



Special Council Meeting

BUSINESS PAPER

THURSDAY 9/07/2020

Meeting to be held commencing 6:00pm
Via Zoom Video Conference

A handwritten signature in black ink, appearing to read 'D. Fletcher'.

Daniel Fletcher, Chief Executive Officer

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



SPECIAL COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

**Notice of Meeting
to be held via Video Conference
on Thursday 9 July 2020 at 6:00pm**

**Daniel Fletcher
Chief Executive Officer**

Join Zoom Meeting
<https://us02web.zoom.us/j/82626845612>
Meeting ID: 826 2684 5612

| Number | Agenda Item | |
|--------|---|------|
| 1 | Opening of Meeting | |
| 2 | Acknowledgement of Traditional Ownership | |
| 3 | Apologies and Leave of Absence Mayor Maree Bredhauer - Apology | |
| 4 | Disclosures of Interest | |
| 5 | Public Forum | |
| 6 | Officers Reports | |
| | 6.1 Election Signage | 1-25 |
| 7 | Confidential Items | |
| 8 | Close of Meeting | |



SPECIAL COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Thursday 9 July 2020

1. Open of Meeting

Disclaimer

A video recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

2. Acknowledgement of Traditional Ownership

Council would like to acknowledge the traditional custodians of this land on which we meet on tonight. We pay our respects to the Elders past, present and future for their continuing custodianship of the land and the children of this land across generations.

3. Apologies and Leave of Absence

THAT Council notes and approves:

| | | |
|------------------|-------------|---------|
| Leave of Absence | Cr {Insert} | {dates} |
| Apologies | Cr {Insert} | {date} |

4. Disclosures of Interest

Any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

5. Public Forum

6. Officers Reports

6.1 Election Signage

7. Confidential Items

Nil

8. Close of Meeting



COUNCIL REPORT

| | |
|------------------------------|--|
| Agenda Item Number: | 6.1 |
| Report Title: | Election Signage |
| Author: | Phil Joyce, Manager Infrastructure and Assets |
| Recommending Officer: | Daniel Fletcher, Chief Executive Officer |
| Meeting Date: | 9/07/2020 |
| Attachments: | A: Election Signage Policy NTG B: Mobile Roadside Booths Policy NTG |

Executive Summary

This report seeks Council's approval for election signage and mobile roadside booths to be placed on Council owned or controlled land.

The introduction of this Council resolution will allow election signs and mobile roadside booths on Council owned land for a period of seven weeks, six weeks prior to the NT election and one week after polling day. Candidates will be required to comply with the Northern Territory Government (NTG) Election Signage Policy and Mobile Roadside Booths Policy.

Recommendation

THAT Council approve election signage and mobile roadside booths being located on Council owned and/or controlled land subject to the election signage and mobile roadside booths being installed in accordance with the Northern Territory Election Signage and Mobile Roadside Booths Policy.

Background

At the 21 September 2016 Council Meeting, Council moved the following:

THAT Council:

- 1. Endorse a position that no approvals will be given for signage, roadside vans or events on council owned land until such time as appropriate policy, procedures and by-laws are developed. This excludes Council reserves which are run under management by committee or under lease to an incorporated body;*
- 2. Develop Council by-laws to cater for the regulation of a permit system for signage within the municipality and roadside vans and events on council owned land;*
- 3. Develop policy and procedures to support any Council by-laws which are enacted; and*
- 4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.*

The above Council resolution was not intended to cover election signage. As a result, Council does not have a policy or position on election signage in Council owned or controlled land.

This resolution provides clarity for candidates on how they are to install signage on Council owned or controlled land.

In addition, Council officers will be able to monitor the set-up of signage to ensure that it is in accordance with the NTG policies.

It is anticipated that this resolution will cover all future elections (local, territory and federal) unless an alternative position is adopted by Council.

