



Tasmanian
Electoral Commission

MAKE YOUR MARK



VOTE LOCAL

2014 LOCAL GOVERNMENT ELECTIONS

Candidate Information Booklet

Issued August 2014

Supplement to:

Tasmanian Local Government Elections – Information for Candidates booklet (August 2014)

The section about nominating as mayor or deputy mayor on Page 5 of the booklet should be read in conjunction with the following updated information:

Nomination as Mayor or Deputy Mayor

The *Local Government Act 1993* (“the Act”) Act now provides that a person is eligible to nominate as a candidate for Mayor or Deputy Mayor if the person is eligible to nominate for the office of Councillor under Part 15.

Section 41 of the Act was amended shortly before the 2014 elections (by the *Local Government Amendment (Mayoral Candidate Eligibility) Act 2014*) to remove the requirement for a candidate for Mayor or Deputy Mayor to have previously been elected or appointed as a Councillor for a 12-month period.

Introduction

Purpose of this booklet

This information booklet is intended to assist candidates at Tasmanian local government elections. This booklet is available from the Tasmanian Electoral Commission (TEC), Returning Officers, councils or may be downloaded from the website at www.tec.tas.gov.au.

For ease of reading, some sections of the *Local Government Act 1993* have been paraphrased. However, it is important to note that this booklet has **no legal status and should not be substituted for the Act itself**.

Unless otherwise specified, section references in subject headings are from the *Local Government Act 1993*.

Useful tips: Shaded boxes throughout the booklet highlight practical advice for candidates.

Role of the Tasmanian Electoral Commission and Returning Officers

Candidates should be aware that the role of the Tasmanian Electoral Commission and Returning Officers is to **administer** the election in accordance with the *Local Government Act 1993*. While interpretation of the Act forms part of the function of Returning Officers, it is not their role to provide legal advice to candidates.

It is in the best interests of candidates to obtain legal interpretations from their own legal advisers.

Electoral signs - individual council requirements

Councils have various by-laws, planning schemes and policies which regulate the placement and size of electoral signs. At the end of the booklet is a section for which most councils have provided information on their requirements to assist candidates. If in doubt, candidates are strongly advised to contact the relevant council to ensure that any signage complies with State and local government laws.

Legislation relating to local government elections

Local government elections are conducted in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulations 2005*. Candidates should refer to the Act and Regulations or seek independent legal advice if they have any queries.

Please note: Tasmanian legislation can be found on the internet for viewing or download at www.thelaw.tas.gov.au

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Election Timetable - 2014

Notice of election to be published	Saturday 13 September
Electoral rolls close at 6.00pm	Thursday 18 September
Nomination period	15 September - 29 September
Nominations close at 12 noon	Monday 29 September
Nominations announced at 12 noon	Tuesday 30 September
Ballot material delivered to electors by post	14-17 October
Polling period	14-28 October
Close of poll	10.00am Tuesday 28 October
Results released as available	28 October - 31 October

Councillors and Aldermen

Councillors for Tasmania's six cities - Burnie, Clarence, Devonport, Glenorchy, Hobart and Launceston - are known as Aldermen.

The Mayor and Deputy Mayor of the City of Hobart are known as the Lord Mayor and Deputy Lord Mayor.

In this booklet, and in forms used by the TEC, only the terms "councillor", "mayor" and "deputy mayor" are used. This is consistent with the *Local Government Act 1993*.

Changes since 2011

Commencing in 2014, elections for Tasmania's 29 Councils will now be held once every four years. This means that mayors and deputy mayors will henceforth be elected for four-year terms, and that all councillors will retire and become eligible for re-election at the same time.

Following reviews by the Local Government Board, there has been a reduction in the number of councillors applied to a number of Councils. These reductions are shown in the table on the facing page.

Because all councillors are now elected at the same time - rather than half the councillors every two years - the quota required for election will be a smaller percentage of valid ballot papers than in previous years. (See the section headed "Hare-Clark electoral system"). New quotas are also shown in the table on the facing page.

Since the current system of voluntary postal voting was issued in the mid-1990s, it has been the practice of the TEC to publish a 150 word statement from each candidate as part of the information sent to voters. Where a candidate contested both a councillor and mayor or deputy mayor position, two statements were published because not all mayoral and deputy mayoral candidates also needed to contest for councillor.

Because of the larger fields of candidates likely to contest the 2014 elections, and because all mayoral and deputy mayoral candidates must also be councillor candidates, only **a single statement of 600 characters** (around 100 words) will be published this year.

This decision has been made with some reluctance, as it is not the TEC's wish to restrict information available to voters. However, in a field of 30 candidates, these statements will still demand a voter to read 3,000 words.

This year we invite candidates to submit a photograph for publication with their 600 character statements. These photographs should be recent, passport style (head and shoulders) on a neutral background, and will be published in black and white.

Candidates' statements and photos will be published on the TEC's website, and candidates are invited to submit a web link (for example www.janecitizenformayor.com) for publication on the TEC website. This will enable candidates to present more detailed personal and policy information to interested voters.

Following amendments to the *Local Government Act 1993*, the TEC expects to provide e-mail voting ("express" vote) services to absent Tasmanians who want to participate in local government elections. Information will be available on the TEC website during the polling period.

Further amendments to the Act recognise the establishment of the three member Tasmanian Electoral Commission in 2005 and transfer some powers previously vested in the Electoral Commissioner to the TEC. The TEC currently comprises Liz Gillam (Chair), Julian Type (Electoral Commissioner) and Christine Fraser (Member).

2014 Local Government Elections: Numbers of Councillors

Municipal Area	2011 number	2014 number	Order date	Quota %
Break O'Day	9	9		10.00
Brighton	9	9		10.00
Burnie City	9	9		10.00
Central Coast	12	9	17 Jun 2013	10.00
Central Highlands	9	9		10.00
Circular Head	9	9		10.00
Clarence City	12	12		7.69
Derwent Valley	9	8	3 Feb 2014	11.11
Devonport City	12	9	17 Jun 2013	10.00
Dorset	9	9		10.00
Flinders	7	7		12.50
George Town	9	9		10.00
Glamorgan-Spring Bay	9	8	17 Jun 2013	11.11
Glenorchy City	12	10	17 Jun 2013	9.09
Hobart City	12	12		7.69
Huon Valley	9	9		10.00
Kentish	9	9		10.00
King Island	9	9		10.00
Kingborough	12	10	17 Jun 2013	9.09
Latrobe	9	9		10.00
Launceston City	12	12		7.69
Meander Valley	9	9		10.00
Northern Midlands	9	9		10.00
Sorell	9	9		10.00
Southern Midlands	9	7	3 Feb 2014	12.50
Tasman	9	7	17 Jun 2013	12.50
Waratah-Wynyard	10	8	3 Feb 2014	11.11
West Coast ¹	9	9		10.00
West Tamar	9	9		10.00
	281	263		

¹ At the time of writing, the number of West Coast councillors was under review

Notice of election

Publication of notice

(section 269)

A local government 'notice of election' is similar to a writ for a parliamentary election. It specifies the:

- date and time of closure of the roll,
- vacancies to be filled,
- details of entitlement to vote, and
- any other matter the Electoral Commissioner considers appropriate.

The Electoral Commissioner will advertise the notice of election in the relevant daily newspaper on the 7th Saturday before closing day. (Closing day is the last day of the polling period and is set down as the last Tuesday in October every four years unless the Governor changes this by an order under section 268A of the *Local Government Act 1993*.)

Role of Tasmanian Electoral Commission

(sections 264 & 323)

The *Local Government Act 1993* provides that the Tasmanian Electoral Commission and the Electoral Commissioner as chief executive officer are responsible for the supervision of local government elections and for undertaking specific tasks.

