purpose of this manual, unless the context indicates otherwise, the following definitions will apply:

ADVERTISEMENT means any visible or audible representation of a word, name, letter, number, figure, object, colours, mark or symbol or of an abbreviation of a word or name, or of any combination of such elements with the object of transferring information or attracting attention. See **OUTDOOR ADVERTISEMENT**

ADVERTISING means the act or process of notifying, warning, informing, making known or any other act of transferring information or attracting attention in a visible or audible manner. See **OUTDOOR ADVERTISING**

ADVERTISING CONTENTS means the advertising message which may consist of **images** and **text**

ADVERTISING DEVICE means any physical device which is used to display or transfer an **advertisement** or which is in itself an advertisement.

ADVERTISING STRUCTURE means any physical structure built to display or transfer an advertisement. See **SIGN STRUCTURE**.

AESTHETIC ENVIRONMENT. See **PERCEPTUAL ENVIRONMENT**

ANIMATION means a process whereby an advertisement's visibility or message is enhanced by means of moving units, flashing lights, **electronic** or **digital** messages or similar devices.

APPLICANT means the owner of the **advertising structure** or device.

AREA OF CONTROL refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control, in accordance with the **degree of landscape sensitivity** and traffic safety conditions.

ARTERIAL ROAD means a road which, in the opinion of the roads authority, functions as a main carrier of traffic within an urban area, and which is of a lower order than a **freeway**.

BALCONY means a platform projecting from a wall, enclosed by a railing, **balustrade** or similar structure, supported by columns or cantilevered out and accessible from an upper-floor door or window.

BALUSTRADE means a railing at the edge of a **balcony** supported by a set of posts or balusters.

BASIC LANDSCAPE SENSITIVITY indicates the intrinsic visual or aesthetic sensitivity of the landscape with regard to outdoor advertisements and **signs** in terms of three basic landscape types which are, in order of sensitivity, natural, rural and urban landscapes.

BEST PRACTICE means a methodology, conditions or standards, that through experience and research, have proven to reliably lead to desired results.

BILLBOARD means any screen or board larger than 9 m², supported by a **free-standing** structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and which is also commonly known as an advertising hoarding. The main function of a billboard is to advertise **non-locality-bound** enterprises, products, activities or services.

BIT OF INFORMATION refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations.

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BLIND means a vertical screen attached to shop windows or **verandas** in order to keep sun and rain from shop fronts and sidewalks, and which may be rolled up when not in use.

BRIDGE means a free-standing structure, not incorporated into the main fabric of a **building**, whose primary function is the carrying of road or pedestrian traffic across a road, or railway line.

BUILDING means any structure whatsoever with or without walls, with a roof and a means of ingress and egress underneath such roof.

CANOPY means a structure in the nature of a roof projecting from the **facade** of a **building** and cantilevered from that building or anchored otherwise than by columns or posts.

CLEAR HEIGHT means the vertical distance between the lowest edge of a **sign** and the level of the ground, footway or roadway immediately below such sign.

COMBINATION SIGN means a single **free-standing sign** structure for displaying information on various enterprises and services at locations such as roadside service areas, urban shopping centres and other urban complexes.

COMMERCIAL ADVERTISING means the act or process of drawing public attention to any enterprise, product, service, property or event in order to advocate a commercial transaction.

CONTROLLING AUTHORITY means any governmental institution at any level of government, which is entitled to exercise control over outdoor advertising.

COPY means **text** or the written part of an outdoor advertising message.

CUT-OUTS mean letters, images, figures or mechanical devices attached to the face of an outdoor **sign**, which might extend beyond the rectangular area for greater attention value, can provide a three-dimensional effect and are also commonly known as add-ons or embellishments.

DEEMED CONSENT (PERMITTED WITH) means a **sign** which is deemed approved without the controlling authority having to provide **specific consent**, subject thereto that that the relevant advertising sign complies in full with the specifications and conditions listed for that sign class.

