

The relationship between land use management practice and outdoor advertising in Mangaung Metro Municipality

Dissertation submitted in partial fulfilment of the requirements for the degree

Magister in Urban and Regional Planning

in the

**Department of Urban and Regional Planning
Faculty of Natural and Agricultural Sciences**

at the

University of the Free State

by

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November 2015

Acknowledgements

I would like to thank my study leader Thomas Stewart for his guidance
and S. Vermeulen (BA Hons) for the language editing.

I would like to convey my appreciation for the moral support of my friends
and husband George Kruger.

Abstract

Outdoor advertising is the act of conveying commercial information visually at public outdoor spaces. The Department of Environmental Affairs created the South African Manual for Outdoor Advertising Control (SAMOAC) to aid municipalities in the drafting of policies and bylaws to regulate outdoor advertising signs in their municipal areas. SAMOAC emphasises that both environmental management principles and land use planning and control practices play important roles in the sustainable development and management of outdoor advertising.

The control and management of outdoor advertising in Mangaung Metro Municipality appears to be operating in isolation from other higher order plans, frameworks and schemes. Outdoor advertising applications appear to be processed and evaluated on an ad hoc basis according the outline in the Mangaung Outdoor Advertising Bylaw. This creates a concern that there is no pro-active planning but only a reactive response to the outdoor advertising industry. Unplanned and unintegrated outdoor advertising development can have a negative impact on the health and safety as well as the character of the city. Land use control procedures and measures are usually applied to encourage and attract positive land use development and discourage unwelcome and negative land use utilization, based on the character and desired or planned land use of an area or erven. Therefore this research study focuses on the influence that land use control and planning procedures have on outdoor advertising control and management practices in Mangaung Metro Municipality.

Descriptive analysis and empirical research were conducted through the analysis of regulatory documents, an interview with an official, observations and analysis of data collected from Mangaung Metro Municipality outdoor advertising applications by means of checklists that were summarised in tables and pie charts and compared through a chi-square test.

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The research conducted was to determine if there is an integration between regulatory documents pertaining to land use control; planning procedures; and outdoor advertising control and management practices. Furthermore, the research aimed to establish whether land use control and planning procedures influenced the evaluation of outdoor advertising applications.

It was found that regulatory documents pertaining to land use control and planning procedures in Mangaung Metro Municipality are not integrated with regulatory documents concerning outdoor advertising control and management practices. However, land use control and planning procedures do have an influence on the evaluation of ad hoc outdoor advertising applications in Mangaung Metro Municipality.

An Outdoor Advertising Master plan that is integrated with higher order land use control and planning related documents (IDP, SDF, LUMS), is ultimately proposed to assist with the sustainable development and management of outdoor advertising control practices. Public participation is emphasised as a key aspect of outdoor advertising planning and evaluation, because a people centered and holistic approach is required to establish outdoor advertising constraints and opportunities.

Keywords: outdoor advertising control practices, land use control procedures, third party advertising, on-premises advertising, administrative approval results, primary reason for non-approval, outdoor advertising control areas, Mangaung Metro Municipality Outdoor advertising Policy and Bylaw, South African Manual for Outdoor Advertising Control.

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Chapter 1: Introduction

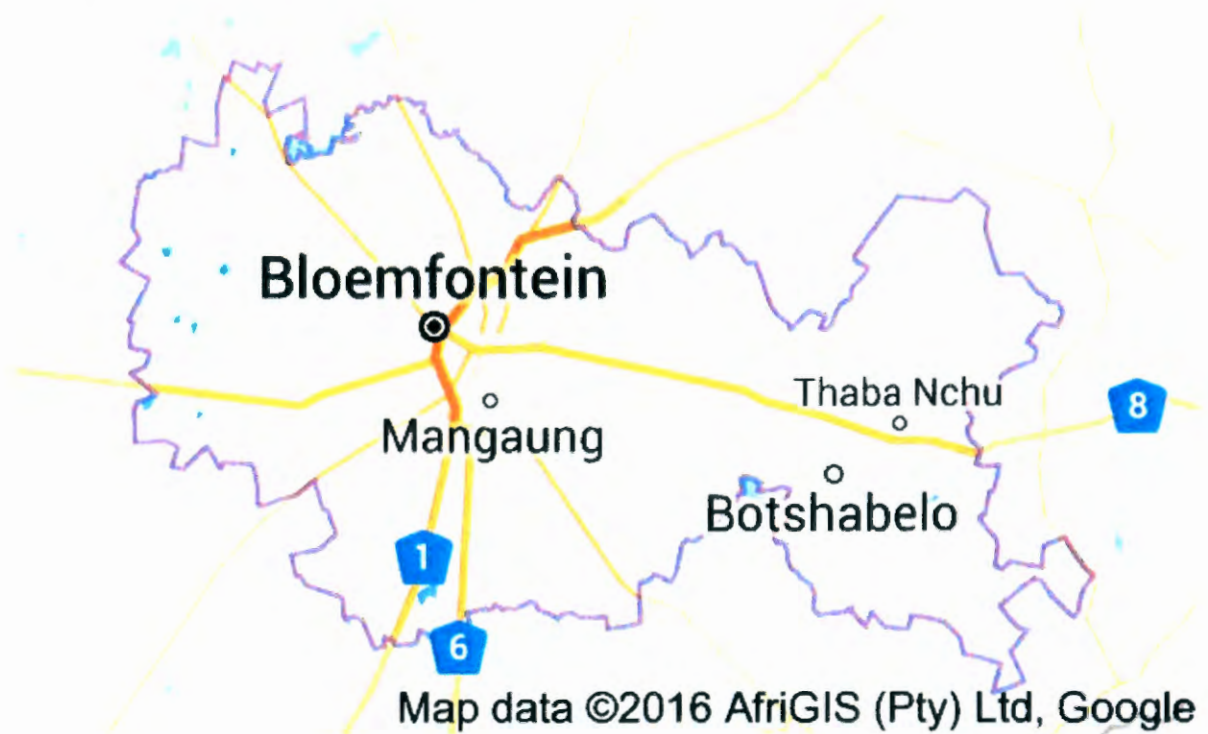
1.1 General Background Information

Communities used to be nomadic, moving around to gather and hunt for food. However eventually these communities settled permanently at places to cultivate food sources. These patterns of settlement used to happen randomly, based on security, water or a food source, but later the settlement patterns became increasingly more specialised (Forbes, 2011:3). Spatial planning is to create spatial order by deliberately arranging and managing geographical surfaces. Town and regional planning constitute the science of how spatial order is obtained and the tools utilised to achieve order in urban and regional areas (Forbes, 2011:2). British educated planners were brought to South Africa after the Second World War to introduce formal town planning controls (Forbes, 2011:4). This 'old British System of Planning' was based on modernistic planning implying that it was a strong physical planning approach based on the governments' view (top-down approach) of the manner in which spatial development will take place with high levels of influence on social patterns (Forbes, 2011:2) (apartheid planning – segregation based on race). This type of planning was not holistic and did not comprehensively consider the influence and integration of social, economic, environmental and cultural aspects (Forbes, 2011: 2). A sustainable development approach to town and regional planning which would consider economic and social development aspects while conserving the environment and which are driven from a human centred approach was needed to rectify the inequalities caused by apartheid's planning. The principles of sustainable development is imbedded into the Constitution of the Republic of South Africa Act 108 of 1996 (South Africa, 1996). The Constitution provides a legal framework for municipalities to ensure that development-orientated planning objectives are obtained in terms of Section 152 and 153 (Forbes, 2011:2).

Outdoor advertising is defined as the act of transferring information visually or audibly at a public outdoor space (South Africa. Department of Environmental Affairs, 2011:xii). The Constitution of the Republic of South Africa , Act 109 of 1996, Part B of Schedule 4 and 5 (South Africa, 1996) provide municipalities with the responsibility of managing the display of billboards and other outdoor advertising signs which are visible from public spaces within their demarcated areas. The South African Manual for Outdoor Advertising Control (SAMOAC) (South Africa. Department of Environmental Affairs, 1998c & 2011) was a guideline document developed by the Department of Environmental Affairs to assist municipalities with the drafting of policies and bylaws to regulate outdoor advertising in their municipal areas. SAMOAC emphasised that both environmental management principles and land use planning and control practices play important roles in the management of outdoor advertising. The visual and traffic impact of outdoor advertising signs can affect the psychological health and safety of an environment. South African schools are lately experiencing devaluation of their educational status by exploitation of outdoor advertising businesses whom are commercialising educational institutions through the erection of outdoor advertising signs (Jordaan, 2001:4). Outdoor advertising signs can change the perceived character of a place even though the land use has not changed. All these aspects can influence the 'spirit of place' and perceived 'sense of place' of an area which could lead to negative behavioural patterns in society. Outdoor Advertising therefore needs to be managed in an integrated and holistic manner to ensure sustainable development, while simultaneously evaluating the commercial aims of advertising.

Mangaung Metro Municipality is situated in the Free State Province and comprises of Bloemfontein, Thaba Nchu, Botshabelo and surrounding rural areas covering 6238 km ² with a population size of 747431 (South African Cities Network, 2015) (see **Map A** for a map of Mangaung Metro Municipality).

Map A: Map of Mangaung Metro Municipality



<https://www.google.co.za/maps/place/Bloemfontein/@29.1458189,25.8464607,9z/data=!3m1!4b1!4m2!3m1!1s0x1e8fcb5c993b97fb:0x8ec5827a1648177c>

One of the development objectives of Mangaung Metro Municipality in the Integrated Development Plan of 2008/2009 is *"...an attractive, clean, green and healthy environment in Mangaung that will serve as the basis for sustainable economic development and enhance the quality of life for present and future generations"* (Mangaung Metro Municipality, 2008:47). An indicator used to determine the objective is the perception of the public in regard to the level of cleanliness and the program related to the strategy for outdoor advertising is to manage outdoor advertising; this is measured through the compliance rate with the Bylaw (Mangaung Metro Municipality, 2008:47-48). The Integrated Development Plan for 2012-2016 (Mangaung Metro Municipality, 2015:1-258) does not include the management of outdoor advertising as a project anymore. The Municipality has an existing Spatial Development Framework.

In terms of the provisions of the Free State Townships Ordinance No 9 of 1969 a Land use Management Scheme (LUMS) was compiled for Mangaung Metro Municipality (Mangaung Metro Municipality, 2013:8). The LUMS is currently a draft document out for public comment but once it is adopted it will replace the Bloemfontein Town Planning Scheme no. 1 of 1954. Mangaung Metro Municipality had the following three different regulations for outdoor advertising due to previous demarcated areas (Free State, 2008):

- The Display of Advertisements Regulations of the former Bloemfontein Transitional Local Municipality, promulgated by Local Government Notice No 363 of 1994.
- The Display of Advertisements Regulations of the former Bainsvlei Municipality, promulgated by Local Government Notice No 34 of 1979.
- The display of Advertisements Regulations of the former Bloemspruit Municipality, promulgated by Local Government Notice No 76 of 1990.

These three regulations were repealed when the Outdoor Advertisement Bylaw was promulgated in 2008 (Free State, 2008:31). The 2008 Bylaw was amended and promulgated on 9 October 2015.

In the Outdoor Advertising Bylaw (Free State, 2008:73-78) there are four categories of control areas (prohibited areas, rural and urban areas of maximum control, urban areas of partial control and urban areas of minimum control). The control areas are supposed to assist authorities with identifying outdoor advertising opportunities and constraints, because it facilitate with the assessment of landscape sensitivity of a place and the potential impact of an outdoor advertising sign (Mangaung Metro Municipality, (n.d):10). The theoretical and conceptual framework pertaining to land use management and outdoor advertising, as well as the South African legislative framework, case law relevant to outdoor advertising and outdoor advertising control practices in other countries will further be discussed in Chapter 2.

1.2 Research problem

There is currently an Outdoor Advertising Policy document and Bylaw, but no official master plan or framework. Outdoor advertising was removed from the Integrated Development Plan of Mangaung Metro Municipality. The control and management of outdoor advertising in Mangaung Metro Municipality appears to be operating in isolation from other higher order plans, frameworks and schemes. Outdoor advertising applications appear to be processed and evaluated on an ad hoc basis according to the the outline in the Mangaung Outdoor Advertising Bylaw. This creates a concern that there is no pro-active planning but only a reactive response to the outdoor advertising industry. Unplanned and unintegrated outdoor advertising development can have a negative impact on the health and safety as well as the character of the city. Land use control procedures and measures are usually applied to encourage and attract positive land use development and discourage unwelcome and negative land use utilisation based on the character and desired or planned land use of an area or erven. Therefore this research study focuses on the influence that land use control and management procedures have on outdoor advertising control and planning in Mangaung Metro Municipality.

1.2.1 Research question

Is outdoor advertising in Mangaung Metro Municipality influenced by land use control measures and procedures?

1.2.2 Aims

- 1.2.2.1 To determine whether land use control and planning procedures are correlated and integrated with outdoor advertising control and management procedures.
- 1.2.2.2 To investigate the impact of outdoor advertising signs on various outdoor advertising landscape types in Mangaung Metro Municipality.
- 1.2.2.3 To assess the administrative approval results of outdoor advertising applications.
- 1.2.2.4 To establish the primary reasons for not approving outdoor advertising applications.
- 1.2.2.5 To make recommendations for improvements of the current status quo.

1.2.3 Objectives

Objectives for 1.2.2.1:

- To establish which land use and outdoor advertising control, planning and management procedures are applied and adopted by Mangaung Metro Council.
- To analyse the relevant applied and adopted land use and outdoor advertising control, planning and management procedures.

Objectives for 1.2.2.2:

- To illustrate (by provide examples of) various outdoor advertising landscape types and the impact of different sign types in Mangaung Metro Municipality.

Objectives for 1.2.2.3:

- To categorise outdoor advertising applications into third party and on-premises signs.
- To determine the administrative approval results of outdoor advertising applications.

Objectives for 1.2.2.4:

- To list the reasons for not approving outdoor advertising signs.
- To categorise the reasons for not approving outdoor advertising signs.
- To establish if different criteria are applied for not approving third party and on-premises signs.

Objectives for 1.2.2.5:

- To propose administrative and personnel improvements to the Outdoor Advertising Unit.

- To recommend possible changes to outdoor advertising management procedures.
- To suggest future solutions to current outdoor advertising problems.

1.3 Methodology

Aims and objectives are set to guide the research study to obtain the relevant information in order to answer the empirical research question. The research study is not of a conceptual nature because the study is not focused on the scientific meaning or scholarship trends nor a new scientific theory of outdoor advertising control (Mouton, 2001:53). The methodology employed to obtain the relevant information is of a descriptive and empirical nature. This qualitative study utilised a mixture of methods to evaluate Mangaung Metro Municipality and the selected outdoor advertising applications as a case study. A literature study was conducted on books, journals and academic research papers to establish the theoretical and conceptual framework of land use management and outdoor advertising control. Legislation pertaining to land use control and outdoor advertising in South Africa and Mangaung Metro Municipality were reviewed to establish a legislative framework for the research study. South African Case law pertaining to outdoor advertising control was examined to determine the legal interpretation and problems arising from outdoor advertising. Existing official policies, frameworks and schemes pertaining to land use management and outdoor advertising control of Mangaung Metro Municipality were scrutinized to determine whether land use management procedures are integrated and correlated with outdoor advertising control practices. An interview was conducted to obtain clarity on procedures and challenges pertaining to outdoor advertising. A case study was conducted and Mangaung Metro Municipality outdoor advertising applications which were randomly sampled and information recorded in checklists.

Information in the checklists were categorised and analysed through the use of tables, charts and the chi-square test. In order to establish the administrative approval results and the primary reasons for not approving outdoor advertising applications, as well as to establish if a significant difference exists between third party and on-premises (first party) signs and the factors that influence approval results. Visual examples of outdoor advertising signs in Mangaung Metro Municipality were provided to illustrate the relationship between landscape sensitivity and the impact of signs. The research methodology and data collected will be explained further in more detail in Chapter 3.

1.4 Analysis

In chapter 4 the analysis based on the methodology defined in Chapter 3 of the official documents of Mangaung Metro Municipality, data gathered from the application forms and observations made by the author on the visual examples of outdoor advertising signs provided to illustrate landscape sensitivity and the impact of outdoor advertising will be described. The results from the analysis of the documents, data and the interview will be stated. Interpretations are made by the author regarding the results of the analysis based on the theoretical and conceptual framework pertaining to land use management and outdoor advertising, as well as the South African legislative framework and case law relevant to outdoor advertising and outdoor advertising control practices in other countries.

1.5 Limitations and significance of research study

This research study of outdoor advertising is done from a regulatory perspective and based on the official documents and data from outdoor advertising applications of Mangaung Metro Municipality.

In Chapter 5 conclusions, recommendations and a list of possible future study areas are made based on the results and interpretation made in Chapter 4. The Author is an employee of the Municipality and due to confidentiality issues and the sensitive nature of information the exact location of the selected case studies and the visual examples provided could not be revealed on a map. Each municipality has its own land use management procedures and outdoor advertising control measures, therefore results, conclusions and recommendations made in this research study cannot be applicable and be generalised to all other municipalities in South Africa. Very few research studies could be found pertaining to the regulatory perspective of local authorities on outdoor advertising in South Africa.

This research study will provide an indication as to whether land use management procedures and outdoor advertising control practices are integrated and correlated, which is important to establish if outdoor advertising is developed and managed in a sustainable manner in Mangaung Metro Municipality. This plays an important role in the psychological health and safety of the community and character of a city. It is the responsibility of a municipality to ensure that outdoor advertising signs and billboards are managed in a manner that embraces sustainable development and do not infringe on the Constitutional rights of people.

Chapter 2: Theoretical, conceptual and legislative framework

In this chapter the underlying theories; planning approaches and relevant concepts of outdoor advertising will be discussed. The legislative framework of the Republic of South Africa, including references applicable to case law will be explored. The concept, sense of a place, will also briefly be explained and outdoor advertising practices in other countries will be elaborated on.

