

Superseded

**Guideline**

**Roadside Advertising Guide**

**Edition 1.2**

**2 August 2013**

Superseded

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## Amendment Register

Issue / Rev no.	Reference section	Description of revision	Authorised by	Date
1.2	Guide	Update	Sal Petrocchio, General Manager (Roads, Rail and Ports System Management)	2 August 2013

Superseded

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## **1 Introduction**

### **1.1 Role of advertising**

Advertising along roads has a role to play both for business, as suppliers of goods and services, and for the public, as consumers.

Outdoor advertising reaches its audience as part of the environment. Unlike newspaper, radio or television, it doesn't have to be invited into the home – and it doesn't have to provide entertainment to sustain its audience.

Outdoor advertising is a glance medium and as such messages must be brief. A report on the website [www.general-outdoor.com](http://www.general-outdoor.com) indicates that 70 percent of outdoor advertising revenue comes from local advertisers who count on billboards to direct customers to their businesses or products. This increases to 90 percent in rural communities.

The advertising industry aims to serve the public by attracting their attention, then providing information. However this can sometimes direct motorists' attention away from their driving task, which does not support the Department of Transport and Main Roads' aims of efficiently managing traffic and providing a safe road environment.

However it has been stated that “as the efficacy of any advertising sign and also any traffic control sign is going to be affected by the environment in which it is located, the efficacy of both will be improved if some action were to be taken over visual clutter” (Andreassen, 1989).

### **1.2 Role of the Department of Transport and Main Roads**

The Department of Transport and Main Roads must consider many issues when assessing the appropriateness of any 'Advertising Device' that will be visible from a state-controlled road. An Advertising Device is any poster, hand bill, placard, notice or sign (and its associated advertising structure).

The demands for increased roadside advertising must be balanced against the needs and concerns of the wider community. Roadside advertising cannot be permitted to compromise the safety and efficiency of the road network.

The Department does not have the statutory power to approve, or otherwise, the placement of new Advertising Devices outside the boundaries of a state-controlled road. Approval lies with the relevant local government. However Transport and Main Roads does have the power under section 111 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2005* to require the removal or modification of a light or sign which may create a danger to traffic (refer Part 3.2.3). In considering an application for an Advertising Device outside the boundaries of, but visible from, a state-controlled road, a local government may consider Transport and Main Roads' exercise of this power.

If a local government refers to Transport and Main Roads an application for the placement of an Advertising Device outside the road boundary, the Department limits its comments to issues of traffic safety and efficiency. Although the Department limits its comments to traffic safety and efficiency, there may be times where it would be helpful to provide advice on future roadworks, planning schemes and vegetation management issues within the road reserve which may impact on the proposed Advertising Device to be located outside the road reserve.

### **1.3 Role of this Guide**

The *Roadside Advertising Guide* was formally known as the *Guide to the Management of Roadside Advertising (Version 1.0, 2002)* or *The Guide*. All references to the former *Guide to the Management of Roadside Advertising* in existing documents are to be considered current and equivalent to the *Roadside Advertising Guide* and may be abbreviated as *The Guide*.

This guide aims to achieve advertising (within and visible from state-controlled roads) that is acceptable to the Department of Transport and Main Roads in meeting its road safety and traffic operation objectives.

The guide will:

- assist the Department of Transport and Main Roads and local government to evaluate proposals for roadside advertising within and beyond the boundaries of state-controlled roads
- assist other government authorities to evaluate proposals for roadside advertising beyond the boundaries of, but visible from, state-controlled roads
- assist to develop roadside advertising management plans (refer Part 5.4)
- provide sufficient information to potential advertisers or other interested persons to enable them to achieve a quality result with minimal adverse effect on traffic, and to gain certainty for their Advertising Device.

There are three major issues that play an important role in this guide:

- safety and traffic efficiency issues - which impact on motorists, cyclists and pedestrians using the road
- future development issues - which reduce or eliminate the need for Transport and Main Roads to resume advertising sites for road widening or other purposes
- environmental issues - which consider the need to preserve vegetation and surrounding environs of state-controlled roads.

### **1.4 Guide layout**

This guide logically leads users through the relevant criteria considered by the Department in assessing applications for roadside advertising.

**Part 2** contains definitions of the terminology used throughout the guide.

**Part 3** presents statutory and other controls applicable to all forms of roadside advertising.

**Part 4** defines a number of permitted Advertising Device categories as defined by the Department.

**Part 5** outlines general permission criteria that applies for all categories of Advertising Devices.

**Part 6** outlines specific permission criteria for Category 1 Advertising Devices:

- Billboards (free standing or attached)
- Temporary charity and events banners.

**Part 7** outlines specific permission criteria for Category 2 Advertising Devices:

- Static illuminated Devices on street name posts.

**Part 8** outlines specific permission criteria for Category 3 Advertising Devices:

- Devices attached to passenger transport shelters and seats.

**Part 9** outlines specific permission criteria for Category 4 Advertising Devices:

On-premise Advertising Devices including awnings and fences

- Footway signs
- Real estate signs
- Charity prize home signs
- Authorised roadside vendor signs
- Service organisation signs
- Welcome signs
- Neighbourhood Watch signs
- Safety House signs
- Road service club signs
- Election signs
- Utility service signs.

**Part 10** outlines procedures for compliance, enforcement and removal of unauthorised Advertising Devices.

**Part 11** outlines indemnity, insurance, compensation and appeal provisions.

**Part 12** is a bibliography of references.

**Appendices:** The appendices encapsulate technical considerations, application flowcharts and information about fees and charges that apply for Advertising Devices. Sample tender documents and sample Road Corridor Permit (RCP) conditions are included, as are relevant sections of legislation and a copy of the gazette notice that specifies which Advertising Devices require approval from the Department. The Supplementary Guideline for the Management of Electronic Billboard Advertising Devices details the assessment and management of electronic billboards on private property or with the state-controlled road (SCR) corridor and visible from a state-controlled road, motorway or motorway standard road.

## **1.5 Implementation and review**

### **1.5.1 Implementation**

Some changes have been made to this guide since its last revision. To allow affected parties to conform to the new requirements, Transport and Main Roads' officers will try to work with and advise people and businesses of the changes and of the Department's requirements generally.

#### **Advertising outside the boundaries of, but visible from, state-controlled roads**

The guide is not intended to be retrospectively applied to existing Advertising Devices. However existing advertising that may create a danger to traffic on a state-controlled road may be rectified, removed or relocated. This may be by agreement with the advertiser, or by direct use of Transport and Main Roads' powers.

For all existing Advertising Devices, Transport and Main Roads has a duty to apply the guide:

- at the time when the continued future existence of the Advertising Device is being reviewed, or

- where the Department is invited to provide comment or approve an application.

Examples of when Transport and Main Roads is required or invited to provide comment or approve an application for an existing Advertising Device:

- where a local government requires approval under its local laws, and its policy requires the Department's input for Devices proposed near a state-controlled road
- where a Device is situated on rail land and the agreement regarding the Device is to be renewed.

### **Advertising within the boundaries of state-controlled roads**

This guide does not apply to existing approved Advertising Devices (unless the approval states otherwise) and:

- the approval is renewed (eg. licences, agreements, approvals or permits expire, are reviewed or renewed), or
- they conflict with road works, or
- they create a traffic hazard.

Where Advertising Devices do not comply with the guide, and licences, agreements, approvals or permits expire, Transport and Main Roads may require the Device to be:

- removed, or
- relocated, or
- altered.

Transport and Main Roads may permit the Device to remain, on a temporary basis, where it does not compromise road safety or efficiency.

- Advertising which is not approved and does not comply with this guide will be rectified, relocated or removed as soon as practicable.

Temporary charity and events banner sites that no longer comply with this guide shall be phased out over a period of time determined on a local basis (approximately 12 months).

#### **1.5.2 Review**

The effectiveness of this guide depends on how it is implemented in a practical way. In light of experience with specific case examples, the guide may need to be adjusted at a later date.

#### **1.5.3 Relocation of existing Advertising Devices**

Where Transport and Main Roads does works that affect the visibility of an Advertising Device, the Department would work with a proponent to try to identify an alternative site, but no guarantee could be given that a suitable site would be available in the vicinity. Relocation would be at the advertiser's expense. Any Advertising Device relocated would be treated as a new Device and would therefore have to comply with the requirements of this guide, and with any Advertising Management Plan that may be agreed between Transport and Main Roads and the relevant local government.

Transport and Main Roads cannot offer compensation if an Advertising Device is not physically impacted by road works.

## 2 Definitions

### 2.1 Definitions

For the purpose of this guide and its use, the following definitions apply:

**A-frame sign** - see *Footway sign*.

**Actual Crash Rate** – is the cost of crashes per 108 VKT expressed as a crash rate for a road segment (generally a 1km long segment).

**Advertising** means the promotion of a product, service, event or any other activity for a charity or business that would derive a benefit from the display of the advertising. The advertising may be composed of various forms including (but not limited to) words, pictures and three-dimensional objects. Advertising does not include official traffic signs erected by road authorities or other signage that relates to traffic safety or efficiency or other activities which road authorities are required to manage (eg. Adopt-a-Road, litter prevention, service centres, road safety promotion).

**Advertising Content** – is the actual advertisement, includes all words, shapes, colours and images portrayed on an Advertising Device. May also be referred to as advertising Copy.

**Average Crash Rate** – is the crash rate that represents the average of the actual crash rate values for road segments of similar road configuration and road function.

**Advertising Device** means any poster, hand bill, placard, notice or sign, and the advertising structure to which such advertisement is affixed to, painted on, or supported by (including a trivision illuminated and pylon mounted sign). It excludes official traffic signs.

**Advertising panel** means a panel typically carrying advertising copy in standard industry sheet sizes.

**Advertising flag** means an Advertising Device in the form of bunting or cloth flag that is flown from a masthead, fixed either to or in front of a building, or flown in any manner.

**Advertising structure** means a framework, board or other structure, used for the purpose of affixing or supporting an Advertising Device. It includes the facade, wall, awning, roof or canopy of a building and the columns, pylons or poles of a free standing Advertising Device or fence.

**Ancillary Works and Encroachments (AWE)** include the following: cane railways, monorails, bridges, overhead conveyors or overhead structures, tunnels, rest area facilities, monuments and statues, advertising signs or other Advertising Devices, traffic and service signs, bores, wells, pumps, windmills, water pipes, channels, culverts, viaducts, water tanks, dams, pipes, tanks, cables, road access works, paths or bikeways, grids or other stock facilities, buildings, shelters, awnings, mail boxes, poles, lighting, gates or fences, pumps and bowsers; or any of the following activities - drilling, clearing, rimming, slashing, landscaping, planting, burning off, removing trees, road safety related activities, sporting activities, camping, conducting a business (eg. a market), movement of stock other than under the *Rural Lands Protection Act 1985*, holding meetings or other encroachments declared by regulation to be Ancillary Works and Encroachments; but does not include public utility plant (*Transport Infrastructure Act 1994* definition).

**Approach Zone** Is an area indicated on the diagrams immediately prior to a conflict zone associated with an on ramp or terminating lane on a motorway or motorway standard road. This zone is intended to minimise any possible distraction by advertising Devices at this critical location so drivers may identify vehicles and hazards ahead. In this area drivers (both on the on ramp and motorway or motorway standard road) are able to view each other and assess the speeds and number of other

vehicles they will be interacting with. Drivers within this area start to identify gaps in traffic and prepare for the merge (conflict) situation ahead. Drivers in this zone may also suddenly change lane or speed based on the merging vehicles they can see or the traffic conditions apparent ahead (such as congestion caused by entering traffic).

**Areas classified as either 'remnant endangered' or 'remnant of concern'** mean areas of 'endangered' and 'of concern' regional ecosystems as prescribed (or proposed to be prescribed) under the *Vegetation Management Regulation 2000*, and other areas that have low percentages of their pre-clearing extent remaining with the area of the remnant vegetation remaining less than 10,000 hectares in Queensland.

**Areas of high nature conservation value** mean areas declared to be of high nature conservation value under the *Vegetation Management Act 1999* within a regional vegetation management plan or by gazette notice, or other areas that are generally known to contain flora or fauna which requires conservation.

**Areas vulnerable to land degradation** mean areas declared to be vulnerable to land degradation under the *Vegetation Management Act 1999* within a regional vegetation management plan or by gazette notice, or other areas that are generally known to have a soil type or topography that makes them vulnerable to land degradation if disturbed.

**AWE** - see *Ancillary Works and Encroachments*.

**Banner** means any temporary Advertising Device in the form of a sign made of a lightweight, non-rigid material such as cloth, canvas or similar fabric that is displayed for not longer than one month.

**Billboard** means any large (greater than 4m<sup>2</sup>) Advertising Device, whether freestanding or attached to a building in the form of a sign, notice, poster, etc advertising products via words, symbols, pictorial displays.

**Built-up area** means an area in which there are buildings on land next to the road, or there is street lighting at intervals of not over 100m for a distance of at least 500m or, if the road is shorter than 500m, for the whole road (*Transport Operations (Road Use Management - Road Rules) Regulation 1999 section 4, schedule 6*).

**Bulletin board** - see Billboard.

**Campaign Style Advertising** Most general advertising such as advertising a product, service or business (for example Coke, Pepsi, Movie, KFC, Sizzler, etc). Generally this type of advertising is not location based, it does not provide any directional assistance to find the product, service or business featured.

**Category 1 Advertising Device** are large free-standing Devices, Devices attached to buildings or overhead transport infrastructure, and temporary charity and events banners.

**Carriageway** means that portion of a roadway formed, prepared or set aside for the use of vehicles, inclusive of shoulders and auxiliary lanes.

**Charity prize home sign** means an Advertising Device identifying the direction or location of an art union display home (eg. Boystown, Endeavour Foundation).

**Chasing bulbs** mean non-static illuminated Advertising Devices consisting of a series or display of lights which are switched on and off in a definite progressive sequence repetitively (eg. a one-two-

three sequence again and again) to give the effect of a moving light source. Also see *Flashing illuminated Advertising Device*.

**Clear Zone** means the total roadside border area starting at the edge of the travelled way, available for safe use by errant vehicles and the display of official traffic signs. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope and/or a clear run-out area. The minimum Clear Zone width depends on the speed environment and roadside geometry.

**Community facility direction sign** means any sign erected in accordance with the Queensland *Manual of Uniform Traffic Control Devices* indicating directions to facilities likely to be sought by a significant number of strangers to the district.

**Community Messages** - Those advertising messages that are displayed for the broad benefit of the overall community (eg Crimestoppers, Salvation Army, Medical - breast cancer awareness, etc)

**Conflict Zone / Area** Is an area indicated on the diagrams where vehicle paths may intersect. Vehicle interactions may involve diverging, merging, crossing, turning and weaving vehicle movements.

**Critical Crash Rate** – is the crash rate that represents the 95th percentile actual crash rate value for road segments of similar road configuration and road function.

**Department** means the Queensland Department of Transport and Main Roads.

**Deflection Limits** – is a term used with safety barriers to define the area a safety barrier will deflect when impacted. Deflection limits are outlined in Chapter 8 of the department's *Road Planning and Design Manual*.

**Device Distraction Area** – is a defined area outside the road reserve of a Motorway where the Department has determined the installation of an Advertising Device would not be supported.

**Device Restriction Area** – is a defined area inside the road reserve where the Department has determined the installation of an Advertising Device would not be supported.

**Disability glare** is the reduced visibility of a target due to the presence of a light source in the visual field.

**District Tourism Signage Committee (DTSC)** - The DTSC is a local group chaired by Transport and Main Roads to facilitate decision making on matters related to tourism signage within a region.

**Election sign** means any Advertising Device in the form of a portable sign identifying candidates standing at local, State or Federal Government elections.

**Electronic Billboard** is a large (greater than 4m<sup>2</sup>) Advertising Device (either freestanding or attached to a building or other structure) which incorporates a large electronic screen capable of displaying and changing different advertising content.

**Extension Zone** is an area indicated on the diagrams immediately after a conflict zone associated with an off ramp from a motorway or motorway standard road. This zone is intended to minimise any possible distraction by Advertising Devices so drivers within the conflict zone may identify vehicles and hazards. It is also the area immediately after a traffic sign with important information on a motorway or motorway standard road, and is intended to limit the amount of information available to drivers as they view, read and comprehend the traffic sign information prior to encountering an Advertising Device. This zone is also located immediately after an Advertising Device on a motorway or motorway standard road, and is intended to limit the amount of information available to drivers through multiple

Advertising Devices by allowing a driver to return their attention to the driving task prior to encountering another Advertising Device.

**Finger board sign** - see *Community facility* direction sign.

**Flag** - see *Advertising flag*.

**Flashing illuminated Advertising Device** means any non-static illuminated Advertising Device where the whole of the lighting (or any part of the lighting) emits light intermittently by switching on and off all or any part of the lighting.

**Footway** means a portion of road set aside for use by pedestrians and cyclists.

**Footway sign** means a portable sign located on a footway outside the premises from which the commodity or service described on the sign may be obtained. Footway signs are directed towards pedestrians.

**Franchised road** means a road to which a road franchise agreement applies, and includes facilities identified in the road franchise agreement that are on, or adjacent to, the road and relate to the operation or servicing of the road or facilities for road users (*Transport Infrastructure Act 1994*).

**Frangible** means capable of absorbing vehicular impact through breaking, or designed to detach from a solid base at ground level upon the impact of motor vehicle, thereby reducing the risk of injury.

**Free standing Advertising Device** means an Advertising Device supported independently of, and visibly separated from, a building or other structure, and permanently fixed to the ground.

**Hoarding** - see *Billboard*.

**Illuminated Advertising Device** means an Advertising Device with specifically designed internal and/or external means of illumination of the whole or portion of the Advertising Device.

**Illuminated multi-advertisement scrolling sign** means an illuminated Advertising Device with a number of translucent or non-transparent advertising panels connected to form a strip that may be wound to sequentially display the advertising panels.

**Identilites (identilites, IDENTILITE and Identilite International)** are all trademarks of Claude Outdoor Pty Ltd. An identilite means a static internally illuminated Advertising Device located above static internally illuminated street name signs.

**"Important" Official Traffic Signs** – are signs that are installed, placed or erected under the authority of the *Transport Operations (Road Use Management) Act 1995*, that require a driver decision to be made, or if missed may pose a safety hazard.

- The following lists include examples of official traffic signs to be used with respect to advertising restrictions only. This is not a complete list and signs that are not on this list but which are similar in application/function to signs that are included below may be assumed to have similar restriction applied.
- Examples of "Important" traffic signs include:
  - Direction signs (green background), excluding Reassurance Direction signs
  - Variable Message Signs (VMS)

- Variable Speed Limit Signs (VSL), only where the default speed limit changes or the sign is the initial VSL sign on a managed section of road – i.e. excludes VSL signs that generally operate as speed limit repeater signs
- Lane Use Management signs (LUMS) installed on managed motorways, where the sign is the initial LUMS on a managed section of road
- Lane Control Signs installed for tidal flow operations
- Speed Limit Signs (only where the speed limit changes – i.e. excludes repeater signs)
- Enhanced Variable Message Signs (EVMS), eg. Travel Time signs which are a full EVMS sign
- Vehicle Activated Signs (VAS), eg. fully electronic signs activated by approaching vehicles
- Signs with Wig Wags (flashing yellow lights) to enhance visibility.
- Low Clearance height signs
- Safety critical warning signs, examples include:
  - Curve
  - Railway Crossing
  - Intersection
  - Traffic Control (Stop, Give Way or Signals) Ahead
  - Pedestrian Crossings
  - School
  - Lane Ends – Merge
  - Low Clearance
- Other important official traffic signs that have a reduced restriction (50% of standard) placed around them include:
  - Direction signs (brown tourist or blue service signs, with no green background components)
  - Reassurance Direction signs
  - Variable Speed Limit Signs (VSL), that generally operate as speed limit repeater signs
  - Lane Use Management signs (LUMS) installed on managed section of road
  - Travel Time signs which have a VMS component and a static sign component
  - Signs with a VMS panel making up part of the overall sign (but no more than 50% of the overall signface area)
  - Road Condition Information Signs (RCIS)

- Other important regulatory signs (excludes speed limit repeater signs and parking regulation signs) examples include:
  - Truck Lane Use at Weighbridge Sites
  - Road or Bridge Load Limits
- An example of some signs that are NOT important official traffic signs (with respect to advertising restrictions) and have no restrictions placed around them include:
  - Speed limit repeater signs (provided they are true repeaters for all traffic)
  - Emergency stopping bay or emergency phone signs
  - Welcome to state, region or town signs
  - Transit lane signs
  - 131940 white on blue signs
  - Toll Point signs
  - Exit Signs in the gore area of an off ramp
  - Merging Traffic (including added lane option) warning signs in the gore area of an on ramp
  - Geographical Markers (eg River names, Town or Suburb names etc)
  - Road name Signs, eg on overpasses
  - Clearance Height signs (excluding LOW CLEARANCE height signs)
  - Breakdown Clearance Zone Signs
  - Keep Left Unless Overtaking Signs
  - Speed/Red Light Camera Signs
  - Road Subject to Flooding Signs
  - Floodway Warning Signs
  - Flood Depth Indicator Posts
  - Speed Limit Ahead Signs

**KSI (Killed or Serious Injury)** – is a term used in crash statistics to describe crashes that result in a fatality or hospitalisation.

**Lawfully erected Advertising Device** means an Advertising Device erected in accordance with the local laws of the relevant local council and the relevant Department requirements at the time of its erection.

**Licensee** means the person/s referred to in a licence agreement together with their successors and permitted assigns and, unless inconsistent with the subject matter or context, includes all persons for the time being authorised by the licensee.

**Lighting Environment Zone 1** means an area with generally very high off-street ambient lighting. Recognised display areas in central city locations (eg. Fortitude Valley in Brisbane and central Surfers Paradise on the Gold Coast) generally provide Zone 1 lighting levels.

**Lighting Environment Zone 2** means an area with generally medium-high off-street ambient lighting. These include major suburban business centres, entertainment precincts, industrial and/or community centres (eg. some larger petrol stations, car sales yards and car parks) where there are a significant number of lights and illuminated Devices.

**Lighting Environment Zone 3** means an area with generally low levels of off-street ambient lighting. Most rural and residential areas fall into this category.

**Lightly trafficked roads** mean roads with an Annual Average Daily Traffic (AADT) less than 5,000 vehicles per day.

**Local government** means a local government constituted under the *Local Government Act 1993*, or the City of Brisbane as constituted under the *City of Brisbane Act 1924*.

**Message Sequencing** – is where subsequent messages on the same electronic billboard or on different billboards are not stand alone messages. They are messages that are reliant on or refer to other display screens or billboards to complete the message.

**Mid-Block Pedestrian Facility** – For the purpose of defining advertising restriction areas on OSCR's a mid-block pedestrian facility is a formal pedestrian facility not located at an intersection and may include any of the following

- Zebra
- Signals
- Pedestrian Refuge with appropriate signage etc.

**Motorway** – is a state controlled road that is declared by gazette notice as a motorway, or a road or land that is intended to become a motorway (and Transport and Main Roads has notified the relevant local authority in writing of this intention).

**"Motorway Standard" Road** – means a divided state-controlled road with a speed limit of 80km/hr and above, located in an urban or peri-urban area with relatively high traffic volumes and generally with limited access, some grade separated intersections/interchanges and limited at grade intersections.

**Moving Advertising Device** means an Advertising Device capable of movement by any source of power. For the purposes of this guide:

- a) Small loosely attached coloured discs, which are vibrated by the wind to give the appearance of rippling, are not regarded as moving Advertising Devices.
- b) Variable message Advertising Devices which have electronic or other means to make a display appear to move would not be classified as moving Advertising Devices because of such apparent movement.

**Moving single message display** means a single message display provided by a variable message Advertising Device where the message, or part of the message, appears to move (eg. moving legend, moving pictorial displays, legend or symbols appearing to change in size).

**Multi-frame message** is when an electronic billboard display screen is split to display more than one advertisement. May also be referred to screen splitting.

**MUTCD** means the *Manual of Uniform Traffic Control Devices* issued by the Department (*Transport Operations (Road Use Management) Act 1995, section 5, schedule 4, dictionary*).

**National Highway** means a road classified as a 'National Highway' by the Federal Government.

**National Parks** mean areas of State land dedicated, by regulation, by the Governor in Council in accordance with section 29 of the *Nature Conservation Act 1992* or other areas set aside for the purposes of representing biological diversity, natural features or wilderness of Queensland. [Note: National Parks are classed as "protected areas" under section 28 of the *Nature Conservation Act 1992*. The *Nature Conservation Act 1992* section 5(b) describes "protected areas" as areas representative of the biological diversity, natural features and wilderness of Queensland].

**Neighbourhood Watch sign** means an Advertising Device informing road users that a Neighbourhood Watch Program, organised and supported by the community in order to reduce crime, is active in the residential or rural area. The sign bears the legend NEIGHBOURHOOD WATCH AREA and includes the Police Service logo and other symbol legends, but no other material.

**Neon Advertising Device** means an illuminated Advertising Device consisting of exposed neon tubes.

**Non-illuminated Advertising Device** means an Advertising Device without specifically designed internal or external means of illumination. Advertising Devices illuminated by street lighting or general area lighting only are classed as non-illuminated Advertising Devices. They may be retro-reflective, non-reflective or partially retro-reflective.

**Non-static illuminated Advertising Device** means an illuminated Advertising Device where the illumination of the entire Advertising Device is not constant in form, intensity and colour.

**Official Traffic Signs** – are all signs that are installed, placed or erected under the authority of the *Transport Operations (Road Use Management) Act 1995*.

**On premise signs** are all the signs or Advertising Devices fixed to buildings or freestanding within a property used by the businesses located on the property for their own identification or advertising and includes, but is not limited to; business identification, product or service information, or contact details (address or phone numbers).

- On Premise Business Identification Signs
  - Are all the signs that are used to identify the business or businesses located at that site
- On Premise Advertising Devices
  - Are the Advertising Devices used to expand from the business identification signs and would include information such as products or services offered by the business or businesses, or contact details such as postal or web address or phone numbers.

**Peri-urban area** is the area of influence between rural and urban areas, usually located near urban areas but with no planning intent for urban development.

**Portable sign** means an Advertising Device in the form of a sign not permanently attached to the ground or to a building or structure.

**Poster** - see *Advertising panel*.

**Pylon sign** means a free standing Advertising Device in the form of a sign supported on a single column a minimum of 5 metres above the surrounding ground level.

**Railway Level Crossing** – Any crossing of a railway (including a cane railway) at grade, providing for vehicular traffic or other road users including pedestrians.

**Ramp** means for the purpose of establishing the applicable restriction areas, a ramp is defined as an exit off or onto a motorway or motorway standard road from another road:

- The entrances to and exits from super service centres on Motorways are considered ramps.
- Entrances to or exits from the following are not considered ramps;
  - Enforcement Bays,
  - Weighbridge sites
  - Rest Areas,
  - Emergency stopping / phone bays,
  - Median crossover points,
  - Maintenance Access Points,
  - Isolated Business entrances / exits (excluding service centres).

**Rate 3 Road Lighting** means public lighting supplied, installed, owned and maintained by the Public Body. As defined in the Department Transport and Main Roads' *Road Planning and Design Manual 2004*.

**Real estate sign** means an Advertising Device that is displayed temporarily to facilitate sale, auction and lease, or to indicate direction or location of a real estate property including display homes and newly subdivided estates.

**Regional ecosystem** means a vegetation community in a bioregion that is consistently associated with a particular combination of geology, landform and soil (*Vegetation Management Act 1999*).

**Responsible authority** means either the Department or the relevant local government, where they have agreed to accept responsibility for advertising on state-controlled roads.

**Restriction Notice Area** – is a defined area outside the road reserve where the department has determined the installation of an Advertising Device is not preferred. The "Restriction Notice Area" reflects the situation where there is no legislative mechanism available for the department to approve, condition, or not approve Devices located outside the road reserve (other than on motorways). The department may only provide comment on Devices located within this area and indicate that they are not preferred at these locations. The relevant local government has power to approve, condition, or not approve an Advertising Device in the "Restriction Notice Area" and thus has the responsibility for establishing and enforcing any advertising restrictions within these areas. If an Advertising Device is erected within the "Restriction Notice Area" and is considered to pose a hazard to traffic, it is possible that the department will utilise Section 111 of the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005* and have the Advertising Device removed or modified.

**Road** means -

- a) an area of land dedicated to public use as a road, or
- b) an area that is open to, or used by, the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles, or
- c) a bridge, culvert, ferry, ford, tunnel or viaduct, or

- d) a pedestrian or bicycle path, or
- e) a part of an area, bridge, culvert, ferry, ford, tunnel, viaduct or path mentioned in paragraphs (a) to (d). (*Transport Infrastructure Act 1994 Schedule 6*).

**Road Corridor Permit.** The Department of Transport and Main Roads plans, provides and manages Queensland's state-controlled road network. This includes managing the non-road transport activities, works and structures that occur within the road corridors. Applicants wishing to undertake an activity, works or erect a structure within the road corridor must first apply for a Road Corridor Permit (RCP).

**Road Reserve/Road Corridor** refer to the land set aside for a road (or proposed road) and extends from the property boundary on one side to the property boundary on the other side.

**Road Safety Messages** Those advertising messages with road safety as a central theme (eg Drink Driving, Seatbelt Use, Fatigue, Speeding, etc).

**Road service club sign** means an Advertising Device identifying the direction or location of a road service club emergency depot (eg. RACQ) that conveys no other information.

**Roads of similar standard** means a multilane heavily trafficked (more than 20,000 vehicles per day) median divided road with a posted speed limit of 80km/h or higher.

**Roadside vendor sign** means an Advertising Device as per Part 9.6 identifying the distance to a roadside vendor and the types of product available from the vendor.

**Rotating Advertising Device** means any moving Advertising Device capable of movement about a vertical axis.

**Rural or non-urban areas** generally contain many of the following features:

- a) localised street lighting at major intersections only
- b) sparse development adjacent to the road with buildings generally set a considerable distance back from the road boundary
- c) land use generally associated with agriculture, forestry or passive recreational activities or industries involving large-scale operations
- d) intersections widely spaced (approximately 1km minimum)
- e) road traffic which has little or infrequent interaction with adjacent development
- f) regulatory speeds generally 80km/h or higher.

**Safety Barrier** Is a roadside barrier installed to protect vehicles from impacting a hazard. Safety barriers are outlined in Chapter 8 of the Transport and Main Roads' Road Planning and Design Manual.

**Safety House sign** means an Advertising Device informing road users they are entering a Safety House Zone. The Safety House Program is a community-based and funded program with a network of easily identified houses and businesses for use by children whenever they feel unsafe while in their community.

**Scintillating light display** means a non-static illuminated Advertising Device consisting of a series or display of lights which are switched on and off in a random sequence repetitively to produce a twinkling effect. Also see *Flashing illuminated Advertising Device*.

**Sequential message set** means a series of individual messages displayed on a variable message sign that must be read sequentially to obtain an overall message.

**Service organisation sign** means an Advertising Device indicating places and times of meetings and/or specific projects or facilities provided by service organisations (eg. Lions or Apex) and that conveys no other information.

**Single message display** means a single entire message provided by a variable message Advertising Device in one display.

**Small electronic advertising device** means a small electronic advertising device (less than 4 m<sup>2</sup> in size) which may be a stand alone electronic advertising device or form part of a larger static advertising device. They have a similar design and capability as an electronic billboard but on a much smaller scale.

**Snipe sign** means an unapproved Advertising Device erected either permanently or temporarily within the boundaries of state-controlled roads. Existing structures are generally utilised to support the Device (eg. trees, other signs and roadside poles).

**Speed environment** means an indication of the operating speed of a road (the speed in km/h at or below which 85 percent of vehicles are observed to travel under free-flowing conditions). Note that it does not necessarily reflect the posted speed limit. As a general rule of thumb, the speed environment is the posted speed limit plus 5 to 10km/h.

**State-controlled road** means a road so designated under the *Transport Infrastructure Act 1994*.

**State Forests** mean areas defined under section 5 of the *Forestry Act 1959*, or other permanent reservations of areas for the purpose of producing timber or associated products in perpetuity and/or of protecting a watershed therein, and includes any Crown land or any land or part of land set apart and declared by the Governor in Council by regulation under sections 25 and 28 of the *Forestry Act 1959* as a State Forest or timber reserve.

**Static illuminated Advertising Device** means any illuminated Advertising Device where the illumination of the entire Advertising Device is constant in form, intensity and colour.

**Street name post** means a post on a state-controlled road carrying a street name sign as installed and/or approved by the Department and local government.

**Term** means the duration of the licence agreement, commencing on the commencement date.

**Traffic** means the use by any person of any road or off-street regulated parking area, or the presence therein or thereon of any person, vehicle, tram, train, animal or other movable article or thing whatsoever (*Transport Operations (Road Use Management) Act 1995*, section 5, schedule 4, dictionary).

**Traffic hazard** means a structure or thing that is likely to:

- obscure or limit the view of the driver of a motor vehicle on a public road, or
- be mistaken for a traffic control device, or
- cause inconvenience or danger in the use of a public road, or
- be otherwise hazardous to traffic.

**Travelled way** means that portion of the roadway allocated for the movement of vehicles (exclusive of shoulders, but inclusive of auxiliary lanes).

**Trivision sign** means an Advertising Device where the face comprises a series of vertical prisms (usually three-sided) turning in unison, but where the supporting structure is stationary.

**Turbulence Zone** Is an area indicated on the diagrams associated with an off ramp, on ramp or terminating lane on a motorway or motorway standard road. Traffic flow within the turbulence zone is disrupted by the influence of the on or off ramps or merging, prior to returning to free flowing conditions. This zone is intended to minimise any possible distraction by Advertising Devices so drivers within the turbulence zone may identify vehicles and hazards. Typically drivers within this zone may change lanes, alter travelling speed and exit or enter the motorway or motorway standard road suddenly.

**Urban areas** mean areas that generally contain most of the following features:

- a) street lighting
- b) extensive residential, commercial or industrial development or associated land uses abutting the road
- c) significant interaction between adjacent development and passing traffic
- d) considerable pedestrian movements
- e) closely spaced intersections
- f) numerous public utility services
- g) regulatory speed generally 70km/h or less.

**Utility service sign** means an Advertising Device identifying the location of cables and services or warning of potential dangers in relation to utility services, and no other material.

**VMS (Variable Message Sign) Advertising Device** – is an Advertising Device which displays electronically generated messages that can be change to display predefined or free text information, figures and symbols. Generally these Devices are small (less than 4m<sup>2</sup>) and portable (trailer mounted) or are incorporated into a large static Device

- **VMS full screen displays**  
The entire display is a VMS Advertising Device
- **VMS panels with static advertising**  
The VMS Advertising Device is part of a larger advertising display.

**VMS (Variable Message Sign) Traffic Management Device** – is a traffic management Device which utilises the features and functions of a VMS to provide information to drivers with respect to the management of traffic, road safety or efficiency and may also be used to display messages of community benefit.

**Viewing Zone** is an area indicated on the diagrams immediately prior to a traffic sign with important information on a motorway or motorway standard road, and is intended to limit the amount of information available to drivers as they locate, view and read the information on the traffic sign without the possible distraction of an Advertising Device or an Advertising Device competing with the traffic sign for the driver's attention.

This zone is also located immediately prior to an Advertising Device on a motorway or motorway standard road, and is intended to limit the amount of information available to drivers through multiple Advertising Devices.

**Welcome sign** means a sign located on or near a local government, district, town or city boundary that provides a message of welcome to that local government, district, town or city, and conveys no other information.

**World Heritage** areas mean areas included in the World Heritage list as a declared World Heritage property under Section 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) or other areas with internationally outstanding cultural, natural resources or biological diversity that are intended to be preserved for future generations.

Superseded

### **3 Statutory and other controls**

#### **3.1 Advertising within the boundaries of state-controlled roads**

##### **3.1.1 Advertising Devices as Ancillary Works and Encroachments**

The *Transport Infrastructure Act 1994 Schedule 3* defines traffic and service signs, advertising signs or other Advertising Devices (within the boundaries of state-controlled roads) as Ancillary Works and Encroachments (AWEs).

To provide for the erection of Advertising Devices on state-controlled roads, the Department shall use administrative procedures that apply to AWEs. The statutory requirements relating to these procedures are detailed in the *Transport Infrastructure (State-controlled Roads) Regulation 2006*.

##### **3.1.2 Ancillary Works and Encroachments provisions**

The *Transport Infrastructure Act 1994 s.50* provides for Ancillary Works and Encroachments. In particular, the section states:

1. *The chief executive may construct, maintain, operate or conduct ancillary works and encroachments on a state-controlled road.*
2. *The chief executive may, by gazette notice, decide that specified ancillary works and encroachments must not be constructed, maintained, operated or conducted on state-controlled roads, or on state-controlled roads in a specified district, without the written approval of the chief executive. [Note that a gazette notice exists and permits some minor advertising without any approval (refer Appendix M). All other advertising within state-controlled roads requires approval from Transport and Main Roads.]*
3. *A person must not construct, maintain, operate or conduct ancillary works and encroachments on a state-controlled road contrary to a notice under subsection (2).*
4. *Subsection (3) does not apply to the construction, maintenance, operation or conduct of ancillary works and encroachments on a state-controlled road if the construction, maintenance, operation or conduct-*
  - a. *conforms to requirements specified by the chief executive by gazette notice [some requirements are in the gazette notice (refer Appendix M)]; or*
  - b. *is done as required by a contract entered into with the chief executive.*
5. *An approval or requirements under this section may be subject to conditions (including conditions about the payment of fees and other charges) fixed by the chief executive.*
6. *A thing is not done contrary to this section if it is permitted under the Land Act 1994, the Transport Operations (Road Use Management) Act 1995 or an Act about local government.*

The *Transport Infrastructure Act 1994 s.51* provides for presumptions about advertising notices. In particular, the section states:

1. *This section applies to a prosecution for an offence against section 50(3) in relation to an advertising notice.*
2. *Each person whose product or service is advertised on the notice is taken to maintain the notice, unless the person proves the advertisement was placed without the person's knowledge or permission.*

### **3.2 Advertising outside the boundaries of, but visible from, state-controlled roads**

#### **3.2.1 Development Assessment under the Sustainable Planning Act 2009**

Section 10 of the *Sustainable Planning Act 2009 (SPA)* establishes that placing an advertising device on a premise is classified as operational work and is deemed development under the act. Operational work in proximity to a state-controlled road is referred to the State Assessment and Referral Agency (SARA) which is managed by the Department of State Development, Infrastructure and Planning (DSDIP). Development applications triggered to SARA are assessed against the State Development Assessment Provisions (SDAP) which set out matters of interest to the state for development assessment.

The Department of Transport and Main Roads does not have a formal assessment role in regards to development applications triggered to SARA. However, SARA may refer an application likely to impact on a state-controlled road to the Department for technical advice.

#### **3.2.2 Advertising visible from motorways**

The *Transport Infrastructure Act 1994* s.43 allows a local government to obtain written approval by the Department where the local government intends to approve an Advertising Device beyond the boundaries of, but visible from, a motorway. It also allows the Department to make guidelines and permission criteria, including conditions, for such Devices.

In particular, the section states:

1. *A local government must obtain the chief executive's written approval if it intends to approve the erection, alteration or operation of an advertising sign or other Advertising Device that would be-*
  - a. *visible from a motorway; and*
  - b. *beyond the boundaries of the motorway; and*
  - c. *reasonably likely to create a traffic hazard for the motorway.*
2. *The chief executive may make guidelines to which local governments must have regard in deciding whether an approval of the chief executive under subsection (1) is required for particular motorways.*
3. *An approval by the chief executive under subsection (1) may be subject to conditions.*
4. *Subsection (1) does not apply if the conditions applied by the local government to the erection, alteration or operation of the sign or device comply with permission criteria fixed by the chief executive.*
5. *The permission criteria may include conditions.*
6. *A local government must comply with conditions that apply to it under this section.*
7. *An approval by the chief executive under subsection (1) must be given-*
  - a. *within 21 days after receiving the application for approval; or*
  - b. *within a longer period notified to the local government by the chief executive within the 21 day period.*

8. If-
  - a. a local government applies for an approval under subsection (1); and
  - b. the chief executive does not respond to the application within 21 days after receiving the application; the chief executive is taken to have given approval at the end of the 21 days.
9. In this section-  
"motorway" includes a road or land that the chief executive has notified the local government in writing is intended to become a motorway.
10. The chief executive must cause a copy of each notice under subsection (9) to be published in the gazette.

### **3.2.3 Advertising that may be a danger to traffic**

The *Transport Operations (Road Use Management Accreditation & Other Provisions) Regulation 2005* s.111 (2)(a) relates to a light or sign that may create a danger to traffic. In considering an application for an Advertising Device visible from a state-controlled road, local government should consider whether the chief executive's exercise of this power is relevant. This guide may help determine whether a Device may create a danger to traffic.

Section 111 (2)(a) states:

1. This section applies if the chief executive (Queensland Transport) or commissioner (Queensland Police Service) considers a light or sign in, on, or near a road, or attached to a building or other structure in the vicinity of a road, may create a danger to traffic.
2. The chief executive or commissioner may give the owner of the light or sign a written notice requiring the owner, within the time stated in the notice, to
  - a. remove the light or sign; or
  - b. modify the light or sign, in the way stated in the notice, so it does not create a danger to traffic.
3. The owner must comply with the notice unless the owner has a reasonable excuse.
4. If the owner does not comply with the notice, the chief executive or commissioner may
  - a. remove the light or sign; and
  - b. recover the removal costs from the owner as a debt.

Certain Transport and Main Roads' officers are delegated the above powers by the Chief Executive.

### **3.3 Hand-held and vehicle-mounted Advertising Devices**

The *Traffic Regulation 1962* s.126 outlines offences in relation to advertising, placards, handbills etc. In particular, the regulation states:

1. A person shall not-
  - a. upon any road for the purpose of business advertising-
    - i. carry any advertisement, placard, board, notice or sign;
    - ii. throw or distribute any handbill or other printed or written matter; or

- b. in respect of a vehicle on which or alongside of which an advertisement is being displayed - drive, or permit to be driven, that vehicle on a road or cause or permit that vehicle to stop on a road in such circumstances that the primary purpose for which the vehicle is being driven or stopped at the material time is business advertising;*

*unless the person is the holder of a permit issued by the Chief Executive (Queensland Transport) or Commissioner (Queensland Police Service) authorising the person so to do and unless the person complies in every respect with the terms and conditions of such permit.*

- 3. In this section-  
"business advertising" includes advertising for a single event, financial venture, fete, stall or sale.*
- 4. Without limiting the liability of any other person where an offence is committed in relation of a breach of subsection (1)(b), the person who at the time of the commission of the breach was the owner of the vehicle shall be deemed to have committed that offence and may be proceeded against and shall be punishable accordingly.*

In addition, Section 126B of the *Traffic Regulation 1962* provides for carrying signs on roads. In particular, the regulation states:

*A person shall not upon any road for any purpose other than business advertising carry any placard, board, notice or sign-*

- a. of a size exceeding 610mm in width and 610mm in length; or*
- b. which is constructed, framed or supported by any rigid material other than cardboard; unless the person is the holder of a permit issued by the chief executive or commissioner authorising the person so to do and unless the person complies in every respect with the terms and conditions of such permit.*

Normally, Queensland Police Service is not expected to issue permits for the conduct of such activities on state-controlled roads.

### **3.4 Facsimile of official traffic sign**

The *Transport Operations (Road Use Management) Act 1995* s.75 addresses the unlawful installation of official traffic signs. In particular, the section states:

- 1. Any person who without lawful authority installs on a road or an off-street regulated parking area an official traffic sign or other thing in the nature of or similar to or which is likely to be mistaken for an official traffic sign shall be guilty of an offence, and any such sign or other thing may be removed by the chief executive or the local government (whether or not any proceeding is taken for an offence with respect thereto).*
- 2. Upon convicting a person for an offence against any of the provisions of subsection (1) the court, in addition to any penalty which it may impose, may (whether an application or complaint is made in respect thereof or not) order the person to pay the costs of the removal of the official traffic sign or other thing in question to the chief executive or the local government, as the case may be.*

Accordingly, Advertising Devices shall not be displayed if they:

- may be mistaken for, or confused with, any official traffic sign, and/or

- reduce the clarity or effectiveness of any official traffic sign, and/or
- encourage traffic to move contrary to an official traffic sign.

### **3.5 Removal of illegal Advertising Devices**

The *Transport Infrastructure Act 1994* s.52 provides for alteration etc of Ancillary Works and Encroachments (AWEs). In particular, the section states:

1. *If ancillary works and encroachments are constructed, maintained, operated or conducted contrary to section 52 (Ancillary works and encroachments), the chief executive may-*
  - a. *cause them to be altered, relocated, made safe or removed; or*
  - b. *for activities - direct that their conduct be altered or that they stop being conducted.*
2. *A person who constructed, maintained or operated ancillary works and encroachments contrary to section 50 is liable to pay to the chief executive the cost of altering or relocating them, making them safe or removing them.*
3. *If ancillary works and encroachments are removed under subsection (1), the chief executive may cause them to be sold or destroyed.*
4. *If the chief executive is of the opinion that ancillary works and encroachments, or the use of ancillary works and encroachments, that were constructed, maintained, operated or conducted on a state-controlled road under an approval, requirements or contract under section 50-*
  - a. *by themselves or with other factors-*
    - i. *are creating or may in the future create a traffic hazard; or*
    - ii. *are reducing or may in the future reduce safety; or*
    - iii. *are having or may in the future have an adverse effect on traffic operations; or*
  - b. *require emergency action; or*
  - c. *have become or may in the future become an obstacle to the carrying out of road works on the road or to the construction, augmentation, alteration or maintenance of public utility plant on the road;*

*the chief executive may cause them to be, or direct that they be, altered, relocated, made safe or removed or, for activities, direct that their conduct be altered or that they stop being conducted.*
5. *Subsection (4) does not apply to road access works.*
6. *A person must comply with a direction under this section.*
7. *If ancillary works and encroachments are altered, relocated, made safe or removed because of a direction under subsection (4), the chief executive may enter into an agreement with the owner of the ancillary works and encroachments for making a contribution towards the cost of the alteration, relocation, making safe or removal.*

*Transport Infrastructure Act 1994* s.28 also provides the Department, for a state-controlled road in the area of a local government, all of the powers that the local government may exercise for a local government road in the area.

### **3.6 Attaching devices to electricity works**

The *Electricity Act 1994* s.230 states that a person must not wilfully and unlawfully interfere with an electricity entity's works (eg. attaching something to an electricity entity's works).

### **3.7 Clearing and trimming vegetation**

The *Transport Infrastructure Act 1994 Schedule 6* includes clearing, trimming, slashing and burning off (within the boundaries of state-controlled roads) within the definition of AWEs.

The *Transport Infrastructure Act 1994* s.47 states that a person must not, without lawful excuse, damage, remove or interfere with naturally occurring materials... on a state-controlled road. Section 49(5) of the *Transport Infrastructure Act 1994* provides for such approval to be subject to conditions, including the payment of fees and charges (refer Part 3.1.1.2, Appendix G for clearing permit and Appendix H for fee information).

In approving an AWE, Transport and Main Roads cannot approve the taking of a protected plant that is restricted by the *Nature Conservation Act 1992* s.89. The definition of 'take' in relation to a plant includes:

- i. gather, pluck, cut, pull up, destroy, dig up, fell, remove or injure the plant or any part of the plant; or
- ii. attempt to do an act mentioned in subparagraph (i).

A protected plant is a plant that is prescribed under the *Nature Conservation Act 1992* as threatened, rare, near threatened or least concern wildlife. The *Nature Conservation (Wildlife) Regulation 1994* identifies threatened, rare and common wildlife that must be protected.

For information regarding clearing of any native vegetation please contact the Department of Environment and Resource Management as a permit may be required. A person who clears trees from a road without a tree clearing permit, or damages, removes or interferes with a naturally occurring material within the road reserve may be liable for prosecution.

### **3.8 Local government controls**

Local government control over the display of Advertising Devices may be exercised through relevant local laws, local law policies and town planning provisions.

The *Transport Infrastructure Act 1994* s.45 provides for management of particular functions on state-controlled roads by local governments. In particular, the section states:

1. *A local government may exercise, for a state-controlled road in its area, all the powers that it may exercise for a local government road in its area.*
2. *However, if there is a contract of the kind mentioned in section 29(4) (Powers of chief executive for road works contracts etc.) between the chief executive and a local government, the exercise of the powers must be done as required by the contract.*
3. *If there is no contract of the kind mentioned in section 29(4) between the chief executive and a local government, the chief executive may direct the local government not to exercise any or some of its powers for a state-controlled road specified in the direction.*
4. *A direction under subsection (3) may be subject to conditions.*
5. *A local government must comply with directions or conditions under this section.*

6. *The exercise of a power by a local government under this section is not a ...contravention of this Act.*

In addition, section 43 of the *Transport Infrastructure Act 1994* provides for departmental involvement in local government approval of those Devices beyond the boundaries of, but visible from, state-controlled roads designated as motorways. Section 43 states:

1. *A local government must obtain the chief executive's written approval if it intends to approve the erection, alteration or operation of an advertising sign or other Advertising Device that would be –*
  - a. *visible from a motorway; and*
  - b. *beyond the boundaries of the motorway; and*
  - c. *reasonably likely to create a traffic hazard for the motorway.*

Superseded

## **4 Categories and approval procedures**

### **4.1 Categories**

Advertising Devices are divided into the following four categories in recognition of their different administrative arrangements and potential to impact on safety.

#### **Category 1**

Large free-standing Devices, Devices attached to buildings or overhead transport infrastructure, and temporary charity and events banners. Examples – billboards (including electronic), trivision signs and signs on overhead bridges (these may be within a state-controlled road or adjacent to, but visible from, a state-controlled road).

Some minor on-premise Advertising Devices including awnings and fences are considered to be Category 4 Devices.

#### **Category 2**

Static illuminated signs on street name posts (located within state-controlled roads).

#### **Category 3**

Devices attached to transport infrastructure (excluding overhead transport infrastructure). Examples - passenger transport shelters and seats.

#### **Category 4**

Business signs, community signs, road user signs and small miscellaneous signs on state-controlled roads or above state-controlled roads. Examples –

- On-premise Advertising Devices including awnings and fences (except Devices considered as Category 1 Devices)
- Footway signs
- Real estate signs
- Charity prize home signs
- Roadside vendor signs
- Service organisation signs
- Welcome signs
- Neighbourhood Watch signs
- Safety House signs
- Road service club signs
- Election signs
- Utility service signs.

## 4.2 Approval procedures

### 4.2.1 General

#### Department approval

The Department may approve advertising **within the boundaries of state-controlled roads** provided:

- the Advertising Device conforms with the provisions of the roadside advertising policy document titled *Advertising on or near state-controlled roads*
- the Advertising Device conforms with this guide
- a local government does not have authority to approve the Advertising Device (ie. Categories 3 and 4).

#### Local government approval

The policy document titled *Advertising on or near state-controlled roads* allows local government to accept an increased role in the management of advertising on state-controlled roads for Categories 3 and 4 Devices.

Where local government agrees to accept these additional responsibilities, Transport and Main Roads may confer authority to manage certain categories of roadside advertising. The scope of such authority is outlined in this guide.

#### Advertising management plans

Transport and Main Roads and local government may wish to develop advertising management plans (as outlined in Transport and Main Roads' *Policy for Advertising on or near State-controlled roads*). An advertising management plan is one way to ensure consistent treatment by Transport and Main Roads and local government of advertising within, and adjacent to, land visible from a state-controlled road. An advertising management plan may be included, or referred to, in a local government planning scheme.

#### Categories 3 and 4 Advertising Devices

For Categories 3 and 4 advertising (where authority has been conferred to and accepted by a local government), the Department will take no formal part in the approval process. However the Department shall retain the powers and other functions ascribed to the Department under statutory provisions.

### 4.2.2 Approvals

Advertising Devices **within the boundaries of state-controlled roads** shall comply with the policy and this guide. Where necessary, approval of the Department shall be obtained.

Approval for Advertising Devices located **outside the boundaries of state-controlled roads** should be sought from the relevant local government. Local governments may refer applications to the Department as they deem necessary. The Department will respond to enquiries relating to traffic safety and efficiency, and may indicate if the area proposed for the Advertising Device is to be affected by future roadworks, including road upgrades or deviations, landscaping or provision of noise barriers.

### 4.2.3 Applications

Every application for approval of an Advertising Device shall be made on the relevant authority's prescribed form.

Some Category 4 signs are permitted on state-controlled roads without any approvals from Transport and Main Roads, provided certain criteria are met, although local government approval may be required (refer Part 9 and Appendix M).

Applications to the Department for advertising within state-controlled roads shall be on the *Road Corridor Permit Form* (refer Appendix J). A separate application form should be submitted for each Advertising Device or groups of Advertising Devices as specified.

Before completing the application form, applicants should read the relevant sections of this guide and assess if their application complies with requirements. Copies of the guide may be viewed at Transport and Main Roads' regional offices.

Applications must be accompanied by a copy of the specifications/plans drawn to drafting standards and showing relevant construction and fixing details of the proposed Advertising Device, plus their relationship to surrounding infrastructures and to the site.

### 4.2.4 Indemnity and insurance

Where required, an Advertising Device owner or licensee shall indemnify (and keep indemnified) the Department against any claim, action or process for damage and/or injury that arises as a result of the installation or existence of the Advertising Device.

Unless specifically exempted in this guide, applications for approval of Advertising Devices shall be supported by evidence of a public liability policy of insurance issued in accordance with the requirements of Part 11.

## 4.3 Advertising within the boundaries of state-controlled roads

### 4.3.1 General

Advertising Devices within the boundaries of state-controlled roads shall comply with the following:

- An Advertising Device shall not contravene any statutory or state controls (refer Part 3).
- An Advertising Device shall accord with the general permission criteria (refer Part 5).
- An Advertising Device shall accord with the relevant specific permission criteria (refer Parts 6 to 9).
- Where required, an Advertising Device shall accord with the indemnity and insurance criteria (refer Part 11).

Existing Advertising Devices must comply with the above criteria at the time when an application is made for modification and at the renewal of permits.

The Advertising Device application process typically requires:

- Category 1 - For billboards within a state-controlled road, Transport and Main Roads may seek expressions of interest or call tenders for specific sites or roads (refer flowchart in Appendix F Figures F1A and F1B). Expressions of interest are not required for temporary charity and events banners. An application must be lodged with Transport and Main Roads.

- Category 2 – An applicant lodges an application with the relevant Transport and Main Roads regional office (refer flowchart in Appendix F Figure F2).
- Categories 3 and 4 - If not exempted under gazette notice (refer Appendix M), an applicant lodges an application to the relevant authority (refer flowcharts in Appendix F Figures F3A and F3B).
- Evidence of public liability insurance (certain Category 4 Devices are exempt, refer Part 9).
- Categories 1 and 2 Devices may require the establishment of a Transport and Main Roads and/or local government licence agreement.
- Payment of fees (certain Category 4 Devices are exempt, refer Part 9).

The specific administrative procedures are presented in flowchart format in Appendix F.

The Department will consult with the relevant local government regarding advertising on state-controlled roads. While not bound by any policies of that local government, the Department will endeavour to achieve consistency in the treatment of advertising on state-controlled roads and local government roads in a local government area, and to seek agreement on roadside advertising conditions.