DEGREE OF LANDSCAPE SENSITIVITY means a refinement of **basic landscape sensitivity** which may include, apart from a refined aesthetic sensitivity, traffic safety conditions as a criterion for sensitivity rating. Degree of landscape sensitivity is expressed in terms of **area of control**, i.e. areas of minimum partial and maximum control which are superimposed onto the three basic landscape types, i.e. natural, rural and urban landscapes.

DENSITY OF RESIDENTIAL AREA refers to both population density (number of people per hectare) and intensity of land use or aesthetic density (number of units per hectare and the nature of the units, e.g. high rise, low rise or detached, as well as to the presence of non-residential functions).

DIGITAL SIGN – See **ELECTRONIC SIGN**

DISPLAY PERIOD means the period which a specific **sign**, sign type or **advertising structure** is allowed on a specific site, at a specific location or against a specific **building**, structure or vehicle irrespective of any changes in **advertising contents**.

ELECTRONIC SIGN means a digital or analogue sign which can display permanently changing images or animation by means of LCD or plasma screens. An electronic sign is **animated**, but an animated sign is not necessarily electronic.

DEFINITIONS

ENTERTAINMENT DISTRICT means an area or district with a vigorous nightlife and a high concentration of entertainment facilities such as restaurants, clubs and theatres and where a large number of **illuminated**, **animated** and **electronic signs** present striking and exhilarating nightscapes to visitors thereby creating an important tourist attraction.

EXHIBITION means any exhibition of public interest that a recognised show association, organisation, state department or institution presents where there is more than one exhibitor, excluding show houses and exhibitions promoted by companies or individual institutions that wish to introduce their products to the public.

FACADE means the principal front or fronts of a **building**.

FASCIA means the exterior horizontal visible flat trim board attached to the roof rafter ends or to the sides of rafters or attached at an angle to the sides of rafters on the gable ends of roofs.

FIRST PARTY SIGN see **LOCALITY-BOUND-SIGN**

FORECOURT means an outdoor space which forms an integral part of an enterprise and the **building** structure housing such an enterprise – both functionally and visually. It may include a terrace in front of a restaurant or café, or any other demarcated space in front of a shop or other enterprise.

FREE-STANDING SIGN means any immobile **sign** which stands on its own or has its own supports and which is not attached to, or forms an integrated part of, a **building** or architectural element, or any other structure or object not intended to be used for the primary purpose of **advertising**.

FREEWAY means a road designated as a freeway by means of a **road traffic sign** or a road designed to freeway standards.

GANTRY means a structure specifically built for the purpose of supporting **billboards** and which spans a road. Gantries are also used to support overhead **road traffic signs**. A portal gantry spans a road and a cantilever gantry or butterfly type gantry has one support.

GATEWAY: In aesthetic terms 'gateway' means a prominent entrance to or exit from an **urban area** or a specific part of an urban area, consisting of man-made and/or natural features and creating a strong sense of arrival or departure. In more concrete terms the gateway to a city or town simply means the boundary of such a city or town as defined by the first or last developed even.

HEIGHT OF SIGN means the vertical distance between the uppermost and lowest edges of a sign panel, board or sheet. Also see **OVERALL HEIGHT OF SIGN**

HISTORICAL BUILDING means any **building** or structure older than 60 years or any building or structure formally protected in any other way in terms of the Natural Heritage Resource Act (No 25 of 1999).

HUMAN LIVING ENVIRONMENT refers to all human settlements such as villages, towns or cities, which may consist of various components such as residential, employment and recreation areas and which require environmental management to provide services such as water, public spaces and waste removal and to protect the quality of the environment.

ILLUMINATED SIGN means a **sign** of which the continuous or intermittent functioning after dark depends upon it being **illuminated** by means of either external or internal illumination.

IMAGES mean the non-written part of an outdoor advertising message and consist of pictures, drawings and logos

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INSIDE THE ROAD RESERVE refers to signs or sign structures which may be erected inside such road reserves, but which are not attached to or which are not located directly against the boundary of road reserves or any structure or **building** erected on the boundary of a road reserve See **SITE BOUNDARY SIGNAGE**

LANDSCAPE SENSITIVITY refers to the aesthetic sensitivity of the landscape with regard to **outdoor advertisements** and **signs**, is expressed in terms of **basic landscape sensitivity** and **degree of landscape sensitivity** and may also take traffic safety conditions into account.