2.1 Theory

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2.1.1 Man and his environment

Economic growth and industrial development by the 1980's were found not to be the solution to development because these strategies neglected the human welfare (psychological, social wellbeing of communities) and focused on economic prosperity by measuring development through the Gross National Product of a country ignoring the Human Development Index. The theory of Modernisation could no longer explain real world complexities because it was too generalised and economically focused (De Wet, 2002a:11). The Modernisation theory focus on competitive capital industrialisation as a solution to development for Developing or Third World countries (De Wet, 2002a:25-26). Webster (1990:192) explains that the diffusion of values and ideas of the Developed or First World countries, which encourage attitudes appropriate for entrepreneurial spirit and the logic of industrialisation, will stimulate development in Third World countries.

Schuurman (1993:10) as highlighted by De Wet (2002b:22-25) explains that the increased awareness regarding the catastrophic effect that economic growth has had on the environment and the realisation that the First World countries and Third World countries are different from each other; therefore a homogenous solution to development will not be suitable; were just some of the reasons why in development theory there was a move away from the Modernisation theory or Growth Centred paradigm towards Human Centred theory or the Alternative paradigm. This *"...alternative paradigm was a more humanitarian approach and placed people and their own definition of their needs central in development planning"* (De Wet, 2002a:18). The alternative approaches are human centred and focus on a decentralised, bottom-up methodology which aim to empower local communities through public participation. Human needs are not just material but there are also metaphysical such as the need for freedom (De Wet, 2002b:1-19).

"Our interests are formed in social interaction through culturally-framed systems of meaning, through which we make sense of our relations with each other and the natural world " (Healey, 1997:65). Carter (1968:538) also emphasise the important role culture plays in the thoughts and actions of people; *"culturally determined psychology of the individual determines his feeling towards his environment, and his perception of the nature of his environment determines his response."* People accept and adopt values and norms from the cultural society they live in. *"Values are embedded in the community institutions such as family structure, religious institutions, educational systems as well as the minds of individuals"* (Low & Walter, 1982:59). Steyn (1998:5) states that *"values [are] of an ideological nature"* and it influences people to deliberate, interpret and behave in different ways. Low and Walter (1982:59) reasons that the more cultural, religious and ethnic diversity exist in a community the less likely it is that the values and norms of the community will be homogenous.

Goudappel (1985:180) refers to a framework of reflection that consists out of an infrastructure (physical appearances of things), a superstructure (principles or functions of organisations) and an ideostructure (ideas (values and norms) that guides human activities). Steyn (1998:7-8) suggest that these three levels of reflection are interwoven and that a person will apply his values and norms to the manner in which organisations function and how urban landscapes materialise.

South Africa is a culturally, religious and ethnically diverse country (rainbow nation) therefore public participation will be a difficult task based on the different values and norms people will have in one community. An acceptable solution to a problem or level of participation might be satisfactory to one cultural, religious group but not for another. Steyn (1998:9) concludes that different social community groups view public participation differently and therefore a system must be developed that will meet each groups needs to their satisfaction.

Arnstein (1971: 2-6) argues that the distribution of power in public participation can be classified into 'a ladder of citizen participation', where on the one end there is no participation but rather education to cure participants concerns and on the other end there is full citizen participation with the power to make decision.

"Participation of the governed in their government is, in theory, the corner-stone of democracy" Arnstein (1971:2). Democratic theory is based on the principle that everyone has an equal right to advance their own needs and that people are the source of public value (Fainstein & Fainstein, 1996:275). *"Democratic planners rely on the public as the ultimate authority in the formulation of plans and take a populist view"* (Fainstein & Fainstein, 1996:269). The majority rules.

The majority voice of a community will define the ideological basis and therefore the end product of development (Pelser & Heunis, 1997:161) (the superstructure and the infrastructure). The change in the manner that people view the environment and the way they relate to it constituted a paradigm shift to the concept of sustainable development. It is a new concept for economic growth that promote democracy and human rights (Pelser & Heunis, 1997:407-421). Sustainability refers to the concept of endurance. *"A sustainable environment...that can exist over generations without the resource base becoming depleted, or pollution reaching such proportions that the natural environment's ability to absorb it is exceeded"* (De Villiers, 2003:157).

2.1.2 Sense of place

In the 1970's Geography Theorists acknowledged that people have emotional associations with places and developed the theory of 'sense of place' (Deutsch, Yoon & Goulias, 2011:1). There is no common definition for 'sense of place' due to the complex and multidimensional nature of the concept (Cross, 2001:1).

Cross (2001:2) highlights the fact that 'sense of place' comprises of two aspects. *"The first aspect, relationship to place, consists of the way that people relate to places, or the type of bonds we have with places. The second aspect, community attachment, consists of the depth and types of attachment to one particular place"* (Cross, 2001:2). The two aspects are therefore psychological and sociological in nature.

Cross (2001:2-12) further elaborates that there are categories within the two aspects (relationship to place and community attachment) namely:

- Relationship to place:
 - Biological relationship – a person's personal history with a place which takes time to develop.
 - Spiritual relationship – an intuitive connection, a strong sense of belonging.
 - Ideological relationship – founded on the values and norms of a person and how they should relate to a place.
 - Narrative relationship – based on stories heard people inherently know a place and how to relate to it.
 - Commodified relationship – a choice a person makes based on an ideal place.
 - Dependent Relationship – a person has no choice about a place.

- Community attachment:
 - Rootedness – cohesive rootedness is the attachment and identification with one community but divided rootedness is the attachment and identification with two communities.
 - Place alienation – a negative association with a place.
 - Relativity – no strong connection with any place due to overexposure of places.
 - Placelessness – lack of an emotional connection to a place.

Relph (2009:26) emphasises the fact that 'sense of place' and 'spirit of place' refer to different concepts even though they are closely related. 'Sense of place' relate to the experience within ourselves (human phenomenon) whereas 'sense of spirit ' refer to characteristics outside ourselves such as unique landscape ambience (inherent natural environment). Holden (2011:107) notes that there is a symbiotic relationship between 'sense of place' and 'spirit of place'. A unique attractive landscape will draw the attention of people and they would frequently interact with the space thereby creating an attachment and strengthening their 'sense of place' (Holden, 2011:106). There are settings that have a very strong 'spirit of place' (such as the Eifel Tower or Naval Hill) these places create similar 'sense of place' experiences for different people (Cross, 2001:13). Holden (2011:97) found during his research at the Gold Coast that the 'spirit of place' remains relatively the same for permanent residents and tourist but the 'sense of place' varies between permanent residents and tourists, this might be due to the fact that residents experienced the change of the area over a long term period and tourist usually only experience and relate to the existing landscape character. The attached meaning to the place eroded for the permanent residents due to physical change over time. Jorgensen & Stedman (2006:317) reiterate this human phenomenon, they found that people of different ages experience places differently and that their experiences and attachments to places change over the course of their lives. There is thus a time variable connected to 'sense of place'.

Holden (2011:98) refers to the writings of Heath in 1991 and Rapoport in 1983 when he mentions the three types of built environment elements which related to the experience and behaviour of people, namely:

- Fixed elements – form markers of a city such as streets and buildings.
- Semi-fixed elements – such as street furniture.
- Unfixed elements – banners and posters.

It is the unfixed elements that create stimulation for people for instance public art can create a strong unique identify for a place strengthening the 'sense of place' experience (Holden, 2011, 99-100). Deutsch, Yoon and Goulias (2011:8) discuss the imageability definition of Kevin Lynch (*Image of the city*), which include physical cues that "... contribute to a meaning that is first interpreted and then attributed to a place." Skjoeveland (2001), Jorgensen and Stedman (2006) state that the characteristic of the physical environment and individual objectives influence directly the 'sense of place' and indirectly the symbolic meaning assigned to a place. Physical cues or objects such as billboards can ruin the whole character of a street or landscape, if its design is appalling to the spectator or if it is placed incorrectly; therefore negatively impacting on the streetscape (Jacobs, 1961:383).

Jorgensen & Stedman (2006:316-317) explains that 'sense of place' is a multidimensional concept that comprises of cognitive (e.g. beliefs – place identity), affective (e.g. emotions – place attachment) and conative (e.g. commitments – place dependence) domains that must be explored if linkages between 'sense of place' and certain human behaviour are to be explained.

'Sense of place' is one of the elements that contribute to a sustainable and healthy city, the World Health Organisation set eleven parameters to strive for of which four relates to 'sense of place', namely: high quality environments, sustainable ecosystems, access to wide variety of experiences, connections with the past and city form (Holden, 2011:93). "*Placelessness corresponds to what is general and mass-produced...uniformity dominates*" (Relph, 2009:25). If people do not ascribe a 'sense of place' to a space and therefore feel no attachment to it; but feel displacement, it could lead to negative human behavioural patterns such as vandalism and other crime (South Africa. Department of Environmental Affairs, 2011). The change of the symbolic meaning assigned to place plays a larger role than functional change in behavioural or social patterns (Skjoeveland, 2001:131).

"The main elements of sense of place will play an important role in the design of sign structures" (South Africa. Department of Environmental Affairs, 2011: 193). A limited amount of attractive well-designed outdoor advertising structures with limited information displayed will attract more attention and will contribute to the enhancement of the perceptual environment compared to the opposite; excessive unattractive neglected structures with an overload of information displayed (South Africa. Department of Environmental Affairs, 2011:7). Authorities should be cautious not to over-exploit the aesthetic environment for the purpose of income generation through outdoor advertising, because other sources of income based on the perceptual environment such as tourism can be damaged (South Africa. Department of Environmental Affairs, 2011:7-8).

The psychological health and wellbeing of a community is influenced by the aesthetic environment (City of Cape Town, 2013:4), it has an impact on thought patterns of people and behaviour (South Africa. Department of Environmental Affairs, 2011:131). Proliferation of outdoor advertising signs and abandoned or unmaintained signs create an impression of lack of control by authorities which can lead to vandalism and crime (Jordaan, 2001). The overload of information due to proliferation of signs cause visual environmental overstimulation which lead to perceptual stress (Jordaan, 2001).

The constant change of outdoor advertising sign faces destroy the feeling of permanence of a place and the highly globalised advertisement campaigns and sign structures lead to visual uniformity (Jordaan, 2001). All the above mentioned aspects contribute to the placelessness ascribed to a geographical space. Jordaan (2001:2) suggest that this can be mitigated *"by creating places with a high imageability the information load can be reduced through the chunking of stimuli into a reduced number of visual units and by aggregating parts into a recognised pattern."*

2.1.3 Sustainable development

Agenda 21 placed emphasis on local implementation of action plans (Local Agenda 21) for sustainable development. Agenda 21 was accepted by the world, at the Earth summit in 1992 at Rio de Janeiro, as an action plan to address sustainable development (United Nations, 1992: 1-351). Local Agenda 21 or Action 21 is a long-term strategic plan to assist local authorities with sustainable development; the principles embraced are the following (Mangaung Metro Municipality: 2004:1):

- integrated development taking into consideration economic, social and ecological issues;
- multi sectorial involvement;
- future planning;
- acknowledging and managing ecological constraints and limited resources;
- a partnership approach with civil society;
- recognising and understanding that local issues can contribute to global impacts;
- equity and accountability.

2.1.4 Outdoor advertising

Businesses use various forms of advertising to promote their service, product or brand. However, Franch and Albiol (2013: 95-98) states that outdoor advertising is described as the only advertising medium that allows a brand name or product to be assimilated into the physical environment of an observer. Therefore this medium of advertising has a significant influence on consumers because it provides a targeted message in a specific geographical area (Franch, E.B & Albiol, C.B, 2013:95).

"The location of advertising supports is also a significant factor in both the probability and frequency of audience exposure" (Franch, E.B & Albiol, C.B, 2013:100). The gravity model in retailing suggest that consumer are more likely to shop closer to home (Nyarko,Tsetse and Avorgah (2015: 104)). Nyarko et al. (2015:105) refer to several research that suggest that the billboards which are located closer to the retail outlets or businesses advertised are more affective. The efficacy of outdoor advertising depends on the utilisation of the correct visual design (Franch & Albiol, 2013:95). Simplicity is key to outdoor advertising because messages must be understood at a glance (Franch & Albiol, 2013:100). Franch and Albiol (2013: 99) explain that a few design aspects are important such as the use of bright contrasting colours and font / text types which improve legibility and encourage emotions.

Nyarko et al. (2015: 102) indicate that billboards are result-driven ads that can influence the manner in which a product is perceived and the preference of the observer. They discuss the 'Information Processing Model (IPM)' that explain the manner in which consumers' process and respond to advertisements. There are five stages in the model, namely (Nyarko et al.,2015:102):

- Exposure: consumer is exposed to the advertisement
- Comprehension: consumer must assign meaning to the information
- Yielding: consumer must accept or reject the message
- Retention: consumer stores the information and base purchase choices on it
- Action: consumers purchase product.

Selective perception and cluttering of advertising affect the efficiency of outdoor advertising (Nyarko et al., 2015:104). *"To deal with the large volume of advertisements shown, people engage in selective perception, which involves screening out advertisements that are less relevant to them"* (Celsi & Olson, 1988, cited in Nyarko et al., 2015:104).

Nyarko et al. (2015:104) describe that the selective perception comprises out of four stages (selective exposure, selective attention, selective comprehension and selective retention). People limit the advertising they pay attention to based on their norms and values (ideas and attitudes), and during the phase when they really pay attention to an advertisement, selective attention transpires. Selective comprehension transpires when a person tries to comprehend the information based on his/her knowledge base, which is influenced by norms and values. Therefore a person will remember information that they can relate to. This is called selective retention.

Nyarko et al. (2015:105) suggest that both aspects of the gravity model and the manner in which consumer processes information play an important role in the success of a billboard advertisement. The proximity of a billboard to the retail outlet or business influence the success of the displayed advertisement and therefore a billboard can have a geographical advantage to other mediums of advertising, this aspect relate to the gravity model. The high visibility of a billboard delivers an enormous visual impression with the consumer because it can break through the visual clutter due to its sheer size which relates to the selective perception model. Nyarko et al. (2013:105) concludes that the effectiveness of a billboard is based on its location, format and message.

2.2 Legislative framework

2.2.1 Legislation

The Constitution of the Republic of South Africa Act 108 of 1996, is the supreme law of South Africa (Van der Linde, 2006:7). Chapter 2 the Bill of Rights in the Constitution is the cornerstone of democracy and gives every person the right in Section 24 to "*an environment that is not harmful to their health or well-being; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development*" (South Africa, 1996). Chapter 7 of the Constitution elaborate about Local government with its executive and legislative powers. Section 152 and 153 of the Constitution states that local authorities are in control of municipal development processes and planning.

A clear indication of the purpose that the Integrated Development Plan (IDP) of a municipality must fulfil is provided in the Constitution (Mangaung Metro Municipality, 2015:6). Chapter 7 Section 152 states the objectives of a municipality as the following (South Africa, 1996):

- to provide democratic and accountable government for local communities;
- to ensure the provision of services to communities in a sustainable manner;
- to promote social and economic development;
- to promote a safe and healthy environment; and
- to encourage the involvement of communities and community organisations in the matters of local government.

The underlying principles of sustainable development as discussed in Local Agenda 21 are captured in the above mentioned objectives. The Constitution further states that Local government is responsible for matters pertaining to municipal planning and functions such as the display of advertisements including billboards in public places (Part B of Schedule 4 and 5) (South Africa, 1996). Local agenda 21 was institutionalised and conceptualised when the White Paper on Local Government was formalised, it shifted municipalities' attention to public participation in order to find sustainable development solutions to local issues with global impacts, promote equity, justice and accountability as well as a holistic and integrated approach to solve social, environmental and economic problems (Raunch, 2002:1-2). It encourages a decentralised view to govern with a bottom-up approach. To realise the vision of government in the White Paper legislation, had to be enacted. One of these legislative frameworks was the Municipal Systems Act 32 of 2000.

The Municipal Systems Act 32 of 2000 (MSA) (South Africa, 2000) specifies the minimum content of the Integrated Development Plan, the core components are listed in Section 26 as the following:

- vision for long term development;
- assessment of the current level of development;
- development priorities and objectives for council;
- development strategies must be aligned with sectoral plans of other spheres of government;
- spatial development framework - with provisions for basic guidelines for land use management systems;
- operational strategies;
- disaster management plans;
- financial plan and
- set key performance indicators and targets (for evaluation and monitoring).

The Municipal Systems Act (Act 32 of 2000) furthermore legislates the Integrated Development Plan and therefore it supersedes all other local authority development plans (Department of Provincial and Local Government, Gtz & CSIR, 2002:1). South Africa's reaction to Local Agenda 21 was the Integrated Development Plan, which embrace the sustainable development principles and participatory approaches (United Nations Development Programme: South Africa, 2002:1). *"The IDP process is meant to arrive at decisions on issues such as municipal budgets, land management, promotion of local economic development and institutional transformation in a consultive, systematic and strategic manner"* (Department of Provincial and Local Government et al., 2002:1). It is a five year strategic development plan.

The integrated development plan has a consultative process whereby various issues are identified and analysed through public and institutional participation. Strategies are devised to address the issues identified in long term and mid-term planning by setting objectives and targets to be met. Plans are put into action by identified projects, which are monitored and evaluated. The Integrated Development Plan undergoes extensive public participation before it is adopted by council and it is reviewed to ascertain if the objectives and targets were met by the projects implemented (Department of Provincial and Local Government et al., 2002:1-3).

Once the Integrated Development Plan of a Municipality is adopted by council; the Spatial Development Framework (SDF) obtains statutory power. The Spatial Development Framework is a sector plan and provide guidance to future land use development and management (Mangaung Metro Municipality, 2008:52). The Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) (South Africa, 2013) provides the guidelines on the preparation and content of a Spatial Development Framework and Land Use Management Scheme of a municipality. A municipality must adopt one land use scheme for the whole demarcated area in terms of Chapter 5 Section 24 of the Spatial Planning and Land Use Management Act 16 of 2013.

Section 24 further states that the Land Use Management Scheme (LUMS) gives effect to the Spatial Development Framework and Integrated Development Plan. Section 24 - 25 indicate that the Land use Management Scheme determine the use and development of land through establishing categories of land use zones (South Africa, 2013).

