# LOCAL NUISANCE AND LITTER CONTROL

Bill Posting

## WHAT IS LOCAL NUISANCE?

Local nuisance is described in *the Local Nuisance and Litter Control Act 2016* (the Act) as being any adverse impact on the amenity value of an area, which unreasonably interferes with, or is likely to unreasonably interfere with, the enjoyment of that area by people in that area.

## WHAT IS BILL POSTING?

Bill posting is the display or placement of advertising material on private property (buildings, vehicles, street furniture, and road-side and railway infrastructure) without permission. The property may be owned by Councils, companies, small businesses or individual persons.

The Act describes a bill as including:

- flyers
- brochures
- posters containing promotional material anything else declared by regulation as being a bill.

*The Local Nuisance and Litter Control Regulations 2017, prescribes a moveable sign within the meaning of the Local Government Act 1999 (Including an election sign) that is placed or maintained on a road other than in a manner authorised under Section 226 of Local Government Act 1999 to be a bill.*

## WHAT IS THE LAW WITH REGARD TO BILL POSTING?

It is illegal to conduct any bill posting without the consent of the owner or occupier of the property where the bill is to be posted, whether it be Councils, businesses, government or individual persons.

## WHAT ARE THE IMPACTS OF BILL POSTING?

Bills frequently become litter or cause unsightly situations, with the cost of clean-up ultimately borne by the community. The illegal posting of bills and other advertising material can have a range of significant impacts such as:

- the potential to cause brochures, flyers or deteriorating posters to end up polluting streets, waterways and stormwater systems
- it can cause property and other areas to look uncared for and derelict
- it has the tendency to attract other litter and subsequent bill posting
- it can cause unnecessary expense to Councils, related to the effort required in cleaning up and removing the postings.

## WHAT ARE THE PENALTIES FOR BILL POSTING?

Where a person who distributed or authorised the distribution of a bill for posting on a property without the consent of the owner or the occupier of the property **an expiation fee of $315 applies.**

## MAXIMUM PENALTY

- In the case of a corporate body: $20,000.
- In the case of an individual person: $10,000.

## COMPENSATION FOR LOSS OR DAMAGE AS A RESULT OF ILLEGAL BILL POSTING

Where a person is convicted of an offence related to bill posting, the Court may order the offender to pay compensation to the owner or occupier of the property for any loss of damage caused to the property, as a result of bill posting.

## MORE INFORMATION

This fact sheet is one of a range designed to increase your awareness and understanding of the requirements of the *Local Nuisance and Litter Control Act 2016*. Please see other fact sheets for further information about the Act. You can access more information on our website: cityofpae.sa.gov.au/live/public-and environmental-health/local-nuisance.