These tasks include:

- management of the electoral roll;
- the production and despatch of ballot papers;
- approval of forms and procedures;
- the appointment of returning officers;
- public awareness; and
- statutory advertising.

Appointment of Returning Officers

(section 264)

The Electoral Commissioner will appoint a Returning Officer for each council. The Returning Officer has the independent statutory responsibility for the conduct of the election.

Electoral rolls

(section 261)

On request, candidates will be provided with one copy of the relevant electoral roll, at no charge, as soon as practicable after the roll closes. This may only be used for purposes connected with the election, and penalties apply for misuse.

Nomination

Nomination as a councillor

(section 270)

To nominate, you must be an elector in the municipal area and **must not**:

- be a councillor of another council whose term of office is to end after the issue of the certificate of election;
- have been barred by a court (under section 48(6), 338A, 339 or 339A);
- be an employee of the council in that municipal area;
- have previously been removed from the office of councillor because of inadequacy or incompetence;
- be bankrupt;
- be subject to an assessment order or treatment order under the *Mental Health Act 2013* or an order under the *Guardianship and Administration Act 1995*;
- be undergoing a term of imprisonment; or
- have been sentenced for a crime but the sentence has not been executed.

A person may not be a candidate for the office of councillor in more than one municipal area.

Nomination as mayor or deputy mayor

(sections 40, 41, 44 & 303)

The mayor and deputy mayor of a council are elected for a 4 year period by the electors of the municipal area concurrently with the election of councillors.

You are eligible to nominate for the office of mayor or deputy mayor if you are eligible to nominate as a councillor (see above), and have at any time been elected or appointed as a councillor to any council in this State for a period of at least 12 months. *At the time of writing, the "12 month rule" was under active discussion: check the TEC website for any updates. See supplement at start of this booklet.*

You may **not**:

- be a candidate for both the offices of mayor and deputy mayor concurrently.
- accept the office of mayor or deputy mayor unless you are also elected as a councillor.

Nomination forms for the positions of councillor, mayor or deputy mayor are available from the Tasmanian Electoral Commission, Returning Officers, councils or the TEC's website www.tec.tas.gov.au . Candidates contesting two positions need only complete a **single nomination form**.

Members of Parliament

(schedule 5)

The office of a councillor becomes vacant if, at the time of commencing to hold that office, he or she is a member of the House of Assembly or Legislative Council and remains such a member for 30 days continuously during his or her term of office as a councillor.

The office of a councillor also becomes vacant if he or she becomes a member of the House of Assembly or Legislative Council after commencing to hold the office of councillor and remains a member of parliament for 12 months continuously.

The nomination form

(section 271)

A nomination form (referred to as a 'notice of nomination' in the Act) must be:

- signed by at least 2 electors of the municipal area;
- signed by the candidate; and
- lodged, posted or faxed so as to be received by the Returning Officer or Electoral Officer for the council concerned before the close of nominations.

If your name has changed from that which appears on the electoral roll you must provide the Returning Officer with:

- evidence in writing of the change of name; and
- a statement specifying the form in which your name is to appear on the ballot paper.

The Returning Officer may accept a second nomination form in substitution for the first up to 24 hours after the close of nominations if satisfied that the first form:

- needs to be altered, completed, corrected or substituted; and
- was lodged, posted or faxed, and received by the close of nominations.

Late nominations cannot be accepted.

From 2014 there is a single nomination form, even for candidates contesting two positions.

Acceptance or rejection of nomination

(section 272)

The Returning Officer may accept the nomination if satisfied that:

- the form has been completed;
- your name is on the electoral roll for the municipal area;
- your name is the name you normally use; and
- your name is not obscene, frivolous or assumed for an ulterior purpose.

The Returning Officer will advise a person whether his/her nomination is accepted or rejected as soon as possible after making the decision.

A person may appeal to the Electoral Commission against the rejection of a nomination no later than 24 hours after the end of the nomination period.

In considering an appeal, the Commission may either direct the Returning Officer to accept the nomination or confirm the rejection of the nomination. A decision of the Electoral Commission is final.

Withdrawal of nomination

(section 273)

You may withdraw your nomination for an election by lodging, posting, or faxing a notice in writing (which you have signed), which must be received by the Returning Officer before the close of nominations. Late withdrawals cannot be accepted.

Display of notice of nominations

(section 276)

As soon as possible after 12 noon on the day after nominations close, the Returning Officer will display a notice at the council office, listing the name and address of each person whose nomination has been accepted. A draw will also be conducted at this time to determine the order of candidates' names on the first rotation of ballot papers for mayor, deputy mayor and councillors.

Candidate statements and photographs

(section 284)

Candidate statements no longer constitute part of the nomination form and must be submitted on-line before the end of the nomination period. (If you have a disability which prevents you from entering your candidate statement on-line, please call the TEC to discuss alternatives.) Their purpose is to provide information about candidates to assist voters in making an informed choice. They are intended to supplement, rather than replace, other means which candidates may use to bring their candidature to the attention of electors.

The following requirements for candidate statements and photographs have been approved by the Electoral Commission under section 284(4).

Candidate statements

- Statements will accompany the ballot papers sent to each elector and will be published on the TEC's website
- There will be one statement per candidate, even if the candidate is contesting two elections
- Statements are limited to 600 characters, including spaces: this will usually equate to about 100 words
- The heading of your statement will include your ballot paper name and the position(s) you are contesting: these are not included in the 600 characters
- Statements are limited to two paragraphs
- Statements may not include lists or dot points: use semi-colons within paragraphs if necessary
- Statements may be amended or rejected at the Electoral Commissioner's discretion
- You may not mention another candidate by name without his or her written consent
- You may not refer to the office of Justice of the Peace
- You may not refer to giving gifts, donations or prizes
- You are responsible for the accuracy of your statement
- Statements are not compulsory for a valid nomination
- Statements must be submitted before the close of nominations at 12 noon on Monday 28 September 2014

Candidate photographs

- Should be passport style, that is, head and shoulders on a neutral background. However, you may smile and/or wear glasses, as you wish
- Should be recent
- Will be published in black and white at a resolution of 300 dpi
- May be adjusted or rejected at the Electoral Commissioner's discretion

Candidate web links

Candidates are also invited to submit a web link with your candidate statement. This could be your own domain name or, more simply, a "Facebook" page. Web links will only be published on the TEC's website, but are offered as an opportunity to present more detailed policy and personal information to interested voters. Web links will be published at the Electoral Commissioner's discretion, and you are responsible for the content on the linked pages.

Advertising

Requirements for printed electoral advertising material (section 311)

All articles relating to an election printed or published between the notice of election and the end of the polling period, must contain the true name and address of the person taking responsibility for the article, at the end.

“Address” means an address, other than a post office box or an electronic address—

- (a) at which the responsible person resides; or
- (b) at or through which the responsible person may be readily contacted;

The above requirements apply to any advertisement, direct mail item, sign, circular, pamphlet, handbill, poster, sticker, dodger, and report.

This does not apply to the printing or publication of -

- a leading article;
- an article that consists solely of a report of a meeting and does not contain any comment (other than comment made by a speaker at the meeting) on a candidate at an election or on the issues being submitted to the electors at the election.

Candidate consent: It is an offence under section 278(3) to distribute electoral advertising which contains the name, photograph or likeness of a candidate without his or her written consent.

Authorisation: If you are unsure whether a particular item requires authorisation, it is prudent to authorise it

Example of authorisation

An example of authorisation follows—

Authorised by Jane Citizen, 1 Long Road, Hobart.