There are two underlying principles to land use management namely (South Africa. Department of Agricultural and Land Affairs, 2001:14):

- prevention of undesired land development (zoning);
- encouragement of desired land development (development parameters).

The White Paper on Spatial Planning and Land Use Management (South Africa. Department of Agricultural and Land Affairs, 2001: 14) point out that the resistance to uncontrolled development is motivated by the following concerns:

- environmental;
- health and safety;
- social control;
- efficient infrastructure provision and traffic management;
- determination of property values and
- aesthetics.

Relevant legislations amongst others that must also be taken into consideration when dealing with outdoor advertising are the National Building Regulations and Building Standards Act no 103 of 1977, National Environmental Management Act 107 of 1998, National Heritage Act 25 of 1999, National Roads Act 7 of 1998 and the Advertising on Roads and Ribbon Development Act 21 of 1940.

The National Building Regulations and Building Standards Act no 103 of 1977 (South Africa, 1977) must be taken into consideration when obtaining approval for outdoor advertising structures such as billboards and attachments to buildings.

The National Environmental Management Act 107 of 1998 (South Africa, 1998a) must be adhered to when a billboard larger than 18m² is constructed outside an urban, industrial or mining area because it is a listed activity under the Environmental Impact Assessment regulations promulgated on 18 June 2010. The South African Manual for Outdoor Advertising Control (SAMOAC) was released in 1998 by the Department of Environmental Affairs to provide a guideline document for local authorities to develop bylaws regulating outdoor advertising (South Africa, 1998c). According to Davidson (2001) the SAMOAC guideline document and newer policies and bylaws based on it demonstrated a more deregulatory approach based on categories of various sensitive landscapes resulting in different levels of control areas.

The National Heritage Act 25 of 1999 (South Africa, 1999) must be adhered to when an outdoor advertising structure are considered in heritage areas as created in the SDF / LUMS and monuments or memorials. A heritage impact assessment forms part of an environmental impact assessment.

Section 50 of the National Roads Act 7 of 1998 (South Africa, 1998b); governs the display of outdoor advertising which is on or visible from national roads. In Government Gazette no: 21924 of 22 December 2000 Regulations on Advertising on or Visible from National Roads was promulgated. According to Osrin (2001) the Regulations opened up new opportunities to advertise on or near national roads for the advertising industry and provided the South African National Roads Agency Limited (SANRAL) with the authority to regulate outdoor advertising and protect the environment by differentiating between various landscape sensitive types.

Dual authorisation exists where an outdoor advertising sign falls within the ambit of both a municipality with a bylaw and SANRAL (both authorities must approve the sign, usually the municipality will approve on condition that SANRAL also approves it.). The Advertising on Roads and Ribbon Development Act 21 of 1940 (South Africa, 1940) governs outdoor advertising on roads defined as a public road excluding national roads.

2.2.2 South African Manual for Outdoor Advertising Control (SAMOAC)

SAMOAC was developed by the Department of Environmental Affairs and Tourism in cooperation with the Department of Transport in 1998, it is a guideline document for Local Authorities to draft policy documents as well as bylaws to regulate outdoor advertising (South Africa. Department of Environmental Affairs, 2011).

The 1998 SAMOAC guideline document identifies types of outdoor advertising signs and control areas based on landscape type and sensitivity. In SAMOAC (South Africa. Department of Environmental Affairs, 1998c:43) three types of landscapes are identified using the criteria of landscape sensitivity. The landscape types are rural, natural and urban. The ability of a landscape to absorb a visual impact from an outdoor advertising sign depends on the type of sign and the type of landscape, hence the creation of areas of control to guide outdoor advertising development. SAMOAC (South Africa. Department of Environmental Affairs, 1998c:44) categorises three types of control areas, namely: Maximum control areas, Minimum control areas and Partial control areas. The 1998 edition of the SAMOAC document focused on individual signs, whereas the revised 2010 edition emphasises a more holistic and integrated approach to outdoor advertising control by focussing on cumulative impacts of signs (South Africa. Department of Environmental Affairs, 2011). The 2010 SAMOAC guideline document encourage sustainable planning and management of outdoor advertising through the development of Outdoor Advertising Master Plans (OAMP) for Local Authorities (South Africa. Department of Environmental Affairs, 2011).

“OAMP’s should also be incorporated into higher order plans, policies and strategies such as master plans for the perceptual environment, IDP’s, SDF’s and LUMS (South Africa. Department of Environmental Affairs, 2011:195).” SAMOAC (South Africa. Department of Environmental Affairs, 2011:185) highlights the fact that environmental management as well as land use planning and control both play important roles in the management of outdoor advertising. The Department of Environmental Affairs and Tourism (South Africa, 2011:188) identified that one of the biggest problems experienced in outdoor advertising management is the poor integration and coordination of outdoor advertising management with land use planning and control as well as environmental and other development initiatives.

2.2.3 Mangaung Outdoor Advertising Policy and Bylaw

The Outdoor Advertising Control Policy of Mangaung Metro Municipality is based on principles that take into consideration the Constitution of South Africa, democratic rights of citizens and the importance of protecting the man-made and natural environment from negative impacts of outdoor advertising while still providing development opportunities for outdoor advertising in order to promote economic development (Mangaung Metro Municipality,(n.d):7). Therefore embracing the concept of sustainable development. The purpose of the Policy is to provide a guideline to manage and regulate outdoor advertising and to uniformly assess applications and to promote outdoor advertising opportunities (Mangaung Metro Municipality, (n.d):8-9).

The purpose of the Bylaw is to provide the Municipality with a guideline as to how the local authority should exercise its powers to regulate and promote outdoor advertising in its’ demarcated area. Outdoor advertising signs should not constitute a danger to members of the public or become a nuisance in terms of light pollution or spoil the aesthetics of a place (Free State, 2008: 9).

Outdoor Advertising signs are regulated and assessed based on the type of sign and the impact of the sign on the landscape. The Mangaung Outdoor Advertisement Bylaw classified outdoor advertisements into five classes. The five classes comprise out of the following (Free State, 2008:11 & 2015:17).

- Class1: billboards and freestanding high impact signs
- Class 2: posters and general signs
- Class 3: on-premises signs and signs on structures and buildings
- Class 4: signs for tourists
- Class 5: mobile signs

The Mangaung Outdoor Advertisement Bylaw (Free State, 2008:11) further categorise the signs into thirty- six schedules under the five classes mentioned above (see **Addendum A**), the amended 2015 version of the Bylaw have thirty-seven sign schedules, new sign schedules such as electronic signs were added under the billboard class (Free State, 2015).

In order to determine the proposed impact of a sign on the landscape; areas of control were defined. *“Areas of control means an area in which a degree of control is applied in accordance with the visual sensitivity of the area, the degree of landscape sensitivity of the area, and the traffic safety conditions within the area* (Free State, 2008:4).” The sensitivity of the landscape depend on what the landscape is utilised for; rural or natural areas will be more sensitive than urban areas. Four categories of areas of control are stated in the Outdoor Advertisement Bylaw (Free State, 2008: 73-78), namely:

- Prohibited areas: areas in which no advertising of a commercial nature is allowed for example: Seven Dam Conservancy and President Brand Street.

- Rural and urban areas of maximum control: rural landscapes are the areas of transition between the unspoiled nature and the developed urban area for example small-holdings, urban conservation zones and nature reserves. Urban areas of maximum control are developed landscapes such as low and medium density residential areas, public open spaces and national monuments. Signs of a temporary nature or conveying an essential message are allowed.
- Urban areas of partial control: medium density developed urban landscapes for example residential areas in transition with commercial encroachment such as office and shop developments, shopping centres, educational and sport facilities. Restrictions apply to signs on street corners and no high impact free standing signs.
- Urban areas of minimum control: high density developed urban areas such as industrial development, central business and office precincts, public transport nodes and entertainment districts. High impact signs are allowed with restrictions applied to street corners.

The control areas assist with the evaluation of a proposed sign because it facilitate the process of establishing the potential interaction between the degree of the sign impact versus the degree of the sensitivity of the landscape, thereby highlighting advertising opportunities and constraints (Mangaung Metro Municipality,(n.d): 10).

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2.3 Case law in South Africa pertaining to legality and rights

The validity of new legislation or bylaws and the interpretation thereof are often tested in the courts. Davidson (2001) in his conference paper for the Outdoor Association of South Africa named 'Outdoor advertising: A view from the industry', highlighted that it is in the nature of the outdoor advertising business that there will always be agencies erecting and renting out illegal outdoor advertising structures. This is illustrated in the various court cases regarding outdoor advertising related issues in South Africa.

2.3.1 City of Cape Town versus Ad Outpost

There was a court case between the City of Cape Town the applicant and the respondent Ad Outpost (Pty) Ltd (*City of Cape Town v Ad Outpost (Pty) Ltd and other* 2000 (2) SA 733 (C)) regarding illegal billboards that were erected and which contravened the Cape Town Bylaw 1959 of 1966 regulation for outdoor advertising. Judge Davis. J held that the bylaw was invalid because it imposed a blanket prohibition on third party advertising instead of regulating it. The Judge ordered the City of Cape Town to amend the bylaw because it was in violation of the Constitution of South Africa.

2.3.2 North and South Central Councils versus Roundabout Outdoor

A court case between North Central Council and South Central Council the applicant versus the respondent Roundabout Outdoor (Pty) Ltd (*North Central Council & South Central Council v Roundabout Outdoor (Pty) Ltd* 2002 (2) SA 625 (D)).

Roundabout Outdoor (Pty) Ltd erected a billboard at a school Sunfield Place Durban North for which they had not obtained approval from the Municipality and the Durban North Ratespayers Association complained that the billboard caused a negative visual impact in the residential area and that the light emanating from the structure changes the character of the area and influences the value of the properties. The outdoor advertising structure also poses a danger to road users due to the visual distraction on the road with a history of high accidents. The respondent opposed the application based on the infringement of their Constitutional right to freedom of expression to receive or impart ideas and information. Judge Kondile. J looked at the outcome of the above mentioned court case between *Cape Town City v Ad Outpost (Pty) Ltd and Others* 2000 (2) SA 733 (C) and found that the bylaw of this municipality did not completely prohibit the freedom of commercial speech as in the case of Cape Town City. And held that this bylaw did not seek to regulate the nature of the information but the location of the billboard and that freedom of commercial speech was entitled to lesser protection because it carries a peripheral value than other core values in the Bill of Rights, such as the right to a safe and healthy environment.

The Court (*North Central Council & South Central Council v Roundabout Outdoor (Pty) Ltd* 2002 (2) SA 625 (D)) upheld the argument *"that the government concern for traffic safety and to improve and maintain the aesthetic value of the city constituted substantial and pressing interest"* as in the Canadian court case between *Ramsden v Corporation of the City of Peterborough* (1992) 7 CRR288 that is cited in the judgement of the *North Central Council & South Central Council v Roundabout Outdoor (Pty) Ltd* 2002 (2) SA 625 (D):

The measures adopted by the applicant are designed to achieve the objective of traffic safety by eliminating hazards to pedestrians and motorists; hazards created by distracting signs and to improve and preserve the appearance of the city as 'pollution is not limited to the air we breathe and the water we drink; it can equally offend the eye'. The applicant has, in the circumstances asserted a substantial interest to be achieved by regulation of the location of the billboards.

Osrin (2001) in her conference paper named, 'An overview of the legal aspects of outdoor advertising', at the 20th South African Transport Conference emphasised the fact that *"an authority must always first obtain a court order prior to entering upon any person's property and prior to removing a structure or advertisement that belongs to someone else."* This prolongs the period for an authority to act upon illegal outdoor advertising structures, some which may pose as serious danger to road traffic safety.

2.3.3 City of Cape Town versus Independent Outdoor Media

In 2009 the City of Cape Town issued a press release indicating that they had applied to the Cape High Court to seek relief for nine illegally erected billboards by Independent Outdoor Media which were in contravention of the Outdoor Advertising and Signage Bylaw, the Road Ordinance 19 of 1976 and the National Building Regulations and Building Standards Act 103 of 1977 (City of Cape Town, 2009). The City of Cape Town (City of Cape Town, 2009) alluded to the fact that *"if left unchecked, the proliferation of such [illegal] signs is thus inevitable and the consequence will be the degradation of the aesthetics of our environment."* Davidson (2001) emphasised that wealthier municipalities are generally more prohibitive to outdoor advertising signs than poorer municipalities.

In a Supreme Court of Appeal case between *Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013); the validity of the Outdoor Advertising and Signage Bylaw of the City of Cape Town was challenged after the High Court Judge Louw. J found that the Bylaw was valid and the billboards illegal and had to be removed. The Supreme Court of Appeal, Judge Leach. L.E. held that the Bylaw was valid and that the Municipality had the right to regulate outdoor advertising on private property. The argument of the Applicant that the Municipality could only regulate outdoor advertising on public property (zoned) could not be accepted.

The Judge of Appeal; Leach. L.E. stated (*Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) that it is the basic premises that:

an advertisement is a form of communication which takes place between at least two parties; the advertiser and the person whose custom the advertiser seek to attract. Indeed it is for this reason that in order to attract as many potential customers as possible advertising hoardings, billboards and the like are generally situated alongside public places, roads, streets and thoroughfares...[therefore an]... advertisement on private property cannot be said not to be advertising in public where its communication is directed at and received by people frequenting public places.

Permission must be obtained from the local authority to display a sign directed towards a public space, in effect permission to utilise the “air rights” for communication must be obtained. Such are the situations where the space of a bridge is rented or sold across a public road to a private entity (pedestrian bridges between shopping centres i.e. Bloemplaza pedestrian bridge crossing Charles Street in Bloemfontein or Tsepong Bridge at the University of the Free State crossing DF Malherbe Street).

The Judge of Appeal; Leach. L.E. (*Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) further held that the differentiation of first and third party advertising does not intrude on a constitutional right and it was provided that there is a rational and legitimate purpose for distinction, therefore it does not render the Bylaw invalid. It was highlighted by the Judge of Appeal that the two most important aspects of regulating outdoor signage is the prevention of visual pollution and the promotion of road safety.

The City of Cape Town argued (*Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) that to prevent an owner to display on-premises (first party) signage on his property is more limiting than preventing third party advertising on the same property because third party advertising contributes more to visual pollution and unsafe traffic conditions, especially near traffic lights and other potentially dangerous road situations (sharp road bends) than on premises (first party) advertising. The Judge of Appeal; Leach. L.E. (*Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) emphasised that “*signs do create visual pollution..., whether proven scientifically or not, the potential of advertising signage to distract a drivers attention at an area of a roadway where utmost concentration is required must be a valid consideration to take into account in considering whether signs should be permitted in such situations.*”

2.4 Outdoor advertising control practices in other countries

In Australia, Europe and Japan environmental and planning legislation provides the framework and jurisdictional boundaries for authorities to process and manage outdoor advertising (Daluge, Delong, Hanig, Kalla, Klauer, Klein, Klekar, Mcmillan, Quiroga, Soule, Tracy and Wessinger, 2011:50). This however is not the situation in the United States of America, "...where outdoor advertising control focuses primarily on zoning, spacing and lighting considerations..." (Daluge et al., 2011:52). The integration of environmental and planning legislation with outdoor advertising control procedures provides for easier implementation of regulations and policies pertaining to outdoor advertising practices that are sustainable.

The countries that Daluge et al. (2011:50) investigated revealed that on-premises and third party signs are regulated subject to the same rules and regulation, however in the United States it was noticed that there are issues regarding the regulation of on-premises versus third party advertising signs. This might be due to the lack of integration of environmental and planning legislation in outdoor advertising control practices. In Australia the level of regulation of on-premises and third party signs are the same but the level of evaluation during the application process for third party signs are more strict and comprehensive than for on-premises signs (Daluge et al., 2011:11-13).

The guidelines and requirements for submitting outdoor advertising applications and the review process followed by the authorities for the applications in the countries investigated by Daluge et al. (2011:11-52) provides the foundation for best practices in outdoor advertising control procedures, namely:

- In Australia:
 - A design assessment criteria is followed based on macro scale planning principles, sign clutter controls, structural and site –specific criteria. There needs to be compatibility between land use characteristics and the proposed sign, it must be placed in the context of the surrounding built structures and the desired visual character of the area.
 - Comprehensive information is required for an outdoor advertising sign application. It must provide information regarding surrounding land use and trends in land use changes as well as a photomontage of critical view points from the perspective of road users.
 - A public benefit test is conducted to determine the social benefit that a community can derive from a proposed sign, this can be a monetary or other kind of contribution. The proposed sign is advertised in a newspaper and public comments and discussions are facilitated to determine the public benefit.
 - Safety assessment matrix is utilised during the evaluation of a sign application which will assist in determining the relationship of a sign and the road environment. The danger that a sign poses for traffic safety depends on the size, location, illumination and distance from an intersection and road.

- Advertising Management Plans (AMPs) are implemented to reduce uncoordinated proliferation of signs, increase the effectiveness of a limited number of signs to enhance the aesthetics of an area and boost trade and economic growth. The AMPs provide a structure for controlling and managing outdoor advertising practices. It provides parameters against which signs are evaluated that consider all environmental aspects and existing and future advertising opportunities.
 - There is effective discussions between authorities and advertising associations that facilitate better compliance rates to regulations.
 - Property owners in the vicinity of a proposed high impact signs must be notified.
 - To promote the enhancement of the visual environment, outdoor advertising signs are utilised to screen unsightly landscape features such as industrial sites and infrastructure for instance power lines.
- Japan:
 - Communities are involved in their local landscape control plans for outdoor advertising through an outdoor advertising management control council.