LIMITED USE AREA means an area of 50 metres outside the road reserve boundary of a **freeway** to which the same restrictions apply as the actual freeway reserve, but where consent is given under certain circumstances for the display of specific sign types in order to indicate enterprises situated in such a limited use area.

LOCALITY-BOUND SIGN means a sign displayed on a specific site, premises or **building** and which refers to an enterprise, activity, product, service or attraction located, rendered or provided on that premises or site or inside that building.

LOCATION SIGN means a type of guidance sign provided under the SADC Road Traffic Signs Manual and used to identify places or locations which either provide reassurance during a journey or identify destinations such as towns, suburbs or streets near the end of a journey.

MAIN ROOF OF A BUILDING means any roof of a **building** other than the roof of a **veranda** or **balcony**.

MAIN WALL OF A BUILDING means any external wall of a **building**, but does not include a **parapet wall**, **balustrade** or railing of a **veranda** or a **balcony**.

MEDIA OWNER means the owner of an outdoor **advertising structure** from which an income is derived by placing advertisements and by selling outdoor advertising space. Media owners make mostly, but not exclusively, use of **non-locality-bound** advertising structures and are mostly, but not exclusively, involved in **commercial advertising**.

METROPOLITAN AREAS: The metropolitan areas of South Africa consist of the following six municipalities - City of Cape Town Metropolitan Municipality, City of Johannesburg Metropolitan Municipality, City of Tshwane Metropolitan Municipality, Ekurhuleni Metropolitan Municipality, Ethekewini Metropolitan Municipality and Nelson Mandela Metropolitan Municipality

NATURAL LANDSCAPE means relatively unspoilt areas outside **urban areas** such as natural parks, game reserves, nature reserves, marine reserves, wilderness areas and extensive agriculture and scenic corridors.

NON-COMMERCIAL ADVERTISING means the act or process of transferring information with no commercial transaction in mind.

NON-LOCALITY-BOUND SIGN means a sign which is not a **locality-bound sign**.

OUTDOOR ADVERTISEMENT means any visible or audible representation of a word, name, letter, number, figure, object, mark or symbol or of an abbreviation of a word or name, or of any combination of such elements with the object of transferring information out of doors.

OUTDOOR ADVERTISING means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible or audible manner and which takes place out of doors.

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OUTDOOR ADVERTISING MASTER PLAN means a document that describes, in narrative and with maps, an overall, comprehensive long-term outdoor advertising development concept for a particular area. It indicates the location, number and conditions of the various sign types and gives expression to the cumulative effects of all sign types in terms of environmental sensitivity and potential which include traffic safety conditions.

OUTDOOR ADVERTISING POTENTIAL ASSESSMENT refers to an environmental management tool used for assessing the development potential and sensitivity of the environment with regard to outdoor advertising. It culminates in an **Outdoor Advertising Master Plan** aimed at maximising the benefits of outdoor advertising while at the same time minimising the impacts thereof.

OUTDOOR INFORMATION TRANSFER see **OUTDOOR ADVERTISING**.

OVERALL HEIGHT OF SIGN means the vertical distance between the ground level immediately below the **sign** and the highest part of the sign which consists of both panel, board or sheet and structure (excluding **building** structures).

PARAPET WALL means a low wall at the edge of a house-top.

PERCEPTUAL ENVIRONMENT means that which can be perceived by the five human senses and which is concerned with the appreciation and evaluation of beauty, embracing both the manifestations or absence of natural beauty and nature, as well as the manifestations or absence of cultural beauty.

PERMANENT SIGN means a **sign** of which the **advertising or sign structure** is allowed on a specific site for a relatively long uninterrupted time period irrespective of whether **advertising contents** displayed on such structures may be changed during these periods or not.