Posters and signs

Provisions relating to the display of posters and signs are contained in regulation 21(f) of the *Local Government (General) Regulations 2005* and are set out in full below:

A person must not publicly display a poster or sign or a group of posters or signs containing advertising relating to the election of a candidate if—

- (a) the poster or sign exceeds 3 square metres; or
- (b) the group of posters or signs in total exceeds 3 square metres.

A poster or sign forms part of a group of posters or signs if it is located within 10 metres of another poster or sign.

A candidate must not display, or permit to be displayed, posters or signs containing advertising relating to the election of that candidate exceeding a total number of 50, whether or not the posters or signs contain advertising relating to the election of another candidate.

A person must not publicly display a poster or sign relating to the election of a candidate without the written authority of that candidate.

Placement of posters

Electoral posters must be authorised, as mentioned above. Permission to display posters on private property must always be obtained from the owner of the land concerned.

It is generally not permitted to place signs or posters on public land or infrastructure.

Tasmanian councils have specific planning schemes and by-laws regulating the placement and size of election posters. Candidates are advised to check with their relevant councils prior to erecting posters. Please see information provided by councils in the attachment commencing on page 23.

Permission: Candidates considering affixing signs in public places or to vehicles should ensure they have all required permissions.

Safety: Signs should not be placed in positions that could jeopardise public safety for example, near 'stop' signs, traffic lights, intersections or any other position where road users could be distracted or have their sight obstructed.

Electoral roadside signs

The Transport division of the Department of State Growth have produced the Tasmanian Roadside Signs Manual (14 July 2006). The manual contains the following information on page 84 in relation to electoral signs –

The erection or display of electoral advertising signs within State and Local Government Roads is prohibited. The provisions of Local Authority Planning Schemes and Bylaws together with requirements under the Electoral Act make adequate provision for such advertising.

Queries or complaints related to roadside signs should be directed to the Transport division of the Department of State Growth.

Offence to place electoral matter on electricity poles

It is an offence under section 109(1)(a) of the *Electricity Supply Industry Act 1995* to attach anything to a power pole without proper authority.

The penalty for an offence under this section is a fine of up to \$5,000 for an individual or \$10,000 for a body corporate.

Queries or complaints related to material being attached to electricity power poles should be directed to Aurora Energy.

Electronic billboards

It is an offence under section 78(1) of the *Traffic Act 1925* for a person to –

- (a) place or leave an electronic billboard on a public street; or
- (b) place or leave an electronic billboard in a public place if any occupant of any motor vehicle on any public street can, with the naked eye, read any words or make out any images being displayed by the electronic billboard.

Penalty: Fine not exceeding 20 penalty units.

Section 78(2)(a) provides that subsection 1(a) does not apply to electronic billboards that are –

- (a) used for traffic management or road safety purposes by a road authority; or
- (b) used for the purposes of a civil or other emergency by a statutory service within the meaning of the *Emergency Management Act 2006*; or
- (c) placed or left on a public street with and in accordance with the written approval of the Transport Commission.

Further, Section 78(2)(b) provides subsection 1(b) does not apply to an electronic billboard that is placed or left in a public place by, or with the approval of, the owner or occupier of that public place.)

Queries or complaints related to electronic billboards should be directed to the Transport division of the Department of State Growth on 1300 135 513.

Advertising time and space

(section 278 & regulation 22)

The provisions regulating advertising time and space are contained in the *Local Government (General) Regulations 2005* and are set out in full below.

A person must not purchase advertising time on television or radio in relation to the election of a candidate without the written authority of that candidate.

A candidate must not purchase or permit to be purchased advertising time on television or radio in relation to the election of the candidate if the advertising time during the relevant period is likely to exceed-

- (b) 10 minutes on television; or
- (c) 50 minutes on radio.

A person must not purchase advertising space in relation to the election of a candidate without the written authority of that candidate.

A candidate must not purchase or permit to be purchased advertising space in relation to the election of the candidate if the advertising space, during the relevant period is likely to exceed a total of-

- (a) 2 pages of advertising in a daily newspaper circulating in the municipal area; or
- (b) 5 pages in any other newspaper circulating in the State.

The total expenditure for the purchase of advertising time or space by or on behalf of a candidate must not-

- (a) in respect of a single election, exceed a total amount of \$5000; and

- (b) in respect of an election for a councillor and an election for a mayor or deputy mayor, exceed a total amount of \$8000.

Use of candidate name, photograph or likeness

(section 278(3))

It is an offence under section 278(3) for a person, within the relevant period, to print, publish, broadcast or distribute any electoral advertising that contains the name, photograph or a likeness of a candidate or intending candidate at an election without the written consent of the candidate or intending candidate.

Advertising gifts, donations and prizes

(section 278(5))

A person, within the relevant period, must not print, publish, keep on display, broadcast or distribute any electoral advertising that refers to the offering, promising or giving by a candidate or intending candidate of a gift, donation or prize to or for any specific club, association or body or to or for clubs, associations or bodies generally.

Penalty: Fine not exceeding 50 penalty units.

Radio and television advertisements

There are Federal legal requirements relating to the broadcasting of television and radio advertisements.

The Commonwealth *Broadcasting Services Act 1992* provides that broadcast political advertisements must include certain 'required particulars'. Radio and television stations can provide more detailed information of the Commonwealth broadcasting requirements.

The Australian Communication and Media Authority (www.acma.gov.au) regulates broadcasting of political and election matters and the content of electronic communications. A fact sheet is available on its website.

Broadcasting blackout

The 'broadcasting blackout' on political advertising contained in the *Broadcasting Services Act 1992* applies only to parliamentary elections, and not local government elections.

Justices of the Peace

Candidates who are Justices of the Peace are advised to take note of the Attorney General's current policy which states that –

The fact that a person is a Justice of the Peace should **not** be mentioned in or on any papers relating to the candidature of the justice in Federal, State or Local Government Elections whether by the use of the letters "J.P." or otherwise.

This includes all electoral campaign material.

Use of published materials without permission

Reproduction of published materials (e.g. newspaper photos, headlines or articles) is likely to require the permission of the authors and publishers. Candidates should clarify the status of material with the publisher to avoid breaching the *Commonwealth Copyright Act 1968*.

Joint electoral advertising

Regulation 22(6) provides that –

‘A candidate is taken to have incurred the total time and space of, and expenditure involved in, advertising which promotes that candidate, in respect of an election, irrespective of whether or not that electoral advertising also promotes another candidate.’

In other words, in the case of joint advertising, all candidates involved are required to declare the total time and space and expense of any advertisements in their electoral advertising returns.

Electoral advertising return

(section 279)

Candidate return

All candidates must lodge with the Electoral Commissioner an electoral advertising return within 45 days after the day the certificate of election is given.

This return must –

- be signed before a Justice of the Peace or Commissioner for Declarations; and
- include details of all ‘**relevant electoral advertising**’, together with all invoices, accounts or receipts received.

In their returns, candidates are required to declare the following –

- Time purchased for any television advertisements, and the cost of that purchase.
- Space purchased for any newspaper advertisements, and the cost of that purchase.
- The maximum size, and total number of promotional signs and posters displayed by the candidate.

While pamphlets and leaflets must be properly authorised under section 311, there are no provisions restricting the number which may be distributed by a candidate, or their cost.

An example of the Candidate’s Electoral Advertising Return follows.

Candidates must complete an electoral advertising return, even a nil return: it is an offence not to complete and lodge a return with the Electoral Commissioner (section 279).

Media return

Electoral advertising returns are also required from anyone who prints, publishes, or broadcasts electoral advertising. Therefore all media and publishers involved in electoral advertising must also lodge a return.