Other countries demonstrated the following similarities and problems pertaining to outdoor advertising control practices in South Africa and specifically Mangaung Metro Municipality:

- The countries investigated by Daluge et al. (2011:22) mostly had control zones or areas pertaining to outdoor advertising management, similar to the control areas referred to in the SAMOAC document and Bylaw of Mangaung Metro Municipality. However some countries are stricter, (Daluge et al., 2011:32-43) in Denmark no signs are permitted on open land and rural areas and Finland prohibits advertising signs in areas with no city plans, but Scotland do not allow third party signs on public roads (Daluge et al., 2011:32-43).
- The majority of the countries regulate sign structures but not always the content or message of the outdoor advertising (Daluge et al., 2011:51), but in South Africa and in Mangaung Metro Municipality the content of the message is also regulated (text size and amount and decency aspects).
- The development of comprehensive outdoor advertising inventories were different between countries and some were not very comprehensive (Daluge et al., 2011:50), although most local authorities were mandated with the permitting of outdoor advertising signs. In South Africa the permitting or approval of outdoor advertising structures are also with local authorities and the inventory of outdoor advertising structures will differ between local authorities. It is important to have a comprehensive inventory in order to know the current status quo that must be manage and future opportunities that can be utilised.
- In South Africa and in the majority of countries investigated by Daluge et al. (2011:53) outdoor advertising signs that resembles traffic signs and signals in colour and form and which block traffic signs or cause directional confusion are prohibited.

- Daluge et al. (2011:11) found in Australia that the outdoor advertising industry felt “...that the evidence is inconclusive that billboards contribute to crashes or cause driver distraction.” Yet all authorities investigated evaluate and regulate high impact signs based on the visual impact and traffic safety concerns (Daluge et al., 2015:54). The SAMOAC document in South Africa and the Outdoor Advertising Bylaw of Mangaung Metro Municipality are both concerned with traffic safety aspects relating to outdoor advertising signs.

2.5 Summary of theoretical, conceptual and legislative framework

A paradigm shift took place from the Growth Centred paradigm focused only on economic development to the Alternative paradigm. The focus of theories shifted to a more human centred approach. Man and his environment became the focal point to a more environmentally aware approach to economic development, namely sustainable development. It is a people centred approach that emphasis public participation. Public participation is a very important aspect of democratic planning which forms a corner stone to sustainable development. Local Agenda 21 is an action plan for sustainable development. The underlying principles of sustainable development are captured in the objectives set for municipalities as stated in Chapter 7 Section 152 of the Constitution. The IDP is a strategic development plan for municipalities based on sustainable development objectives. The Spatial Development Framework (SDF) is a sector plan of the IDP for future spatial development, and the Land Use Management Scheme (LUMS) gives effect to the SDF. The LUMS provide land use development parameters and zoning for current land use and permitted future land use development. Land use plays an important role in the character of a place and the perceived ‘sense of place’ by people.

A psychologically healthy, clean and safe environment are objectives that are important to sustainable development. The visual environment can have negative or positive consequences on the behaviour patterns of society, therefore the management of outdoor advertising in municipal areas in a sustainable development manner is very important in order to ensure a psychologically healthy and safe environment. Case law in South Africa pertaining to outdoor advertising provide legal interpretations of constitutional rights, legal obligations of local authorities and the disparity between on-premises and third party advertising. Outdoor advertising control practices in other countries can provide guidelines for best practices.

2.4 Outdoor advertising control practices in other countries

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The countries that Daluge et al. (2011:50) investigated revealed that on-premises and third party signs are regulated subject to the same rules and regulation, however in the United States it was noticed that there are issues regarding the regulation of on-premises versus third party advertising signs. This might be due to the lack of integration of environmental and planning legislation in outdoor advertising control practices. In Australia the level of regulation of on-premises and third party signs are the same but the level of evaluation during the application process for third party signs are more strict and comprehensive than for on-premises signs (Daluge et al., 2011:11-13).

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 - A public benefit test is conducted to determine the social benefit that a community can derive from a proposed sign, this can be a monetary or other kind of contribution. The proposed sign is advertised in a newspaper and public comments and discussions are facilitated to determine the public benefit.
 - Safety assessment matrix is utilised during the evaluation of a sign application which will assist in determining the relationship of a sign and the road environment. The danger that a sign poses for traffic safety depends on the size, location, illumination and distance from an intersection and road.

- Advertising Management Plans (AMPs) are implemented to reduce uncoordinated proliferation of signs, increase the effectiveness of a limited number of signs to enhance the aesthetics of an area and boost trade and economic growth. The AMPs provide a structure for controlling and managing outdoor advertising practices. It provides parameters against which signs are evaluated that consider all environmental aspects and existing and future advertising opportunities.
 - There is effective discussions between authorities and advertising associations that facilitate better compliance rates to regulations.
 - Property owners in the vicinity of a proposed high impact signs must be notified.
 - To promote the enhancement of the visual environment, outdoor advertising signs are utilised to screen unsightly landscape features such as industrial sites and infrastructure for instance power lines.
- Japan:
 - Communities are involved in their local landscape control plans for outdoor advertising through an outdoor advertising management control council.

Other countries demonstrated the following similarities and problems pertaining to outdoor advertising control practices in South Africa and specifically Mangaung Metro Municipality:

- The countries investigated by Daluge et al. (2011:22) mostly had control zones or areas pertaining to outdoor advertising management, similar to the control areas referred to in the SAMOAC document and Bylaw of Mangaung Metro Municipality. However some countries are stricter, (Daluge et al., 2011:32-43) in Denmark no signs are permitted on open land and rural areas and Finland prohibits advertising signs in areas with no city plans, but Scotland do not allow third party signs on public roads (Daluge et al., 2011:32-43).
- The majority of the countries regulate sign structures but not always the content or message of the outdoor advertising (Daluge et al., 2011:51), but in South Africa and in Mangaung Metro Municipality the content of the message is also regulated (text size and amount and decency aspects).
- The development of comprehensive outdoor advertising inventories were different between countries and some were not very comprehensive (Daluge et al., 2011:50), although most local authorities were mandated with the permitting of outdoor advertising signs. In South Africa the permitting or approval of outdoor advertising structures are also with local authorities and the inventory of outdoor advertising structures will differ between local authorities. It is important to have a comprehensive inventory in order to know the current status quo that must be manage and future opportunities that can be utilised.
- In South Africa and in the majority of countries investigated by Daluge et al. (2011:53) outdoor advertising signs that resembles traffic signs and signals in colour and form and which block traffic signs or cause directional confusion are prohibited.

- Daluge et al. (2011:11) found in Australia that the outdoor advertising industry felt *"...that the evidence is inconclusive that billboards contribute to crashes or cause driver distraction."* Yet all authorities investigated evaluate and regulate high impact signs based on the visual impact and traffic safety concerns (Daluge et al., 2015:54). The SAMOAC document in South Africa and the Outdoor Advertising Bylaw of Mangaung Metro Municipality are both concerned with traffic safety aspects relating to outdoor advertising signs.

2.5 Summary of theoretical, conceptual and legislative framework

A paradigm shift took place from the Growth Centred paradigm focused only on economic development to the Alternative paradigm. The focus of theories shifted to a more human centred approach. Man and his environment became the focal point to a more environmentally aware approach to economic development, namely sustainable development. It is a people centred approach that emphasis public participation. Public participation is a very important aspect of democratic planning which forms a corner stone to sustainable development. Local Agenda 21 is an action plan for sustainable development. The underlying principles of sustainable development are captured in the objectives set for municipalities as stated in Chapter 7 Section 152 of the Constitution. The IDP is a strategic development plan for municipalities based on sustainable development objectives. The Spatial Development Framework (SDF) is a sector plan of the IDP for future spatial development, and the Land Use Management Scheme (LUMS) gives effect to the SDF. The LUMS provide land use development parameters and zoning for current land use and permitted future land use development. Land use plays an important role in the character of a place and the perceived 'sense of place' by people.

A psychologically healthy, clean and safe environment are objectives that are important to sustainable development. The visual environment can have negative or positive consequences on the behaviour patterns of society, therefore the management of outdoor advertising in municipal areas in a sustainable development manner is very important in order to ensure a psychologically healthy and safe environment. Case law in South Africa pertaining to outdoor advertising provide legal interpretations of constitutional rights, legal obligations of local authorities and the disparity between on-premises and third party advertising. Outdoor advertising control practices in other countries can provide guidelines for best practices.

Chapter 3. Research Methodology

Neuman (1997:6) stated that *"science refer to both a system for producing knowledge and the knowledge produced from that system."* Science is grouped in terms of theories which are a systems of interconnected ideas that classify knowledge about the world (Neuman, 1997:7). A researcher review past research and literature to learn more about the topic that is investigated and to obtain an idea about a knowledge gap which exist that will assist in creating a research question (Neuman, 1997:11). The method used to obtain information about past research, theoretical and legislative framework about land use control procedures and outdoor advertising practices will be discussed in this chapter. Neuman (1997:21) highlights that *"...the purpose of...research may be organised into three groups based on what the researcher is trying to accomplish-explore a new topic, describe a social phenomenon, or explain why something occurs."* Descriptive research will be utilised to describe the current status quo regarding land use control procedures and outdoor advertising practices at Mungaung Metro Municipality this will be clarified in the analysis of documents and data. *"Data are the empirical evidence or information that one gathers carefully according to rules and procedures"* (Neuman, 1997:7). In this chapter the type of data and the manner in which it was collected to assist in answering the empirical research question will be elaborated on. Data is analysed to see patterns emerge, which provide meaning to researchers to interpret the data (Neuman, 1997:12). The methods used to analyse the information obtained are explained and the advantages and disadvantages of the methods as well as the constraints experiences by the author; are discussed.

3.1 Literature review

Information about a topic is gathered to provide a body of knowledge and reveal information gaps out of which research problems and questions emerge. An internet and library search was conducted to obtain literature and legislation about land use control practices and outdoor advertising practice. South African case law relevant to outdoor advertising was also consulted. Official documents such as the Outdoor Advertising Policy and Bylaw, the Spatial Development Framework and Integrated Development Plan etc. were gathered from the Mangaung Metro Municipality for analysis.

The following constraints were experienced during the literature and legislation review:

- shortage of literature regarding the control of outdoor advertising in South Africa from a regulatory perspective;
- draft documents influencing the control of outdoor advertising are not official until published in the government gazette; therefore the information in the draft documents can change throughout the different consultation processes.

3.2 Analysis of regulatory documents

Descriptive research was applied because the content of documents were analysed, to describe the current status quo at Mangaung Metro Municipality. The analysis of words is a qualitative data research technique that enhances key aspects more clearly (Neuman, 1997:17). Qualitative research is more subjective whereas quantitative research is more objective.

The 21 November 2008 and amended 9 October 2015 Outdoor Advertising Policy and Bylaw of Mangaung Metro Municipality as well as related forms were analysed to determine if references are made to the Spatial Development Framework, the Bloemfontein Town Planning Scheme, the draft Mangaung Land Use Management Scheme and *visa versa*. The references between the above mentioned documents were then compared to determine whether they are correlated or contradictory in nature.

3.3 Interview

Qualitative data were further collected through an interview that was conducted with an official. An interview can provide information that is not captured on paper, therefore giving a glimpse into everyday procedures or practices and problems experienced. Closed ended questions are easier to answer for a respondent, although open ended questions encourage the respondent to elaborate, which could provide ideas and information the interviewer would not otherwise have considered (Neuman, 2000:260). Brennan (1997:66-72) found that open ended questions can be effected by the tone of the question, which may prompt a negative or positive response (but more often a negative response). An interview that contained open ended question was conducted with the Chief Outdoor Advertising Officer in order to determine if an integrated approach was followed when outdoor advertising signs were evaluated, regulated and approved or not approved (because no procedural manual exist) and the challenges experienced with the management of outdoor advertising by the local authority. Only one interview was conducted, because the Outdoor Advertising Unit only consisted out of two official staff members at the time of the interview, the most senior was interviewed. This provide a limited view.

3.4 Observations

Neuman (1997:7) states that “*empirical evidence refers to observations that people experience through senses.*” Empirical evidence was collected through photographs that were taken within Margaung Metro Municipality during site visits that were conducted to gather visual examples to illustrate the different visual and traffic safety impacts various signs can have on different landscape types. Observations were made about the photographs and interpretation based on the theoretical and conceptual framework as well as legislation, case law and other research studies as discussed in chapter 2. The observation is subjective and will be influenced by the author's cultural, religious, education, values and norms because all these are factors that influence the perceived ‘sense of place’ experience by individuals.

3.5 Collection of case study data

Outdoor advertising applications in Margaung Metro Municipality must be completed on official application forms (see **Addendum B** for outdoor advertising application form) and it must be submitted to the Outdoor Advertising Unit after the application fees have been paid. The submitted outdoor advertising application forms must be registered and are kept on a public register. The applications are registered and file numbers are assigned in the order in which they are received. The author is an employee at the Margaung Metro Municipality and was previously the Chief Advertising Officer; permission to utilise the information on the outdoor advertising application register and files for research and academic purposes were obtained from the General Manager of the Planning Sub-directorate (see **Addendum C** for permission letter).

Outdoor advertising applications used for this study were evaluated and processed under the Mangaung Outdoor Advertisement Bylaw that was promulgated in 2008 because the study was conducted before 9 October 2015. The application register contained 688 applications when applications for the case study were selected. The applications are not registered according to the type of advertisement but according to the date of receipt. Only applications registered on or after 9 October 2015 will be evaluated and processed under the amended Mangaung Outdoor Advertisement Bylaw.

The applications were randomly selected from the application register. *"In a true random process, each element has an equal probability of being selected [and]...lets a researcher statistically calculate the relationship between sample and the population"* (Neuman, 2000:203). A sampling framework was selected; the 688 applications in the application register. Each application was numbered as it was registered in the application register therefore the applications were numbered from 1 to 688. Random numbers were selected from a random numbers table and the corresponding application numbers were selected. A total of a 172 applications were selected however only 49 applications were suitable to use in the case study. Applications could only be used in the case study if the Municipality already made an official decision regarding the outcome of the application. Therefore, applications which were selected that were closed without an official outcome, incomplete or still being evaluated were discarded. Applications for temporary signs such as posters, banners, flags, trailers and project boards (see **Addendum A** for sign schedules and flow chart for the application process) were discarded due to the temporary nature of the signs and the irrelevance of land use control measures in these applications. Auctioneer and estate agent signage applications were also discarded, because these applications receive a once off deemed consent as long as the applicants comply with the bylaw.

3.6 Checklist

A checklist (see **Addendum D** for checklist for application) was formulated by the author and was completed by the author for each of the 49 selected applications. The checklists were completed based on documented information (completed application forms, relevant attached supporting documents, correspondence and reports) in the application files and site visits by the author.

A number from 1 to 49 were assigned to the selected applications and the corresponding checklist. The file numbers of the applications were captured in the checklist to provide an opportunity to refer back to the files if additional information was needed later. The locations of the signs (erf and street number) were recorded in the checklists, in order to determine the control zones according to Schedule 36 of the Mangaung Outdoor Advertising Bylaw (Free State, 1998). The details regarding the sign sizes and types applied for were captured to determine the class and schedule of the sign in regard to the Mangaung Outdoor Advertising Bylaw. Copies of the title deeds and zoning certificates of the applications were attached to the checklists to provide information regarding allowed land uses. The decisions regarding the approvals or non-approvals of the applications were captured on the checklists as well as the reasons stated for not approving the applications.

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3.7 Analysis of case study data

The information captured in the 49 checklists were summarised in a table format to assist analysis of the data (see **Addendum E** for the checklist summary). The data were further categorised and placed into contingency tables with nominal value assigned to the variables.

Nominal data are divided into categories but no one variable can be placed above another, only ordinal data can be ranked (Ebdon, 1976:3). Contingency tables are utilised to explain differences between various groups or categories. Contingency tables were compiled to determine the amount of signs that were approved and not approved overall, and these were listed in categories based on the types of signs (third party and on-premises). This was done in order to ascertain whether certain categories of signs in the selected applications were more prone to not be approved. The reasons for not approving applications were also listed in tables to determine the overall reasons for not approving applications and the primary reasons per sign categories.

3.7.1 Chi-square test

The comparative statistical test that is utilised depends on the scale of measurement of the data and the amount of data sets or categories compared (Ebdon, 1976:50). The non-parametric Mann-Whitney U test and the Student's t-test were considered but the research did not use ordinal nor interval data. A Chi-square test was conducted on a contingency table (**Table 12**) to determine if any significant difference occurs between the different types of sign categories (on-premises and third party) and the primary reasons for not approving applications. A Chi-square test is a non-parametric statistical test (no assumption are made about the frequency distribution of data) that compares observed frequencies to expected frequencies; it is also used to test differences between two or more samples (Williams, 1992). The chi-square test determines if a statistical significant difference occurs between the frequencies or whether the differences that are observed are due to chance or sampling error (Garson, 2008). An alpha level of significance must be selected before conducting the Chi-square test in order to determine the threshold of tolerance for error that is acceptable when results are generalised (Williams, 1992).

The predetermined alpha level of significance that was selected was 0.05 (see **Addendum F**). Therefore, only a 5% probability of random chance is allowed and a 95% confidence rate exists in the outcome. The Yate's correction was applied to the Chi-square test because **Table 12** consists of a two by two contingency table.

Ebdon (1976) and Garson (2008) stated requirements that must be adhered to for the chi-square test to be statistically valid:

- test to be conducted on contingency table.
- sample must be randomly drawn from the population.
- actual counted data and not percentages must be utilised in the contingency table.
- the variables must be independent .
- nominal or ordinal data must be used.
- an adequate sample size in order to ensure that the observed frequencies are not less than 5 in 80% of the cells otherwise the Yate's correction of contingency must be applied.
- the sum of observed frequencies must equal the sum of expected frequencies.
- observations must be grouped.
- normal distribution is assumed.

Williams (1992) and Garson (2008) stated advantages and disadvantages in the utilization of the Chi-square test:

Disadvantages:

- less powerful than a parametric test.
- computer programs such as SPSS can exaggerate the size of the relationship.
- can estimate the probability of only chance that is causing observed differences, however, cannot prove that only chance alone is at work and not other factors.

Advantages:

- easier to compute.
- treat data measured on nominal scales
- does not inflate or minimize provided frequencies.

