

Responsible Directorate	Office of the Chief Executive Officer
Responsible Business Unit/s	Governance
Responsible Officer	Manager Governance
Affected Business Unit/s	Community Safety Development Services

Objective

This policy supports the implied freedom of political communication whilst establishing the City of Stirling's (the City) position in relation to the placement of Election Signs for Federal, State and local government elections.

Scope

The policy is based on the principle that guidelines for election signs are to be applied consistently and equitably to all political parties and candidates while ensuring public safety and the visual amenity of the City is maintained during Election Periods.

This policy applies to all Election Signs on private property, on property under the care control and management or held in fee simple by the City, including all roads, except the Mitchell Freeway and Reid Highway. The enforcement of Election Signs on these roads is the responsibility of Main Roads WA.

Note: Queries in relation to a Federal election should be directed to Australian Electoral Commission 13 23 36 and State and local government elections should be directed to Western Australian Electoral Commission 13 63 06.

Policy

1. Election Signs on Private Property

Election Signs placed on private property must:

- Have the consent of the owner;
- Be temporary in nature and displayed only during the Election Period between two months prior to the election day and two days after election day;
- Not be illuminated (either internally or directly), move, flash, rotate or cause a reflection or otherwise to cause a distraction to road users, within 50 metres of a signalised intersection; and
- Not pose a health or safety risk.

2. Election Signs on Public Property

Election Signs posted, affixed or erected on property under the care, control or management or held in fee simple by the City, for the purposes of candidate promotion during an election, must comply with the following conditions:

- Election Signs must be temporary in nature and displayed only during the Election Period between two months prior to election day and two days after election day.
- Contain clear and legible writing or symbols.
- A candidate, or the candidate's Authorised Person, may place an individual sign or in pairs to a minimum distance of 500 metres between each sign or pair of signs.
- Election Signs must be robustly made and securely placed.
- Elections Signs must be placed so that they do not become fragile or have the potential to become detached and pose a health or safety risk to people, vehicles, animals or property.
- Election Signs must be regularly maintained during the Election Period.

Election Signs must not be placed or affixed:

- On any park or reserve.
- On a carriageway, dividing strip, traffic island, roundabout or within 50 metres of a signalised intersection or pedestrian activated crossing.
- On or adjacent to any municipal building.
- Within 10 metres of an intersection or junction, or any other location that may pose a health or safety risk or obstruction to motorists or pedestrians.
- On a verge adjacent to a property without the consent of the owner/occupier.
- In a location on a pole or fence so as to aid the climbing of the pole or fence.
- To restrict the line of sight distance of other traffic signs and traffic devices.
- To any building, tree, pole or infrastructure including any street sign, traffic direction sign or parking sign or any other signs.
- So as to cause any damage to a fence, wall, tree or shrub.

Election Signs must not:

- Be more than 1.5 square metres in area and no higher than 1.2 metres above the natural ground level or have a maximum vertical or horizontal dimension greater than 1.2 metres. *Note: a "back to back" sign facing in two directions may have the dimensions on both sides.*
- Be illuminated (either internally or directly), move, flash, rotate or cause a reflection or otherwise to cause a distraction to road users.
- 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.
- Be self-adhesive.
- Advertise any organisation or person other than a registered candidate or political party.

3. Election Signs on Vehicles

Vehicles exhibiting Election Signs must comply with the *Road Traffic Code 2000* and the *City of Stirling Parking Local Law 2014*.

4. Election Signs at Polling Places

The placement of Election Signs at Polling Places by a candidate, or the candidate's Authorised Person, must be in accordance with the relevant electoral legislation, any instructions of the Returning Officer or other person in charge of the polling place and in accordance with this policy.

5. Enforcement

The City will take appropriate action where an Election Sign located on land under the care, control and management of the City is non-compliant with this policy or the *City of Stirling Thoroughfares and Public Places Local Law 2009*. 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.

Note: The City will take appropriate enforcement action (including removal) if an Election Sign located on private property poses a health or safety risk to any person.

6. Election 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 City or relevant Federal or State agency with its consent.

Definitions

Authorised Person means a person authorised by a candidate for the purposes of assisting the candidate's electoral campaign

Election Period means the period between two months prior to election day and two days after election day.

Election Sign means any advertisement for the purpose of promoting a registered candidate or political party or relating to an election which is displayed during the Election Period.

Polling Place means any building or structure in which the polling at Federal, State or local government elections is appointed to take place, and includes a pre-polling location available for electors to cast their vote prior to election day.

Relevant management practices/documents

Nil

Legislation/local law requirements

Constitution of the Commonwealth of Australia

Western Australian Constitution

Local Government Act 1995

City of Stirling Parking Local Law 2014

City of Stirling Thoroughfares and Public Places Local Law 2009

City of Stirling Local Planning Scheme 3

Electoral Act 1907

Electoral Act 1918 (Commonwealth)

Main Roads Act 1930

Main Roads (Control of Advertising) Regulations 1996

Road Traffic Code 2000

Office use only			
Relevant delegations	Not applicable		
Initial Council adoption	Date	6 August 2013	Resolution # 0813/018
Last reviewed	Date	7 December 2021	Resolution # 1221/008
Next review due	Date	2023	