Electoral advertising return forms: The Tasmanian Electoral Commission will send advertising return forms to all candidates and the media. Forms will also be available on the TEC's website at www.tec.tas.gov.au .

Canvassing for votes

(Section 312(3)(d))

Section 312(3)(d) states –

A person must not personally attempt to induce an elector within the elector's residence during the polling period to vote or not to vote for a particular person.

This is not intended to be a full ban on doorknocking.

At the time this provision was introduced in Parliament, it was stated that it will still allow canvassing at the front door but will give the elector the protection of not being pressured by candidates or canvassers while in the act of recording his or her postal vote.

Candidate's Electoral Advertising Return

*RELEVANT PERIOD for electoral advertising 14 August 2014 - 10 am 28 October 2014

Before completing this return, please carefully read all information on the reverse side and refer to the Candidate's Information booklet. Provisions relating to 'Posters and Signs' and 'Advertising Time and Space' are in the *Local Government Act 1993* and *Local Government (General) Regulations 2005* and are summarised in the Candidate Information booklet. An example of a completed return appears in the booklet.

If you do not have a copy of the Candidate information booklet, or if you need advice on how to complete this form please contact the Tasmanian Electoral Commission on 1800 801 701. We will be happy to assist.

CANDIDATE DETAILS (PLEASE PRINT)

Given names JOHN WALTER	Surname CITIZEN
Address for correspondence 1 Long Road HOBART Postcode 7000	
Contact phone numbers Home: 6212 3456 Work: 6256 4321 Mobile: 0418 123 456	
Name of Council Hobart City Council	Office(s) contested <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Deputy Mayor <input checked="" type="checkbox"/> Councillor

ELECTRONIC & PRINT MEDIA

Type of Media	Time/Space	Cost
Television (total time purchased)	5 minutes	\$ 1,000
Radio (total time purchased)	30 minutes	\$ 600
Daily Newspapers - total space purchased (show as pages or fractions of pages)	1/10 pages	\$ 500
Other newspapers - total space purchased (show as pages or fractions of pages)	nil pages	\$ nil
Total expenditure on time and space		\$ 2,100

Note: All electronic and print media advertising purchased by the Candidate **during the *relevant period** must be included in the above section.

SIGNS & POSTERS

Signs and Posters containing electoral advertising displayed by or on behalf of the Candidate during the relevant period	Maximum poster size 2 square metres	Total number 50
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Candidate Declaration

I declare that the information I have given on this form and all attached supporting documentation is true, complete and accurate.

Signature of candidate

J. Citizen

Declared at **Hobart**
this **5th** day of **November** 2014

Before me,

J.P. Justice
Justice of the Peace/Commissioner for Declarations

NOTE: Supporting documentation **must** be attached - including all invoices, accounts, receipts etc.

Form approved TEC May 2014

‘Prescribed’ and ‘relevant’ periods

Below is a summary only of some of the periods relating to restrictions on candidates at local government elections. The dates for 2014 are given by way of example.

Section/ regulation	Subject	Period
s.311	Authorisation of electoral ‘articles’ Electoral ‘article’ includes any advertisement, direct mail item, sign, circular, pamphlet, handbill, poster, sticker, dodger and report	‘prescribed period’ – means the period commencing on the day on which the notice of election is advertised and ending on the closing day. 13 September – 28 October 2014
s.314(3)	The supply of food, drink or entertainment with a view to influencing the vote of an elector during the period opposite.	‘relevant period’ – starts on the 30th day before the notice of election and finishes on polling day. 14 August - 28 October 2014
s.314(4) & (5)	Gifts or donations to clubs associations or bodies (regular donations may be excepted)	‘relevant period’ – starts on the 30th day before the notice of election and finishes on polling day. 14 August – 28 October 2014
s.3, s.278, s.279 reg 22	Limit on ‘electoral advertising’ expenditure Reporting of ‘electoral advertising’ expenditure	‘relevant period’ – starts on the 30th day before the notice of election and finishes on polling day. 14 August – 28 October 2014

Voting

Who can vote at a local government election

(sections 254 – 258)

Voting in Tasmanian local government elections is not compulsory.

Anyone who is enrolled on the State roll for an address in a municipal area, is automatically enrolled for the municipal area as well.

Other people who own or occupy land in the municipal area, or are the nominated representatives of a corporate body which owns or occupies land in the municipal area, are also eligible to enrol, but must lodge an application with the General Manager.

Order of names on ballot papers

(section 288 and regulations)

The Electoral Commissioner is to prepare and print ballot papers.

The order of candidates' names on the ballot papers is rotated in accordance with the “Robson Rotation” system, as set out in the regulations.

This system rotates the names of the candidates so that each name appears in each position on the ballot paper.

The Returning Officer will conduct a draw to determine the random order of candidate names for the first rotation.

Postal ballot pack

(section 284)

All enrolled electors will automatically be sent a postal ballot pack. The postal ballot pack will contain:

- voting instructions;
- ballot papers;
- candidate statements and photographs;
- a **ballot paper envelope** in which to place the completed ballot paper(s); and
- a **reply paid envelope** to return the ballot paper envelope at no cost to voters.

Replacement postal ballot pack

(section 286)

An elector may be issued with a supplementary postal ballot pack if he or she has not received the original pack, has spoiled the contents, is entitled to vote but is not on the list of electors, or is absent from his or her enrolled address.

Electors may request a replacement pack from the Tasmanian Electoral Commission in writing or by phone. Electors may also apply and vote at the issuing place(s) appointed for their council (usually located at the council office(s)).

In the case where a replacement postal ballot pack has been issued to an elector, security measures are in place to ensure that an elector can cast only one vote.

Security and privacy of the postal ballot

(section 285)

The Tasmanian Electoral Commission takes very seriously the right of electors to cast their vote in a secret and secure manner. To this end, in conjunction with Australia Post security personnel, there are a number of measures in place to ensure the safe delivery and return of your ballot paper. In particular:

- to protect the privacy of the elector in the postal system, no elector details are shown on the reply paid envelope;
- to verify that the eligible elector has voted on the ballot paper, he/she must sign a declaration on the flap of the ballot paper envelope; and
- to ensure the secrecy of the vote, the elector declaration is printed on a perforated extension of the flap. After elector verification checks, the declarations are separated from all envelopes. As a separate process, all envelopes are then opened and the ballot papers removed.

Close of poll (closing day)

(section 268A)

Closing day is the last day of the polling period. It is the last Tuesday in October every four years, unless the Governor fixes another day. The Electoral Commissioner sets the hours of the polling period.

In 2014, the closing day is 28 October, and the Electoral Commissioner has determined that the polling period will end at 10am on that day. All votes must be received by this time.

How to return a vote

Electors should return their ballot papers by post as soon as possible, to ensure they are received in time.

A ballot paper may also be placed in the ballot box at the issuing place(s) appointed for that council, but must be contained in a ballot paper declaration envelope with the declaration signed.

Formality & informality

Formal votes

(sections 289, 290 & 300 & schedule 6)

Voters are encouraged to record a preference for all candidates on the ballot paper.

For a vote to be formal, the elector must record a preference for at least as many candidates as there are councillors to be elected. The elector must consecutively number his or her preferences, starting from 1.

For example, if there are 17 candidates and 9 councillors are to be elected, to cast a formal vote an elector **must** number at least 1, 2, 3, 4, 5, 6, 7, 8 and 9 on his or her ballot paper but **may** continue part or all the way to 17.