3.8 Summary of research methodology

Official Margaung Metro Municipality land use control and outdoor advertising related documents were gathered and analysed to determine if any correlation or integration existed between the documents. An interview was conducted with an official to obtain information regarding the application processes and challenges experienced with the management of outdoor advertising. Observations were made through the collection of photographs in Margaung Metro Municipality to illustrate the relationship between landscape sensitivity and the impact of different signs. Data was gathered from randomly selected outdoor advertising applications in the form of checklists. The checklists were summarised and the applications were categorised into third party and on-premises signs. The reasons for not approving the signs in the two categories were listed in tables in order to determine if land use control measures influenced the outcome. A chi-square test was conducted to determine if any significant differences occurred between the categories (on premises and third party signs) based on the primary reasons for not approving applications. A constraint experienced during the research process was the draft municipal documents that change constantly with each revised version.

Chapter 4: Research results and analysis

Relevant policy, bylaw, framework and scheme documents related to outdoor advertising and land use management of Mangaung Metro Municipality were scrutinised to determine if outdoor advertising and land use management practices are integrated and coherent. An interview was conducted with an official to obtain information regarding the application process and challenges experienced with the management of outdoor advertising. Control areas as defined in the Outdoor Advertisement Bylaw of Mangaung Metro Municipality was visually investigated to provide examples to illustrate landscape sensitivity and the impact of signs. Data gathered from randomly selected applications for outdoor advertising signs at Mangaung Metro Municipality were analysed in contingency tables to determine the approval rates of third party and on-premises signs as well as the primary reasons for not approving applications. A Chi-square test was conducted to determine if a significant difference occurred between third party and on-premises signs with regard to the primary reasons for not approving signs. These analysis were conducted to assist the research in order to determine whether land use control measures have an influence on outdoor advertising in Mangaung Metro Municipality.

4.1 Analysis of regulatory documents

The Outdoor Advertising Control Policy and Bylaw, as well as the Bloemfontein Town Planning Scheme and draft Land Use Management Scheme (LUMS) were analysed to determine whether the documents were integrated and correlated.

However the following contradictions were discovered:

- The Mangaung Outdoor Advertising Control Policy (Mangaung Metro Municipality,(n.d):10) indicates that the Town Planning Scheme is consulted during the evaluation process of an outdoor advertising application in order to determine the specific zoning detail of the erf in question. The Policy (Mangaung Metro Municipality,(n.d):20) and the Mangaung Outdoor Advertisement Bylaw Section 16 (e) (Free State, 2008:18 & 2015:26) further state that any sign which is displayed not in accordance to the relevant zoning or approved consent use as per the Town Planning Scheme, is prohibited. However, controversy exist in the 2008 By-law (Free State, 2008:13) because it also states that an outdoor advertising sign which is not appropriate for the zoning of the erf, may be considered for approval based on the merits of the application in terms of the Policy and South African Manual for Outdoor Advertising Control (SAMOAC). This controversial part was removed in the amended version of the Bylaw that was promulgated on 9 October 2015.
- The Bloemfontein Town Planning Scheme, No 1 of 1954, paragraph 18(3)(b)(x) prescribes specific dimensions that are allowed for home industry signs. These dimensions are in contradiction to the allowed specifications for Schedule 25 signs (residential-oriented land use signs) in the Mangaung Outdoor Advertisement Bylaw (Free State, 2008:59). The Bloemfontein Town Planning Scheme makes no further mention of outdoor advertising signs or even of the Bylaw.
- The draft Mangaung Land Use Mangement Scheme (LUMS) (Mangaung Metro Municipality, 2013) under clause 23 (4) indicates that advertising structures are allowed on all use zones subject to the Mangaung Outdoor Advertisement Bylaw. Under clause 21.5 (9) of the draft LUMS specific specifications are set down for outdoor signage for a home enterprise.

These specifications are in contradiction with the allowed dimensions of Schedule 25 signs in the Mangaung Outdoor Advertisement Bylaw of 2008 and the amended 2015 Bylaw (Free State, 2008:59). The same clause 21.5 a for home enterprise under point 4 states that all advertising signs in front of the property must comply with the requirements of the Mangaung Outdoor Advertisement Bylaw (Mangaung Metro Municipality, 2013). The draft LUMS under clause 39 (2) mention further specific provisions for the Westdene area in regard to allowed outdoor advertising signage for office developments. Specific dimensions and allowed positions are stated as well as the fact that no illuminated or painted signs are allowed (Mangaung Metro Municipality, 2013). The draft LUMS further states under clause 39 (2)(9) that all other uses in Westdene are subject to the provisions of the Mangaung Outdoor Advertisement Bylaw.

During the Analysis of the documents, it was established that no outdoor advertising control areas map existed. The 2008 and 2015 Bylaw and Policy both mention outdoor advertising control areas based on the sensitivity of the landscape and the impact of a sign. These land use categories or control zones in the Bylaw and Policy is purely generic and do not refer to the specific Town Planning Scheme of Mangaung Metro Municipality (Mangaung Metro Municipality, (n.d):10).

The analysis of the Mangaung Outdoor Advertisement Bylaw of 2008 and the amended version of 2015 further revealed that both these only focus on ad hoc outdoor signage applications and enforcement of the bylaw. The Lack of integration and co-ordination between the management of outdoor advertisement signs and land use planning and control was identified in the South African Manual for Outdoor Advertising Control (South Africa. Department of Environmental Affairs, 2011:188) as a problem. The manual or guideline document suggests that an Outdoor Advertising Master Plan (OAMP) specific to each municipal area should be developed.

During the compilation and review of an OAMP the existing plans and strategies of other priority documents (IDP, SDF and LUMS) must be taken into consideration (South Africa. Department of Environmental Affairs, 2011:191). The South African Manual for Outdoor Advertising Control (South Africa. Department of Environmental Affairs, 2011:195) highlights the fact that the higher order documents (IDP, SDF and LUMS as well as master plans for perceptual environments) must also incorporate the OAMP. Therefore all relevant plans, strategies and policies as well as master plans should be integrated in order to avoid contradictions and confusion during management, decision making and planning processes.

Summary:

Mangaung Metro Municipality does not have an OAMP. The Outdoor Advertising Policy and Bylaw are not integrated or correlated with the land use control procedures (Bloemfontein Town Planning Scheme or draft LUMS). There is also no mention of the management of outdoor advertising in the IDP of the Municipality as discussed in chapter 2.

4.2 Interview

In the interview with the Chief Outdoor Advertising Officer (2015) (see **Addendum G** for Interview) at Mangaung Metro Municipality the following aspects were discussed:

- **Processing of applications**

It was deduced from the interview that applications are processed on an ad hoc basis. Certain applications had to be submitted with additional information such as a zoning certificate and title deed of a property, engineer certificates for the structure and environmental assessments as well as traffic impact assessment reports (see **Addendum B** for outdoor advertising application form). Only some applications such as billboard applications are circulated for comments to other internal departments. It was explained that all relevant legislation, documents and comments are taken into consideration when an application is processed and the Outdoor Advertising Unit recommend it for approval or non-approval to the Head of the Directorate. This creates a concern that applications may not be processed in a holistic manner taking into consideration the accumulated impact of a collection of ad hoc outdoor applications. It was also presumed that the applications that are circulated for comments are high impact third party signs that require more administrative investigation before an outcome is decided which confirms the argument of Cape Town City in the case law discussed in chapter 2 (*Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) that third party signs create a higher impact than on-premises signs.

- **Primary reasons for administrative results of applications**

It is the opinion of the Chief Outdoor Advertising Officer that the main reasons for not approving outdoor advertising signs are the non-compliance of applications to the allowed sign size and locality as specified in the Bylaw. Applications also are not approved due to the proposed signs that are not allowed in the specific control areas as referred to in the Bylaw and Policy document; the example used by the Chief Outdoor Advertising Officer is a large billboard that is not allowed at a school because the premises are zoned for educational purposes and therefore are classified as an urban area of partial control. Large billboards are only allowed in urban areas of minimum control. The problem experienced at educational institutions with outdoor advertising signs is a problem in South Africa as indicated by case law and Jordaan (2001) as mentioned in chapter 2. It appears that control areas play a large part in the approval of outdoor advertising signs and Mangaung Metro Municipality have control areas defined in the Policy and Bylaw which are purely generic and do not related to the relevant Town Planning Scheme (see 5.1 Analysis of documents).

- **Challenges**

The following challenges were identified by the Chief Outdoor Advertising Officer:

- Presumed challenge for applicants are the non-approval of an application after expensive impact studies were conducted such as traffic and environmental impact studies.

- The processing of applications are hindered by staff shortage and internal problems to receive feedback comments on outdoor advertising applications from various departments. These challenges coincide with the problems identified in the SAMOAC document (South Africa. Department of Environmental Affairs, 2011:188); lack of resources such as manpower and poor coordination between various municipal sections or departments.
- Lack of awareness by the public of the Bylaw.
- Lack of penalty fees.
- The regulation and prevention of illegal outdoor advertising structures. This problem is also highlighted in the SAMOAC document (South Africa. Department of Environmental Affairs, 2011:188) and evident in the case law discussed in chapter 2.

- **Solutions**

Possible solutions suggested by the Chief Outdoor Advertising Officer for the lack of control over the erection of outdoor advertising signs is a sufficient management system such as the drafting of an Outdoor Advertising Master Plan and Framework as well as the revision of the current Bylaw and the introduction of penalty fees and the utilisation of a Geographic Information System. The Bylaw was amended and promulgated on 9 October 2015 after the interview, it does now make provision for fines and penalty costs as will be determined by council. However, the approach to processing outdoor advertising applications remains on an ad hoc basis.

Summary:

Applications are processed on an ad hoc basis and it appears that the accumulated impact of these ad hoc applications are not taken into consideration. Third party, high impact signs, are processed differently from on-premises and other signs, possibly due to the difference of sign impacts on the environment. Illegal outdoor advertising signs, shortage of staff and a poor coordination between internal municipal departments are challenges experienced all over South Africa. A possible solution to the challenges suggested was a Master Plan for Outdoor Advertising, revised Bylaws and penalty fees, however the Bylaw that was amended after the interview did include penalty fees and fines but nothing in the document suggests a different approach to managing outdoor advertising other than on an ad hoc basis.

4.3 Visual analysis

Outdoor advertising signs have an impact on the visual environment. The impact of the sign depends on the landscape sensitivity. Visual examples of outdoor advertising signs were collected in Mangaung Metro Municipality through photographs taken by the author to illustrate the impact signs have on the landscape and perceived 'sense of place'.

4.3.1 Effects on rural landscapes

Figure 1, illustrate two rural areas, the left side photo shows the proliferation of outdoor advertising signs at a smallholding area and on the right side the photo demonstrate the profound impact of a billboard on a natural rural area.

Rural areas are maximum control areas because the landscape is more sensitive to visual disturbances due to its natural characteristics. The SAMOAC (Free State, 2011:40) explains that maximum control areas are created with the intention to prevent sign proliferation and limit commercial advertising opportunities in order to protect the aesthetic appeal and rural landscape character. In both photos the landscape character has been destroyed due to the visual impact of sign proliferation and the large impositioning of a billboard on the flat rural landscape horizon. In other countries such as Denmark, Finland and Scotland these signs will not be allowed in rural areas, open spaces and places outside city planning zones because the natural aesthetics are highly regarded and are important for tourism (Daluge et al., 2011:11-50).

Figure 1: Rural landscape



4.3.2 Billboard in residential area

Figure 2, illustrate a super billboard, or supposed gantry, that is located on a traffic island before an intersection with traffic lights in a residential area which is classified as an area of urban area of maximum control, because of its medium density.

This super billboard is in contrast to the surrounding land use and protrude above the skyline of surrounding structures/ buildings. In Japan and Australia the surrounding community would have been involved in the approval processes through public participation in the planning and the evaluation stages respectively (Deluge, 2011). The community is not consulted during the evaluation process of a sign at Mungaun Metro Municipality and also not during outdoor advertising planning because it does not currently exist. The question arise whether the community approves of the super billboard in the residential area and whether it would have been allowed if they had an input in the process. Signs, excluding official road signs, are not allowed on a traffic island in Mungaun Metro Municipality and in various other countries (Deluge, 2011:11-54). Road safety and the preservation of the visual environment play a major role in the approval of outdoor signs in Mungaun Metro Municipality and other local authorities in Australia, Denmark, Finland and Scotland (Deluge, 2011:53-54). The unfixed element (billboard) with bright contrasting colours placed as a visual quo (as Lynch would refer to it) just before a road bend and an intersection that will force road users to slow down (enhance selective perception without clutter), has been placed at a wonderful geographical space from the perspective of the outdoor advertising industry but at the contrary from the view of regulation authorities who should focus on aesthetics of the streetscape and road safety (Deluge, 2011:53-54)

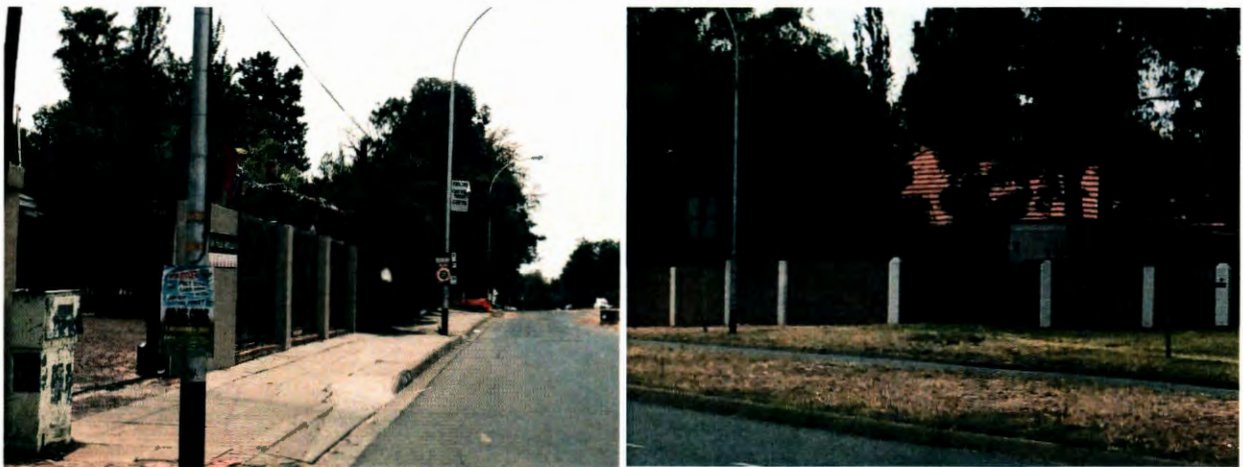
Figure 2: Billboard in a residential area



4.3.3 Impact on residential character

Figure 3, demonstrate the change in character of the residential area surrounding the super billboard illustrated in **Figure 2**. The super billboard changed the perceived land use character of the area which could have encouraged the surge of businesses on residential properties around the outdoor advertising sign. Jordaan (2001) highlighted the occurrence of character and functional change of land use when the perceived 'sense of place' (placelessness) of an area is changed through elements such as outdoor advertising.

Figure 3: Change of residential character



4.3.4 Utilisation of Educational facilities

Figure 4, illustrate various third party outdoor advertising signs at an educational facility. A school is categorised as a partial control area where high impact signs such as large billboards are not allowed.

This photo corroborates the problem experienced at schools all over South Africa (see Chapter 2 *North Central Council & South Central Council v Roundabout Outdoor (Pty) Ltd* 2002 (2) SA 625 (D)), where the character of an educational facility is changed to a commercial character due to the overexploitation of outdoor advertising signs to generate extra funds for the school. This erodes the perceived values structure of a school.

Figure 4: Educational facility



4.3.5 Outdoor advertising along visual corridors

Figure 5, indicate the difference between an aesthetically pleasing visual corridor on the left side and a perceptually overstimulated visual corridor on the right side due to an over proliferation of outdoor advertising signs. The visual corridor on the left side creates the perception that the local authority is in control and that it is a safe and clean environment.

The visual corridor on the right side creates confusion and distortion due to the vast fast amount of information imposed on motorists, a sense of perceived chaos and an unsafe environment is generated by outdoor advertising clutter (Jordaan, 2001). A visual corridor is classified as a maximum control area because it is deemed as a geographical space sensitive to visual disturbances; it provides a sense of arrival and departure from a city through scenic features such as decorative vegetation on traffic islands (SAMOAC and Mangaung Metro Municipality Policy and Bylaw).

Figure 5: Visual corridor



4.3.6 Road traffic safety

Figure 6, demonstrates the danger outdoor advertising structures can pose to road traffic users and pedestrians. These signs are closely situated to road traffic lights and can cause a perceptual confusion for the road user because it contain colours that can be wrongly perceived. A person may perceive a light as being red and not green due to a red sign dominating the visual area around the traffic light. Signs are not allowed in close proximity to road traffic signals. In South Africa and in the majority of countries investigated by Daluge et al. (2011:53) outdoor advertising signs that resembles traffic signs and signals in similar colour and form and which block traffic signs or cause directional confusion are prohibited.

It appears that the outdoor advertising industry in Mangaung Metro Municipality may have the same attitude towards outdoor advertising as that which Daluge et al. (2011:11) found in Australia where the outdoor advertising industry argues that evidence are inconclusive to prove that billboards cause or contribute to road traffic accidents and the distraction or confusion of motor vehicle drivers. The erecting of these billboards in **Figure 6** pose a threat to road traffic safety and are an example of an irresponsible act from the industry and poor regulation from authorities because it is not permitted in the Mangaung Metro Municipal Outdoor Advertising Bylaw.

Figure 6: Road traffic safety



4.3.7 Outdoor advertising design

Figure 7, illustrate examples of sign designs and the impact it can have on the architectural design of a building and streetscape. The photo on the left side is an example of a simplistic but well-designed on-premise sign. Franch and Albiol (2013:100) said that simplicity is key to outdoor advertising because messages must be understood at a glance. However, this sign is of a substantial size situated at a corner and is illuminated and red in colour, situated at a signalised intersection. The danger that a sign poses for road traffic safety depends on the size, location, illumination and distance from an intersection and road.

4.4 Analysis of case study data

The analysis of the data will first focus on the overall amount of selected applications and the administrative approval results as well as the majority of reasons for not approving applications. Then the same aspects of the administrative approval results and the primary reasons for not approving applications will be analysed for the categories of respectively. The case study data of on-premises and third party signs will be analysed separately because it was proven in South African case law (see *Independent Outdoor Media (Pty) Ltd and others v City of Cape Town* (222/2012) [2013] ZASCA 46 (28 March 2013)) that there is legitimate and rational reason for distinction between the two categories of signs. A Chi-square test will then be conducted to determine if any significant difference exists between on-premises and third party signs for the primary reasons for not approving applications.

