

Election Signage & Material Distribution



16 September to 23 October 2021

POLICY: [Election Period Policy](#)

VEC: [Home | Victorian Electoral Commission \(vec.vic.gov.au\)](#)

CONTACT: [Council Business Team](#)

These *Guidelines* have been developed in response to the Victorian Electoral Commission (VEC) requirement that Candidates must check with the relevant local authority (e.g. the local council, Department of Transport etc) to see if there are any laws or requirements that apply to the distribution and display of electoral material in public spaces, on public land or alongside highways or road corridors. This includes the holding of events or campaigning in public spaces.

These Guidelines are provided for the safety of the community and candidates, and the amenity of environment in accordance with legislation and Council's *Election Period Policy* (see link above). Local Government Victoria have also published safe campaigning guidelines refer to: [Candidate Training \(localgovernment.vic.gov.au\)](#).

The following conditions apply to the placing of electoral signage in accordance with Council's *General Local Law 2014* (clauses 22 and 43(a)), Council's *Election Period Policy*, the *Environment Protection Act 2017* (Division 3) and the [South Gippsland Planning Scheme](#) (clause 52.05).

✓ Where signs can be placed? (private land)

Authorised electoral signs can be placed on or affixed to private property provided the property owner's permission is obtained and the following requirements are observed:

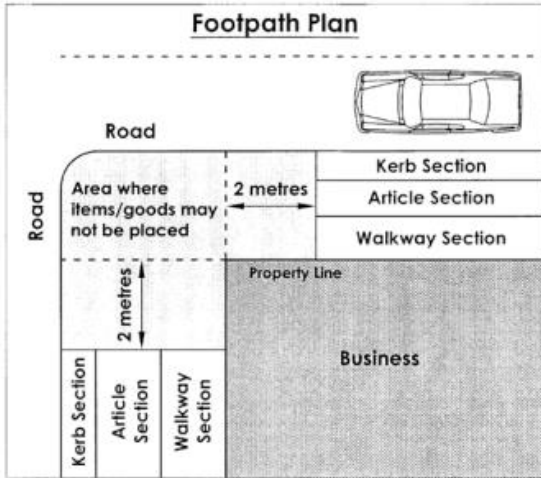
- A sign with an advertisement area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Anything larger will require a planning permit.
- Only one sign may be displayed on the land, it must not be an animated or internally-illuminated sign.
- All signage is required to be removed within 14 days after election day.
- A sign publicising a local political event may include information about a candidate for an election.
- The land owner is required to understand they carry the responsibility under the Local Law clause 22 for any signage displayed on their property – this requires ensuring the sign, post or other objects on their land does not obstruct or interfere with a person or vehicles passing by the land.

✓ Where Candidates may campaign (Council land)

- A candidate may position a small card table and seat on the footpath in a local shopping centre to hand out fliers, but only while the candidate is in attendance. While a permit is not required for this activity candidates are to stay away from any location that could obstruct views for drivers, passing vehicles or pedestrians, any other part of a road or place themselves or others in a dangerous position. Refer to **Figure 1** below as a guide.
- A card table must not be less than 1.5m from a shop front, this ensures that footpaths are kept clear for pedestrian walkway. Candidates are required to provide public liability insurance that lists SGSC as an interested party for anyone putting out anything on footpaths and council areas.
- Discretion is required by all candidates to move their table and seat and/or hand out of election material away from any premises where the owner/occupier has indicated they do not want the candidate to be stationed in front of their venue.

- A Council permit is required where a candidate is wanting to establish an outdoor eating area on any footpath, or other part of a road. If the candidate intends to provide any food or drink as part of their campaign, they may need to apply for appropriate permits, refer below.

Figure 1



? Can I provide food and drink as part of my campaign?

✓ Council encourage you to support existing local food and drink businesses where possible. In accordance with the Food Act 1984, food registration is required where food is sold, including where food is given away for the purposes of advertisement. You can make your application to Council online at [Streatrader | Home \(health.vic.gov.au\)](http://Streatrader.Home(health.vic.gov.au)). Please submit your application at least 5 days prior to your event.

✗ Where signs and campaigning cannot be placed (Council land)

- Electoral signs are not permitted on municipal buildings, reserves, reserve signs or Council land, including any structures such as bus shelters, light poles or road signs within road reserves.
- No electoral signage can be placed / erected on any council road or reserve (including parks), this also includes any VicRoads roads or road-side reserves.
- Mobile billboards, (trailer types and signs that are placed in or on a motor vehicle) are not to be left standing / stationary. This type of signage has to be mobile at all times.
- Motor vehicles (other than trailers) that are permanently sign written may display signage, provided that they meet parking legislation requirements.
- The *Environment Protection Act 2017* (Division 3) prohibits the placing of any form of advertising on the windscreens of vehicles anywhere (public or private land).

- Banners, flags are also prohibited and are not to be attached to any fixtures located on any of the roads or reserves.
- No electoral signs, apart from simple directional signage, is able to be displayed in the common public areas of a Council facility being hired.
- A candidate's presence, signage or provision of electoral material should not interfere with another person's use and enjoyment of a municipal building or reserve.

? Where can I place flyers, handbills, etc?

- ✓ Public Noticeboards, leaflets and direct mail leaflets, flyers and other forms of unaddressed mail delivered to households or distributed in public locations must be authorised if they contain electoral matter.
- Letters or cards that are addressed to individual voters by name do not have to include an authorisation statement, but must clearly identify the name and address of the person who distributed it.
- Australia Post has previously advised that electoral material is included in mail that is exempt from letterboxes marked 'No Junk Mail'. Producers and distributors should be aware of other Australia Post rules relating to handling and delivering unaddressed direct mail. For further information, contact Australia Post directly. [source: VEC Candidate Handbook]

? Can I door knock and hand out flyers?

Candidates must follow the Government restrictions in place at the time. It is the candidate's responsibility to check the Department of Health and Human Services (DHHD) to determine any restrictions and permitted activities.

? What does Council do if there is a poster in a prohibited area?

Candidates who place posters in non-prescribed areas will be asked to remove and relocate them within 48 hours of notification. Posters that remain after this time may be treated as littering under the *Environment Protection Act 2017* and *Environmental Protection Regulations 2021*.

? Where are complaints regarding the election or election material to be directed?

Complaints regarding the election or election material are to be directed in writing to the VEC: [Feedback and complaints | Victorian Electoral Commission \(vec.vic.gov.au\)](http://Feedback.and.complaints|Victorian.Electoral.Commission(vec.vic.gov.au))