Informal votes

(section 300 & schedule 6)

A ballot paper will be treated as informal if:

- no vote has been recorded on it;
- the vote is recorded on the ballot paper otherwise than in accordance with section 290 (see above formality requirements);
- it contains a mark or writing which will identify the voter; and
- it has not been appropriately authenticated.

A ballot paper is not to be treated as informal if, in the opinion of the Returning Officer, the elector's intention is clearly indicated.

Scrutineers

Role of the scrutineer

(section 293)

A candidate is entitled to appoint one or more scrutineers. Scrutineers may not be candidates at that election.

The role of the scrutineer is to represent the candidate at any place where ballot material is sorted, checked or counted.

While acting as a scrutineer, a person must not:

- fail to comply with a reasonable direction given by an electoral officer;
- interfere with or attempt to influence an elector or other person;
- communicate with a person except if necessary to do so while scrutineering; or
- without authority, touch or interfere with ballot material.

Your Returning Officer will be happy to advise you when the issue, scrutiny and counting of ballot papers is taking place, and the number of scrutineers permitted.

Appointment of scrutineers

(sections 292 & 293)

The appointment of a scrutineer is to be:

- in an approved form; and
- signed by the candidate and the scrutineer.

Signed appointment forms are to be presented to the Returning Officer or the electoral officer in charge who will provide an identity badge to be worn by the scrutineer.

Appointment forms: Appointment of scrutineer forms will be sent to candidates in their candidate information packs and are also available from the Tasmanian Electoral Commission, the Returning Officer and the Tasmanian Electoral Commission website at www.tec.tas.gov.au .

Filling a casual vacancy

A casual vacancy is filled by recount, if possible, unless that vacancy occurs during the period commencing 6 months before the day on which the notice of election for a forthcoming council election is to be given.

What is a recount?

(sections 307 & 308)

In a recount, the electors who elected the vacating member determine that councillor's replacement. Therefore only the ballot papers received by the vacating councillor are distributed in the recount.

The term of office of a candidate elected by recount is until the next ordinary council election.

Candidates contesting a recount

(section 307 & Schedule 8)

A person may be included in a recount for a vacancy so long as he/she:

- was a candidate not elected at the relevant election;
- remains eligible (see 'Nomination' section); and
- consents to be included in the recount.

Consent to contest a recount

(section 307)

The Electoral Commissioner is required to notify candidates that a recount will take place by either:

- written notice sent to each eligible candidate; or
- an advertisement published in a local daily newspaper.

If a candidate wishes to be included in a recount, he or she can provide written consent by hand, post, fax or scan.

Written consent must be received by the Electoral Commissioner at or before noon, on the **8th day after the notice of vacancy**.

Notification to candidates

(schedule 8)

Candidates who have consented will receive a notice detailing the time and location at which the re-count will take place. Recounts will be finalised within 7 days of the close of nominations.

Scrutineers

(section 292 & 293)

A candidate for the recount may appoint a scrutineer to represent him or her. See 'Scrutineers' section for more information.

By-elections

(sections 46 & 308)

By-elections will only occur when:

- a vacancy cannot be filled by recount
- the vacating councillor is also the mayor: in this case the councillor vacancy is filled at a by-election held concurrently with the mayoral by-election

Hare-Clark electoral system

All councillor elections are conducted under a proportional representation system directly modelled on the Hare-Clark system used for Tasmanian House of Assembly elections. A brief explanation of Hare-Clark follows:

To secure election, candidates must gain a 'quota' of votes.

$$\text{Quota} = \frac{\text{Number of Valid Ballot Papers}}{\text{Number to be Elected} + 1} + 1 \quad (\text{any remainder is ignored}).$$

If electing 9 councillors, the quota would be approximately 1/10th or 10% of the total votes. In the case of 3500 votes the quota would be 351.

Once a candidate attains a quota he/she is declared elected.

If a candidate attains more than a quota his/her "surplus" votes are redistributed amongst the candidates still in the contest. The surplus is transferred by redistributing the last parcel of ballot papers received by the elected candidate. All the ballot papers in the last parcel are passed on with a new 'transfer' value. Where a candidate is elected on the first count, then the last parcel is in fact all the ballot papers containing their primary votes.

$$\text{Transfer Value} = \frac{\text{Surplus Votes}}{\text{Number of Ballot Papers in the Last Parcel}}$$

where $\text{Surplus Votes} = \text{Candidate Total Votes} \text{ minus Quota}$

This reduces the value of the elected candidate's total votes to the quota.

If none of the remaining candidates has a surplus, the candidate with the least number of votes is excluded and his/her votes are redistributed at the value they were received by that candidate.

This exclusion process continues until a candidate obtains a quota. Any surplus votes are again distributed and the exclusion, election and distribution process is repeated until the required number of candidates is elected.

If the exclusion of a candidate will mean that there are the same number of candidates remaining in the count as the number of positions to be filled, the candidate is declared to be excluded from the count, and the remaining candidates are declared elected.

2 decimal places: Due to the relatively small number of electors in some municipal areas, votes for each candidate in all councils will be calculated to 2 decimal places during the distribution of preferences to reduce the loss of votes by fraction.

Offences

Electoral advertising

section 278

- (1) A person must not during the relevant period use electoral advertising with a view to promoting or procuring the election of the candidate at an election otherwise than in accordance with the regulations.

PENALTY Fine not exceeding 100 penalty units.

- (2) If a court convicts under this section a candidate who is successful at an election, the court must declare that candidate's election void, unless the court is satisfied that there are special circumstances that make it undesirable or inappropriate for it to make such a declaration.
- (3) A person, within the relevant period, must not print, publish, broadcast or distribute any electoral advertising that contains the name, photograph or a likeness of a candidate or intending candidate at an election without the written consent of the candidate or intending candidate.

PENALTY Fine not exceeding 50 penalty units.

- (4) Subsection (3) does not apply to -
- (a) any matter printed, published or distributed by or on behalf of the Electoral Commissioner in the exercise or performance of his or her powers and functions; or
 - (b) any electoral advertising by means of any broadcast by radio or television.
- (5) A person, within the relevant period, must not print, publish, keep on display, broadcast or distribute any electoral advertising that refers to the offering, promising or giving by a candidate or intending candidate of a gift, donation or prize to or for any specific club, association or body or to or for clubs, associations or bodies generally.

PENALTY Fine not exceeding 50 penalty units.

Return in relation to electoral advertising

section 279

- (1) Within 45 days after the day on which the returning officer gives a certificate of election, every candidate must sign and declare before a justice or a commissioner for declarations and lodge with the Electoral Commissioner a return in an approved form stating the candidate's relevant electoral advertising.

PENALTY Fine not exceeding 30 penalty units.

- (2) A return under subsection (1) is to be accompanied by any invoice, account or receipt in respect of electoral advertising.
- (3) Any person who prints, publishes or broadcasts electoral advertising is to lodge a return in an approved form with the Electoral Commissioner within 45 days after the day on which the returning officer gives a certificate of election.

PENALTY Fine not exceeding 30 penalty units.

Electoral articles to be signed section 311

- (1) A person must not, during the prescribed period, print, publish, keep on display or distribute an article relating to an election that does not contain the true name and address of the responsible person at the end of the article.

PENALTY Fine not exceeding 5 penalty units.

- (1A) An article is published or kept on display by a person if the publication or display is published or kept on display with that person's consent.

- (2) This section does not apply to the printing or publication of -
- (a) a leading article; or
 - (b) an article that consists solely of a report of a meeting and does not contain any comment (other than comment made by a speaker at the meeting) on a candidate at an election or on the issues being submitted to the electors at the election.