Where it is agreed to confer management for Categories 3 and 4 Advertising Devices, local governments are encouraged to consult with the Department regarding advertising applications for state-controlled roads which do not comply with Departmental policy or this guide.

A licence, permit or approval issued by the Department under this guide does not relieve the licensee from the duty to comply with all local laws, policies and town planning provisions pertaining to Advertising Devices signs and their structures.

#### **4.3.2 Additional criteria**

Assessment of applications for Category 1 Advertising Devices (large free-standing Devices and Devices attached to overhead infrastructure) shall generally include:

- the establishment of infrastructure sponsorship agreements (the Department may seek infrastructure sponsorship agreements via the State Purchasing Policy in accordance with Appendix A), or
- the identification of high-value sites (suitable for the erection of Devices on existing infrastructure and large free-standing Devices and the licensing of these sites via the State Purchasing Policy).

#### **4.3.3 Advertising outside the boundaries of, but visible from, a state-controlled road**

Transport and Main Roads has powers to ensure that advertising beyond the boundaries of, but visible from, a state-controlled road does not create a danger to traffic [Section 111 of the *Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2005*] and s45 of *Transport Infrastructure Act 1994* for motorways. Certain criteria have been promoted in this document to provide guidance to local government on the various issues that may impact on the operations of a state-controlled road. Local governments should take note of this criteria, and if there is any doubt over the possible impact of advertising, they should contact the nearest Transport and Main Roads' regional office.

#### **4.4 Fees and charges**

Fees charged for advertising within a state-controlled road cover administrative approval costs and, for major Advertising Devices, ongoing annual charges (relative to the benefit derived by the advertiser and commensurate with market rates).

The establishment of site fees shall generally be based on the following:

##### **Category 1**

- For billboards, the establishment of a market fee for high-value sites shall be arranged through the State Purchasing Policy and may include a competitive tendering process for a site or length of road.
- Innovative and new technology tenders will be considered in the process.
- Fees shall be paid in advance.
- The costs of the Advertising Device and the costs of erection, dismantling (if applicable) and maintenance shall be the responsibility of the licensee.
- A licence agreement or a Road Corridor Permit application will be established.
- For temporary charity and events banners, no fees will be charged; however the applicant may be required to pay for work by Transport and Main Roads' staff or contractors to erect/remove banners from the Department's infrastructure.

##### **Category 2**

- Fees information is set out in Appendix (H).
- Fees shall be paid in advance.
- The costs of the Advertising Device plus erection, dismantling (if applicable) and maintenance shall be the responsibility of the licensee.
- A licence agreement or an Road Corridor Permit will be established.

##### **Categories 3 and 4**

- For Categories 3 and 4 Devices (for which management has been conferred on local government), any local government approval shall attract normal local government fees and charges.
- Fee arrangements may be subject to Transport and Main Roads and the relevant local government requirements. Where the relevant local government does not have any controls or fee structures, fee information is outlined in Appendix H which is provided for guidance only.
- Certain Category 4 Devices are exempt from fees by Transport and Main Roads.
- Unless otherwise specified by the relevant local government, the cost of the Advertising Device and the costs of erection, dismantling (if applicable) and maintenance shall be the responsibility of the licensee or Advertising Device owner.

Fee information associated with other Advertising Devices is also outlined in Appendix H.

## 5 General permission criteria Advertising Devices

This section outlines safety and efficiency criteria and development criteria for all Advertising Devices within, or visible from, state-controlled roads. Also included are criteria about support structures for Advertising Devices within state-controlled roads and information about advertising management plans and visual amenity.

Chapters 6, 7, 8 and 9 set out specific criteria for Categories 1, 2, 3 and 4 Devices (respectively) that may modify or add to the general criteria contained in this chapter.

### 5.1 Safety and efficiency criteria

Roadside Advertising Devices are one of the many stimuli confronting road users. The driver needs to assess the relevance of these stimuli to the driving task. Cognitive assessment of roadside objects or devices becomes more difficult as the level of driver attention, distraction and decision making is increased.

The permission criteria for the display of Advertising Devices within the boundaries of state-controlled roads are intended to ensure that:

- a high level of safety for road users is maintained
- traffic efficiency is assured.

An Advertising Device may be considered a traffic hazard if it interferes with road safety or traffic efficiency, or if it:

- interferes with the effectiveness of a traffic control device (eg. traffic light, stop or give way sign), or
- distracts a driver at a critical time (eg. making a decision at an intersection), or
- obscures a driver's view of a road hazard (eg. at corners or bends in the road), or
- gives instructions to traffic to "stop", "halt" or other (eg. give way or merge), or
- imitates a traffic control device, or
- is a dangerous obstruction to road or other infrastructure, traffic, pedestrians, cyclists or other road users, or
- is in an area where there are several devices and the cumulative effect of those devices may be potentially hazardous.

The traffic hazard potential of an Advertising Device varies depending on its size, location, luminance and background. The hazard generally diminishes the further the device is away from the road.

Frequent changes to advertising content are more likely to distract a driver than a business sign with content that does not change (this is because drivers filter/screen unnecessary information whilst driving). Easily recognised and well-known symbols (such as McDonalds or BP logos) are less likely than words to distract.

To maintain safety and traffic efficiency for road users, the following two main areas should be controlled for proposed Advertising Devices:

1. **Site selection** - which is comprised of:
  - a. the **lateral placement** of Advertising Devices (which influences the hazard potential for an errant vehicle and the effectiveness of official traffic signs)
  - b. the **longitudinal (driver distraction control) placement** of Advertising Devices relative to designated traffic situations and official traffic signs, road features and other Advertising Devices (which influences sight distances and driver distraction).
2. **Physical characteristics** of Advertising Devices - including shape, illumination, colour and font size (which can influence the extent of driver distraction or confusion).

Transport and Main Roads has full control of advertising located within the boundaries of state-controlled roads.

Local government has the primary responsibility for approving Advertising Devices located outside the boundaries of state-controlled roads. Local government is required to refer an application to Transport and Main Roads if a proposed sign is visible from a motorway and where the sign is likely to create a traffic hazard for motorway users (refer Part 3.2).

Local government should also consider the likelihood that an Advertising Device may cause a danger to traffic on other state-controlled roads including motorway standard roads (refer Part 3.2). Local government may use this guide to assist in decision making and to provide a degree of consistency for advertising signs visible to traffic using the state-controlled road network.

### 5.1.1 Site selection criteria

#### 5.1.1.1 Lateral placement

##### Clear Zone

*Except where road reserves are very narrow, lateral placement criteria will normally only apply to Advertising Devices that are within the boundaries of state-controlled roads. The application of the 'Clear Zone' concept is intended to minimise the risk of collision of an errant vehicle with an Advertising Device. Refer to Appendix B for Advertising Device clear zone criteria*

While there are a number of Australian references that quantify Clear Zone dimensions on the basis of speed environment and Annual Average Daily Traffic (AADT), the American Association of State Highway and Transportation Officials (AASHTO) 1996 document titled *Roadside Design Guide* has been adopted as the primary reference. It is the only known research source which provides a means of quantifying the influence of horizontal alignment and adjacent slope on the Clear Zone.

The adoption of the AASHTO curve representing the highest AADT and imposition of horizontal curve multipliers (irrespective of super elevation) does impose a degree of conservatism that should further diminish the risks of errant vehicle impact with Advertising Device structures.

The procedure for determining the width of the Clear Zone is outlined in Appendix B. For example, the Clear Zone for straight roads with flat roadsides is 4.5 metres for 60km/h speed environments, 6 metres for 80km/h speed environments and 9 metres for 100km/h speed environments. (Where 85 percentile speed data is not available, a reasonable approximation is the speed limit plus 5 to 10km/h).

## Traffic Islands

Notwithstanding compliance with the Clear Zone criteria outlined in this guide, Advertising Devices will not otherwise be permitted on traffic islands.

## Medians

In very limited situations, and where other sites in the adjoining area are not suitable, Advertising Devices may be located within the median area of the road reserve provided the above clear zone and/or safety barrier requirements are met.

To minimise any adverse impacts on traffic safety or traffic flow, site access provisions for construction, maintenance and operational activities must also be considered. This is especially important for Advertising Devices where access to the median area is required.

Where the state-controlled road is separated by a narrow median from an adjacent roadway, the Clear Zone for that adjacent roadway shall be considered in conjunction with the Clear Zone for the state-controlled road (eg. a service road running parallel to a main through road).

### 5.1.1.2 Longitudinal placement (Driver Distraction Controls)

*The application of longitudinal placement controls is intended to:*

- *minimise the level of driver distraction in areas where greater concentration is required*
- *preserve sight distances*
- *retain a high level of traffic efficiency.*

*This criteria applies to both:*

- *advertising within the boundaries of state-controlled roads*
- *advertising outside the boundaries of, but visible from, state-controlled roads*

Longitudinal placement controls for Advertising Devices within state-controlled roads shall be in the form of:

- Advertising Device density constraints
- Device restriction distances to designated traffic situations and official traffic signs.

This approach reflects the Department's desire to maintain the integrity of traffic signs and to minimise the potential for confusion, consistent with Lay (1990:473).

Longitudinal placement requirements have been set for some Advertising Devices. These set out minimum distances between the Device and traffic conflict points, official traffic signs and other Advertising Devices (ie. reduce advertising density).

The driver distraction potential of Devices has been assessed (refer Appendix C) and restriction distances between Devices and traffic conflict points are provided for road speeds, Device locations, or Device types and sizes.

Where lateral placement requirements and driver distraction requirements are provided for by a particular restriction distance, the greater value will be used.

Advertising Devices can be considered to directly distract or confuse motorists if they convey information that is contrary to or competing with information conveyed by Important Official Traffic Signs or make locating Important Official Traffic Signs difficult due to clutter etc. Refer to definitions in

Part 2 for an example list of Important Official Traffic Signs that have restrictions placed around them with respect to Advertising Devices. An assessment of the role that a traffic control device plays will be made by Transport and Main Roads Regional Officers. In some instances, depending upon the nature of the information conveyed on the traffic control device, opportunities might exist to relocate the device in order to comply with the device restriction area requirements.

For example, Transport and Main Roads' Regional Officers may consider, on a case by case basis and in consultation with the relevant tourist facility, requests by advertisers to relocate brown tourist signs to enable Advertising Devices to be installed consistent with restriction distance requirements. Any relocation, however, would be at no cost to the Department.

Where road safety and traffic efficiency is not compromised, Transport and Main Roads' Regional Officers may take into account the presence of existing billboards when deciding where to install new Important Official Traffic Signs.

### **Multiple Advertising Devices**

When two (2) Advertising Devices, located together, are different in their general form, the driver distraction potential shall be determined separately for each Device, e.g. static illuminated rotating and non-static illuminated non-rotating Advertising Devices, or a static illuminated Advertising Device which surrounds, partly surrounds or is completely incorporated within a variable message Advertising Device.

### **Advertising Devices Visible from Multiple Roads or Road Types**

Advertising Devices must be assessed in accordance with the provisions for the roads or type of roads they are visible from. If an Advertising Device is visible from more than one road or type of road (such as a motorway or motorway standard road and a ramp or other road) the restrictions applicable to each road or type of road the Advertising Device is visible from must be assessed.

An Advertising Device is considered to be visible and require assessing if it is likely that drivers will be able to view and read or be distracted by the Device.

### **Advertising Devices Visible from Ramps**

On and off ramps from a motorway or motorway standard road are to be assessed as a state controlled road for Advertising Device restriction purposes. Advertising Devices located on or visible from an on or off ramp will need to be assessed as per the applicable restrictions in Figures C5A, C5B and C5C.

In addition the Advertising Device will also require assessing from other roads it is visible from (e.g. the motorway or motorway standard road that the ramp leaves or joins).

#### **5.1.1.3 Longitudinal placement - future roadwork considerations**

The impact of any future or planned roadworks in the vicinity of a proposed Advertising Device must be determined and any likely impacts assessed.

If the proposed Advertising Device is likely to be affected by future or planned roadworks which would impact on the operation (visibility or viability) of the Device or require its removal, relocation or modification (and approval otherwise for the proposed Advertising Device would be given) the following should occur.

- The applicant is to be notified of the findings and the expected time frames surrounding the likely impact.

- The applicant may advise Transport and Main Roads that they still wish to proceed with the Advertising Device approval and the applicant will accept that any approval will be for a limited term and all costs associated with the impact of the future or planned roadworks on the Advertising Device will be borne by the applicant.
- Transport and Main Roads would then approve the proposed Advertising Device with a set term and conditions applicable to the agreement above. Upon expiry of the term of agreement and if planned or future roadworks are still some time away from commencing, another period of approval may be issued.
- If the applicant does not wish to proceed, the approval process will not be continued.

In addition to known future or planned roadworks, Transport and Main Roads is progressively implementing managed motorways infrastructure that comprises variable speed limit and lane use management signs, often mounted on gantries over traffic lanes. It is important to note that:

- Transport and Main Roads' Regional Officers may take into account the presence of existing billboards when deciding where to install new managed motorway infrastructure; and
- The location of managed motorway infrastructure will generally take precedence over the location of existing Advertising Devices. As a result, existing Advertising Devices may fall within device restriction areas when the new managed motorway infrastructure is installed. In most instances, these outcomes will be treated as exceptions and TMR will not require that the existing Advertising Devices be relocated, irrespective of whether the Advertising Devices are located within or outside the road boundary.

#### **5.1.1.4 Extra restrictions based on crash history**

In addition to the restriction and distraction areas identified in Figures C5 to C7 of this guideline, further restrictions may apply due to the crash rate or crash history where:

- Sections of road have an actual crash rate higher than the critical crash rate. Refer to section 5.1.1.5 for details of the procedure for calculating and evaluating crash rates.
- Intersections have a vehicle crash history of three (3) or more KSI crashes in the last 5 years (from the most recently available / complete and released crash data for the intersection).
- In addition to the crash rate and crash history analysis, when the dates of the available complete crash data are 'old' (more than one year), more recent incomplete crash data should be reviewed to ensure an increase in crash occurrence near the proposed location is not occurring.

Where an intersection or section of road has had sufficient roadworks completed (within or after the crash analysis dates) and the changed configuration or layout would likely reduce the frequency or severity of future crashes at this location, the use of crash history at this location prior to or during the roadworks is to be avoided.

When crash rates or crash history at a location meet the above criteria the following extra restrictions will be applied;

- For a section or sections of road
  - Advertising Devices must be located clear of any sections of road which have an actual crash rate above the critical crash rate.

- For Intersections
  - Increase the applicable restriction distance at the intersection by multiplying the restriction distance "d" by a factor of 2 (ie doubled) for all diagrams where a conflict area is identified.

#### 5.1.1.5 Crash rate calculation

The crash rates for a road section are to be calculated and evaluated in accordance with the following;

- The most recent available complete (all severities) crash data is to be used
- The period of crash data to be analysed is five (5) years
- A TARP (Traffic Accident Remedial Program) analysis will need to be performed at carriageway level (as the direction of travel is important when considering the impact of advertising).
  - The TARP analysis will produce crash rates (critical, average and actual).
  - Road segment lengths used in the TARP analysis are to be rolling 1km sections.
  - Crash rates are to be calculated as Cost per VKT.
  - A carriageway analysis is not standard for a TARP calculation – if required (this will be the case for divided roads) request assistance.

Forms to request crash data from the department are available on the department's website:  
[www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

#### 5.1.2 Physical characteristics

*The application of control on physical characteristics is intended to minimise the level of driver distraction. Advertising Devices should not be shaped, coloured or illuminated like an official traffic sign.*

*This criteria applies to both:*

- *advertising within the boundaries of state-controlled roads*
- *advertising outside the boundaries of, but visible from, State controlled roads.*

*Devices should not be overly bright and should be quickly and easily interpreted.*

Control of the physical characteristics of Advertising Devices shall relate to the:

- Size and shape
- Colour
- Illumination and luminance
- Movement and rotation
- Advertising Device content
- Supporting structure (devices within state-controlled roads: dealt with in section 5.2).

#### Size and Shape

The size and shape of Advertising Devices within the boundaries of state-controlled roads may be limited to accepted industry standards.

Advertising Devices within and outside the boundaries of, but visible from, state-controlled roads shall not use shapes that could potentially result in an Advertising Device being mistaken for an official traffic sign.

The *Manual of Uniform Traffic Control Devices* prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.

### **Colour**

Advertising Devices within and outside the boundaries of, but visible from, state-controlled roads shall not use colour combinations that could potentially result in an Advertising Device being mistaken for an official traffic sign.

The *Manual of Uniform Traffic Control Devices* prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.

### **Illumination and Luminance**

Advertising Devices within and outside the boundaries of, but visible from, state-controlled roads shall not contain flashing red, blue or amber point light sources which, when viewed from the road, could give the appearance of an emergency service or other special purpose vehicle warning light/s.

The maximum luminance of illuminated Advertising Devices within and beyond boundaries of, but visible from, state-controlled roads shall not exceed the levels outlined in Appendix D.

Experimentation has shown that disability glare (reduced visibility of a target due to the presence of a light source in the visual field) can cause a large increase in motorist response times to stimuli (Johnson and Cole, 1976:20). To minimise the distractive influence of excessively bright illuminated Advertising Devices on the driving task, luminance controls are imposed relative to the Lighting Environment Zone in which the Device is erected.

- The Department shall determine the Lighting Environment Zone in which the Advertising Device is proposed to be located, where the zone is not readily apparent.
- All lighting associated with the Advertising Device shall be directed solely on the Advertising Device and its immediate surroundings.
- External illumination sources shall be shielded to ensure that external 'spot' light sources are not directed at approaching motorists.
- Any light source shall be shielded so that glare does not extend beyond the Advertising Device.
- Non-static illuminated Advertising Devices (flashing lights) are not permitted within the boundaries of state-controlled roads.

Controls are imposed upon non-static illuminated Advertising Devices to limit their distractive potential. These controls are based upon evidence that shows the momentary luminosity shortly after the commencement of a flash of light, or the repetitive switching on and off a light, results in an increase in its perceived brilliance. A recently adopted practical application of this phenomenon assists in the night-time delineation of bicycles (ie. flashing red light emitting diodes).

### **Movement and Rotation**

Moving, rotating or variable message Advertising Devices are not permitted within the boundaries of state-controlled roads.

Johnson and Cole (1976:21) have shown that moving displays cause a statistically significant distractive influence on motorist response times to external stimuli. Controls imposed upon moving Advertising Devices in this guide generally depend on Device location.

This permission criterion is not intended to apply to variable message displays used by road authorities for traffic management or for displaying other corporate information. Variable message displays located at bus stops or similar places where messages are directed at, and intended for, pedestrians (not motorists) are excluded.

### **Advertising Device Content**

For Categories 1 and 2 Advertising Devices, the Department will generally rely upon self-regulatory controls within the advertising industry to enforce minimum advertising standards. Notwithstanding this approach, the Department may take action to modify or remove any Advertising Device within or outside the boundaries of, but visible from, state-controlled roads that contravene the *Advertising Industry's Code of Ethics*, (refer Appendix L) or that otherwise causes a traffic hazard.

Where the Department enters into a licence agreement for Category 1 advertising signs within the boundaries of state-controlled roads, Transport and Main Roads reserves the right to apply certain controls on the advertising copy content in order to ensure that the content does not create a traffic hazard.

### **Legibility**

*The following requirements about legibility of advertising content **are advisory, not mandatory**; except where an Advertising Device is located within the road and the agreement between Main Roads and the owner of the device includes provisions about advertising content*

For all categories of Devices (except Category 3 and some Category 4 Devices which are directed at pedestrians), text elements on an Advertising Device face should be easily discernible to travelling motorists. This will minimise driver distraction. Additionally, a sign shall be quickly and easily interpreted so as to convey the required advertising message to the viewer and reduce the period of distraction.

AUSTROADS' *Guide to Traffic Engineering Practice: Part 8* outlines a relationship between legend height, sign content (ie. number of words) and speed environment used in the design of worded traffic signs. The general concepts contained in the AUSTROADS document are relevant to Advertising Device design, and may, in certain circumstances, be considered by the Department in the assessment process. Reduced Device effectiveness because of excessive words, certain objects or symbols is also to the disbenefit of the advertiser. Typical results from the application of the AUSTROADS' methodology are depicted in the table below for the guidance of advertisers.

6 Words Speed Environment km/h	Capital Letter Height (mm) for Equivalent Lateral Offset (metres)					
	30	25	20	15	12	10
60	392	335	278	221	187	164
70	401	344	287	230	196	
80	409	352	295	238	204	
90	418	361	304	247		
100	426	369	312	255		
110	434	377	320			
120	443	386				

9 Words Speed Environment km/h	Capital Letter Height (mm) for Equivalent Lateral Offset (metres)					
	30	25	20	15	12	10
60	418	361	304	247	212	190
70	430	373	316	259	225	
80	443	386	329	272	238	
90	455	398	341	284		
100	468	411	354	297		
110	481	424	367			
120	493	436				

12 Words Speed Environment km/h	Capital Letter Height (mm) for Equivalent Lateral Offset (metres)					
	30	25	20	15	12	10
60	443	386	329	272	238	215
70	460	403	346	289	254	
80	476	419	362	305	271	
90	493	436	379	322		
100	510	453	396	339		
110	527	470	413			
120	544	487				

Note: The tabled heights for lettering on advertising are for guidance only and should not be considered as mandatory unless otherwise determined by a legal agreement.

Guide to capital letter height on overhead advertising banners

Number of Words	Letter Height (mm)
6	223
9	265
12	307

## 5.2 *Development criteria*

This criteria applies:

- for all advertising proposed within the boundaries of a state-controlled road
- where an Advertising Device is proposed to be erected on land outside the boundaries of, but visible from, a state-controlled road.

Where an advertising device is proposed within the boundaries of a state controlled road, the Department may:

- advise of the potential impact of future road, landscape or noise barrier projects on the advertising proposal
- assess the impact the proposal may have on future resumption costs (where road upgrading proposals conflict with the Advertising Device proposal)
- assess the impact the proposal may have on access to the state-controlled road.

The following criteria shall also apply:

- Safe access shall be available to the Advertising Device for erection, maintenance and alteration activities. For Devices located on land adjacent to state-controlled roads, access shall be permitted only at existing access locations where current access approval includes such use.
- The Advertising Device and surrounding area shall be kept in a clean and tidy condition.
- Advertising Devices beyond the boundaries of, but visible from, state-controlled roads shall not be permitted access over landscaping etc within the boundaries of state-controlled roads.
- The undertaking of clearing, trimming, slashing and burning off within the boundaries of state-controlled roads in order to enhance the visibility of an Advertising Device (irrespective of location) shall be subject to Departmental approval and an application fee (refer Appendices G and H).
- Unauthorised clearing, trimming, slashing, burning off or otherwise removal or destruction of vegetation on a state-controlled road may be subject to prosecution or a fine.
- Where an advertising device is proposed within the boundaries of a state-controlled road, the Department shall apply Road Corridor Permit conditions that limit erection and maintenance activities to nominated time frames, in order to ensure safety of personnel and minimum disruption to traffic operations.

- All proposals for alterations to approved Advertising Devices within the boundaries of state-controlled roads shall be referred to the responsible authority at least three weeks before the alteration, except where the responsible authority may not require advice of proposals to alter content on an Advertising Device (unless the approval states otherwise).

Apart from accommodating vehicular and pedestrian traffic, road reserves are corridors for utility services such as power, telecommunications, gas, stormwater, water supply and sewerage. The location of these services is known by other agencies with their own legislative right to install these services within the road reserve. The Department does not know the accurate location of all underground services. One organisation set up to provide this type of advice is "Dial Before You Dig".

Advertising Device owners are solely responsible for ensuring that during erection, maintenance, alteration and operation of an Advertising Device, the Device does not conflict with services or other things within the road reserve.

### **5.3 Supporting structures (Devices within the boundaries of state-controlled roads)**

#### **Structure**

Advertising Device structures for Categories 1 and 2 Devices within the boundaries of state-controlled roads shall be certified by a RPEQ engineer practising in the field of structural engineering. Device supports that may represent a road safety hazard shall be of an approved "slip base" design or protected by a safety barrier. The slip action must be shown to be safe.

This certification confers compliance of the design with relevant Australian structural design standards, codes of practice and conditions of this guide.

- The size of support members and methods of attachment shall comply with this guide.
- The supporting structure shall have a non-reflective finish to prevent glare.
- The Device structure shall be well maintained. It shall be painted in colours that are consistent with, and enhance, the surrounding area.
- Official road furniture such as official signs and delineator guide posts shall not be used as the supporting structure of an Advertising Device without prior written permission from the Department.
- The name of the Advertising Device licence holder should be placed in a conspicuous position on the Device.

#### **Electrical Connection**

- Electrical connections to Advertising Devices located within the boundaries of state-controlled roads shall accord with relevant Australian Standards.
- Electrical connections to Advertising Devices shall be designed to ensure there is no safety or traffic risk.
- Electrical connections to Advertising Devices shall be designed to be safe in the event of accidental knock down.

Examples of authorised electrical 'disconnect' systems used by the Department are depicted on Department Standard Drawings 1338, 1386, 1387 and 1389 (slip base street light pole designs).

- 'As Constructed' certification shall be supplied immediately following installation and connection.
- Connections shall be made direct to the electricity supply. Where this is not possible or practical, connections may be made to a Department rate 3 road lighting circuit (ie. road lighting installations owned and maintained by the Department) subject to the following additional permission criteria.
- Payment of a connection fee will reflect the Department's investment in the provision of road lighting infrastructure to which the Advertising Device is connected (refer Appendix H for fee information).
- The licensee is the power consumer and shall make application for power connection from the electricity supplier with evidence of the Department's approval to connect the Advertising Device to a Department rate 3 at the advertising site.
- Any charges for power connection and supply shall be incurred directly by the licensee. A copy of the electricity supplier's letter of acceptance/billing arrangement shall be provided to the Department before entering into the formal licence agreement.
- The electrical installation work shall be performed by a licensed electrical worker in accordance with the *Electricity Act and Regulation (1994)*, the Wiring Rules AS3000 and the relevant electricity supplier's requirements.
- The connected load shall not exceed the maximum voltage drop requirements of the circuit (for adequate performance of the lighting circuit).
- Adequate insulation and protection equipment and procedures shall be in place to protect maintenance and service personnel working on either the Advertising Device or the road lighting circuit. The general arrangement shall accord with Energex Drawing No. 4927-A4/a entitled *Typical Unmetered U/G Supply for Non-standard Luminaire, General Arrangement* (or similar) as far as earthing, protection and isolation requirements at the customer's switchboard (sub-board) are concerned. A separate (MEN) earth electrode shall be used, and active and neutral conductors shall be used only for supply from the supply point.
- The sub-board shall be labelled to indicate the location of the control device for the submain supply from the Department's installation.
- A sketch plan of the installation showing the supply point at the nearest pole or pillar provided by the Department shall be submitted to the relevant electricity supplier along with the notification of metering changes (eg. Energex Form 2).
- The electrical contractor shall notify the relevant electricity supplier of the additional connected load. Generally, the electricity supplier will have formal procedures under which this notification process is managed. For example - in the case of Energex, the electrical contractor will notify Energex by completing the relevant parts of Energex Form 2 entitled *Notification of Metering Changes Needed or of Electrical installation Work Ready for Inspection*. This form must be submitted to Energex's branch office where an Unmetered Supply Field Service Order is raised to initiate connection and account alteration. This procedure is necessary because the Department's road lighting circuit is unmetered and the billing alteration will require assessment of energy use for account purposes (based on switching times and lamp wattage, including an allowance for losses).

- A copy of the electrical contractor's test certificate shall be provided to the Department.
- The photocell or other switching device shall be of a type approved by the electricity supplier.
- Electrical components shall accord with relevant Australian Standards.

#### **5.4 Advertising management plans**

Advertising management plans may be used as an input into local government planning schemes to provide a way in which the interests of the Department, local government and other stakeholders are taken into account.

Advertising management plans are intended to:

- be developed in consultation with stakeholders
- set in place a structure with processes to manage and control advertising
- set parameters against which advertising applications can be assessed
- ensure amenity issues are properly considered
- address vegetation/landscaping device visibility concerns
- ensure Advertising Device proposals and positioning are coordinated with all existing and future advertising locations on government reserves (including road and rail), government properties and private properties
- present an ultimate Advertising Device location plan.

Advertising management plans shall:

- be cooperatively developed between local and state authorities in consultation with relevant stakeholders
- not contravene statutory or other state controls
- generally not contradict permission criteria specified in this guide
- ensure safety of all road users
- reduce uncoordinated proliferation of Category 1 Advertising Devices within and beyond the boundaries of state-controlled roads
- increase the effectiveness of a select number of Category 1 Advertising Devices in an aesthetically pleasing manner
- reduce clutter
- facilitate regional, trade and economic development
- provide financial returns to the relevant authorities (compatible with market rates while achieving the objectives mentioned above).

#### **5.5 Visual amenity**

For advertising located outside the boundaries of a state-controlled road, visual amenity will not form the basis of assessment by the Department. In relation to Advertising Devices within the road reserve, the Department will have regard to advice by local government when it may be a concern.

### 5.5.1 Conservation areas

There are certain areas where advertising may be inappropriate due to the nature of the surrounding area. Advertising is generally not permitted within the boundaries of state –controlled roads in the following areas:

- National Parks
- State Forests
- World Heritage areas
- Areas classified as remnant endangered regional ecosystems
- Areas classified as remnant of concern regional ecosystems
- Areas of high nature conservation value
- Areas vulnerable to land degradation.

Exceptions to the above restrictions may apply in special circumstances. For example – for tourist service/accommodation businesses, Advertising Devices may be permitted as part of a regional tourist plan. Applications would be considered on a case-by-case basis by the Department in consultation with the relevant authority

Superseded

## **6 Specific permission criteria for Category 1 Advertising Devices – billboards – temporary charity and events banners**

This section outlines site selection, physical characteristics and other guidance criteria for billboards (whether large, free-standing or attached to infrastructure including buildings or overhead bridges) and temporary charity and events banners, both within and beyond the boundaries of, but visible from, state-controlled roads.

The state-controlled road network may be categorised into four different road groups when considering Advertising Device locations as follows:

- Motorway
- Motorway Standard Roads; and
- Other State Controlled Roads (OSCR) split between the following two speed limit related groups:
  - High Speed (greater than or equal to 80km/h)
  - Low Speed (less than 80km/h).

The following criteria replace, or are in addition to, the general criteria specified in Part 5 of this guide. Where there is duplicating or conflicting information, the specific permission criteria shall override.

### **6.1 Advertising outside the boundaries of, but visible from, state-controlled roads including motorway standard roads (not motorways)**

The Department does not have the statutory power to approve, or otherwise, the placement of new Advertising Devices outside the boundaries of a state-controlled road. The powers of approval lie with the relevant local government. However the Department does have the power under section 111 of the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005* to require the removal or modification of a light or sign which may create a danger to traffic (refer Part 3.2). In considering an application for an Advertising Device outside the boundaries of, but visible from, a state-controlled road or motorway standard road, local government may consider the Department's exercise of this power.

If a local government refers, to the Department, an application for the placement of an Advertising Device outside the road boundary, the Department should limit its comments to issues of traffic safety and efficiency. Visual amenity outside the road reserve should not form the basis of assessment by the Department. Vegetation issues within the road reserve may need to be considered.

#### **Site Selection**

Site selection controls as specified in Part 5.1 (Safety and Efficiency Criteria) shall be applied. Table C1 in Appendix C provides the distances to be used for Advertising Restriction Areas from designated traffic areas. Restriction Notice Areas as illustrated in Figures C5A, C5B, C5C, and C7 apply to Advertising Devices located outside the boundaries of but visible from state-controlled or motorway standard roads.

#### **Physical Characteristics**

The physical characteristic controls as specified in Part 5.1 (Safety and Efficiency Criteria) shall be applied, except as follows.

## **Movement and Rotation**

The movement and rotation of an Advertising Device visible from state-controlled roads are subject to the following criteria.

### **Rotating Advertising Devices**

Rotating Advertising Devices should be permitted only when movement within the Advertising Device is about a vertical axis and where the speed limit is less than 80km/h.

### **Trivision signs and illuminated multi-advertisement scrolling sign**

The distraction potential of billboard type advertising generally relates to size, advertising content, illumination and its longitudinal, lateral and vertical placement. The additional criteria for trivision signs and illuminated multi-advertisement scrolling signs are the length of display and the time taken to change from one display to the next. Both of these criteria add a sense of movement to the display. A balance is needed between allowing sufficient time for viewing while not creating a potential distraction to motorists. A physical characteristic is that the copy change time should be completed within one second, with a corresponding copy display time of 8 seconds or greater. These Devices should only be considered where the speed limit is less than 80km/h.

### **Variable message Advertising Devices**

The following controls relate to electronically controlled variable message displays for roadside advertising. Because electronic displays are conspicuous by design and have the greatest potential to distract motorists, the objective is to limit this potential.

The following controls aim to reduce the frequency and extent of movement and colour change within a display.

Signs should be installed only where:

- the required sign viewing time does not result in a safety problem for the particular environment
- there is adequate advance visibility to read the sign
- the environment is free from driver decision points and there is no competition with official traffic signs
- the speed limit is less than 80km/h
- the device is not a moving Advertising Device.

While travelling, drivers must glance from the road to read a sign, then glance back to the road. Forbes (1939) states that during this glance, the maximum amount of copy which can be read by the ordinary person is three to four familiar words (excluding prepositions such as “to”, “for” or “at”).

### **Graphics with or without text**

- This type of display generally refers to a variable message sign (VMS) which may display combinations of any of the following: - graphics, shapes, conspicuous colours or colour combinations. It may or may not contain text.
- Long duration display periods are preferred in order to minimise driver distraction and reduce the amount of perceived movement. Each screen should have a minimum display period of 8 seconds.

- The time taken for consecutive displays to change should be within 0.1 seconds.
- The complete screen display should change instantaneously. Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are **not recommended**.
- Sequential message sets are not recommended.
- The time limits will be reviewed periodically.

#### **Text only**

- This type of display refers to large screen VMS or strip type 'text only' VMS.
- The number of sequential messages that are part of a message set may range from one to a maximum of three. In locations with high traffic volumes or a high demand on driver concentration, the number of sequential messages should be limited to two.
- Where a display is part of a sequential message set, the display duration should be between 2.5 to 3.5 seconds for a corresponding message length of three to six familiar words.
- The number and complexity of words used in a message should be consistent with the display duration.
- The time taken for consecutive displays to change should be within 0.1 seconds.
- The complete screen display should change instantaneously. Methods of display change such as 'fly in' or 'scroll' or any other type of message change are **not recommended**.
- Where a VMS is used as a 'text only' display in a sequential message set, the background colour should be uniform, non-conspicuous in colour, and should not change across the sequential message set.
- Where background colours do not change between series of message sets, the end of a message should be denoted by a blank time of 1 second.
- Where background colours change between series of message sets, the end of a message should be denoted by a blank time of 2 seconds.
- The time limits will be reviewed periodically.

#### **Electronic Billboards**

For the management of electronic billboards outside the boundaries of, but visible from, state-controlled roads (not motorways), refer to Appendix N: Supplementary Guideline for the Management of Electronic Billboard Advertising Devices.

#### **Other Criteria and Guidance**

Local government approval may be required.

#### **6.2 Advertising outside the boundaries of but visible from a motorway**

In accordance with section 43 of the *Transport Infrastructure Act 1994*, where an Advertising Device is located outside the boundaries of, but visible from, a motorway, and where it is reasonably likely to create a traffic hazard for the motorway, local government must refer applications for its erection, alteration or operation to Transport and Main Roads. Local government should only refer such applications to Transport and Main Roads where the application firstly complies with its own requirements.

Advertising Devices beyond the boundaries of, but visible from, motorways are limited to non-rotating static illuminated, non-rotating non-illuminated formats and electronic billboards. The Device Distraction Areas given in Figure C6 should be used in the assessment of Advertising applications. No Advertising Devices should be located within the restriction areas.

For the management of electronic billboards outside the boundaries of, but visible from, a motorway, refer to Appendix N: Supplementary Guideline for the Management of Electronic Billboard Advertising Devices

### **6.3 Advertising within the boundaries (Road Reserve) of state-controlled roads (includes motorways and motorway standard roads)**

Where an Advertising Device is permitted on a state-controlled road, the following criteria shall apply.

- Advertising Devices are limited to non-rotating static illuminated and non-rotating, non-illuminated formats.
- Variable message signs and trivision Advertising Devices are not permitted within the boundaries of a state-controlled road.
- Electronic billboards are permitted within the boundaries of a state-controlled road. Refer to Appendix N for the Supplementary Guideline for the Management of Electronic Billboard Advertising Devices.

#### **6.3.1 Large static, non-rotating free-standing devices**

##### **Site Selection**

##### **Lateral Placement**

Clear Zone requirements must be considered in the placement of an Advertising Device within the road reserve. Refer Appendix B.

##### **Longitudinal Placement**

The Advertising Device shall be longitudinally separated from other Advertising Devices at the Department's discretion. Typical minimum distance criteria for the longitudinal placement of Advertising Devices are detailed in Figures C5A, C5B, C5C, C6 and C7 of Appendix C.

The longitudinal distances in Appendix C relate to Advertising Devices and the traffic that would normally be expected to view those Devices. An Advertising Device could be within the specified distance, provided the advertising copy is not visible to traffic that the specified restriction zone is applicable to.

Advertising Devices shall be in accordance with the relevant advertising management plan (if applicable) and/or town planning requirements.

The Advertising Device shall be located in accordance with driver distraction controls outlined in Appendix C.

##### **Other**

The Advertising Device should be located such that trimming of vegetation will be unnecessary.

The Advertising Device shall not obstruct or distract a driver's line of sight of official traffic signs, exit ramps, on-ramps, intersections or other decision making areas.

Where road safety and traffic efficiency is not compromised, Transport and Main Roads' Regional Officers may take into account the presence of existing billboards within the boundaries of a state-controlled road when deciding where to install new Important Official Traffic signs.

## Physical Characteristics

### Size and Shape

The erection of the Advertising Device may be permitted subject to the following specific permission criteria:

- The dimensions of Advertising Devices shall generally conform to the industry standard values depicted in Table 6.1. Devices that do not comply with these industry standard sizes may be considered. In all situations, the Device must be rectangular (or square) in shape and be installed with the top and bottom edges horizontal.
- The maximum available area of any face of Advertising Device is 85m<sup>2</sup>.
- The minimum vertical clearance beneath an Advertising Devices shall be in accordance with Table 6.2.
- The maximum height of an Advertising Device shall conform to Table 6.1. The maximum height refers to the maximum distance measured from the ground surface to the top most point of the sign. The ground reference point may be taken as that point where the target audience would normally view the Advertising Device (for example, measured from road level). Where an Advertising Device is located in a depression, the local height measured at the Device may be greater than that specified in Table 6.1, up to a maximum height of 15 metres. When determining an Advertising Device height, consideration should always be given to the effect that the Device may have on the local area. An increase of the locally measured height above those in Table 6.1 should consider the impact on other businesses, residents or the visual amenity of the surrounding area.

**Table 6.1 - Typical advertising device dimensions**

Advertising Device – Typical Dimensions			
Description	Dimensions	Area	Maximum Height
Small Portraits	3m x 4.5m	13.5 m <sup>2</sup>	7.5 m
Posters	6m x 3m	18 m <sup>2</sup>	10 m
Super 8's	8.22m x 2.26m	18.6 m <sup>2</sup>	10 m
Portraits	4m x 6m	24 m <sup>2</sup>	10 m
Supersites	12.66m x 3.35m	42.4 m <sup>2</sup>	12.5 m
Spectaculars	18.99m x 4.45m	84.5 m <sup>2</sup>	12.5 m

The minimum vertical clearances for Advertising Devices are specified in the table below.

**Table 6.2 - Advertising device minimum vertical clearances**

Advertising Device – Minimum Clearances	
Location Description	Minimum Vertical Clearance
Generally	2.5 m To the highest point on the ground surface under the Device.
Above the Road Surface (including shoulders and traffic lanes) or any part of the Device is within the clear zone (no safety barrier) or the deflection zone of a safety barrier if a safety barrier is installed.	6.5 m To the highest point on the road surface under the Device. or Other minimum height as specified by TMR which may be lower than 6.5 m if other structures that are above the road surface in the immediate area have lower clearances.
Attached to Road Infrastructure (eg Overpass)	The billboard must be located so that no portion of the Advertising Device is lower than the minimum vertical clearance under the overpass or supporting structure at the corresponding location.

### **Illumination and Luminance**

Luminance characteristics shall accord with the requirements outlined in Appendix D.

Advertising Devices containing retro-reflective material shall be rotated approximately 5° away from the normal line of vehicle headlight beams in order to minimise specular reflection.

Advertising Devices shall not contain flashing point light sources.

### **Other Criteria and Guidance**

Erection of the Advertising Device requires completion of a Road Corridor Permit (RCP) application or licence agreement and the payment of applicable fees.

Section 24(5) of the *Transport Infrastructure Act 1994* states:

*Unless otherwise specified in a declaration, the width of a State-controlled road through a State reserve, State forest, timber reserve, vacant State land or pastoral holding is 30 metres each side of the centre line of the trafficked route.*

Despite the fact that a stock route through a state reserve may be legally defined as a road, the Department has no jurisdiction to approve advertising signs in these areas.

Applicants requesting advertising sign approvals in the above areas should approach the Department of Environment and Resource Management or the relevant administering authority.

The proponent shall provide evidence of a public liability policy of insurance (refer Part 11).

### **6.3.2 Electronic Billboards (static electronic displays – no movement other than a instantaneous display change)**

Refer to Appendix N for the Supplementary Guideline for the Management of Electronic Billboard Advertising Devices.

### **6.3.3 Advertising Devices attached to overhead transport infrastructure**

Where an intersecting local road is grade separated from a state-controlled road by an overhead structure:

- The Department is responsible for advertising attached to the bridge structure (where the structure is declared a state-controlled road).
- Local government is responsible for the structure and any attached advertising (where the bridge structure is deemed to be a 'local road' and local government owns the structure). However where advertising is attached externally to the structure, it may intrude into the 'air space' of the state-controlled road. As such, the Department and local government should consult to ensure the interests of each party are preserved.
- In the case mentioned above, local government must consult with the Department where the state-controlled road is a motorway.

#### **6.3.3.1 Advertising Devices attached to overhead infrastructure controlled by Transport and Main Roads**

Attachment of an Advertising Device to overhead infrastructure controlled by the Department may be permitted subject to the following permission criteria.

##### **Site Selection**

###### ***Lateral Placement***

On roads where the overhead transport structure (e.g. road overpass or pedestrian/bicycle bridge) and the road 'intersect' at approximately right angles, it is preferred that the Advertising Device be installed directly above the traffic at which the Advertising Device is directed.

In situations where the overhead transport structure of the traversed road is curved or does not 'intersect' at approximately right angles (for example a skew angle of 20 degrees or greater), the position of the installation shall be determined by the Department in consultation with the advertiser.

###### ***Longitudinal Placement***

- The longitudinal placement of Advertising Devices attached to overhead transport structures shall comply with the longitudinal placement requirements as specified in Part 6.3.1.
- Advertising Devices shall be in accordance with any relevant advertising management plan and/or town planning requirements.

###### ***Driver Distraction Controls***

- Advertising Devices attached to overhead transport infrastructure shall be located in accordance with driver distraction controls outlined in Appendix C.

###### ***Other***

- Advertising Devices attached to overhead transport infrastructure should be located such that trimming of vegetation is unnecessary.

## **Physical Characteristics**

### ***Size and Shape***

Where possible the Advertising Device should be contained within the silhouette of the major portion of the overhead transport structure.

Subject to the Departments approval the use of standard industry billboard copy sizes that would protrude beyond the silhouette of the major portion of the overhead transport structure may be used. In this case and where economically and practically feasible the overhead transport structure lines may be altered to maintain aesthetics.

The minimum vertical clearance for Advertising Devices attached to overhead transport structures is specified in the table 6.2.

### ***Illumination and Luminance***

- The Advertising Device shall be either non-rotating, static illuminated or non-rotating, non-illuminated or electronic.
- Luminance characteristics shall accord with the requirements outlined in Appendix D.

### **Other Criteria and Guidance**

- Attachment of the Advertising Device to the overhead transport structure shall require completion of a Road Corridor Permit (RCP) application or licence agreement and the payment of the assessed annual fee.
- The overhead transport infrastructure to which the Advertising Device is attached shall have adequate structural capacity to support the Device.
- The Department will consider the relevant local government's views with regard to visual amenity issues.
- The Department shall be the approval agency for the attachment of Advertising Devices to any overhead transport infrastructure.
- The proponent shall provide evidence of a public liability policy of insurance (refer Part 11).

#### **6.3.3.2 Advertising Devices attached to overhead transport infrastructure owned by other organisations**

For structures owned or managed by others:

- Where the transport structure is managed by Queensland Rail or other managers, approvals for advertising must be obtained from both local government and Transport and Main Roads as per Flow Chart F5.
- Before approvals or agreements are given by Transport and Main Roads for other structures (transport or otherwise) to cross state-controlled roads, possible future advertising on those structures should be considered and suitable controls incorporated into the approvals or agreements eg. AIRTRAIN - Brisbane Airport Rail Link.
- Criteria outlined in Part 5.1 should be complied with.

#### **6.3.4 Advertising Devices above the road surface**

Due to the risks associated with changing billboard skins over traffic lanes and the added distraction of changing the skin, electronic billboards are ideally suited to locations where the advertising device is cantilevered over, or located above the road surface (including shoulders and traffic lanes).

While the installation of billboards above the road surface (including shoulders and traffic lanes) is not desirable, it may be permitted if work processes are such that the drop hazard is eliminated and the risk of the increased distraction during a skin change or other maintenance activities is managed appropriately. These processes will need to be documented and approved and will be part of any licence agreement between TMR and the billboard operator.

Superseded

## **7 Specific permission criteria for Category 2 Advertising Devices – illuminated advertising on street name posts**

This section outlines the specific permission criteria for category 2 Advertising Devices – illuminated advertising on street name posts.

This Part of the Advertising Guide will only deal with Category 2 Advertising Devices located within the road reserve. If any Category 2 Advertising Devices are located outside the boundaries of a state-controlled road and constitute a traffic hazard, the Department of Transport and Main Roads may request that they be removed or altered (refer Part 10 of the Advertising Guide). All enquiries concerning Category 2 Advertising Devices erected beyond the boundaries of state-controlled roads should be directed to the relevant local government authority.

This Part defines the technical requirements for Category 2 Advertising Devices installed on state-controlled roads, including the physical characteristics of the Devices, site selection parameters and other guidance criteria. A formal licence agreement between the owner / operator of the Devices and Transport and Main Roads must be in place before installation may occur. Category 2 Advertising Devices installed on state-controlled roads require the payment of fees (application and annual) to Transport and Main Roads in accordance with the licence agreement.

All Category 2 Advertising Devices on state-controlled roads are to be installed in accordance with this guideline and the licence agreement. The requirements in this Part of the Advertising Guide are in addition to the General Permission Criteria for Advertising Devices specified in Part 5. Where there is duplication or conflicting information, the order of precedence is the licence agreement first, followed by Part 7 and then other Parts of the Advertising Guide.

Note: Reference is made to certain Parts of the *Queensland Manual of Uniform Traffic Control Devices* (MUTCD) throughout this document; a view only copy of the MUTCD is available on the Transport and Main Roads web site. Visit [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au) and search for the "MUTCD".

### **7.1 Physical characteristics**

Category 2 Advertising Devices are limited to static illuminated devices on street name posts. They typically consist of a static internally illuminated Advertising Device located above static internally illuminated street name signs.

#### **7.1.1 General requirements**

The Advertising Device (including the frame and post) shall not obstruct a motorist's vision of traffic signals, official traffic signs or other road users.

No advertising apart from that displayed on the advertising panels is permitted, however the local government name and/or logo or the suburb name is permitted on the street name sign and an approved community message may be displayed on the support posts (refer following sections for further details).

The total height of the Category 2 Advertising Device shall not be greater than 6 metres. The height is measured from ground level at the support post location or the road surface, whichever is higher.

The advertising structure (including any frangibility treatments) shall be certified as being structurally adequate by a Consulting Civil or Chartered Engineer in the field of Civil or Structural Engineering.

### 7.1.2 Support structure and electrical connection

For traffic safety, the supporting steel post for the Device shall be frangible. Frangible designs shall take into account the automatic safe disconnection of the electricity supply to the sign in the event of a vehicular collision.

For further details, refer to both the Structure and Electrical Connection sections in Part 5.3 of the Advertising Guide, *Supporting Structures (devices within the boundaries of state-controlled roads)*. The failure mechanism shall be demonstrated to conform to NCHRP350 - Recommended Procedures for the Safety Performance Evaluation of Highway Features.

The installation is required to comply with the *Electrical Safety Act* and AS/NZS3000. This includes the requirement for the installation of a Residual Current Device and to insure discrimination of protection devices.

For new installations, a copy of all records of the Electrical Installations Verification shall be forwarded to Transport and Main Roads.

### 7.1.3 Illumination and luminance

Luminance characteristics for Advertising Devices shall normally accord with the requirements outlined in Appendix D of the Advertising Guide. However, Category 2 Advertising Devices located within the road reserve must meet the following luminance requirement in lieu of those specified in Appendix D.

- Luminance from the Device must not exceed  $300\text{cd/m}^2$ .

The owner/operator (Licensee) is responsible for shielding the Advertising Device (if required) to ensure that it does not cause a nuisance to adjoining properties.

### 7.1.4 Advertising panel

A Category 2 Advertising Device may have a maximum of two opposing rectangular advertising panels. The area of each advertising panel shall not exceed  $2.2\text{m}^2$ . The area of the sign frame, illuminated street name sign, community facility and service signing (eg. Scouts, church) and any community message stickers are not included in the  $2.2\text{m}^2$  size restriction.

The advertising panel must convey the one advertising message and must not be split in order to display multiple (different) advertising messages. The advertising message displayed on each panel (side) of a Category 2 Advertising Device may differ as required.

The advertising panel must be located at the top of the structure and be separate from the directional information (street name panel etc) below. All advertising material must be wholly contained within the rectangular advertising panel. The advertising panel is generally internally illuminated, but this is not a requirement. The advertising panel must not move, rotate or have flashing or coloured lights.

Refer section 7.7 of this guideline for advertising copy requirements.

### 7.1.5 Street name plate

The size and type of legend used for the street name portion of the Advertising Device shall conform to the requirements for a G5 series street name sign as specified in the MUTCD, Part 5.

The street name panel must be internally illuminated and is to consist of a black legend on a white background.

The Local Authority's logo is permitted (if required) but must be installed in the street name (white background) panel and be located at the support end of the street name (in accordance with the requirements of the MUTCD, Part 5 section 2.4 and figure 2.1).

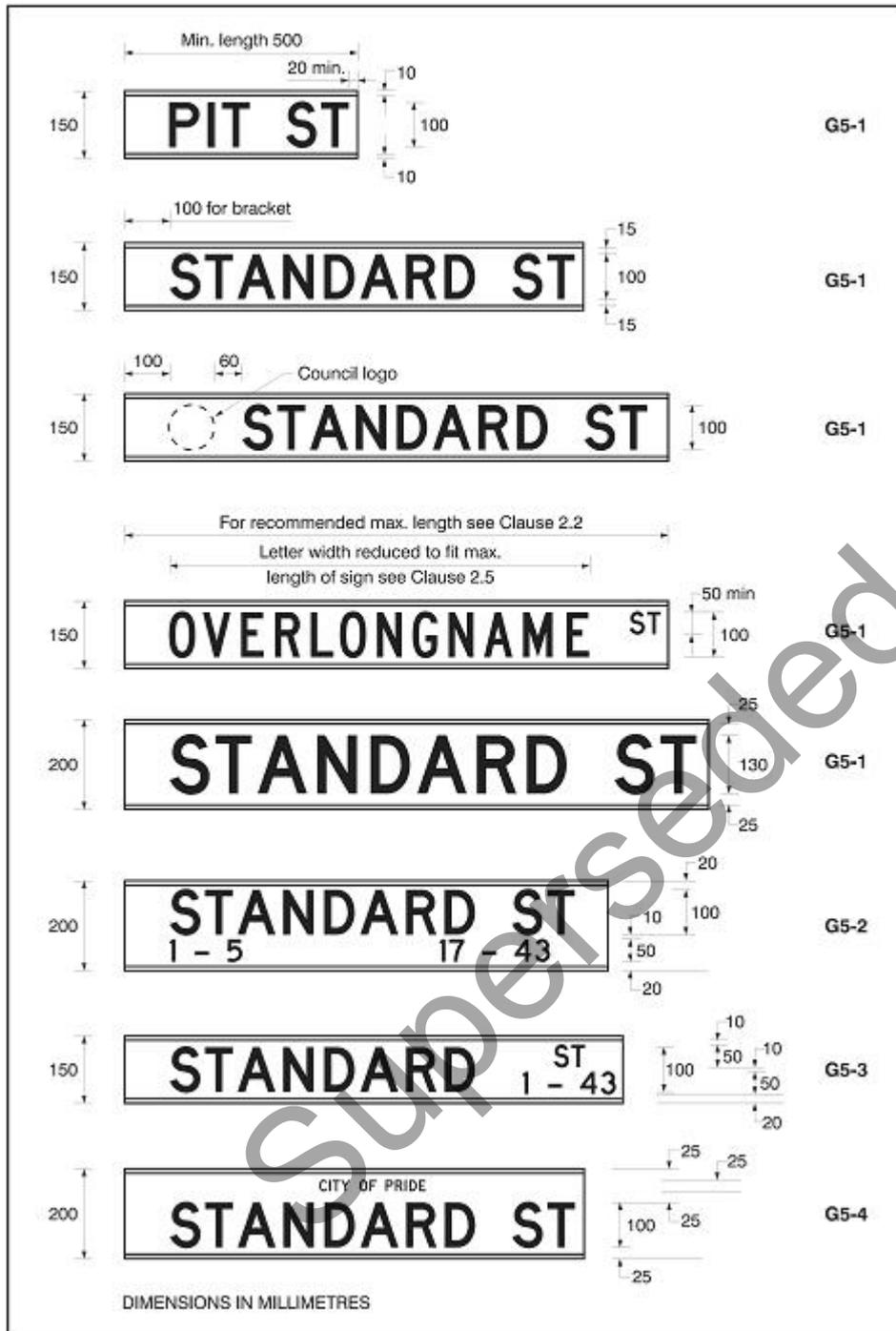
If required, the suburb name may be added below the street name panel. The suburb name panel is to form part of the internally illuminated street name panel and must consist of a white legend on a blue (PMS 288 – Sultan Blue) background (refer Figure 7.6 in section 7.1.9 of this guideline for an example).

If the street is a "no through road" and warrants a "NO THROUGH ROAD" plate (refer MUTCD Part 2 clause 3.11.2.18), then the suburb panel of the internally illuminated street name panel is to be replaced with a "NO THROUGH ROAD" panel in black legend on a yellow background (refer MUTCD sign G5-10, for an example). If suburb names are not used, a "NO THROUGH ROAD" panel must be provided beneath the street name panel and must form part of the internally illuminated panel.

If the street provides a link to another street and requires this street to also be included on the street name panel, then the suburb panel (of the internally illuminated street name panel) will be replaced by "TO \_\_\_\_\_ STREET" (as per the MUTCD sign G5-6). This panel is also to have a black legend and white background. If suburb names are not used, the "TO \_\_\_\_\_ STREET" panel must be provided beneath the street name panel and must form part of the internally illuminated street name panel.