4.4.1 Total number of selected applications

A total of 49 applications were selected.

4.4.1.1 Administrative approval results for the total number of applications

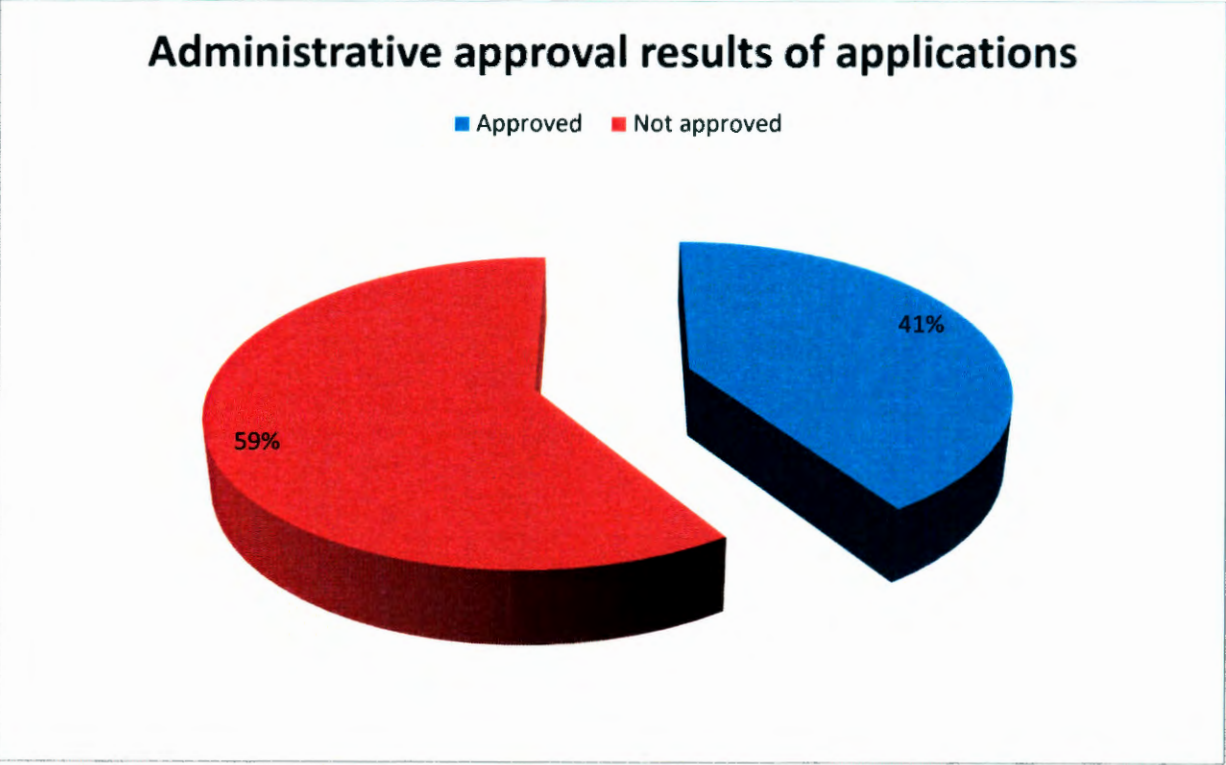
The selected applications were categorised into signs which were approved and not approved (see **Table 1: Administrative approval results for the total number of applications**).

Table 1: Administrative approval results for the total number of applications

Administrative approval results for total number of applications	
Applications	Number
Approved	20
Not approved	29
Total	49

Chart 1 shows that 59% of the selected applications were not approved and only 41% were approved.

Chart 1: Administrative approval results for the total number of applications



4.4.1.2 Reasons for not approving applications

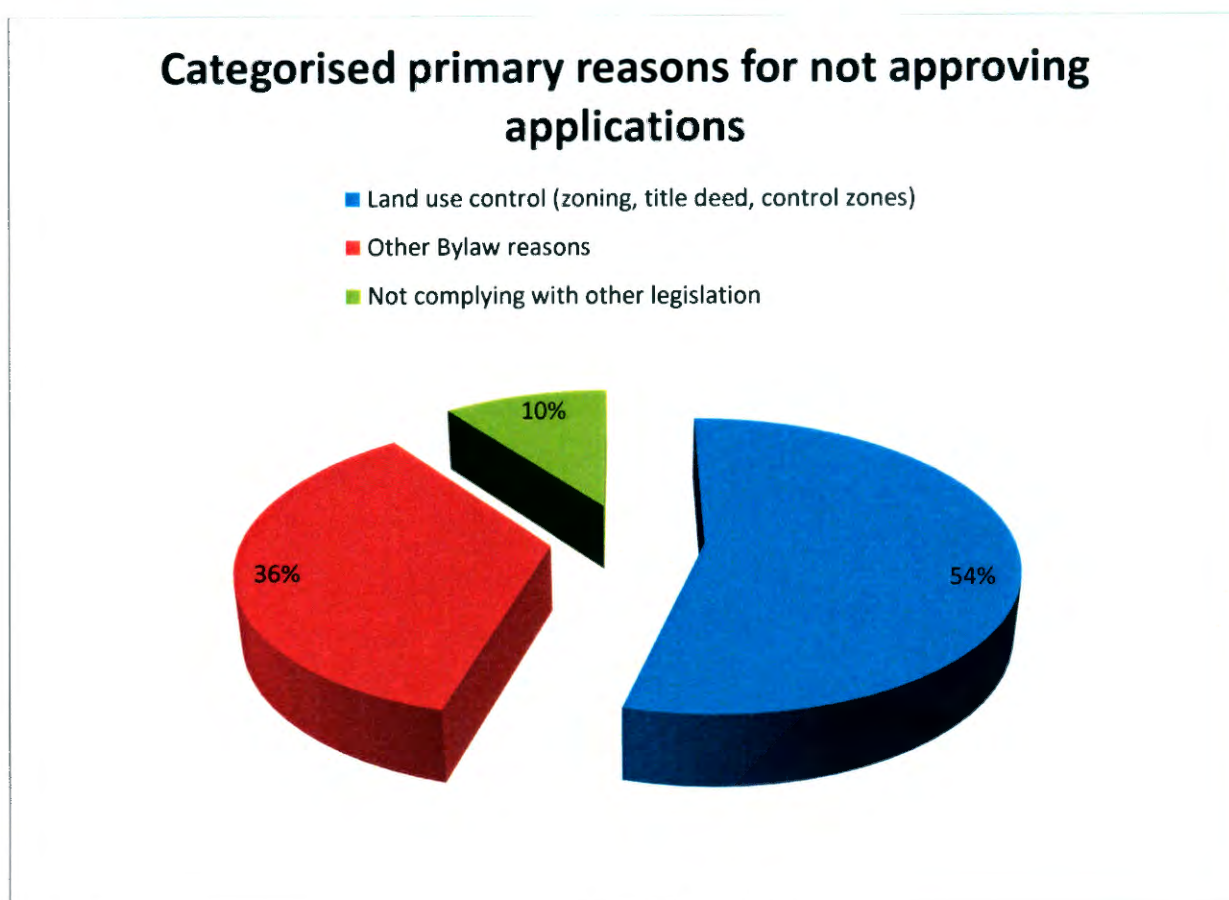
There can be more than one reason listed for not approving an application, all these reasons were listed in the checklist done for each selected application. The similar reasons were grouped together in **Table 2**. The land use related reasons for not approving an application were grouped together, these included reasons such as an outdoor advertising sign not being permitted due to the area of control as defined in the bylaw, title deed restrictions and not an admissible land use in terms of the zoning certificate of the property. Applications that were not approved due to noncompliance with specifications in the Bylaw were grouped together. These specifications ranged from size, content, amount and positional restrictions to the illumination of signs. Applications that did not comply to other legislation such as the National Environmental Management Act or the Mangaung Supply Chain Policy, as an example, were grouped together.

Table 2: Categorised primary reasons for not approving applications

Categorised primary reasons for not approving applications	Number
Land use control (zoning, title deed, control zones)	32
Other Bylaw reasons	21
Not complying with other legislation	6
Total	59

Chart 2 indicates that 54% of the reasons for not approving applications were due to land use control or related measures, while 36% were due to noncompliance with other aspects of the Bylaw not related to land use control and 6% of applications were not approved due to noncompliance with other legislation.

Chart 2: Categorised primary reasons for not approving applications



Land use control procedure (zoning, title deed and control areas in the bylaw) played an important role in the evaluation of applications because it was the primary reason for not approving applications overall in the case studies that were selected.

4.4.2 Third party and on-premises signs

The selected applications were further categorised for better analysis into on-premises and third party advertising signs as indicated on the official application forms (see **Addendum B**). A sign that advertise an activity (business or service) or product which is found on site is called an on-premises sign.

A sign that advertises activities or products which have no relation to the position of the sign is called a third party advertising sign. Distinctions between these two categories are made in case law and the evaluation of applications in other countries such as Australia, as discussed in chapter 2, due to the difference in the impact of signs on the surrounding environment. The total number of selected case studies were 49 of which 27 applications were for third party signs and 22 for on-premises signs. **Table 3** provides a breakdown of the various sign schedules (as defined in the bylaw) that were selected for the case study and that were grouped in to either the on-premises or third party signs categories.

Table 3: Signs per schedule grouped under on-premises or third party signs

Signs per schedule	On-premises	Third party
1-4 Billboards	0	20
17 Roof signs	1	0
18 Flat signs	6	4
25 Residential orientated signs	8	0
26 On-premises business signs	2	0
27 & 30 Signs on towers, bridges & pylons	5	3
Total number	22	27

The majority of on-premises applications were for residential orientated signs and respectively for on-premises applications that were for flat signs and signs on towers, bridges and pylons. No on-premises applications under the billboard schedules were selected, this might be due to the reason that billboard applications are usually for third party advertising signs. The majority of third party applications were for billboards and zero third party applications were for residential orientated and on-premises business signs as well as roof signs. The reason for this might be that on-premises signs as the name indicates advertise on-premises products and not third party products.

4.4.2.1. The administrative approval results of on-premises and third party signs

The two sign categories, on-premises and third party sign, are further analysed to determine the administrative approval results of the applications in **Table 4**.

Table 4: Administrative approval results of on-premises and third party applications

Administrative approval results of applications	On-premises	Third party
Approved	12	8
Not approved	10	19
Total number	22	27

The majority of third party sign applications were not approved this might be due to the reason that third party signs and on-premises signs are evaluated differently. Third party signs as indicated by (Daluge et al., 2011:11-13) are more strictly and comprehensively evaluated in Australia than the on-premises signs. In Mangaung Metro Municipality the application form request more comprehensive information for billboard applications which are mostly third party signs. These applications are usually circulate to other internal departments for more specialised administrative evaluation (see 4.2 Interview).

4.4.2.2 Primary reasons for not approving on-premises and third party applications

The data was further analysed to determine the primary reasons for not approving on-premises and third party sign applications (see **Table 5**).

Table 5: Primary reasons for not approving on-premises and third party applications

Primary reasons for not approving applications	On-premises	Third party
Land use control (zoning, title deed, control zones)	9	23
Other Bylaw reasons	6	15
Not complying with other legislation	0	6
Total number of reasons	15	44

Chart 3 indicates that 60% of the primary reasons for not approving on-premises signage applications were due to land use control measures and 40% of the reasons were due to non-compliance with the Bylaw. Land use control measures play a primary role in on-premises signs because properties must be zoned for business or industrial purposes or special consent has to be obtained for home occupations. The zoning certificates of a property must be attached with the outdoor advertising application form (see **Addendum B**). If the zoning certificate does not permit a business, industry, guest house or home occupation then no on-premises sign can be displayed.

Chart 3: Primary reasons for not approving on-premises applications

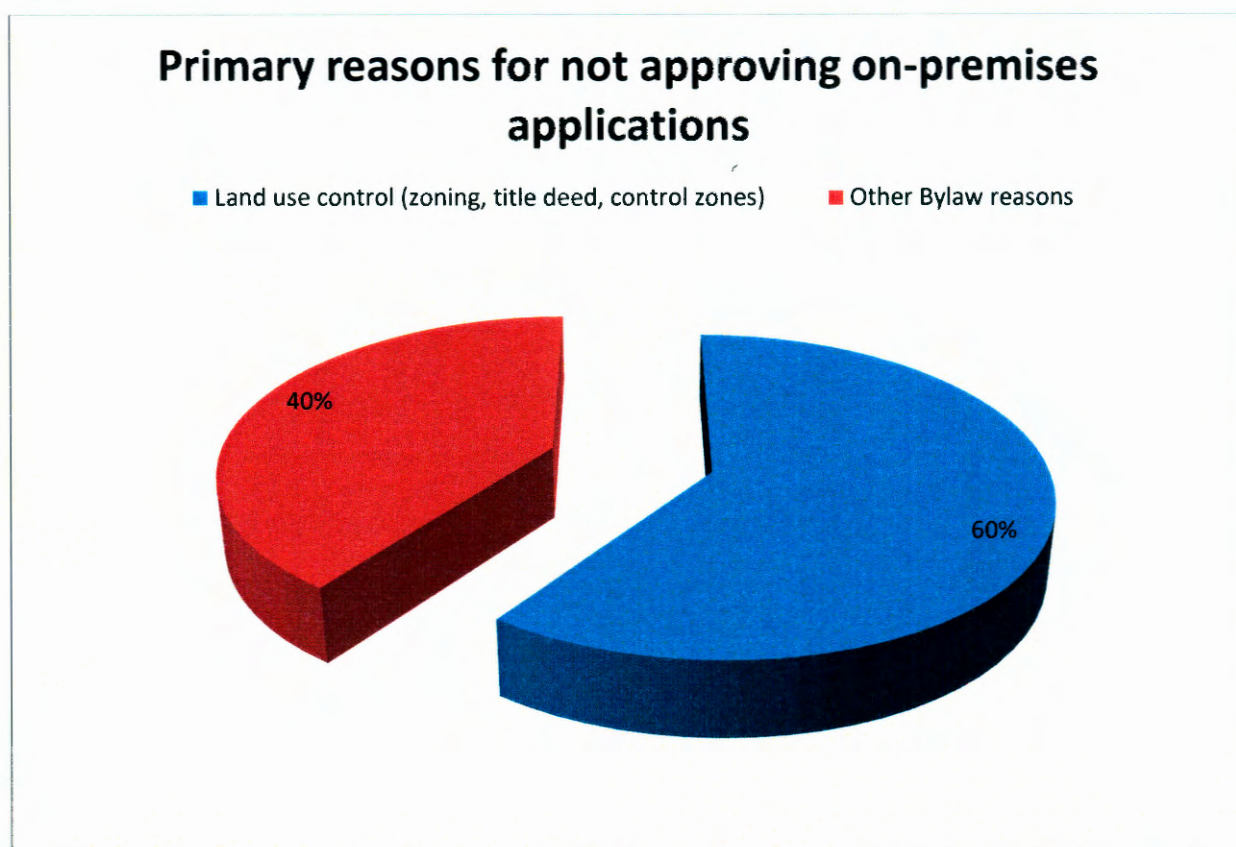
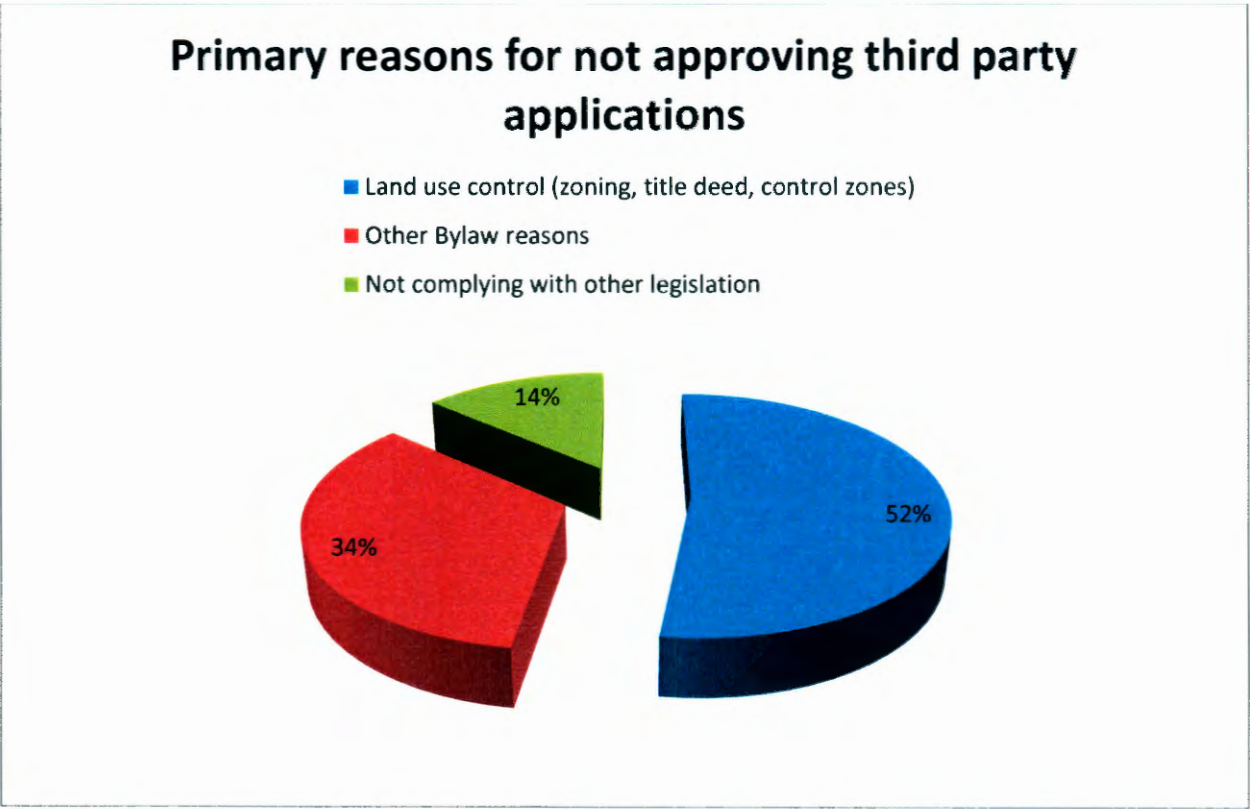


Chart 4 indicates that 52% of the reasons for not approving applications for third party signs were reasons relating to land use control measures. Thirty-four percent of the reasons for not approving applications for third party signs were due to noncompliance to the bylaw and 14% of the reasons were noncompliance to other legislation. The land use control measures play an important role regarding height restriction and building line restrictions on a property, as well as the purpose for which a property may be utilised. Outdoor advertising businesses usually try to erect a high impact sign such as a billboard on a position where it would attract the most attention because that is the purpose of advertising (refer to outdoor advertising theory and case law discussed in chapter 2). These locations are most of the time not suitable, for they are zoned as road reserves, or height is restricted to one or two storey buildings which can easily be exceeded by billboards (these reasons were listed in the checklists that were analysed).