- (4) In this section -

"address" means an address, other than a post box or an electronic address-

- (a) at which the responsible person resides; or
- (b) at or through which the responsible person may be readily contacted;

"article" includes any advertisement, direct mail item, sign, circular, pamphlet, handbill, poster, sticker, dodger and report;

"prescribed period" means the period commencing on the day on which the notice of election is advertised and ending on the closing day;

"responsible person" means the person taking responsibility for causing the matter to be printed or published.

Offences relating to polling section 312

- (1) A person must not -
- (a) vote at an election if not entitled to do so; or
 - (b) obtain or attempt to obtain more ballot papers at an election than that to which he or she is entitled.

PENALTY Fine not exceeding 5 penalty units.

- (2) A person is not -
- (a) to obstruct an elector when the elector is marking a ballot paper; or
 - (b) by any word or action, to directly or indirectly aid in discovering the name of a person for whom an elector has voted or intends to vote.

PENALTY Fine not exceeding 10 penalty units.

- (3) A person must not -
- (a) personate or attempt to personate any elector; or
 - (b) vote, offer to vote or attempt to vote more than once in his or her own right at the same election; or

- (c) attempt to vote by means of a ballot paper that has been handed or delivered to another person; or
- (d) personally attempt to induce an elector within the elector's residence during the polling period to vote or not to vote for a particular person; or
- (f) steal, misdirect, hide, destroy or otherwise tamper or interfere with any of the documents sent or delivered under section 284 or 286.

PENALTY Fine not exceeding 50 penalty units.

Offences in violation of secrecy of ballot section 313

A person must not -

- (a) at an election, attempt to find out, or directly or indirectly aid in finding out, the person for whom a vote is given; or
- (b) disclose any knowledge of the person for whom an elector has voted at an election that he or she has obtained in the exercise of his or her office at that election.

PENALTY Fine not exceeding 10 penalty units.

Bribery and undue influence section 314

(1) A person must not -

- (a) promise or offer any money or valuable consideration, advantage, recompense, reward or benefit in relation to -
 - (i) a nomination for an election; or
 - (ii) a withdrawal of nomination from an election; or
 - (iii) a vote or abstention from voting at a poll; or
 - (iv) support of, or opposition to, a candidate; or
 - (v) a promise of any such vote, abstention, support or opposition; or
- (b) give or take any money or valuable consideration, advantage, recompense, reward or benefit in relation to a nomination, withdrawal, vote, abstention, support, opposition or promise.

PENALTY Fine not exceeding 20 penalty units or imprisonment for a term not exceeding 12 months.

- (2) A person who instigates the commission of an offence under this section is punishable in the same manner as if that person had committed the offence.
- (3) An offence under this section includes the supply of food, drink or entertainment with a view to influencing the vote of an elector at an election if the supply is made during the relevant period.
- (4) A candidate or intending candidate must not directly or indirectly offer, promise or give a gift, donation or prize to or for any specific club, association or body or to or for clubs, associations or bodies generally during the relevant period.

PENALTY Fine not exceeding 5 penalty units.

- (5) In proceedings for an offence under subsection (4), it is a defence for the person charged to show that gifts, donations or prizes similar in nature and in amount or value are regularly given by that person to the specific club, association or body.
- (6) A person must not directly or indirectly threaten, offer, suggest, use, cause, inflict or instigate violence, punishment, damage, loss or disadvantage to another person in relation to -
 - (a) a nomination for an election; or
 - (b) a withdrawal of a nomination from an election; or
 - (c) a vote, or any abstention from voting at a poll; or
 - (d) support of, or opposition to, a candidate; or
 - (e) a promise of any such vote, abstention, support or opposition.

PENALTY Fine not exceeding 10 penalty units.

- (7) A declaration of public policy or promise of public action is not an offence against subsection (6).

False or misleading statements section 315

A person must not, in giving any information, filing a return or making an application under this Part -

- (a) make a statement knowing it to be false or misleading; or
- (b) omit any matter from a statement knowing that without that matter the statement is misleading.

PENALTY Fine not exceeding 10 penalty units or imprisonment for a term not exceeding 6 months.

Advertising regulation 22, *Local Government (General) Regulations 2005*

- (1) A person must not purchase advertising time on television or radio in relation to the election of a candidate without the written authority of that candidate.
- (2) A candidate must not purchase, or permit to be purchased, advertising time on television or radio in relation to the election of the candidate if the advertising time during the relevant period is likely to exceed -
 - (a) 10 minutes on television; or
 - (b) 50 minutes on radio.
- (3) A person must not purchase advertising space in relation to the election of a candidate without the written authority of that candidate.
- (4) A candidate must not purchase or permit to be purchased advertising space in relation to the election of the candidate if the advertising space, during the relevant period, is likely to exceed a total of -
 - (a) 2 pages of advertising in a daily newspaper circulating in the municipal area; or
 - (b) 5 pages in any other newspaper circulating in the State.

- (5) The total expenditure for the purchase of advertising time or space by or on behalf of a candidate must not –
 - (a) in respect of a single election, exceed a total amount of \$5 000; and
 - (b) in respect of an election for a councillor and an election for a mayor or deputy mayor, exceed a total amount of \$8 000.
- (6) A candidate is taken to have incurred the total time and space of, and expenditure involved in, advertising which promotes that candidate in respect of an election irrespective of whether or not that advertising also promotes another candidate.
- (7) A candidate who authorises a person to conduct electoral advertising on his or her behalf relating to an election is taken to have personally undertaken that advertising.

Attachment

Electoral signs - council requirements

The following information has been provided by various councils in the State to assist candidates in complying with the relevant requirements for electoral signs and posters in their municipalities. Contact officers are also listed, should any matters require clarification.

Candidates should note that the information has been provided by councils as a guide only. It should not be substituted for the original by-laws and planning schemes.

Candidates with any queries are strongly advised to contact the relevant council to ensure their electoral advertising signs are in order.

Break O'Day

Election signage that complies with the standards defined under Table E15.3, is deemed exempt under Table E15.4.1.

The election sign is "...a temporary sign for a political candidate(s) or registered political party(s) for a Federal, State or Municipal election that 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."

Any larger signage will require the submission of a development application that shows compliance with the relevant clauses of Table E15.0.

Brighton Council

Council's policy on the erection of signs advertising candidates for a declared election requires the following guidelines to be met:

- All signs are to be located wholly within the boundaries of private property.
- No sign shall be erected such as to cause a traffic hazard or obstruction to vehicular or pedestrian movement.
- No sign shall be illuminated.
- No sign shall be erected without the permission of the landowner.
- Each sign shall be no greater than 1.0m² in surface area.
- Each sign is to be removed within fourteen (14) days of the date of the election.

Enquiries: Council's Planning Office – 6268 7041

Burnie City Council

Election signs may be placed or erected on land or premises in the Burnie municipal district without need for a permit or other approval if:

- the display panel area is not more than 1.5m² for each sign;
- displayed only for the period between the issue of a writ for an election and for not more than 2 weeks after the election;

- are only placed or erected on land in private ownership (with owner's permission); are not located where they have the potential to visually obscure any sign or device
- required for the convenience and safety of air or marine navigation or for use of a railway or a road; and
- are structurally sound, and kept in good order and repair during the display period.

Please note

- Signs must comply with the various Acts and Regulations governing the display of election material and the placement and construction of signs.
- Signs that exceed the requirements detailed above may be permitted if granted a permit under the *Land Use Planning and Approvals Act 1993*.
- Under no circumstance will the Burnie City Council allow an election sign to be erected or placed on land or on premises under the ownership, care, control or management of the Council - including on any land forming part of a park, public reserve, local road, road verge, or footpath, or on any building, structure, utility or vegetation on such land.