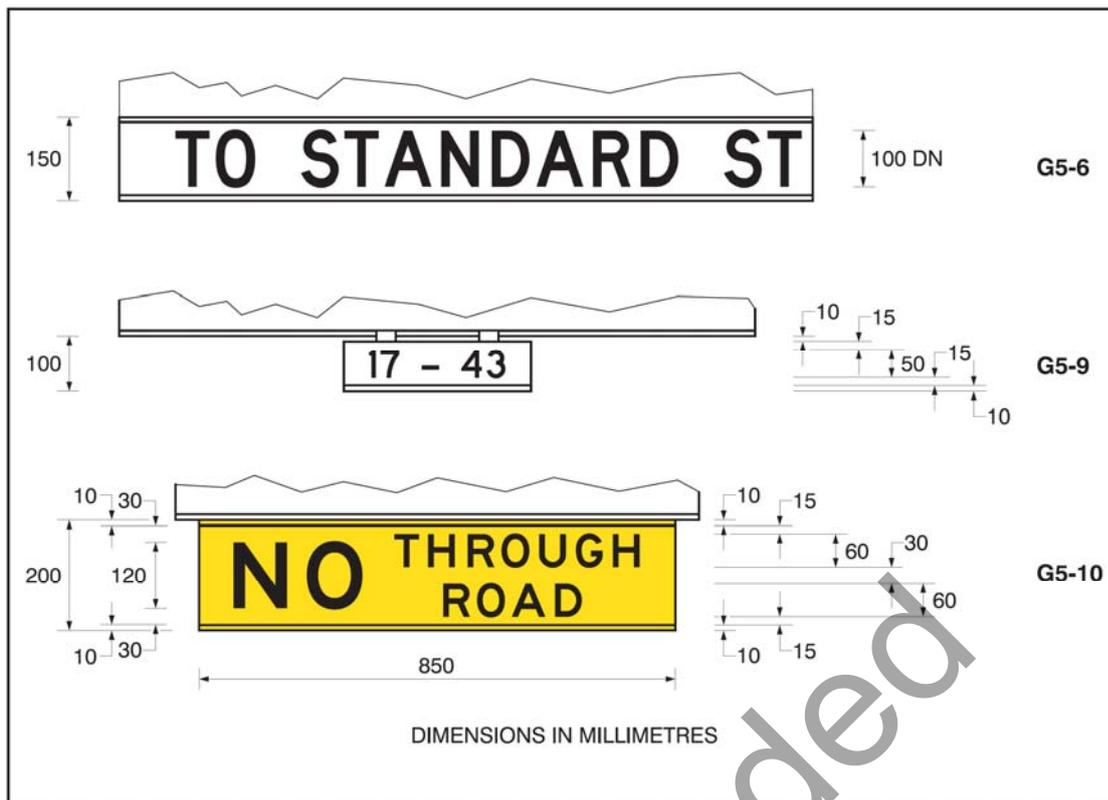
No other advertising, slogans or identifiers are permitted to be installed on the illuminated street name panel. Figures from Part 5 of the MUTCD are reproduced below and indicate the permitted configurations of the internally illuminated street name panels.

Superseded



**Figure 7.1: G5 Series street name signs**

(Reproduced Figure 2.1 from the MUTCD Part 5)



**Figure 7.2: Supplementary panels for street name signs**

(Reproduced Figure 2.2. from the MUTCD Part 5)



**Figure 7.3: Examples of permitted internally illuminated street name panels**

If a "NO THROUGH ROAD" plate is warranted in conjunction with a "TO \_\_\_\_\_ STREET" plate then one of the following two options applies;

1. Provide a larger illuminated plate to include all three elements. The street name must be located at the top of the panel followed by the "TO \_\_\_\_\_ STREET" plate, with the "NO THROUGH ROAD" plate at the bottom.
2. Install the street name plate and the "TO \_\_\_\_\_ STREET" plate as part of the illuminated panel (as above) and provide the "NO THROUGH ROAD" plate as a non-illuminated retroreflective sign plate immediately below the illuminated plates.

### 7.1.6 Community facility, service and tourist fingerboard signs

If community facility, service or tourist fingerboard signs are required on a Category 2 Advertising Devices support post they are to be;

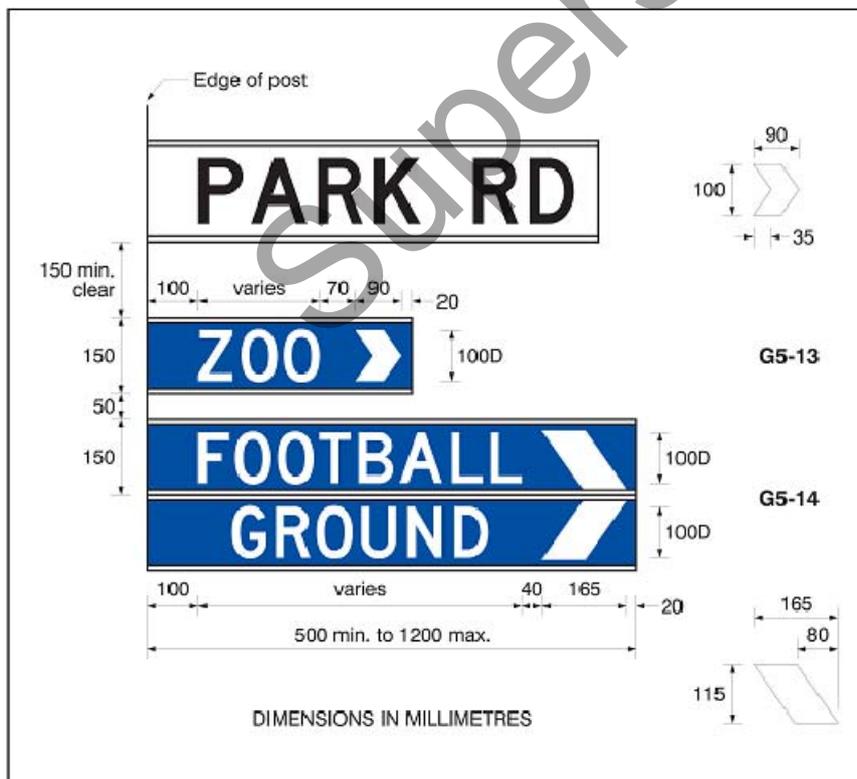
- Designed and installed in accordance with the MUTCD Part 5 or Part 6
- Attached to the Advertising Device support post
- Aluminium fingerboard style with retroreflective sheeting
- Non-illuminated

Transport and Main Roads (and / or Local Government as applicable) is to approve the installation of all community facility, service or tourist fingerboard signs attached to the post of a Category 2 Device. In addition, the District Tourism Signage Committee (DTSC) is to approve the installation of any tourist signs proposed for a Category 2 Device (excluding tourism advertising as part of the advertising panel).

A desirable maximum of two fingerboards may be installed beneath the street name plates. An absolute maximum of three fingerboards may be permitted if alternative options are not possible or practical.

In all cases the minimum height requirements to the underside of the lowest fingerboard must be maintained. Where the Device is erected above a footway, the minimum vertical clearance beneath the lowest fingerboard sign shall be 2.5 metres. In other cases, the minimum vertical clearance may be reduced to 2.2 metres.

The following figure 7.4 shows a typical fingerboard arrangement.



**Figure 7.4: Community facility name signs**

(Reproduced Figure 4.1 from the MUTCD Part 5)

### **7.1.7 Community messages**

Community messages may be displayed on the advertising panel or on the Category 2 Advertising Device support post. Community messages are not to form any part of the illuminated street name panel or any other panel attached to the Device.

#### **7.1.7.1 Community messages on the Advertising Panel**

Community messages may be displayed, if required, on the advertising panel. In such cases, the community message is the only advertising permitted on the advertising panel (i.e. community messages are not permitted to "share" the advertising panel with other advertising messages).

#### **7.1.7.2 Community message stickers on support posts**

Community messages are permitted on the support posts of a Category 2 Advertising Device.

The community message is to be;

- In the form of a non-reflective sticker
- 90mm wide and 500mm high (maximum size)
- Installed on the support post as per figure 7.6 in section 7.1.9 of this guideline
- Of broad community benefit
- For the attention of pedestrians only (not directed at motorists)

Community message stickers may be installed on up to 3 sides of the support post but must target pedestrians only (not other road users). Community message stickers must not be orientated towards the road and must be able to be read from safe pedestrian areas (such as footpaths). Community message stickers should not be oriented towards pedestrians while they are crossing a road. Font sizes may be reduced (as required) to suit the reading requirements of pedestrians.

All community message stickers are to be approved and assigned a TC number by the Transport and Main Roads' Traffic Engineering and Road Safety branch prior to use in Queensland. The relevant Regional or District Directors are to approve the use of a specific community message prior to its use within their region. Within their particular region, a Regional or District Director may impose further conditions, in addition to those contained in this guideline or on the TC drawing, on the use of community message stickers (generally or for each specific community message).



*Figure 7.5: Example community message sticker (TC1703)*

#### **7.1.8 Identification number**

Each Category 2 Advertising Device is to have the Licensee's name and an identification number displayed in a consistent and visible location on the Device. This identification number is used to identify the individual Category 2 Advertising Device and is to be unique to each Device.

#### **7.1.9 Typical features**

The figure below illustrates the typical features of a Category 2 Advertising Device located within the road reserve. The main figure depicts an advertising panel that is centred on the support post, however the advertising panel may also be side mounted.

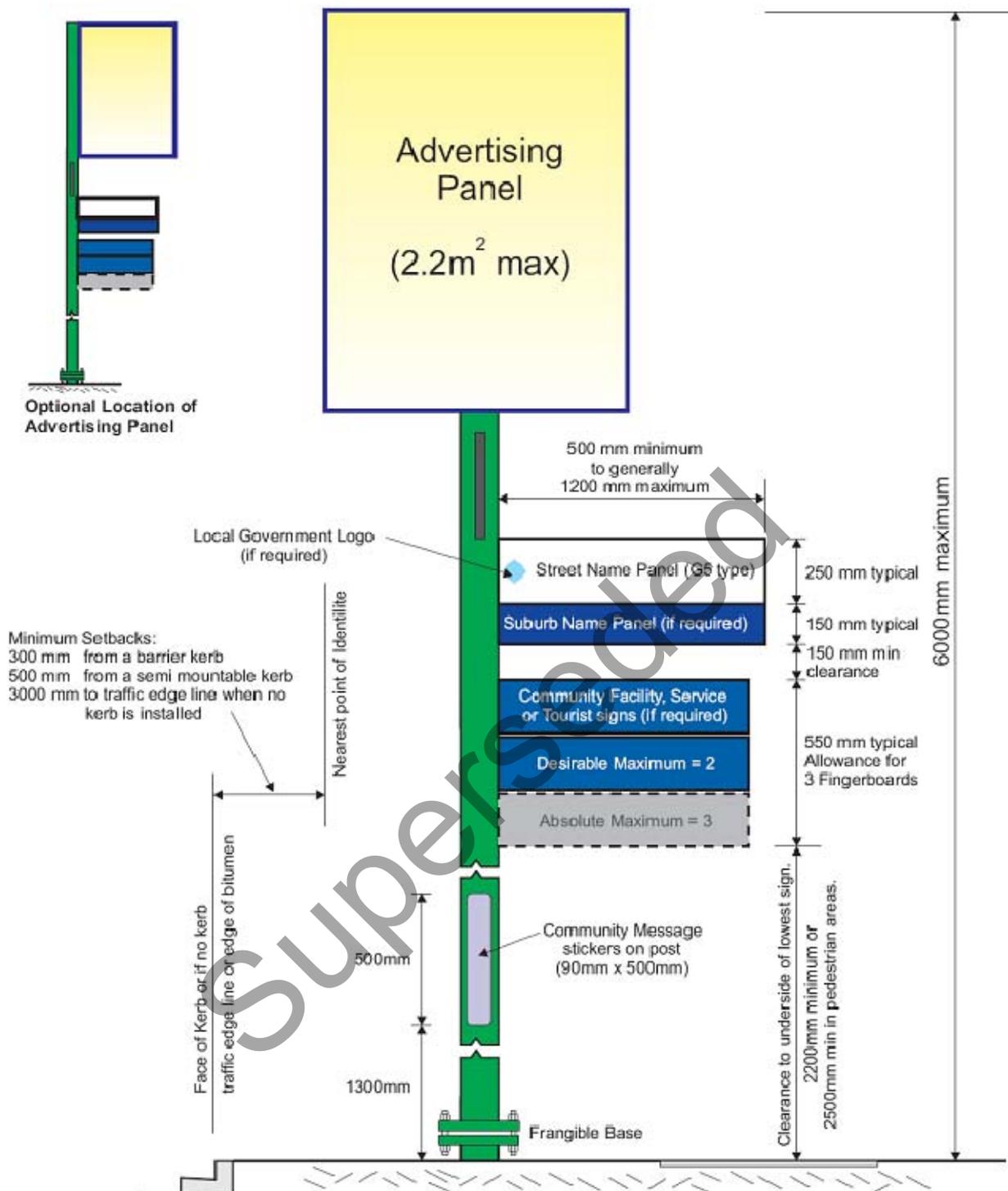


Figure 7.6: Typical Category 2 advertising device

## 7.2 Site Selection

It is generally permitted to erect static illuminated Category 2 Advertising Devices on posts with street name signs at intersections. The following sections define the locations where these Devices are permitted.

Category 2 Advertising Devices are permitted only when they are erected in conjunction with a G5 series street name sign. As these Devices are approved only on G5 series signs, they shall only be located at sites where G5 series signs would be approved in accordance with Part 5 of the *Manual of Uniform Traffic Control Devices (Qld) - Street Name and Community Facility Name Signs*. In those circumstances where G5 series street name signs would not normally be erected, Category 2 Advertising Devices are not an appropriate form of treatment.

Category 2 Advertising Devices are ideally suited to intersections of minor or local roads with main or major through roads. Refer section 7.2.9 of this guideline for example intersections where the installation of Category 2 Advertising Devices may be permitted (subject to compliance with other criteria contained in this guideline or the licence agreement).

### 7.2.1 General requirements

Where relevant, the Department shall consider the policy / view of the relevant local government concerning advertising. This does not imply that consultation for each site is required, rather the Department will ascertain if local government policy permits advertising of this type within its boundaries.

Category 2 Advertising Devices are not permitted at the following locations:

- On motorways, freeways or roads of similar standard
- On roads with a speed limit greater than 80km/h
- At multi-lane roundabouts
- At intersections that are not illuminated
- On traffic islands or medians
- At driveways or entrances that are not intersections with gazetted roads
- Intersections where G2 or G3 series guide signs are installed.

While these Devices are not permitted on traffic islands or medians, where carriageways diverge to the extent that oncoming traffic is not visible because of topography or dense vegetation, Transport and Main Roads may apply its discretion by approving Advertising Devices between the carriageways (refer Part 5.1.1.1 of the Advertising Guide). This exemption would be applicable only in rare cases where an alternative location that meets the requirements of this guideline could not be found.

Category 2 Advertising Devices should be located as close as possible (while satisfying all other requirements of the Advertising Guide and this guideline) to the location where a G5 series street name sign is (or would be) installed as per the requirements of the MUTCD.

Particular care should be taken when locating Category 2 Advertising Devices on the footpath area, where splitter islands (large and small) are installed for left turning vehicles at the intersection. It is important to remember that the primary purpose of a Category 2 Advertising Device is to provide directional assistance to drivers via the internally illuminated street name signs, with advertising being a secondary function of the Device. It is critical that Category 2 Advertising Devices located in accordance with the requirements of this guideline also provide street name panels that are clearly visible. If a location for a Category 2 Advertising Device at an intersection cannot satisfy this requirement, the Advertising Device must not be installed and standard G5 series street name signs should be used.

### 7.2.2 Lateral placement requirements

The erection of static illuminated Advertising Devices on street name posts may be permitted within the Clear Zone, subject to the frangible design of the structural support. All structural supports located within the clear zone are required to be frangible or protected by an approved roadside barrier;

- Frangibility is normally achieved by a mechanical or structural modification of the post at ground level, systems include slip bases, bases incorporating a component with low impact strength, and bases weakened in shear but not in bending.

Lateral offsets to kerbed or un-kerbed carriageways are as follows;

- No portion of the Device (including the street name portion) shall be closer than 0.3 metres to the face of a **barrier kerb** forming the edge of the carriageway or any surface used by vehicles.
- No portion of the Device (including the street name portion) shall be closer than 0.5 metres to the face of a **mountable or semi-mountable kerb** forming the edge of the carriageway or any surface used by vehicles.
- In areas where the edge of the carriageway is **not kerbed**, no portion of the Device, including the street name portion, shall be closer than 3 metres to the edge of the carriageway.

Visibility of the street name panels on the Category 2 Advertising Device from all directions must also be considered when determining the lateral offset required.

### 7.2.3 Longitudinal placement requirements

Category 2 Advertising Devices are not permitted in advance of intersections. All Devices are to be located as close as practical to an intersection.

Visibility of the street name panels on the Category 2 Advertising Device must also be considered when determining the longitudinal placement of the Device.

### 7.2.4 Additional road safety requirements

Category 2 Advertising Devices will not be permitted within the vicinity of intersections where the traffic speed and conditions require additional driver attention and decision making.

Typical situations where additional driver attention and decision making are required include:

- Higher speed (70km/h and above) diverging, merging or weaving at an intersection (eg. at a “Y” intersection or large high-speed roundabout).
- In the vicinity of intersections where through lanes merge and vehicles are required to merge at higher speeds (70km/h and above). For example where 'trap lanes' are created on the approaches to, or exit from, intersections.
- Intersections with a lane configuration or geometry that may require an increased level of driver concentration (eg. five-way intersection).
- Intersections displaying traffic signals, directional signage, regulatory or advisory signage and when considered singularly or in combination, are significantly different or more complex than normal intersections. At such intersections, the required reading and interpretation period of traffic control device(s) is expected to be significantly longer.

- Intersections have a vehicle crash history of three (3) or more KSI crashes in the last 5 years (from the most recently available / complete and released crash data for the intersection).
- Pedestrian crossing facilities (zebra only).
- School Zones.

The Category 2 Advertising Device (including the frame, post etc) must not obstruct a motorist's vision of traffic signals, official traffic signs, other motorists or pedestrians.

### **7.2.5 Driver distraction requirements**

While it is recognised that drivers may potentially be distracted from the driving task by the advertising panel on these Devices, the Advertising Device restriction areas identified in Appendix C of the Advertising Guide do not apply to Category 2 Advertising Devices. Other Device restriction criteria included in this guideline on the location of Category 2 Advertising Devices, ensure that these Devices are not located at intersections which require an increased level of driver attention or that have potential road safety impacts.

### **7.2.6 Proximity to traffic control devices (including Traffic Signals)**

Category 2 Advertising Devices may be permitted at intersections with STOP or GIVE WAY intersection control signs, if the advertising part of the Device is **not** directed at the traffic being controlled by a STOP or GIVE WAY sign. Where warranted, the proponent may be required to provide shielding to ensure the Advertising Device does not compete for a driver's attention with a STOP or GIVE WAY sign.

Where other regulatory signs at the intersection target the same motorists as the Device, the distance between the regulatory signs and the nearest edge of the Device shall not be less than 0.5 metres.

Refer to section 7.2.7 of this guideline for the signage upgrade requirements if regulatory signs are located within 3 meters of the Category 2 Advertising Device.

Category 2 Advertising Devices may be permitted at intersections controlled by traffic signals where the all the following conditions are met;

- There is a system of street lighting at the intersection designed in accordance with, and to the illumination levels set out in, AS1158 Part 1; or to a lesser level that the Department considers satisfactory for intersection lighting, and
- The distance between the signal lanterns and the nearest edge of any portion of the Category 2 Advertising Device is not less than 1 metre measured perpendicular to the road centre line, and
- There is clear visibility of traffic signal lanterns for all approaching motorists, and
- Overhead signals must be visible to motorists from the approach which also faces the advertising panel.

### **7.2.7 Upgrade of all Regulatory Signs within 3 m of Category 2 Device**

All regulatory signs erected within 3 metres of Category 2 Advertising Devices shall be upgraded (at the proponent's expense) to a minimum Class 1W retro-reflective material, in accordance with AS1906.1.

### 7.2.8 Multiple installations at the one intersection

The installation of multiple Category 2 Advertising Devices at the one intersection is permitted where the following conditions are met;

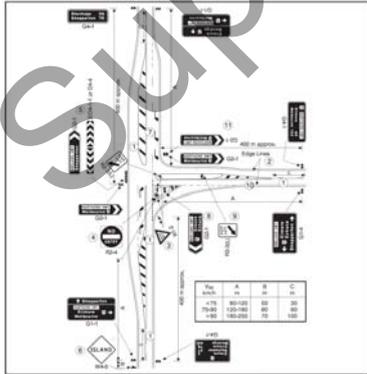
- Two Devices may be permitted at an intersection provided they are located more than 20 metres apart.
- Three Devices may be permitted at an intersection provided they are located more than 40 metres apart.
- Four Devices may be permitted at an intersection provided they are located more than 50 metres apart.

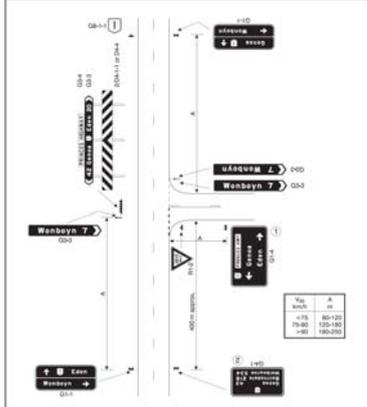
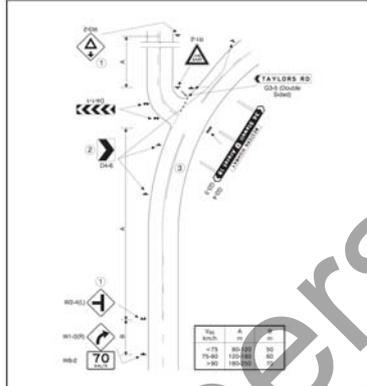
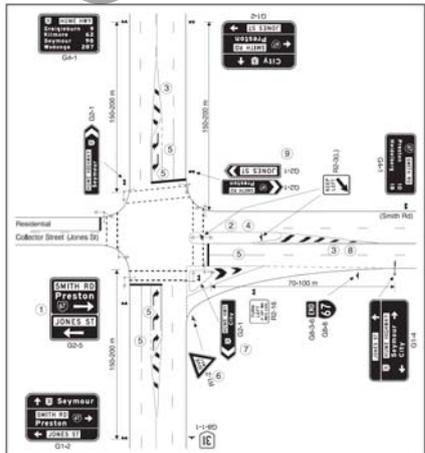
Where slip lanes are installed at an intersection, particular care is required in locating the Category 2 Advertising Device such that the street name panels of the Device are visible. It may be necessary, to supplement the installation of a Category 2 Advertising Device by installing more than one Device at the intersection or through the provision of other street name signage to ensure the appropriate visibility of street name signage at the intersection is maintained.

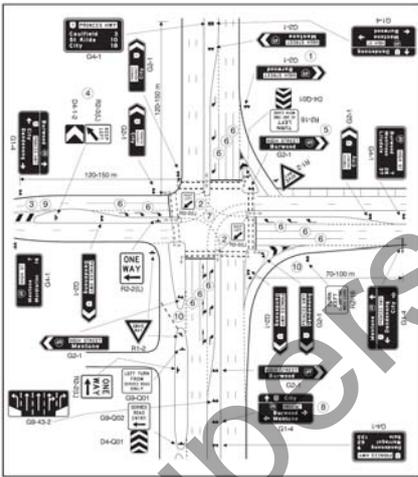
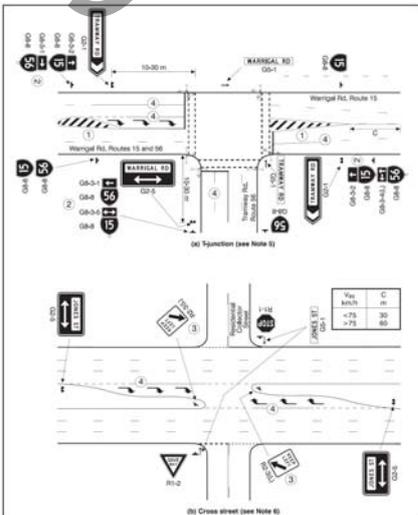
### 7.2.9 Example intersection types

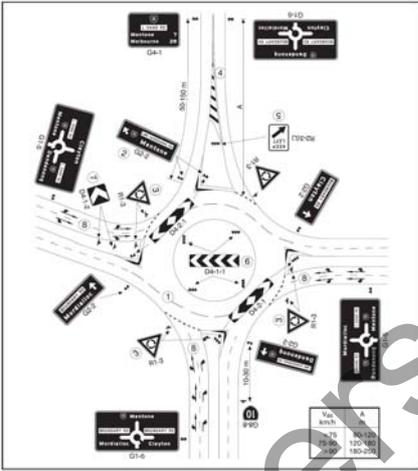
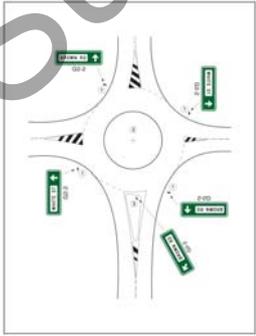
The following table identifies some of the common types of intersections found on state-controlled roads and provides comments on the applicability of Category 2 Advertising Devices at each intersection type.

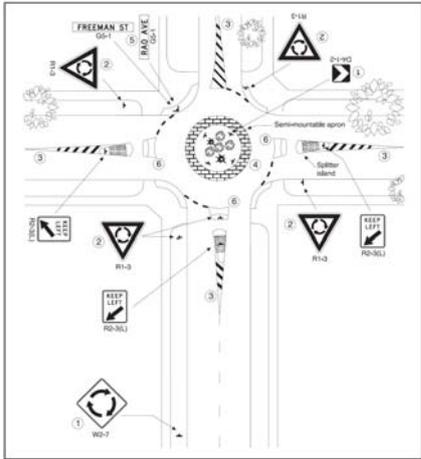
**Table 7.1 - Example intersection types**

Location	Figures from the MUTCD	Category 2 Advertising Permitted	Comments
Major Rural Intersection  MUTCD Part 2 Figure 2.14		No	Major rural intersections are normally located in high speed zones, - Category 2 Advertising Devices are not permitted.  Destination and street name information is generally provided by G2 and G3 series guide signs.

Location	Figures from the MUTCD	Category 2 Advertising Permitted	Comments
<p>Minor Rural Intersection with Direction Signs</p> <p>MUTCD Part 2 Figure 2.15</p>		<p>No</p>	<p>Minor rural intersections are normally located in high speed zones, - Category 2 Advertising Devices are not permitted.</p> <p>Destination and street name information is generally provided by G2 and G3 series guide signs.</p>
<p>Minor Rural Intersection With Street Name Signs (G3-5 or G5 series)</p> <p>MUTCD Part 2 Figure 2.16</p>		<p>Possible</p>	<p>Minor rural intersections are normally located in high speed zones, - Category 2 Advertising Devices are not permitted.</p> <p>Destination and street name information is generally provided by G3 series guide signs.</p> <p>Category 2 Devices may be installed provided the speed limit is not more than 80k/hr and G5 series street name signs are appropriate. Use the G5 series street name type with 130mm high font.</p>
<p>Major Urban</p> <p>MUTCD Part 2 Figure 2.17</p>		<p>Possible</p>	<p>Major Urban intersections normally involve the meeting of two major roads. These locations are normally dominated by many direction signs both at the intersection and in advance of the intersection.</p> <p>Category 2 Advertising Devices are not appropriate where G2 and G3 series guide signs are installed. Visual complexity may also make it inappropriate.</p> <p>Category 2 Devices may be installed, provided G5 series street name signs are currently installed and</p>

Location	Figures from the MUTCD	Category 2 Advertising Permitted	Comments
			<p>are considered appropriate at this point in time. It is noted that direction signing (G2 and G3 series signs) may be installed at some future time and this would render the Category 2 Advertising Device non-compliant with these guidelines and require rectification actions as per section 7.8 of this guideline.</p>
<p>Major Urban Divided</p> <p>MUTCD Part 2 Figure 2.18</p>		<p>No</p>	<p>Major Urban divided intersections normally involve the meeting of two major divided roads. These locations are normally dominated by many direction signs both at the intersection and in advance of the intersection.</p> <p>Category 2 Advertising Devices are not appropriate where G2 and G3 series guide signs are installed. Visual complexity also makes it inappropriate.</p>
<p>Minor Urban</p> <p>MUTCD Part 2 Figure 2.19</p>		<p>Yes</p>	<p>Intersections involving minor urban roads are ideally suited to Category 2 Advertising Devices.</p> <p>This type of intersection is generally free from direction signs and G5 series street name signs are normally installed. Visual complexity is also normally not an issue.</p> <p>Category 2 Advertising Devices are not appropriate where G2 and G3 series guide signs are installed.</p>

Location	Figures from the MUTCD	Category 2 Advertising Permitted	Comments
Other Urban	(No Figure)	Possible	<p>Category 2 Advertising Devices may be permitted where G5 series street name signs are installed and are appropriate.</p> <p>This would also be subject to an assessment of visual complexity.</p>
<p>Multi-Lane Roundabout</p> <p>MUTCD Part 2 Figure 2.20</p>		No	<p>Multi-Lane Roundabouts normally involve the meeting of two major roads. These locations are normally dominated by many direction signs both at the roundabout and in advance of the roundabout.</p> <p>Category 2 Advertising Devices are not appropriate where G2 and G3 series guide signs are installed.</p> <p>Visual complexity also makes it inappropriate.</p>
<p>Large Single Lane Roundabout</p> <p>MUTCD Part 5 Figure 2.12</p>		Possible	<p>Category 2 Advertising Devices may be permitted at large single lane roundabouts where G5 series street name signs are installed and are appropriate.</p> <p>Category 2 Advertising Devices are not appropriate where G2 and G3 series guide signs are installed.</p>

Location	Figures from the MUTCD	Category 2 Advertising Permitted	Comments
<p>Small Local Roundabout</p> <p>MUTCD Part 2 Figure 2.21</p>		<p>Possible</p>	<p>Category 2 Advertising Devices would generally be permitted at small local roundabouts where G5 series street name signs are installed and are appropriate.</p> <p>Careful consideration needs to be made regarding the location of the Device relative to the regulatory roundabout give way signs. In all cases the location of the Category 2 Advertising Device must not interfere with drivers search patterns or ability to easily recognise the regulatory signage. In some cases, advertising may only be appropriate on one side of the advertising panel.</p>
<p>Other Roundabout</p>	<p>(No Figure)</p>	<p>Possible</p>	<p>Category 2 Advertising Devices may be permitted at roundabouts where G5 series street name signs are installed and are appropriate.</p> <p>This would also be subject to an assessment of visual complexity.</p>

Note: The comments provided in Table 7.1 are generalisations only, of the types of intersections portrayed, and all other criteria (included in this guideline or the licence agreement) for the installation of Category 2 Advertising Devices at intersections must be met before a Category 2 Advertising Device is installed.

### 7.3 Applications for Category 2 Advertising Devices

The section will outline some of the applications / approvals required for Category 2 Advertising Devices and associated signage / advertising.

#### 7.3.1 Applications for new sites

Before installing a Category 2 Advertising Device on a state-controlled road, the Applicant must have a current licence agreement with Transport and Main Roads for the erection and maintenance of Category 2 Advertising Devices located on the state-controlled road network.

If the Applicant (either a holder of a current licence agreement or not), wishes to apply for a new site (Category 2 Advertising Device location) within the state-controlled road network, they must apply to Transport and Main Roads (Regional or District Office) using Road Corridor Permit (RCP) Form M2373 (or any other form approved for that purpose) for approval of the new site as an Ancillary Works Encroachment (AWE), enclosing all the documentation needed for the assessment. Each application must be for one proposed Category 2 Advertising Device only. Multiple Devices proposed under the one application will not be accepted (even if multiple Devices are located at the one intersection).

The Applicant shall also provide the following as part of the RCP application;

- Evidence of a current public liability policy of insurance in accordance with the provisions contained in Part 11 of the Advertising Guide.
- Details of the electrical supply location and connection to the Device (refer Part 5, Section 5.3 of the Advertising Guide).

In response to an application for a new Category 2 Advertising Device site, Transport and Main Roads may:

- Approve the location sought as a new site.
- Reject the location sought (in which case the reasons for the rejection should be clearly stated).
- Propose a different location in the same general vicinity (for example, within the same road intersection but a different corner) as an alternative site.
  - If an alternative site is proposed by Transport and Main Roads, the Applicant has 7 days following the receipt of this advice to advise acceptance of the alternative site.

Upon an AWE approval for a new site, all the terms and conditions of the licence agreement, the Advertising Guide, the MUTCD and all applicable statutes and other requirements (such as special requirements attached to the approval) will apply to the new site.

If a location is approved and the applicant has a current licence agreement with Transport and Main Roads, the approval time period (term) of the AWE approval is to match the time period of the current license agreement.

If a location is approved and the applicant does not have a current licence agreement with Transport and Main Roads for Category 2 Advertising Devices, a license agreement must be in place prior to any works commencing to erect the Advertising Device.

Written approval for a site from Transport and Main Roads is conditional on (but is not limited to) an approved AWE application and a current license agreement between the applicant and Transport and Main Roads for the installation and operation of Category 2 Advertising Devices on state-controlled roads.

#### **7.3.1.1 Fees applicable to Category 2 Advertising Devices**

A non-refundable application fee is applicable to all applications for Category 2 Advertising Device sites and an annual fee will apply to all approved sites.

- **Application fees** are to be paid to the Transport and Main Roads Regional or District Office with the AWE application.
- **Annual fees** are collected by corporate Transport and Main Roads.

Refer to the license agreement for more details on the fee structure for Category 2 Advertising Devices.

### **7.3.2 Applications for community facility, service and tourist signs**

Approval is to be sought from Transport and Main Roads prior to the installation of any community facility, service or tourist signs proposed for installation on a Category 2 Advertising Device. Approval from the local authority for the installation of community facility and service signs may also be required.

### **7.3.3 Applications for community message stickers**

Each community message sticker is to be designed, approved and assigned a TC sign number by the Transport and Main Roads' Traffic Engineering and Road Safety branch prior to use in Queensland. The relevant Regional or District Directors are to approve the use of a specific community message prior to its use within their Region. A Regional or District Director may impose further conditions on the installation of community message stickers within their Region (in addition to those contained in this guideline or on the TC drawing) on the use of community message stickers (generally or for each specific community message).

### **7.3.4 Applications for advertising copy approval**

Approval from Transport and Main Roads is not required for the advertising copy as displayed on the advertising panel area of the Category 2 Advertising Device. All advertising displayed on the advertising panel must conform to the requirements contained in section 7.7 of this guideline (Standards of Advertising). If a Regional or District Director has concerns regarding the advertising copy on a Category 2 Device they may request the removal / change of the advertising.

Regional or District Directors may (if they choose) require that the advertising copy on Category 2 Advertising Devices within their Region are approved prior to installation (generally or for specific Category 2 Device locations). The approval of advertising copy on Category 2 Advertising Devices should only be required in exceptional circumstances.

## **7.4 Construction & approval**

### **7.4.1 Construction**

Construction or installation activities may not commence at a site until all required approvals and licences are obtained. Once these approvals are granted, one Category 2 Advertising Device may be erected at each approved site. Refer section 7.6 of this guideline for access requirements and notifications prior to commencing construction activities.

The Category 2 Advertising Device (together with any ancillary equipment and electrical connections necessary for their operation) shall be erected on the site in accordance with the AWE approval, approved plans and the requirements of the licence agreement, the Advertising Guide, the MUTCD and all applicable statutes and other requirements (such as special requirements attached to the approval). All Category 2 Advertising Devices (and associated ancillary equipment) must be erected at the nominated location and must be located within the road reserve.

The applicant shall abide by all requirements of the *Workplace Health and Safety Act 1995* and other applicable laws and statutes during construction, installation, operation and maintenance activities. The Licensee is a principal contractor for the purposes of the *Workplace Health & Safety Act 1995*.

Prior to commencing any excavation works on the site or in the area of the site, the location of any cables, pipelines or services in the area must be established. The Licensee will bear the sole responsibility for locating and any subsequent damage to cables, pipelines or services caused by its activities.

During construction activities, the site is to be maintained in a clean, tidy and safe condition with appropriate consideration and access for pedestrians and adjoining property owners. Following completion of construction activities, all surplus materials shall be removed and the footpath area and road reserve shall be left in a clean and tidy condition to the satisfaction of Transport and Main Roads.

The Licensee is responsible for all electrical connections and applicable fees. If applicable, the Licensee shall reimburse Transport and Main Roads all on site costs incurred by Transport and Main Roads as a consequence of the Licensee undertaking works with respect to the Category 2 Advertising Device (including costs associated with facilitating access).

In addition to this, where supply is accessed from Rate 3 Road Lighting the installation is also required to comply with Transport and Main Roads Rate 3 Road Lighting Electrical Design Requirements.

For existing installations, Periodic Verification of the Electrical Installation shall be carried out in accordance with AS/NZS 3019 Electrical Installations - Periodic Verification. For standard installations, the maximum interval between verification of the electrical integrity of the installation is six years. Where harsh environmental conditions exist, more frequent inspections must be carried out. Once inspections have a documented history, frequencies may be adjusted to suit the specific installation requirements. Copies of the documentation must be forwarded to Transport and Main Roads.

The installation is required to comply with AS/NZS 3000. Where electrical supply is accessed, the connection of Category 2 Advertising Devices must comply with Transport and Main Roads' *Rate 3 Road Lighting Electrical Design Requirements*. These publications state the Australian Standards and Transport and Main Roads' Standard for the correct connection of Devices to the Rate 3 supply. (Refer to Part 5 - Supporting Structures (Devices within the boundaries of State-controlled roads) Electrical Connection of this Guide)

All Category 2 Advertising Devices are to be maintained in compliance with Transport and Main Roads' *Rate 3 Road Lighting Best Maintenance Practices* and all parts of AS/NZS 3019 Electrical Installations - Periodic Verification.

#### **7.4.2 Requirements for connection**

These requirements set out the electrical design criteria that are to be used for all Transport and Main Roads' Rate 3 new and remedial works road lighting designs. ***The principles should also be applied to modifications to existing installations as appropriate and include:***

- Compliance with AS 3000 is mandatory. Compliance requirements include:
- Circuit voltage drop
- Earth fault loop impedance
- Correct circuit protection/cable selection/load combination
- Appropriate cable short circuit withstand capacity

Prior to commencing design, designers should verify that they have the current version of Rate 3 Road Lighting Electrical Design Requirements. **Non-compliant Devices will not be accepted.**

#### 7.4.3 Discrimination

As road lighting is a road safety system, it is essential that any electrical fault is cleared by the protection closest to the fault, **while leaving other parts of the installation operational.**

To achieve discrimination throughout the system for both overload and short circuit faults, only HRC fuses to AS60269 are to be used.

The 10A fuse in the pit re-openable joint is closest to the luminaire and provides protection for the pole/luminaire. Where electrical supply is accessed from a rate 3 road lighting installation a 10A gG fuse will be installed in the Transport and Main Roads bell joint to supply power to the Category 2 advertising sign. The designer must ensure that the protection device installed will provide discrimination with the 10A gG fuse.

#### 7.4.4 Approval

##### Design Calculations

**Prior to commencing design, designers should verify that they have the current version of Rate 3 Road Lighting Electrical Design Requirements. Non-compliant Devices will not be accepted.**

For each design, copies of the Electrical Design Summary and Electrical Design Certificate which are included in the *Rate 3 Road Lighting Electrical Design Requirements* document shall be completed and certified by an Electrical RPEQ, currently registered in the electrical college, and submitted with the design to Transport and Main Roads.

#### 7.5 Operation and maintenance

All Category 2 Advertising Devices are to be operated and maintained in accordance with the provisions contained in the licence agreement, the Advertising Guide, the MUTCD, the *Rate 3 Road Lighting Best Maintenance Practices* and all applicable statutes and other requirements (such as special requirements attached to the approvals). Should a Category 2 Advertising Device (or site) become non-compliant with these documents, rectification works must be carried out in accordance with the provisions in section 7.8 of this guideline. If the particular non-compliance is not addressed in section 7.8, rectification works must proceed as negotiated between the Licensee and Transport and Main Roads.

The Licensee must maintain each Category 2 Advertising Device site in a clean and tidy condition and all Category 2 Advertising Devices must be kept structurally and electrically safe. The Licensee is responsible for all fees and ongoing costs (such as payment for supply of electricity, maintenance etc) for each Category 2 Advertising Device.

The Licensee will not carry out any major structural alterations to the Advertising Devices without the prior approval of Transport and Main Roads (Regional or District Director). Excluded from this obligation is work conducted solely for the purpose of a change of advertising, or of an emergency nature.

The Licensee must comply with all relevant statutory requirements during the currency of the licence including any period of holding over or extension period.

Where a Category 2 Advertising Device is damaged beyond repair or where it is stolen or the street name panel becomes illegible, the applicant shall take immediate action to remove or make good the Device (this may include the replacement of the Device, or parts of the Device).

The Licensee must ensure that the street name panel internal illumination is operative at all times. It is considered that the visibility of the street name panels is critical to the function of the Device and any deficiencies with these panels (such as legibility / damage / illumination etc) must be repaired immediately.

#### **7.6 Access to sites**

The Licensee, its servants, agents and contractors may enter upon the site and the area near the site for purposes related to the installation, operation or maintenance of an approved Category 2 Advertising Device, at any time provided that the following conditions are met:

- All works are conducted at all times in accordance with the licence agreement, the Advertising Guide, the MUTCD and all applicable statutes and other requirements (such as special requirements attached to the approvals).
- The Licensee gives Transport and Main Roads (Regional or District Director) 48 hours notice of its intention to commence work to erect or remove a Category 2 Advertising Device.
- The Licensee will not commence works (except for routine maintenance or minor works, including change of advertisement) which may interfere with road traffic arrangements unless the prior approval in writing from Transport and Main Roads (Regional or District Director) has been obtained. Any request for approval must be accompanied by details of the work to be done and the anticipated time necessary to carry it out. Transport and Main Roads may not unreasonably withhold its approval, but may specify the times at which such works are to be conducted and shall ensure appropriate traffic arrangements are made.

#### **7.7 Advertising copy and standards of advertising**

The advertising or promotional material displayed on Category 2 Advertising Devices should be directional in nature and/or of local community interest. 'Directional' refers to those Devices that provide guidance in the form of distances, directional arrows or instructions to the location of local businesses or services. The Department shall review any variation to this on a case-by-case basis.

Category 2 Advertising Devices must not include a facsimile (including shape or colour combinations) of an official traffic control device as part of the advertising copy.

Transport and Main Roads may direct the Licensee to remove or replace any copy content from a Category 2 Advertising Device if, in the reasonable opinion of Transport and Main Roads, the advertising copy content:

- May cause harm or detriment to the State of Queensland; or
- May confuse, mislead or deceive members of the public; or
- Is offensive or objectionable having regard to, amongst other things, any determination by the Media Council of Australia; or
- Is in breach of Appendix L (Advertising Self Regulation) of the Advertising Guide; or
- Is not in accordance with Schedule D in Appendix K of the Advertising Guide. This schedule provides example advertising copy content evaluation criteria that could be used by Transport

and Main Roads when assessing the advertising copy on a Category 2 Advertising Device. It is suggested that the Licensee assess all proposed advertising copy against these criteria.

The use of street names on the advertising panel should be avoided (especially where the street name on the advertising panel differs from the street name on the street name panel). If a street name is proposed to be used in the advertising panel, particular care must be made in the advertising copy design to ensure that the street name displayed cannot be mistaken for the actual intersecting street name.

Unless required specifically by a Region, there is no requirement for the advertising copy for each Category 2 Advertising Device to be approved prior to installation (including when the advertising copy changes). The Licensee accepts sole responsibility (whether approved by Transport and Main Roads or not) for the advertising copy displayed and releases Transport and Main Roads from any claim or proceeding for loss or damage arising from any advertising copy displayed.

The Licensee will comply with any direction given by Transport and Main Roads with regard to Category 2 Advertising Device advertising copy issues within the time specified in the direction. The Licensee also releases Transport and Main Roads from any claim or proceeding for loss or damage arising from any such direction.

#### **7.7.1 Campaign style advertising**

While ideally the advertising displayed on Category 2 Advertising Devices should be directional in nature and for the benefit of local businesses or services, Transport and Main Roads does recognise the need to occasionally display campaign style advertising on Category 2 Advertising Devices.

The use of campaign style advertising is to be limited in accordance with the following criteria;

- Only installed at sites where directional advertising existed but is no longer required.
- Is limited to a three month maximum time frame per calendar year at any one site.
- No new sites are to be installed for the purpose of campaign advertising.
- Transport and Main Roads would prefer that community messages, including road safety messages, be used in lieu of general campaign style advertising (no maximum time frame applies to this style of campaign advertising).
- The Licensee may use the advertising panel to attract potential clients for the Category 2 Advertising Device (no maximum time frame applies to this style of campaign advertising).

The advertising copy content criteria identified in section 7.7 (above) of this guideline will also apply to any campaign style advertising copy.

#### **7.8 Rectification of non-conforming sites**

This section outlines the requirements for a Licensee when addressing non-compliant Category 2 Advertising Devices that are located on state-controlled roads. It specifies the treatments and the timeframes for such treatments, which are required to ensure that all Category 2 Advertising Devices comply (and continue to comply) with the licence agreement, the Advertising Guide, the MUTCD and all applicable statutes and other requirements (such as special requirements attached to the approvals).

These general requirements may be superseded by specific requirements in individual licence agreements governing the Category 2 Advertising Devices.

**Table 7.2 - Rectification works for Category 2 Advertising Device non compliant sites**

ADVERTISING DEVICE	NON-CONFORMANCE RECTIFICATION WORKS REQUIRED
1. Electrical safety deficiencies.	<p>All electrical safety issues shall be addressed immediately.</p> <p>Ensure the safety of all road users (including pedestrians) and rectify the problem, disconnect the Device, or remove the Device as soon as the deficiency is identified.</p>
2. Advertising Device located in a speed zone greater than 80 km/h. This includes locations where the permanent signed speed limit has been increased to greater than 80km/h	<p>Remove the Device within one month of the deficiency being identified.</p> <p>The written AWE approval for the site is cancelled upon removal of the Advertising Device</p>
3. Advertising Device located in an 80 km/h speed zone and in a complex road environment. A complex road environment includes all multi-lane roundabouts or any other location that requires greater than usual driver attention.	<p>Remove the Device within three months of deficiency being identified.</p> <p>The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p>
4. Advertising Device located in a speed zone less than 80km/h and at a multi-lane roundabout.	<p>Remove the Device within six months of deficiency being identified.</p> <p>The written AWE approval for the site is cancelled upon removal of the Advertising Device</p>
5. Advertising Device without a slip-base (or approved frangible treatment) and located in an 80km/h speed zone	<p>Install a slip-base or approved frangible treatment within three months of deficiency being identified.</p>
6. Advertising Device without a slip-base (or approved frangible treatment) and located in a 60km/h or 70 km/h speed zone	<p>Install a slip-base or approved frangible treatment within six months of deficiency being identified.</p>
7. Advertising Device without a slip-base (or approved frangible treatment) and located in a 50 km/h (or less) speed zone.	<p>No rectification works required.</p>
8. Advertising Device located at an intersection that has advance intersection direction signs installed (eg G1 series advance direction signs). Refer to non-conformance number 9 if intersection direction signs (eg G2 or G3 series direction signs) are also installed.	<p>The Device may remain in place if the installation of standard G5 series street name signs are permitted and are appropriate at this location.</p> <p>Remove the Device within two years of the deficiency being identified, if standard G5 series street name signs are not appropriate at this location.</p>

ADVERTISING DEVICE	NON-CONFORMANCE RECTIFICATION WORKS REQUIRED
	<p>The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p>
<p>9. Advertising Device located at an intersection where intersection direction signs (eg G2 or G3 series direction signs) are installed.</p>	<p>Remove the Device immediately if the Device obstructs the driver's view of the direction signs or if the Device is considered a safety hazard.</p> <p>Otherwise, remove the Device within two years of the deficiency being identified.</p> <p>The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p>
<p>10. Advertising Device not located where a G5 series street name sign would normally be installed.</p>	<p>Devices may remain in place if the function and performance of the street name sign component of the Device is not compromised or affected due to the location of the Device.</p> <p>If the function and performance of the street name sign component of the Advertising Device is compromised or affected by the location of the Advertising Device, one of the following options must be completed within six months of the deficiency being identified :</p> <ul style="list-style-type: none"> <li>• the Advertising Device shall be relocated to another site (may be located at the same intersection) by way of a new application for a written AWE approval, and the existing written AWE approval for the site is cancelled upon relocation of the Advertising Device; or</li> <li>• subject to the written approval of the Licensor, the Licensee shall install further street name signs (eg G5 series signs) together with the existing Advertising Device, for the purpose of increasing the visibility of the street name signs; or</li> <li>• the Licensee may apply (by way of a new application for a written AWE approval) for an extra site (Advertising Device) at this intersection. Refer to section 7.1.8 for more details about the installation of multiple Advertising Devices at an intersection; or</li> <li>• the Advertising Device shall be removed and the written AWE approval for the site is cancelled upon removal of the Advertising Device.</li> </ul>

ADVERTISING DEVICE	NON-CONFORMANCE RECTIFICATION WORKS REQUIRED
<p>11. Advertising Device located in advance of an intersection.</p>	<p>Remove the Device within six months of the deficiency being identified. The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p> <p>These Devices may be relocated to another site (moved to an intersection) by way of a new application for a written AWE approval, and the existing written AWE approval for the site is cancelled upon relocation of the Advertising Device</p>
<p>12. Advertising Device is non-compliant due to roadworks, but is not required to be removed to allow roadwork operations to proceed.</p>	<p>Remove the Device immediately if it is considered a safety hazard.</p> <p>The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p> <p>Refer to the other Advertising Device non-conformance status conditions in this table for the rectification work requirements.</p>
<p>13. Advertising Device is removed or is scheduled for removal to allow roadwork operations to proceed.</p>	<p>The written AWE approval for the site is cancelled upon removal of the Advertising Device.</p> <p>Devices that are removed to facilitate roadworks are not to be re-installed at a location that does not satisfy the requirements of this Guide.</p> <p>Devices may be re-installed to another site (or nearby location) by way of a new application for a written AWE approval. Relocation of the Device to a new approved location may be completed prior, during (if safe) or after roadworks are completed.</p>
<p>14. Advertising Device does not have an identification name and number installed.</p>	<p>Install an identification name and individual Device number on the Device as per section 7.1.8 of this guideline within three months of the deficiency being identified.</p>
<p>15. Advertising Device poses a safety hazard that is not identified in any of the above Device status conditions.</p>	<p>Typically once a Device is identified as posing a safety hazard, the removal or rectification timeframe is based on the level of road safety risk involved. This timeframe will generally range from immediate (high risk) to six months (low risk) from the time the deficiency is identified.</p>

ADVERTISING DEVICE	NON-CONFORMANCE RECTIFICATION WORKS REQUIRED
<p>16. Advertising Device is non-compliant but Device non-conformance status does not align with any of the above Advertising Device non-conformance status conditions.</p>	<p>Rectification works and timelines are to be negotiated between the Licensee and Transport and Main Roads.</p> <p>Typically, if the Device does not pose a road safety hazard, remove the Device within two years of the deficiency being identified.</p>
<p>17. Advertising Device is non-compliant due to a Local Authority's local law or policy relating to the installation and / or operation of Category 2 Advertising Devices within its area of jurisdiction.</p>	<p>Transport and Main Roads has an obligation through the "good neighbour" policy to consider adopting (if possible) the same rules and regulations on state-controlled roads that apply on local authority roads in the same area.</p> <p>If a Local Authority no longer permits the installation of new Category 2 Advertising Device sites, Transport and Main Roads will not approve any new sites within that Local Authority's area from the date Transport and Main Roads is made aware of this requirement.</p> <p>If a Local Authority no longer permits Category 2 Advertising Devices (both new and existing sites) and removes (or is in the process of removing) all Category 2 Advertising Devices from the local road network, Transport and Main Roads will not renew the licence agreement for any sites within that Local Authority's area. All Category 2 Advertising Devices on state-controlled roads within that Local Authority area are to be removed within two years of Transport and Main Roads notifying the Licensee or on expiry of the current licence agreement (whichever is the greater).</p> <p>For the purpose of this section the term "current licence agreement" does not include any options to extend, unless that option was exercised prior to Transport and Main Roads notifying the Licensee that Transport and Main Roads will not be renewing the licence agreement for all sites within that Local Authority's area.</p>

## **7.9 Removal or relocation**

This section will outline the requirements when a Category 2 Advertising Devices is to be removed or relocated. This may occur at the request of either Transport and Main Roads or the Licensee.

### **7.9.1 Request of Licensee**

Where an Advertising Device is no longer required by the Licensee at a particular site, either of the following two options are applicable:

- The advertising sign sponsor box is removed (leaving the illuminated street name sign portion of the sign). Refer to section 7.10 of this guideline where it is proposed to remove the advertising sign sponsor box.
- The Category 2 Advertising Device is removed and the applicable standard street name (G5 series) sign shall be reinstated. Other directional signs (such as community facility, service and tourist signs) attached to the Category 2 Device are to be installed beneath the new G5 series street name signs (in accordance with the MUTCD Part 5 requirements).

The Licensee must advise Transport and Main Roads (with a minimum of one month notice) before a Category 2 Advertising Device is removed from a site.

### **7.9.2 Request of Transport and Main Roads**

Transport and Main Roads may require a Category 2 Advertising Device to be:

- Removed permanently from a Site; or
- Relocated; or
- Removed temporarily to permit roadworks etc to be undertaken.

Transport and Main Roads will provide a minimum of one month notice in writing requesting the permanent removal, relocation or temporary removal of a Category 2 Advertising Device. Transport and Main Roads will provide reasons for any of these requests and the Licensee must remove the Advertising Device from its site in accordance with the requirements of any such request.

If a Category 2 Advertising Device is to be removed (permanently) or relocated the written AWE approval for the site is cancelled upon removal of the Advertising Device. For a relocated Advertising Device, a new application for a written AWE approval will be required. For an existing Advertising Device that is required to be temporarily removed and then reinstated at the same location, the AWE will remain in place for that location.

The Licensee will not be required to re-install an Advertising Device (in the same or new location) if it does not wish to.

### **7.9.3 Associated fees and charges**

No Licence Fee will be payable with respect to a site from which the Category 2 Advertising Device has been removed. This will be effective from the date of its removal until its re-installation (if applicable).

The Licensee accepts that the risk of removal or relocation is one to which it is necessarily exposed as Licensee, and the Licensee is not entitled to make any claim against Transport and Main Roads for compensation or relocation costs. Transport and Main Roads will not pay for the loss of revenue or other claims for damages due to non-display of the advertising.

#### **7.9.4 Reinstatement of the Site**

Where a Category 2 Advertising Device is removed from a site, all electricity connections, cables, pits and any other materials associated with the Advertising Device shall be removed and the site made safe. Footpaths and footways shall be reinstated to an approved standard and the site shall be left in a clean and tidy state to the satisfaction of Transport and Main Roads.

