

Election Signage Protocol

Document Control

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1. PURPOSE

To provide transparent and consistent processes for management of election signage in the municipality for Federal, State and Council elections.

2. STATEMENT

Council prohibits the display or placement of any electoral signage in or on any public place, being land, including roads and reserves which Council owns, occupies, manages or controls. Council also has specific requirements regarding the placement and distribution of electoral signage throughout the municipality including private property.

A Statement (as attached) is made by the Chief Executive Officer, under the Council's powers delegated to her under Section 98 of the Local Government Act 1989 about these requirements. The Statement has been made to prevent the problems associated with the proliferation of electoral signage in the municipality.

3. OBJECTIVE

The objectives of the Statement are to:

- ensure Council remains politically neutral at election times;
- preserve the visual amenity of the municipality; and
- circumvent driver and pedestrian liability concerns through obstructed, ill-affixed or inappropriate signs.


4. PROCEDURAL GUIDELINES

IF ELECTION SIGNAGE IS DISPLAYED ON COUNCIL LAND

- Council may request the immediate removal of the signage by the owner or candidate, or may remove the signage without notification to the owner or candidate;
- An infringement notice may be issued to the candidate, in accordance with Community Amenity Local Law 2015;
- Any costs incurred by Council to remove signage, and/or any damaged caused by the signage, will be charged to the candidate;
- Victoria Police will be contacted if anyone attempts to obstruct Council officers removing signage; and
- Council will report all instances of the display of electoral signage on Council land for a Local, State or Federal Government Election to the responsible authorities.

IF ELECTION SIGNAGE IS DISPLAYED ON NON-COUNCIL LAND

- If election signage is displayed on Crown, Federal or State land in the City of Wyndham, Council will contact the relevant land manager to request the sign be removed;
- Section 52.05-10 of the Wyndham Planning Scheme, allows for election signage on private land with restrictions. A sign with a display area not exceeding 5 square metres. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the election is held, or 3 months, whichever is sooner. A sign publicising a



local political event may include information about a candidate for an election.

- If the above requirement cannot be met, then a permit may be required. It is then suggested a pre-application meeting be organised as the advertising signage may be prohibited on certain sites. More information can be obtained from Council's website: www.wyndham.vic.gov.au/services/building-planning/applying-planning-permit/making-your-application. If an application for a planning permit is required for the advertising signage, the following information is required when lodging a planning permit application and can be found also on Council's website: www.wyndham.vic.gov.au/services/building-planning/applying-planning-permit/prepare-and-submit-your-planning-application.
- Council will take compliance action against the land owner and or individual candidates and/or parties displaying any sign that is in breach of the Wyndham Planning Scheme. Council will immediately notify the land owner and/or candidate for the sign to be removed immediately and will undertake further action if the signage is not removed;
- A planning infringement notice and fine may be issued to the candidate, in accordance with the Planning and Environment Act 1987;
- The Community Amenity Local Law 2015 defines an "advertising sign" as;
 - any placard, board, sign, card, or banner whether portable or affixed or attached to any land or building.

PROHIBITION ON PEOPLE STANDING AT TRAFFIC INTERSECTIONS WITH MOBILE BILLBOARDS/SIGNAGE

- It is an offence to display billboards/signage at roadsides without consent from the responsible road authority. This includes holding the signage at the side of the road.
- When the person displaying a billboard or signage is doing so on a roadside for which **Council** is the responsible road authority, enforcement action can be taken under Clauses 127, 146, 147, 148 and 149 of Community Amenity Local Law 2015.
- When the person displaying a billboard or signage is doing so on a roadside for which VicRoads is the responsible road authority, the Road Management Act 2004 requires that consent is obtained from VicRoads.

5. RELATED DOCUMENTS

Local Government Act 1989

Community Amenity Local Law 2015

Wyndham Planning Scheme

Planning Enforcement Policy 2014

Planning and Environment Act 1987

Road Management Act 2004

CHIEF EXECUTIVE OFFICER STATEMENT

PLACEMENT OF ELECTORAL SIGNAGE

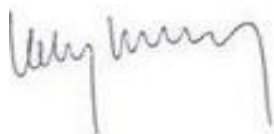
I, Kelly Grigsby, Chief Executive Officer, under the powers delegated to me under section 98 of the Local Government Act 1989, issue the following statement with respect to the placement of electoral signage in or on any public place;

“Council prohibits the display or placement of any electoral signage in or on any public place, being land, including roads and reserves which Council owns, occupies, manages or controls.”

This Statement has been made to prevent problems associated with the proliferation of electoral signage during Federal, State or Council Elections.

Signage proliferation has an undesirable effect on the visual amenity of the municipality, as well as posing several safety liability concerns through inappropriate or ill-affixed signs and banners. Obstruction to driver and pedestrian vision and the possibility of signs becoming airborne are of great concern to Council.

The Statement is in addition to the requirements in regard to election signage on private land as provided for in the Wyndham Planning Scheme and Council’s Community Amenity Local Law 2015, clause 152 which provides that *“a person must not, without a permit, distribute any handbills, place cards, notices, advertisements, books, pamphlets, goods, gifts or samples to any person on any road or Council land”*.



03/06/2020

Kelly Grigsby
Chief Executive Officer

Dated