Signs placed on these areas will be removed, and the candidate may be prosecuted.

Enquiries should be directed to Council by telephoning 6430 5700.

Central Coast Council

Council's policy on the erection of political advertising signs is:

- Signs to be erected only on private property;
- Signs not to be erected prior to writs being issued for an election for which the candidate has elected to stand and to be taken down and removed no later than two days following the holding of the poll;
- Signs not to create an obstruction to the vision of persons using any highway;
- Signs to be maintained in good and substantial repair, order and condition; and
- Signs to comply with the requirements of any Federal and State legislation so far as it affects the conduct of Federal, State and Local Government elections.

Enquiries: Mr Kerry Gillard, Cultural Facilities and Events Officer

Central Highlands Council

Signs displayed in the Central Highlands Council area advertising candidates for a declared election are to comply with the following:

- Signs not to be displayed within any road reserve.
- Signs on private property to:
 - have the owner's permission (including HEC for display on poles);
 - be no larger than 1 m²;

- be displayed for a period not exceeding 60 days and removed within 7 days of the election.
- No sign to create a traffic hazard.
- No sign to be illuminated.
- To comply with the requirements of the *Tasmanian Electoral Act 2004*.

Enquiries:

Mr Graham Rogers, Manager – Development and Environmental Services, 6259 5503

Circular Head Council

The Circular Head interim Planning Scheme 2013 provides that a planning permit is not required for political advertising signs subject to the following conditions:

- The displayed panel area must not exceed 1.5 metres square;
- Signs may only be displayed from the issue of a writ for an election; and
- Signs must be removed no later than 2 weeks after the election.

Political advertising signs should not

- be placed on land for which a Local Heritage Code applies;
- be placed within a road or access strip;
- be animated, changeable, flashing or rotating;
- resemble any air or marine navigation device, or railway or road traffic control or directional sign;
- visually obscure any sign or device for the convenience and safety of air or marine navigation or for use of a railway or road;
- be illuminated to overspill the boundaries of the site;
- comprise exposed brilliant intermittent lamps or bare bulbs; or
- comprise moving or mobile parts including banners, bunting or flags.

Enquiries: Mr Matthew Saward, Executive Manager Development Services on 6452 4800.

Clarence City Council

Council's policy is:

- signs should not be located on Council controlled land;
- signs should be located wholly within the boundaries of private property;
- signs should not be sited so as to obscure or interfere with a person's line of sight at intersections of roads.

Derwent Valley Council

Provisions of the New Norfolk Planning Scheme 1993 apply to electoral signs.

Enquiries: Anyone considering erecting electoral signs is advised to contact Ms Joanne Adlard on 6261 8505 to discuss the requirements contained in the Planning Scheme.

Devonport City Council

Council's Planning Scheme exempts electoral advertising subject to the sign being no greater than 1.5 square metres.

Placement of electoral signs is subject to the following conditions:

- Signs should be located wholly within the boundaries of private property;
- Permission must be obtained from the property owner prior to erection of a sign;
- Signs should not be sited so as to obscure or interfere with a person's line of sight at intersection of roads;
- Signs should not be sited so as to obscure or interfere with views from neighbouring properties;
- Signs should display only information relating to the election and the candidate;
- Signs should not be animated or illuminated;
- The period of display is limited to 60 days and signs must be removed no later than 14 days after Polling Day;
- Signs are not permitted on any Council land, on road reserves or on any public utility such as power poles.

Enquiries: Shane Warren, Planning and Health Coordinator

Dorset Council

Under the Dorset Interim Planning Scheme 2013, election signs are exempt if:

- they do not exceed 1.5 square metres;
- are removed seven (7) days after the date of polling; and
- are not located on public land.

Enquiries: Rohan Willis, Supervisor - Regulatory Services

Flinders Council

The Flinders Planning Scheme allows election signs to be permitted as of right (no permit or application required) but there are 2 conditions:

- the display period is not more than 60 days;
- the sign is not illuminated.

George Town Council

Election signs relating to Federal, State or Local Government elections may be erected on

private land after the issuing of a writ for an election and removed within 14 days of the election.

Enquiries: Ms Josie Higgins, Executive Officer (Governance)

Glamorgan Spring Bay

Electoral signs do not require a planning permit provided signs meet the criteria of the Signs Schedule of the Council Planning Scheme 1994.

Electoral signs are allowed provided they:

- are located on private property;
- are affixed to a suitable structure;
- are not nailed or affixed to trees or other vegetation;
- do not exceed one square metre in size unless approval is granted pursuant to clause S1.4;
- comply with the *Electoral Act 1985*;
- are not erected more than two months prior to polling day and are removed within fourteen days of the declaration of the poll: and
- do not interfere with the free movement of pedestrians or vehicles.

Glenorchy City Council

Policy on electoral advertising is as follows:

- No planning approvals are required for election signs provided that they are on private property and have been erected with the permission of the owner;
- Signs are not permitted on any Council land, on road reserves or on any public utility such as power poles;
- Signs can only be erected for a period of no more than 3 months and must not create any traffic hazard or interfere with any public utility.

Enquiries: Planning Office on 6216 6800

Hobart City Council

POLICY 5-03-01:

GENERAL - POLITICAL ISSUES ELECTION SIGNAGE

13 March 2007; Amended 9 February 2010

Definitions:

“election campaign period” means:

- (i) For Federal and State elections, from the date on which the election writ is issued until 7 days after the election day;
- (ii) For Local Government elections, from the date of publication of the Notice of Election until 7 days after the close of poll.

“location” means any one property;

“electoral signage” means any graphic, pictorial or written display which can be viewed from a public street and which promotes a candidate or political party vying for election in a Federal, State or local government election or any other elections that may from time to time be conducted.

Policy Statement

1. Placement of electoral signage during an election campaign period in the Hobart Municipal Area is subject to the following:
 - (i) the length of display of any sign at one location does not exceed the defined election campaign period;
 - (ii) signs are to be properly supported and maintained;
 - (iii) signs are not to project over footpaths;
 - (iv) signs are to be removed at the conclusion of the election campaign;
 - (v) prior permission for the placement of signs must be obtained by the sign owner from the relevant property owner; and
 - (vi) no sign is to be placed on Council owned or Council controlled property or infrastructure. Any signs that are placed on property owned or controlled by the Council will be removed by Council staff.
2. The Hobart City Council does not permit any election advertising signage to be affixed to any Council owned or controlled land save and except that election candidates will be permitted to display election signage on registered vehicles on Council controlled highways (including metered spaces) and car parks.
3. This policy applies to Federal, State and local government elections and any other elections that may from time to time be conducted.

Huon Valley Council

Note: the following information may change as a result of the Huon Valley Interim Planning Scheme if and when it comes into force.

In accordance with Council By-laws, the Esperance Planning Scheme 1989, Port Cygnet Planning Scheme 1988 and the Huon Planning Scheme 1979 and a resolution of Council of 13 June, 1995 the following conditions apply to the erection of electoral signs in any part of the municipal area.

An electoral sign:

- Must not create a traffic hazard;

- Must not intrude in terms of its size, colour, movement, illumination, position, shape or standard of design or construction, into the appearance of any area, so as to cause a reduction of visual amenity within the area;
- Must only be erected on privately owned land and must not be placed on Council owned or controlled land (which includes footpaths, nature strips and road reservation of that road).
- Must only be erected with the prior approval of the landowner.
- All signs must be removed within 14 days after the polling period; and
- No sign is to be displayed on a trailer or car parked specifically for the purpose of displaying that sign.