The Licensee is responsible for the installation of the applicable standard street name (G5 series) signs, and all other directional signs (such as community facility, service and tourist signs) attached to the Category 2 Device are to be removed and installed beneath the new G5 series street name signs (in accordance with the MUTCD Part 5 requirements). These works should be completed immediately prior (or at the same time) as the removal activities for the Category 2 Advertising Device.

#### **7.9.5 Compliance with Notice to Remove**

Within one month (or time period as specified in the notice) of the Licensee ceasing to have the right to use any site for a Category 2 Advertising Device (whether because of termination of the licence, the operation of the license or otherwise), the Licensee will remove the Advertising Device from the site and restore the site, as far as reasonably possible, to its former state.

If the Licensee fails to remove any Category 2 Advertising Device in accordance with the above requirement, Transport and Main Roads may remove the Advertising Device from the site and restore the site to its former state. If such action is taken, Transport and Main Roads will store the Advertising Device for a period of three months, from the commencement of which period the costs of removal, restoration and storage will be recoverable from the Licensee as a debt due and payable.

If at the end of the three month storage period, the Licensee has failed to pay Transport and Main Roads for the costs of removing and storing the Advertising Device, and restoring the site, the Advertising Device will be deemed to be abandoned and property in same will pass to Transport and Main Roads.

#### **7.10 Removal of the advertising panel only**

This section outlines the requirements when it is proposed to remove the advertising sign sponsor box (advertising panel) from a Category 2 Advertising Device and leave the associated street name panel and other direction signs (if applicable) in place.

Before an advertising sign sponsor box is removed (leaving the illuminated street name portion of the sign), an agreement must be reached with Transport and Main Roads (or a Local Government) about ownership, maintenance and electricity costs as follows:

- Where the Licensee retains ownership of the remaining illuminated street name sign, the maintenance and electricity costs will be paid for by the Licensee; or
- Where Transport and Main Roads (or a Local Government) agrees to accept ownership of the illuminated street name sign, then the maintenance and electricity costs will be paid for by that party.

Where Transport and Main Roads (or a Local Government) does not accept ownership of the sign and the Licensee wants to avoid future responsibility, the Licensee shall remove the entire Device and reinstate the standard (G5 series) street name signs and any associated signs (as per section 7.9 of this guideline).

When agreement is reached to remove the advertising sign sponsor box from a Category 2 Advertising Device, the following requirements will apply:

- Licence fees are no longer applicable for that site.
- The remaining parts of the unit must be secured, leaving the appropriate illuminated street name signs in place and operational.
- Other directional signs (such as community facility, service and tourist signs) attached to the Category 2 Device is also to remain in place.
- If requested by the Agency accepting ownership of the Device, all community message stickers are to be removed from the Device.

Superseded

## **8 Specific permission criteria for Category 3 Advertising Devices – passenger transport shelters and seats**

This section outlines site selection, physical characteristics and other guidance criteria for Advertising Devices attached to transport infrastructure (excluding overhead transport infrastructure). Examples include passenger transport shelters and seats within the boundaries of state-controlled roads. Advertising material in Category 3 Advertising Devices should be directed at pedestrians, not motorists.

### **8.1 General**

Category 3 Devices are limited to Devices attached to passenger transport shelters and seats, and are not permitted on motorways, freeways or roads of similar standard. The following criteria are in addition to the general criteria specified in Part 5 of this guide.

Where there is duplicating or conflicting information, the specific permission criteria shall override.

### **8.2 Conferral**

The management of this category of Advertising Device may be shared between the Department and local government. The conferral of authority for Category 3 Advertising Devices is dependent on the local government having advertising policies and procedures in place. As manager of the state-controlled road corridor, the Department must be satisfied that:

- the required standards of safety and visual amenity are maintained
- the local government has a local law, local law policy or planning provision that is approximately equivalent to those standards prescribed in this guide
- where the Department wishes to confer the management of Category 3 Advertising Devices to local government and local government agrees, local government would then be deemed to be the approval agency for these Devices; and all application fees would be determined, paid to and retained by local government
- any conferral made to local government shall be done in a formal manner and any conditional requirements are clearly documented
- conferral may not be on a permanent basis and may be reviewed by the Department from time to time, or
- where local government has not agreed to accept management responsibility for these Advertising Devices, the Department would remain the responsible authority and any applications should be directed to the Department for approval.

### **8.3 Devices attached to passenger transport shelters and seats**

#### **Site Selection**

##### ***Lateral Placement***

- Advertising Devices may be attached to passenger transport shelters and seats located in the Clear Zone, subject to the specific permission criteria.

### ***Longitudinal Placement***

- The passenger transport shelter or seat shall be sited in accordance with all relevant Departmental and local government conditions and restricted to infrastructure that is warranted by transport needs.

### ***Other***

- Non-rotating, static illuminated Advertising Devices shall only be permitted on shelters located in built-up areas with speed environments of 80km/h or lower.

## **Physical Characteristics**

### ***Size and Shape***

- Advertising Devices are permitted on 'stand-alone' passenger transport seats. Devices must be securely attached to the seat and shall not exceed the width (perpendicular to the road) of the seat structure. Devices erected on the back of passenger transport seats shall not project above the back of the seat structure.
- No part of an Advertising Device on a passenger transport shelter shall project beyond the highest part of the roof or the walls of the structure and may be positioned as close as practicable to the top of the shelter. Roof mounted advertising is not permitted.
- The approach end of a passenger transport shelter shall be either open or transparent to provide waiting passengers with maximum visibility of the approaching passenger transport vehicle.
- A maximum of two Advertising Devices (faces) are permitted to be attached to, or form part of, a passenger transport shelter. The maximum area of each Device shall be 2.2m<sup>2</sup>.
- Where a passenger transport seat is covered by a shelter, advertising may be permitted only on one structure (either the seat or the shelter, not both).

### ***Illumination and Luminance***

- Luminance characteristics shall accord with the requirements outlined in Appendix D.
- Devices containing retro-reflective material shall be rotated approximately 5° away from the normal height of vehicle headlight beams in order to eliminate specular reflection.
- Where local government has the conferred authority to regulate this category of advertising, reasonable alternative advertising shape and size criteria will be permitted to provide uniformity over the entire local government public transport network.

## **Other Criteria and Guidance**

- An Advertising Device attached to a passenger transport shelter or a seat requires relevant local government approval (if required) and a standard licence agreement.
- Sponsorship arrangements for the supply of infrastructure may also be managed by local government and/or Queensland Transport (for busways), subject to Departmental requirements.

- Where Category 3 Advertising Devices are managed by local government, a formal application to the Department is not required. However where new infrastructure is to be installed on a state-controlled road, the Department shall be consulted by local government early in the planning phase.
- The proponent shall provide evidence of a public liability policy of insurance (refer Part 11).

**8.4 Advertising outside the boundaries of, but visible from, state-controlled roads**

All enquires about Category 3 Advertising Devices located beyond the boundaries of state-controlled roads should be directed to the relevant local government.

Superseded

## **9 Specific permission criteria for Category 4 Advertising Devices – miscellaneous signs**

This section outlines site selection, physical characteristics and other guidance criteria for Category 4 Advertising Devices on state-controlled roads. This category includes:

- on-premise Advertising Devices including awning and fences
- footway signs
- real estate signs
- charity prize home devices
- roadside vendor signs
- service organisation signs
- welcome signs
- Neighbourhood Watch signs
- Safety House signs
- road service club signs
- election signs
- utility service signs.

### **9.1 General**

Category 4 Advertising Devices do not currently attract a Department-imposed advertising fee (refer Appendix H). However this matter (as well as the possible requirement to pay an application/approval fee) is under review. Any fees will, as far as possible, be consistent with those charged by local government, and proportional to the effort required to assess an application.

Where work is performed by Transport and Main Roads' staff or contractors to erect, maintain, dismantle or carry out other works for temporary charity and events banners or other Advertising Devices, such work may be subject to a charge to recover the costs incurred.

Certain Category 4 signs are permitted on state-controlled roads without approval from the Department, provided they comply with certain conditions (refer Appendix M).

The following criteria are in addition to the general criteria specified in Part 5 of this guide. Where there is duplicating or conflicting information, the specific permission criteria shall override.

Advertising Devices that conform to the criteria provided in Parts 9.3, 9.4, 9.9, 9.10, 9.12 and 9.13 do not require approval from the Department unless otherwise stated. For any other advertising (which does not comply with the criteria), approval is required from the Department. Such applications will be assessed on their merits.

### **9.2 Conferral**

The management of this category of Advertising Device may be shared between the Department and local government. The conferral of authority for Category 4 Advertising Devices is dependent on the relevant local government having advertising legislation and procedures in place. As manager of the state-controlled road corridor, the Department must be satisfied that:

- the required standards of safety and efficiency are maintained
- the local government has a local law, local law policy or planning provision that is
- approximately equivalent to the standards prescribed in this guide
- where the Department wishes to confer the management of Category 4 Advertising Devices to local government and local government agrees, local government would then be deemed to be the approval agency for these Devices
- any conferral made to local government shall be done in a formal manner and any conditional requirements are clearly documented
- the conferral may not be on a permanent basis and may be reviewed by the Department from time to time, or
- where local government has not agreed to accept management responsibility for these Advertising Devices, the Department would remain the responsible authority and any applications should be directed to the Department for approval (where required).

### **9.3 On-premise Advertising Devices including awnings and fences**

Please note that guidelines for on-premise Advertising Devices have been identified as an area that requires further consultation and development. Please contact your regional office for specific site information.

Advertising Devices are not permitted on fences along motorways, freeways or roads of similar standard. All Advertising Devices on fences along state-controlled roads, or on fences sharing a common boundary with other state-controlled roads, are limited to non-rotating, non-illuminated formats.

All advertising on businesses or shop awnings located over footways or on the boundary of a state-controlled road is limited to non-rotating formats. Non-static illuminated Advertising Devices in the form of chasing bulbs and scintillating light displays may be permitted on premises adjacent to state-controlled roads subject to approval by the Department, statutory controls, general permission criteria and the specific permission criteria below.

Where the relevant local government has not imposed any permit conditions or where the local government's standard permit conditions are of a lesser standard, Advertising Devices on premises and fences shall be subject to the following specific permission criteria.

#### **Site Selection**

##### ***Lateral Placement***

- No portion of an Advertising Device shall project over the carriageway or over any surface used by motor vehicles (taking cross-fall into account).
- The placement of an Advertising Device shall not cause a safety hazard to other traffic (eg. pedestrians and cyclists).

#### **Physical Characteristics**

##### ***Size and Shape***

- Where an Advertising Device is located on an awning within a state-controlled road reserve, the minimum vertical clearance shall be 2.5 metres under the Advertising Device.

### ***Illumination and Luminance***

- Luminance characteristics shall accord with the requirements outlined in Appendix D.
- Flashing characteristics shall be in accordance with requirements outlined in Appendix E and require approval from the Department.
- All chasing bulbs and scintillating light display formats shall be subject to approval by the relevant local government and Transport and Main Roads.
- Chasing bulbs and scintillating light display formats shall be permitted only under
- awnings in Lighting Environment Zone 1 and Lighting Environment Zone 2 locations.
- Chasing bulbs and scintillating light displays shall not be a danger or safety hazard to traffic.

### **Other Criteria and Guidance**

- Where an Advertising Device is located on an awning above a state-controlled road, the advertising shall not interfere with a state-controlled road or its operation and must relate only to the business or product that may be obtained on the premises.
- In determining whether a Device may interfere with a state-controlled road or its operation, the following should be considered:
  - the size of the Device
  - its potential to cause distraction to motorists.

Departmental approval is required where the advertising does not comply with these requirements, and the Device will be assessed as a Category 1 Advertising Device.

Erection of the Advertising Device shall require the relevant local government approval.

Provided the above criteria are complied with, no application or approval is required from TMR.

### **9.4 Footway signs**

Footway signs are not permitted on motorways, freeways or roads of similar standard.

This guide is not intended to permit footway signs where local laws or town planning provisions of the relevant local government expressly prohibit or limit their usage. It is recognised that some local governments have stricter controls on advertising on footways. Footway signs are banned from certain areas within the Brisbane central business district. In these cases, the requirements of local government would prevail.

#### **Urban Areas**

In urban areas, footway signs are regarded as being for the benefit of pedestrians passing by a business, not for the benefit of motorists using the adjacent state-controlled road. Urban areas are characterised by a higher number of pedestrians, a concentration of businesses and a high degree of advertising in the surrounding environment.

The proliferation of footway signs (also known as A-frame or sandwich board signs) must be controlled to ensure free movement of pedestrians. The height of these signs is restricted so the visibility of young children and disabled people is not obstructed. The placement of footway signs will generally be permitted on the footpath of state-controlled roads in urban areas where the shop and road property boundary line generally coincide with the front of the shop structure.

A footway sign is not permitted on a footpath immediately adjacent to a state-controlled road in an urban area if there is adequate opportunity to place the sign on private land or on a footpath in closer proximity to the associated business. An example is where a building is set back from the road boundary property line, and vehicle parking and pedestrian movement are in front of the shops. Here, there is ample opportunity and scope for footway signs to be placed immediately outside the shop. In such cases, placement of footway signs on the state-controlled road footpath or footway is not appropriate and not permitted.

### **Site Selection**

#### ***Lateral Placement***

- Footway signs are permitted within the Clear Zone provided that the structure, which performs the sole purpose of supporting the Advertising Device, is frangible.
- No portion of a footway sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a footway sign shall not cause a safety hazard to other traffic (eg. pedestrians and cyclists).

#### ***Other***

Footway signs shall:

- generally be limited to one sign per premises in busy business precincts; however this number may be increased where pedestrian traffic in the area is low
- generally be limited to two signs per premises where there is more than one business on the premises
- be located directly outside the premises they refer to
- not be located so as to restrict sight distances on approaches to intersections or to restrict the visibility of other authorised signs
- be permitted only during trading hours.

### **Physical Characteristics**

#### ***Size and Shape***

- Footway signs shall not obstruct the movement of pedestrians.
- Footway signs shall have a maximum height of 1.0 m, a maximum width of 0.6 m and a maximum depth of 0.6 m.

### **Other Criteria and Guidance**

- Footway signs shall relate only to the business or product that may be obtained on the premises.
- Erection of footway signs shall require the relevant local government approval.
- No application or approval is required provided criteria are met.

## Rural areas and industrial estates

In rural and industrial estates, the width of footways and verges is generally large and associated with low numbers of pedestrians. In these situations, the aim of footway signs is to increase sales by attracting the attention of passing motorists. The rural footway sign is larger than the urban sign to accommodate a larger font size to increase readability. A maximum sign size limit is applied to reduce the impact on visibility of pedestrians, cyclists and authorised road traffic signs.

### Site Selection

#### *Lateral Placement*

- In 80km/h and lower speed environments and where a sign is manufactured from lightweight frangible products (including the frame), the Advertising Device may be located a minimum distance of 3.5 metres from the road edge line. Where there is no edge line, the distance shall be measured from the edge of the bitumen. The frangibility requirement is to protect vehicle occupants in the event of a high-speed collision with a sign.
- In speed environments greater than 80km/h and where a sign is manufactured from lightweight frangible products, it may be located a minimum distance of 6 metres from the road edge line.
- Signs made of light board (eg. corflute) and erected on a lightweight timber stake or frame are considered to be light and frangible. Signs constructed with steel frames, heavy or strong support members are considered to be non-frangible.
- Where a sign is constructed from non-frangible materials or has a substantial anchoring device, the sign shall be located outside the Clear Zone (as per Clear Zone criteria outlined in Appendix B). For a straight section of road with gently sloped verges (10:1 slope), the Clear Zone is 9 metres for 100km/h and 6 metres for 80km/h speed environments.
- The placement of a footway sign shall not cause a safety hazard to other traffic (eg. pedestrians and cyclists)

#### *Other*

Footways signs shall not present a danger to traffic when exposed to natural wind forces or wind created by passing vehicles. Footway signs shall be:

- limited to two signs per premises
- located directly outside the premises they refer to
- located so as not to restrict sight distances on approaches to intersections or to restrict the visibility of authorised official traffic signs
- permitted only during trading hours (however in rural areas where the safety of traffic is not compromised, one rural business footway sign may be permanently attached to the business's approved letterbox).

### Physical Characteristics

#### *Size and Shape*

- Footway signs shall have a maximum height of 1.5m, a maximum width of 1.0m and a maximum depth of 1.0m.

### **Other Criteria and Guidance**

- Footway signs shall relate only to the services or products that may be obtained on the premises.
- No application or approval is required provided criteria are met.

### **9.5 Real estate and charity art union prize home advertising signs**

Real estate and charity art union prize home signs are not permitted on motorways, freeways or roads of similar standard. These signs are limited to non-rotating, non-illuminated formats on other state-controlled roads.

#### **Site Selection**

##### ***Lateral Placement***

- A sign shall not be permitted on a state-controlled road unless there is direct access to that road from the property being advertised. If access to a property is via another road and no access is available from the particular state-controlled road, then signage is restricted to the property frontage where road access is obtained.
- Where there is ample visibility of a sign if erected on the respective property, a sign is not permitted to be erected on a state-controlled road.
- A sign may be permitted on an adjacent state-controlled road where a fence, vegetation or the like (located on the property being advertised) would obscure the view of the sign from the road.
- Signs shall be located as close as practicable next to, and parallel to, the property alignment.
- A sign shall not interfere with any underground services.
- No portion of a sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of the sign shall not cause a safety hazard to traffic (eg. vehicles, pedestrians and cyclists).

Charity art union prize home signs may be permitted within the boundaries of state-controlled roads (other than motorways, freeways or roads of similar standard), subject to the following criteria:

- In 80km/h and lower speed environments and where a sign is manufactured from lightweight frangible products (including the frame), the Advertising Device may be located a minimum distance of 3.5 metres from the road edge line. Where there is no edge line, the distance shall be measured from the edge of the bitumen. The frangibility requirement is to protect vehicle occupants in the event of a high-speed collision with a sign
- In speed environments greater than 80km/h and where a sign is manufactured from lightweight frangible products, the Advertising Device may be located a minimum distance of 6 metres from the road edge line.
- Signs made of light board (eg. corflute) and erected on a lightweight timber stake or frame are considered to be light and frangible. Signs constructed with steel frames, heavy or strong support members are considered to be non-frangible.

- Where a sign is constructed from non-frangible materials or has a substantial anchoring device, the sign must be located outside the Clear Zone (as per Clear Zone criteria in Appendix B). For a straight section of road with gently sloped verges (10:1 slope), the Clear Zone is 9 metres for 100km/h and 6 metres for 80km/h speed environments.

#### **Other**

- Signs must not present a danger to traffic when exposed to natural wind forces or wind created by passing vehicles.
- Signs shall not obstruct visibility of traffic (including vehicles, pedestrians and cyclists) or compromise the safety of such traffic.
- Signs shall not be located on traffic medians or islands.
- Signs shall not be attached to, or obstruct the visibility of, official traffic signs.
- Signs shall not be located so as to restrict sight distances on approaches to intersections or to restrict the visibility of other authorised signs.

#### **Physical Characteristics**

##### **Size and Shape**

- Not more than one sign with a maximum area of 2.4m<sup>2</sup> may be displayed per property.
- One or more signs as per the guide, with a maximum area of 0.6m<sup>2</sup>, may be displayed per property.
- Where a property is listed with more than one real estate agent, the above signage requirements may be increased to permit a maximum of three small real estate agent signs with a maximum area of 0.6m<sup>2</sup> each.

#### **Other Criteria and Guidance**

- Erection of the sign shall require the relevant local government approval.
- No application or approval is required provided criteria are met (except for advance signs).

#### **Advance Signs**

A minimum number of advance signs for charity art union prize homes may be permitted within the boundaries of state-controlled roads (other than motorways, freeways or roads of similar standard). Advance signs shall indicate the direction to the display home and shall be erected only for the period that the display home is open to the public. Advance signs shall be removed immediately after the art union prize is drawn. Advance signs shall be permitted only within a 15 kilometre radius of the display home. Advance signs shall have a maximum size of 0.6m<sup>2</sup>.

Where approval powers have been conferred to a local government, the local government may impose additional requirements for advance signs within the boundaries of state-controlled roads. Where the relevant local government has not imposed any permit conditions or where the local government's standard permit conditions are of a lesser standard, signs shall be subject to the specific permission criteria.

## **9.6 Roadside vendor signs**

Vending activities on state-controlled roads require the approval of the Department, and the requirements for roadside vendor signs are established in the Transport and Main Roads' policy, Roadside Vending. Roadside vendor signs are not permitted on motorways, freeways or roads of similar standard.

The roadside vending policy was developed in consultation with a wide range of stakeholder groups. Unless the local government has imposed more restrictive permit conditions, roadside vendor signs shall be subject to the following specific permission criteria. The scope of roadside vendor signs is generally limited to vehicle-mounted signs and an advance warning sign. These are addressed separately as follows.

### **Vehicle-mounted advertising signs**

Vehicle-mounted advertising requires an approval from the Department (refer Part 3.1.3) if the vehicle is being driven or parked on a road for which the primary purpose is advertising. Such approval could be included as part of the approval for the roadside vending activity.

Signs shall be securely fastened and should not be dislodged by natural wind forces or turbulence created by large vehicles. Other items such as shade umbrellas shall be similarly secured. On-vehicle advertising shall be directed only toward oncoming vehicles on the same side of the road as the vendor. An approval for vehicle-mounted advertising for a roadside vending site does not imply that this advertising would be permitted when the vehicle was driven on any road.

### **General Conditions**

- The only advertising permitted to be displayed by roadside vendors without a Transport and Main Roads' approval shall be fastened to the stall.
- Roadside vendor signs are limited to static non-illuminated formats.
- Local government may impose more restrictive conditions for these signs.
- Footway signs are not permitted for roadside vending.

### **Physical Characteristics**

#### ***Illumination and Luminance***

- The signs shall not incorporate retro-reflective materials.

### **Advance warning advertising sign**

The criteria for assessing an application (application is required) for an advance warning advertising sign for roadside vending on a road is based on the:

- need for a sign, given the site visibility and other conditions
- location of the proposed sign relative to other businesses in the local area
- proximity of the proposed sign in relation to private and business property entries
- proximity of the proposed sign in relation to official traffic signs

- local geography and road conditions which would allow the proposed sign to be safely erected and removed
- approval by local government and the Department (where the vending is conducted on a state-controlled road).

Where an advance warning advertising sign is permitted, it shall comply with the following requirements. The location, size and positioning of roadside vending advertising, as detailed, ensures that the safety of motorists, roadside vendors and customers is not compromised. It is important to reduce distraction to traffic coming from the opposite direction so as not to openly entice motorists to stop on the opposite side of the road and cross the road on foot, or alternatively to perform a U turn.

### **Site Selection**

#### ***Lateral Placement***

- An advance warning roadside vending sign may be permitted within the Clear Zone, subject to it being securely fastened to a lightweight frangible wooden stake.
- An advance warning roadside vending sign shall be located on the same side of the road as the vendor.
- An advance warning roadside vending sign shall not be permitted in a central median or a traffic island.
- An advance warning roadside vending sign shall not be attached to a roadside guide post or other roadside furniture.

#### ***Longitudinal Placement***

- An advance warning roadside vending sign may be permitted up to a maximum distance of 500 metres from the roadside vendor.

#### ***Other***

An advance warning roadside vending sign shall:

- be directed solely at approaching vehicles on the same side of the road as the vendor
- be displayed only during daylight hours when the vendor is present, otherwise the sign (including the stake) shall be removed, not merely covered
- indicate the commodity sold by the vendor in simple terms and distance to the vendor eg. "Flowers 300m".

### **Physical Characteristics**

#### ***Size and Shape***

An advance warning roadside vending sign shall:

- be single sided and limited to one in number
- be a maximum of 0.6m<sup>2</sup> in area.

#### ***Illumination and Luminance***

- Signs shall not incorporate retro-reflective materials.
- An approval from the Department is required.

### **9.7 Service organisation signs**

Service organisation signs are limited to non-rotating, non-illuminated formats and are not permitted on motorways, freeways or roads of similar standard. These signs are permitted within the boundaries of other state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

#### **Site Selection**

##### ***Lateral Placement***

- Service organisation signs are permitted within the Clear Zone provided the structure, which performs the sole purpose of supporting the Device, is frangible.
- No portion of a service organisation sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a service organisation sign shall not cause a safety hazard to other traffic (eg. pedestrians or cyclists) and is subject to Departmental approval.

#### **Driver Distraction Controls**

Service organisation signs shall be located in accordance with driver distraction controls outlined in Appendix C.

#### **Physical Characteristics**

##### ***Size and Shape***

- The size, number and format of a service organisation sign is at the discretion of the Department.

#### **Other Criteria and Guidance**

- Service organisation signs shall be related to a specific service organisation project or facility, or carry only details of places and times of regular service organisation meetings.
- Service organisation signs shall contain service organisation identity information only.
- Erection of a service organisation sign shall require the relevant local government approval.
- Formal approval from the Department is required.

### **9.8 Welcome signs**

Welcome signs are limited to static non-rotating formats. The signs are permitted within the boundaries of state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

#### **Content**

The content of Welcome signs must comply with the requirements in Transport and Main Roads standard drawing TC 1345 Route Gateway & Town Gateway Tourist Sign.

#### **Site Selection**

##### ***Lateral Placement***

- Welcome signs are permitted within the Clear Zone, provided the structure (which performs the sole purpose of supporting the sign) is frangible.

- No portion of a welcome sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a welcome sign shall not cause a safety hazard to other traffic (eg. pedestrians or cyclists).

#### **Driver Distraction Controls**

- Welcome signs shall be in accordance with driver distraction controls outlined in Appendix C.

#### **Physical Characteristics**

##### ***Size and Shape***

- The size and format of town/city welcome signs shall conform to Transport and Main Roads standard drawing TC1345 Route Gateway & Town Gateway Tourist Sign (2400mm x 1600mm). Local government boundary welcome signs shall not exceed 2800mm x 1800mm in size.

##### ***Illumination and Luminance***

- Welcome signs may be internally illuminated.
- Luminance characteristics of welcome signs shall accord with the requirements outlined in Appendix D.

#### **Other Criteria and Guidance**

Only a local government may erect welcome signs. The local government is responsible for associated maintenance and liability issues.

- Approval is required from the Department.

#### **9.9 Neighbourhood Watch signs**

Neighbourhood Watch signs are not permitted on motorways, freeways or roads of similar standard. These signs are permitted within the boundaries of other state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

#### **Site Selection**

##### ***Lateral Placement***

- Neighbourhood Watch signs are permitted within the Clear Zone, provided the structure (which performs the sole purpose of supporting the sign) is frangible.
- No portion of the Neighbourhood Watch sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a Neighbourhood Watch sign shall not cause a traffic hazard to other traffic (eg. pedestrians or cyclists).

#### **Driver Distraction Controls**

- Neighbourhood Watch signs shall be in accordance with driver distraction controls outlined in Appendix C.

## **Other**

- Neighbourhood Watch signs are limited to non-rotating, non-illuminated formats.
- Small Neighbourhood Watch signs (225mm x 225mm) may be attached to existing street name posts.
- Large Neighbourhood Watch signs (600mm x 450mm) may be installed on the perimeter of each area as mutually agreed by the Police Service, relevant local government and the Department.

## **Physical Characteristics**

### ***Size and Shape***

- Neighbourhood Watch signs shall be in accordance with Department Engineering Specification ES132.

## **Other Criteria and Guidance**

- Erection, relocation, maintenance and removal of Neighbourhood Watch signs shall require completion of a local government application made by the relevant Police Service.
- Erection, relocation, maintenance and removal of Neighbourhood Watch signs shall be the responsibility of the relevant local government.
- No application or approval is required provided criteria are met.

### **9.10 Safety House signs**

Safety House signs are limited to non-rotating non-illuminated formats. The signs are permitted within the boundaries of state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

## **Site Selection**

### ***Lateral Placement***

- Safety House signs are permitted within the Clear Zone, provided the structure (which performs the sole purpose of supporting the sign) is frangible.
- No portion of the Safety House sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of the Safety House sign shall not cause a traffic hazard to other traffic (eg. pedestrians or cyclists).

## **Driver Distraction Controls**

- Safety House signs shall be in accordance with driver distraction controls outlined in Appendix C.

## **Other**

- Safety House signs shall be installed on the perimeter of each area as mutually agreed by the relevant local government and the Department.

## Physical Characteristics

### *Size and Shape*

- Safety House signs shall be in accordance with Department Engineering Specification ES133.

### *Illumination and Luminance*

- Safety House signs are not subject to luminance requirements.

## Other Criteria and Guidance

Only a local government may erect Safety House signs. The local government is responsible for associated maintenance and liability issues.

- No application or approval is required, provided criteria are met.

### **9.11 Road Service Club signs**

Road service club signs are limited to non-rotating, non-illuminated formats. The signs are not permitted on motorways, freeways or roads of similar standard; however they may be permitted immediately before exit ramps. Road service club signs may be permitted within the boundaries of other state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

## Site Selection

### *Lateral Placement*

- Road service club signs are permitted within the Clear Zone provided the structure (which performs the sole purpose of supporting the sign) is frangible.
- Road service club signs are permitted to be placed on existing traffic signposts provided permission is obtained from the Department.
- No portion of the road service club sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a road service club sign shall not cause a safety hazard to other traffic (eg. pedestrians or cyclists.)

## Driver Distraction Controls

- Road service club signs shall be located in accordance with driver distraction controls outlined in Appendix C.

## Physical Characteristics

### *Size and Shape*

- Road service club signs shall be in accordance with the Department's TC Sign Design Manual.

### *Illumination and Luminance*

- Road service club signs are not subject to luminance requirements.

### **Other Criteria and Guidance**

- Erection of a road service club sign shall require Departmental approval.
- A formal application and approval from the Department is required.

#### **9.12 Election signs**

Election signs are prohibited on motorways, freeways or roads of similar standard. Election signs are limited to non-rotating, non-illuminated formats and are permitted within the boundaries of other state-controlled roads. Local governments may impose additional requirements on election signs through local laws or town planning provisions.

Where a local law or town planning provision specifically excludes state-controlled roads, the intention is for Transport and Main Roads to adopt similar conditions as local government to ensure consistency across the electoral region. However where local government's election sign provisions are considered to cause a safety or efficiency problem for a state-controlled road, more stringent guidelines may be applied. Where the local government has not imposed any permit conditions, election signs shall be subject to statutory controls, general permission criteria and the following specific permission criteria.

#### **Site Selection**

##### ***Lateral Placement***

- Election signs are permitted within the Clear Zone provided the structure (which performs the sole purpose of supporting the sign) is frangible and the sign is made of light board (eg. corflute).
- Election signs shall be located next to, and parallel to, the property alignment.
- No portion of an election sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of an election sign shall not cause a safety hazard to other traffic (eg. pedestrians or cyclists).

#### **Driver Distraction Controls**

- Election signs are not subject to driver distraction controls in Appendix C.

#### **Other**

- Election signs shall not be located so as to restrict sight distances on approaches to intersections or to restrict the visibility of other authorised signs.
- In urban areas, election signs shall be located next to, and parallel to, the property alignment.
- In rural areas where the speed limit is 80km/h or less, election signs must be located no closer to the road edge than 3.5 metres.
- In rural areas where the speed limit is greater than 80km/h, election signs must be located no closer to the road edge than 6 metres.
- Election signs shall not be fastened to trees or road infrastructure.

## Physical Characteristics

### *Size and Shape*

- Election signs shall be limited to a single sign constructed from a light frangible material and less than 0.6m<sup>2</sup> in size.

### *Illumination and Luminance*

- Election signs shall not be illuminated nor incorporate reflective or florescent materials.

## Other Criteria and Guidance

- Election signs shall be erected only after the official announcement of an election and shall be removed within seven days after election polling day.
- A formal Departmental application is not required.
- The proponent shall accept liability for any claims arising from the placing of election signs.

### **9.13 Utility Service signs**

Utility service signs are limited to non-rotating, non-illuminated formats. The signs shall be permitted within the boundaries of state-controlled roads subject to statutory controls, general permission criteria and the following specific permission criteria.

## Site Selection

### *Lateral Placement*

- Utility service signs are permitted within the Clear Zone provided the structure (which performs the sole purpose of supporting the sign) is frangible.
- No portion of a utility service sign shall project over the carriageway or any surface used by motor vehicles.
- The placement of a utility service sign shall not cause a safety hazard to other traffic (eg. pedestrians or cyclists).

## Driver Distraction Controls

- Utility service signs are not subject to driver distraction controls in Appendix C.

## Physical Characteristics

### *Size and Shape*

- Utility service signs are subject to the discretion of the service utility.

### *Illumination and Luminance*

- Utility service signs are not subject to luminance requirements.

## Other Criteria and Guidance

- Utility service signs are erected at the discretion of the service utility.
- Utility service signs must relate to the position or give warning of the presence of a utility service.

- Utility service signs shall not be used to advertise the owner or product provided or sponsored by the utility service company.
- A formal Departmental application is not required.
- The utility service provider shall accept liability for any claims arising from the placing of utility service signs.

Superseded

## **10 Compliance, enforcement and removal of unauthorised advertising devices**

### **10.1 General enforcement**

Transport and Main Roads' regional and district offices and local governments should be familiar with the management responsibility for advertising within state-controlled roads. In particular, staff should be alert to the existence of unauthorised Advertising Devices within their jurisdiction. A range of actions is available when an Advertising Device is observed to create a traffic hazard and does not comply with the requirements of this guide.

To ensure equity, enforcement should be applied uniformly across the state.

Where a Transport and Main Roads region or district has an existing maintenance regime that includes the regular removal of unauthorised Devices, this program should continue.

If a Transport and Main Roads region or district has not routinely removed unauthorised advertising, the region or district should communicate Transport and Main Roads' advertising signage requirements to businesses and the local community. This may involve placing advertisements in local newspapers or distributing pamphlets outlining the Department's requirements. This communication should be conveyed in a helpful and informative manner.

### **10.2 Authorised Advertising Devices within state-controlled road boundaries**

#### **10.2.1 Devices creating a traffic hazard or obstacle to work**

The following procedures apply if an authorised Advertising Device is either:

- a traffic hazard
- an obstacle to carrying out road works, or
- an obstacle to the construction, augmentation, alteration or maintenance of public utility plant.

#### **Traffic Hazard**

- a) If the Advertising Device is creating, or likely to create, a traffic hazard on a state-controlled road, immediate action should be taken to make safe the hazard or remove the Advertising Device.
- b) The Advertising Device's owner should be notified in writing as soon as practicable.

#### **Obstacle**

- a) Immediately notify the Advertising Device owner in writing of the required action. (In cases of emergency, remedial action may be undertaken without prior written notification.)
- b) A Device may be removed by the responsible authority if requested remedial action has not been satisfactorily undertaken by the owner within the specified time period. The costs for removal may be recovered from the owner (unless otherwise specified by a licence agreement or permit).

#### **10.2.2 Breach of Conditions**

The following procedure applies if an authorised Advertising Device is in breach of a licence or permit condition:

- a) Notify the Advertising Device licensee or permit holder of the required action to remedy the breach within a specified time period.

- b) If remedial action has not been undertaken within the specified time period, the responsible authority for the Advertising Device may either cancel the licence or permit, or alter, relocate, make safe or remove the Device.

Proceedings to remove an Advertising Device without compensation may be undertaken if a renewal fee is not received by the due date, and no alternate course of action is contained within a licence agreement or permit. The Advertising Device owner must be consulted before removal in such circumstances.

### **10.3 Unauthorised Advertising Devices within state-controlled road boundaries**

#### **10.3.1 Devices creating a traffic hazard**

- a) If the Advertising Device is creating, or likely to create, a traffic hazard on a state-controlled road, immediate action should be taken to make safe the hazard or remove the Advertising Device.
- b) The Advertising Device's owner should be notified in writing as soon as practicable.

#### **10.3.2 Low value Advertising Device**

Low value Advertising Devices may be immediately removed and disposed of. These are typically attached to guide posts, power poles, lighting columns and trees; and manufactured from low cost materials such as cardboard or corflute.

#### **10.3.3 Higher value signs**

Examples of higher value Advertising Devices are steel framed A-signs, unregistered trailers or devices that incorporate a substantial structure.

- a) Where the device does not pose a traffic hazard, the owner must be advised in writing of the required action to be taken within a specified time period. The Advertising Device may be removed if, after reasonable effort, its owner cannot be located.
- b) If the Advertising Device owner has not satisfactorily undertaken remedial action within the specified time period, the Advertising Device may be altered, relocated, made safe or removed.
- c) Where unauthorised advertising is removed, it may be disposed of after being stored for a period of one month. The owner may collect the Advertising Device upon payment of a fee. Table H1 in Appendix H provides fee related information. A minimum fee may be charged which reflects the actual costs associated with removing the unauthorised Advertising Device.

#### **10.3.4 Advertising attached to a vehicle**

Where a registered motor vehicle or trailer is parked on a state-controlled road for the sole purpose of advertising, the Queensland Police Service should be requested to remove the vehicle (refer Part 3.3). (A current registration label or registration plate would be evidence of registration.)

Where advertising is attached to a small unregistered trailer, the trailer may be removed by the Department. Before removal, the trailer's owner should be contacted (see 'Higher Value Signs'). Where the trailer owner cannot be contacted, the local Police Station should be advised before removing the trailer.

### **10.3.5 Legal action**

Legal proceedings or the issue of an infringement letter may be undertaken for an unauthorised Advertising Device (in addition to removing the Device). A written warning should be issued to the owner of the offending Advertising Device before commencement of legal proceedings. The presence of a sign that warns about such unauthorised activities would be regarded as equivalent to a written warning.

### **10.4 Advertising Devices beyond the boundaries of, but visible from, state-controlled roads**

The following procedure applies where an Advertising Device is beyond the boundaries of, but visible from, a state-controlled road and is creating, or has the potential to create, a danger to traffic on a state-controlled road.

Transport and Main Roads will issue a notice to the owner of a light or sign that is, or could create, a danger to traffic, requiring the light or sign to be altered or removed. The notice should be issued under section 111 of the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2005* (refer Part 3.2.3). Certain Transport and Main Roads' officers are delegated these powers by the Chief Executive of Queensland Transport.

Alternatively, Transport and Main Roads may ascertain from the relevant local government whether the Advertising Device has been approved, or complies with local government approval. Where the Advertising Device does not comply with local government approval requirements, the Department may request or assist local government to enforce its requirements.

Where the Advertising Device is visible from a state-controlled road and the local government did not refer the application to the Department before the approval, the Department should address this procedural matter with local government.

## **11 Miscellaneous**

This section outlines indemnity, insurance, compensation, appeals and workplace health and safety requirements for certain types of Advertising Devices.

### **11.1 Indemnity**

A licensee/sign owner/applicant (licensee) shall be required to indemnify the Department for the designated Advertising Device and activities located within the boundaries of state-controlled roads.

The licensee shall indemnify the Department against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon, the Department which arise as a result of the installation of an Advertising Device.

The licensee shall keep the Department indemnified against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against, or made upon, the Department which might arise from the existence of such Advertising Device – in accordance with the requirements of the Road Corridor Permit.

The licensee shall be required to indemnify the Department for activities involving the trimming/clearing of vegetation within the boundaries of state-controlled roads, irrespective of the location of the Advertising Device. Refer to Appendix G for the trimming/clearing of vegetation.

### **11.2 Insurance**

- The licensee shall provide evidence of public liability insurance for the following types of Advertising Devices and activities located within the boundaries of state-controlled roads:
  - Category 1 Advertising Devices
  - Category 2 Advertising Devices
  - Roadside vendor signs
  - Trimming of vegetation.
- During the term and at its sole cost and expense, the licensee shall obtain and keep (in full force and effect in the joint names of the licensee and the Department) a public liability insurance policy for their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons; or accidental damage to property.
- The public liability policy of insurance shall be for an amount of no less than \$10 million for any single event (or such higher amount as may be notified in writing by the Department from time to time) and shall be effected with an insurer approved in writing by the Department and on terms approved in writing by the Department.
- The public liability policy of insurance shall include a clause in which the insurer agrees to waive all rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.
- The licensee shall produce evidence to the satisfaction of the Department of the insurance effected and maintained by the licensee for the purposes of the second paragraph above, within seven days of receiving a written request to do so from the Department.

- If the licensee fails to produce evidence in accordance with the above paragraph, the Department may effect and keep in force the public liability policy of insurance, and pay such premiums as may be necessary for that purpose; and the amount so paid shall be a debt due from the licensee to the Department and may be recovered in a court of competent jurisdiction.

### **11.3 Compensation for alteration or removal of approved Advertising Devices within boundaries of state-controlled roads**

Should roadworks or the installation or maintenance of public utility services necessitate the removal and/or relocation of an approved Advertising Device within the boundaries of a state-controlled road, the licensee will carry out this work promptly. Where no advertising fees are collected by the Department, the Advertising Device is required to be relocated at no cost to the Department. Where advertising fees are collected, the Department or service utility provider may be liable for the costs of removal and pro-rata refund of advertising fees only. Where an advertising sign is required to be relocated, the Department cannot guarantee a suitable replacement site.

Apart from the possible payment of removal costs and a rebate on fees, the Department will not provide compensation for loss of revenue or relocation of Advertising Devices within a state-controlled road, except where individual agreements separately address compensation or where specific clauses in this guide permit the payment of such compensation.

Section 52(7) of the *Transport Infrastructure Act 1994* provides for the Department to enter into an agreement regarding a contribution towards the cost of altering, relocating, making safe or removing an approved AWE (Advertising Device) within the boundaries of a state-controlled road.

### **11.4 Compensation for alteration or removal of approved Advertising Devices outside boundaries of state-controlled roads**

The cost of removing free-standing Advertising Devices on private property subject to resumption may be a Department responsibility, provided that:

- the Advertising Device was lawfully erected before notification of the intention to resume
- the Advertising Device owner can demonstrate an interest in the land under the *Acquisition of Land Act 1967*.

Evidence of the pre-existing lease agreement shall be provided to the Department before receiving any compensation entitlements.

Local government should be aware of the financial burden it could place or impose on the Department when approving Advertising Devices beyond the boundaries of, but visible from, state-controlled roads. Local government should consult with the Department to determine the future possibility of road widening and land resumption before approving any Advertising Device adjoining a state-controlled road.

The Department will not pay compensation for the removal of an Advertising Device which it considers may create a traffic hazard.

### **11.5 Appeals**

Part 5 of the *Transport Planning and Coordination Act 1994* and Section 485 of the *Transport Infrastructure Act 1994* make provision for merit-based appeals against decisions made by the Department.

Among other things, a person whose interests are affected by a decision relating to an Advertising Device, may lodge such an appeal. Before lodging an appeal, the affected person shall seek a review of the decision.

The Department shall provide a statement of reasons for the decision. Section 196 and Schedule 2 of the *Transport Infrastructure Act 1994* identify the court to which a further appeal should be made.

#### **11.6 Workplace, Health and Safety**

It is desirable to appoint the Road Corridor Permit proponent as the “Principal Contractor” for the purposes of the *Workplace Health and Safety Act 1995* to ensure that there are no adverse implications for the Department under Workplace, Health and Safety legislation.

Superseded

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Superseded

## **Appendix A: Advertising Devices provided as part of sponsorship arrangements**

### **General**

In accordance with Part 4 of this guide, the Department may permit the erection of Advertising Devices for a defined period in exchange for, or which acknowledges, private sector sponsorship of road infrastructure and/or works.

### **Principles for Sponsorship of Road Infrastructure/Works**

The principles for successful sponsored road infrastructure and/or works projects include the following:

- The project is warranted in its own right and not simply proposed as a means of facilitating the display of an Advertising Device. In this regard, preference will be given to proposals involving the provision of infrastructure/works on the Department's current or future roads program
- The Department will consult with the relevant local government regarding advertising on state-controlled roads but is not bound by any policies of that local government
- For proposals on National Highways, federal government approval may be required
- The project is capable of effective operation with all significant negative impacts ameliorated (e.g. barrier fencing may be required to guide pedestrians to use overbridges)
- The nature, size, location and density of proposed Advertising Devices shall be:
  - in accordance with this guide
  - commensurate with the assessed value to the Department of the sponsorship.

In regard to the assessed value:

- for major infrastructure, the period for which the Device(s) is/are displayed may be agreed between the proponent and the Department to a maximum of 10 years
- for works, including landscaping and tree planting, the maximum period shall be two (2) years and the continued display of the Device(s) during this period shall be conditional on the satisfactory and safe performance of work.
- Wherever possible the Advertising Device shall be attached to, or located in close proximity to, the project site
- The most efficient infrastructure/works is provided (i.e. no difference to the provision of Government funded infrastructure)
- The proposed project is normally subject to full and open competition - expressions of interest should be called
- The road infrastructure and Advertising Device shall be maintained for the period of the sponsorship.

### **Sponsorship Opportunities**

Examples of sponsorship activities include, but are not limited to the following:

- provision of a pedestrian overbridge

- removal of rubbish and debris from the roadside, including the removal of illegal Advertising Devices. The removal of rubbish and debris will generally be handled under the Adopt-a-Road scheme managed by Keep Australia Beautiful Council
- roadside landscaping and tree planting.

### **Permission Criteria**

Generally, proposals will be assessed against the above mentioned principles and, depending on the nature of sponsorship, the specific permission criteria shown below will be applied.

These permission criteria reflect those established in the main part of Roadside Advertising Guide and are repeated below for ease of reference only. If differences are identified then the relevant criterion in the main part of the 'Guide' shall take precedence.

Generally, the following can be expected:

#### ***For sponsorship of major infrastructure, such as pedestrian overbridges.***

The Department may permit third party advertising:

- on the sponsored infrastructure (refer Figure A1 for an example of sponsored pedestrian overbridge)
- on free standing Advertising Devices
- on existing overhead transport structures within the vicinity of the sponsored infrastructure.

Permission criteria include:

- Device design, construction, erection and maintenance shall be in accordance with the Department's guidelines
- the Device should be contained within the silhouette of the supporting structure
- the Device should not extend beyond that area of the structure above the carriageway to which the Device is directed.

#### ***For sponsorship of roadside cleaning services and roadside landscaping and tree planting.***

The Department may permit:

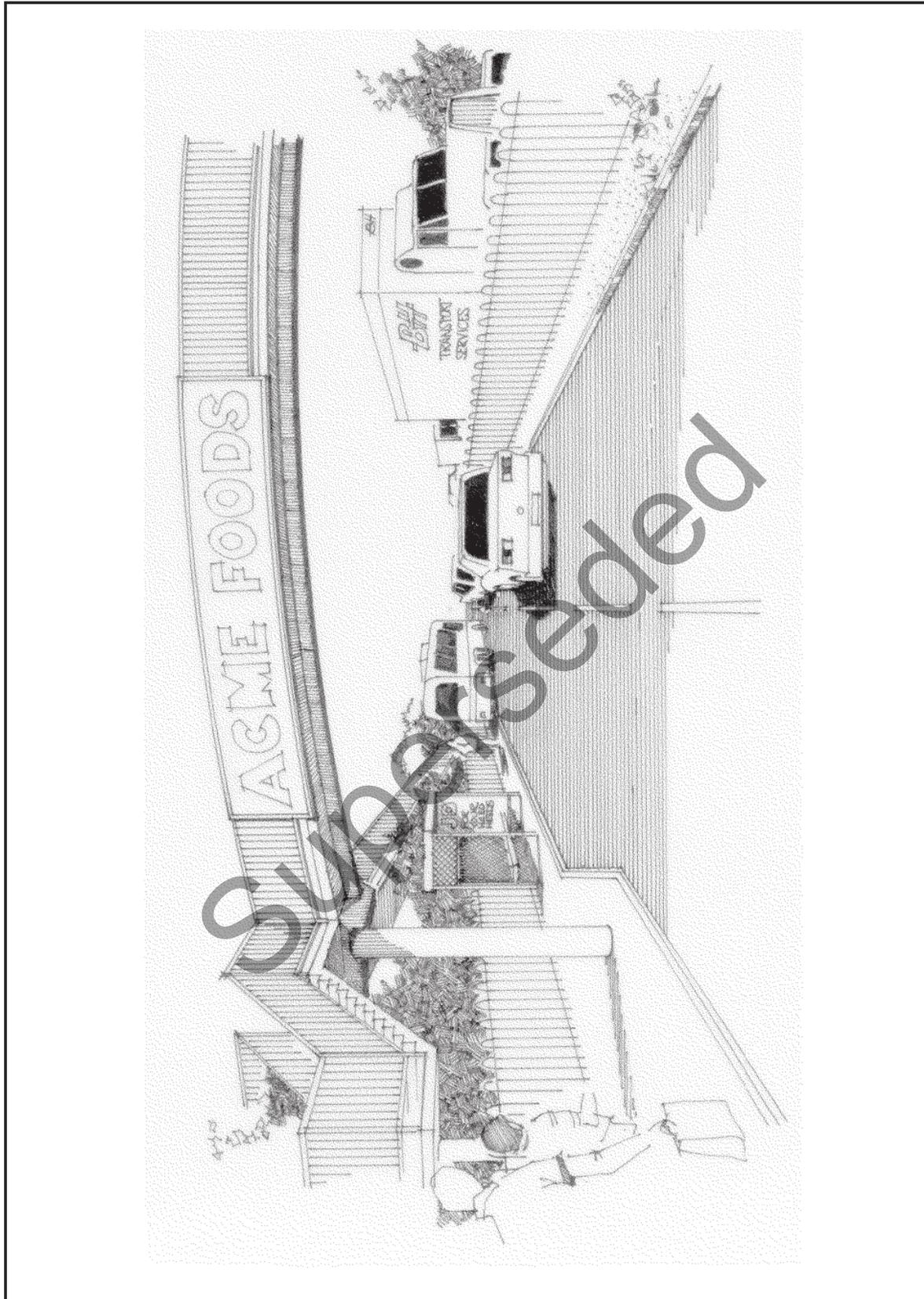
- the erection of signs, which contain the sponsor's corporate logo, designating the start and end of the sponsored section of road (refer at Figure A2).
- Permission criteria include:
  - the Device location, erection and maintenance shall be in accordance with this guide
  - the Device density shall be no greater than one sponsorship Device per carriageway every two kilometres of the sponsored section of road
  - the maximum size of each Device shall be 2m<sup>2</sup>
  - the Device is to be static, non-rotating and not illuminated or retro-reflective.

### **Figures**

A1: Sponsored Pedestrian Overbridge

A2: Sponsored Roadside Landscaping and Tree Planting Signs

A-4 Advertising Devices Provided as Part of Sponsorship Arrangements



**Figure A1: Sponsored pedestrian overbridge**

Advertising Devices Provided as Part of Sponsorship Arrangements A-5

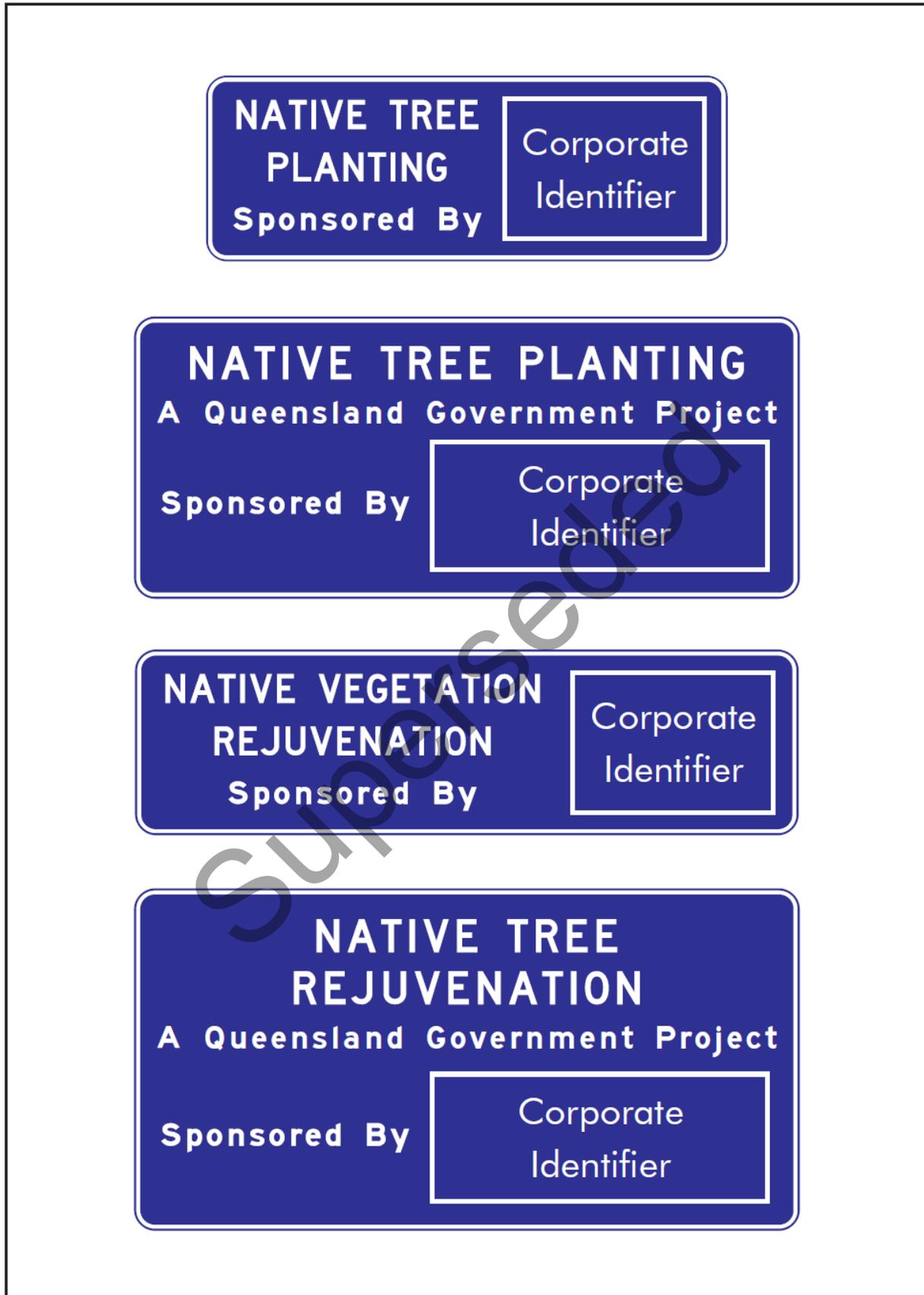


Figure A2: Sponsored roadside landscaping and tree planting signs

## **Appendix B: Advertising Device clear zone criteria**

### **General**

This Appendix specifies Advertising Device lateral position requirements relative to the edge of the travelled way. Generally, Advertising Devices are restricted to locations outside the Clear Zone.

The Clear Zone concept adopted by the Department is a universally accepted means of diminishing the risk of errant vehicle collision with roadside objects and also of maintaining the effectiveness of official traffic signs.

While the concept draws on a wide range of experience and research, engineering judgement should also be applied in the determination of lateral position requirements. This guide should be regarded as a supplement to aid in exercising this judgement and not as a substitute for it.

### **Site selection and location**

The Advertising Device support structure must be located outside the clear zone or protected by a suitable and approved safety barrier. If a safety barrier is installed no portion of the Advertising Device support structure is to be located within the deflection limits of the safety barrier. Safety barrier deflection limits are outlined in Chapter 8 of the TMR Road Planning and Design Manual. A safety barrier may be installed (subject to TMR approval) to protect an Advertising Device support structure located within the clear zone.