Chart 4: Primary reasons for not approving third party applications



4.4.3 Comparison between on-premises and third party applications

In **Table 6** a comparison is made between the on-premises and third party applications and a Chi-square test was conducted to determine if there is a significant difference in the reason for not approving applications between on-premises and third party applications.

Table 6: Comparison between on-premises and third party applications for the primary reasons of non-approval

Application type	Land use reason	Other reasons	Total number
On-premises	9	6	15
Third party	23	21	44
Total number	32	27	59

$$\chi^2 = \frac{n(|AD-BC| - n/2)^2}{(A+B)(C+D)(A+C)(B+D)}$$

$$= 0.047$$

The total number of reasons for not approving applications in **Table 6** is 59. The degree of freedom is 1. A significance level of 0.05 was chosen which in **Addendum F** indicates that the critical value of χ^2 is 3.84. The calculated χ^2 value is 0.047 (see **Addendum H** for Chi-square calculation) which is smaller than the critical value of 3.84. Hence, there is no significant difference in the outcome of the reasons for not approving on-premises and third party applications. In the selected applications for this case study the majority of the reasons for not approving third party and on-premises applications were due to land use control related measures.

4.4.4 Summary of case study data

The data collected from outdoor advertising applications were analysed. The applications were categorised into on-premises and third party advertisements. The majority of third party advertisements were not approved. The reasons for not approving both categories of signs were determined to be non-compliance to the specifications as stated in the bylaw including the control areas.

The non-compliance to land use related reasons such as control areas, title deeds and zoning certificates were the primary reason of the selected applications to not be approved. A Chi-square test revealed that no significant difference exists between the reasons for not approving the signs of the selected third party and on-premises applications. Land use control and planning procedures do have an influence on the evaluation of outdoor advertising applications in Mangaung Metro Municipality.

4.5 Summary of results and analysis

The official documents that were scrutinised revealed contradictions within the Bylaw itself and between outdoor advertising documents (policy, bylaw) and land use management documents (land use schemes). This is a common problem experienced by local authorities. The South African Manual for Outdoor Advertising suggests the development of an Outdoor Advertisement Master plan which takes into consideration other plans and strategies as a possible solution to the lack of integration and ad hoc advertisement development. Mangaung Metro Municipality has no Outdoor Advertising Master Plan. It was determined during the interview that the Municipality experiences similar problems to the problems of other local authorities such as shortage of staff, lack of co-ordination between departments and control of illegal advertising structures. Visual illustrations of local examples for the interaction between landscape sensitivity and the impact of various sign types were provided. The data collected from outdoor advertising applications was analysed. The applications were categorised into on-premises and third party advertisements. The reasons for not approving both categories of signs were determined to be non-compliance to land use related reasons such as control areas, title deeds and zoning certificates. Land use control and planning procedures do have an influence on the evaluation of outdoor advertising applications in Mangaung Metro Municipality.

Chapter 5. Conclusions, recommendations and future study areas

Conclusions, recommendations and mention of future study areas are made based on the background information gathered (theoretical and conceptual framework, legislative framework of South Africa, case law and case studies) and data collected and analysed, through textual analyses, interview, observations, checklists, frequency tables and a chi-square test.

5.1 Conclusions

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The 2008 and the amended 2015 Outdoor Advertisement Bylaw of Mangaung Metro Municipality are still focused on managing and evaluating outdoor advertising signs on an ad hoc basis. There is currently no sustainable planning or management of outdoor advertising signs as advised in the SAMOAC document. The problems identified in the SAMOAC document are corroborated at Mangaung Metro Municipality because the outdoor advertising control and management practices are poorly integrated and correlated with higher order documents. Outdoor advertising is currently not even a priority in the Integrated Development Plan of Mangaung Metro Municipality. Contradictions exist within the Bloemfontein Town Planning Scheme and the draft LUMS in regard to outdoor advertising signage specifications that are allowed in the Mangaung Outdoor Advertisement Bylaw. The Town Planning Scheme currently and the draft LUMS when enacted in the future are the higher order documents and must therefore be complied with regardless of the Bylaw. These contradictions create confusion and open areas of legal liability against the Municipality. No official map in Mangaung Metro Municipality exists for the outdoor advertising control areas as defined in the Policy and Outdoor Advertisement Bylaw.

The current outdoor advertising control areas in the Bylaw and Policy are generic and do not correspond to the actual future planning of the city as captured in the Spatial Development Framework. The lack of an outdoor advertising control areas map create confusion during the administrative processing of applications and decision making process.

The visual illustrations provided examples of poor outdoor advertising control and management practices and the impact it has on the psychological health and safety of a community as well as the impact on the perceived character "sense of place" of an area. This is the outcome of poor planning and management of outdoor advertising signs, based on large amounts of illegal structures and signs approved on an ad hoc basis.

The outdoor advertising applications selected for this case study all completed the application process and had an administrative result of being approved or not-approved. Only applications for permanent signs were selected and temporary as well as deemed consent signs were discarded. Applications with similar type of advertising signs were grouped together and the majority of selected applications were for billboard signage. The selected applications were further categorised for analysis based on the purpose of the applied for signage (on-premises or third party). The majority of the on-premises applications selected were for residential orientated signs and none for billboard signs whereas the majority of the selected third party signs were for billboard signs and none for residential orientated, on-premises business signs or roof signs. This makes sense because billboards usually advertise third party signs and on-premises signs will usually advertise a residential or commercial business or product on site. Selected applications were also categorised based on the administrative outcome of the applications (approved or not approved) and whether these were third party or on-premises signs.

The majority of the selected applications for third party signs were not approved whereas the majority of on-premises signs were approved. Third party signs are more strictly and comprehensively evaluated which is common practice (as Daluge et al., 2011:11-13 indicated) this might explain the higher non-approval rate.

Similar reasons for not approving an application were grouped together and the primary reason for not approving applications were due to non-compliance to the Outdoor Advertising Bylaw. Non-compliance to specifications of a scheduled sign (size, locality on site, content, amount or illumination) and / or non-compliance to the control zones as stated in schedule 36 and 38 of the Bylaw were frequent. However when taking into consideration non-compliance to outdoor advertising control areas as stated in the Bylaw and non-compliance to title deeds and zoning certificate conditions, it appears that land use control related issues were the main reasons for not approving the selected applications overall. There was no significant difference in the outcome of the primary reasons for not approving on-premises and third party applications. In the selected applications for this case study the primary reasons for not approving third party and on-premises applications were due to land use control and management related procedures.

Land use management control measures such as the zoning or title deed of a property, as well the control areas (as defined in the Bylaw) have an influence on the evaluation and administrative outcome of ad hoc outdoor advertising applications. However outdoor advertising management practices are not integrated and correlated with higher order land use planning and management procedures which impede adequate outdoor advertising opportunities because no future and current sustainable development strategy and plan exist to guide current and future outdoor advertising management and control practices.

5.2 Recommendations

The following recommendations are made based on the conclusion derived from the research study:

- The Outdoor Advertising Policy and Bylaw must be aligned with higher order documents such as the current Bloemfontein Town Planning Scheme and the future Mangaung Land Use Management Scheme.
- The management of Outdoor Advertising must become a priority again in the IDP of Mangaung Metro Municipality, otherwise it will not be successfully implemented and the psychological wellbeing and safety of residents might be compromised.
- Mangaung Metro Municipality must develop an Outdoor Advertising Master Plan which is truly aligned with the IDP sector plans such as the SDF, LUMS and Environmental Management Framework, in order to guide sustainable future outdoor advertisement development instead of dealing with applications in an ad hoc basis.
- An outdoor advertising control areas map as defined in the Policy and Outdoor Advertisement Bylaw must be developed, to provide better guidance when determining the opportunities and constraints of outdoor advertising applications. The control areas map must not be in contradiction to the LUMS.
- Outdoor advertising is a complex and multidisciplinary approach when it is viewed from a controlling and management perspective. Outdoor Advertising Control officials should receive sufficient training to be able to conduct their duties properly.

There is currently no short course or training that deals with the control and management of outdoor advertising practices for authorities. The Department of Environmental Affairs that compiled the SAMOAC document should assist with developing a short course for municipal officials.

- Design and traffic safety assessment criteria guidelines or checklists should be developed to assist the evaluation process, such as was done in Australia.
- The Outdoor Advertising Unit must have a committee similar to the Aesthetic Committee of the Municipality (which approve building plans). This committee should have representatives of various disciplines that preside over the decision making process. The committee must then recommend approval or non-approval of permanent signs (especially billboards) to the Head of the Directorate whom has the delegated authority to approve outdoor advertising signs. This will ensure that all the relevant aspects will be considered before approving or not approving and outdoor advertising sign. It will solve the problem of waiting for feedback from various departments, while most of the time the official might not even understand the feedback due to a lack of a specific technical background.
- Public participation from affected communities must be encouraged in the evaluation process of high impact signs and during the future planning processes regarding outdoor advertising (development of OAMP). The public interest must be taken into consideration during the evaluation of billboards. Benefits can be derived from billboards to improve local communities, as was indicated as a best practice by Australian authorities.
- The Municipality must be proactive instead of reactive and identify outdoor advertising opportunities on municipal owned properties for third party signs. These opportunities can be disposed of through the supply chain process and invite competitive and fair bidding to utilise the space. A monthly rental income can be derived from an outdoor advertising structure on municipal land and the capital investment for the structure and management of outdoor advertising

clients will be the burden of the successful bidder. The structure must become the property of the municipality after the rental period has lapsed. This proactive approach can ensure that third party advertising opportunities are created which are located where it will create a safe environment for pedestrians and motorists and enhance the character of an area through aesthetically pleasing designs of structures and signage.

- Future third party outdoor advertising opportunities on privately owned properties can be identified in the Outdoor Advertising Master Plan, thereby encouraging outdoor advertising development in suitable areas such as entertainment, office and retail districts and discourage outdoor advertising in areas such as residential suburbs and conservation areas. This will also minimise the possibility of expensive impact studies being conducted for fruitless application results.
- Proliferation of third party advertising of local events can be curbed by erecting outdoor advertising structures on strategic locations over the municipal area that can accommodate event advertisements, thereby minimising the utilisation of environmentally unsustainable practices (i.e. event posters).

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5.3 Future study areas

Possible future study areas that can complement this study or investigate further aspects of outdoor advertising control and management practises were identified by the author and are listed below:

- The administrative approval results and primary reasons for not approving outdoor advertising applications under the Mangaung Outdoor Advertisement Bylaws promulgated on 21 November 2008 can be compared to the amended Mangaung Outdoor Advertisement Bylaw promulgated 9 October 2015.
- Other municipalities in South Africa can be investigated to determine if their outdoor advertising management practices are integrated with their land use control and planning procedures.
- Investigate the success of Outdoor Advertising Master Plans to promote sustainable development.
- Explore the perspective of the outdoor advertising industry and the general public on the control and management procedures of the Mangaung Metro Municipality.
- Explore the encouragement of greener technology during billboards design and construction from authority and industry perspective.

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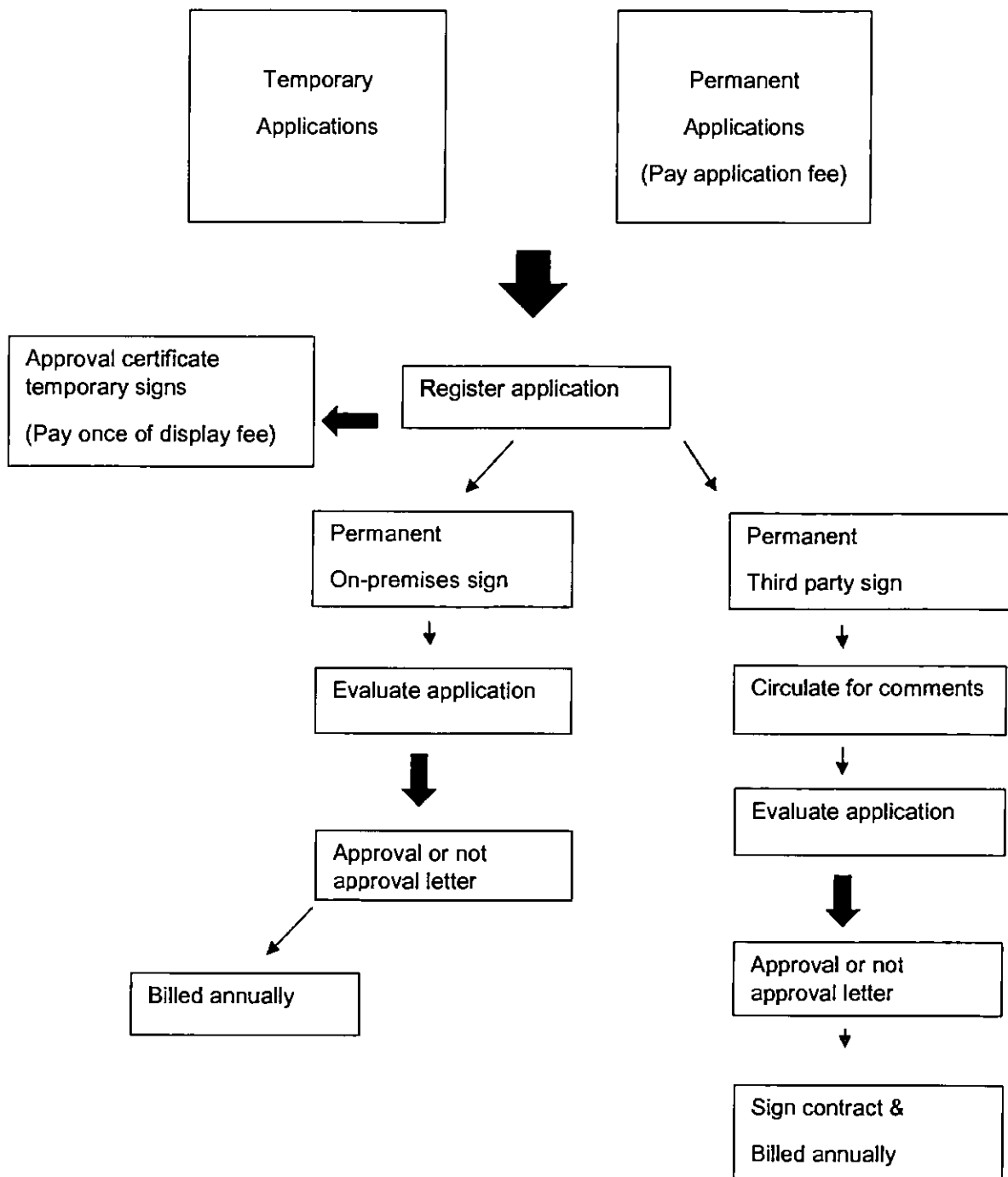
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Addendum A

Outdoor advertising sign schedules and application process

Flow diagram: Application process



Sign schedules (Mangaung Outdoor Advertisement Bylaw promulgated on 21 November 2008)

The thirty-six sign schedules underneath are categorised for the purpose of the study into signs that need specific consent or deemed consent. Sign that need specific consent must apply to the Municipality and receive written consent to display a sign whereas deemed consent signs can be displayed as long as the bylaw are complied with (Mangaung Metro Municipality, 2008:13-14). The specific consent signs are further categorised into signs of a permanent nature and signs of a temporary nature.

Specific consent signs

Permanent signs

Schedule 1: Super billboard

Schedule 2: Custom made billboards

Schedule 3: Large billboards

Schedule 4: Small billboards

Schedule 13: Street name advertisement signs

Schedule 15: Product replicas and 3D signs

Schedule 16: Sky signs

Schedule 17: Roof signs

Schedule 18: Flat signs

Schedule 19: Projecting signs

Schedule 20: Veranda, balcony, under awing signs

Schedule 21: Signs painted on walls/ roofs

Schedule 23: Signs incorporated into the building

Schedule 24: Forecourt business signs

Schedule 25: Signs for residential orientated land use

Schedule 26: On-premises business signs

Schedule 27: Signs on towers bridges and pylons

Schedule 30: Service facility signs

Schedule 31: Tourism signs

Temporary signs

Schedule 5: Signs on street furniture

Schedule 6: Banners, flags and inflatables

Schedule 10: Lamppost, pavement posters

Schedule 28: Signs on construction site walls

Schedule 33: Aerial signs

Schedule 35: Trailer advertising

Deemed consent signs

Schedule 8: Estate agent signs

Schedule 9: Sales of goods, property or livestock

Schedule 11: Project boards

Schedule 12: Temporary window signs

Schedule 14: Neighbourhood watch signs

Schedule 22: Window signs

Schedule 29: Sponsored road traffic signs

Schedule 32: Functional advertising signs by public bodies

Schedule 34: Vehicular signs

Addendum B

Outdoor advertising application form



MANGAUNG

METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

APPLICATION FOR OUTDOOR ADVERTISING SIGN

The Mangaung Metro Municipality Outdoor Advertising By-Laws as promulgated by Local Government Notice No. 77 of 21 November 2008 regulates all matters relating to advertisements. It is in the interest of every advertiser to become conversant with the contents of the regulations referred to before completing this application.

