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1. PREAMBLE

This policy establishes the Council’s position in relation to election signs for Federal, State and Local Government elections.

Commonwealth, State and Local Government elections are held periodically, and candidates may choose to exercise their option to place signs across the City of Holdfast Bay (the Council).

The Council recognises the need to balance its support for the election processes, while at the same time providing oversight to ensure the ongoing safety and public amenity of the Council area.

1.1 Background

Sections 226 and 227 of the Act set out the legislative framework for the control of moveable signs, including election signs. Election signs are ‘moveable signs’ under the *Local Government Act 1999* (the Act).

The Act contains an exemption for election signs displayed during election periods. Specifically, Section 226(3) of the Act says that a person may place and maintain a moveable sign on a road without a permit or authorisation from the Council if the sign is related to a State or Commonwealth election and is displayed during an election period. There is a similar provision in the case of local government elections.

1.2 Purpose

This policy sets out the approach that the Council will take in regard to candidate election signs during an election period.

1.3 Scope

This policy applies to all candidate signs which are posted during an election period. It does not apply to any signs which are posted outside of this period.

1.4 Definitions

Election period means the period commencing from the time the writ(s) are issued for a Commonwealth or State election until the close of polls on election

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day. This period for a local government election refers to the period four weeks from the day the election is set until the end of voting on polling day.

Election sign means a candidate corflute (or similar) sign, usually attached to a pole or similar by plastic or metal ties.

1.5 Strategic Reference

Culture: Supporting excellent, efficient operations

2. PRINCIPLES

- 2.1 Council does not have the power to regulate election signs in the same way it can regulate other moveable signs. Specifically, it cannot require a person to obtain permission from the Council before erecting and maintaining an election sign on a road during the periods specified above.
- 2.2 Council will provide all candidates upon request with a copy of the LGA Election Signs - General Approval Guidelines and endeavour to ensure that all candidates are aware of their responsibilities.
- 2.3 Any person wishing to make application for the consent of Council to allow electoral signs to be posted, affixed or erected on land under the care and control of Council (e.g. reserves), should request an application form from the Council.
- 2.2 Should complaints be received that a sign owner has breached the LGA guidelines, the owner will be contacted and advised.
- 2.3 If an election sign is considered to unreasonably endanger the safety of members of the public, or restrict the use of a road, or has been vandalised (including offensive language) Council's authorised officers' will instruct the sign owner to remove it from the road.
- 2.4 If the owner of the election sign fails to comply immediately (within 24 hours), the authorised officer will remove and dispose of the sign. Any direct costs incurred by Council in relation to the removal of the sign will be charged to the owner of the sign.
- 2.5 Any inconsistency between this Policy and the LGA Election Signs - General Approval Guidelines, the Guidelines will prevail.

3. REFERENCES

3.1 Legislation

- *Local Government Act 1999*

3.2 Other References

LGA Election Signs- General Approval Guidelines – For Federal, State and Local Government Elections (April 2019)