If any part of the Advertising Device is located within the clear zone the minimum vertical clearance requirements as per Table 6.2 in Part 6 must be achieved.

### **Factors Influencing the Clear Zone**

The variables that influence the determination of the Clear Zone for Advertising Devices include the following:

- speed environment
- roadside cut/fill slopes
- road curvature
- presence of physical devices that limit or prevent errant vehicle incursion (e.g. barrier rail or steep cutting)
- the nature of transport infrastructure, if any, to which the Device may be attached.
- Once these variables are established, a simple procedure enables the Clear Zone to be determined.

### **Determination of Clear Zone Requirements**

The influence of the above-mentioned variables on the width of the Clear Zone is determined by assessing the Device site in accordance with the following:

- The Clear Zone is measured by extending a horizontal plane from the edge of the travelled way to the edge of the Device, as indicated in Figure B1
- Figure B2 is used to establish the required Clear Zone distance for Advertising Devices located on straight roads, given a designated speed environment and the slope of the roadside

- A combination of Figures B2 and B3 is used when the Device is located on a curve in the road alignment. The horizontal curve multiplier established from Figure B2 recognises the higher risk and larger encroachment distance for errant vehicles on the outside of curved road alignments
- A combination of Figures B2 and B4 is used to assess the influence of cut height and slope on traversability when the Device is located on a cut slope
- Figures B5 and B6 provide examples of the influence of cut height and slope on traversability and opportunities to reduce lateral clearance
- Figure B7 provides an example of Clear Zone calculations on variable slopes. On such slopes, it is necessary to approximate the contributory influence of each slope element, noting that non-recoverable fill slopes (i.e. slopes steeper than 4:1) are disregarded in the calculation.

### Opportunities to Reduce Lateral Clearances

The requirements outlined in this Appendix also present a number of avenues via which the base Clear Zone distance (i.e. the clear distance determined for a Device located adjacent to a flat roadside) may be reduced. Given the significant advantages in placing Advertising Devices as close as possible to the observer's line of sight, it is expected that the following avenues will be actively pursued:

- i. Device located on a suitable cut slope:

The Clear Zone distances determined from Figure B2 (for speed environments exceeding 60 km/h) converge to a minimum permissible distance of 4.5 m for traversable cut slopes steeper than 2:1. As is apparent from Figure B2, advantages accrue when cut slopes steeper than 6:1 are encountered, in that Advertising Devices may be located closer to the travelled way.

Refer Figure B6 – Case (i) for a diagrammatic example.

- ii. Devices with a lateral offset of the Device face from the supporting structure and clearance between the ground and the Device face exceeding 5.4m:

The Clear Zone distances determined from Figure B2 (for speed environments exceeding 60 km/h) converge to a minimum permissible distance of 4.5m to the edge of the Device face, where the clearance between the ground and the Device face exceeds 5.4 m. The Clear Zone requirements to the supporting structure still apply.

Refer Figure B6 - Case (ii) for a diagrammatic example.

- iii. Devices located behind non-traversable cut slopes:

Non-traversable cut slopes also potentially enable the Device to be located within the calculated base Clear Zone.

Figure B4 provides a means by which cut slope traversability can be established. As with Case (ii), this relaxation limits the minimum clear separation between the travelled way and the edge of the Device face to 4.5 m.

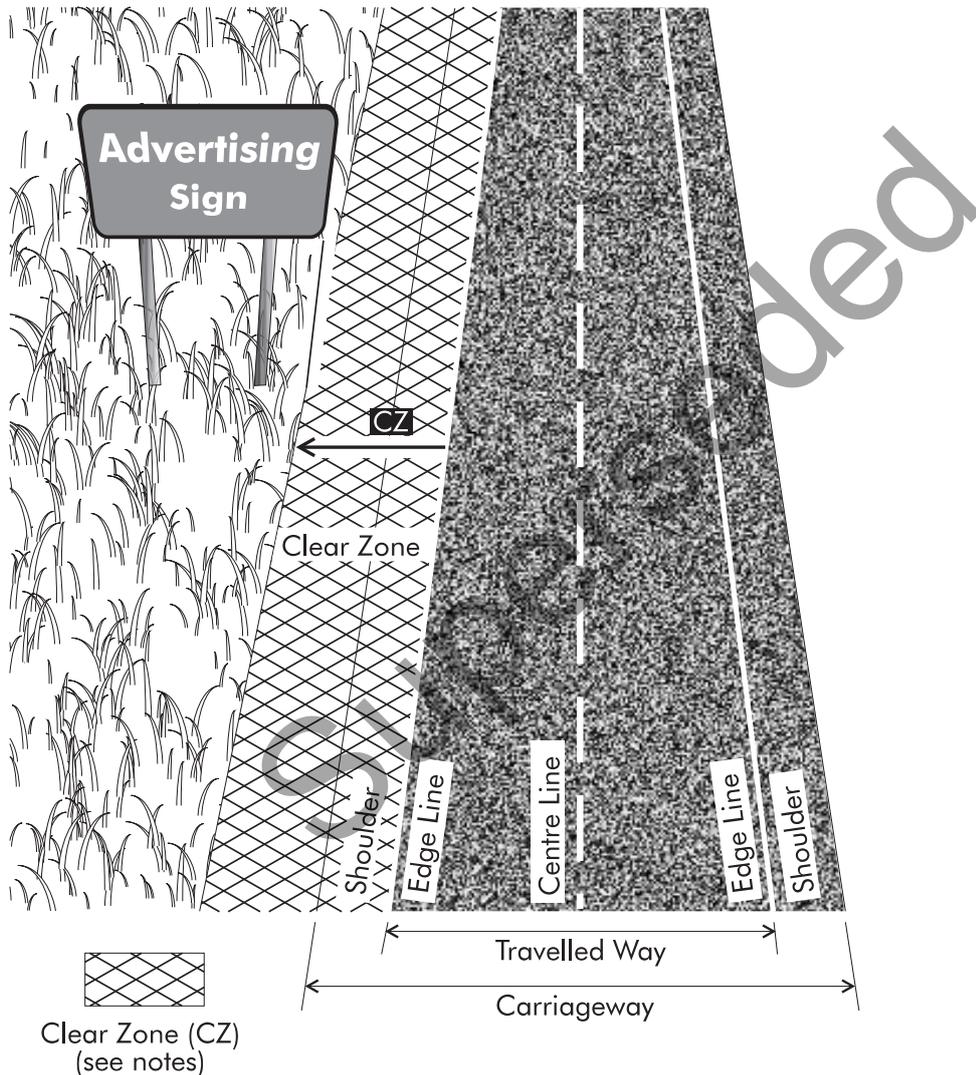
Refer Figures B5 and B6 - Case (iii) for diagrammatic examples.

- iv. Devices attached to transport infrastructure:

Clear Zone requirements do not apply for Devices attached to transport infrastructure such as bus passenger shelters and seats and pedestrian overbridges.

**Figures:**

- B1: Clear Zone Base Parameters
- B2: Clear Zone Distance Curves for Straight Roads
- B3: Clear Zone Horizontal Curve Adjustment Factors
- B4: Influence of Cut Height and Slope on Traversability
- B5: Examples of Influence of Cut Height and Slope on Traversability
- B6: Examples of Opportunities to Reduce Lateral Clearance
- B7: Examples of Clear Zone Calculations on Variable Slopes



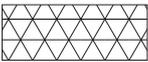
**Notes**

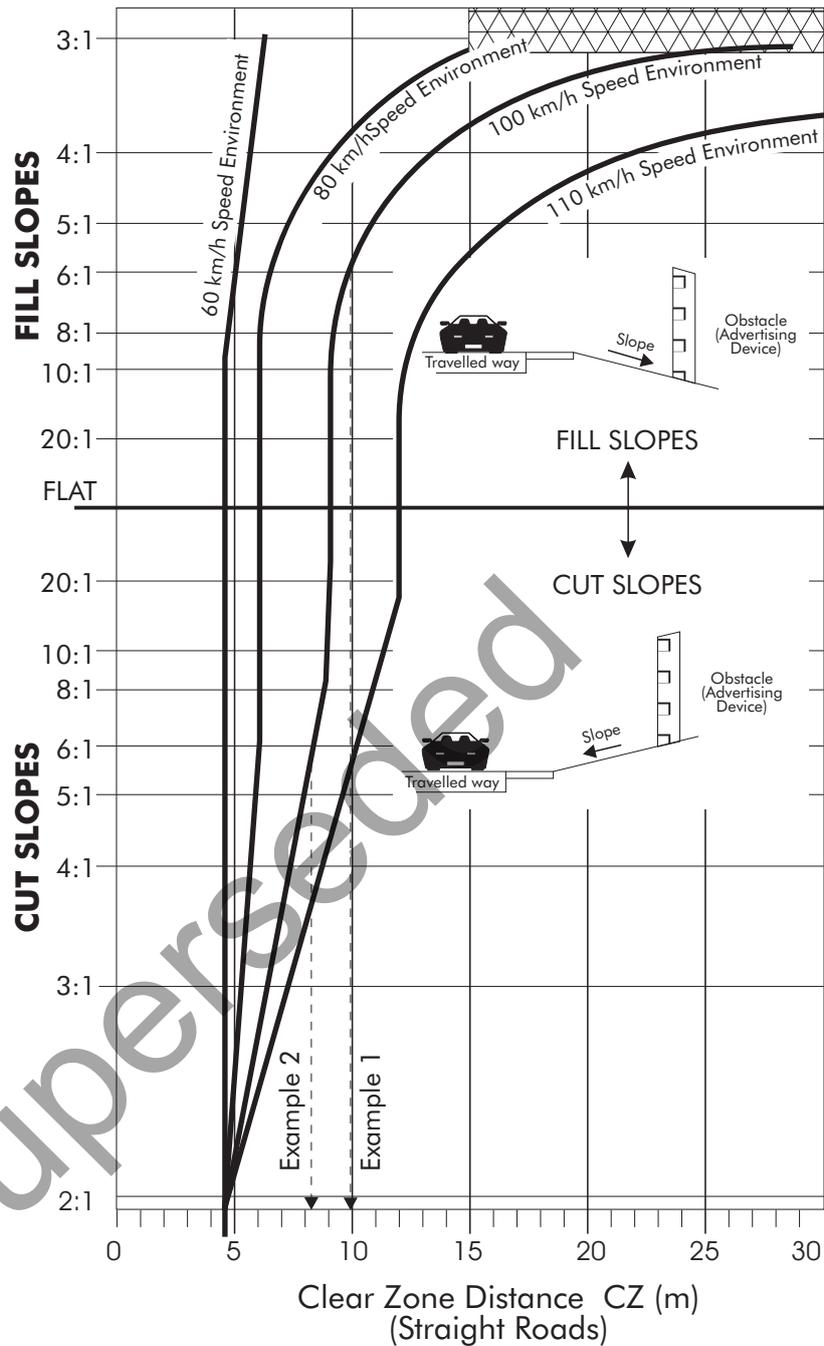
*Clear Zone* – The total roadside border area, starting at the edge of the travelled way, available for safe use by errant vehicles and for the display of official traffic signs. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope and/or a clear runout area. The minimum Clear Zone width is dependent upon speed environment and roadside geometry.

For minimum Clear Zone (CZ) distances refer to Figure B2 for straight roads; Figures B2 and B3 for curved roads and Figures B2 and B4 to ascertain the influence of cut height and slope on traversability.

**Figure B1: Clear zone base Parameters**

- Example 1**  
 6:1 Fill Slope  
 100 km/h Speed Environment  
 Clear Zone = 10m
- Example 2**  
 6:1 Cut Slope  
 100 km/h Speed Environment  
 Clear Zone = 8m

  
 Advertising Devices may be permitted,  
 where barrier (guardrail) protection is provided  
 See case (iii) and Figure B6.



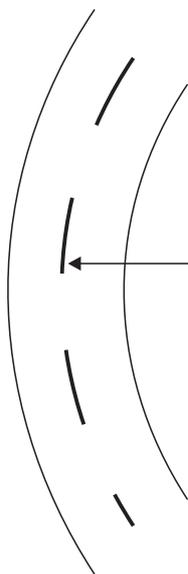
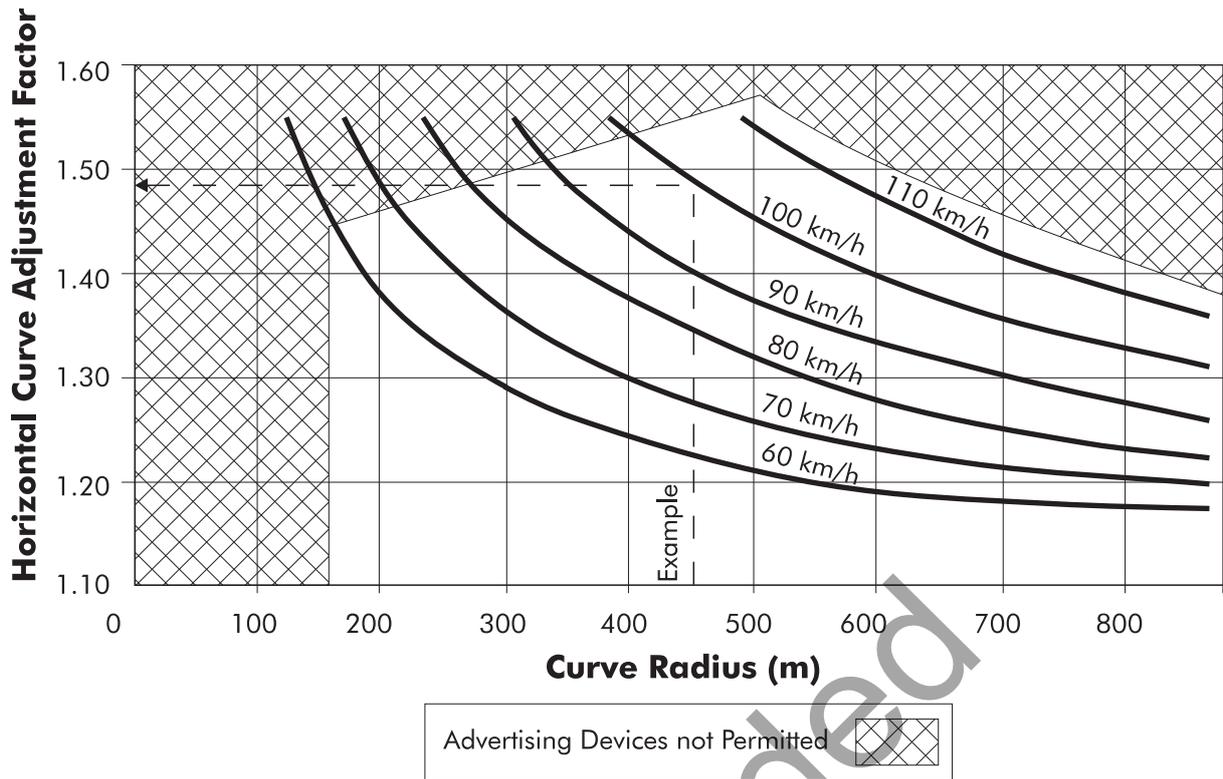
**Notes:**

Clear Zone curves adapted from AASHTO *Roadside Design Guide* and Transport and Main Roads draft Technical Guideline - *Identification, Prioritisation and Treatment of Roadside Objects*.

This diagram does not identify all situations. For curved roads and roads on cut slopes, the Clear Zone is determined by using the above diagram in conjunction with Figure B3 (Curve Adjustment Factors) and Figure B4 (Influence of Cut Height and Slope on Traversability). For roads on fill slopes, the diagram is used in conjunction with the explanation given in case (iii) and Figure B5.

The 110 km/h speed environment curve has been specifically developed for this document, and would generally not be used for other roadside furniture/obstacles.

**Figure B2: Clear zone distance curves for straight roads**



Superseded

**Example**

450m Radius Curve  
100 km/h Speed Environment

CZ required on flat straight road = 9m (Figure B1)  
Curve Adjustment Factor (Figure B2 above) = 1.48

Required Clear Zone =  $9 \times 1.48 = 13.5\text{m}$

**Notes:**

Horizontal curve multipliers adopted from AASHTO *Roadside Design Guide*. Permission limits are based upon a 'comfortable' lateral acceleration of  $4.9 \text{ m/s}^2$  (.2g) - AUSTRROADS *Guide to the Geometric Design of Rural Roads*. Irrespective of the proposed device being located on a horizontal curve that falls within the 'permitted' region of the graph, consideration shall also be given to any site accident history before approval is given for the erection of a device on a horizontal curve.

**Figure B3: Clear zone horizontal curve adjustment factors**

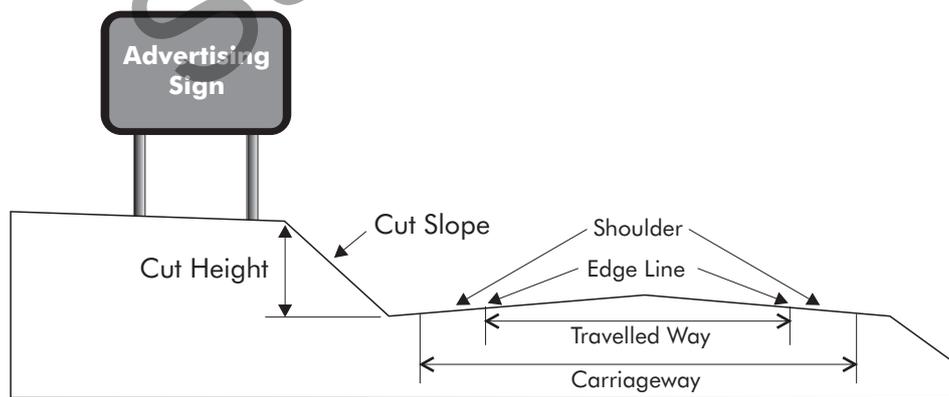
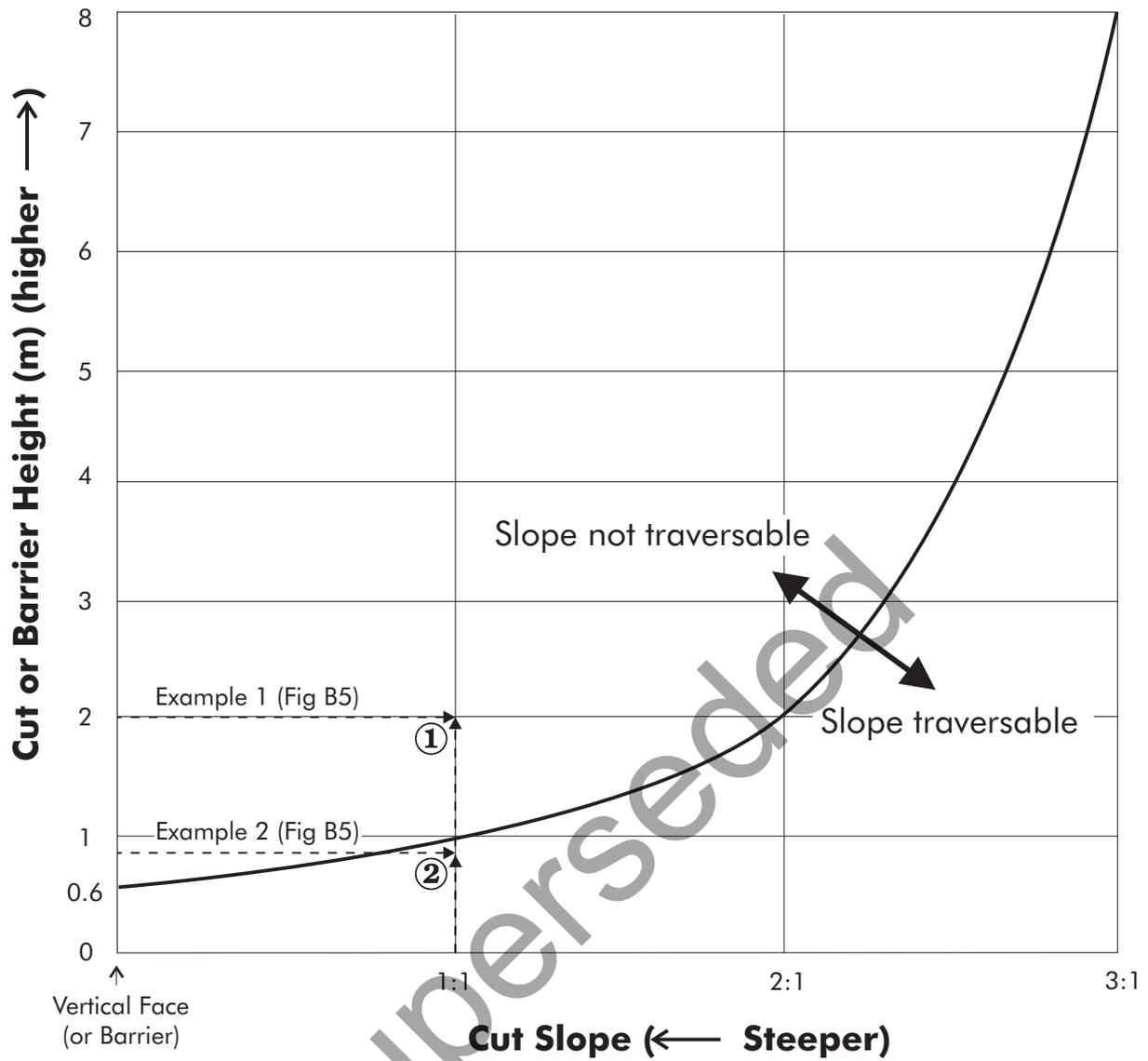
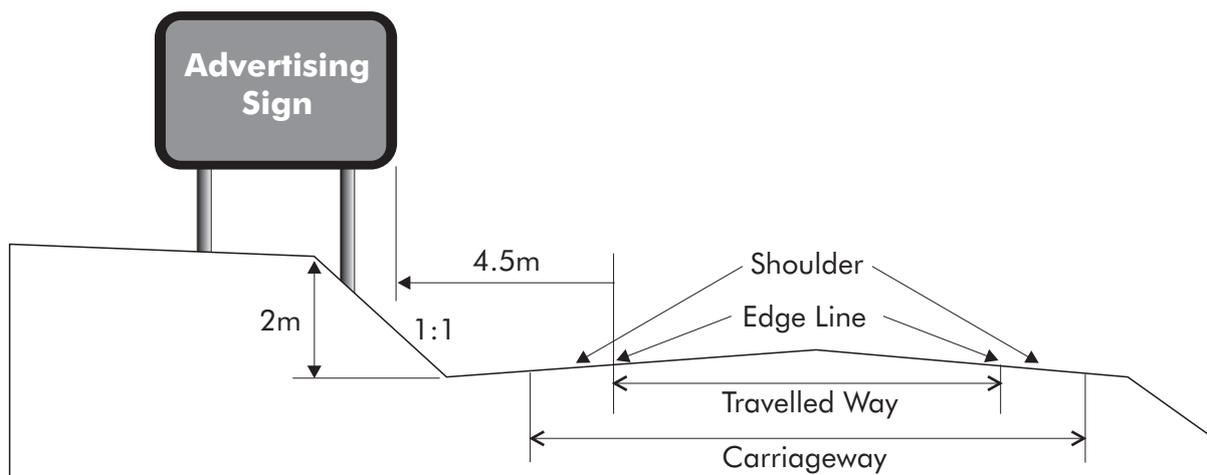


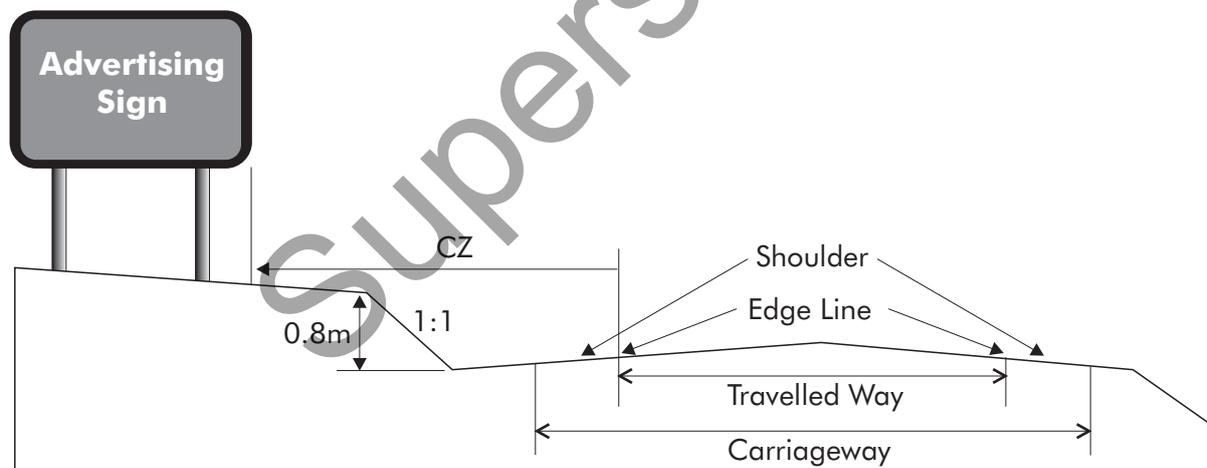
Figure B4: Influence of cut height and slope on traversability



**Example 1**

1:1 cut slope  
 Cut Height = 2m  
 Slope not traversable

Device can be located at non-traversable slope height, subject to 4.5m clearance to travelled way.

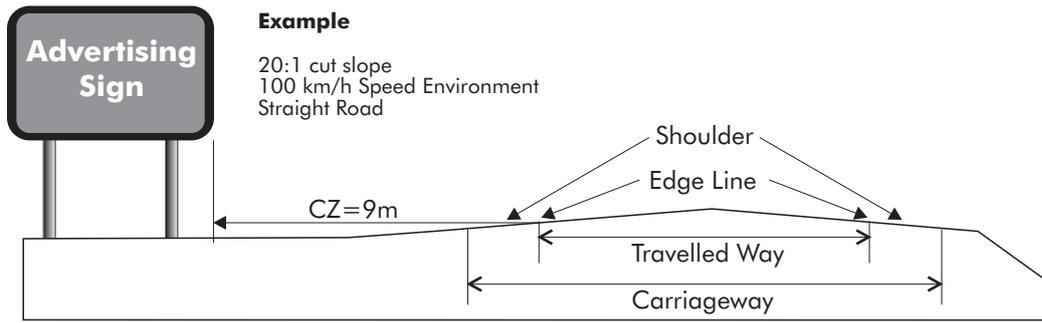


**Example 2**

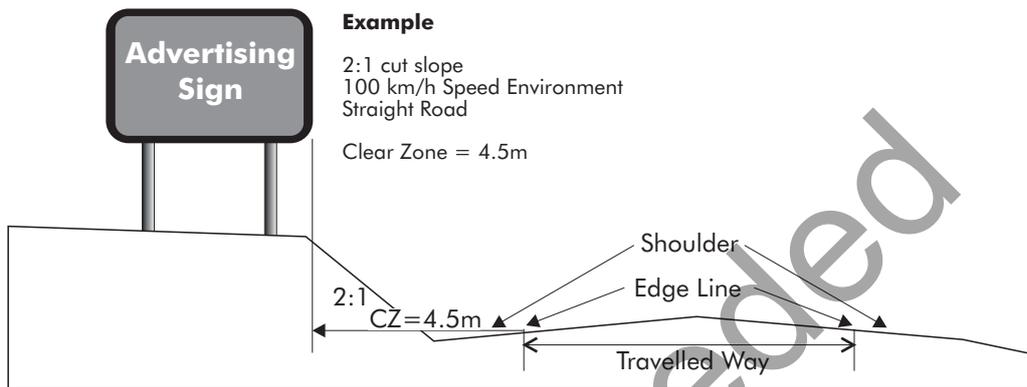
1:1 cut slope  
 Cut Height = 1m  
 Slope traversable

Device located outside Clear Zone (CZ) for designated speed environment.

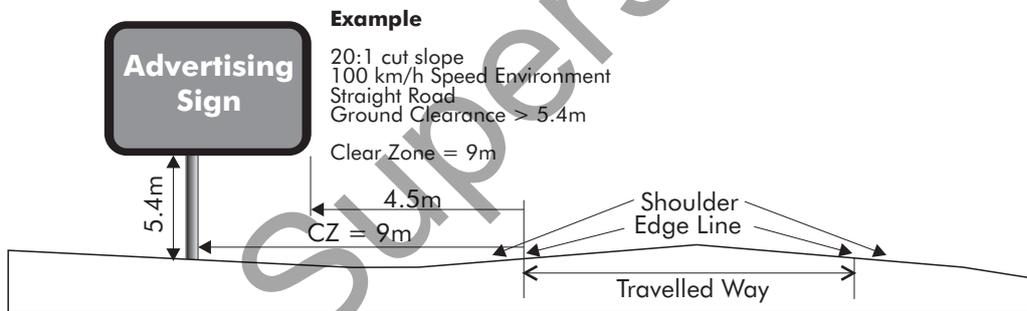
**Figure B5: Examples of influence of cut height and slope on traversability**



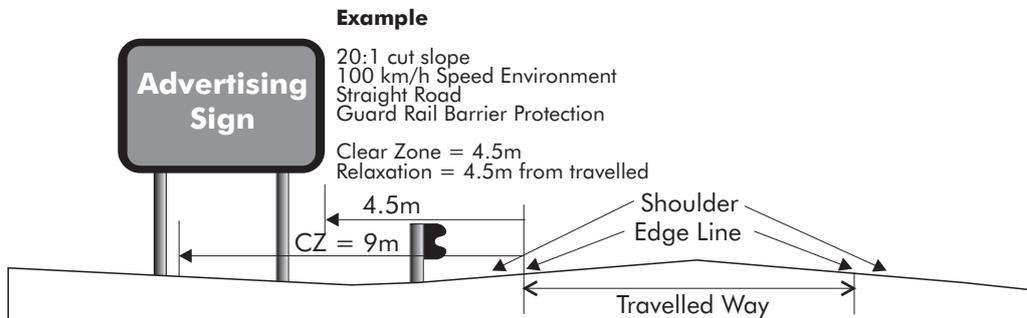
**Base Parameters**



**Device located on suitable cut slope (Case i)**

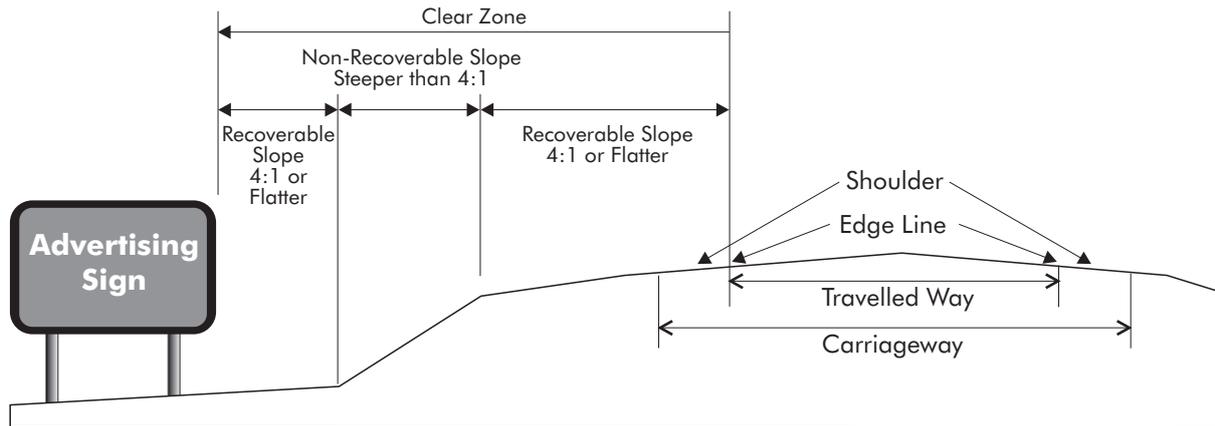


**Device with ground clearance exceeding 5.4m (Case ii)**

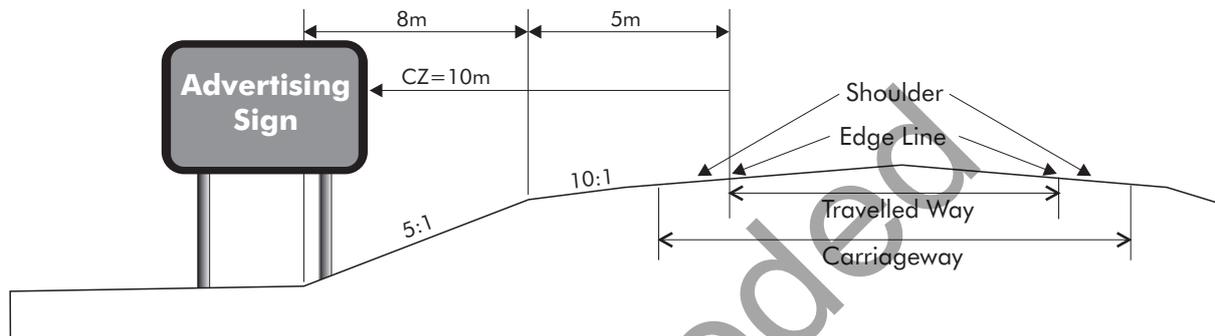


**Device located behind non-traversable slope or barrier (Case iii)**

**Figure B6: Examples of opportunities to reduce lateral clearance**



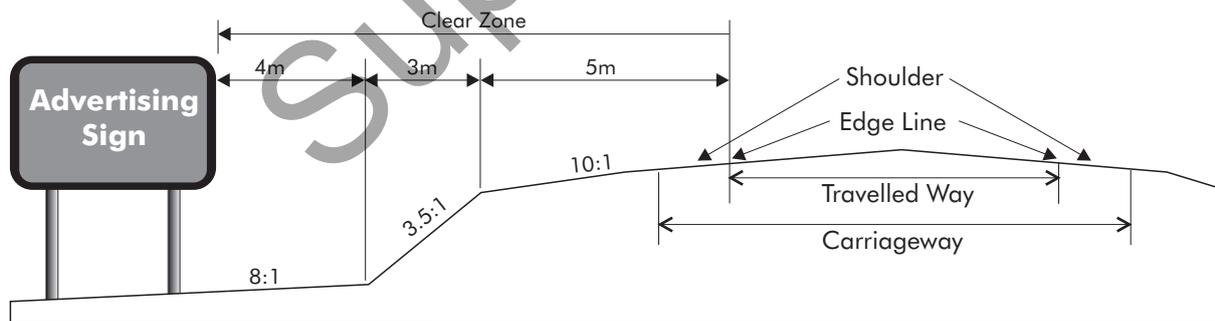
**Base Parameters**



**Example of Variable Fill Slope**

**NOTES:**

Clear Zone distances for variable slopes up to 4:1 may be averaged to produce a composite Clear Zone distance. The "weighted average" of the slopes in the above example is determined by dividing the total slope height ( $5 \times .1 + 8 \times .2$ ) into the the sum of the horizontal components ( $8 + 5$ ). The result of the calculation  $(8 + 5)/(5 \times .1 + 8 \times .2)$  is 6.2. The Clear Zone required for this "average" 1:6.2 slope = 10m. (Note that if the resultant Clear Zone requirement varies significantly from the sum of the horizontal components, an iterative procedure should be adopted).



**Example of Variable Fill Slope with Non-Recoverable Element**

**NOTES:**

The 3.5:1 slope in this example is non-recoverable, and consequently does not contribute to the total Clear Zone requirement. The required Clear Zone is determined from Figure B2 using the steepest recoverable slope before or after the non-recoverable slope (i.e. the 8:1 slope). The 8:1 slope requires a 9m Clear Zone, of which the upper (10:1) slope contributes 5m. An additional 4m is subsequently required at the base of the non-recoverable 3.5:1 slope as shown.

**Figure B7: Examples of clear zone calculations on variable slopes**

## **Appendix C: Driver distraction potential**

### **Device restriction, distraction and restriction notice areas**

Transport and Main Roads acknowledges that Advertising Devices may have a distractive influence on drivers and as such may have a negative impact on road safety.

Figures C5 to C7 of this guideline, define the typical situations / locations where road and / or traffic conditions would require additional driver attention and / or decision making.

The regime of Device Restriction Areas, Device Distraction Areas and Restriction Notice Areas identify the locations where Advertising Devices (if located within these Areas) may contribute to driver distraction in a location where the demand on drivers may be greater.

The terms used to define these areas are related to the legislative or other controls that are available to manage advertising. Device Restriction Areas are areas located within the road boundaries (all road types), Device Distraction Areas are areas located outside the boundaries of a motorway and Restriction Notice Areas are areas located outside the boundaries of a road (excluding motorways).

Definitions for the Device Restriction, Distraction and Restriction Notice Areas are included in the definitions section of this guide (Part 2).

Values of 'd' and 'V' are used to define the extent of these areas in Figures C5 to C7.

Advertising Devices may be located where restriction zones abut, but not overlap.

While the distraction potential identified in this Appendix is based on a wide range of experience, research and road design principles, engineering judgement of the nature of the Advertising Device and the prevailing site conditions should also be applied.

### **Factors Influencing Driver Distraction Potential**

There is an inherent difficulty in quantifying the parameters that contribute to driver distraction. The Advertising Device exclusion areas identified in this Appendix are based upon criteria which is supported by human factors research (including, for example, field of view parameters documented by Dunthorne [1982]), as well as safety in design principles and engineering 'judgement calls'. The goal is to ensure that a high level of safety for the road user is maintained by managing competition for drivers' attention in locations where driving demands are greater or where the road authority needs to convey important information to motorists on official traffic signs.

The variables that influence the distractive potential of Advertising Devices in the vicinity of designated traffic situations include:

- the physical attributes of the Device (illumination, size, rotation speed and message time characteristics)
- the location of the Device
- the road speed environment.

Advertising Devices can be considered to directly distract or confuse motorists if they convey information that is contrary to or competing with information conveyed by Important Official Traffic signs, or make locating Important Official Traffic signs difficult due to clutter etc. Refer to definitions in Part 2 for an example list of Important Official Traffic signs that have restrictions placed around them with respect to Advertising Devices.

An assessment of the role that a traffic control device plays will be made by Transport and Main Roads regional officers.

Advertising Devices and official traffic signs are designed to attract and hold the attention of motorists for sufficient time to convey a message. As a result of the standardised colour combinations and design format of official traffic signs, they are generally less conspicuous than Advertising Signs. This conspicuity disadvantage is compensated to some extent by placing official traffic signs where they are initially legible within the primary field of vision of the motorist (immediately beside the carriageway, mounted on overpasses or on overhead gantries).

The *Austrroads Guide to Traffic Management (Part 10)* outlines a methodology for determining sign location relative to vehicle speed, number of words and legend height. This methodology seeks to ensure that reading of the sign is complete once it falls outside a motorist's peripheral vision. The application of these principles underpins the longitudinal exclusion areas relative to official traffic signs and other Category 1 Advertising Devices (refer Figures C5A, C5B, C5C, C6 and C7).

It is important that drivers are not distracted in the proximity of designated traffic situations, to allow concentration to be focused on the driving task. A designated traffic situation includes areas in which merging, diverging and weaving traffic manoeuvres take place, for example, at railway level crossings, road intersections, school zones, roundabouts, and driver decision-making points in the vicinity of important official traffic signs and reading and interpreting official traffic signs. On motorways and motorway standard roads, traffic situations including but not limited to on-ramps, off-ramps, terminating lanes and other Category 1 Advertising Devices, require a high level of driver attention and awareness. A number of typical situations are illustrated in Figures C5A, C5B, C5C, C6 and C7.

An important feature about Restriction distances is that they only apply where driver's attention requirements are greater. Restriction distances are not to be applied to traffic where the reason for the restriction distance is not applicable to traffic travelling in that direction. For example the Advertising Device restrictions around an Official Traffic sign will only apply to drivers travelling in the direction that the Official Traffic sign is applicable.

#### **Zones on State Controlled Roads (not Motorway or Motorway Standard)**

The Device Restriction Areas for Devices located within the boundaries of, state-controlled roads and the Restriction Notice Areas for Devices located outside the boundaries of state-controlled roads are established in Figures C5A, C5B, and C5C with the distances (d) determined from Table C1. The distances outlined in this table are based on the speed environment in which the Device is located. The distance (d) is to be measured from the intersecting line-marking, a feature or edge of traffic lane line-marking. If no edge-lines then the shoulder point should be used as a reference. Situations in which these distances apply are illustrated in Figures C5A, C5B and C5C. Table C1 defines the distances (d) for these advertising restriction areas according to the posted speed limit at that location.

An Advertising Device may be located where restriction distances abut, but not overlap.

With respect to the restrictions around a change in speed limit sign (illustration i), the applicable value of (d) to be used in this case will be determined using the lower of the two speed limits.

**Table C1 - Distance (d) for use with Figures C5A, C5B and C5C**

Speed Limit (km/hr)	Distance "d" (m)	0.6V (m)
50 or less	45	30
60	65	36
70	85	4
80	110	48
90	140	54
100	170	60
110	210	60

Stopping sight distance has been adopted as underpinning rationale in the determination of the restriction distance applicable to Advertising Devices located near known conflict points on state controlled roads. Stopping sight distance is the distance required for a driver to recognise, react and if required stop safely. Distances are measured from the known conflict point areas as illustrated in Figures C5A, C5B and C5C. These distances are based on standard cars, level grade and good road conditions and have been taken from the Transport and Main Roads' *Road Planning and Design Manual* (also Austroads Part 5).

The distance "d" in Table C1 is an assigned value (rather than an actual stopping sight distance calculated individually for each location) which is based on the rural and urban stopping sight distances which have been extrapolated to form the one set of distances purely based on speed limit criteria. No further adjustments (that is, for slope, vehicle type etc.) to distances in this table is required. If drivers are not distracted within the distance (d) from a conflict point, the chance of avoiding a potential crash is improved. Queue length and distance between the Device and vehicle (when the driver can no longer see it) are assumed to be approximately equal.

#### **Zones on Motorway and Motorway Standard Roads**

The **lateral offset distance** (out from the motorway) for the **longitudinal advertising restriction distance** (along the motorway) is  $2.5V$  metres from the road edge line. "V" is the posted speed limit at that location and the maximum value of "V" is limited to 100 km/hr. Device Restriction Areas, Device Distraction Areas and Restriction Notice Areas have been applied to mitigate the driver distraction potential of advertising in areas where a high level of driver attention and decision making is required.

Device Restriction Areas, Device Distraction Areas and Restriction Notice Areas for Motorways and Motorway Standard Roads have been developed using engineering safety in design principles and in some cases in conjunction with Chapter 16 of the Transport and Main Roads' *Road Planning and Design Manual*. The lateral and/or longitudinal areas established in Figures C6 and C7 include: Approach; Conflict; Extension; Turbulence; and Viewing Zones. Refer to Part 2 for definitions for each of these zones.

An Advertising Device may be located where restriction distances abut, but not overlap.

With respect to the restrictions around a change in speed limit sign (illustration 6 in Figure C6 and C7), the applicable value of (V) to be used in this case will be determined using the lower of the two speed limits.

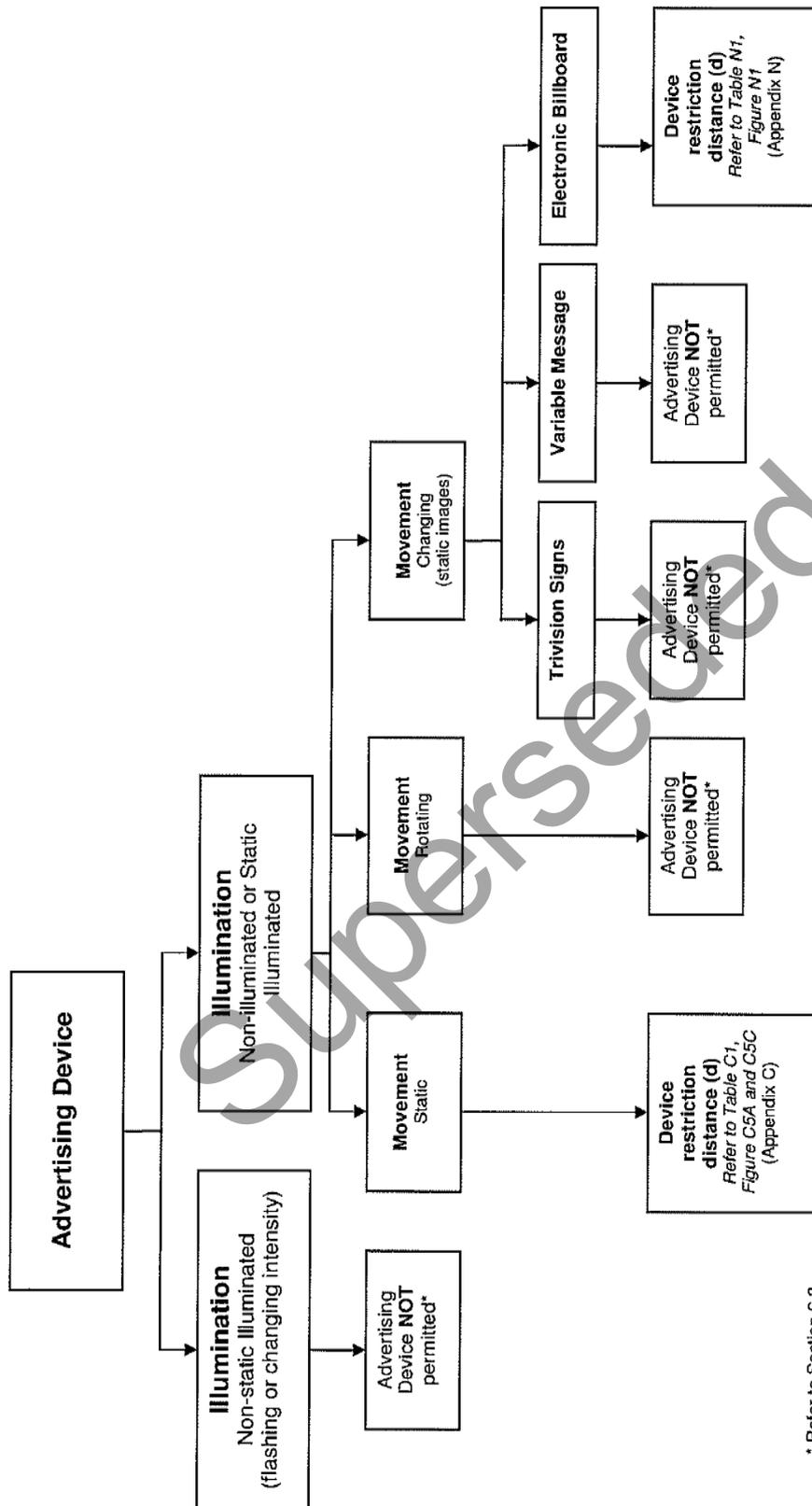
Motorway restriction distances are only applicable for Advertising Devices that are visible to drivers travelling on the motorway.

**Advertising located on and visible from an On or Off Ramp from a Motorway or Motorway Standard Road**

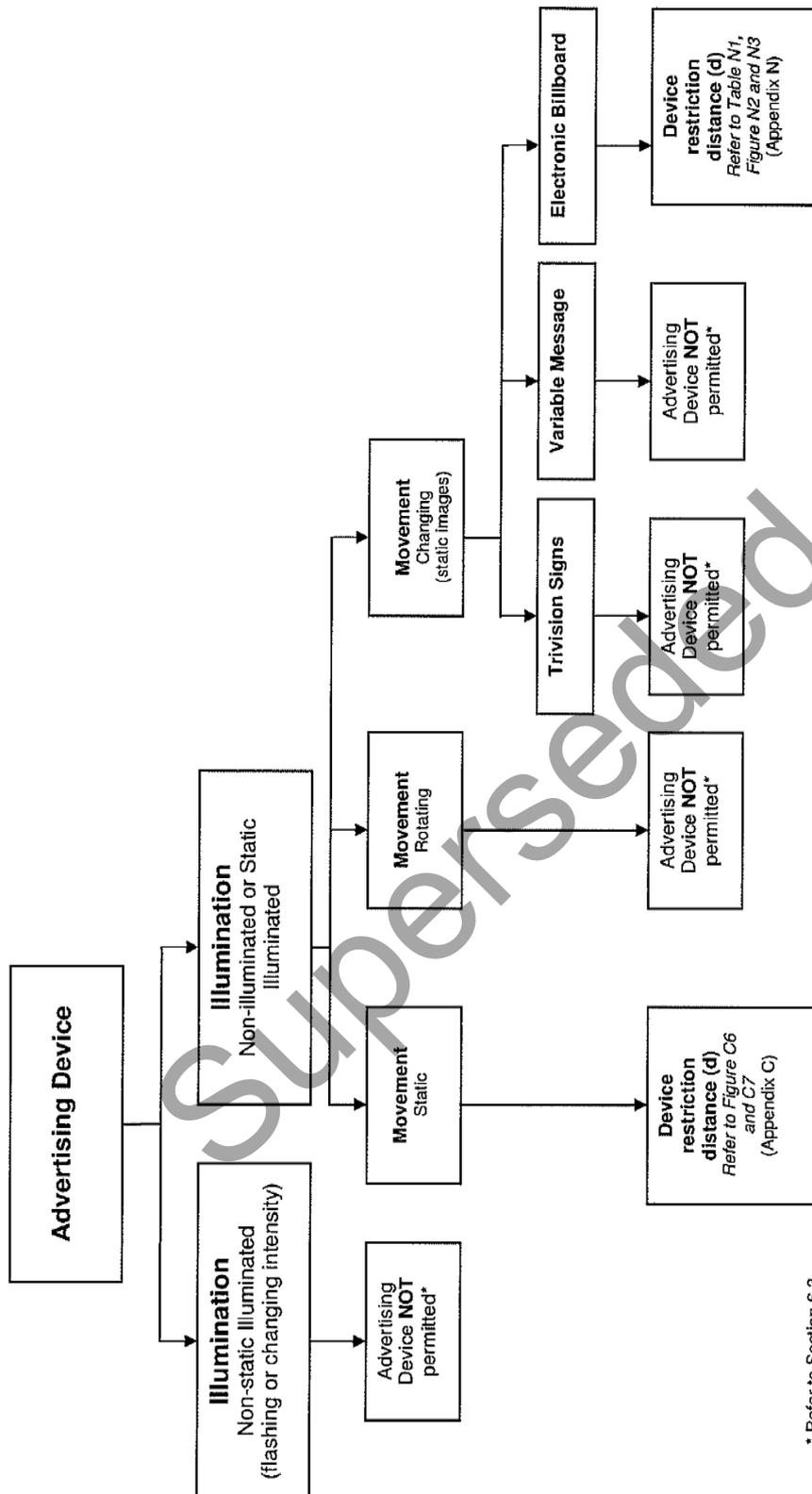
Advertising located on or visible from an on or off ramp from a motorway or motorway standard road is to be assessed as a state-controlled road for advertising device restriction purposes. Advertising Devices which are visible to drivers from an on or off ramp will need to be assessed as per the applicable restrictions in Figures C5A, C5B and C5C.

Advertising Devices must be assessed in accordance with the provision for the type of road they are visible from. If an Advertising Device is visible from more than one type of road (such as a motorway or motorway standard road and a ramp or other road) the restrictions applicable to each type of road the Advertising Device is visible from must be assessed.