Links with Strategic Plan

A Well-Run Council - Engaging Our Community

Legislative and Policy Implications

As stated above the NTG has developed two specific policies regarding management of election signage within road reserves. Both policies have taken into consideration requirements of the following legislation:

- Northern Territory Traffic Act*
- Northern Territory Traffic Regulations*
- Northern Territory Control of Roads Act*

Risks



A low health and safety risk have been identified associated with placing election signs and booths in road reserves from a driver distraction and collision point of view. However, compliance with the respective NTG Policies mitigates these risks.

There is a moderate risk that some members of the community particularly business owners may complain because the current resolution prevents them from placing advertising signs on Council land. This to some degree is countered by community having the right to know who candidates are and what party they are standing for. Additionally, the introduction of this position by Council will only be activated at the appropriate time leading up to elections – not all year round.

Community Engagement

Following a positive resolution from the Council of the recommendation contained herein, community will be advised about the resolution through Council’s webpage and Facebook page.

Community Services staff will be updated allowing them to effectively communicate Council’s position face to face with customers if they attend Council Offices. Also, the following process will be initiated to ensure that candidates are advised and their obligations:

- Council will communicate directly with candidates in the electorates of Goyder, Daly and Nelson to advise of changes to the Litchfield Council signage policy;
- Each candidate will be provided a copy of the NTG Election Signage and Mobile Booth Policy;
- Candidates will be advised at this time that if signs are found to be placed in a non-compliant manner they will be removed and stored at Litchfield Council Offices, 7 Bees Creek Road;
- Council will publish information about the policy change including the NTG policies on the Council webpage;
- Any community complaints will be entered the Customer Request Management portal and verified through inspection;
- Resources from Infrastructure and Assets, Mobile Work Force and Regulatory services will be engaged in verification inspections as required;
- Where breaches of the NTG policies are identified, signs will be removed to Litchfield Council Office and stored;
 - Council will not contact the candidate to advise their sign has been removed, the responsibility is with the candidate to know where their signs located.
- Where breaches of the mobile booth policy are identified, Council staff will approach the booth and ask them to demobilise and/or reset up in a compliant manner. This will be followed up with a phone call to the candidate to advise of the breach so they can advise their electioneering team; and
- Council will dispose of any unclaimed signs seven (7) days after polls close.

Mobile Roadside Booths Policy

For the set up and removal of booths and related signage.

- ✓ Federal, Territory and Local Government Members and Candidates.
- × Does not include mobile vendors.

| | |
|------------------------|--|
| Document title | Mobile Roadside Booths Policy |
| Contact details | Department of Infrastructure Planning and Logistics |
| Legislation | Traffic Act - s15 Removal of hazardous sign, &c. Traffic Regulations 1999- s34 Person or thing obstructing road Control of Roads Act - s57 Timber etc. fixed to roads not to be damaged etc. |
| Approved by | Chief Executive |
| Date approved | 3 June 2020 |
| Document review | Annually |
| TRM number | 2019/2666-0009~0007 |

| Version | Date | Author | Changes made |
|---------|-----------|------------|---|
| 2.0 | June 2020 | Bob Pemble | 2. Policy Principles 5.1 Booth Details |
| 1.0 | May 2020 | Bob Pemble | First Version |

| Related Policy | Date |
|---|--------------|
| Election Signage Policy Version 4.0 | June 2020 |
| Advertising and Activities in Road Reserves – Management Guidelines (Covers Mobile Vendors, Temporary Event Signage and Short Term Promotional Activities) | October 2019 |

| Acronyms | Full form |
|----------|-------------------------------|
| NTG | Northern Territory Government |

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1. Objective

To advise Federal, Northern Territory and Local Government members and candidates on the current policy for the placement and removal of mobile roadside booths and related signage on Northern Territory Government road reserves.

2. Policy Principles

The placement of mobile roadside booths on Northern Territory Government road reserves is an acceptable means by which members of the public interact with Federal, Northern Territory and Local Government members and candidates.

