

Advertising Spending Policy

Policy Information			
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Responsible Officer	Chief Financial Officer		
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5	21/7/2021	2021/07-23	Review
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1. Purpose

1.1 The objective of this policy is to ensure Mornington Shire Council ("Council") staff and councillors have a clear directive when engaging in advertising for the benefit of the local community. This policy provides for the control of expenditure on advertisements placed by Council in various media platforms. The Local Government Regulation 2012, part 6 section 197 states:

- (1) A local government must prepare and adopt a policy about the local government's spending on advertising (an advertising spending policy).
- (2) A local government may spend money on advertising only—
 - (a) if—
 - (i) the advertising is to provide information or education to the public; and
 - (ii) the information or education is provided in the public interest; and
 - (b) in a way that is consistent with the local government's advertising spending policy
- (3) Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.

2. Commencement

This policy will commence on and from 17 July 2026. It replaces all other policies or arrangements governing Advertising Spending (whether written or not).

3. Application

3.1 The policy applies to any paid advertisement or notice on any media platform to promote goods or service (including facilities) provided by the Council. The policy also applies to electronic advertising including the use of the internet. Examples of mediums commonly used for promoting ideas, goods or services include but are not limited to “magazines, newsletters, newspaper, radio, television and social media”.

3.2 The policy does not apply to reports published in the media where no payment is made for the report.

3.3 Council advertises on various media platforms to inform, involve, and educate the community about matters affecting them. The following regulates the way in which Council uses advertising for this purpose:

a) Council may incur expenditure for the purpose of advertising providing:

- i. the basis of the advertising is to educate and/or inform the public of Council matters
- ii. the informative and/or educational material is seen to be in the best interest of the local community
- iii. advertising is provided in a manner consistent and compliant with this policy document

b) Council may engage in advertising to:

- i. maximise compliance and/or awareness of new or amended laws
- ii. promote and/or encourage feedback on Council plan's, goals and/or objectives
- iii. raise awareness of a Council-led initiative or activities
- iv. assist Council to preserve and maintain law and order during an emergency or crisis
- v. advise the community of a time and/or location of a scheduled Council meetings and outcomes.
- vi. report on Council's performance
- vii. advise on new or existing services, programs, facilities, and venues provided by the Council.
- viii. advise on the changes to existing services, programs, facilities, and venues provided by the Council.
- ix. recruit staff, acquire or dispose of property, plant, and equipment, promote tenders and expression of interest.
- x. ensure public safety, personal security and/or encouraging responsible behaviour and a sense of civic pride in order to obtain social cohesion
- xi. promote key initiatives and/or activities deemed to be in the best interest of the community

c) Council may not engage in advertising where:

- i. it would be commonly determined that the message may be misinterpreted as being on behalf of a political party or local group
- ii. a political party or local group or individual is being disparaged or held to ridicule
- iii. members and/or staff of Council are named, depicted, or otherwise promoted in a way that would be commonly deemed as being excessive or gratuitous
- iv. the method or medium of advertising could be perceived as being manifestly excessive or extravagant in relation to the objective being pursued

d) Council must not, during the three-month period preceding an election of Local Government (caretaker period), other than a by-election; or during the period after the date of a by-election is advertised until the day of the election:

- i. place advertisements relating to future plans unless, and only to the extent that, those plans have been formally adopted by Council
- ii. advertise the activities of Council other than in the manner and form it is customary for the Council to advertise its activities
- iii. place advertisements which seek to influence support for particular candidates, groups of candidates or potential candidates in an election
- iv. must not bear the cost of advertisements featuring one or more councillors or containing quotations attributed to individual councillors

Note: This does not preclude councillors from appearing in unpaid publicity or other publicity where the cost is not borne by Council.

4. Responsibilities

4.1 This policy applies to all councillors, Local Government employees, agents and contractors (including temporary contractors) of Council, collectively referred to in this policy as “employees”.

4.2 All advertising undertaken by and/or on behalf on Council must be approved by the Chief Executive Officer or their delegate.

4.3 When approving advertising expenditure, Council must ensure there is a clear line of accountability for content and expenditure and that Council’s Advertising Spending Policy is strictly adhered to.

4.4 Council must ensure audit and Procurement Policy is adhered throughout the advertising process are in accordance with the Local Government Act 2009 and associated Local Government Regulations 2012.

5. Variations

5.1 Council reserves the right to vary, replace or terminate this policy from time to time.

6. Breach of Policy

6.1 Where Council reasonably believes a councillor has breached this policy the matter will be dealt with in accordance with Council’s Code of Conduct for Councillors and the Councillor Investigation Policy.

6.2 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.

7. Communication and Distribution

7.1 Council will make available to the public, the Advertising Spending Policy on the Council Website

7.2 Council will make available to staff, the Advertising Spending Policy on the Council Intranet.

8. Associated Legislation and Policies

- Local Government Act 2009
- Local Government Regulation 2012 (Chapter 5 -Financial planning and accountability)
- Procurement Policy
- Code of Conduct for Councillors
- Performance and Misconduct Policy
- Investigation Policy