Superseded

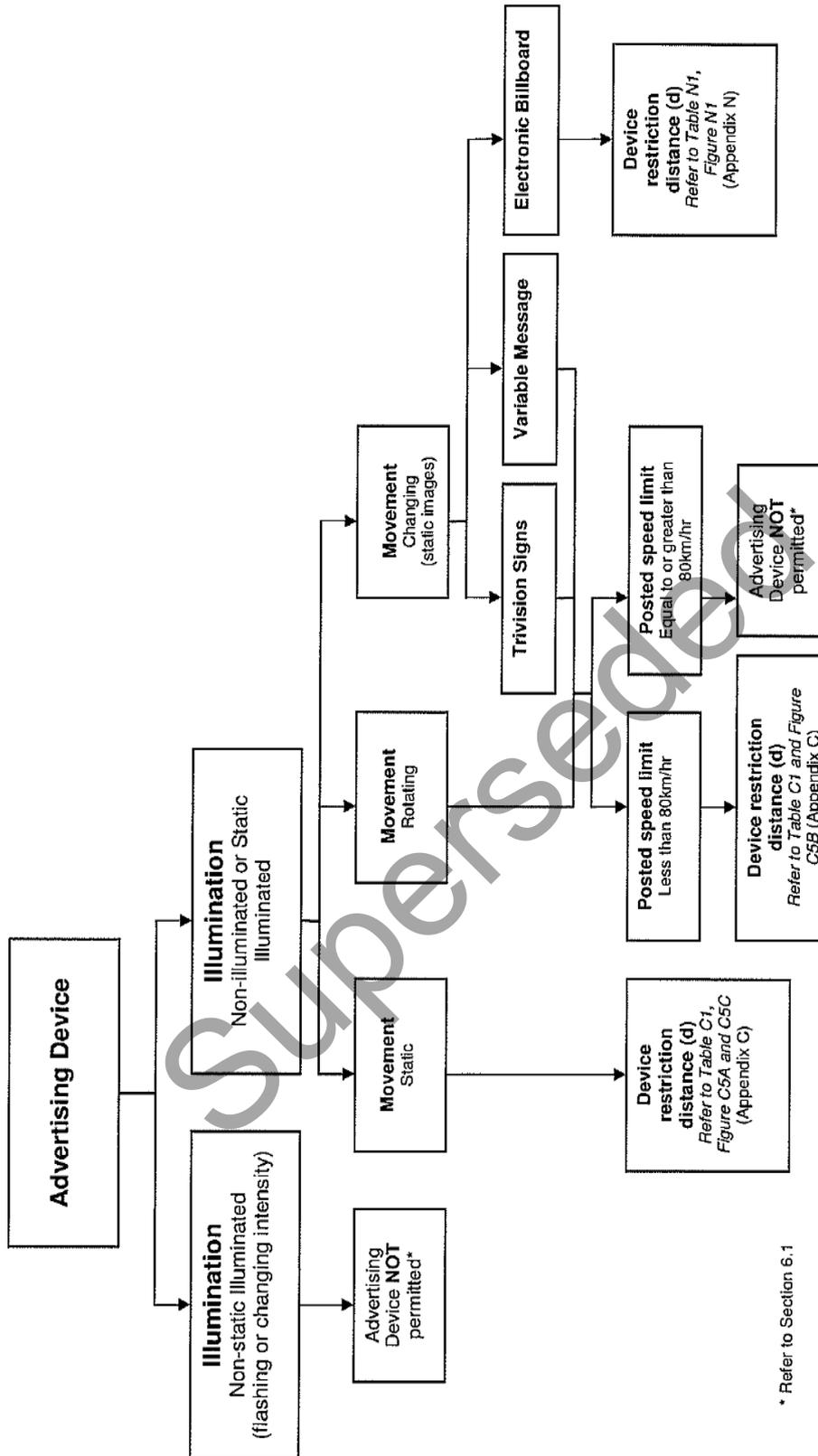


**Figure C2: Advertising Devices and their restriction areas when located WITHIN the boundaries of state-controlled roads (NOT applicable to Motorways or Motorway Standard Roads)**

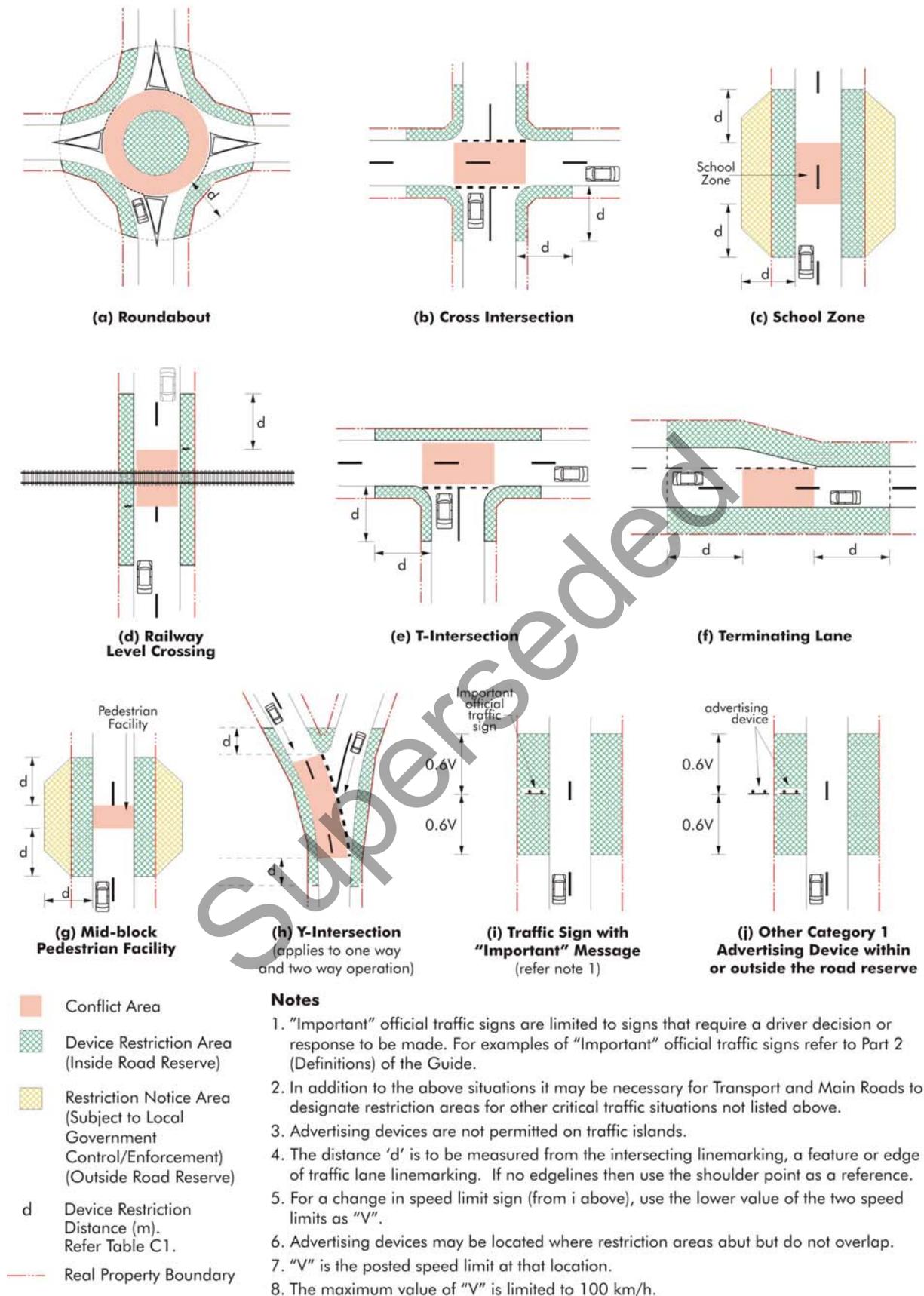


\* Refer to Section 6.3

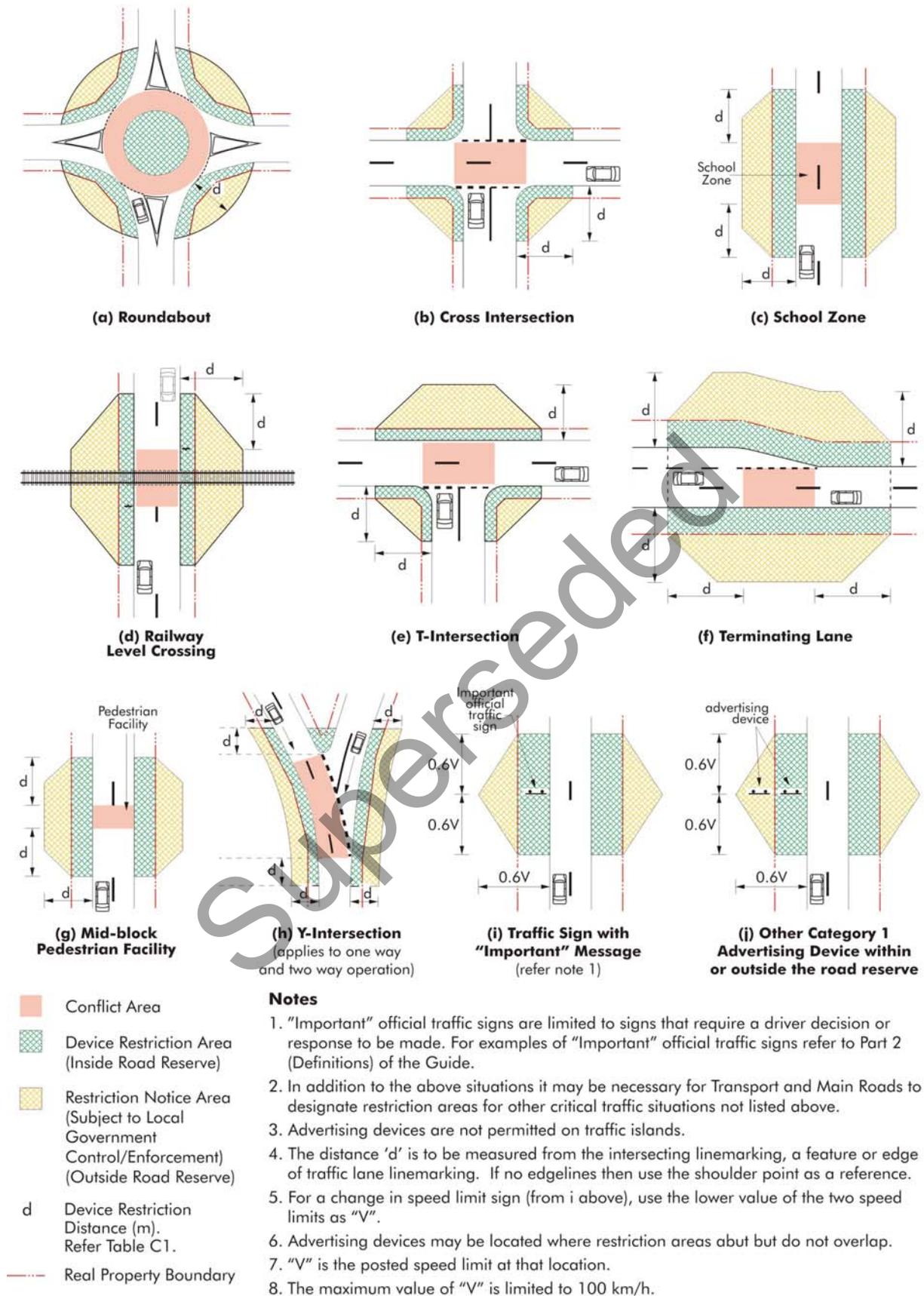
**Figure C3: Advertising Devices and their restrictions areas when located WITHIN the Boundaries of Motorways and Motorway Standard Roads or Outside the Boundaries of but Visible from a Motorway or Motorway Standard Road**



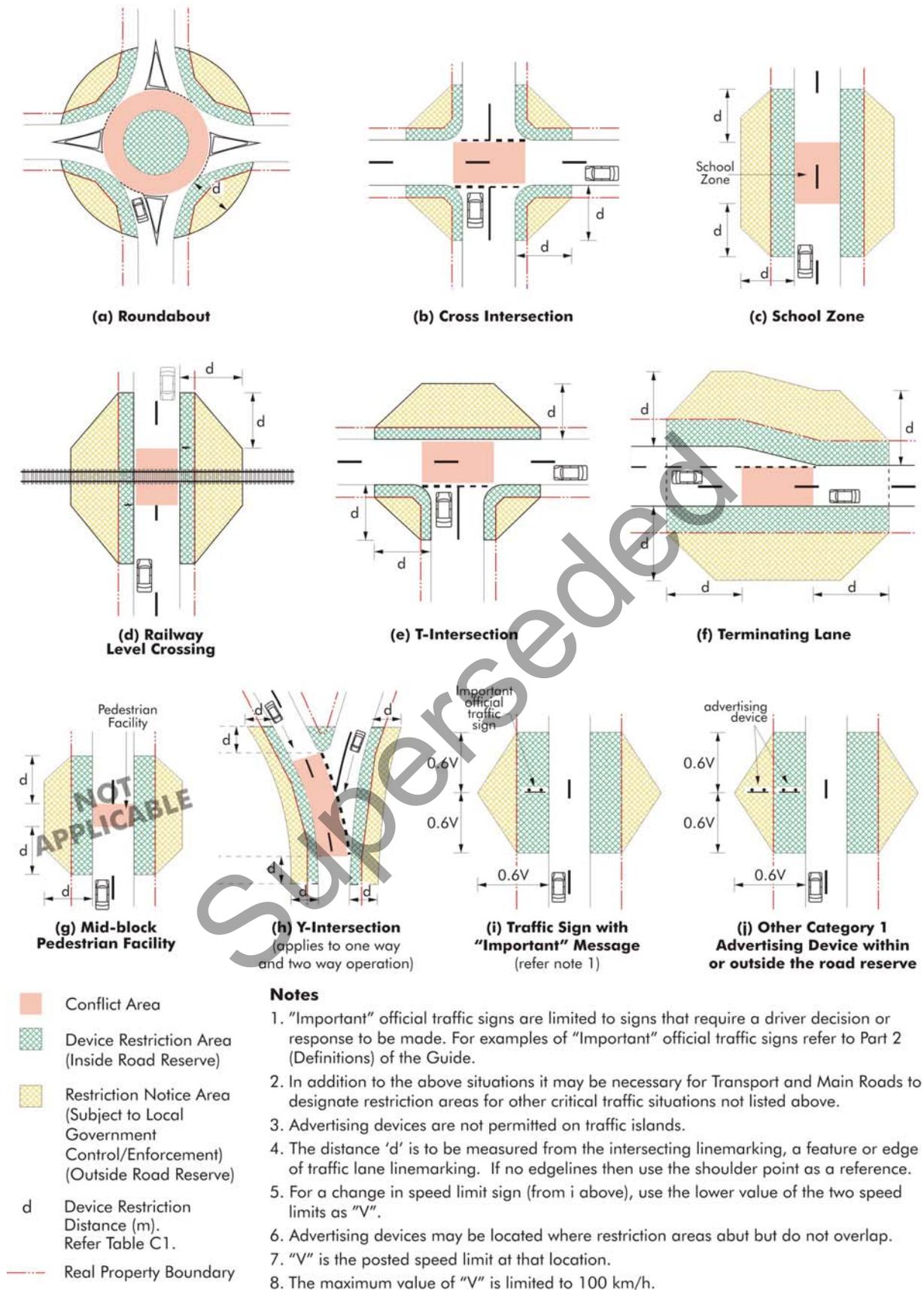
**Figure C4: Advertising Devices and their restriction areas when located OUTSIDE the Boundaries of State-controlled roads (NOT Applicable to Motorways or Motorway Standard Roads)**



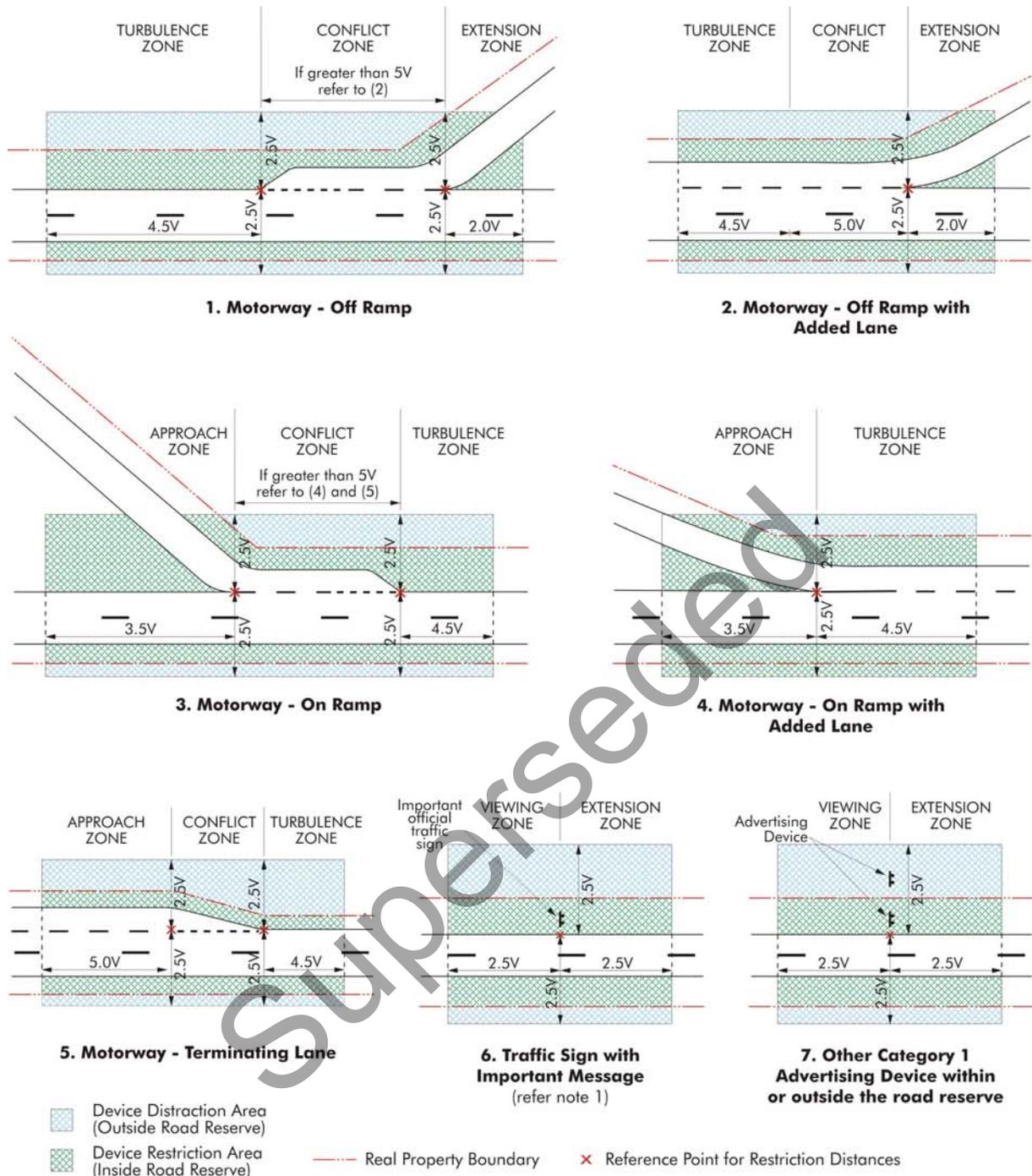
**Figure C5A: Restriction areas for static illuminated or non-illuminated, static advertising devices visible from a state-controlled road (excluding motorways or motorway standard roads) with a speed limit below 80km/h**



**Figure C5B: Restriction areas for advertising devices (other than advertising devices referred to in Figure C5A and electronic advertising devices) visible from a state controlled road (excluding motorways or motorway standard roads) with a speed limit below 80km/h**



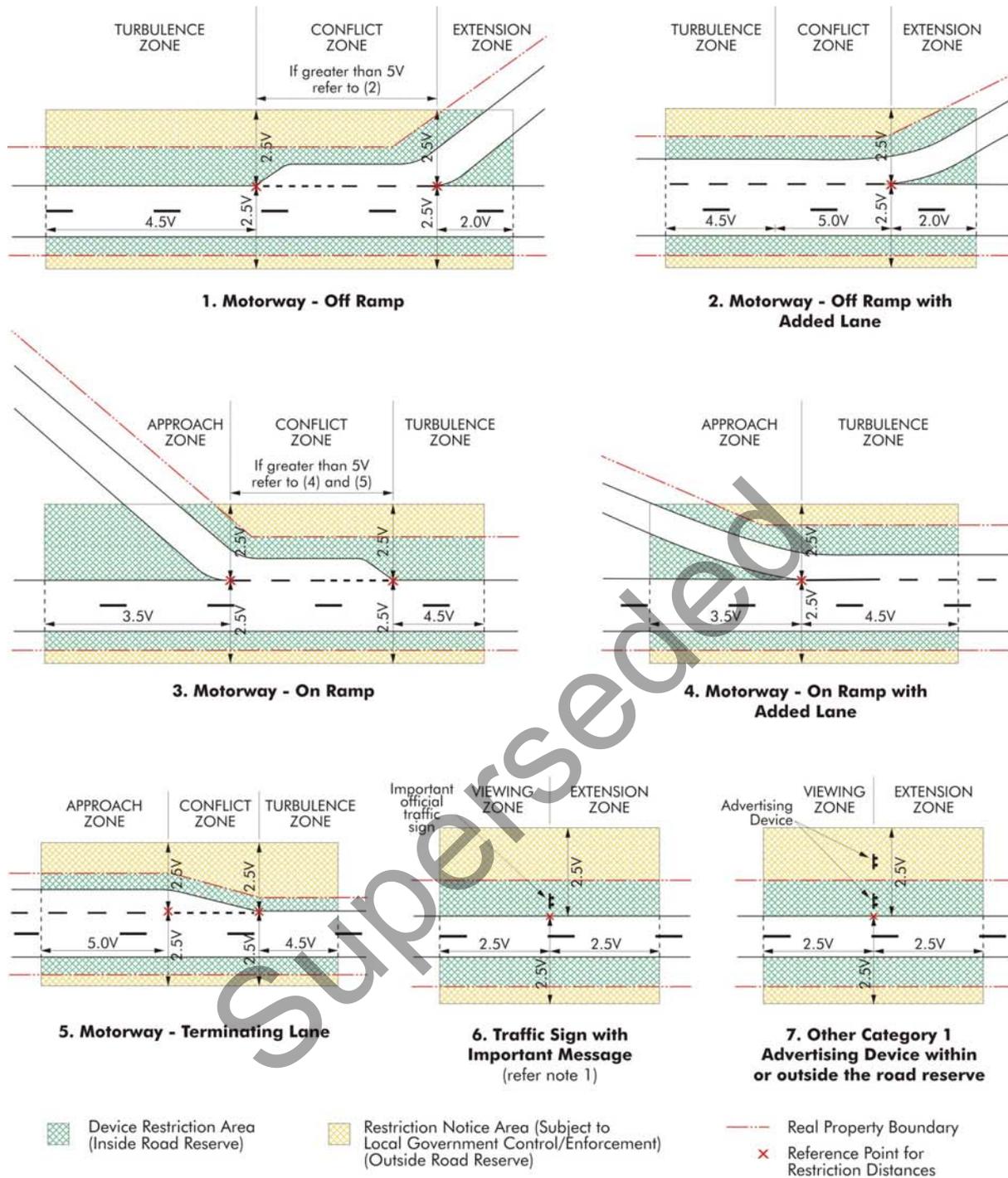
**Figure C5C: Restriction areas for advertising devices (excluding electronic advertising devices) visible from a state-controlled road (excluding motorways or motorway standard roads) with a speed limit of 80km/h and above**



**Notes:**

1. "Important" official traffic signs are limited to signs that require a driver decision or response to be made. For examples of "Important" official traffic signs refer to Part 2 (Definitions) of the Guide.
2. In addition to the above situations it may be necessary for Transport and Main Roads to designate restriction areas for other critical traffic situations not listed above. For example, larger restriction distances can be applied if there are crashes that can be attributed to increased driver demand in the vicinity of interchanges.
3. Advertising Devices are not permitted on traffic islands.
4. "V" is the posted speed limit at that location.
5. The maximum value of "V" is limited to 100 km/h.
6. For a change in speed limit sign (from image 6 above), use the lower value of the two speed limits as "V".
7. Advertising Devices may be located where restriction areas abut but do not overlap.

**Figure C6: Restriction areas for static illuminated or non-illuminated advertising devices visible from a Motorway**



**Notes:**

1. "Important" official traffic signs are limited to signs that require a driver decision or response to be made. For examples of "Important" official traffic signs refer to Part 2 (Definitions) of the Guide.
2. In addition to the above situations it may be necessary for Transport and Main Roads to designate restriction areas for other critical traffic situations not listed above. For example, larger restriction distances can be applied if there are crashes that can be attributed to increased driver demand in the vicinity of interchanges.
3. Advertising Devices are not permitted on traffic islands.
4. "V" is the posted speed limit at that location.
5. The maximum value of "V" is limited to 100 km/h.
6. For a change in speed limit sign (from image 6 above), use the lower value of the two speed limits as "V".
7. Advertising Devices may be located where restriction areas abut but do not overlap.

**Figure C7: Restriction areas for static illuminated or non-illuminated advertising devices visible from a Motorway Standard Road**

## **Appendix D: Brightness/luminance levels**

### **General**

Research (Johnson and Cole, 1976:20) has indicated that brightness from Illuminated Advertising Devices directed at road traffic should be minimised under all conditions.

### **Factors Influencing Brightness/Luminance Levels**

Luminance is a characteristic of the Advertising Device, dependent on the position of the observer, but independent of the surrounding conditions.

Generally a sign face is non-uniform and the luminance will vary across it. The luminance will also vary with the direction of viewing, being at a maximum for direct frontal observation. The highly diffusing plastic materials normally used in Advertising Devices result in the luminance remaining near the maximum over a fairly wide range of viewing angles and falling off steeply for very oblique viewing.

Brightness is the visual sensation associated with luminance experienced by an observer. Brightness depends on four main factors:

- luminance
- size
- contrast
- the observer.

In addition, other factors which may affect brightness are the position of the Advertising Device with respect to the observer's field of view (particularly when it appears on the periphery), the effect of phototropism (the movement of the eye in the absence of other controls, so that it fixates on bright points in the field of view) and the uniformity of luminance across the sign face.

The maximum luminance levels are provided in Table D1.

In accordance with Part 5, the relevant administering authority shall determine the Lighting Environment Zone and the associated maximum luminance applicable to all applications for approval of proposed illuminated Advertising Devices and to all existing illuminated Advertising Devices.

### **Determination of Lighting Environment Zones**

For a given luminance and observer, the surroundings are the major factors affecting brightness levels. The designated Lighting Environment Zones (see definitions) in Table D1 take surroundings into account to some extent and should be satisfactory for describing most locations. However, there may be some locations with locally low levels of off-street ambient lighting, generally lower than the broader zone level. Maximum permitted luminance levels in such locations would normally be lower than those tabled under the broader zone description. For example, refer to Lighting Environment Note in Appendix C.

### **Maximum Luminance Levels**

For the purpose of this guide, the maximum average luminance for illuminated Advertising Devices visible from state-controlled roads should not exceed the appropriate levels in Table D1. The maximum luminance levels in this table were determined following field investigations in the Brisbane and Gold Coast areas. The methodology for determining maximum luminance levels is detailed below.

**Table D1 - Maximum average luminance of illuminated advertising devices**

Advertising Device Size (m <sup>2</sup> )	Maximum Average Luminance		
	Lighting Environment Zone 1 (cd/m <sup>2</sup> )	Lighting Environment Zone 2 (cd/m <sup>2</sup> )	Lighting Environment Zone 3 (cd/m <sup>2</sup> )
All	500	350	300

**Methodology for Measuring Luminance**

1. Readings shall be taken after the illuminated Advertising Device has been allowed to “burn-in” i.e. the light sources shall have been energised for more than 100 hours since installation. The 100 hour “burn-in” requirement need not be continuous
2. In order to maximise the area recorded in a single reading, measurements shall be made with a luminance meter which has a field of view of 2°
3. Measurements shall be taken such that no ambient (dark or bright) background area or spurious light source outside or beyond the illuminated area of the Illuminated Advertising Device shall be included in the field of view of the luminance meter
4. The measurement of luminance shall be taken with the operator standing on the edge of the travelled way in a direct line and at a predetermined horizontal distance from the Device. The horizontal distance (x) from a Device is based on the smallest axis dimension (a) of the Device, and shall be determined from the following formula:

$$x = \frac{a}{2\tan(1^\circ)} \cong 28a \text{ metres}$$

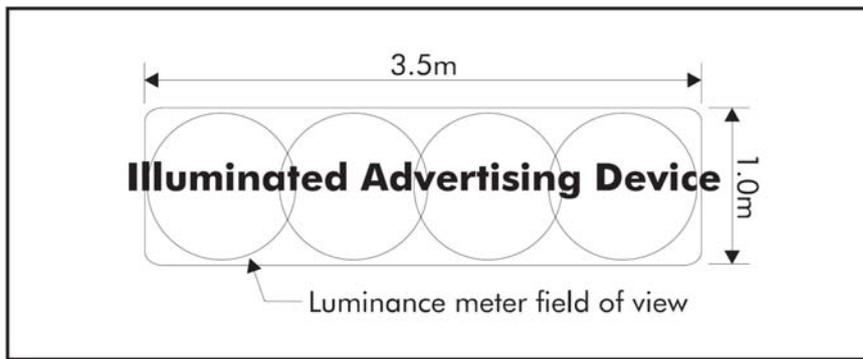
5. When the longer axis of the Devices is greater than 1.5 times the shorter axis, a series of measurements shall be recorded and the results averaged to determine a mean luminance level for the entire sign face, as indicated in Figure D1.

**Example 1**

For billboards and other large signs where the nominal height is 3 metres and the width is greater than 3 metres, the measurement of luminance shall be taken with the operator standing on the edge of the road 84 metres (28 x 3) from the Device.

**Example 2**

For static illuminated Advertising Devices on street name posts, where the nominal height is 1.5 metres and the width is 1 metre, the measurement of luminance shall be taken with the operator standing on the edge of the travelled way 28 metres (28 x 1) from the Device.



**Figure D1: Luminance measurement (long narrow device)**

Superseded

## **Appendix E: Flashing illuminated advertising devices and flash rate**

### **Effects of Flashing**

Flashing illuminated Advertising Devices have the potential to distract the driver. The effects of such Devices include the following:

- **Broca Sulzer Effect**  
At high luminance levels, the momentary luminosity shortly after the commencement of a flash of light appears higher than the luminosity of a maintained light of the same luminance as the flash.
- **Bartley Effect**  
If a light is repetitively extinguished, the apparent brilliance increases markedly, e.g. if a light is repetitively extinguished four (4) to ten (10) times per second, the apparent brilliance increases up to four (4) or five (5) times.

### **Permitted Flash Rate**

To counter the above mentioned effects of flashing illuminated Advertising Devices, the maximum flash rate permitted for Devices visible from state-controlled roads in Lighting Environments Zones 1 and 2 is two (2) flashes/second.

Flashing illuminated Advertising Devices are not permitted when visible by motorists on state-controlled roads in Lighting Environment Zone 3.

Superseded

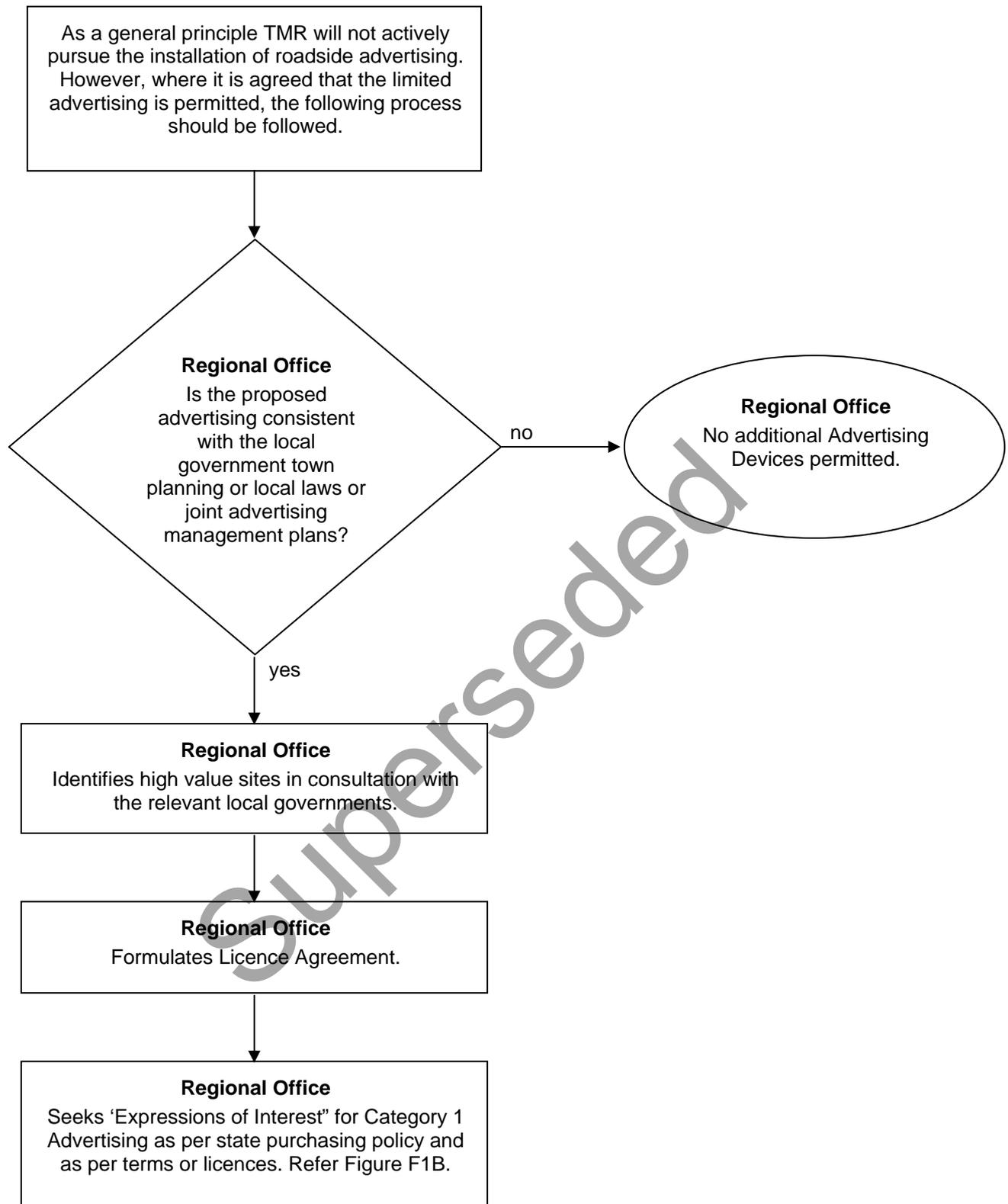
## **Appendix F: Application flow charts**

### **General**

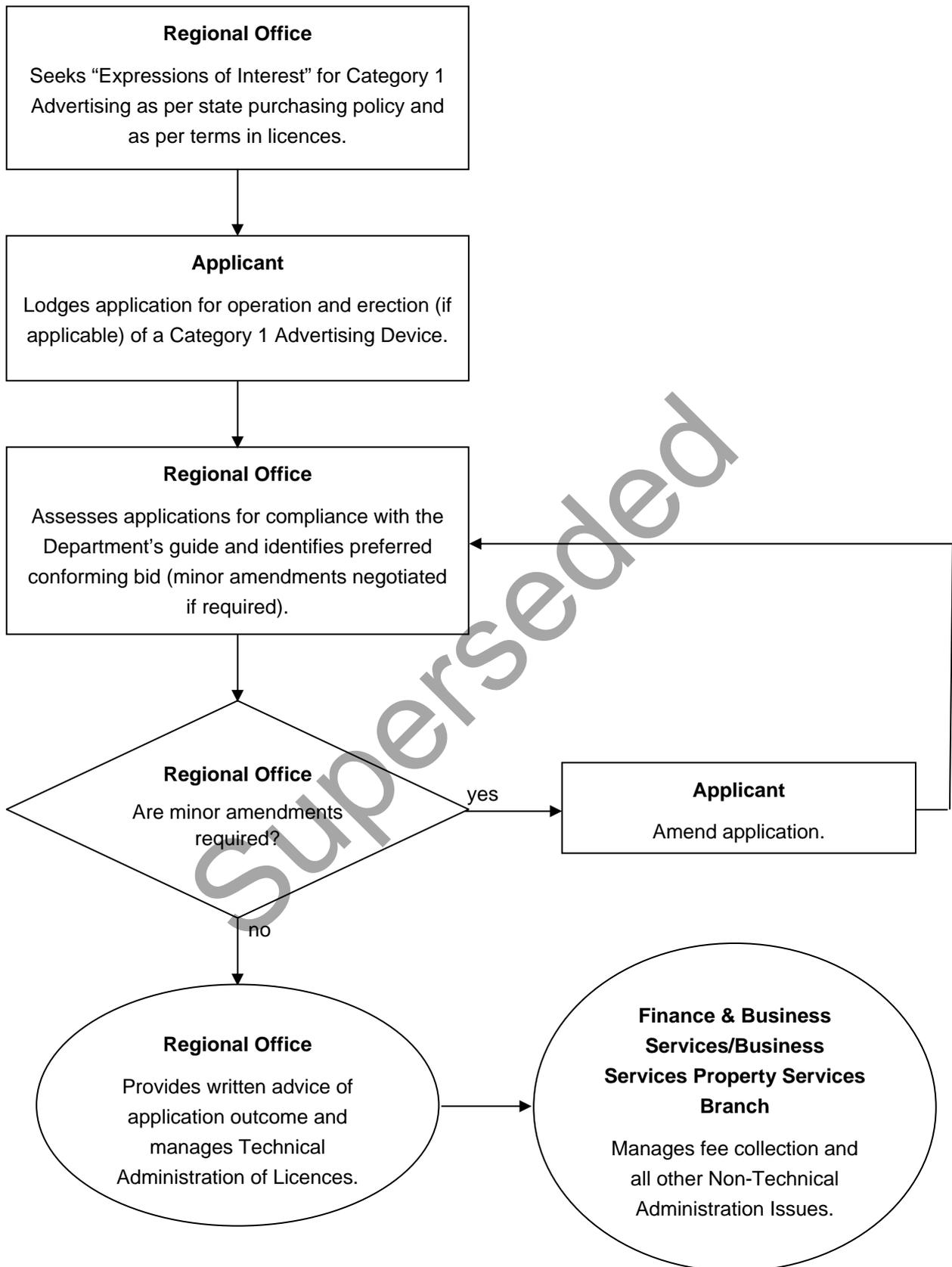
This Appendix contains flow charts representing the administrative process applicable to each category of Advertising Device both within the boundaries of and beyond the boundaries of, but visible from, state-controlled roads. The following flow charts are included:

Figure F1A	Tender process for Category 1 Advertising Devices within the boundaries of state-controlled roads
Figure F1B	
Figure F2	Tender process for Category 2 Advertising Devices within the boundaries of state-controlled roads.
Figure F3A	Category 3 and 4 Advertising Devices within the boundaries of state-controlled Roads managed by local government.
Figure F3B	Category 2, 3 and 4 Advertising Devices within the boundaries of state-controlled Roads managed by Transport and Main Roads.
Figure F4	Advertising Devices beyond the boundaries of, but visible from, state-controlled roads.
Figure F5	Advertising Devices within Queensland Rail Property but visible from state-controlled roads.

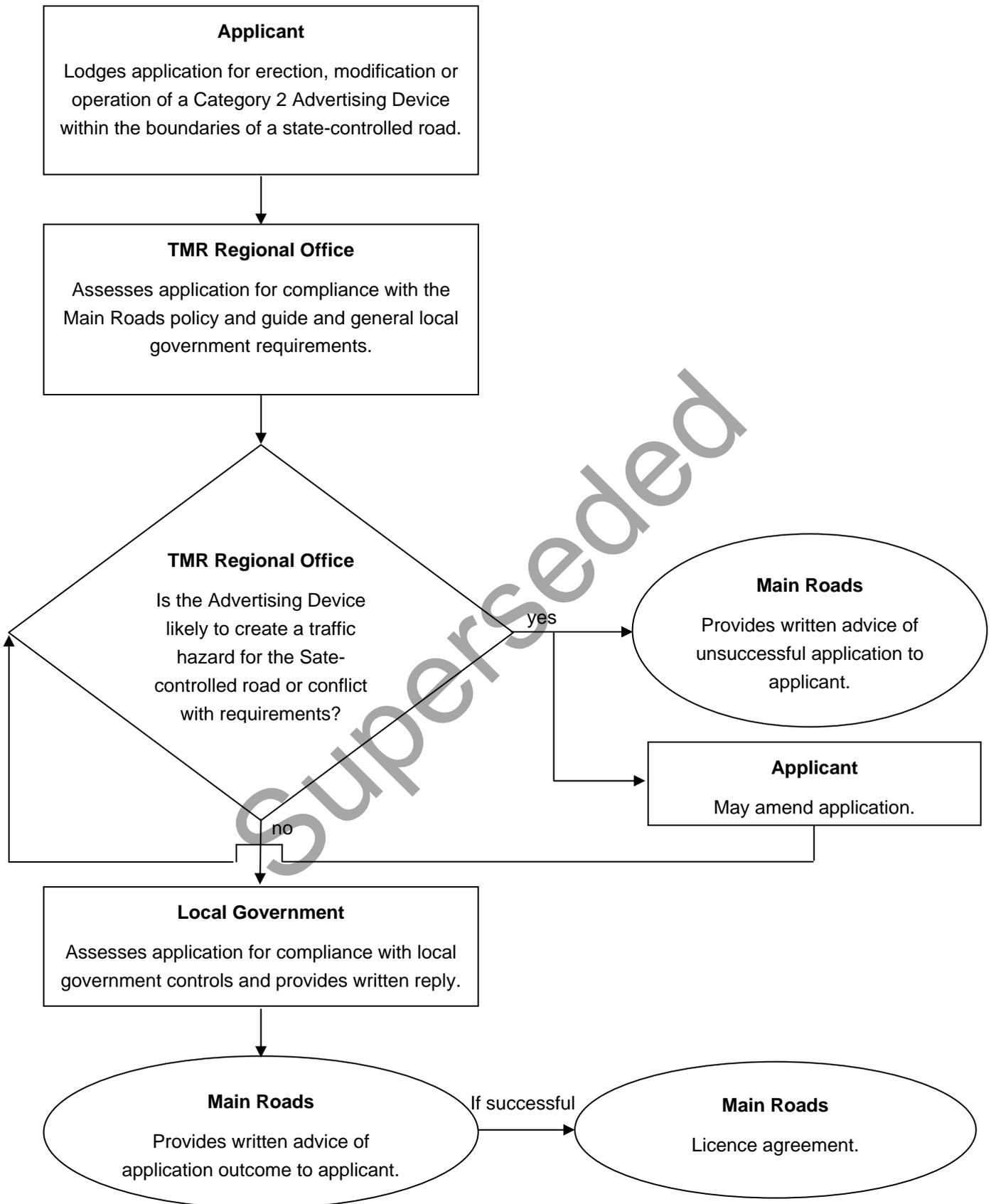
Superseded



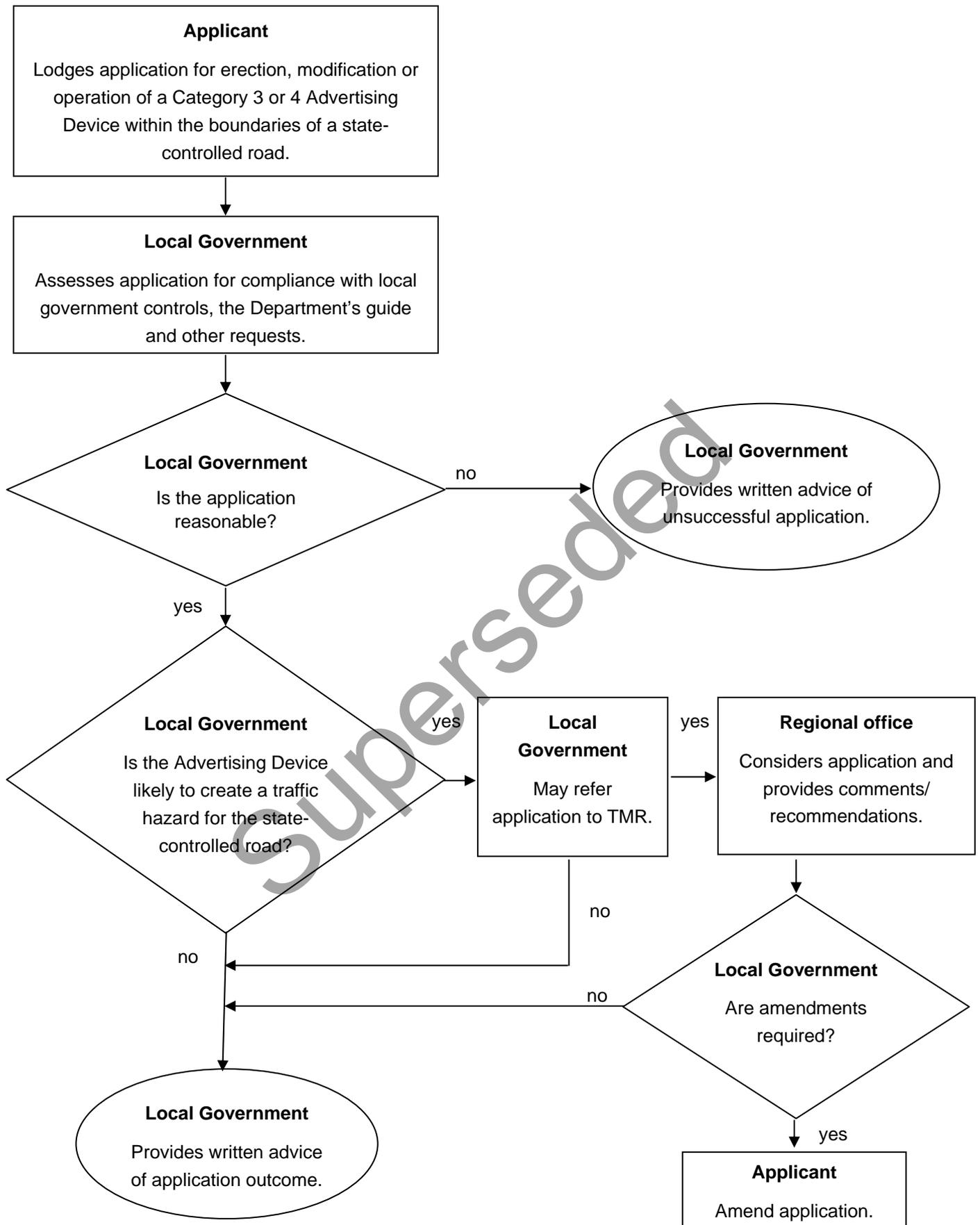
**Figure F1A: Process for Category 1 Advertising Devices within Boundaries of State-controlled Roads**



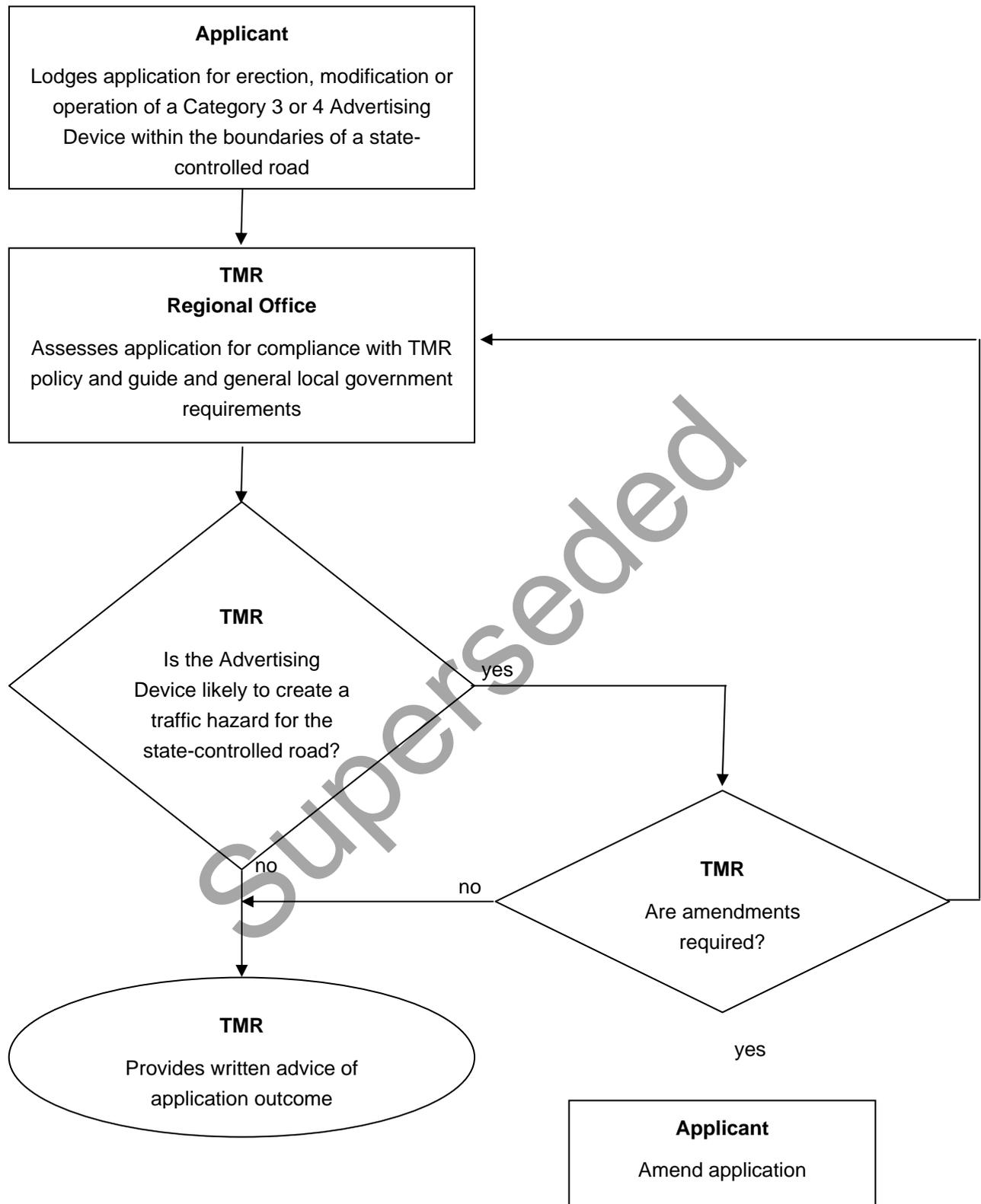
**Figure F1B: Process for Category 1 Advertising Devices within the Boundaries of State-controlled Roads**



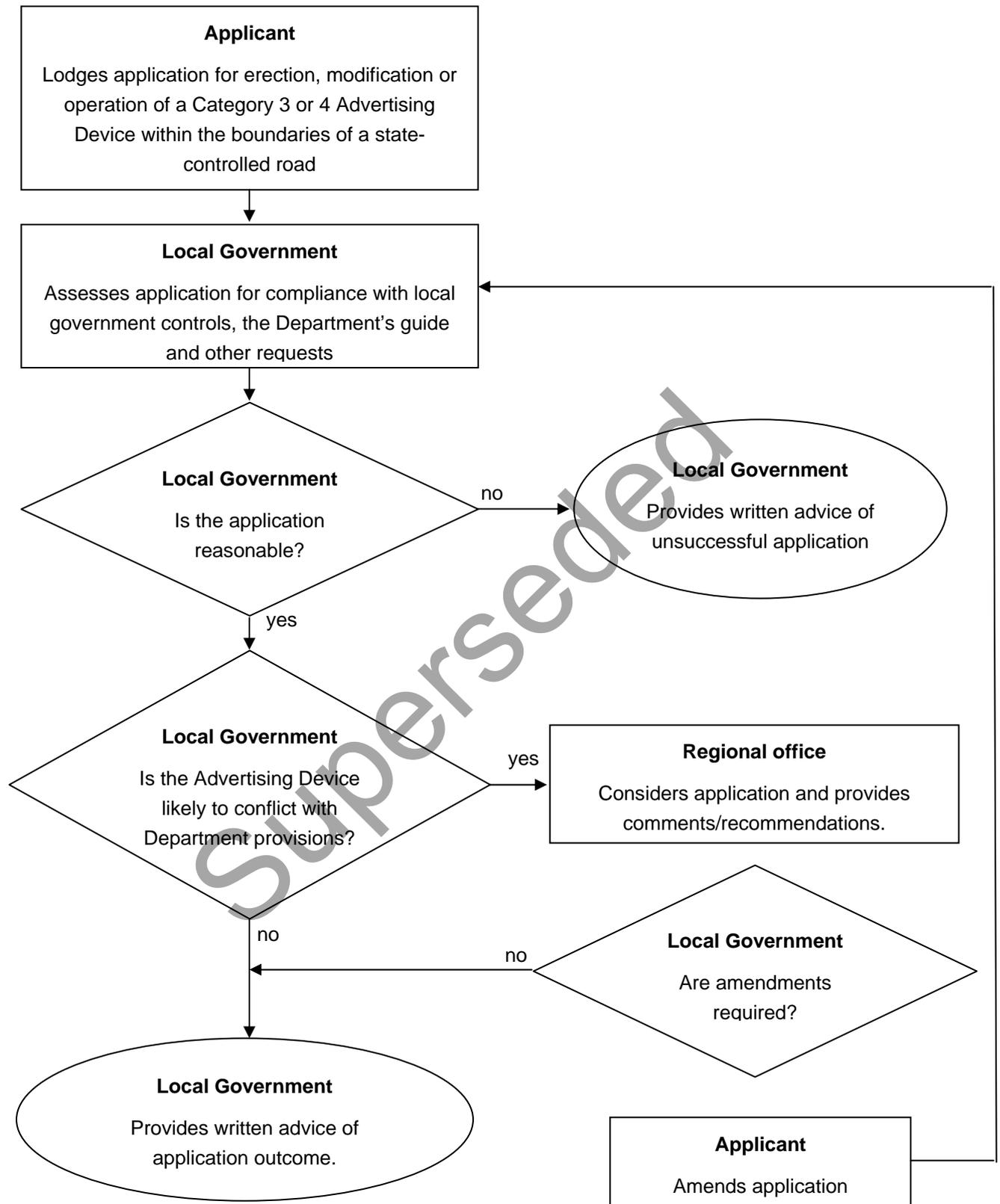
**Figure F2: Category 2 Static illuminated street name sign within the Boundaries of State-controlled Roads**



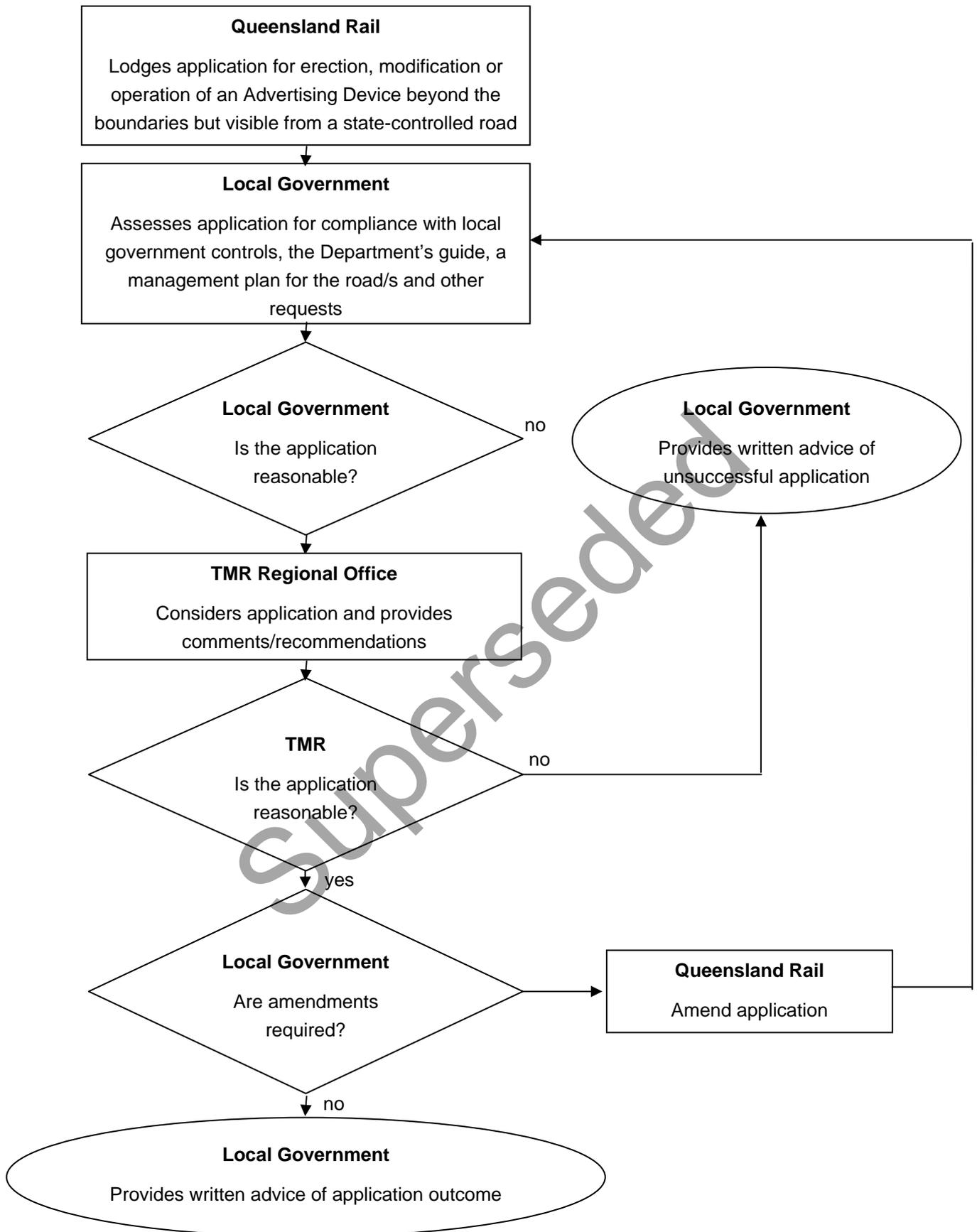
**Figure F3A: Category 3 and 4 Advertising Devices within the Boundaries of State-controlled Roads managed by Local Government**



**Figure F3B: Category 3 and 4 Advertising Devices within the Boundaries of State-controlled Roads managed by Transport and Main Roads**



**Figure F4: Advertising Devices beyond the Boundaries but visible from State-controlled Roads**



**Figure F5: Advertising Devices within Queensland Rail Property but visible from State-controlled Road**

## **Appendix G: Permits for the trimming of vegetation within state-controlled road reserves to enhance visibility of advertising devices beyond boundaries of the designated road**

### **General**

Since early European settlement clearing for grazing of stock, agriculture, cities and towns has destroyed much of the native flora and fauna habitats. This development has also influenced the manner in which vegetation is regenerated, e.g. bush fire. An early requirement placed on leasehold land was that the land had to be improved by clearing. This clearing has been so widespread that, in certain areas, the road reserve is the prime source of remnant vegetation. The road reserve often contains significant environmental areas, cultural heritage and historic sites. Additionally, native and non-native trees, shrubs, and wildflowers contribute positively to the visual amenity of the roadscape and enhance the driving experience.