It is important to note these key points:

- Activities must be safe and not interfere with the travelling public, traffic control devices or public utilities in the road reserve.
- The visual appearance of the road environment is important to Territorians and visitors.

3. Northern Territory Government Road Assets

This policy applies to roads under the care of the Department of Infrastructure, Planning and Logistics.

Mobile Booths are not permitted on other assets under the care of the Department of Infrastructure, Planning and Logistics.

A complete list of roads is available <https://nt.gov.au/driving/management/who-manages-a-road-in-the-nt>

4. Activities and Road Safety Risks

Driver distraction is a known contributor to poor vehicle control and road crashes. Activities can present a significant distraction and place the safety and property of road users at risk, particularly where they occur on busy urban and high speed roads.

5. Mobile Roadside Booth Requirements

5.1. Booth Details

Booths meeting the following criteria are permitted:

- Booth area up to maximum 18m².



5.2. Booth Signage and Promotional Paraphernalia

Materials meeting the following criteria are permitted:

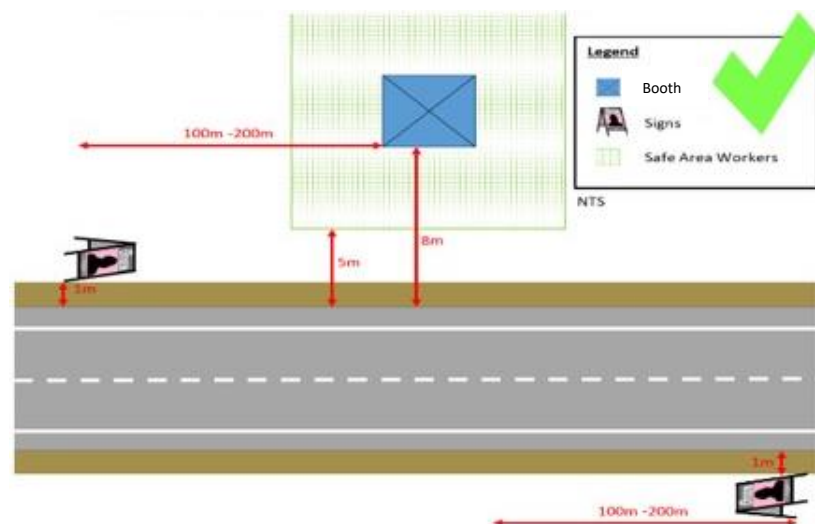
- Signage in accordance with the Election Signage Policy sections 4.1 Sign Details, 4.2 Sign Display Period and 4.5 Sign Fastening or securely attached to the mobile roadside booth.



- On divided road, a single sign up to 1.5m² in area, between 100m to 200m in advance of the mobile roadside booth.¹



- On un-divided road, single sign up to 1.5m² in area, on each approach, between 100m to 200m in advance of the mobile roadside booth.¹



¹ Placement of signage in accordance with Election Signage Policy, 4.3 Sign Locations



- Bunting attached to the booth.



- Standalone banners and flags up to 3m in height with weighted base.



- Banners and flags up to 3m in height, securely affixed to the booth.



Materials meeting the following criteria are **not** permitted:

- Distracting paraphernalia e.g. inflatable products.



5.3. Booth Operation Times

Booth set up and removal permitted:

- During daylight hours.
- Seven (7) days a week.

5.4. Booth Allocation

There is no booking system in place for sites.

Use of booths in accordance with the following arrangements are permitted:

- Sites are for single use only, on a first in basis.

5.5. Site Management

Booths operating in accordance with the following conditions are permitted:

- Representative in attendance at all times.
- Plan in place to provide for safe separation of vehicles and pedestrians.



- Personnel at least 5m from edge of road.



5.6. Booth Fastening

Booths tethered by the following means are permitted:

- Grassed areas – pegs and guy ropes or weights.



- Paved areas - weights strapped to the booth.



