

Local Government Election Signage and Advertising Procedure

PROCEDURE NUMBER: 895467

DEPARTMENT: **Community and Development Services**

EFFECTIVE DATE: 1 December 2015

UNIT: **Development Assessment****1) Purpose and Scope:**

Queensland Local Governments will be holding elections once every four (4) years and it is anticipated that potential candidates will want to advertise and erect election signs. Council also needs to balance the expectations of visual amenity held by the general community with the desire for candidates to advertise themselves for election.

Council recognises that electoral signage and advertising is a pivotal part of a candidate's election strategy. This procedure will therefore act as a guide for candidates to consider when erecting signage and advertising. This procedure has been developed by Council to assist Local Government election candidates in developing their advertising strategy whilst not infringing on the amenity of the Local Government area.

2) References:

Local Government Act 2009

Local Government Regulation 2012

3) Definitions:

Advertising device means any permanent structure, device, sign, or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.

CEO refers to the Chief Executive Officer of Central Highlands Regional Council.

Council refers to Central Highlands Regional Council.

Conversation Post means a location advertised by an electoral candidate where that candidate can interact with the community. A conversation post may include a sandwich board or other signage indicating that there is a candidate seeking election. Please note that a conversation post is limited to Council controlled buildings and/or property.

Election means a formal and organised choice by voting of a person (or group) for a political office or other position.

Election Sign is any fixed or portable advertising device identifying candidates, registered political parties or groups standing at a local, state or federal government election or poll in connection with a referendum.

Infrastructure means (but is not limited to) poles, light poles, traffic signs, traffic control boxes, traffic lights, trees, shrubs, garden boxes, play equipment, park benches, paths, roads, bridges, waterways,

inverts, pump stations, shelter and shade structures, fences, retaining or other walls which are owned or under the control of Council.

Public Liability Insurance within this context is to protect the candidate against the financial risk of being found liable to a third party for injury (or death), or damage of property resulting from your negligence.

Under the control of Council means within a road reserve, park, other reserve or freehold land held in the name of or owned by Council.

4) Procedure Statement

This procedure is used in conjunction with the Local Government Election Signage and Advertising Guideline, to the extent that any Local Government election candidate in developing their advertising strategy whilst not infringing on the amenity of the Local Government area, as defined in section 3 of this procedure. Council agrees to allow all electoral signage and advertising within the Central Highlands Regional Area subject to complying with section 5 and 6 of this procedure.

To remove any doubt, this procedure is only in regards to election signs and advertisement as described within section 1. All other types of signs and advertisement must still comply with any other applicable legislation.

5) Requirements of Election Signs:

- a) There is a maximum of one (1) sign per premises per candidate;
- b) The sign has a maximum sign face area of 1.2 square metres;
- c) The sign is made from material that can withstand normal weather conditions without being damaged or destroyed;
- d) The sign is not illuminated or flashing;
- e) The sign does not contravene and law of the State of Queensland or the Commonwealth of Australia relating to electoral advertising (*Electoral Act 1992* and *Commonwealth Electoral Act 1918*);
- f) The sign has clearly printed on it the name and address of the person who authorised the display;
- g) The sign is displayed for no more than six (6) weeks prior to the date of the election and no longer than fourteen (14) days thereafter; and
- h) Candidates, registered political parties or groups are entitled to have one (1) additional Election Sign no more than fifty (50) metres from the entrance of each designated pre-polling and election day polling centre subject to:
 - (i) The sign face area does not exceed 1.2 square metres; and
 - (ii) The sign is not in a position that prevents, restricts or impedes public access to the pre-polling and polling centres.

6) Requirements from Candidates:

Candidates must refrain from placing any electoral related signage or advertising on any Council infrastructure that could cause any type of nuisance or damage to infrastructure, property or lives.

Candidates may place electoral signs and advertising on private property under the condition that the signs or advertising meets the above mentioned requirements in section 5 and does not:

- obstruct the view of drivers, pedestrians or riders using the Council's roads or pathways;
- distract a driver, pedestrian or rider using Council's roads or pathways;
- encroach in any way into a space under the control of Council; and
- owners consent from the property owner and/or resident is obtained;

Candidates may also use mobile signage or advertising as long as the use of that signage or advertising does not:

- Obstruct or distract drivers, pedestrian or riders using Council's road or pathways;
- Overstay a time limited parking space or area;
- Create a public nuisance.

Candidate should ensure that all signage and advertising is secured appropriately as not to become airborne and damage persons or property.

7) Other Requirements:

7.1 Candidates must ensure:

- a) that they have public liability insurance to cover any damage that may occur with the erection of electoral signage or advertising;
- b) that the layout and content of the signage and advertising meets the legislated requirements (as stipulated above);
- c) that consideration be given to the environment when producing signs or advertising including the number of signs or advertising items, material used and the disposal or reuse of the signs or advertising;
- d) that signage or advertising is removed within fourteen (14) days of polling day.

7.2 Conversation Posts

Council recognises that it is common practice for candidates to set up conversation posts to converse with potential voters as part of the electoral engagement process. Candidate should ensure that they have approval from the CEO to erect a conversation post in any area under the control of Council.

If the CEO grants an approval for the conversation post the candidate must abide strictly to the terms and conditions as highlighted within this procedure. Those conditions may include the candidate holding the appropriate public liability insurances for the activity.

7.3 Distribution of leaflets and handouts

Council recognised that it is common practice for candidates to distribute advertising materials such as leaflets and handouts as part of an election campaign. Candidates must ensure that any leaflets or handouts distributed in the community do not become litter within any area under the control of Council. Council reserves the right to take action for littering against a candidate where their electoral material is found in an area under the control of Council.

7.4 Electoral signs or advertising on land under the control of Council

Council reserves the right to collect and destroy without notice any electoral signage that is placed on any Council infrastructure or land under the control of Council.

8) Procedure Review:

A review of this procedure is to be undertaken within three (3) years of the date of adoption.

This procedure is nominated to be reviewed on: 01/10/2018.

All procedure will be reviewed at least two yearly or when any of the following evaluations occur:

- (i) Relevant legislation, regulations, standards and policies are amended or replaced; and/or*
- (ii) Other circumstances as determined from time to time by the Chief Executive Officer or through a resolution of Council.*