

2.26 TEMPORARY ELECTION SIGNAGE

Responsible Directorate	Corporate Services
Responsible Service Area	Governance
Resolution	January 2025 C15.01.25
Local Law Ref	<i>Signs Local Law 2009</i>
Procedure Ref	N/A

1. PURPOSE

To provide guidance on appropriate use of temporary signage for elections (Federal, State and local government elections).

2. SCOPE

Applies to temporary election signs installed by political parties, candidates and other groups or individuals promoting a party or individuals participating in Federal, State, local government elections and Referendums on public and private land.

DEFINITIONS

candidate	a candidate for election in a federal, state or local government election.
sign	temporary promotional election signage used by political candidates, political parties or any political material relating to any federal, state or local government election or referendum that is intended, calculated or likely to affect voting in an election.

3. POLICY

The Shire allows flexibility in relation to election signs. Candidates, authorised person (as included on the sign, required by legislation) or a person installing election signs on behalf of the candidate are not required to apply for approval, provided signs:

- are installed in connection with an election conducted under the:
 - *Commonwealth Electoral Act 1918*
 - *Electoral Act 1907*
 - the *Local Government Act 1995*.
- are in accordance with the Shire's local laws.
- comply with clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015*
- comply with the provisions of this policy.

The candidate or authorised person (as included on the sign, required by legislation) is to ensure signs installed comply with this policy.

All signs must comply with the following:

- the sign is not installed until:
 - after the writ/s have been issued for the election, for federal or state elections; or
 - close of nominations (44 days prior to election day), for local government elections
- the following number and size of signs are permitted:
 - a maximum of two large signs, each no more than three square metres
 - any other number of signs, each no more than one metre in height and one metre in length
- the sign is removed no later than seven days after the closing of polls.
- the sign contains clear and legible writing or symbols
- the sign is securely installed and maintained in good condition
- the sign is free standing and not be affixed to any existing sign, post, power or light pole.

Signs must not:

- have more than two sides (a “back to back” sign facing in two directions is to be the same dimension on both sides)
- be illuminated, move, flash, rotate or cause a reflection or otherwise to cause a distraction to road users
- cause any damage to a fence, wall, tree or shrub
- be constructed of materials or installed in a manner that may have an adverse effect on the health, safety or convenience of a person, traffic, or land
- advertise any organisation or person other than a registered candidate or political party.

Signs for the same candidate are to be installed with a minimum distance of 500 metres between each sign.

Dependent on location, signs must comply with the relevant provisions included below.

3.1. Thoroughfares, Road Reserves or Public Places

To place any signs on thoroughfares, road reserves (commonly referred to as verges) or in public places, the following conditions must be met:

- the sign is not closer than 100 metres to a signalised intersection or pedestrian activated crossing or 50 metres before any speed indicator sign
- the sign must not be installed within a median strip, roundabout or other traffic control device
- the sign must not obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing
- the sign must not obstruct or impede the reasonable use or access to a thoroughfare, place or footpath.

Signs are not permitted in any park or reserve other than a road reserve.

3.2. State Roads or Road Reserves

State roads and road reserves within the Shire are controlled by Main Roads Western Australia under the *Main Roads (Control of Advertising) Regulations 1996*. Signs on a State road reserve (e.g. Great Eastern Highway), require approval from Main Roads. Refer to “Main Roads – Policy and Application Guidelines for Advertising Signs”.

The Shire cannot issue permits for signs on State roads or road reserves.

3.3. Local Government Property

A permit is required to place signs on local government property which is not a thoroughfare or road reserve.

3.4. Private Property

Signs placed on private property must:

- only be installed with consent of the owner
- not pose a health or safety risk.

3.5. Vehicles

Vehicles exhibiting signs must comply with the *Road Traffic Code 2000*.

3.6. Polling Places

The placement of signs at polling places by a candidate, or the authorised person, must be in accordance with:

- relevant electoral legislation
- any instructions of the Returning Officer or other person in charge of the polling place.

The Shire will not remove signs on Shire land or facilities that is used as a polling place on the day of an election.

3.7. Enforcement

The Shire may take enforcement action:

- in response to a complaint
- if, in the opinion of a Shire officer, a sign poses a health or safety hazard
- where signs have not been removed within seven days of the close of polls.
- where signs are located on land under the care, control and management of the Shire that do not comply with this policy.

Enforcement action may include:

- issuing a caution with a request that the sign be moved or altered
- impounding or confiscating the sign
- issuing an infringement or prosecution.

Removal of non-compliant signs, by or on behalf of the Shire, may result in any resultant costs or expenses being recovered from the candidate or authorised person (as included on the sign, required by legislation). This includes removal of non-compliant signs installed by authorised person or

on behalf of the candidate/authorised person. These costs may include both the removal and/or destruction of non-compliant signs.

Complaints regarding signs installed that do not comply with the provisions this policy may be lodged in writing to the Shire. Complaints regarding the content of a sign should be lodged to the Returning Officer.

For signs displayed on private property without the consent of the landowner or occupier, the Shire will refer the matter to the landowner or occupier for action. The Shire will intervene if, in the opinion of a Shire officer, a sign poses a health or safety hazard.

3.8. Electoral Commission Promotion

The Australian Electoral Commission and Western Australian Electoral Commission may promote an election by the placement of a sign on land under the care, control, management or held in fee simple by the Shire or relevant Federal or State agency with its consent.

4. RELATED LEGISLATION

Electoral Act 1907

Local Government (Election) Regulations 1997

Local Government Property Local Law 2013

Commonwealth Electoral Act 1918

Electoral Act 1907

Main Roads Act 1930

Main Roads (Control of Advertising) Regulations 1996

Road Traffic Code 2000

5. RELATED DOCUMENTS

Main Roads – Policy and Application Guidelines for Advertising Signs

Election Caretaker Policy (2.9)

Signage Policy (2.24)