5.7. Booth Locations

Position booths within sites:

- At least 1m from any tree trunk, shrub or garden bed.
- At least 5m from any road sign or traffic control device.
- At least 1m from footpath/cycle path.

- At least 8m from edge of road.



6. Booths in Breach of this Policy

Candidates or their representatives and members of Government will be afforded 1 hours' notice to comply if booth set up and operation or related signage is in breach of this policy.

Failure to comply after notification will result in removal by Department Officers and costs may be recovered.

The return of removed materials will be conditional and require confirmation in writing from the candidate or representative of the candidate or member of Government that the policy is understood and will be complied with.

Any further breach of the policy will result in confiscation of the materials.

Any material which is a road safety issue will be removed immediately by Department Officers.

7. Contact Details

Prior to the set-up of any booths it is recommended that contact be made with Department officers to clarify requirements.

Contacts:

DARWIN

Level 2 Highway House, Palmerston NT, 0830

Telephone: 8999 4449

Email: roadsdarwin.ntg@nt.gov.au

KATHERINE

Katherine Government Centre, First Street,
Katherine NT, 0850

Telephone: 8973 8665

Email: roadskatherine.ntg@nt.gov.au

TENNANT CREEK

Leichhardt Street, Tennant Creek, NT 0860

Telephone: 8962 4521

Email: roadstennantcreek.ntg@nt.gov.au

ALICE SPRINGS

Floor 1, Green Well Building, 50 Bath Street, Alice Springs, NT 0870

Telephone: 8951 5514

Email: roadsalicesprings.ntg@nt.gov.au

NHULUNBUY

John Flynn Drive, Nhulunbuy, NT, 0880

Telephone: 8987 0198

Email: roadsnhulunbuy.ntg@nt.gov.au

Election Signage Policy

For the placement and removal of election signage.

| | |
|------------------------|--|
| Document title | Election Signage Policy |
| Contact details | Department of Infrastructure Planning and Logistics |
| Legislation | Traffic Act - s15 Removal of hazardous sign, &c. Traffic Regulations 1999- s34 Person or thing obstructing road Control of Roads Act - s57 Timber etc. fixed to roads not to be damaged etc. |
| Approved by | Chief Executive |
| Date approved | 3 June 2020 |
| Document review | Annually |
| TRM number | 2019/2666-0005~0025 |

| Version | Date | Author | Changes made |
|---------|------------|-------------|--------------------|
| 4.0 | June 2020 | Bob Pemble | 4.1 Sign Details |
| 3.0 | March 2020 | Bob Pemble | Updates and images |
| 2.0 | March 2019 | Ian R Smith | Formatting only |
| 1.0 | May 2016 | Ian R Smith | |

| Related Policy | Date | Version |
|-------------------------------|-----------|---------|
| Mobile Roadside Booths Policy | June 2020 | 2.0 |

| Acronyms | Full form |
|----------|-------------------------------|
| NTG | Northern Territory Government |

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1. Objective

To advise candidates on the current policy for the placement and removal of election signs on Northern Territory Government road reserves prior to and after Federal, Northern Territory Legislative Assembly and Northern Territory Local Government elections.

2. Policy Principles

The placement of election signs on Northern Territory Government road reserves is an acceptable means by which eligible voters become familiar with election candidates. It must be managed in a way that does not compromise motorist, cyclist and pedestrian safety and is environmentally conscious.

3. Northern Territory Government Road Assets

This policy applies to roads under the care of the Department of Infrastructure, Planning and Logistics.

Election signage is not permitted on other assets under the care of the Department of Infrastructure, Planning and Logistics.

A complete list of roads is available <https://nt.gov.au/driving/management/who-manages-a-road-in-the-nt>

4. Requirements

4.1. Sign Details

Signs meeting the following criteria are permitted:

- Single signs up to 1.5m² in area;



- Displayed on corflute or similar.¹



4.2. Sign Display Period

Signs installed within the following times are permitted:

- Six (6) weeks prior to a fixed election date (Legislative Assembly and Local Government Elections);
- From the date of public notice by the Australian Electoral Commissioner of receipt of writ to conduct an election (Federal Elections);
- Up to Seven (7) days after an election.

