	Function: DEVELOPMENT SERVICES (COMPLIANCE AND INSPECTORAL)	Adopted: 3 rd February 2010 Resolution No.: C67:10
	Policy Number: DEV018	Last Review: 2 nd March 2022 Resolution No.: C53:0322
	Version: 2	Next Review: As Required
CONTROL OF ELECTION SIGNS POLICY		

Policy Statement

1. Introduction

- 1.1. The Control of Election Signs Policy (Policy) establishes the Council's position in relation to placement of electoral signage during the Federal, State and Local Government elections.
- 1.2. Federal, State and Local Government elections are held periodically, and candidates may choose to exercise their option to place electoral signage across the Copper Coast Council (Council).
- 1.3. The Council recognises the need to balance its support of placement of signage during the election process, while at the same time ensuring the ongoing safety and public amenity of the Council area.

2. Scope

- 2.1. This Policy clarifies Council's position with the placement of electoral signs in conjunction with relevant legislation.
- 2.2. The requirements established in this Policy will be applied consistently and equitably to all political parties and candidates.
- 2.3. Council does not have the power to regulate the content of electoral signs.

3. Applicable Legislation

- 3.1. The following legalisation applies to this Policy:
 - Local Government Act 1999
 - Local Government (Elections) Act 1999
 - Local Nuisance and Litter Control Act 2016
 - Planning, Development and Infrastructure Act 2016
 - Planning, Development and Infrastructure (General) Regulations 2017
 - Council By-Law No 4 (Moveable Signs)
- 3.2. This Policy is not a mandatory requirement but essential support for good governance.

Electronic version on Council N:/ drive is the control version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

Lifestyle location of choice

4. Integration with Corporate Objectives

4.1. This Policy supports Council's Strategic Plan 2019-2029

4.1.1. Governance Objective - Leadership

Goal 5 - To provide leadership and ensure resources are managed efficiently and effectively.

- 5.3 Legislation – To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

5. Related Council Policies and Documents

5.1. This Policy is also designed to operate in conjunction with other policies, including:

- Council Enforcement Policy
- Complaints Policy
- Local Government Association of South Australia - Election Signs: State and Federal Government Elections (Guidelines and General Approval for placement or affixation of election signs)

6. Definitions

For the purposes of this Policy, the following definitions apply:

- 6.1. **Authorised Officer** is defined as an Authorised person delegated authority under Section 44 of the Local Government Act 1999.
- 6.2. **Chief Executive Officer (CEO)** means the appointed Chief Executive Officer under Section 96 of the Local Government Act 1999 and includes any person acting or delegated by the Chief Executive Officer under Sections 100 and 101 of the Local Government Act 1999.
- 6.3. **Council** means the Copper Coast Council and any delegate of the Council.
- 6.4. **Election** is to be interpreted to include periodic and general elections, by-elections and supplementary elections, referenda and polls as far as they relate to Federal, State or Local Government elections.
- 6.5. **Election Period** means the period commencing from time to time the writ(s) are issued for a Federal or State election until the close of polls on election day. The period for Local Government election refers to the period four weeks from the day the election is set until the end of voting on polling day.
- 6.6. **Electoral Advertising Poster**, means electoral or election signage, candidate advertisement corflute (or plastic or any other kind of material prescribed by the regulations) sign relating to a Federal, State or Local Government Election, usually attached to a pole by plastic or metal ties. It includes moveable signs and posters that comprise an advertisement for a candidate or party in the election, or for a referenda or poll whether held for Federal, State or Local Government purposes.
- 6.7. **Infrastructure** includes (but is not limited to) poles, light poles, traffic signs, traffic lights, traffic control boxes, and other traffic control devices, transformer boxes, trees, fences, bridges whether owned or under the care, control or management of SA Power Networks, DPTI or the Council.

- 6.8. **Moveable sign** in these Guidelines means a moveable election advertisement or election sign – i.e. one that can be moved or removed without causing any damage to the object or land upon which it is placed or attached, whether freestanding or not.
- 6.9. **Pole** is to be interpreted to include (but is not limited to) stobie poles, light poles and poles upon which traffic control devices or road name signs are affixed, whether owned or under the care, control or management of SA Power Networks, DPTI or the Council.
- 6.10. **Public Place** is to be interpreted within the definition of public place under the Local Government Act 1999 – i.e. a place (including a place on private land) to which the public has access, but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996.
- 6.11. **Road** is to be interpreted within the definition of road under the Local Government Act 1999 – i.e. a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes a bridge, viaduct or subway; or an alley, laneway or walkway; and for the purposes of clarification extends from property boundary to property boundary.
- 6.12. **Signs** includes moveable election signs where appropriate and also includes election posters that comprise an advertisement for a candidate or party in an election, or for a referendum or poll.

