

## Election Signs

25 July, 2022

Election advertising is an important facet of Local Government elections and it's important that the community is aware of its regulation.

In accordance with the *Break O'Day Interim Planning Scheme 2013, Land Use Planning and Approvals Act 1993* and the *Local Governments Act 1993* the following requirements apply to electoral signs in any part of the municipal area.

### When are Election Signs Exempt?

An election sign is exempt from requiring a planning permit under the Break O'Day Interim Planning Scheme if the following conditions apply:

- Is a temporary sign for a political candidate(s) or registered political party(s) for a Federal, State or Municipal election; **and**
- Does not exceed 1.5 square metres; **and**
- Is removed 7 days after the date of polling; **and**
- Is not on public land or affixed to trees.

If election signs do not meet the above exemption requirements, a planning permit will be required. Please visit the Planning page on Council's website for information on lodging an application.

### What about Mobile Election Signs?

Often, election signs will be mounted on a trailer. Planning scheme exemptions do not apply to stationary vehicles or trailers displaying election signs on public land.

It should be noted that if the vehicle/trailer is stationary and is on private land and the signage satisfies the exemption listed above, then the same will be exempt.

Any election signs placed on vehicles or trailers that are stationary and on public land, will require a development approval under the current planning scheme. Please refer to Council's website and visit the Planning page to access an information sheet on 'How to Lodge a Development Application'.

### When can I start putting signs up?

Election signs that are exempt or have development application approval may erect signs on the **30 August, 2022**. This date is in accordance with Section 278 (1) of *Local Government Act 1993*.

Exempt signs must be removed by the **1 November, 2022** in order to remain exempt.

## Where Can Election Signs be Erected and Displayed?

Election signs are generally allowed to be displayed on private land but are prohibited on public land.

- Signs are prohibited on Crown land except having authority or consent of the Minister. This regulation can be found under Section 46 (2) of Crown Lands Act 1976.
- Signs are prohibited on Council owned or managed land (including streets and footpaths) unless authorised and receive a planning permit.
- Signs on power poles are prohibited except with authority approval. Penalties apply. This regulation can be found under Section 109(1) of Electricity Supply Industry Act 1995.
- Electronic billboards on public street or public space are prohibited except in limited circumstances. Penalties apply. This regulation can be found under Section 78 of Traffic Act 1925.
- Signs are prohibited within State and local government roads. This regulation can be found under Department of State Growth – Tasmanian Roadside Signs Manual (Part G.3).

## I want to put my sign up on private land, what must I consider?

We recommend ensuring that:

- Permission has been obtained from a property owner before placing the sign;
- The sign is properly supported and maintained to not create potential safety hazards;
- The sign not project over footpaths or property boundaries; and
- The sign will not obstruct any road safety signage.

## What if my sign does not meet the exemption?

If the election sign does not meet the above exemption requirements, a planning permit will be required. Please visit the Planning Page on Council's website for information on lodging an application.

**Please note,** Council may also give notice to the person who has placed an electoral sign, or to the owner of the land on which the sign is placed, in breach of a Planning Scheme provision requiring removal of the sign or Council may take all action necessary to remove the sign and recover the costs of doing so from the person or the owner. See Section 48 of the Land Use Planning and Approvals Act 1993 for more information.

For more information, please contact Break O'Day Council's Planning Department by emailing [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au)