

Local Government Act 1995

SHIRE OF MUNDARING

LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2026

Part 1 - Preliminary

1.1 Short title

This is the *Shire of Mundaring Local Government Property Amendment Local Law 2026*.

1.2 Commencement

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

Part 2 - Repeal of Signs Local Law 2009

The *Shire of Mundaring Signs Local Law 2009*, published in the *Government Gazette* on 11 February 2010, is repealed.

Part 3 - Local Government Property Amendment Local Law 2013

3.1 Local law amended

This Part amends the *Shire of Mundaring Local Government Property Amendment Local Law 2013* published in the *Government Gazette* on 16 June 2004 (as amended by the *Shire of Mundaring Local Government Property Amendment Local Law 2013* published in the *Government Gazette* on 18 February 2014).

3.2 Clause 1.1 replaced

Delete clause 1.1 and insert:

1.1 Short title

This is the *Shire of Mundaring Local Government Property Local Law*.

3.3 Clause 1.4 amended

- (1) In clause 1.4 delete the heading and insert:

1.4 Terms used

- (2) In clause 1.4 delete the definition of “**sign**”.

- (3) In clause 1.4 insert in alphabetical order:

“**advertising sign**” means a sign, including an election sign, that is not a local government sign;

“election sign” –

- (a) means a sign relating to a Federal, State or local government election; and
- (b) does not include a local government sign;

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

“local government sign” means a sign erected by the local government under or for the purposes of a written law;

“sign” means any object or structure on which any word, letter, number, symbol, figure, 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;

3.4 Clause 2.3 amended

- (1) In clause 2.3 in the heading delete **“sign”** and insert:

a local government sign

- (2) In clause 2.3 delete “a sign” and insert:

a local government sign

3.5 Clause 2.9 amended

- (1) In clause 2.9 in the heading delete **“Signs”** and insert:

Local government signs

- (2) In clause 2.9(1) delete “a sign” and insert:

a local government sign

- (3) In clause 2.9(2) delete “a sign” and insert:

a local government sign

3.6 Clause 3.4 amended

In clause 3.4, after clause 3.4(2), insert:

- (3) Without limiting subclauses (1) and (2), a permit for an advertising sign may be issued subject to conditions relating to location, dimensions, structure, elimination, duration, insurance, maintenance, display content and removal.

3.7 Clause 3.13 amended

- (1) In clause 3.13(1) delete clause 3.13(1)(b) and insert:

- (b) subject to subclause (4), erect an advertising sign, or advertise anything by any means, on local government property;

(2) In clause 3.13, after subclause (3), insert:

(4) Subclause (1)(b) does not apply to –

- (a) an advertising sign erected under a written law;
- (b) a local government sign or a sign erected by the local government on land owned by, or under the care, control and management of, the local government;
- (c) an election sign that complies with clause 4.11;
- (d) an advertising sign displayed on street furniture under a contract with the local government;
- (e) an advertising sign in respect of which planning approval has been issued under a local planning scheme; or
- (f) an advertising sign approved in writing by the local government.

3.8 Heading to Part 4 Division 2 amended

In the heading to Part 4 Division 2 delete “**Signs**” and insert:

Local government signs

3.9 Clause 4.10 replaced

Delete clause 4.10 and insert:

4.9 Conditions of use

- (1) The local government may erect a local government sign on local government property specifying any conditions of use which apply to that property.
- (2) A person on local government property shall comply with the conditions of use specified on a local government sign erected under subclause (1) on that property.
- (3) A condition of use specified on a local government sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

3.10 Part 4 Division 3 inserted

After Part 4 Division 2 insert:

Division 3 - Advertising signs

4.10 General restrictions

- (1) A person shall not erect an advertising sign in, on or above local government property if, in the opinion of the local government, the sign –
 - (a) obstructs or impedes sitelines 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) impedes the visibility or effectiveness of a traffic sign or traffic control signal;
 - (d) if erected above a public accessway, does not provide clear headroom of at least 2.75m, unless otherwise approved by the local government;
 - (e) obstructs access to or from a door, fire escape or window;
 - (f) is structurally unsafe or inadequately erected;
 - (g) is, in the opinion of the local government, injurious or unsuitable to the amenity of the area; or
 - (h) is likely to compromise public safety.
- (2) An advertising sign in, on or above local government property shall be kept clean, safe, in good repair and free from dilapidation.

4.11 Election signs

- (1) An election sign shall not be erected in, on or above a local government building, street sign, light pole, power pole, bus shelter, tree or other structure unless expressly approved by the local government.
- (2) An election sign in, on or above local government property shall not be illuminated, animated or contain reflective or fluorescent material.
- (3) An election sign shall display the name and street address of the person who authorised, and the person who created, the sign.
- (4) An election sign in, on or above local government property must be removed within 7 days after the close of polling.
- (5) The local government may, without notice, remove an election sign that does not comply with this clause.

4.12 Notice to remedy breach relating to advertising signs

- (1) If an advertising sign does not comply with this Division, the local government may give written notice to the owner of the advertising sign, the permit holder or the person who the local government believes, on reasonable grounds, is responsible for the erection of the sign.
- (2) A notice under subclause (1) is to specify the breach, the manner in which it is to be remedied and the time within which it is to be remedied.

4.13 Removal and cost recovery

- (1) The local government may remove and impound an advertising sign erected in, on or above local government property in contravention of this local law.
- (2) The local government may recover, as a debt, the costs of removal, impounding, storage and repair of any damage caused by the erection or removal of the advertising sign.

3.11 Schedule 1 amended

- (1) In Schedule 1 renumber Item nos. 14-20 as 17-23.
- (2) In Schedule 1, after Item no. 13, insert:

14	4.10	Failure to comply with advertising sign restrictions	\$250
15	4.11	Failure to comply with election sign requirements	\$250
16	4.12	Failure to comply with notice to remedy breach relating to an advertising 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