7. Application

- 7.1. This Policy provides Council and Candidates clear equitable practices in the application of electoral signage during the legislated election periods.
- 7.2. During an election period, Council has the authority to:
- 7.2.1. regulate moveable signs
 - 7.2.2. control posting, affixing or erecting electoral signage on land under the care and control of Council (e.g. reserves). This requires an application to Council and applicants must receive of a letter of consent prior to doing so.
 - 7.2.3. but does not have the authority to regulate electoral signs on a road.
- 7.3. On request, Council will provide candidates with a copy of the Local Government Association of South Australia - Election Signs: State and Federal Government Elections (Guidelines and General Approval for placement or affixation of election signs) to ensure they are aware of their responsibilities.
- 7.4. Election signs which are posted, affixed or erected on property under the care and control of Council, SA Power Networks or DPTI for the purposes of candidate promotion in Federal, State or Local Government elections can be displayed and will be monitored by Council for compliance to the following:
- 7.4.1. Signage must be no more than two square metres in area, displayed on one building or site. A back to back sign facing two directions is considered to be one sign for this purpose;
- Note: Places designated as polling places for Federal and State Elections and Referenda will not be subject to this requirement on polling day only.*

- 7.4.2. Signage must not move or flash or reflect light and not be internally illuminated so as to be an undue distraction to motorists;
 - 7.4.3. Signage must be securely fixed or posted and maintained in good repair and condition at all times so that they cannot become detached in high winds and endanger property or equipment or pose a danger to the public;
 - 7.4.4. Signage must be placed so that it does not cause a traffic hazard (for vehicles or pedestrians) or interfere with any traffic signals or signs;
 - 7.4.5. Signage must not be affixed to trees, shrubs, or other plants or at any other location that may cause damage to property or equipment, under any circumstances.
- 7.5. A person may place a free-standing moveable sign (e.g. A-frame sign, sandwich boards etc) on a footpath or road reserves within public roads (e.g. on the ground, and not attached to, or leaning against, any object on the road) without requiring prior authorisation from the Council, provided the design and structure, the positioning of the sign and any other relevant requirements of the Planning, Development and Infrastructure Act and Council By-Laws are complied with (Council By-law No 4 - Moveable Signs).
- 7.6. Erection and removal of electoral signage:
- 7.6.1. Erection of electoral signage for Federal or State elections commences from the issuing of the writ(s) for the election and concludes at the close of polls on polling day when all electoral signage must be removed.
 - 7.6.2. Erection of electoral signage for Council elections commences four weeks prior to polling day and concludes at the close of polls on polling day when all electoral signage must be removed.
- 7.7. If an electoral sign is considered to unreasonably endanger the safety of members of the public, or restrict the use of a road, or has been vandalised or is offensive; Council's Authorised Officer will instruct the owner of the electoral sign to remove it immediately.
- 7.8. Should the owner of the electoral sign(s) fail to comply with the Authorised Officer request, the Authorised Officer will remove and dispose of the electoral sign(s). Any direct costs incurred by Council in relation to the removal of the electoral signage will be charged to the owner of the electoral sign pursuant to:
- 7.8.1. Section 227 of the Local Government Act, Council has the power to order the owner to remove a sign and if the owner fails to comply immediately with the order, Council will dispose of signage.
 - 7.8.2. Section 234 of the Local Government Act 1999, Council has the power to remove and dispose of any structure, object or substance from a road if it has been erected, placed or deposited on the road without the authorisation of Council.
- 7.9. Any inconsistency between the Control of Election Signs Policy and the Local Government Association of South Australia - Election Signs - General Approval Guidelines; then the Guidelines will prevail.

8. Complaints

- 8.1. Complaints regarding this Policy must be in writing to the Chief Executive Officer and lodged in accordance with Council's Complaints Policy.
- 8.2. Should a complaint be received that a sign owner has breached this Policy, the owner will be contacted by a Council Authorised Officer.

9. Council Delegation

- 9.1. Pursuant to Section 44 of the Local Government Act 1999, Council delegates to the Chief Executive Officer authority to administer Council's policies.
- 9.2. In terms of this Policy, the Chief Executive Officer sub delegates to the Director of Development Services and enforced by Authorised Officers duly appointed pursuant to the provisions of the Local Government Act.

10. Adoption and Review

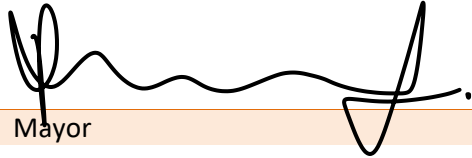

- 10.1. This Policy will be reviewed every four years prior to Local Government elections, or more frequently, if legislation or Council requires by the Environmental Services Department and a report shall be provided to Council for consideration and adoption.

11. Records Management

- 11.1. Official records will be managed in accordance with Council's Records Management Policy pursuant to Section 125 of the Local Government Act 1999.

12. Availability of Policy

- 12.1. This Policy will be available for inspection without charge at Council's Principal Office and on Council's website www.coppercoast.sa.gov.au.
- 12.2. A copy of this Policy may be obtained on payment of a fee in accordance with Council's Schedule of Fees and Charges.

Signed		
Date	_____	_____
	Mayor	Chief Executive Officer