

COUNCIL POLICY – Council Election Process (inc Signage)	
Reference Number	653812
Responsible Business Unit	Office of the CEO
Responsible Officer	Chief Executive Officer
Legislation	Local Government Act 1999 Local Government (Elections) Act 1999 Local Government (Elections) Regulations 2010
Relevant Delegations	Chief Executive Officer
Related Policies Management Guidelines Frameworks	Council Elections – Caretaker Policy - 690972
Link to Strategic Plan	Objective 4.4 - Develop a sustainable organisation
Council resolution	131.4
Date Adopted	9 May 2023
Review Date	2027
Previous Revisions	8 August 2022, item 131.5 v10 – 95.4 – 14/5/18 V9 – 2022 – updated LGA Model Guidelines election signage (appendix b) V8 – 2018 – updated LGA Model Guidelines election signage (appendix b) V7 – 2017 – updated LGA Model Guidelines election signage (appendix b) V6 – 58.3 – 2/6/14 V5 – 1245.1.6 – 13/9/10 V4 – 1095.1.5 – 9/3/10 V3 – 1080.1.3 – 15/2/10 V2 – 23/3/09 V1 – 33.1.4 – 11/12/06

POLICY STATEMENT

All Council elections are conducted by the Electoral Commissioner of South Australia. The Rural City of Murray Bridge, through its Chief Executive Officer, will ensure that the convening of Local Government Elections (Periodic or Supplementary) are conducted in an accountable and transparent manner in accordance with the Local Government (Elections) Act 1999 and Local Government Act 1999 and the direction of the Electoral Commissioner

OBJECTIVES

- To provide guidance to Elected Members, Staff and the Community during a Council election.
- To provide guidance to State and Federal Political Parties in relation to placement of signs during State and Federal elections.

SCOPE

This policy applies to all Elected Members and Staff during the conduct of a Periodic or Supplementary Council election.

This policy applies to State and Federal Political Parties in relation to placement of signs during State and Federal elections

Requirements in relation to Local Government Election signage

COUNCIL ELECTION PERIOD – CARETAKER PERIOD

All candidates are to be provided with Council's Caretaker Policy.

PROMOTION OF COUNCIL ELECTION

Council will work with the Local Government Association and Electoral Commission of South Australia to jointly promote the periodic election. Council is responsible for promoting supplementary elections.

Information will be posted to Council's website to provide information to Candidates and the Community.

Candidate Briefing Sessions will be organised by the Chief Executive Officer with assistance from Council's Executive Officer who will be the primary contact for enquiries during an election period.

COUNCIL'S SUPPLEMENTARY VOTERS' ROLL

Council's Voter Roll may be viewed at the Local Government Centre without charge by the public.

Nominated candidates for an election will be provided with an electronic copy of the Voters Roll following the close of nominations and polling day.

A copy of the declaration to be made by the Candidate receiving a copy of the Voter's Roll is attached to this policy.

COUNCIL ELECTION - BUDGET

Council will ensure adequate funds are included within Council's budget to ensure the accountable and transparent conduct of Council Elections.

CONTROL OF ELECTION SIGNS

No election signage associated with Federal, State or Local Government Elections is to be placed on any Council owned or controlled property.

Council endorses in principle the Model Guidelines for Control of Election Signs prepared by the Local Government Association of SA in consultation with State Government Departments. This Guidelines are developed for Federal, State and Local Government elections are updated from time to time and are referenced in attachment 2.

RESIGNATION OR RETIREMENT OF COUNCIL MEMBER

The Rural City of Murray Bridge has one popularly elected Mayor and nine popular elected Council Members.

Under the Local Government Act 1999, S56, Council's prescribed number of members is 6

Local Government (Elections) Act 1999 (S6(2)(b) Council has decided that should a vacancy occur in year 3 of the Council term that the vacant position will not be filled. The minimum number of Council Members is to be 8 and one Mayor.

Attachment One



Voters roll acknowledgment of use form

LG55

Local Government (Elections) Act 1999 and City of Adelaide Act 1998

Any person who is a candidate for election to an office of a council must complete this form if they receive a copy of the voters roll.

Please read the instructions and notes when completing this form.

To the chief executive officer

Name of council

Ward name (if applicable)

Candidate information

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other ☐

Family name

Given names

Elector declaration

I declare

☐ I have requested a copy of the voters roll pursuant to section 15 of the *Local Government (Elections) Act 1999* or Schedule 1, Part 2, section 3 of the *City of Adelaide Act 1998*.

☐ I understand that a person who uses a copy of the roll or the information provided in that copy of the roll, for a purpose other than the distribution of matter calculated to affect the result of a local government election or a purpose related to the holding of such an election, is guilty of an offence and the maximum penalty is \$10,000.