The Department has no obligation to permit the trimming of vegetation or trees to ensure the visibility of Advertising Devices or other features outside the boundaries of state-controlled roads. Each application will be judged on its merits. The granting of approvals for trimming will not be influenced by previous permits issued for the same site.

Ancillary Works and Encroachments (AWE) provisions within the *Transport Infrastructure Act 1994* control trimming of vegetation within the boundaries of state-controlled roads. As with other AWEs, the responsibility for issuing of permits for the trimming of vegetation within state-controlled road reserves lies with the Department's regional or district directors.

A list of general conditions for trimming/clearing within the boundaries of state-controlled roads is attached. These should serve as a minimum requirement for approval of AWE's by the regional or district directors. These conditions may be adapted to include local and site-specific conditions where required. The conditions outline the extent and nature of the trimming permitted at that site and may also include, as an example, the times at which work is to be undertaken, traffic control arrangements, periods of advance notice required before undertaking works, etc.

All persons carrying out such work are also required to produce evidence of their insurance in respect of claims arising out of their operations (refer Part 11).

### **Scope**

This Appendix is provided to give guidance when assessing applications to clear vegetation within a state-controlled road to promote visibility of Advertising Devices or things either outside or inside a state-controlled road.

AWE conditions for Advertising Devices may also incorporate conditions for trimming and landscaping (refer Appendices G & H).

Two types of permit are issued for trimming vegetation associated with existing Advertising Devices. The two permits are for the trimming of

- Grass and Shrubs; or
- Trees

Trimming permits for grass and shrubs may apply for a period of up to two years ("term permit") from the date of approval, subject to cancellation by the Department or on a "one-off" basis.

Permits for the trimming of trees shall be on a “one-off” basis and shall apply for a period of one calendar month from the date of approval.

Removal of trees shall only be performed by the Department (or appropriate person) and subject to quotation by the Department on a case-by-case basis.

### **Cancellation of Permit**

Permits for trimming may be revoked at any time without compensation. The issue of a permit for trimming does not imply future applications for such permit will be approved.

### **Breach of Permit Conditions**

Where the conditions for trimming of vegetation are breached, the permit holder is liable for prosecution or fine.

### **Fee information for Trimming Permits**

Information about trimming permits is contained in Appendix H.

### **Guidelines for the Issue of Permits**

The following procedures give guidance when assessing applications to clear vegetation within a state-controlled road to promote visibility of Advertising Devices or things either outside or inside a state-controlled road.

Applications to clear vegetation may be associated with existing or proposed Advertising Devices. Vegetation growth or regrowth may be obstructing the visibility of the device, or existing vegetation may compromise the visibility of a proposed Advertising Device. Guidelines in the decision making process are outlined as follows.

1. The Department will prepare a report in conjunction with traffic and environmental officers. It is a requirement that environmental officers be involved with the assessment of applications to clear vegetation within a state-controlled road. The report should contain a recommendation on the application and, where approved, special conditions should be listed. The report should discuss the following operational and floral issues in relation to the section of road reserve that is subject to a vegetation clearing application:
  - Significance of vegetation -
    - areas may be included under a classification according to the *Vegetation Management Act 1999*
    - scheduled species under the *Nature Conservation Act 1992*
  - Significance of the vegetation and the impact of clearing in the context of the surrounding landscape (aesthetics, perceived noise attenuation, fauna corridor, potential for introduction of weeds, etc.)
  - Significance of the vegetation in a regional or state context
  - the relevant Regional Vegetation Management Code should be reviewed .when assessing clearing applications
  - Impact of the vegetation and Advertising Device with respect to traffic safety
  - Scope of clearing and visibility limits in relation to traffic and the Advertising Device

- Impact of the Advertising Device in the context of the surrounding landscape
  - Importance of the Advertising Device in relation to the economic development of the region
  - Availability of other viable locations for such advertising
  - The views of the relevant local government should be sought in relation to the application for clearing. Particular regard must be given to any local laws and vegetation protection orders.
2. Where approved, a Road Corridor Permit will be issued together with relevant conditions and subject to payment of the prescribed fee.

#### **General Conditions - Prescribed Trimming/Clearing within the Boundaries of State-controlled Roads**

1. Clearing activity should not destroy vegetation types which are designated as threatened or, of regional ecosystem concern, or those plants which are listed as scheduled species in the *Nature Conservation (Wildlife) Regulation 2006*.
2. Vegetation to be removed should be felled in the direction that does not compromise the safety of road users and operators and shall minimize the damage to surrounding vegetation
3. Felled endemic vegetation should preferably be milled, chipped, returned to site, used in rehabilitation works or made available for community projects
4. Optimum use shall be made of all felled timber as directed by the Department. Vegetation removal shall be undertaken according to the following order of priorities:
  - a. Millable timber should be made available to timber mills
  - b. Reuse as fauna habitat logs
  - c. Chipping of felled timber
  - d. Reuse of mulch material in road reserve works or other community projects
  - e. Stockpiled in cleared areas
  - f. Returned to a Transport and Main Roads' depot and/or disposed of
  - g. Set aside for firewood
  - h. Burning as a last resort
5. Timber may be burnt only where no other reasonable alternative exists
6. Removal of limbs and vegetation should be carried out in accordance with approved techniques. Declared pest plants and environmental weeds are not to be chipped for mulch
7. Trimming shall be carried out in a manner which does not destroy the aesthetic appearance of the roadside environment, the viability of vegetation or significant wildlife habitat
8. Trimming shall be confined to within reasonable limits, ensuring sufficient existing vegetation is retained, particularly where clearing is performed at a number of sites along the road
9. Trimming shall not be permitted on medians or on traffic islands, significant environmental areas, or where planted reserves have been established. Landscaped areas, parkway and

bush land buffer strips, scenic areas, outlooks, rest areas, recreation areas, public parks and historic sites are examples of “planted reserves”

10. The costs of trimming, clean up and removal of vegetation and any associated works within the boundaries of state-controlled roads shall be borne entirely by the applicant
11. The applicant shall indemnify and keep indemnified the Director-General (Department of Transport and Main Roads) against any claims, process or actions for personal injury or damage sustained against the Director-General arising as a result of trimming, clean-up and removal operations. The applicant shall provide adequate evidence of a public liability policy of insurance with a reputable insurer for \$10 million for any single event, with the interests of Director-General, Department of Transport and Main Roads noted thereon (refer Part 11).

#### **Conditions Applicable to the Trimming of Trees Only**

1. A tree shall be defined as a woody plant with a self-supporting main stem or trunk developing branches at some distance from the ground and having an ultimate trunk diameter of more than 80 mm
2. Trees shall be trimmed in a professional manner according to *Australian Standard – AS 4373 Pruning of Amenity Trees*. The final result should be compatible with the surrounding environment and conducive to long-term vegetation survival.

#### **Conditions Applicable to Removal of Trees Only**

1. Trees shall not be removed, lopped or heavily trimmed except where specifically instructed or approved by the Department
2. The Department reserves the sole right to remove, lop or heavily trim trees.

**Appendix H: Fees and charges for advertising devices**

Fees associated with Advertising Devices set out in Tables H1 and H2 are subject to annual review and increase in line with the consumer price index (CPI). Please contact your regional or district office for details on current rates for fees and charges.

**Table H1 - Advertising device fees**

Category	Advertising Device (within boundaries of state-controlled roads)	Department of Transport and Main Roads Fee	Local Government Fee
1	Large free standing devices	Subject to expressions of interest	Possibly subject to local government
1	Devices attached to overhead transport infrastructure	Subject to expressions of interest	Possibly subject to local government
1	Temporary charity banners	No advertising fee Possibly labour charge	N/A
1	Event banner	No advertising fee Possibly labour charge	Subject to local government
2	Static illuminated devices on street name posts	Subject to individual licence agreement/s	Possibly subject to local government
3	Devices attached to passenger transport shelters and seats	See H-2.1 below	Subject to local government
4	On-premise Advertising Devices including awnings and fences	N/A	Subject to local government
4	Footway signs	N/A	Subject to local government
4	Real estate signs	N/A	Subject to local government
4	Roadside vendor signs	N/A	Subject to local government
4	Service organisation signs	N/A	Subject to local government
4	Charity prize home devices	N/A	Subject to local government
4	Welcome signs	N/A	Subject to local government
4	Neighbourhood Watch signs	N/A	N/A
4	Safety house signs	N/A	N/A
4	Road service club signs	No advertising fee Possibly labour charge	N/A
4	Election signs	N/A	Subject to local government
4	Utility service signs	N/A	N/A
4	Electricity connection fee (see below)	Fees apply	N/A
Various	Fee for the collection of an unauthorised Advertising Device removed from a state-controlled road	Fees apply	Subject to local government

### H-2.1 Management Fees for Category 3 and 4

Where the Department has delegated the management responsibility for certain Category 3 & 4 advertising to local government, and local government has in turn agreed to accept that responsibility, and subject to the conditions set out in this guide, then local government shall be solely responsible for setting the relevant licence fees for those Advertising Devices.

Where the Department has not delegated the management responsibility for certain Categories 3 and 4 advertising to local government, or where local government has not agreed to accept that responsibility, then Transport and Main Roads shall apply an annual licence fee for those Advertising Devices as indicated in Table H2. .

The fees include inspection costs, but not the cost of the Advertising Device nor the erection and/or maintenance costs. The appropriate fee shall be paid in advance.

**Table H2 - Category 3 and 4 Advertising Devices**

Category	Advertising Device	Annual licence fee
3	Attached to passenger transport seat	Fees apply
	Illuminated Device attached to passenger transport shelter	Fees apply
	Non-illuminated Device attached to passenger transport shelter	Fees apply
4	All	No fees apply

### H-2.2 Electricity Connection Fee

Where an applicant requires electricity for an Advertising Device, and the Department approves the connection to its Rate 3 road lighting circuit, a minimum connection will be charged. A Rate 3 circuit applies to road lighting installations owned and maintained by the Department. Refer to Part 5 Electrical Connection for conditions of connection.

### H-2.3 Vegetation Trimming Fees

The road verges and the remaining area of land that extends to the property boundary of a state-controlled road may contain important remnant vegetation, significant environmental areas and cultural heritage sites. Trees and scrubs play an important role in soil conservation, contribute to the visual amenity of the roadscape and enhance the driving experience. In this regard, the Department may not approve applications to trim vegetation to maintain visibility of advertising outside the boundary of a state-controlled road. Each application will be judged on its merits. The granting of approvals for trimming may not be influenced by previous permits issued for the same site. For more details refer to Appendix G.

Where approval for trimming is given, administrative fees apply for trimming permits.

**Table H3 - Trimming Fee Information (subject to confirmation)**

<b>Type of Trimming</b>	<b>Description</b>
Grass and Shrub	Term permit
Grass and Shrub	"One-off" permit
Tree trimming	Work performed by Departmental personnel (2)
Tree trimming	Work performed by applicant "one-off" permit only
Tree removal	Work performed by Departmental personnel only (2)

## General Notes:

1. Trimming fees includes preparation of permit and inspections of the site to ensure compliance with the conditions of the permit. Site inspection is at the sole discretion of the district director.
2. Departmental quotes include an administrative fee plus the cost of trimming and processing of trimmed vegetation.
3. All fees include Goods and Services Tax.

Superseded

## **Appendix I: Sample tender details for private sector sponsorship of a pedestrian overbridge**

### **Sample Tender Details for Private Sector Sponsorship of a Pedestrian Overbridge**

The following details cover a number of issues that are offered as guidance when compiling a final tender document. These details would form only a part of the tender documentation.

#### **Guidelines for Proponents - Introduction**

The Queensland Department of Transport and Main Roads (Transport and Main Roads) invites companies to submit proposals to finance, design and construct a pedestrian bridge over the \_\_\_\_\_ Highway north of \_\_\_\_\_ Road, \_\_\_\_\_.

The proposal shall provide for:

- design and construction of a pedestrian bridge with wheel chair access ramps;
- relocation of any associated public utilities;
- adjustments to kerbs and footpaths to incorporate a bus bay and passenger shelter on each side of the carriageway (if required);
- rights to controlled advertising on the bridge or otherwise shall be for the term of the agreement (up to 10 years);
- the arrangements necessary for raising all required finance for the design and construction of the pedestrian bridge;
- removal of the advertising after the agreed period;
- Transport and Main Roads project management costs of \$\_\_\_\_\_; and
- the project to be self-funding with no cost to Transport and Main Roads.

#### **Background**

The project was developed in order to alleviate pedestrian safety concerns. A safety audit undertaken by Transport and Main Roads has established that the site is acceptable, on safety grounds, for the erection of a pedestrian bridge and associated controlled advertising.

#### **Approvals**

The proponent will be responsible for:

- ascertaining the location of all utilities that may affect the proposal. The proponent will be responsible for arranging and meeting the cost of any necessary utility relocation; and
- obtaining Local Government planning approvals.

#### **Environment**

Proponents are to indicate the extent of provisions to reduce any adverse impacts on the environment of the structure and of the Advertising Devices.

#### **Technical Details**

Proponents are encouraged to develop innovative designs within the following framework:

- The design and construction shall conform to relevant Transport and Main Roads and AUSTRROADS Specifications and Australian Standards for road and bridgework.

- Clearances to roadways are to be \_\_\_\_\_ metres minimum vertical and \_\_\_\_\_ metres horizontal. If the specified horizontal clearance is not available, safety barriers shall be provided.

The minimum clear footway width shall be \_\_\_\_\_ metres.

### **Traffic**

The present annual average daily traffic on the \_\_\_\_\_ Highway is approximately \_\_\_\_\_ vehicles. Traffic control during construction shall be in accordance with the *Manual of Uniform Traffic Control Devices (Qld)*.

Traffic shall not be interrupted without obtaining the approval of Transport and Main Roads. Transport and Main Roads will only permit interruptions on the \_\_\_\_\_ Highway for limited times and the proponent shall be responsible for obtaining concurrence from Transport and Main Roads for all works at the nominated sites and for all publicity, traffic control and traffic diversion that may be required.

### **Disclaimer**

The proponent must make and rely on its own investigations and satisfy itself in relation to any information in relation to all aspects of the project. Transport and Main Roads will not be liable for any incorrect or misleading information or omission to disclose information.

### **Advertising**

The proponent shall comply with the Transport and Main Roads publication *Roadside Advertising Guide*. Advertising Devices shall be static illuminated or static non-illuminated.

The costs for connection to electricity supply and electricity consumption costs are to be met by the proponent.

The Department reserves the right to approve advertising content. Advertising copy content evaluation criteria is shown in Schedule D of Appendix K.

The Department may permit advertising in either of the following forms:

- on the sponsored footbridge;
- on separate freestanding advertising devices; or
- on alternate nominated overhead transport structures within the vicinity of the sponsored infrastructure.

*{Delete whichever is inappropriate}*

Where an Advertising Device is affixed to an overhead structure, the Device is required to fit within the silhouette of the structure. The length of the Device should be no wider than the width of the target trafficked lanes.

Tenderers should submit full details of their proposal. The number of Advertising Devices and dimensions of the proposed Advertising Devices and details of illumination are required.

Upon completion of the term of the agreement and at the sole discretion of the Department, any Advertising Device shall remain or be removed subject to the following conditions:

- Where an Advertising Device is directed by the Department to remain, the Department will assume sole ownership of the Device.

- Where it is directed by the Department that an Advertising Device be removed, removal costs shall be borne by the proponent and ownership of the Device would then remain with the proponent. The footbridge structure or surrounding landscape shall be made good by the proponent to the satisfaction of the Department.

### **Indemnities and Insurance**

The proponent shall provide relevant indemnities and insurance, including a security deposit of \$\_\_\_\_\_ during the construction period. A defects liability period shall be for the entire term of the agreement.

### **Transport and Main Roads' Costs**

The successful proponent will pay within 28 days of placement of advertising on the bridge \$\_\_\_\_\_ to Transport and Main Roads for project management costs.

### **Ownership**

The pedestrian bridge will be owned by Transport and Main Roads upon completion. Ownership and responsibility of the Advertising Devices and structure(s) shall remain with the proponent during the term of the agreement. (Refer to section on advertising).

### **Maintenance**

For the term of the agreement the proponent shall:

- maintain to an agreed standard the bridge structure, ramps and railings and other elements essential to the functioning of the bridge;
- maintain the Advertising Devices; and
- remove any graffiti from the bridge, associated elements or Advertising Devices.

### **Submissions**

Proponents should include the following in submissions:

- bridge concept to indicate the type and location of the structure, including location of ramps;
- artist's impression or equivalent to indicate relationship of proposal and Advertising Devices with built environment;
- size, type, specific area and locations of devices and the proposed method of illumination;
- proposed term of the agreement (maximum of 10 years);
- funding of the cost of the necessary relocation of services and compliance with development application conditions;
- funding of Transport and Main Roads' project management costs of \$\_\_\_\_\_;
- information to demonstrate the financial capacity of the proponent to meet obligations and the source and conditions of advertising;
- information concerning the suitability of the designer and constructor;
- advice on how the advertising message will be changed; and
- proposal for routine inspection of devices and arrangements for cleaning and graffiti removal.

Proponents are encouraged to submit more than one proposal.

### **Assessment**

The assessment of proposals will be based on criteria that will include:

- the engineering and aesthetic suitability of the structure;
- the type and extent of advertising;
- duration of advertising rights; and
- capacity of the proponent to undertake the work.

If no self-funding proposals that meet all the guidelines outlined in this document are received, proposals that require a cash subsidy or limit the extent of the work will be considered.

### **Discussions with Proponents**

Transport and Main Roads may engage in discussions or negotiations with any proponent for the purposes of clarifying or improving its proposal. Transport and Main Roads may, at its absolute discretion, conduct simultaneous discussions to clarify or improve proposals with more than one proponent.

### **Information and Submissions**

Submissions, clearly marked "Pedestrian Bridge, \_\_\_\_\_ Highway, \_\_\_\_\_" should be forwarded to:

Transport and Main Roads

PO Box \_\_\_\_\_,

\_\_\_\_\_ Q \_\_\_\_\_.

and will be received up to \_\_\_\_\_ 20\_\_\_\_\_.

For further information contact (Title) \_\_\_\_\_, Transport and Main Roads, \_\_\_\_\_

***Appendix J: Road corridor permit form***

Ancillary Works and Encroachments Permit forms have been replaced by Road Corridor Permits (RCPs) (Form M2373). An information sheet and RCP application forms are available from the TMR website or by contacting the relevant TMR regional office. Office contact details are also available on the TMR website: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

Superseded

## ***Appendix K: Sample road corridor permit conditions***

### **General**

Two sample documents outlining Road Corridor Permit conditions are provided in this Appendix. Users should note that conditions specified in each of these documents are indicative only and may be modified dependent upon the specific circumstances.

- Sample K1 is a licence agreement for large Category 1 Advertising Devices - Billboards. The licence agreement is used in lieu of a Road Corridor Permit M2373.
- Sample K2 may be used as supplementary conditions to Road Corridor Permit (M2373)

Superseded

**SAMPLE K1**

# LICENCE AGREEMENT

BETWEEN

The State of Queensland

AND

---

## FOR ADVERTISING DEVICES ON STATE-CONTROLLED ROADS

Revision Date - 13 July 1999



**Queensland Government**  
Department of **Main Roads**

**THIS LICENCE AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_ 1999.

**BETWEEN: THE STATE OF QUEENSLAND** acting through the Department of Transport and Main Roads of 477 Boundary Road, Spring Hill in the State of Queensland. ("the Licensor")

AND: \_\_\_\_\_ of \_\_\_\_\_ ("the Licensee")

**RECITALS:**

- A. Section 50 of the *Transport Infrastructure Act 1994* ("the Act") provides that the Chief Executive Officer of the Department of Transport and Main Roads may decide by gazette notice that specified ancillary works and encroachments must not be constructed, maintained, operated or conducted on State controlled roads in a specified region or district without the written approval of the Chief Executive.
- B. By a notice published in the Gazette on 29 April 1994, "Advertising Signs/Devices" were included in the list of specified ancillary works and encroachments for all regions or districts of the Department of Transport and Main Roads.
- C. The Licensee wishes to erect and maintain Advertising Devices on certain locations on State-controlled roads.
- D. The Licensor has agreed to grant, and the Licensee has agreed to accept a Licence for the erection and maintenance of the Advertising Devices within the Licensed Area in accordance with the terms and conditions of this Agreement.
- E. The conditions of this Agreement form conditions of approval pursuant to Section 50 of the Act.
- F. The parties wish to record the terms of their Agreement.

**NOW THE PARTIES AGREE AS FOLLOWS**

**1 Interpretation**

1.1 In this Agreement, unless the context otherwise requires or the contrary intention appears, the following terms shall have the meanings respectively assigned to them -

"**Agreement**" means this document and all schedules to this document.

"**Advertising Devices**" means non-rotating static illuminated and non-rotating non-illuminated devices (including any supports and footings) erected on the Licensed Area in accordance with this Agreement.

"**Advertising Guide**" means the Department of Transport and Main Roads' *Guide to the Management of Roadside Advertising* as amended from time to time.

"**Commencement Date**" means the date specified as the commencement date in Schedule B.

"**Licence**" means the licence granted by this Agreement.

"**Licence Fee**" means the sum specified in Schedule B.

“**Licensed Area**” means the area specified in Schedule A.

“**Licensee**” means the person referred to in Schedule B together with their successors and permitted assigns and, unless inconsistent with the subject matter or context, includes all persons for the time being authorised by the Licensee.

“**Licensor**” means the State of Queensland acting through the Department of Transport and Main Roads and unless inconsistent with the subject matter or context includes all persons authorised by the Licensor.

“**MUTCD**” means the Department of Transport and Main Roads’ *Manual of Uniform Traffic Control Devices* (Qld) as amended from time to time.

“**Term**” means the period specified in Schedule B, commencing on the Commencement Date.

- 1.2 A reference to a person includes a reference to corporations and other entities recognised by law.
- 1.3 In this Agreement the Index has been inserted for convenience of reference only and is not intended to be part of, or to affect the meaning or interpretation of, any of the terms and conditions of this Agreement.
- 1.4 A reference to a statute, regulation, ordinance or by-law shall be deemed to extend to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing the same.
- 1.5 In this Agreement the headings to the clauses have been inserted for convenience of reference only and are not intended to be part of or to affect the meaning or interpretation of any of the terms and conditions of this Agreement.
- 1.6 In the case of any inconsistency between the Schedules to this Agreement and a clause contained in this Agreement, the provisions of the clause shall prevail to the extent of any inconsistency.
- 1.7 The singular includes the plural and vice versa.
- 1.8 Words importing one gender shall include a reference to all other genders.
- 1.9 A reference to a clause, schedule or attachment is a reference to a clause, schedule or attachment to this Agreement and includes any amendment to same made in accordance with this Agreement.

## **2 Licence**

The Licensor grants and the Licensee accepts an exclusive Licence to erect and maintain the Advertising Device on the Licence Area and to affix and exhibit advertising on the Advertising Device on the terms and conditions contained in this Agreement during the Term.

## **3 Licence Fee**

During the Term, the Licensee shall pay the Licence Fee to the Licensor monthly in advance, on the first day of each calendar month.

#### **4 Erection of Advertising Device**

- 4.1 The Licensee shall erect the Advertising Device on the Licensed Area together with any ancillary electrical equipment necessary to illuminate the Advertising Device in accordance with plans approved in writing by the Licensor and complying with the requirements of the Advertising Guide and the MUTCD.
- 4.2 The Advertising Device shall comply with the specifications in Schedule C.
- 4.3 The Licensee shall be responsible for obtaining and complying with the requirements of all statutes, regulations or by-laws insofar as they relate to the erection and maintenance of the Advertising Device and the display of advertising material.
- 4.4 For ease of identification, the Licensee shall display its name and a reference number issued by the Licensor in minimum 100 mm high lettering attached to a substantial part of the support structure at the front and beneath the Advertising Device so that is readily visible from the carriageway.
- 4.5 Before commencing any excavation works on the Licensed Area, the Licensee shall establish the location of any cables, pipelines or services in the area. The Licensee will bear the sole responsibility for any damage to cables, pipelines or services caused by its activities pursuant to this Agreement.
- 4.6 Following erection of the Advertising Device, the Licensee shall leave the Licensed Area in a clean and tidy condition.
- 4.7 The Licensee may not commence any construction, installation, maintenance, repair, inspection or removal of the Advertising Device which may interfere with the road traffic arrangements unless the Licensee has the prior written approval of the Transport and Main Roads Regional or District Director for the area concerned. The Licensee must provide details of the work to be done and the anticipated time necessary to carry out the work.
- 4.8 The Licensor may approve the carrying out of such work subject to such conditions as the Licensor considers necessary, including payment of any costs incurred by the Licensor.
- 4.9 The Licensee must give the Licensor 48 hours notice of its intention to commence work to erect or remove an Advertising Device.

#### **5 Maintenance**

During the Term of the Licence:

- 5.1 The Licensee shall maintain the Advertising Device to the satisfaction of the Licensor;
- 5.2 The Licensee shall keep the Licensed Area in a clean and tidy condition, to the satisfaction of the Licensor. Where landscaping forms part of the Licensee's offer, the landscaping shall be supplied, planted, cared for, maintained, and replaced where necessary by the Licensee;
- 5.3 The Licensee shall ensure that the Advertising Device is painted in colours which blend the surrounding environment and which are approved by the Licensor.

#### **6 Alterations**

- 6.1 During the Term the Licensee shall not carry out any structural alterations to the Advertising Device without the written approval of the Regional or District Director.

- 6.2 The provisions of clause 6.1 do not apply to routine maintenance or emergency repair work to the Advertising Device.

## **7 Ownership of Advertising Device**

- 7.1 The parties agree that the Advertising Device will remain the property of the Licensee and will not be regarded as a fixture.
- 7.2 No later than one month from the date of expiry or sooner termination of this Agreement, the Licensee shall remove the Advertising Device from the Licensed Area (including footings to a minimum depth of 500 mm) and as far as possible, restore the Licensed Area to its condition at the Commencement Date.
- 7.3 If the Licensee fails to remove the Advertising Device in accordance with clause 7.2, the Licensor may remove the Advertising Device and store it for a period of three months. The costs of restoration of the Licensed Area, removal and storage of the Advertising Device shall be payable by the Licensee upon receipt of a written demand from the Licensee.
- 7.4 If the Licensee fails to pay the costs referred to in clause 7.3, then the Licensor may sell the Advertising Device to offset those costs. Any proceeds from the sale of the Advertising Device which exceed the Licensor's costs shall be refunded to the Licensee.

## **8 No Warranty**

- 8.1 The Licensor does not warrant that the Licensed Area is free from defect or that it is safe or suitable for the intended purpose.
- 8.2 The Licensor shall not incur any liability whatsoever for any loss, damage or injury sustained by any person or anything arising out of the use of the Licensed Area by the Licensee, except where such loss, damage or injury arises out of the negligent act or default of the Licensor.

## **9 No Estate or Interest Created**

The rights conferred by this Agreement shall rest in contract only and shall not infer an intention to create in or confer upon the Licensee any tenancy, estate or interest whatsoever in the Licensed Area.

## **10 Electricity**

- 10.1 The Licensee shall pay all costs associated with the installation of electric lighting and ancillary equipment, including any costs incurred by the Licensor so as to avoid damage to any property or injury to any person during the installation of the lighting and ancillary equipment. Any cost incurred by the Licensor shall be payable by the Licensee upon receipt of a written demand from the Licensor.
- 10.2 Electrical connections shall be made directly to the relevant electricity authority's source of supply and all electrical components shall be in accordance with relevant Australian Standards.
- 10.3 The Licensee shall pay all sums that may become due for electricity supplied to the Licensed Area for the illumination of the Advertising Device.
- 10.4 The Licensee shall obtain the written approval of the Regional or District Director before commencement of any of the following actions:
- a) erection of any overhead power cabling within the road reserve;

- b) installation of any underground power cabling beneath the road pavement; and
- c) install any underground electricity which may affect any operations or services within the road corridor.

10.5 The installation of electrical equipment shall be carried out in accordance with SAA Wiring rules. Protective devices shall be installed to ensure electrical isolation of any defective equipment (e.g. damage of cabling or equipment due to impact by overheight vehicles). The installation shall be earthed in such a manner that the protective devices will operate in the event of a fault.

10.6 A copy of the electrical contractor's test certificate and sketch plan of the supply point is required immediately following installation and connection. These details are to be forwarded to the Regional or District Director.

## **11 Insurance**

11.1 During the Term and at its sole cost and expense, the Licensee shall obtain and keep in full force and effect in the joint names of the Licensee and the Licensor a public liability insurance policy for their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to persons or accidental damage to property.

11.2 The public liability policy of insurance shall be for an amount of not less than \$50,000,000 for any single event (or such higher amount as may be notified in writing by the Licensor from time to time) and shall be effected with an insurer approved in writing by the Licensor and on terms approved in writing by the Licensor.

11.3 The public liability policy of insurance shall include a clause in which the insurer agrees to waive all rights of subrogation or action that it may have or acquire against all or any of the persons comprising the insured.

11.4 The Licensee shall produce evidence to the satisfaction of the Licensor of the insurance effected and maintained by the Licensee for the purpose of clause within 7 days of receiving a written request to do so from the Licensor.

11.5 If the Licensee fails to produce evidence in accordance with clause 11.4, the Licensor may effect and keep in force the public liability policy of insurance and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Licensee to the Licensor and may be recovered in a court of competent jurisdiction.

## **12 Indemnity**

The Licensee hereby:

- a) indemnifies and saves harmless; and
- b) releases and discharges the Licensor from and against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the Licensor, which the Licensor may pay, sustain or be put to by reason of, or in consequence of or of the neglect or default of the Licensee to observe or perform any of the terms and conditions of this Agreement other than as a result of the negligent act of the Licensor, its servants or agents.

### **13 Traffic Control**

The Licensee shall be responsible for all costs associated with traffic control during the installation, maintenance, advertising copy changing, removal of sign structures or any other activity associated with the Licensed Area and Advertising Device. Minimum traffic control provisions will be advised by Regional or District Director or his/her nominated representative.

### **14 Standard of Advertising**

- 14.1 The Licensor may direct the Licensee to remove any advertising material from the Advertising Device if, in the opinion of the Licensor, the material contravenes the advertising content evaluation criteria details in Schedule D of Appendix K.
- 14.2 The Licensee releases the Licensor from any claim or proceeding for loss or damage arising from any direction given under clause 14.1.

### **15 Default and Termination**

- 15.1 Immediately upon the happening of any of the following events, the Licensor may terminate this Agreement by written notice to the Licensee:
- a) any sum of money due and payable under this Agreement by the Licensee is not paid within 14 days after service of a formal demand for payment;
  - b) if the Licensee is in default in performance of any obligations under this Agreement, other than as provided for in clause 15.1(a) and such default has not been remedied within 28 days of receiving written notice requesting the default to be remedied;
  - c) the making of an order or the passing of a resolution for the winding up of the Licensee (except for the purpose of reconstruction or amalgamation);
  - d) a receiver or a receiver and manager being appointed over any of the Licensee's property;
  - e) an administrator being appointed to the Licensee pursuant to the Corporations Law; or
  - f) the Licensee entering into liquidation or becoming unable to pay its debts within the meaning of the Corporations Law.
- 15.2 The Licensee may terminate this Agreement by one month's written notice to the Licensor.
- 15.3 Termination of this Agreement pursuant to clauses 15.1 and 15.2 shall be without prejudice to any such other rights that the Licensor may have against the Licensee.
- 15.4 The Licensor may terminate this Agreement by one month's written notice to the Licensee.
- 15.5 If this Agreement is terminated pursuant to clause 15.4, then the Licensor shall refund to the Licensee the licence fee, and shall be paid in proportion to the expired and unexpired periods covered by such licence fee. The Licensor is not liable for any other compensation.
- 15.6 If the parties cannot agree on the compensation payable, then the compensation shall be determined by a valuer appointed by the president for the time being of the Australian Institute of Valuers and Land Economists (Queensland Division). The valuer shall act as an expert and not as an arbitrator and the costs of the valuer shall be borne equally by the parties.

15.7 The compensation shall be paid to the Licensee no later than one month after that date on which the parties agree on the amount of compensation or if the parties have not agreed, then no later than one month after the valuer has provided his/her written decision to the parties.

## **16 Notices**

16.1 Notices under this Agreement may be delivered by hand, by registered mail, by telex or by facsimile to the addresses specified in Schedule B or any substitute address as may have been notified in writing by the relevant addressee from time to time.

16.2 Notice will be deemed to be given:

- a) two (2) days after deposit in the mail with postage prepaid;
- b) when delivered by hand; or
- c) if sent by facsimile transmission, upon an apparently successful transmission being noted by the sender's facsimile machine prior to close of business at 5.00pm. Facsimile transmissions received after 5.00pm will be deemed to be received at the start of the next working day, as the case may be.

## **17 Assignment**

Neither party to this Agreement may assign its rights and obligations without the prior written consent of the other party.

## **18 Governing Law**

This Agreement will be governed by and construed according to the law of the State of Queensland and the parties agree to submit to the jurisdiction of the courts of the State of Queensland.

## **19 Waiver**

No right under this Agreement shall be deemed to be waived except by notice in writing signed by each party.

## **20 Variation**

This Agreement may be varied at any time by a written agreement executed by both parties.

## **21 Costs**

21.1 The Licensor shall pay its own and the Licensee's cost of and incidental to the negotiation, preparation and execution of this Agreement.

21.2 The Licensor shall pay any stamp duty payable on this Agreement.

**SCHEDULE A**

**Plan of Licensed Area (Attached)**

Superseded

## SCHEDULE B

1. Licensee \_\_\_\_\_

2. Term of Licence: \_\_\_\_\_ Years

3. Commencement Date: \_\_\_\_\_

4. Licence Fee for 1st year of License: \$ \_\_\_\_\_

5. On each anniversary of the Date of Commencement, the Licence Fee shall be increased by that amount which is 5% of the Licence Fee payable for the previous year.

### 6. Notices

6.1 The address for each party is:-

#### The Licensor

Address: The Director (Property Services)  
Property Services Branch  
Department of Transport and Main Roads  
477 Boundary Street  
SPRING HILL QLD 4001

Postal Address: GPO Box 1412  
BRISBANE QLD 4001

#### The Licensee

Address: \_\_\_\_\_  
\_\_\_\_\_

Postal Address: \_\_\_\_\_  
\_\_\_\_\_

Attention: \_\_\_\_\_

Telephone: \_\_\_\_\_  
\_\_\_\_\_

Facsimile: \_\_\_\_\_

## SCHEDULE C

### SITE LOCATION AND ADVERTISING STRUCTURE/ BILLBOARD SPECIFICATIONS

C1 Approval Reference Number to affixed to the Advertising Structure as per clause 4.4

Approval Reference number: \_\_\_\_\_

C2 Road reference number: \_\_\_\_\_

C3 Chainage location: \_\_\_\_\_ metres

C4 Maximum Size of Billboard Face: Height \_\_\_\_ metres. Width \_\_\_\_ metres

C5 Minimum clearance under Billboard Face: \_\_\_\_\_ metres

C6 Clear zone distance: \_\_\_\_\_ metres

C7 Number of Billboard faces: \_\_\_\_\_

C8 Angle between Billboard faces: \_\_\_\_\_ degrees

C9 Number of Advertising Structure support columns: \_\_\_\_\_

C10 Is the sign illuminated?: Yes / No \*

\* Strike out inappropriate response.

## SCHEDULE D

### ADVERTISING COPY CONTENT EVALUATION CRITERIA

The following clauses set out the criteria by which Advertising Copy content will be evaluated by the Licensor. The Licensee is encouraged to apply the criteria on a self-regulation basis.

- D1 Advertising Copy shall comply with Commonwealth law and the law of the State of Queensland.
- D2 Advertising Copy shall not advertise products, services or organisations which could in any way cause harm or be detrimental to the image or policies of the State of Queensland or Department of Transport and Main Roads.
- D3 Advertising Copy shall not be misleading or deceptive or be likely to mislead or deceive.
- D4 Advertising Copy shall not contain a misrepresentation which is likely to cause damage to the business or goodwill of a competitor.
- D5 Advertising Copy shall not portray people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.
- D6 Advertising Copy shall not present or portray violence unless it is justifiable in the context of the product or service advertised.
- D7 Advertising Copy shall treat sex, sexuality and nudity with sensitivity to the diverse audience likely to view the advertisement.
- D8 Advertising Copy shall not make reference to a product which is unsafe, or is otherwise unsuitable to be referred to.
- D9 Advertising Copy for any product which is meant to be used by or purchased by children shall not contain anything which is likely to cause alarm or distress to those children.
- D10 Advertising Copy shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.
- D11 Advertising Copy shall not depict material contrary to prevailing community standards on health and safety.
- D12 Alcoholic beverages and tobacco advertising are not permitted. These products are also excluded from being shown as 'background' on any Advertising Copy.
- D13 Advertising Copy shall not exploit community concerns in relation to protecting the environment by presenting or portraying distinctions in products or services advertised in a misleading way or in a way which implies a benefit to the environment which the product or services do not have.
- D14 Advertising Copy shall not make claims about the Australian origin or content of products advertised in a manner which is misleading.

- D15 Advertising Copy shall not contain information, diagrams, instructions, colour combinations or shapes that resemble, imitate or could be interpreted as official traffic signs.
- D16 Advertising Copy shall not reduce the clarity or effectiveness of any official traffic sign.
- D17 Advertising Copy shall not adversely distract the attention of road users.
- D18 Advertising Copy shall not invite traffic to move contrary to any official traffic sign.
- D19 The font height, word and message complexity and number of words used in Advertising Copy shall allow fast message recognition by a driver of a vehicle at the environment speed. Advertising which requires a long interpretation or recognition duration shall not be permitted. Approved font height determination for road traffic signage is given in the *Manual of Uniform Traffic Control Devices* (MUTCD). Font heights generally complying with this manual would be deemed to be accepted (not withstanding any other requirements). An extract from the MUTCD has been reproduced and is shown in Schedule E.

Superseded

## SCHEDULE E

### EXTRACT FROM QUEENSLAND MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES - CHAPTER 2 APPENDIX D

#### DETERMINATION OF LETTER SIZES FOR SIGNS

##### D1 SCOPE

This Appendix sets out a method of determining the size of letters to be used on signs requiring individual design.

##### D2 PROCEDURE

Determine the capital letter sizes using the following equation<sup>1</sup>:

$$H = 0.14 NV + 11.4S \dots\dots\dots B1$$

Where

H = capital letter height in millimetres, including height of initial capitals used with lower case letters

N = number of words on the sign

V = approach speed in kilometres per hour

S = lateral offset of the sign in metres, measured from the centre of the sign to the centre of the traffic lane

The formula applies to words made up of Series E mod. capitals and lower case letters, e.g. on direction signs, on side-mounted signs in rural areas. For other conditions formula should be modified as follows:

- a) For other letter Series increase H by the following factors:  
Series C - 50%, Series D - 25%, Series E - 7%.
- b) For signs in urban areas increase H by 25% (conspicuousness adjustment for urban environments).
- c) For overhead signs, S used in formula should be vertical offset of centre of sign from driver's eye height multiplied by 2.

Where an overhead sign is at the side of the road and more than 3 m from the edge of the pavement, it may be necessary to calculate the equivalent lateral distance SEL from the formula:

$$SEL = (S_L^2 + 4S_V^2)^{1/2} \dots\dots\dots B2$$

where

$S_L$  = lateral offset of the sign in metres, as for Equation B1  
(distance above road surface, minus 1.2 m)

$S_V$  = vertical distance of the centre of the sign above the driver's eye in metres, (distance above road surface, minus 1.2 m)

<sup>1</sup> The derivation of this equation is given in AUSTROADS, Guide to Traffic Engineering Practice, Part 8: Traffic Control Devices

The value  $S_{EL}$  is then substituted for S in Equation B1.

To facilitate sign design and manufacture it will usually be necessary to adopt the standard letter size given in AS 1744, nearest to the size calculated.

**THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATES APPEARING BELOW.**

SIGNED for and on behalf of

THE STATE OF QUEENSLAND

this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

by \_\_\_\_\_

(full name)

\_\_\_\_\_ (signature)

who is duly authorised in that behalf in the presence of

\_\_\_\_\_

(full name)

\_\_\_\_\_ (signature)

THE COMMON SEAL

of \_\_\_\_\_

ACN \_\_\_\_\_ was hereunto

affixed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

by \_\_\_\_\_ a Director \_\_\_\_\_

(full name)

\_\_\_\_\_ (signature)

and \_\_\_\_\_ a Director/Secretary \_\_\_\_\_

(full name)

\_\_\_\_\_ (signature)

in the presence of

\_\_\_\_\_

(full name)

\_\_\_\_\_ (signature)

## **SAMPLE K2**

### **Supplementary Road Corridor Permit**

#### **Conditions for Advertising Devices**

1. The Advertising Device shall be the type and size specified on the plan.
2. The advertising structure shall be certified as being structurally adequate by a Consulting Civil or RPEQ Engineer in the field of Civil or Structural Engineering.
3. The Advertising Device shall be erected at the nominated location at a time specified by the Regional or District Director, Department of Transport and Main Roads.
4. Erection and maintenance shall be carried out by the applicant at the time specified by, and to the satisfaction of, the Regional or District Director.
5. Where the Advertising Device is damaged beyond repair or where it is stolen or becomes illegible, the applicant shall take immediate action to remove or make good the device, upon written notice to that effect by the Regional or District Director.
6. The applicant shall maintain (and provide evidence of) insurance to the value of \$\_\_\_\_\_ to cover any claim on the indemnity in the Road Corridor Permit form M2373.
7. The applicant shall abide by all requirements of the *Workplace Health and Safety Act 1995* and other laws and statutes.
8. The Department reserves the right to remove, relocate or make safe the Advertising Device and to permit the erection of other Advertising Devices together or in conjunction with the said device. Generally, the Department's rights will be exercised in any or all of the following circumstances:
  - where the device is damaged or the legend becomes illegible;
  - where roadworks and/or the installation of public utility services necessitates the removal of the device;
  - where there is a substantial change in the nature of traffic or the alignment of the road in the vicinity of the device;
  - where the information conveyed on the device is no longer current; and/or
  - upon expiration of the period of approval referred to on the relevant AWE Form M2373.
9. Should the circumstances described in 8 above necessitate the removal of the Advertising Device, this work shall be carried out promptly by the applicant.

## **Appendix L: Advertising Self-Regulation**

(Reprinted with the permission of the Advertising Standards Bureau Ltd.)

### **AUSTRALIAN ASSOCIATION OF NATIONAL ADVERTISERS (AANA) ADVERTISER SELF-REGULATION AND PUBLIC**

#### **COMPLAINTS SYSTEM\***

##### **BACKGROUND**

At the end of 1996, the Media Council of Australia decided to disband its system of advertising codes and regulation including the Advertising Standards Council.

AANA then announced it would continue its longstanding initiative of developing a more effective system of self-regulation for the advertising industry.

This followed several months of productive meetings with industry, government and consumer representatives.

This new system embraces the need in advertising for truth and honesty; non-discrimination in the way people are portrayed; concern for children, the environment and the portrayal of violence; and sensitivity to current community standards on health and safety.

##### **OVERVIEW**

AANA's new system for advertising self-regulation has three important parts:

1. the AANA Advertiser Code of Ethics;
2. the Advertising Standards Board - a new body made up of members of the public to maintain standards of taste and decency in advertising;
3. the Advertising Claims Board - a new AANA dispute resolution process for competitor complaints.

Specialist industries with their own codes of advertising such as the therapeutic goods and alcoholic beverages will continue to be managed by those industry groups.

##### **HOW DOES IT WORK?**

All advertisers have a common interest in promoting consumer confidence in, and respect for, the truthfulness of advertising claims and for the general standard of advertising. Maintaining consumer confidence is one way of ensuring the value of advertising expenditure.

The Advertising Standards Board deals with issues of taste and decency. There will be no fee payable to lodge a complaint. The Advertising Claims Board will deal with questions of truth, accuracy and questions of law on a user-pays basis. Both bodies will apply different parts of the AANA Advertiser Code of Ethics.

The authority of these bodies rests on the willingness of advertisers to adhere voluntarily to ethical standards.

In particular, the authority of the Advertising Standards Board and the Advertising Claims Board rests on:

- the standing and reputation in the community of the members, the quality and timeliness of their decisions;
- the willingness of advertisers to adhere to ethical standards;
- the persuasive powers over media proprietors to comply with Board decisions;
- the persuasive powers of government agencies to initiate regulatory actions; and
- the efficiency and effectiveness with which public complaints are handled.

### **THE AANA ADVERTISER CODE OF ETHICS**

This Code has been adopted by AANA to be applied as a means of advertising self-regulation in Australia and is intended to be applied to all forms of advertising.

The object of this Code is to ensure that advertisements are legal, decent, honest and truthful and that they have been prepared with a sense of obligation to the consumer and society and a fair sense of responsibility to competitors.

In this Code, the term 'advertisement' shall mean matter which is published in all of Australia or in a substantial section of Australia for payment or other valuable consideration and which draws the attention of the public, or a segment of it, to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose directly or indirectly that product, service, person, organisation or line of conduct.

- 1.1 Advertisements shall comply with Commonwealth law and the law of the relevant State or Territory.
- 1.2 Advertisements shall not be misleading or deceptive or be likely to mislead or deceive.
- 1.3 Advertisements shall not contain a misrepresentation which is likely to cause damage to the business or goodwill of a competitor.
- 2.1 Advertisements shall not portray people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.
- 2.2 Advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised.
- 2.3 Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant program time zone.
- 2.4 Advertisements for any product which is meant to be used by or purchased by children shall not contain anything which is likely to cause alarm or distress to those children.
- 2.5 Advertisements shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.
- 2.6 Advertisements shall not depict material contrary to prevailing community standards on health and safety.

- 2.7 Advertisements shall not exploit community concerns in relation to protecting the environment by presenting or portraying distinctions in products or services advertised in a misleading way or in a way which implies a benefit to the environment which the product or services do not have.
- 2.8 Advertisements shall not make claims about the Australian origin or content of products advertised in a manner which is misleading.

## **THE ADVERTISING STANDARDS BOARD**

### **INTRODUCTION**

The principal objective of the Advertising Standards Board is to maintain standards of taste and decency in advertising having regard to prevailing community values.

Complaints may be received from any source. If complaints relate to matters outside taste and decency, for example, in relation to advertising covered by specific product codes, in the first instance they will be referred to the advertiser and then, if appropriate, to the relevant regulatory body.

### **SCOPE OF RESPONSIBILITY**

The Advertising Standards Board is responsible for receiving and evaluating complaints from any source involving the question of whether an advertisement breaches Section 2 of AANA's Advertiser Code of Ethics. The Advertising Standards Board will not pursue complaints that involve:

- questions of law or questions of truth or accuracy;
- trivial issues;
- local advertising;
- advertising that is the subject of litigation or an order by a court or government agency;
- unlawful business practices (these are referred to government agencies);
- advertising which has been withdrawn or discontinued before challenge;
- highly technical issues especially where experts are not provided by the parties to assist;
- label directions or basic performance of products and services not related to advertising claims.

### **PROCEDURES OF ADVERTISING STANDARDS BOARD**

No person having an interest or a conflict of interest in a matter to be considered is entitled to participate in that particular determination. A determination of the Board is by a simple majority and no person has a casting vote.

### **COMPLAINT RESOLUTION PROCEDURE**

The procedure is initiated by a party filing a complaint in the form of a letter requesting the Advertising Standards Board to consider the complaint against the advertisement.

If the complaint is one which involves an issue of taste and decency covered by Section 2 of AANA's Advertiser Code of Ethics the complaint will be promptly sent to the advertiser and the advertiser will be asked to provide copies of the advertising and respond within fifteen business days.

## **RESOLUTION OF COMPLAINTS**

The Advertising Standards Board will meet from time to time at such place and time as it determines to consider complaints it has received. Usually these meetings will be held at approximate intervals of one month.

If the Advertising Standards Board determines that a particular advertisement is not in accordance with Section 2 of AANA's Advertiser Code of Ethics it will prepare a Case Report setting out its reasons and provide a copy of that report to the advertiser.

The advertiser must advise the Advertising Standards Board within five business days whether the advertiser agrees to modify or discontinue the advertisement ('Advertiser's Statement').

Immediately after receiving the 'Advertiser's Statement' the Advertising Standards Board issues a final case report and makes it publicly available.

The decision is also published in a monthly report (the Advertising Standards Board Case Report) which identifies the advertiser, the product and the subject matter involved in the complaint and describes the final decision and its rationale.

Decisions in the Advertising Standards Board Case Report and any media releases are published under the headings:

- Complaint Dismissed
- Advertising Modified or Discontinued
- Advertising Referred to Government Agency.

## **CONSEQUENCES OF FAILURE TO RESPOND**

The Advertising Standards Board will not provide extensions of time and untimely responses by advertisers will not be considered by the Advertising Standards Board.

If an advertisement is found to breach Section 2 of AANA's Advertiser Code of Ethics and the advertiser does not respond to the opportunity to modify or discontinue the advertisement within the allowed time-frame, the Advertising Standards Board will:

- if appropriate, refer the case report to the appropriate government agency;
- include the decision in the Advertising Standards Board Case Report;
- forward the case report to media proprietors.

## **THE ADVERTISING CLAIMS BOARD**

### **INTRODUCTION**

The principal objective of the Advertising Claims Board will be to provide a system of alternative dispute resolution to address and resolve challenges to advertising that might otherwise lead to litigation. The system will thus provide the opportunity of timely resolution of disputes in a manner that obviates the need for expensive, time consuming litigation.

While the system will be principally suited to disputes between competitors it may also be utilised by any other person, group or government agency. The Advertising Claims Board will be primarily an alternative dispute resolution scheme for competitor-competitor complaints.

However, on a case-by-case basis, consideration will be given to hearing public complaints without cost, where there are significant public interest grounds for doing so. In these cases, AANA must be satisfied that the complaint is not between competitors.

### **SCOPE OF RESPONSIBILITY**

The Advertising Claims Board will be responsible for receiving, evaluating, investigating, analysing and holding initial negotiations with an advertiser on complaints or questions from any source involving the truth or accuracy of advertising or whether an advertisement breaches the law (ie. whether the advertisement breaches Section 1 of AANA's Advertiser Code of Ethics).

The Advertising Claims Board will not pursue complaints that involve:

- trivial issues;
- questions of taste, morality or decency;
- advertising that is the subject of litigation or an order by a court or government agency;
- unlawful business practices (these are referred to government agencies);
- advertising which has been withdrawn or discontinued before challenge;
- highly technical issues especially where experts are not provided by the parties to assist;
- label directions or basic performance of products and services not related to advertising claims.

### **COMPOSITION OF ADVERTISING CLAIMS BOARD**

The work of the Advertising Claims Board will be undertaken by variable panels consisting of persons nominated by AANA from persons whose names appear on AANA's Register of Legal Practitioners (being a register of practising solicitors, barristers or persons with legal qualifications having experience and expertise in advertising and media law and who have been accepted for registration on the Register).

No person having an interest or a conflict of interest in a matter to be considered will be entitled to participate in that particular panel determination.

Nominations to particular panels of the Advertising Claims Board will be made from time to time having regard to the availability of individuals on the Register to perform the work required in the requisite time-frame and having regard to the existence of conflicts of interest.

Determinations of the panel will be by a simple majority and no person will have a casting vote.

Each complainant will be required to indemnify the members of the panel, the Advertising Claims Board and AANA against any claims which may be brought against the panel members or the Advertising Claims Board or AANA arising out of the determination of the complaint.

### **COMPLAINT RESOLUTION PROCEDURES**

The procedure will be initiated by a party filing a complaint in the form of a letter requesting the Advertising Claims Board to investigate the challenged advertisement.

Before a panel is convened to consider a complaint, the complainant will be required to lodge a fee in an amount advised by AANA being an amount required to cover the fees payable to the panel members having regard to the complexity of the case and the amount of material to be considered. Indemnities must be lodged in a form supplied by AANA. The complaint should set out in as much

detail as possible the nature of the alleged misrepresentations and the complainant must submit with the complaint its complete data supporting the complaint.

If the complaint appears in order for determination by a panel the complaint will be promptly sent to the advertiser and the advertiser will be asked to provide a substantial written response and copies of the advertising within fifteen business days after it receives the challenge. A substantial written response should include responses to the specific issues raised in the complaint, the advertiser's substantiation of the claims at issue with supporting data and a summary of arguments.

The complainant's supporting data will be made available to the advertiser and any data which the complainant wishes to be withheld from the advertiser will not be considered or included in the case materials. However, if the advertiser so requests, explaining the basis for its request and affirming that certain information of the advertiser is not publicly available, that information provided by the advertiser in substantiation will be withheld from the complainant. Despite claiming confidentiality, the advertiser must submit a comprehensive summary of its principal arguments and that summary must be made available to the complainant.

After the advertiser responds (and so much of the response as is not confidential is provided to the complainant) the complainant will have ten business days to submit a reply. The advertiser will then have ten business days to respond. If the Advertising Claims Board requests further information from either party, that party will have ten business days to respond.

The Advertising Claims Board may, in its discretion, agree with a proposal from an advertiser or complainant for a meeting with either or both parties in addition to or in lieu of a written submission. A proposal for a meeting must specify the reasons why a meeting is required, a list of particulars, an agenda, a proposed date and a list of participants.

The time available for all meetings and the last two responses cannot exceed 20 business days from the time of the initial advertiser response unless the Advertising Claims Board has requested further information.

### **RESOLUTION OF COMPLAINTS**

The Advertising Claims Board must decide on a complaint within fifteen business days of its receipt of the last submission. Within that fifteen day period, it must prepare a final case decision, provide it to the advertiser and invite the advertiser to add an 'Advertiser's Statement' within five business days.

If the Advertising Claims Board decides that any of the advertising claims are not substantiated, the 'Advertiser's Statement' must state whether the advertiser agrees to modify or discontinue the claims.

Immediately after receiving the 'Advertiser's Statement' or, if not received within five business days of a request for it then once that time has expired, the Advertising Claims Board will issue a final case report to the parties and make it publicly available.

The decision will also be published in a monthly report (the Advertising Claims Board Case Report) which will identify the advertiser, the product and the subject matter involved in the complaint and describe the final decision and its rationale.

Decisions in the Advertising Claims Board Case Report and any press release will be published under the headings:

- Advertising Substantiated
- Advertising Modified or Discontinued
- Advertising Referred to Government Agency
- No Substantiation Received

#### **CONSEQUENCES OF FAILURE TO RESPOND**

There are no extensions of time in the procedure. If the advertiser fails to provide a substantial written response within the initial fifteen business days, the Advertising Claims Board will issue a 'final case decision' summarising the claims challenged in the complaint and noting the advertiser's default.

If the advertiser fails to file a substantial written response within an additional 15 business days from the final case decision being issued, the Advertising Claims Board will refer the file to the appropriate government agency and will report that action in the next monthly case report. Copies of case reports will also be sent to media proprietors.