¹The Northern Territory Electoral Commission is responsible for managing compliance with the content of advertising material.

4.3. Sign Locations

Signs positioned within the following areas are permitted:

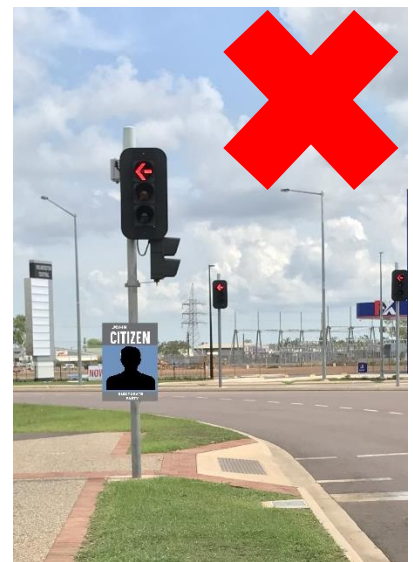
- At least 1m clear of underground and above ground services such as irrigation systems, street light poles, power poles etc.;



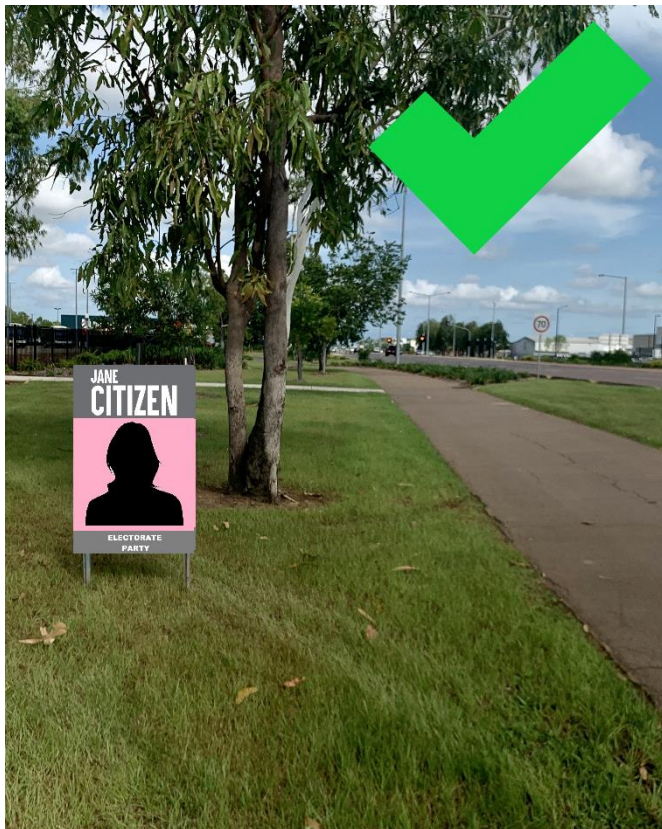
- At least 1m from any tree, shrub or garden bed



- At least 5m from any road sign or traffic control device such as traffic signals;



- At least 1m from edge of road or footpath/cyclepath



- In areas that do not restrict drivers sight lines at intersections (i.e. in accordance with Australian Standards).