Signature of candidate

Date

Attachment Two

Guidelines re relation to Electoral Signage

- Elections Signs: State and Federal Government Elections – Guidelines for General Approval for placement and affixation of election signs (LGA)
- Elections Signs: Local Government Elections – Guidelines for General Approval for placement and affixation of election signs (LGA)
- ECSA
[Electoral advertising - state elections - Electoral Commission SA \(ecs.sa.gov.au\)](http://ecs.sa.gov.au)
- SAPN
<https://www.sapowernetworks.com.au/industry/facilities-access/>
The relevant document is titled [NICC 210 – Signage Banners and Temporary Equipment on SA Power Network Assets](#)

NICC210: Signage, banners and temporary equipment on SA Power Networks assets

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1. Introduction

This document details the requirements of a third party who intends to install signage, banners, or temporary equipment on any SA Power Networks Stobie poles or public lighting poles.

SA Power Networks approval is required for the attachment of all temporary signs, banners, and equipment.

No signs or equipment are permitted to be attached to any SA Power Networks ground level enclosures such as switching cubicles or padmount transformers or to the fences of any SA Power Networks fenced equipment including substations, transformer stations and regulator stations.

Signs (including banners) and equipment are considered temporary when they are to be erected for up to one month; however, election material may be erected for a longer period.

Signs and equipment are considered permanent when they are to be erected for an undetermined period of time and are subject to Facilities Access licence / equipment agreements.

2. Permitted signs, banners, and election material on SA Power Networks' assets

Subject to compliance with relevant legislative and council requirements (including but not limited to, the *Electoral Act 1983* and the *Local Government Act 1989*), and the requirements in this NICC 210, the following signage is permitted on SA Power Networks' assets:

- Political advertising related to State, Commonwealth and local Government elections is permitted on SA Power networks' Stobie poles and public lighting poles only.
- Temporary signs advertising local commercial precinct or event may be permitted.
- All temporary signs will be subject to the requirements as listed in Section 5.
- Road name signs may be mounted on existing lighting columns and Stobie poles, provided the signage and attachment methods are consistent with the local area.
- Permanent signs and banners shall, at a minimum, meet the requirements outlined within this document.

3. Prohibited signage

The following signage is NOT permitted on SA Power Networks' assets:

- Commercial advertising
- Certain colours or combinations of colours arranged in particular patterns that have become associated with certain trades or firms.

NICC210: Signage, banners and temporary equipment on SA Power Networks assets

4. Permitted temporary equipment on SA Power Networks' assets

SA Power Networks will in general permit the temporary attachment of equipment related to short term community events, subject to consideration of specific safety and operational requirements.

Such equipment may include additional area lighting, public announcement (PA) systems and speakers, and decorative arrangements.

Equipment dependent on electricity, shall be supplied independently of the SA Power Networks distribution network.

5. Requirements for signage and equipment

The following are the requirements for the erection of signage and equipment on SA Power Networks' assets:

- All legislative (including but not limited to, the Electoral Act 1983 and the Local Government Act 1999), Department of Infrastructure and Transport (DIT) and council requirements, and the requirements in this NICC 210, must be complied with.
- SA Power Networks approval is required for the attachment of all temporary non-election signs and permanent signs, banners, and equipment. This approval shall be sought from Facilities Access team through completion of an on-line Expression of Interest form.
- The installer will be responsible for the suitability of the fittings used to attach the sign or equipment.
- Signs should be restricted to 1 square metre in size. For sizes greater than 1 square metre in surface area, an engineering report is required to be submitted for approval to ensure that the pole(s) strength is suitable for the application.
- The signs shall be fixed to the column by a method which does not affect the strength of or damage the column. Drilling or welding on the column is not permitted.
- Signs and equipment must be fastened securely so that it cannot become detached in high winds and endanger SA Power Networks' equipment or the public.
- Signs and equipment erected on SA Power Networks assets must not cover any existing signs, labels or numbering and must allow unimpeded access to operate any equipment safely.
- SA Power Networks will require an indemnity from the person or organisation installing the sign or equipment against all damages arising out of placement of the sign or equipment, including the installation and removal.
- SA Power Networks accepts no responsibility at all in relation to signs or equipment erected on SA Power Networks' assets.
- The third party shall agree to remove the sign or equipment at SA Power Networks request. In the event that the sign or equipment is not removed as requested, SA Power Networks reserves the right to remove the customer's asset and recover the cost of the removal.
- No charge will be made for allowing temporary signs to be erected on SA Power Networks assets unless work is required on SA Power Networks' asset.

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6. Installation

When installing signs upon Stobie poles, ensure that the method used to secure the sign to the Stobie pole (eg. straps or ties) and the ladder used is non-conductive.

When installing equipment to light columns, the use of stainless-steel cable clamps is recommended, and for painted light columns, the addition of a protective rubber layer between the clamp and pole is required to protect the surface.

Depending on the nature of the sign or banner, dedicated hardware may be required.

No ladders or operating plant are to be leant against light columns or Stobie poles during installation or removal. Ladders used must be self-supporting only.

Modification to Stobie poles or lighting column structure (eg. drilling) is not permitted.