Superseded

## Appendix M: Transport Infrastructure Act 1994

*Transport Infrastructure Act 1994*

### ANCILLARY WORKS AND ENCROACHMENTS NOTICE (No. 1) 2009

#### Short Title

1. This notification may be cited as the *Ancillary Works and Encroachments Notice (No 1.) 2009*.

#### Commencement

2. This notice commences on 20th of March 2009.

#### Encroachments that require approval

3. Pursuant to section 50 of the *Transport Infrastructure Act 1994* (the Act), all ancillary works and encroachments as defined in schedule 6 to the Act (and in regulations), except for those described in paragraph 5 below, must not be constructed, maintained, operated or conducted on any State-controlled road in any region in Queensland without the written approval of the Director-General of the Department of Main Roads (or the chief executive of the agency having control over the administration of Chapter 6 of the Act from time to time).
4. Previous notices for the purposes of section 47 (since renumbered as section 50) of the Act are replaced by this notice and are of no further effect.
5. Ancillary works and encroachments outlined below do not require approval, provided that they do not interfere with a State-controlled road or its operation and they comply with the dimensions, locations, capacity, rigidity and other requirements specified in the following clauses:
  - (a) mail boxes of not more than 50 litres capacity, erected on one or two posts which are not stronger than circular hollow sections of less than 60mm overall diameter and 3.6mm wall thickness, and located not less than 3.5m from the edge of the nearest traffic lane for a State-controlled road;
  - (b) where kerb and channel are present – planting vegetation of a mature height of not more than 0.6m, by a landholder, on a footway adjacent to the landholder's land;
  - (c) where kerb and channel are present in urban areas – shop or building awnings, in existence at the commencement of this notice that do not infringe into a traffic lane, taking road cross-fall into account;
  - (d) minor vegetation trimming and maintenance (including mowing grass or weeds) by a landholder on a footpath adjacent to the landholder's land and other than any area signed as a significant environmental area, that does not involve clearing of any tree or shrub;
  - (e) holding meetings on footpaths where participants are standing, no furniture is involved and the activity is not associated with a commercial activity;
  - (f) for rural properties adjacent to and with direct access to the road – property name signs (for example 'Upson Downs') erected on one or two posts which are not stronger than circular hollow sections of 60mm overall diameter and 3.6mm wall thickness, located not less than 9m from the edge of the nearest traffic lane;
  - (g) temporary grazing of stock during daylight hours, on roads where kerb and channel are not present, provided a permit from the local government is held for the grazing, the stock is enclosed in a portable electric fence, fence posts are not stronger than circular hollow sections of 60mm overall diameter and 3.6mm wall thickness and located not less than 3.5m from the edge of the nearest traffic lane;
  - (h) fundraising and promotional activities by community based groups, on a paved footway, other than on a median strip or within 3m of a pedestrian crossing, involving no furniture other than one table with a maximum diagonal length of 2m and two chairs, if pedestrian traffic is not unreasonably obstructed;
  - (i) rubbish and rubbish bins approved by a local government for a rubbish collection service provided by a local government, when in place for collection as prescribed by the service provider;
  - (j) hoses, of not greater than 40mm overall diameter, and sprinklers used for watering vegetation if pedestrian movements are not unreasonably impeded;
  - (k) camping in rural areas that is more than 9 metres from the edge of the nearest traffic lane of the State-controlled road and is not prohibited by regulation;
  - (l) minor sporting activities;
  - (m) sporting activities that require a permit from the Queensland Police Service;
  - (n) advertising signs for real estate, charity prize homes, Neighbourhood Watch signs, elections, businesses and public notices on land, other than on motorways or freeways, in local government areas where the same signs are permitted on local government roads, that comply with the following requirements:
    - (i) for a property adjacent to and with direct access to the road – for real estate and charity prize home signs and only where the signs would otherwise be obstructed from view if located on the property, one sign with a maximum area of 2.4 square metres and one sign with a maximum area of 0.6 square metres and located immediately adjacent to the property boundary. In rural areas where the visibility of the real estate sign or charity prize home sign is restricted due to vegetation or large setback distances, the smaller sign (0.6 square metres) may be located to comply with subparagraphs (v), (vi) and (vii) below; and
    - (ii) Neighbourhood Watch signs that are located on street name sign posts and not longer or wider than 225mm, unless another size is mutually agreed by the Queensland Police Service, the Department of Main Roads and the local government for the area; and
    - (iii) election signs with a maximum area of 0.6 square metres each, in numbers and size complying with local government requirements, located to comply with subparagraphs (v), (vi) and (vii) below, for a period commencing after the official announcement of an election and ending 7 days (or less if required by the relevant local government) after the election polling day; and

**Figure M1: Copy of the Ancillary Works and Encroachment Notice (No. 1) 2009 (Page 1)**

- (iv) for signs relating to products or services available at a business premises – the signs may be displayed only during trading hours –
    - (A) where kerb and channel are present in urban areas – one A-frame type footway sign with maximum height of 1m and maximum width of 0.6m and maximum depth of 0.6m, located on the footpath immediately outside a building in which the products or services are available, provided it is located as close as practicable to the building and does not disrupt the movement of pedestrians;
    - (B) in rural and zoned industrial areas – two A-frame type signs with maximum height of 1.5m, maximum width of 1m and maximum depth of 1m, located immediately outside a building in which the products or services are available that comply with subparagraphs (v), (vi) and (vii) below;
  - (v) for signs made of light fragile materials, for example corflute erected on a timber stake no bigger than 50 mm x 25 mm) –
    - (A) in 80km/h and lower speed environments – signs must not be closer than 3.5m from the edge of the nearest traffic lane; and
    - (B) for road speed environments greater than 80 km/h – signs must not be closer than 6m from the edge of the nearest traffic lane;
  - (vi) for signs made of heavier materials – signs must not be in the clear zone as defined in chapter 8.1 of the Road Planning and Design Manual maintained by the Department of Main Roads;
  - (vii) all signs must be located as close as practicable to the property boundary;
  - (viii) for business advertising on awnings – signs must not infringe into a traffic lane, taking road cross-fall into account; advertising must apply only to products or services available or business names for the business conducted from a building to which the awning is attached; clearance underneath the signs must be at least 2.5m; and signs must not move, may be illuminated but not flash.
  - (ix) for public notices on land requirements as prescribed under the Integrated Planning Act 1997
  - (x) Signs permitted by an Advertising Management Plan (that is approved by the Department of Main Roads) for display without further written approval under Transport Infrastructure Act 1994 section 50.
  - (o) roadside memorials, as defined in the Department of Main Roads -Guideline for Roadside Memorials “the Guideline” with a maximum height above ground of 750mm, maximum depth below ground level of 400mm and maximum width of 500mm and placed in an appropriate location as required by the Guideline.
6. For ancillary works and encroachments listed in paragraph 5, the following criteria are examples of situations where ancillary works or an encroachment will be deemed to interfere with a State-controlled road or its operation: if anything -
- (a) is attached to a tree(except for roadside memorials) or road furniture (for example guide posts or traffic signs);
  - (b) interferes with the clear sight distance of motorists or pedestrians;
  - (c) overhangs any portion of a traffic lane for a State-controlled road;
  - (d) unreasonably distracts road users through illumination;
  - (e) presents a hazard to road users; or
  - (f) interferes with or restricts the movement of pedestrians or cyclists.

Alan Tesch  
DIRECTOR-GENERAL  
DEPARTMENT OF MAIN ROADS

**Figure M1: Copy of the Ancillary Works and Encroachment Notice (No. 1) 2009 (Page 2)**

## **Appendix N: Supplementary Guideline for the Management of Electronic Billboard Advertising Devices**

### **Foreword**

The following is a supplementary guideline (referred to within Appendix N as, this guideline) for the management of electronic billboard advertising devices located on private property or within the state-controlled road (SCR) corridor and visible from a state-controlled road, motorway or motorway standard road.

The criteria contained in this guideline either replaces or supplements the information in the Roadside Advertising Guide (the Guide), with all sections of the Guide being applicable (where appropriate) to this guideline. Where criteria in this guideline differ from the criteria in the Guide, the information contained in this guideline has precedence.

Electronic billboards are Category 1 Advertising Devices that may be free standing advertising signs or advertising signs attached to buildings or road infrastructure. There are two types of electronic billboards that are becoming increasingly common internationally;

- static electronic displays (static displays only, no movement other than an instantaneous display change); and
- non-static electronic displays (displaying animations, video, flashing, active display changes etc).

This guideline relates to the management of static electronic displays only. Non-static electronic displays are not permitted to be visible to drivers on a state-controlled road, motorway or motorway standard road and will not be considered further in this guideline.

Because electronic billboards are conspicuous by design and may have greater potential to distract motorists (due to the change of display image), the objective of this guideline is to limit any potential distraction and subsequently manage any negative impact that electronic billboards may have on road safety.

### **1 General Criteria**

This section outlines site selection, physical characteristics, advertising message criteria and other guidance criteria for electronic billboards.

These criteria either replace or supplement the general criteria specified in Part 5 (General Permission Criteria Advertising Devices) of the Guide.

It is important to also refer to Section 2 of this guideline for additional specific location criteria, dependent upon whether the Device is located within or outside a state-controlled road, motorway or motorway standard road.

#### **1.1 Site selection and location**

Site selection controls as specified in Part 5.1.1 (Site Selection Criteria) of the Guide shall be applied, except as varied below.

Electronic billboards shall be located in accordance with the relevant advertising management plan (if one is applicable) and/or town planning requirements.

The electronic billboard should be located (where possible) such that trimming of vegetation (especially vegetation located within the boundaries of the road reserve) will be unnecessary.

Appendix C of the Guide provides the restriction distance requirements (illustrated in Figures C5, C6 and C7) for various Advertising Devices and locations. The restriction, distraction and restriction notice area diagrams (Figures N1, N2 and N3) in this guideline are applied to electronic billboards in lieu of figures C5, C6 and C7 in the Guide.

Table N1 defines the Device restriction and restriction notice area requirements depicted by “d” in Figure N1, as a function of the road speed limit.

**Table N1 - Distances for Advertising Device Restriction and Restriction Notice Areas (“d”) to be used in Figure 1 only**

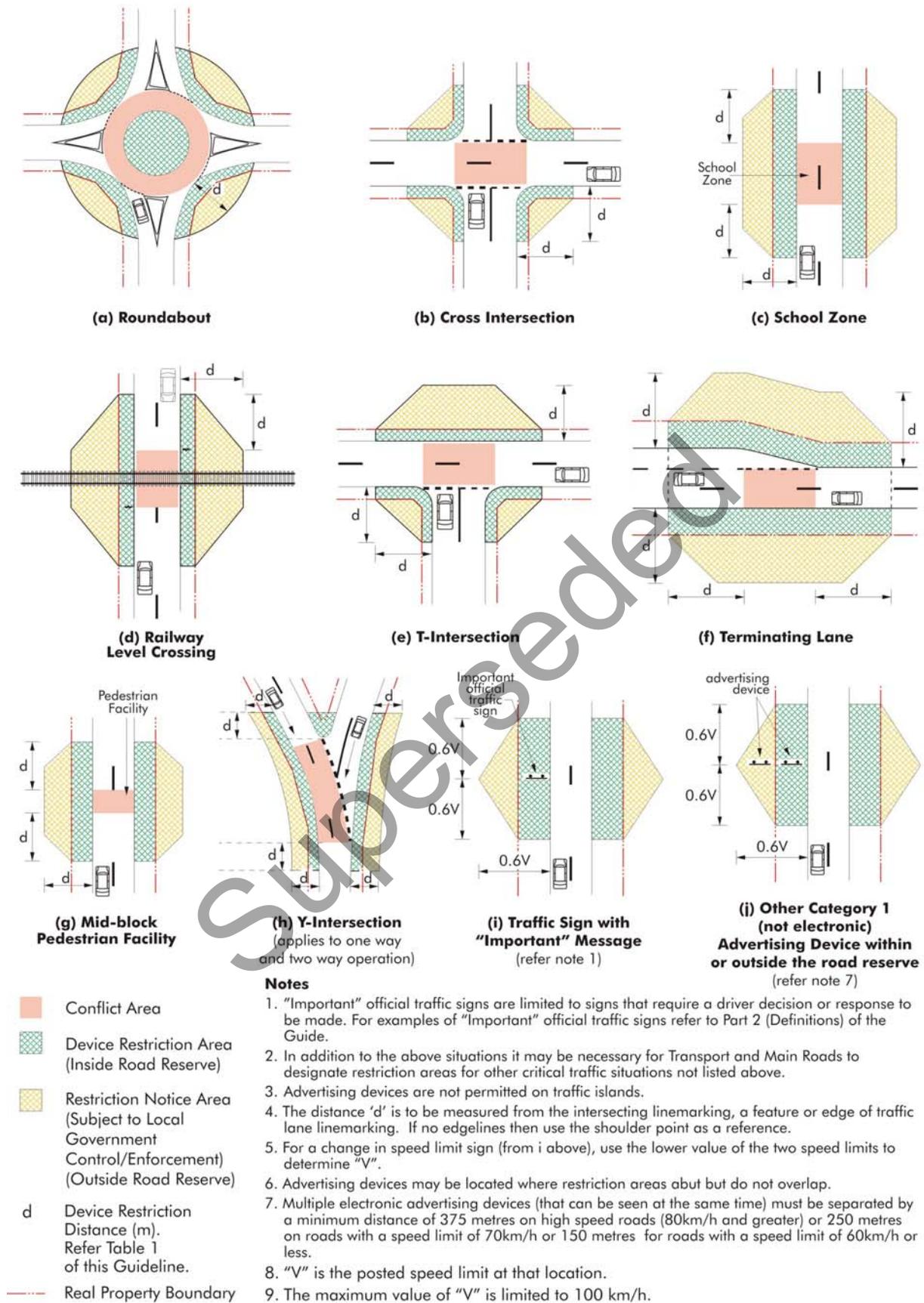
Speed Limit	Advertising Restriction / Distraction Area “d” (m)	0.6V (m)
50 or less	45	30
60	65	36
70	85	42
80	110	48
90	140	54
100	170	60
110	210	60

In addition to the restriction, distraction and restriction notice areas identified in Figures N1, N2 and N3 of this guideline, further restrictions may apply:

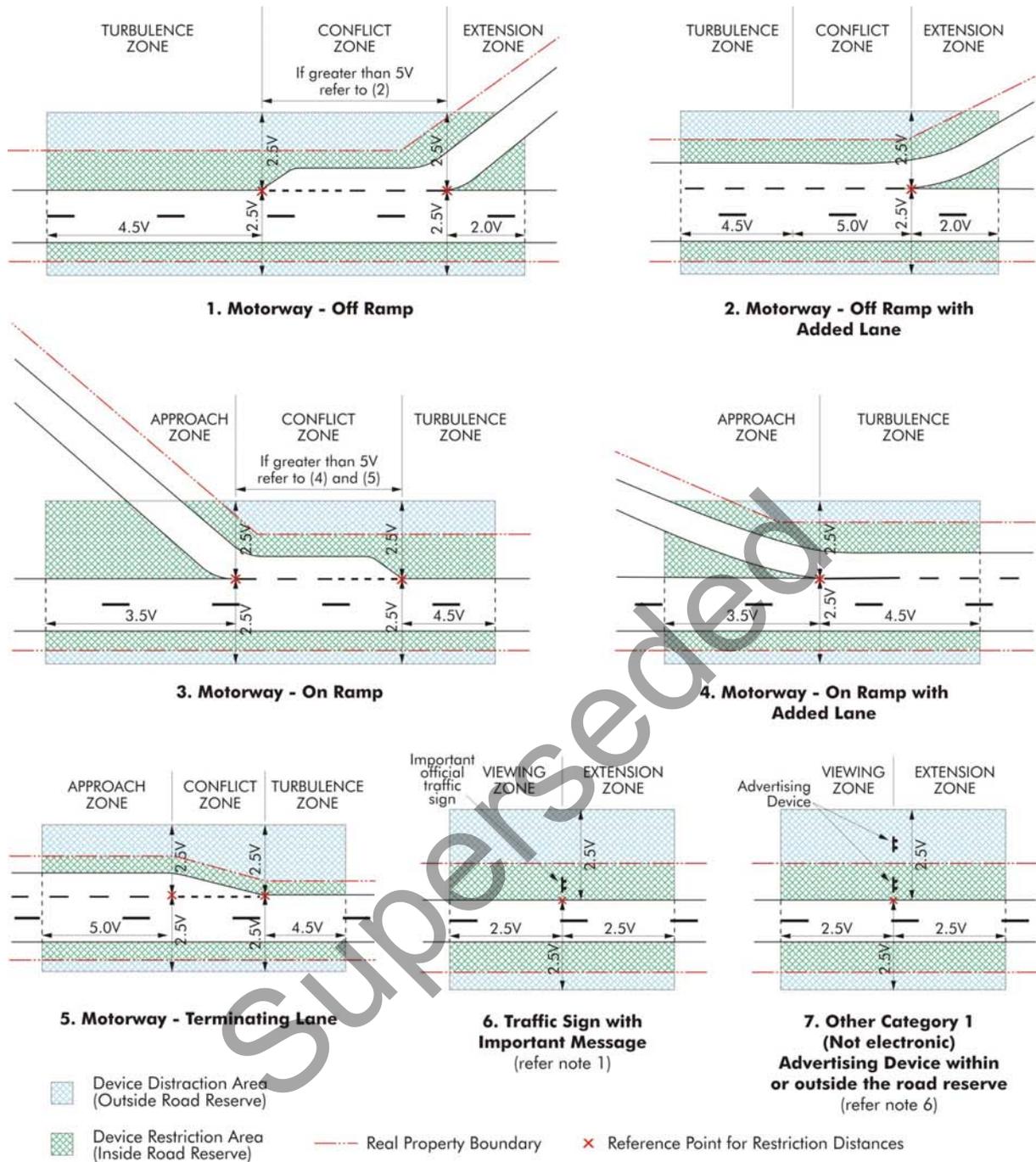
- Due to crash history at the location. Refer section 1.1.2 of this guideline for further details.

Electronic billboards may be installed where all the following requirements are met:

- They are located clear of the restriction, distraction and restriction notice areas identified in Figures N1, N2 and N3 including any additional restrictions due to crash history.
- There is adequate advance visibility to view and read the electronic billboard. Refer section 1.1.5 of this guideline for further details.
- They are not a background to, or in close visual proximity with, traffic signals or railway signals. Refer section 1.1.6 of this guideline for further details.
- They do not obstruct a driver’s line of sight to official traffic signs, exit ramps, on-ramps, intersections, other decision making / traffic conflict areas or other road users (e.g. pedestrians).



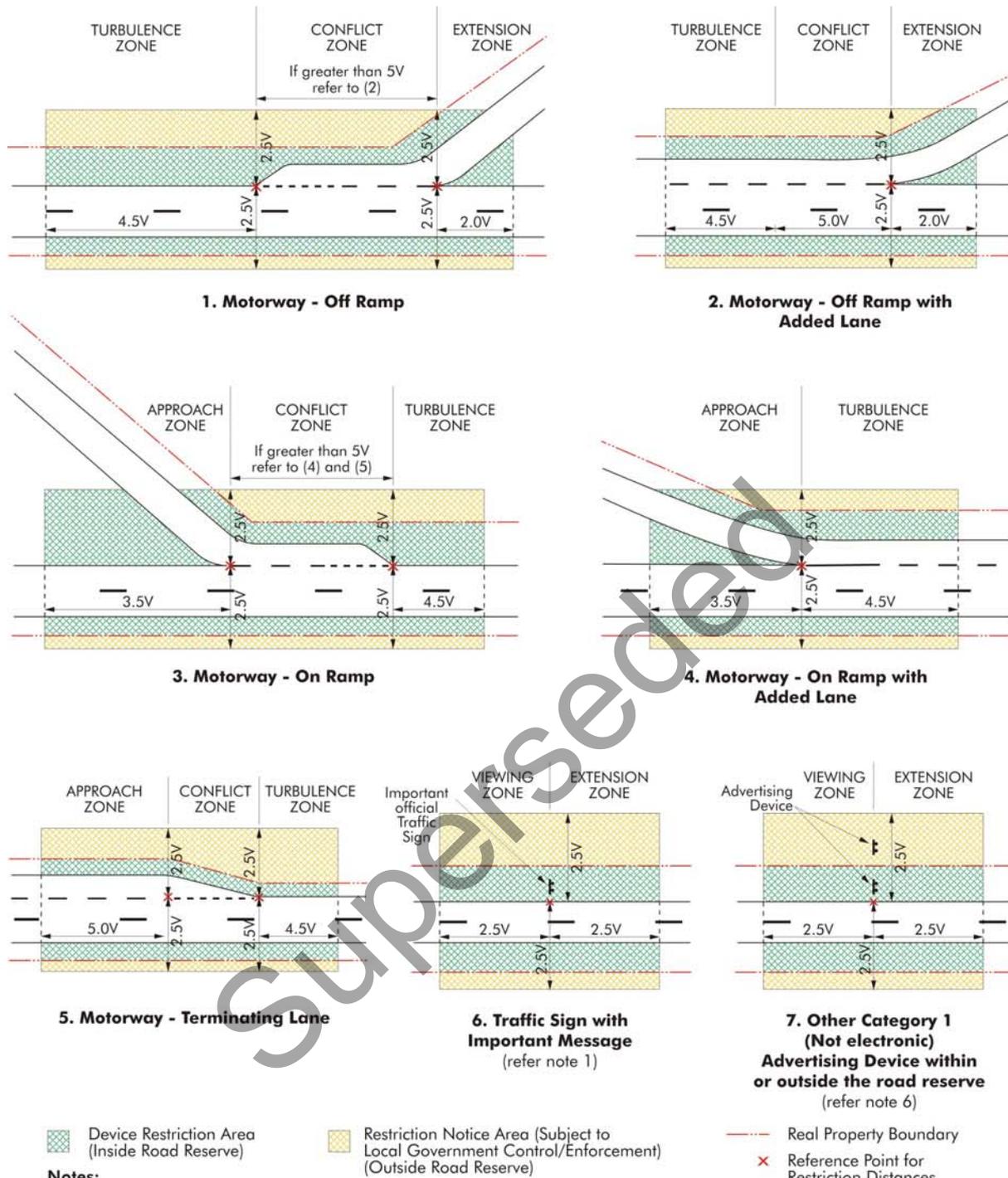
**Figure N1: Restriction areas for static electronic billboard advertising devices visible from a state-controlled road (excluding motorways or motorway standard roads)**



**Notes:**

1. "Important" official traffic signs are limited to signs that require a driver decision or response to be made. For examples of "Important" official traffic signs refer to Part 2 (Definitions) of the Guide.
2. In addition to the above situations it may be necessary for Transport and Main Roads to designate restriction areas for other critical traffic situations not listed above. For example, larger restriction distances can be applied if there are crashes that can be attributed to increased driver demand in the vicinity of interchanges.
3. Advertising Devices are not permitted on traffic islands.
4. "V" is the posted speed limit at that location.
5. The maximum value of "V" is limited to 100 km/h.
6. Multiple electronic advertising devices (that can be seen by a driver at the same time) must be separated by a minimum distance of 500 metres.
7. For a change in speed limit sign (from image 6 above), use the lower value of the two speed limits as "V".
8. Advertising Devices may be located where restriction areas abut but do not overlap.

**Figure N2: Restriction Areas for static electronic billboard advertising devices visible from a Motorway**



- Notes:**
1. "Important" official traffic signs are limited to signs that require a driver decision or response to be made. For examples of "Important" official traffic signs refer to Part 2 (Definitions) of the Guide.
  2. In addition to the above situations it may be necessary for Transport and Main Roads to designate restriction areas for other critical traffic situations not listed above. For example, larger restriction distances can be applied if there are crashes that can be attributed to increased driver demand in the vicinity of interchanges.
  3. Advertising Devices are not permitted on traffic islands.
  4. "V" is the posted speed limit at that location.
  5. The maximum value of "V" is limited to 100 km/h.
  6. Multiple electronic advertising devices (that can be seen by a driver at the same time) must be separated by a minimum distance of 500 metres.
  7. For a change in speed limit sign (from image 6 above), use the lower value of the two speed limits as "V".
  8. Advertising Devices may be located where restriction areas abut but do not overlap.

**Figure N3: Restriction Areas for static electronic billboard advertising devices visible from a Motorway Standard Road**

### 1.1.1 Device restriction, distraction and restriction notice areas

Transport and Main Roads acknowledges that Advertising Devices may have a distractive influence on drivers and as such may have a negative impact on road safety.

Figures N1, N2 and N3 of this guideline, define the typical situations / locations where road and / or traffic conditions would require additional driver attention and / or decision making.

The regime of Device restriction areas, Device distraction areas and restriction notice areas identify the locations where Advertising Devices (if located within these areas) may contribute to driver distraction in a location where the demand on drivers may be greater.

The terms used to define these areas are related to the legislative or other controls that are available to manage advertising. Device restriction areas are areas located within the road boundaries (all road types), Device distraction areas are areas located outside the boundaries of a motorway and restriction notice areas are areas located outside the boundaries of a road (excluding motorways).

Definitions for the Device restriction, distraction and restriction notice areas are included in the definitions section of this guideline (Part 2).

### 1.1.2 Extra restrictions based on crash history

In addition to the restriction and distraction areas identified in Figures N1, N2 and N3 of this guideline, further restrictions may apply due to the crash rate or crash history where;

- Sections of road (within 500m of the proposed site) have an actual crash rate higher than the critical crash rate. Refer to section 1.1.2.1 for details of the procedure for calculating and evaluating crash rates for use with Advertising Device location analysis.
- Intersections have a vehicle crash history of three (3) or more KSI crashes in the last 5 years (from the most recently available / complete and released crash data for the intersection).
- In addition to the crash rates and crash history analysis, when the dates of the available complete crash data are "old" (more than 1 year), more recent incomplete crash data should be reviewed to ensure an increase in crash occurrence near the proposed location is not occurring.

When crash rates or crash history at a location meet the above criteria the following extra restrictions will be applied;

- For a section or sections of road
  - Electronic Advertising Devices must be located clear of any sections of road which have an actual crash rate above the critical crash rate.
- For Intersections
  - Increase the applicable restriction distance at the intersection by multiplying the restriction distance by a factor of 2 (ie doubled). This only applies to diagrams where a conflict area is shown.

Where an intersection or section of road has had significant roadworks completed (within or after the crash analysis dates) and the changed configuration or layout would likely reduce the frequency or severity of future crashes at this location, the use of crash history at this location prior to or during the roadworks is to be avoided.

#### 1.1.2.1 Crash Rate Calculation

- The crash rates for a road section are to be calculated and evaluated in accordance with the following;
- The most recent available complete (all severities) crash data is to be used
- The period of crash data to be analysed is five (5) years
  - A TARP (Traffic Accident Remedial Program) analysis will need to be performed at carriageway level (as the direction of travel is important when considering the impact of advertising).
  - The TARP analysis will produce crash rates (critical, average and actual).
  - Road segment lengths used in the TARP analysis are to be rolling 1km sections.
  - Crash rates are to be calculated as Cost per VKT.
  - A carriageway analysis is not standard for a TARP calculation – if required (this will be the case for divided roads) request assistance.

Forms to request crash data from the department are available on the department's website:  
[www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

Superseded

Road Section 10A - BRUCE HIGHWAY ( BRISBANE - GYMPIE ) ( 145.7 km ) from Roadlink (Local) refreshed on 25 Nov 2011 04:47

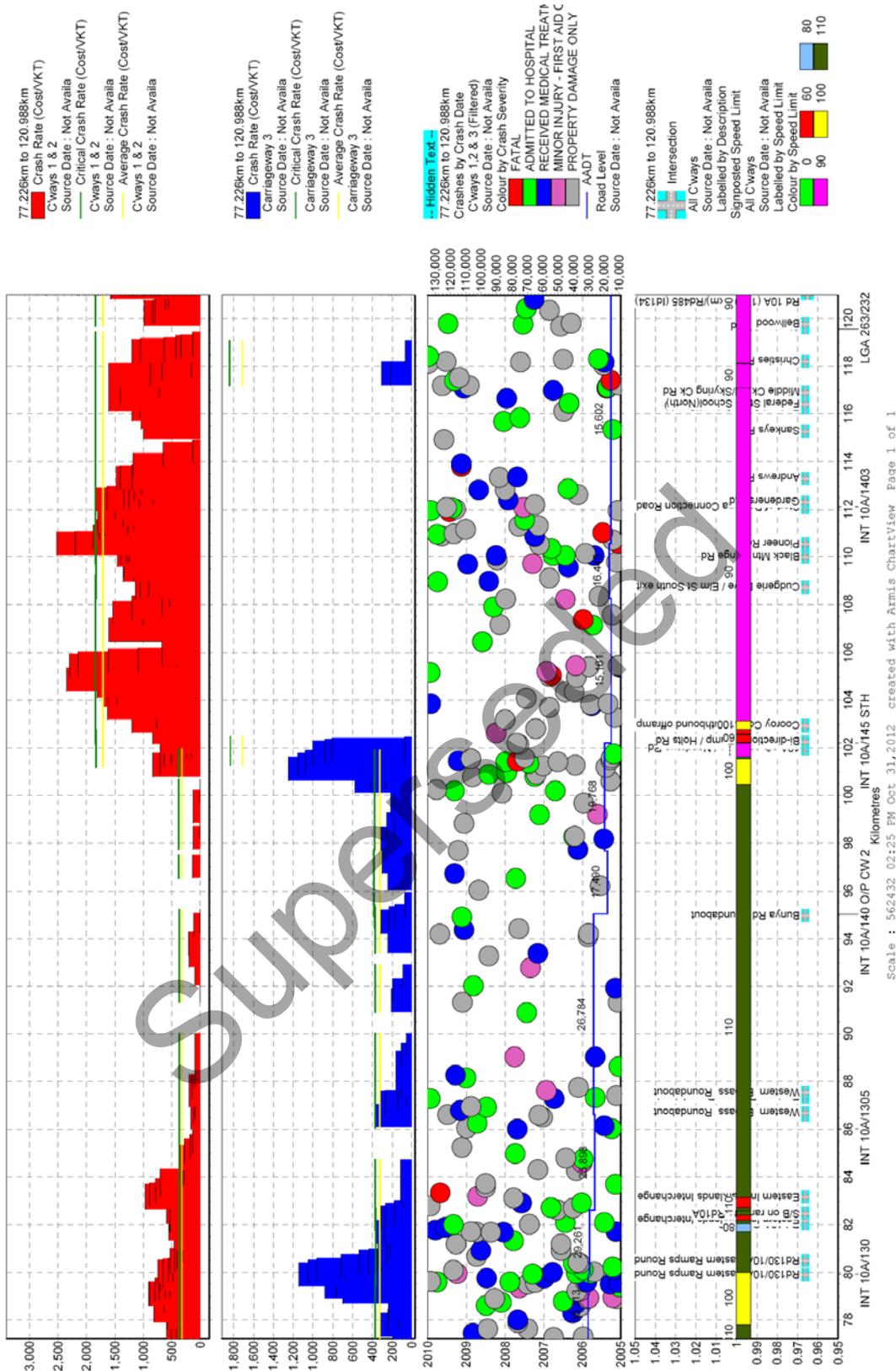


Figure N4: Example ChartView Plot

The example ChartView plot above shows the crash rates at carriageway level for a section of road with both divided and undivided sections and includes information such as the crash locations and severities, AADT, intersections and posted speed limits.

### 1.1.3 Minimum spacing between electronic billboards

The minimum spacing between electronic billboards is to be as per Table N2. The minimum spacing is split into two categories, electronic billboards that can be seen by a driver at the same time and those that are NOT visible to a driver at the same time.

**Table N2 - Minimum spacing of electronic billboards**

Road Type	Minimum distance between two electronic billboards that are both visible to a driver at the same time Distance (m)	Minimum distance between two electronic billboards that are both NOT visible to a driver at the same time Distance (m)
Motorway or Motorway Standard road	500	250
State-controlled road (not a motorway or motorway standard road) with a speed limit of 80km/h or greater.	375	190
State-controlled road (not a motorway or motorway standard road) with a speed limit of 70km/h	250	125
State-controlled road (not a motorway or motorway standard road) with a speed limit of 60km/h or less	150	75

### 1.1.4 Advance visibility criteria

Ensure there is adequate advance visibility to view and read the electronic billboard.

An electronic Advertising Device must be located such that a driver approaching the electronic Advertising Device has available a minimum of 3 seconds continuous travel time at the posted speed limit to view and read the billboard.

### 1.1.5 Background or close visual proximity criteria

An electronic Advertising Device should not delay or interfere with the driver's response to a traffic control Device. When an electronic Advertising Device is located where it will appear (either wholly or partly) in the background of traffic signals or railway signals (to a driver as they approach these traffic control Devices), the traffic signals or railway signals must be fitted with the standard target boards applicable to the Devices.

In situations where traffic signals or railway signals are not fitted with standard target boards applicable to the Devices, Transport and Main Roads will install such at the advertisers' expense.

### 1.1.6 Advertising located on or visible from an On or Off Ramp from a Motorway or Motorway Standard Road

Advertising located on or visible from an on or off ramp from a motorway or motorway standard road is to be assessed as a state controlled road for Advertising Device restriction purposes. Electronic billboards which are visible to drivers from an on or off ramp will need to be assessed as per the applicable restrictions in Figure N1.

Electronic billboards must be assessed in accordance with the provisions for the type of road they are visible from. If an Advertising Device is visible from more than one type of road (such as a motorway

or motorway standard road and a ramp or other road) the restrictions applicable to each type of road the Advertising Device is visible from must be assessed.

## 1.2 Physical Characteristics

The physical characteristic controls specified in Part 5.1.2 (Physical Characteristics) of the Guide shall be applied, except as varied below.

### 1.2.1 Size and Shape

The size and shape of electronic billboards are subject to the following specific additional permission criteria:

- The dimensions of the electronic billboards shall generally conform to the industry standard values depicted in Table N3 (below). Devices that do not comply with these industry standard sizes may be considered. In all situations the Device must be rectangular (or square) in shape and be installed with the top and bottom edges horizontal.
- The maximum size of the advertising face of an electronic billboard is 85m<sup>2</sup>.
- The maximum height of an electronic billboard shall conform to Table N3 (below). The maximum height refers to the maximum distance measured from the ground surface to the top most point of the sign. The ground reference point may be taken as that point where the target audience would normally view the electronic billboard. Where an electronic billboard is located in a depression, the local height measured at the Device may be greater than that specified in Table N3, up to a maximum height of 15 metres. When determining an electronic billboard height, consideration should always be given to the effect that the Device may have on the local area. An increase of the locally measured height above those in Table N3 (below) should consider the impact on other businesses, residents or the visual amenity of the surrounding area.

**Table N3 - Typical advertising device dimensions**

Advertising Device - Typical Dimensions			
Description	Dimensions	Area	Maximum Height
Small Portraits	3m x 4.5m	13.5 m <sup>2</sup>	7.5 m
Posters	6m x 3m	18 m <sup>2</sup>	10 m
Super 8's	8.22m x 2.26m	18.6 m <sup>2</sup>	10 m
Portraits	4m x 6m	24 m <sup>2</sup>	10 m
Supersites	12.66m x 3.35m	42.4 m <sup>2</sup>	12.5 m
Spectaculars	18.99m x 4.45m	84.5 m <sup>2</sup>	12.5 m

### 1.2.2 Minimum Vertical Clearances

The minimum vertical clearances for electronic billboards are specified in the table below.

**Table N4 - Advertising device minimum vertical clearances**

Advertising Device – Minimum Clearances	
Location Description	Minimum Vertical Clearance
Generally	2.5 m To the highest point on the ground surface under the Device.
Above the Road Surface (including shoulders and traffic lanes) or any part of the Device is within the clear zone (no safety barrier) or the deflection zone of a safety barrier if a safety barrier is installed.	6.5 m To the highest point on the road surface under the Device or Other minimum height as specified by TMR which may be lower than 6.5m if other structures that are above the road surface in the immediate area have lower clearances
Attached to Road Infrastructure (eg Overpass)	The billboard must be located so that no portion of the Advertising Device is lower than the minimum vertical clearance under the overpass or supporting structure at the corresponding location.

### 1.2.3 Illumination and Luminance

Refer section 1.5 of this guideline for specific criteria.

### 1.2.4 Movement and Rotation

Electronic billboards are not permitted to rotate or move.

## 1.3 Advertising message criteria

This section outlines the specific operational criteria for the display of messages on electronic billboards.

- Advertising messages shall have a minimum display (dwell) time as per section 1.4 of this guideline.
- The complete screen display shall change instantaneously (in less than 0.5 seconds). Methods of display change such as 'fly in' or 'scroll', or any other type of message change, are not permitted. The screen is not to go blank between different messages.
- All message displays must remain static. They are not permitted to move, flash or change brightness. Scrolling or moving images or video images are not permitted.
- The display screen shall not be split to display multiple advertisements on the one electronic billboard display.

- Sequential or multi-frame messages on the one electronic billboard, or on successive electronic billboards along a length of road, are not permitted.
  - Messages may be linked in topic or type (eg a series of individual car advertisements) but each must be a stand-alone message and not reliant on or refer to other display screens or billboards.
- In the event of a malfunction or failure of either the advertising copy display, or hardware/system/software the Device must display (default to) a blank screen.

#### 1.4 Advertising Message Dwell Times

Each of the individual advertisements displayed on an electronic billboard must be displayed for a minimum amount of time (the dwell time). Table N5 defines the minimum dwell times based on the road type and speed limit of the road the electronic billboard is visible from.

**Table N5 - Electronic billboard device dwell times**

Electronic billboard – Display Dwell Time (seconds)	
Device is visible from a state-controlled road with a speed limit of 80km/h or greater	25
Device is visible from a state-controlled road with a speed limit of less than 80km/h	10

#### 1.5 Brightness, illumination and luminance

The Department's aim is for electronic billboards to exhibit consistent apparent brightness in all lighting conditions, by maintaining a consistent ratio between the ambient light (illuminance) and light emitted by the billboard (luminance).

This allows the billboard to be easily read and reduces the time taken for a motorist to view the billboard content.

Due to the fast rate of change in ambient light during dusk and dawn periods, particular attention needs to be given to the luminance levels that are output during these periods to ensure that a consistent apparent brightness is maintained.

Any change to brightness levels should be applied during a message transition, not while an image is being displayed. This removes the risk that a motorist will be distracted by changing sign brightness.

The following values are suggested maximums for varying lighting conditions. The final luminance levels are to be determined based on the site specific requirements.

- Daytime - 6000 cd/m<sup>2</sup>
- Dawn/Dusk - 600 cd/m<sup>2</sup>
- Night - 300 cd/m<sup>2</sup>

If required, the owner/operator of the billboard is responsible for shielding the electronic billboard to ensure that it does not cause a nuisance to surrounding properties.

#### 1.6 Power Supply

Electronic billboards must not be connected to a Transport and Main Roads (TMR) power supply without the prior agreement with TMR.

Renewable energy sources should also be considered to power the sign.

## 1.7 Data Logging

Electronic billboards located within the road corridor or visible from a road that Transport and Main Roads has jurisdiction over, must record data related to the operational criteria of the electronic billboard. A log of an electronic billboard's activity must be retained by the operator for a minimum of one year and be made available on request by the department to allow a review of the device's activity in case of a complaint or other issue.

## 1.8 Other Criteria and Guidance

Local government approval of electronic billboards located outside the boundaries of state-controlled roads is also required.

## 2 Specific Location Criteria

This section outlines the specific extra criteria for the display of messages on electronic billboards when located within or outside the SCR corridor and visible from a state-controlled road, motorway or motorway standard road.

### 2.1 Electronic billboards outside the boundaries of, but visible from, state-controlled roads (not motorways or motorway standard roads)

If a local government refers an application for the placement of an electronic billboard outside the road boundary but visible from a state-controlled road to the Department, the relevant Departmental officer should consider the application in respect to traffic safety and efficiency considerations, however vegetation and vegetation management issues inside the boundaries of the state-controlled road may also be raised.

#### 2.1.1 Legislative criteria

The Department does not have the statutory power to approve, or otherwise, the placement of new electronic billboards outside the boundaries of a state-controlled road. The powers of approval lie with the relevant local government. However the Department does have the power under section 111 of the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*<sup>2</sup> to require the removal or modification of a light or sign which may create a danger to traffic (refer Part 3.2.3 of the Guide).

When electronic billboards are located outside the boundaries of, but visible from, state-controlled roads (not motorways), the area shown as the "Restriction Notice Area" (yellow) will apply. The "Restriction Notice Area" reflects the situation where there is no legislative mechanism available for TMR to approve, condition, or not approve Devices located outside the road reserve (other than on motorways). TMR may only provide comment on Devices located within this area and indicate that they are not preferred at these locations. The relevant local government has power to approve, condition, or not approve an Advertising Device in the "Restriction Notice Area" and thus has the responsibility for establishing and enforcing any advertising restrictions within these areas.

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<sup>2</sup> Section 111 provides a mechanism with which the chief executive of the Department of Transport and Main Roads or the Queensland Police Service Commissioner can require an advertising device to be removed or modified if it is considered that the device may create a danger to traffic.

If an Advertising Device is erected and is considered to pose a hazard to traffic, it is possible that TMR will utilise Section 111 of the *Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2005* and have the Advertising Device removed or modified.

The applicable "Device Restriction Areas", "Device Distraction Areas" and "Restriction Notice Areas" are defined in Figures N1, N2 and N3 of this guideline.

### **2.1.2 Site selection and location**

For application of this section of the guideline the entire Device must be located outside the boundaries of the state-controlled road reserve otherwise it is considered as being inside the boundary and assessed as per section 2.3 of this guideline.

## **2.2 Electronic billboards outside the boundaries of, but visible from Motorways or Motorway Standard roads**

In addition to the criteria for electronic billboards located outside the boundaries of, but visible from, state-controlled roads (excluding motorways and motorway standard roads) as contained in section 2.1 of this guideline, this section outlines additional criteria that apply to the installation of electronic billboards outside the boundaries of, but visible from motorways or motorway standard roads.

If a local government refers an application for the placement of an electronic billboard outside the road boundary but visible to a motorway or motorway standard road, to the Department, the relevant Departmental officer should consider the application in respect to traffic safety and efficiency considerations however vegetation and vegetation management issues inside the boundaries of the motorway or motorway standard road may also be raised.

### **2.2.1 Legislative criteria for billboards outside the boundaries of, but visible from Motorways (excludes motorway standard roads)**

In accordance with section 43 of the *Transport Infrastructure Act 1994*, where an electronic billboard is located outside the boundaries of, but visible from, a motorway, and where it is reasonably likely to create a traffic hazard for the motorway, local government must refer applications for its erection, alteration or operation to the Department. Local government should only refer such applications to Transport and Main Roads where the application firstly complies with its own requirements.

The Department then, does have the statutory power to approve, condition or refuse the application for an electronic billboard.

If an Advertising Device is erected and is considered to pose a hazard to traffic, it is possible that TMR will utilise Section 111 of the *Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2005* and have the Advertising Device removed or modified.

### **2.2.2 Legislative criteria for Motorway Standard Roads**

The legislative criteria outlined in section 2.1.1 of this guideline also apply to electronic billboards located outside the boundaries of a motorway standard road.

### **2.2.3 Site selection and location**

For the application of this section of the guideline, the entire Device must be located outside the boundaries of the motorway or motorway standard road otherwise it is considered as being inside the boundary and assessed as per section 2.4 of this guideline. Without prior approval by the Department, access to the electronic billboard (for construction, maintenance or other activity) is not permitted from a motorway or motorway standard road.

It is preferred that electronic billboards are only installed on the left side of the road (in the direction of travel that the billboard targets) however, in some cases, locations on the right side of the road may be considered appropriate where optimal viewing angles to the billboard are achievable. In these cases, median vegetation and vegetation management issues may also need to be considered.

### **2.3 Electronic billboards within the boundaries of the state-controlled road corridor (not Motorways or Motorway Standard roads)**

The Department has the statutory power to regulate the installation and management of electronic billboards located within the boundaries of state-controlled roads.

Electronic billboard sites which are identified within the boundaries of state-controlled roads will generally be subject to a tender process. Refer to Part 4.3.1 of the Guide and the process flowchart Figure F1A in Appendix F of the Guide.

#### **2.3.1 Legislative criteria**

Section 50 of the *Transport Infrastructure Act 1994* (refer Part 3.1.2 of the Guide) requires the completion of a Road Corridor Permit (RCP) application or licence agreement and the payment of applicable fees prior to working within the SCR corridor. The erection and maintenance of an electronic billboard within the SCR corridor is defined as an ancillary works and encroachment for the purpose of this section of the Act.

The proponent (as part of an RCP application) shall provide evidence of a public liability policy of insurance (refer Part 11 of the Guide).

#### **2.3.2 Site selection and location**

The entire Device must be located within the boundaries of the SCR road reserve.

The Advertising Device support structure must be located outside the clear zone (refer Appendix B of the Guide) or protected by a suitable and approved safety barrier. If a safety barrier is installed no portion of the Advertising Device support structure is to be located within the deflection limits of the safety barrier. Safety barrier deflection limits are outlined in Chapter 8 of the TMR Road Planning and Design Manual. A safety barrier may be installed (subject to TMR approval) to protect an Advertising Device support structure located within the clear zone.

If any part of the Advertising Device is located within the clear zone the minimum vertical clearance requirements as per Table N4 of this guideline must be achieved.

It is preferred that electronic billboards are only installed on the left side of the road (in the direction of travel that the billboard targets) however, in some cases, locations on the right side of the road may be considered appropriate where optimal viewing angles to the billboard are achievable.

Normally Advertising Devices are located clear of traffic lanes (except when attached to transport structures), however in exceptional circumstances and subject to TMR approval, the Advertising Device may cantilever over or be located above the road surface, including shoulders and traffic lanes provided the minimum vertical clearance requirements as per Table N4 are achieved. This would only be permitted where other sites in the adjoining area are not suitable and the area clear of the traffic lanes and road shoulders, and within the road reserve is not large enough to accommodate the entire Advertising Device.

Due to the risks associated with changing billboard skins over traffic lanes and the added distraction of changing the skin, electronic billboards are ideally suited to locations where the Advertising Device is

to cantilever over or be located above the road surface, including shoulders and traffic lanes. Where electronic billboards are located over the traffic lanes or shoulders, the licence agreement may limit the times maintenance work can be undertaken.

In very limited situations, and where other sites in the adjoining area are not suitable, an electronic billboard may be located within the median area of the road reserve provided the above clear zone and safety barrier requirements are met.

To minimise any adverse impacts on traffic safety or traffic flow, site access provisions for construction, maintenance and operational activities must also be considered. This is especially important for Advertising Devices located above traffic lanes or where access to the median area is required.

Due to the electronic billboard being located within the road reserve the Department will need to consider all aspects of the Device including but not limited to its impact on traffic safety and efficiency, vegetation issues, future planned or expected roadworks and visual or other amenity issues (eg glare affecting residents).

As electronic billboard sites within the boundaries of state-controlled roads will generally be nominated by the Department and subject to a tender process, the information included within this section (2.3.2) is supplied primarily to assist the Department locate and select suitable sites.

#### **2.4 Electronic billboards within the state-controlled road corridor boundaries of Motorways (including Motorway Standard roads)**

The Department has the statutory power to regulate the installation and management of electronic billboards located within the boundaries of state-controlled roads, motorways and motorway standard roads.

Electronic billboard sites which are identified within the boundaries of state-controlled motorways and motorway standard roads will generally be subject to a tender process. Refer to Part 4.3.1 of the Guide and the process flowchart Figure F1A in Appendix F of the Guide.

##### **2.4.1 Legislative criteria**

Section 50 of the *Transport Infrastructure Act 1994* (refer Part 3.1.2 of the Guide) requires the completion of a Road Corridor Permit (RCP) application or licence agreement and the payment of applicable fees prior to working within the road reserve. The erection and maintenance of an electronic billboard within the road reserve is defined as an ancillary works and encroachment for the purpose of this section of the Act.

The proponent (as part of an RCP application) shall provide evidence of a public liability policy of insurance (refer Part 11 of the Guide).

##### **2.4.2 Site selection and location**

The entire Device must be located within the boundaries of the state-controlled motorway or motorway standard road.

The Advertising Device support structure must be located outside the clear zone (refer Appendix B of the Guide) or protected by a suitable and approved safety barrier. If a safety barrier is installed no portion of the Advertising Device support structure is to be located within the deflection limits of the safety barrier. Safety barrier deflection limits are outlined in Chapter 8 of the TMR Road Planning and

Design Manual. A safety barrier may be installed (subject to TMR approval) to protect an Advertising Device support structure located within the clear zone.

If any part of the Advertising Device is located within the clear zone the minimum vertical clearance requirements as per Table N4 of this guideline must be achieved.

Subject to TMR approval, the Advertising Device may cantilever or be located above the road surface, including shoulders and traffic lanes provided the minimum vertical clearance requirements as per Table N4 are achieved.

Due to the risks associated with changing billboard skins over traffic lanes and the added distraction of changing the skin, electronic billboards are ideally suited to locations where the Advertising Device is to cantilever over or be located above the road surface, including shoulders and traffic lanes. Where electronic billboards are located over the traffic lanes or shoulders, the licence agreement may limit the times maintenance work can be undertaken.

It is preferred that electronic billboards are only installed on the left side of the road (in the direction of travel that the billboard targets) however, in some cases, locations on the right side of the road may be considered appropriate where optimal viewing angles to the billboard are achievable.

An electronic billboard may be located within the median area of the road reserve provided the above clear zone or safety barrier requirements are met.

Access provisions for both construction and maintenance activities must also be considered.

Due to the electronic billboard being located within the road reserve the Department will need to consider all aspects of the Device including but not limited to its impact on traffic safety and efficiency, vegetation issues, future planned or expected roadworks and visual or other amenity issues (eg glare affecting residents).

As electronic billboard sites within the boundaries of state-controlled motorways and motorway standard roads will generally be nominated by the Department and subject to a tender process, the information included within this section (2.4.2) is supplied primarily to assist the Department locate and select suitable sites.

## **2.5 Electronic billboards attached to overhead transport infrastructure**

Where an intersecting local road is grade separated from a state-controlled road by an overhead structure, the following responsibilities for electronic billboards attached to the structure may apply:

- The Department is responsible for advertising attached to the bridge structure (where the structure is declared a state-controlled road).
- Local government is responsible for the structure and any attached advertising (where the bridge structure is deemed to be a 'local road' and local government owns the structure). However where advertising is attached externally to the structure, it may intrude into the 'air space' of the state-controlled road. As such, the Department and local government should consult to ensure the interests of each party are preserved.
  - In the case mentioned above, local government should always consult with the Department, however they must consult with the Department where the state-controlled road is a motorway or motorway standard road.

### **2.5.1 Electronic billboards attached to overhead infrastructure controlled by Transport and Main Roads**

The Department has statutory power to regulate the installation and management of electronic billboards located within the boundaries of state-controlled roads, motorways and motorway standard roads.

Electronic billboard sites which are identified within the boundaries of state-controlled motorways and motorway standard roads will generally be subject to a tender process. Refer to Part 4.3.1 of the Guide and the process flowchart Figure F1A in Appendix F of the Guide.

Attachment of an electronic billboard to overhead infrastructure controlled by the Department may be permitted subject to the following additional permission criteria.

Due to the risks associated with changing billboard skins over traffic lanes and the added distraction of changing the skin, electronic billboards are ideally suited to locations where the Advertising Device is to cantilever over or be located above the road surface, including shoulders and traffic lanes. Where electronic billboards are located over the traffic lanes or shoulders, the licence agreement may limit the times maintenance work can be undertaken.

#### **2.5.1.1 Lateral Placement**

On roads where the overhead transport structure (e.g. road overpass or pedestrian/bicycle bridge) and the road 'intersect' at approximately right angles, it is preferred that the electronic billboard be installed directly above the traffic at which the electronic billboard is directed.

In situations where the overhead transport structure of the traversed road is curved or does not 'intersect' at approximately right angles (for example a skew angle of 20 degrees or greater), the position of the installation shall be determined by the Department in consultation with the advertiser.

#### **2.5.1.2 Size and Shape**

Where possible the electronic billboard should be contained within the silhouette of the major portion of the overhead transport structure.

Subject to the Departments approval the use of standard industry billboard copy sizes that would protrude beyond the silhouette of the major portion of the overhead transport structure may be used. In this case and where economically and practically feasible the overhead transport structure lines may be altered to maintain aesthetics.

The minimum vertical clearance for electronic billboards attached to overhead transport structures is specified in the table N4 of this guideline.

#### **2.5.1.3 Permit requirements**

Attachment of the electronic billboard to the overhead transport structure shall require completion of a Road Corridor Permit (RCP) application or licence agreement and the payment of the assessed annual fee.

The proponent shall provide evidence of a public liability policy of insurance (refer Part 11 of the Guide).

#### **2.5.1.4 Other Criteria and Guidance**

The attachment of electronic billboards to overhead transport structures is subject to the following additional criteria;

- The overhead transport infrastructure to which the electronic billboard is attached shall have adequate structural capacity to support the Device.
- The Department will consider visual amenity issues.
- The Department shall be the approval agency for the attachment of electronic billboards to any overhead transport infrastructure.
- To minimise any adverse impacts on traffic safety or traffic flow, site access provisions for construction, maintenance and operational activities must also be considered. This is especially important for Advertising Devices located above traffic lanes or where access to the median is required.
- Due to the electronic billboard being located within the road reserve the Department will need to consider all aspects of the Device including but not limited to its impact on traffic safety and efficiency, vegetation issues, future planned or expected roadworks and visual or other amenity issues (eg glare affecting residents).

As an electronic billboard attached to overhead transport infrastructure will generally be nominated by the Department and subject to a tender process, the information included within this section (2.5.1) is supplied primarily to assist the Department locate and select suitable sites.

#### **2.5.2 Electronic billboards attached to overhead transport infrastructure owned by other organisations**

In addition to the above criteria (in section 2.5.1 of this guideline), the attachment of an electronic billboard to overhead infrastructure, controlled by other organisations, but visible from a state-controlled road, motorway or motorway standard road may be permitted subject to the following:

- Where the transport structure is managed by Queensland Rail or other managers, approvals for advertising must be obtained from both local government and Transport and Main Roads as per Flow Chart F5 in the Guide.

Advertisers should check all existing arrangements, controls, approvals or agreements in place for the structure with respect to any controls over advertising, prior to approaching local government or Transport and Main Roads.

### **3 Small Electronic Billboards**

Small electronic advertising devices (less than 4 m<sup>2</sup> in size) may be a stand alone electronic advertising device or form part of a larger static advertising device. They have a similar design and capability as an electronic billboard but on a much smaller scale.

Small electronic advertising devices must be operated in accordance with the requirements for an electronic billboard (for example dwell time, luminance etc). However, due to their smaller size, they may be located in accordance with the requirements for a static illuminated or non illuminated billboard in lieu of the location requirements for an electronic billboard.

Note: This section on small electronic advertising devices excludes Variable Message Sign (VMS) advertising devices which typically are also small (less than 4 m<sup>2</sup> in size) and only display text or very simple graphics with limited colours. The requirements for VMS advertising devices are included in section 6.1 of the Guide

Superseded

**Appendix O: Contact details**

For document content, application and general enquiries about Advertising contact:

The relevant Transport and Main Roads Regional Office

Contact details are available via [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

For Advertising Policy enquiries contact:

The Road System Policy Unit on (07) 3066 3030

For Technical enquiries contact:

The Traffic Engineering and Data Unit on (07) 3066 0924

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