4.4. Sign Traceability

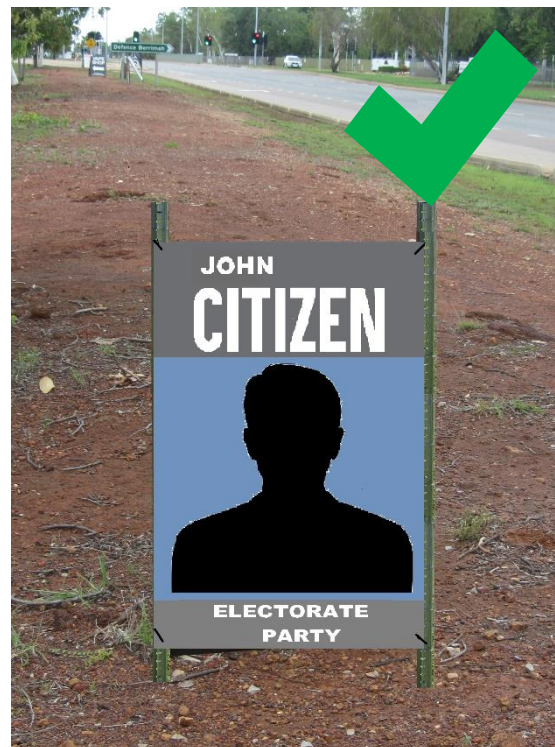
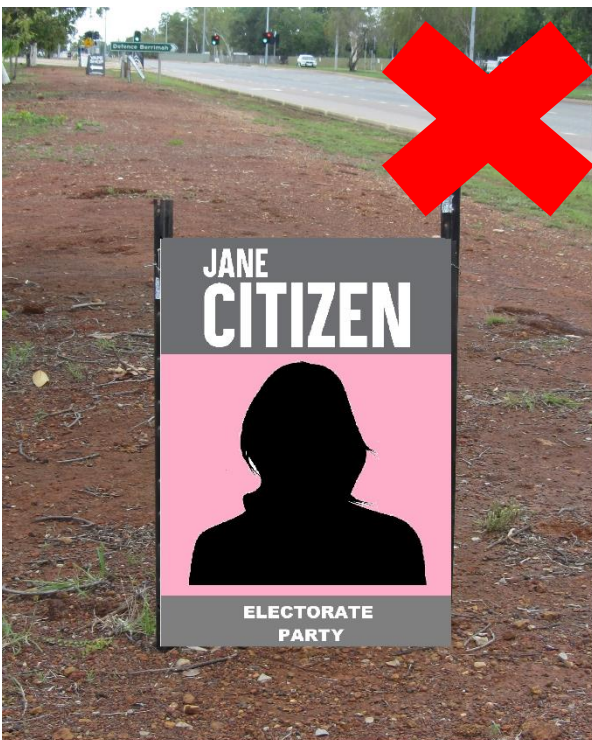
Signs locations identified by the following means are permitted:

- GPS location;
- Electronic or hard copy file.

4.5. Sign Fastening

Signs affixed by the following means are permitted:

- Cable tie or similar to boundary fencing²;
- Attached to low strength or frangible stakes driven into ground, e.g. lightweight fence droppers or similar.



² Subject to approval of the adjacent landowner. Approval will not be granted when NTG is adjacent landowner.

5. Signs in Breach of this Policy

Candidates or their representatives will be afforded 24 hours' notice to comply if any sign is in breach of this policy.

Failure to comply after notification will result in removal by Department Officers and costs may be recovered.

The return of removed signs will be conditional and require confirmation in writing from the candidate or representative of the candidate that the policy is understood and will be complied with.

Any further breach of the policy will result in confiscation of the sign until after the election.

Any sign which is a road safety issue will be removed immediately by Department Officers.

If signs are not removed within seven (7) days after an election, Department officers will remove the signs and recover costs from the offending party³.

6. Contact Details

Prior to the installation of any signs it is recommended that contact be made with Department officers to clarify requirements.

DARWIN

Level 2 Highway House, Palmerston NT, 0830

Telephone: 8999 4449

Email: roadsdarwin.ntg@nt.gov.au

KATHERINE

Katherine Government Centre, First Street, Katherine NT, 0850

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NHULUNBUY

John Flynn Drive, Nhulunbuy, NT, 0880

Telephone: 8987 0198

Email: roadsnhulunbuy.ntg@nt.gov.au

³ Removal costs \$50/hr (GST inc).