Signs and equipment attached to poles must not be lower than 2.0 metres and to a maximum height of 3.0 metres and must be a minimum of 2.0 metres clear of other pole mounted SA Power Networks equipment.

7. Removal

All temporary signs, equipment and political advertising signage must be removed within one week of the conclusion of the event. SA Power Networks may charge for the subsequent removal of the signs or equipment. The organiser, political party or candidate that allowed the installation of the sign or equipment will be charged for its removal. Request for removal should be made before a charge is made.

SA Power Networks will remove the sign or equipment in an emergency and will not be liable for damages to the signage or equipment as a result of its removal.

8. Who should you talk to?

Initial enquiries should be directed to SA Power Networks Facilities Access team at facilitiesaccess@sapowernetworks.com.au

Registration, application and approval for banners and signage and temporary equipment on SA Power Networks infrastructure may be sought via the Facilities Access online application form <https://www.sapowernetworks.com.au/industry/facilities-access>

For Project Specific Approval / Enquiries:

The relevant SA Power Networks Project Manager shall aid for any specific requirement(s) that does not comply and / or not addressed within this document, written approval shall be acquired from SA Power Networks' Manager Network Planning.

9. References

The following listed documents are for additional information but may not be a conclusive list and other documentation may be required on a project specific basis. Refer to the following SA legislative acts and regulations, SA Electricity Code, the SA Power Networks publications, AS/NZS and ENA standards for more detail.

Please note it is your responsibility to ensure you have complied with all relevant standards and you have used the latest version.

SA Power Networks documents:

- NICC404: Working in the Vicinity of SA Power Networks Infrastructure

External Documents:

- Electoral Act 1985
- Local Government Act 1999
- Office of the Technical Regulator - Powerline Safety

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Display of Local Government Election signs – Rural City of Murray Bridge

The Rural City of Murray Bridge has a policy decision not to allow any election signage to be placed on any Council owned or controlled property.

Changes to section 226—Moveable signs of the *Local Government Act 1999* (Local Government Act) arising from commencement of the *Statutes Amendment (Local Government Review) Act 2021* prohibit the display of **electoral advertising posters** relating to elections held under the Local Government Act 1999 or the *Local Government (Elections) Act 1999* on a public road (including any structure, fixture or vegetation on a public road). This provision commenced on 10 November 2021.

Electoral advertising poster, is defined in section 226(5) of the Local Government Act, and means a poster displaying electoral advertising made of—

- (a) corflute; or
- (b) plastic; or
- (c) any other material, or kind of material, prescribed by the regulations.

There have not been any other materials prescribed by regulation at this time.

Local Government Election sign is not defined in the Local Government Act. The Rural City of Murray Bridge has defined Local Government Election sign to mean a moveable election advertisement, notice, or election sign (not made of corflute or plastic, i.e. not an electoral advertising poster) which is intended to affect the result of an election or poll, and which can be moved or removed without causing any damage to the infrastructure or land upon which it is placed or to which it is attached, whether free-standing or not. All local government election signs are a type of moveable sign.

Note: A poster that promotes a candidate in a Local Government election may be an 'electoral advertising poster' if the poster is made from corflute or plastic. If the same poster is made from a material **not prohibited** under section 226(5), it will not be an 'electoral advertising poster' but will be a local government election sign.

PDI Act – General Regulations - Schedule 4—Exclusions from definition of development—general 1—Advertising displays

- (f) that announces a local event of a religious, educational, cultural, social or recreational character, or that relates to an event of a political character, subject to the following conditions:
 - (i) that the total advertisement area of all advertisements of that kind displayed on 1 building or site is not more than 2 m² ;
 - (ii) except for an advertisement that relates to a federal, State or local government election, that the advertisement is displayed for a period not exceeding 1 month prior to the event and 1 week after the conclusion of the event;
 - (iii) that the advertising display—
 - (A) does not move; and
 - (B) does not flash; and
 - (C) does not reflect light so as to be an undue distraction to motorists; and
 - (D) is not internally illuminated;

For the November 2022 Council elections, the relevant period for display of Local Government election signs **commences 13 October 2022 and concludes at 5pm on 10 November 2022.**

The following requirements apply to the display of Local Government election signs (and electoral advertising posters) within the Rural City of Murray Bridge during the specified period:

- Display of electoral advertising posters on public roads (including any structure, fixture or vegetation on a public road) is prohibited. Maximum penalty: \$5 000.

- Candidates must comply with the requirements of the General Approval issued by SA Power Networks and the Department for Infrastructure and Transport (**the Relevant Authorities**) in order to display Local Government election signs (not being electoral advertising posters) on infrastructure owned by the Relevant Authorities on a road.
- Candidates must obtain permission from private property owners for the placement of Local Government election signs (which may include electoral advertising posters) on private property. It is the responsibility of candidates to consider whether development approval is required for any Local Government election sign to be displayed on private property and make the relevant applications to Council for that purpose if necessary.

For any signs which are not electoral advertising posters, this approach is consistent with the approach taken for both State and Commonwealth elections, and previous Local Government elections.