



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0271-19</b>
<b>2. Advertiser :</b>	<b>Traders in Purple</b>
<b>3. Product :</b>	<b>Real Estate</b>
<b>4. Type of Advertisement/Media :</b>	<b>Internet</b>
<b>5. Date of Determination</b>	<b>11-Sep-2019</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This website advertisement features information on Bathers Beachside apartments, including information on the location.

The location section of the website includes a map indicating the location and the following text:

"POSITION PERFECT

Margate is ideally located on a scenic coastal strip famed for its sparkling 2km white sand beach, the longest uninterrupted stretch on the Redcliffe Peninsula.

Brisbane is a mere 37kms away via the Bruce Highway, and for commuters there are regular bus services. For frequent fliers and business travelers, Brisbane Airport is only a short 20-minute drive from your front door. To the north, a leisurely hour and 10-minute drive leads to the Sunshine Coast and all its attractions.

But of course, when you live in Margate it's tempting never to leave. Everything you could ever want is on your doorstep. With Redcliffe and Scarborough to the north and Woody Point to the south, residents are spoilt for choice of things to do, and places to go. Nearby attractions include Suttons Beach, and Redcliffe's CBD with its Museum, Botanic Gardens and Showgrounds, to name just a few. Or perhaps you'll choose to head over to spectacular Moreton Island for the day for a little whale watching, or pack your tent and make a weekend of it. For lovers of water sports, there is no better



place to live. Kayaking, sailing and windsurfing are popular local activities and if dropping a line in the sea is your favourite pastime, there's no better place to be.

When you're choosing where to live it's reassuring to know you're making a good investment. The Redcliffe Peninsula is considered a bright spot for investors and homebuyers alike in the south east Queensland property markets with a stunning 19.2 per cent increase in property values over the past 12 months. Coupled with the area's excellent infrastructure and a proactive local council that supports the community, this area makes for an attractive investment. Where else can a savvy buyer secure luxury living with ocean views and all the advantages of city life combined with the charm of a laid-back holiday destination?

But where you live isn't just about bricks and mortar, it's about people too. Margate enjoys a stellar reputation of being very welcoming and family friendly. In the 2011 census, Margate recorded a population of 7,008 people with 52 per cent female and 48 per cent male with a median age of 42, which is five years above the national median age of 37. Seventy-two per cent of Margate residents were born in Australia.

Whoever you are, and wherever you come from, you'll fit right in to this friendly seaside town with its abundant coastal charms and appealing proximity to everything you'll ever want and need for a lifestyle that many only dream of.

Welcome to your new life. It begins here."

#### **THE COMPLAINT**

A sample of comments which the complainant/s made regarding this advertisement included the following:

*In the section called "Location - Position Perfect" it states that 72% of Margate (the suburb of the development) residents were born in Australia.*

*I find this objectionable as it implies that people not born in Australia are less desirable. This is not appropriate in a society that values acceptance of people from diverse backgrounds.*

*The advertisement can be located at [www.bathersbeachside.com](http://www.bathersbeachside.com)*

*I would be happy if the reference to the background of the local residents is removed from the advertisement.*

#### **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:



*We have since deleted that line off our website. It was not intended to be discriminatory in any matter but rather, we wanted to provide some demographics on the area as we have interstate buyers. However, we understand the interpretation and have decided to remove the reference all together - <http://www.bathersbeachside.com/#location>*

## **THE DETERMINATION**

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement implies that people not born in Australia are less than desirable.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Panel noted this website advertisement features information on Bathers Beachside apartments, including the sentence, "Seventy-two per cent of Margate residents were born in Australia."

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel noted that the information about the percentage of Margate residents born in Australia was included with other demographic information.

A minority of the Panel considered that although the statement was included as part of additional demographic information its inclusion was unnecessary. A minority of the Panel considered that advertiser was using this percentage as a selling point for the property, and that this was an indication that having neighbours who are not born in Australia is not desirable. A minority of the Panel considered that this was showing people not born in Australia to receive less favourable treatment than those who are born in Australia.

The majority of the Panel considered that the statement "Seventy-two per cent of Margate residents were born in Australia" was a statement of fact and was in the context of other demographic information which may be of interest to potential



buyers. The majority of the Panel considered that the statement did not identify any particular race or nationality, and did not make any comment about the backgrounds of the 28% of Margate residents who were not born in Australia.

The majority of the Panel noted that the next line of the text was, “whoever you are, and wherever you come from, you’ll fit right in” and considered that this was a clear indication that the property was welcoming to everyone, including those born overseas.

The majority of the Panel considered that the advertisement did not depict or portray anyone receiving unfair or less favourable treatment because of their nationality, and did not humiliate, intimidate, incite hatred, contempt or ridicule any person or group of people because of their nationality.

The Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of nationality and determined that the advertisement did not breach Section 2.1 of the Code

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.