

Key message

Council has a policy around election signs and candidates should familiarise themselves with this. Election signs are permitted two months before election day (from 8 August 2022) but must be removed by midnight 7 October 2022.

1. Background

In addition to making a bylaw to regulate the display of advertising signs generally, Council chooses to adopt a policy specifically for election signs. The policy is reviewed every three years before local elections to ensure it remains up to date.

2. Policy objective

The objective of this policy is to set out the standards that apply to signs used for general elections and to extend those standards to signs used for local elections.

3. Principles

This policy is guided by the principle that the rights and responsibilities for signs used for general elections should be extended to those used for local elections.

4. Definitions

Election sign (sign) for the purposes of this policy, means any sign, poster, billboard or hoarding that might reasonably be regarded as being used to encourage voters to vote or not vote for any candidate, party, view or position under contention at a general election, a referendum or a local election.

General election for the purposes of this policy, means any election (including a by-election) for one or more members of the New Zealand Parliament.

Local election means an election for member(s) of a territorial authority, regional council or district health board for whom registered electors in the Kawerau District are able to vote. At the commencement of this policy, the relevant bodies are the Kawerau District Council, and the Bay of Plenty Regional Council.

Referendum means a government-initiated referendum or a citizen-initiated referendum, which can be local, regional or nationwide.

5. Policy statement

5.1 Policy application

5.1.1 Signs for general elections

Election signs for general elections are subject to the requirements of the Electoral Act 1993.

General election signs may be displayed for two months before the day of the general election and must be removed by midnight on the day before election day.

General election signs must be authorised in accordance with the requirements of the Electoral Act.

Any general election sign displayed on or visible from any road other than a state highway:

- must not exceed 3 square metres in size;
- must not use reflective material or illumination or have moving parts; and
- must not look like a traffic sign in shape or colour.

Any general election sign displayed on a state highway is subject to NZ Transport Agency requirements and in addition, must have spacing between lines of text of not less than 50mm. Lettering must be either:

- at least 120mm in height if the sign is visible from a road with a speed limit of less than 70km/h; or
- at least 160mm in height if the sign is visible from a road with a speed limit of 70km/h or more.

Signs used for general elections are also subject to clauses 5.2 – 5.5 of this policy.

5.1.2 Signs for referenda

Signs for referenda are subject to the requirements set out in the Referenda (Postal Voting) Act 2000, the Citizens Initiated Referenda Act 1993 and associated Regulations.

Signs used for referenda must be authorised in accordance with the requirements of the relevant legislation.

Signs used for referenda are also subject to clauses 5.2 – 5.5 of this policy.

5.1.3 Signs for local elections

Local election signs must be authorised in accordance with the requirements of the Local Electoral Act 2001.

Local election signs are subject to clauses 5.2 – 5.5 of this policy.

In all other respects this policy extends the standards for general election signs as outlined in 5.1.1 to any local election signs used in the Kawerau District.

5.2 **Location of election signs**

Election signs are allowed on private property subject to the consent of the property owner.

Election signs are not allowed on any public place owned or controlled by council.

No election sign is allowed near any road in the Kawerau District where council considers the sign will:

- obstruct the line of sight of road users at any corner, bend, intersection or vehicle crossing;
- obstruct, obscure or impair motorists' view of any traffic sign or signal.

Vehicle-mounted election signs are not allowed anywhere in the Kawerau District.

5.3 **Construction standards**

Election signs and their supporting structures must be constructed, fixed and placed in a manner so as not to pose a danger to people or property. This is the responsibility of the sign owner and the owner of the property on which the sign is erected.

Signs must be securely braced from the ground up to carry wind loads for 60 days.

Council does not require a building consent for any election sign.

5.4 **Removal of signs by Council**

Council may remove any unauthorised, unsafe, damaged or otherwise non-compliant sign.

Sign owners are encouraged to ensure their signs are regularly monitored and that any damage is promptly remedied. Council may remove any damaged sign which has not been repaired within a period of 72 hours.

Any sign removed by council shall be released to the owner upon payment of the applicable charges. Council may dispose of any sign which remains unclaimed or not released for a period exceeding one month.

5.5 Fees

Council does not charge fees for election signs.

Any actual and reasonable cost incurred in the removal and storage of any non-compliant sign will be recoverable as a debt against either the owner of the sign or the owner of the property where the sign was erected.

6. Relevant delegations

The chief executive officer or his/her nominee has delegated authority for the implementation of this policy.

7. References and relevant legislation

Electoral Act 1993

Local Electoral Act 2001

Referenda (Postal Voting) Act 2000

Citizens Initiated Referenda Act (1993)

Kawerau District Council General Bylaw: Part 5 – Advertising Signs (2013)

Operative Kawerau District Plan