PLACE OF ECONOMIC ACTIVITY refers to an enterprise or a group of enterprises outside **urban areas** and which may include farm stalls, roadside service areas, accommodation facilities, food services, industries and cottage industries, as well as shops and other commercial facilities.

POINTER BOARD means a small temporary **pre-sign** directing the road user to a specific destination.

PRECAUTIONARY PRINCIPLE (THE) is a moral principle which states that if an activity raises threats of harm to human safety or health or to the environment, precautionary measures and protective action should be taken even if such threats cannot be based upon scientific consensus. In this context the proponent of an activity, rather than the public or **controlling authority**, should bear the burden of sufficient proof.

PRE-SIGN means an **advertisement** or **sign, excluding road traffic signs and which precedes** a facility, locality, attraction, activity, service or enterprise, indicating the direction or distance to such a facility, locality, attraction, activity, service or enterprise or simply indicating that it lies ahead.

ROAD TRAFFIC SIGN means any road traffic sign as defined in the National Road Traffic Act, Act 93 of 1996 as amended, the detailed dimensions and applications of which are controlled by the regulations to this Act, the latest edition of the SADC Road Traffic Signs Manual (SADC RTSM) and Volumes 2 and 3 of the South African Road Traffic Signs Manual (SARTSM).

RUNNING LIGHT SIGN means a **sign** or a portion of a sign in the form of an illuminated strip the illumination of which varies periodically in such a way as to convey the impression of a pattern of lights moving steadily along a strip.

RURAL LANDSCAPE refers to areas of transition between developed **urban areas** and relatively

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unspoilt **natural areas**. Typical rural land use forms include intensive agriculture, subsistence agriculture and peri-urban smallholdings of a rural nature with relatively low population densities.

SIGN is a more comprehensive term than '**advertisement**' and refers to any advertisement or object, structure or device which is in itself an advertisement and/or which is used to display an advertisement. Does not include **road traffic signs**.

SIGN STRUCTURE means any physical structure or device used for supporting or displaying any **advertising contents** or any advertising panel, board or sheet. See **ADVERTISING STRUCTURE**.

SITE BOUNDARY SIGNAGE refers to **signs** which may be attached to or which may be located directly against the boundary of road reserves or any structure or **building** erected on the boundary of a road reserve

SKYSCRAPER means a **building** taller than 20 storeys and which fulfils a visually dominant role in a specific area.

SPECIFIC CONSENT (PERMITTED WITH) means the written approval of the **controlling authority** after review of the guidelines in this manual, any **Outdoor Advertising Master Plan** and any other applicable legislation, policy and conditions.

STACK SIGN – See **COMBINATION SIGN**

SUSTAINABLE DEVELOPMENT means development that delivers basic environmental, economic and social services to all without threatening the viability of natural, built, economic and social systems upon which such services depend.

TEMPORARY SIGN means a **sign** of which the **advertising structure** is allowed on a specific site for only a relatively short uninterrupted time period irrespective of whether **advertising contents** displayed on such structures may be changed during these periods or not.

TEXT means the written part of an outdoor advertising message. Also called **Copy**.

THIRD PARTY SIGN see **NON-LOCALITY-BOUND SIGN**

TOURIST ATTRACTION means any natural or cultural element, object, site or area that may be of interest to tourists and visitors.

TOWER means a tall equilateral or circular self-standing structure.

URBAN AREA means a human settlement with a population of more than 2 500 people.

URBAN LANDSCAPE means **an urban area** or any part of an urban area.

VEHICULAR ADVERTISING means **advertising** on self-driven vehicles which are normally driven on land or water and which are normally moving.

VERANDA means a structure in the nature of a roof attached to or projecting from the **facade** of a **building** and supported along its free edge by columns or posts.

VISUAL ZONE refers to a zone considered to be an area of maximum control, which is visible from an urban **freeway and**, extends a distance of 250 metres in any direction from the freeway reserve boundary, but which excludes all visually isolated space which cannot be seen from such a freeway.