



[POLICY – ADM 24 – Election Signs](#)

Related Management Practice

[Yes](#)

Relevant Delegation

N/A

Rationale

The objective of this policy is to establish a framework for the controls and standards for electoral material and signs displayed during Federal, State and local government elections.

Policy

The City recognises that decisions of the High Court of Australia and the Supreme Court of Western Australia protect the display of electoral material or signs on private property that are an implied constitutional freedom of political communication.

The City will implement the controls and standards set out in the Management Practice to exercise the extent of the City's legitimate ability to control electoral material and signs and signs on private property.

The City will not permit signage (including election signs) on any facilities or land owned, managed or controlled by the City which detract from the amenity and/or pose a risk to public safety.

Related Local Law	Activities and Trading in Thoroughfares and Public Places Local Law Property Local Law	
Related Policies	N/A	
Related Budget Schedule		
Last Reviewed	15 April 2019	
Next Review Date	March 2022	
Authority Council Meeting of:	15 April 2019 (CS29/4/19)	

1 Definitions

‘Electoral Material’ is defined in section 4.87 of the *Local Government Act 1995* as any advertisement, handbill, pamphlet, notice, letter or article intended or calculated to affect the result of an election but does not include an advertisement in a newspaper announcing the holding of a meeting.’

‘Large sign’ means a sign that is greater than 1.8m in height

‘Sign’ refers to anything which presents a visual message and can attract public attention and the surface or structure on which the message is located, that is electoral material or otherwise represents implied constitutional freedom of political communication.

Election Period is the period when an election, referendum or poll is called and continues until 48 hours after the event.

2. General

Section 4.87 of the *Local Government Act 1995* requires the name and address of the person authorising the material to appear at the end of the material, together where relevant, with the name and address of the printer. Similar provisions apply in relation to State and Federal elections (See 5(b)).

3 Signs on Private Land

- (a) For signs displayed on private land with the consent of the landowner or occupier, the City should intervene if the sign poses a health or safety hazard; or is defamatory or offensive.
- (b) For signs displayed on private land without the consent of the landowner or occupier, if the City receives a complaint the City should refer the matter to the landowner or occupier for their action and the City should intervene if the sign poses a health or safety hazard; or is defamatory or offensive.

4 Signs on Facilities or Land Owned, Managed or Controlled by the City

- (a) There is a risk that a sign on facilities or land owned, managed or controlled by the City may be interpreted as having the endorsement of the City or Council. For this reason, the City will aim to remove electoral material or signs on facilities or land owned or controlled by the City, other than thoroughfares within three business days of it being reported.
- (b) Provision 4(a) will not apply to any City land or facility that is used as a polling place on the day of an election. That is, electoral material and a sign may be displayed on land or facilities owned or controlled by the City that is used as a polling place on the day of an election as approved by the relevant Returning Officer.
- (c) Signs on thoroughfares that breach the Activities and Trading in Thoroughfares and Public Places Local Law will aim to be removed within three business days of the offender being issued written notice to remove such signs.

5 Other Provisions Relating to Signs

- (a) Where electoral material or a sign breaches this policy; or any other relevant law; or poses a health and safety hazard; or is defamatory or offensive the City should

exercise its powers to ensure compliance and/or remove the sign or electoral material as appropriate.

- (b) Electoral material and signs must comply with the requirements of the *Local Government Act 1995*, *Electoral Act 1907* (WA) and *Electoral Act 1918* (Cwlth) including ensuring that the name and address of the person authorising the electoral material or sign, and where relevant the name of the printer appear at the foot or end of the sign or material. The City will refer any breaches of this requirement to the relevant Returning Officer.
- (c) Signs shall be removed no later than 48 hours after the election period.
- (d) In the interests of personal and public safety, Building Permits are required for large signs, whether erected during or outside an election period, to ensure they are structurally sound and comply with the relevant Australian Standards.
- (e) The use of the City's logo or crest on an election sign is a breach of copyright and is not permitted.
- (f) Some thoroughfares within the district of the City are controlled by Main Roads Western Australia (MRWA) under the *Main Roads (Control of Advertising) Regulations 1996*. MRWA should be contacted before erecting a sign on a main road or adjacent verge.