1. DETAILS OF APPLICANT

Name/Company:			
Company Registration Number (if applicable):			
Full Names of Signatory:			
Postal Address:			Code:
Tel No: ()	Cell No:	Fax: ()	
E-mail:			
Signature:		Date:	

2. DETAILS OF PROPERTY OWNER

Name:			Title:
Postal Address:			Code:
Tel No: ()	Cell No:	Fax: ()	
E-mail:			

3. OWNERS CONSENT

Full Names:			
Identity Number*:			
Signature:		Date:	

*Attach certified copy of ID and Agreement with owners.

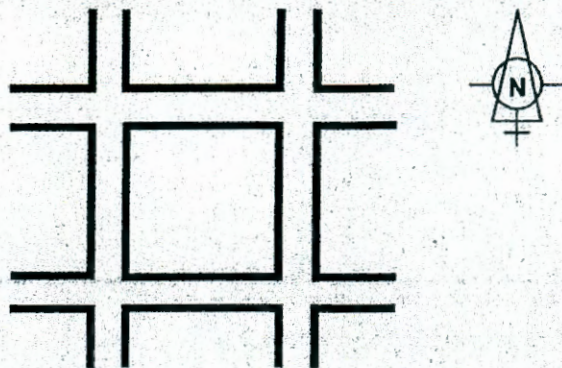
4. PROPERTY DESCRIPTION

Erf Number:		Portion:		Township/ Suburb:	
Street Address:					
Zoning:					

5. DESCRIPTION OF THE PROPOSED OUTDOOR ADVERTISING SIGN/HOARDING

Type of Sign (please mark relevant block)					
Billboards/Tower Structures	Posters and General Signs	Signs on Buildings, Structures and Premises	Signs for the Tourist and Traveller	Mobile Signs	
Other (please specify):					
Description of Outdoor Sign (please mark relevant blocks)					
Single Sided		Double Sided		Triple Sided	
Non-Illuminated		Internal Illuminated		Externally Illuminated	
On Premises/Locality Bound		3 rd Party			
Other (please specify):					
Illuminated Signs:	Stationary:		Flashing:		
Flourescent Tubes – Low Voltage		Neon Tubing/Flood Lights – High Voltage Firearm Switch to be Installed as per Fire Regulations			
New Sign	Change of Face	Replacing Existing	New Position	Existing Sign	
Other (please specify):					
Co-ordinates of Sign:	Longitude:(E) Degree	Minutes	Seconds	Latitude:(S) Degree	Minutes
Dimensions:	Height:	Length:		Width:	
Sign Area: m ²					
Material:			SABS Approved:	Yes:	No:
Colours:					
Coloured Photo or a Coloured Sketch of the Sign:					
Duration of Application (please mark relevant block)					
Permanent:	Temporary:	If Temporary Indicate Number of Months/Weeks:			

Site Plan (please indicate the position of the relevant sign and the street names)



6. DECLARATION

I accept that the advertisement, if approved, shall comply with specifications as laid out in the Mangaung Outdoor Advertising By-laws and any other conditions laid down by the Department and the Department retains sole jurisdiction for the display of the signs.

Applicant's Signature:

Date:

7. FOR OFFICE USE ONLY

Reference Number:				Date:			
Fees Paid:	Yes:		Amount:	Council Receipt Number:			No:
Approved:	Yes:		No:				
Remarks:							
Signature:				Officer:			
Council Stamp:							

8. APPLICATION PROCEDURE AND ATTACHMENTS

Application Requirements (please mark relevant block)	YES	NO
Application form		
Locality plan with the GPS coordinates in the following format: deg/min/sec		
Artistic impression (coloured photo or sketch) of the proposed sign		
Registered owner's consent		
Engineers appointment letter and certificates (if applicable)		
Completion certificate (if applicable)		
SG Diagram and GPS coordinates indicating the exact position of the sign on the proposed site.		
Distance from existing signage (indicate on locality plan in a radius of ± 200 m)		
Letter of approval of a building line relaxation from the pertinent authority		
The following is also applicable to signs in terms of Schedule 1 to 4		
Elevation (indicate measurements on elevation and illumination)		
Title deed of property		
Zoning certificate of property		
Locality map of area		
Approval letter of EIA from the Free State Department of Agriculture, Conservation and Environment in terms of the NEMA Regulations [GN-R385 and GN-R386, 21 April 2006] (only for Schedule 1 – 3)		
Approval letter of TIA (Traffic Impact Assessment) from the Planning Sub-Directorate (Metro Planning) division (3000) (only for Schedule 1 – 3)		

Addendum C

Permission letter

Mr Machogo

General Manager: Planning

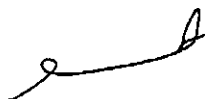
REQUEST PERMISSION TO UTILISE DATA FROM THE OUTDOOR ADVERTISING UNIT

I would like to request permission to utilize data from the Outdoor Advertising unit for my research that forms part of my thesis to obtain a Masters degree in urban and regional planning from the University of the Free State.

The information used will only be used for academic purposes. My research study will focus on the influence outdoor advertising signage have on land use. I will look at the Outdoor Advertising Bylaw document and the control zones to develop a map. A systematic selection of Outdoor advertising applications will be made and the only information that will be used will be the type of sign applied for and the zoning of the property in question. It will then be determined if the applications were approved or not approved based on the control zones of the bylaw and or zoning certificate of the properties. A comparison will then be made between the old and the new bylaws and how it would have affected the approval of the applications.

The information will be dealt with on a nominal scale and numbers will be assigned to categories therefore the information will be handled in a confidential manner because only numbers will be used during the analysis of the data and the non-parametric tests.

The research will assist me to improve the service delivery of my unit through the development of a control zone map and highlighting negative and positive aspects of the bylaw.



Kind Regards

Sonja Kruger

Chief Outdoor Advertising Officer

*Granted for purposes of studies at
the University of the Free State
2016/11/8.*

Addendum D

Checklist for application

Checklist for Outdoor Advertising Applications

Checklist number:		
File number:		
Sign location:		
Sign type and detail:		
Sign size m ² :		
Property zoning:		
Title deed restrictions:		
Control zone:		
Approved		Not Approved
Reasons for non-approval:		
Other remarks:		

Addendum E

Checklist summary

Number	Area & zoning	Type sign	Outcome
1	Euufees Road (General Business)	Schedule 3 Third party	Not approved: Only a Schedule 4 (6 m ²) sign can be erected in the control area, the sign applied for is a Schedule 3 sign (18m ²). The position applied for falls within a servitude area as indicated on SG diagram and title deed.
2	St Andrew Street (Business Subzone H)	Schedule 18 Third party	Not approved: Not comply to Schedule 18 - A sign may not cover windows. - A sign may be attached only to a flat wall. - A sign may not exceed 72m ² (sign applied for was 160m ²).
3	General Hertzog street (Single residential 2)	Schedule 25 On-premises	Not approved: No permission to operate a home industry Not comply to Schedule 25 in regard to sign size and amount
4	Du Plessis Road (Special residential 1)	Schedule 25 On-premises	Not approved: In terms of Town planning scheme and the Bylaw – a home industry may only have one sign not bigger than 0,08m ² in size (2 sign applied for both 21,6m ²)
5	Rudolph Greyling Avenue (Road reserve)	Schedule 26 On-premises	Not approved: Not comply to bylaw Section 21 and Schedule 26: -Sign may not be displayed in any urban road reserve -Sign may not serve as an advance sign (indicating direction) - Sign may only contain the name and nature of business -Sign may not extend beyond extremities of structure. -May not be displayed in Maximum control area.
6	Euufees Road (Single residential)	Schedule 25 On-premises	Not approved: Not comply to Schedule 25 in regard to sign size and amount
7	Dan Pienaar Drive (General Residential)	Schedule 25 On-premises	Not approved: Not comply to Schedule 25 in regard to sign size Not permission to operate a Home industry or rezoning.
8	John Card Street (Road reserve)	Schedule 25 On-premises	Not approved: Not comply to Bylaw and Schedule: Sign may not be displayed in the road reserve Free standing sign may only be erected if there is no wall or fence to attach it to.
9	Spitskop (Small holding)	Schedule 26 On-premises	Not approved: Due to restriction on title deed – plot may only be used for residential and agricultural purposes no

			business or industry is allowed.
10	Rosendorf Avenue (Residential)	Schedule 25 On-premises	Not approved: Not permission to operate a Home industry
11	Zastron Street (Traffic island Road reserve)	Schedule 3 Third party	Not approved: Not comply with bylaw Section 21 – A sign may not be displayed in a road reserve or median. Not comply to Schedule 3: - A sign may not be displayed in a maximum control area. - A sign in a 60km traffic zone must be spaced 120m from each other. The MFA & SCP must be adhered to.
12	Curie Avenue (Road Reserve)	Schedule 3 Third party	Not approved: Not comply with bylaw: -Sign may not be located in road reserve. -Prohibited area - The MFA & SCP must be adhered to.
13	N8 (Road reserve)	Schedule 27 Third party	Not approved: Not comply to Schedule 27: -Gantry not allowed in a maximum control area. -Vertical supporting structures may not be located in road reserve -No Aesthetic Committee approval No approval of SANRAL The MFA & SCP must be adhered to
14	Berg Avenue (Agricultural)	Schedule 3 Third party	Not approved: Not comply to Schedule 3: -A sign may not be displayed in a urban area of maximum control. -No more than 1 sign per site -Sign may not exceed 2,4 m in height -Distance between signs must be 120m. -No EIA or TIA approval
15	Curie Avenue (Educational purposes)	Schedule 4 Third party	Not approved: Not comply with Schedule 4 in terms of sign size and location and content (35% must display school name) Prohibited area
16	Curie Avenue (Educational purposes)	Schedule 4 Third party	Not approved: Not comply with Schedule 4 in terms of sign size and location and content (35% must display school name) Prohibited area
17	Frans Kleinhans Avenue (Holdings)	Schedule 1 Third party	Not approved: Sign may not be displayed in a maximum control area. Sign may not exceed 81m ² in size.

			A supper billboard in terms of Section 22 may to be illuminated if there are no street lights. Sign in a limited use area.
18	Curie Avenue (Servitude)	Schedule 3 Third party	Not approved: Sign not comply with Schedule 4 in terms of size. Cannot be erected in a servitude
19	Nelson Mandela Drive (Educational purposes)	Schedule 1 Third party	Not approved: May not be displayed in a partial control area. A minimum distance of 5km between signs Message may not exceed 15 bits
20	Lilyvale (outside SDF regulated by Title deed) Farm land	Schedule 2 Third party	Not approved: Sign cannot be displayed in maximum control area Sign exceed allowable size and height Sign may not be illuminated No approval from SANRAL NO TIA and EIA approval Within servitude
21	Brandwag (Special use LX)	Schedule 3 Third party	Not approved: Not comply with Schedule 3: -not be displayed within 100m radius of intersection -must have a 30 degree angle to oncoming traffic - Not comply to height restriction on zoning certificate
22	Maphisa Street (Community facility)	Schedule 3 Third party	Not approved: Not comply with Schedule 3: -not be displayed within 100m radius of intersection - may not be displayed within 120 m from another billboard - Cannot be displayed in a partial control area
23	Monument Road (Undetermined area only use nursery via special consent)	Schedule 3 Third party	Not approved: Not comply with Schedule 3: -not be displayed within 100m radius of intersection -not zoned for proposed use
24	Church Street (Railway purposes)	Schedule 3 Third party	Not approved: Not comply with Schedule 3: -not be displayed within 100m radius of intersection
25	Att Horak Street (Sports grounds)	Schedule 3 Third party	Not approved: May not be displayed in a partial control area Council resolution no advertising in that area
26	Du Plooy Crescent (Educational purposes)	Schedule 1 Third party	Not approved: May not be displayed in maximum control area Sign may not exceed 81m ² in size May not be illuminated if no street lights No approval from SANRAL, TIA or EIA
27	Nelson Mandela Drive (General)	Schedule 18 Third party	Not approved: Sign exceeded allowed size A non-locality sign may not be used on a building

	commercial)		used mainly for residential purposes
28	Edenpark (General business)	Schedule 27 On-premise	Not approved: The zoning certificate did not allow for a filling station –general business only
29	Liefdes liedjie (Single residential)	Schedule 25 On-premises	Not approved: No permission for home industry
30	Nelson Mandela (Business Sub E shops)	Schedule 18 On-premises	Approved
31	Jan Spies Street (General commercial shops)	Schedule 27 On-premises	Approved
32	Curie Avenue (Single residential 3 –allow guesthouse rezoned)	Schedule 18 On-premises	Approved
33	Kelner Street (Business sub zone E shops/offices)	Schedule 27 On-premises	Approved
34	Fichart Street (Business subzone H shops)	Schedule 18 On-premises	Approved
35	DF Malherbe Road (General residential 1-guesthouse)	Schedule 18 On-premises	Approved
36	Wynand Mouton (Single residential 3)	Schedule 25 On-premises	Approved
37	Barry Richter Street (Business)	Schedule 27 On-premises	Approved
38	Maitland Street (General Business subzone H shops)	Schedule 18 On-premises	Approved
39	Noordhoek (Special use)	Schedule 30 On-premises	Approved
40	Curie Avenue (showgrounds)	Schedule 17 On-premises	Approved
41	Castellyn Drive (Single residential 3)	Schedule 18 On-premises	Approved
42	Dan Pienaar Drive (Educational purposes)	Schedule 4 Third party	Approved
43	Kelner Street (Educational purposes)	Schedule 4 Third party	Approved
44	Moshoeshoe Road (Business)	Schedule 4 Third party	Approved

45	Charles Street (General Business)	Schedule 18 Third party	Approved
46	Charles Street (Servitude pedestrian bridge)	Schedule 27 Third party	Approved
47	St Andrew Street (Business subzone H)	Schedule 18 Third party	Approved
48	Willows (Garage 2)	Schedule 4 Third party	Approved
49	Kelner Road (Educational purposes)	Schedule 27 Third party	Approved

Addendum F

Chi-square table of distribution

Degrees of Freedom (df)	Probability (<i>p</i>)										
	0.95	0.90	0.80	0.70	0.50	0.30	0.20	0.10	0.05	0.01	0.001
1	0.004	0.02	0.06	0.15	0.46	1.07	1.64	2.71	3.84	6.64	10.83
2	0.10	0.21	0.45	0.71	1.39	2.41	3.22	4.60	5.99	9.21	13.82
3	0.35	0.58	1.01	1.42	2.37	3.66	4.64	6.25	7.82	11.34	16.27
4	0.71	1.06	1.65	2.20	3.36	4.88	5.99	7.78	9.49	13.28	18.47
5	1.14	1.61	2.34	3.00	4.35	6.06	7.29	9.24	11.07	15.09	20.52
6	1.63	2.20	3.07	3.83	5.35	7.23	8.56	10.64	12.59	16.81	22.46
7	2.17	2.83	3.82	4.67	6.35	8.38	9.80	12.02	14.07	18.48	24.32
8	2.73	3.49	4.59	5.53	7.34	9.52	11.03	13.36	15.51	20.09	26.12
9	3.32	4.17	5.38	6.39	8.34	10.66	12.24	14.68	16.92	21.67	27.88
10	3.94	4.86	6.18	7.27	9.34	11.78	13.44	15.99	18.31	23.21	29.59
	Non-significant								Significant		

Source: Fischer & Yates, 1938

Addendum G

Interview

1. Do Mangaung Metro Municipality currently have an Outdoor Advertising Master plan or Framework ?

No, the Metro is in the process of drafting a master plan and framework document and revised bylaws.

2. What challenges do you experience with Outdoor Advertising management?

- Control of illegal structures (Large companies erecting illegal billboards)
- Lack of penalty fees
- Lack of awareness of the Outdoor Advertising Bylaw by the community
- Shortage of staff
- Internal problems receiving comments on applications from various departments and challenges with contracts relating to support from Legal Services probably because of staff shortages

3. What is your future plans to address the challenges mentioned above?

A majority of the problems regarding control relates to a lack of management systems that will be addressed in the draft Outdoor Advertising Masterplan, Framework document and revised draft bylaws. Such as the introduction of penalty fees and GIS to help manage and control signage.

4. What is the biggest challenge experienced by you in regard to approving applications?

Traffic impact studies that must be conducted for certain applications; there is only one traffic engineer locally that do the studies and it is expensive. The applicant go through all the cost of conducting a traffic impact study only to still have the application not be approved due to the conditions stated in the bylaw.

5. What according to your experience are the main reasons for not approving an application?

The size and locality of the outdoor advertising structures in regard to what is allowed in certain control areas as defined by the bylaw. An example is a large billboard at a school is not aloud due to the category of control zone in which a school groups.

6. Is the evaluation process of an application integrated of all relevant disciplines and relevant legislation, policies and plans?

The applications must be submitted with relevant documents pertaining to the type of signage. It is all indicated on the application form. The billboard applications are circulated to all the relevant internal departments for comments on which the recommendation for the outcome of the application is based. The bylaw also refer to other legislation such as the National Building Regulations and NEMA. The Head of the Directorate approve the applications.

Addendum H

Chi-square calculation

Example of Chi square test with Yate`s correction applied:

n = 59

Reason for not approving applications	Province		Total
	On-premises	Third party	
Land use related reasons	(Observed) 9	(Observed) 23	32
	(Expected) 19.6	(Expected) 17.4	
	A	B	
Other reasons	(Observed) 6	(Observed) 21	27
	(Expected) 7.4	(Expected) 6.6	
	C	D	
Total	15	44	59

Pearson`s X ² statistic	0.
Degree of Freedom	1
p	0.32

$$\begin{aligned}
 & \frac{n[(AD - BC) - n/2]^2}{(A+B)(C+D)(A+C)(B+D)} \\
 x^2 &= \frac{59[(9 \times 21 - 23 \times 6) - 59/2]^2}{(9+23)(6+21)(9+6)(23+21)} \\
 &= 0.047
 \end{aligned}$$

Source: Ebdon, 1977:64