In addition the following requirements will apply to the areas specified:

- In the district covered by the Port Cygnet Planning Scheme 1988 an electoral sign is not to be greater than 1 square metre in area and is not to be displayed before 2 months prior to the day of polling.
- In the district covered by the Huon Planning Scheme 1979 an electoral sign is not to be greater than 2 square metres in area and is not to remain in place for longer than a month.
- In the district covered by the Esperance Planning Scheme 1989 an electoral sign is not to be greater than 1 square metre in area.

Electoral signs that exceed the above requirements will require planning approval to be issued by the Council.

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 or By-law 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.

Any breach of a provision of a Planning Scheme or By-law may also lead to penalties being imposed.

Enquiries: Mr Matthew Grimsey, Executive Manager Regulatory and Development Services on 62640300

Kentish Council

Under the Interim Planning Scheme 2013 E7.4.2.(m) the following exemption applies:

- A display panel of not more than 1.5m² for a candidate or party and displayed for the period between the issue of a writ for an election and two (2) weeks after the election.

To comply with this clause the following applies:

- All signs are to be located wholly within the boundaries of private property.
- No more than one sign shall be constructed or exhibited on or upon the land or building.
- No sign to create a traffic hazard or diminish in any way the visibility or

effectiveness of any information, direction, safety, warning, traffic control or other sign of Council or other statutory body.

- No sign shall be animated or illuminated.

Candidates should be advised that Council Officers may remove any sign that contravenes the above conditions and Council may recover the costs from the candidate concerned.

Kingborough Council

- Electoral (political) signage may only be exhibited for a period not exceeding 42 days.
- No signage may be placed within road reserves, Council reserves or other property under the control of Council.
- No signage may be erected on private land without the land owner's consent.
- Signage erected on private land must not cause any obstruction to vehicular and/or pedestrian movement, or create a traffic hazard.
- All signage must be removed within 7 days of the closure of the poll.

Candidates are advised that Council may remove any sign that that contravenes the above conditions and may, in addition to imposing a penalty, recover the costs from the candidate.

King Island Council

A permit is not required for election signage provided it complies with section E7.4.2(m) of the King Island Interim Planning Scheme 2013. The Sign Code does not apply for a sign that is an election sign if a display panel area of not more than 1.5m² for a candidate or party and displayed for the period between the issue of a writ for an election and 2 weeks after the election.

Please contact Council's Development Coordinator, Charles Arnold on 6462 9000 if you have any queries.

Latrobe Council

Candidates may for the sixty (60) days prior to the date of polling, erect signs subject to the following guidelines:

- All signs are to be located wholly within the boundaries of private property.
- A person must not publicly display a poster or sign in relation to the election of a candidate without the written authority of that candidate.
- A person must not publicly display a poster or sign or a group of posters or signs containing electoral advertising relating to the election of a candidate if –
 - the poster or sign exceeds 3 square metres; or
 - the group of posters or signs in total exceed 3 square metres.

- A poster or sign forms part of a group of posters or signs if it is located within 10 metres of another poster or sign.
- A candidate must not display or permit to be displayed posters or signs containing electoral advertising relating to the election of that candidate exceeding a total number of 50, whether or not the posters or signs contain electoral advertising relating to the election of another candidate.
- No sign to create a traffic hazard or diminish in any way, the visibility or effectiveness of any information, direction, safety, warning, traffic control or other sign of Council or other statutory body.
- All signs should be removed within seven (7) days of the election.

Candidates should be advised that at the direction of the General Manager, Council Officers may remove any sign that contravenes the above conditions and Council may recover costs from the candidate concerned.

Launceston City Council

Launceston's Planning Scheme provides that a candidate for a federal, state, municipal or Marine Board election may, within 2 months of the date of the polling for the election of which he or she is a candidate, erect or cause to be erected signs in accordance with the following provisions –

- Each sign must be located wholly within the boundaries of any premises;
- No sign must be sited so as to obscure or interfere with any person's line of sight at the intersection of any road;
- No sign must be sited so as to obscure or interfere with views from neighbouring premises;
- Each sign must be removed by the candidate no later than 1 week after the polling day at which he or she was a candidate;
- Each sign must not exceed 900mm x 1200mm;
- Each sign must only display information relating to the election and the candidate; and
- No sign must be erected in any road reserve or in any public place.

Meander Valley Council

Election signs do not require approval provided they meet the following requirements:

- They are located on private land with the consent of the owner;
- Each sign is no greater than 1.5 square metre in surface area; and
- They are only displayed for the period between the issue of a writ for an election and 14 days after the election date.

Enquiries: David Pyke, Director of Governance & Community Services, ph 6393 5316

Northern Midlands Council

- Election posters/signs are exempt from planning approval subject to the poster/sign having an area no greater than 1.0 m² being displayed for the period only between the issuing of a writ for an election and fourteen (14) days after the election.
- Council consent will be required for signs that are to be erected within the Council's road reservation.

Enquiries: Mr Lindsay Harwood, Executive & Liaison Officer Ph 6397 7303

Sorell Council

Council considers signage to be subject to the following criteria:

A person who is a candidate for a Federal, State or Municipal election may, for two months prior to the date of polling for the election at which that person is a candidate, erect or cause to be erected, signs in accordance with the following:

- Each sign shall be located wholly within the boundaries of private property;
- No sign shall be sited so as to obscure or interfere with any person's line of sight at the intersection of roads;
- No sign shall be sited so as to obscure or interfere with views from neighbouring premises;
- Each sign shall be removed by the candidate no later than fourteen days following the date of polling for election at which that person is a candidate;
- Each sign shall have a maximum area of 1 square metre;
- Each sign shall display only information relating to the election and the candidate;
- In respect of Municipal elections, each sign shall be in accordance with the provisions of the *Local Government Act 1993*.

Southern Midlands Council

Southern Midlands Council's position in respect of election signs is as follows:

- The Southern Midlands Planning Scheme 1998 provides an exemption from the need to obtain a planning permit for election signs, provided they are in position for a period of two months or less.
- Signs should be removed within the week following the election.
- It is the responsibility of those persons erecting the signs to ensure that they are safe and securely fixed in position, do not block sight lines for traffic or otherwise cause a hindrance or a danger to members of the public.

Any queries should be directed to Damian Mackey, Manager Development &

Environmental Services, at Council's Kempton offices on 6259 3011, or by email on dmackey@southernmidlands.tas.gov.au

Tasman Council

The Tasman Planning Scheme 1979 provides for the following –

"A person may construct or use an advertising sign without the consent of Council provided such signs or notices are removed within fourteen days following declaration of the poll."

Enquiries: Tasman Council, phone 6250 9200

Waratah-Wynyard Council

No objection is raised to the erection of electoral advertising signs providing relevant land owner permission is obtained, the person responsible for their placement maintains them in an adequate state of repair and free from defacement and removes them no later than 7 days after polling day.

Enquiries: Mr John Stretton, Corporate Secretary

West Coast Council

No information provided.

West Tamar Council

West Tamar Interim Planning Scheme 2013.

"Election signs" means a temporary sign for a political candidate(s) or registered political party(s) for a Federal, State or Municipal election.

Election signage does not require any planning approval if it complies with the provisions below:

- does not exceed 1.5 square metres;
- is erected after the writs for election are issued;
- is removed within 7 days after the date of polling;
- does not exceed 1 per site; and
- is not on public land.



Level 3 TasWater Building

169 Main Road

Moonah Tasmania 7009

Mail PO Box 307, Moonah Tasmania 7009

Phone (03) 6208 8700

Fax (03) 6208 8791

Email ballot.box@tec.tas.gov.au

Web www.tec.tas.gov.au

(Contact details updated October 2017)