

Local Government Act 1995

SHIRE OF MUNDARING

**ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND
PUBLIC PLACES AMENDMENT LOCAL LAW 2026**

1. Short title

This is the *Shire of Mundaring Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2026*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Local law amended

This local law amends the *Shire of Mundaring Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* published in the *Government Gazette* on 16 June 2004.

4. Clause 1.1 replaced

Delete clause 1.1 and insert:

1.1 Short title

This is the *Shire of Mundaring Thoroughfares and Public Places Local Law*.

5. Clause 1.2 amended

- (1) In clause 1.2 delete the heading and insert:

1.2 Terms used

- (2) In clause 1.2 in paragraph (b) of the definition of “**public place**” delete “local government property;” and insert:

local government property,

- (3) In clause 1.2 delete the definition of “**sign**”.

- (4) In clause 1.2 insert in alphabetical order:

"direction sign" means a sign erected in a thoroughfare or public place to indicate the direction to another place, but does not include a sign erected by the local government or another public authority under a written law;

"election sign" –

- (a) means a sign relating to a Federal, State or local government election; and
- (b) does not include a sign erected by the local government for under or for the purposes of a written law;

“erected”, in relation to a sign, includes affixed, placed, displayed or maintained;

"portable sign" means a sign not permanently attached to the ground or to a structure, wall, fence or building, and includes a sandwich board sign;

"sign" means any object or structure on which any letter, word, number, symbol, drawing, image or other representation is displayed for the purpose of giving a message or direction or promoting or publicising a business, event, undertaking, person, body, group, product, article or thing;

"temporary community service sign" means a sign relating to or giving directions to a charitable, cultural, educational, recreational, religious or other public or community function, exhibition, meeting, display, event or activity conducted by a community association or similar body and not for commercial gain;

6. Part 2 Division 8 inserted

After Part 2 Division 8 insert:

Division 8 - Signs on thoroughfares and in public places

2.19 Interpretation

In this Division, **“public place”** does not include local government property.

2.20 Permit required

- (1) A person shall not, without a permit, erect a sign in, on or above a thoroughfare or public place.
- (2) An owner or occupier of land must not cause or permit a sign to be erected in, on or above a thoroughfare or public place adjacent to that land otherwise than in accordance with a permit or this local law.

2.21 Exempt signs

Clause 2.20(1) does not apply to –

- (a) a sign erected under a written law;
- (b) a sign erected by the local government under or for the purposes of a written law;
- (c) an election sign that complies with clause 2.24;
- (d) a temporary community service sign that complies with clause 2.24(6); or
- (e) a direction sign that is approved by the local government, or that is erected by the local government or another public authority under a written law.

2.22 General restrictions

- (1) A person shall not erect a sign in, on or above a thoroughfare or public place if the sign –
 - (a) obstructs or impedes sightlines required for the free and safe movement of traffic or pedestrians;
 - (b) may be confused with, or mistaken for, an official traffic sign or traffic control signal;
 - (c) prevents an approaching driver, cyclist or pedestrian from clearly distinguishing a traffic sign or traffic control signal;
 - (d) distracts a driver's attention from a traffic sign or traffic control signal;
 - (e) obstructs the free passage of vehicles or pedestrians; or
 - (f) is, in the opinion of the local government, injurious or unsuitable to the amenity of the area.
- (2) A sign in, on or above a thoroughfare or public place shall be kept clean, safe, in good repair and free from dilapidation.

2.23 Conditions of permit and other approvals

- (1) A permit granted under this Division may be subject to conditions relating to location, size, duration, hours of display, design, public safety, maintenance, insurance and removal.
- (2) A permit granted under this Division –
 - (a) does not authorise a person to do anything that is required to be authorised under any other written law; and
 - (b) does not remove the need to obtain any other approval, consent or permit required under a written law.

2.24 Election signs

- (1) An election sign may be erected in or on a road reserve only if it is free-standing, does not cause a traffic hazard and is not placed on a median strip.
- (2) An election sign shall not be erected on a local government building or on a street sign, street furniture, guide post, light pole, power pole, bus stop, bus shelter, tree on Crown land or local government property.
- (3) An election sign shall not be illuminated, animated or contain reflective or fluorescent material.
- (4) An election sign shall display the name and street address of the person who authorised, and the person who created, the sign.
- (5) An election sign shall be removed within 7 days after the close of polling.

- (6) The local government may, without notice, remove an election sign that does not comply with this clause.

2.25 Temporary community service signs

- (1) In this clause, “function” includes exhibition, meeting, display, event or activity.
- (2) A temporary community service sign shall not exceed 0.5 square metres in area.
- (3) No more than 10 temporary community service signs relating to the same function are to be displayed within the district.
- (4) A temporary community service sign shall be removed within 7 days after the function has been held.
- (5) The local government may, without notice, remove a temporary community service sign that does not comply with this clause.

2.26 Notice to remedy breach relating to signs

- (1) If a sign does not comply with this Division, the local government may give written notice to the owner of the sign, the permit holder or the person who the local government believes, on reasonable grounds, is responsible for the erection of the sign, requiring the sign to be removed, relocated or made compliant within the time stated in the notice.
- (2) If the notice is not complied with, the local government may remove the sign and recover its costs as a debt from the person to whom the notice was given.

7. Schedule 1 amended

In Schedule 1 after the item relating to clause 2.18(1) insert:

2.20(1)	Erecting a sign in, on or above a thoroughfare or public place without a permit	250
2.20(2)	Erecting a sign in, on or above a thoroughfare or public place otherwise than in accordance with a permit or the local law	250
2.22	Failing to comply with sign restrictions	250
2.24	Failing to comply with election sign requirements	250
2.25	Failing to comply with temporary community service sign requirements	250
2.26(1)	Failing to comply with a notice to remedy breach relating to a sign	250

Dated: **[add day and month]** 2026

The Common Seal of the Shire of Mundaring was affixed by authority of a resolution of the Council in the presence of.

Paige McNeil
Shire President

Jason Whiteaker
Chief Executive Officer