



# Election Signage Protocol 2024



## 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 him under Section 11 of the *Local Government Act 2020* about these requirements. The Statement has been made to prevent the problems associated with the proliferation of electoral signage in the municipality and supports the requirements of Council's Election Period Policy.

## 3. OBJECTIVE

The objectives of the Statement are to:

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

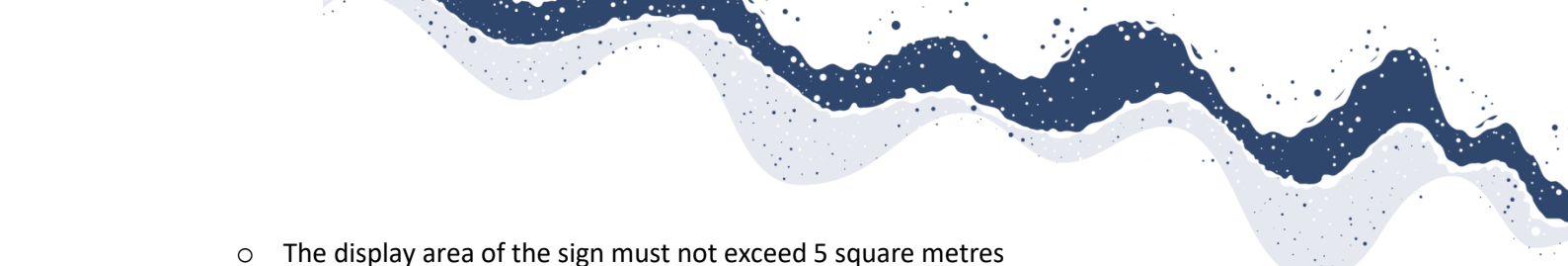
## 4. PROCEDURAL GUIDELINES

### 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 2023.
- 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.
- 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 to be displayed on private land with the following restrictions:

- 
- The display area of the sign must not exceed 5 square metres
  - Only one sign may be displayed on the land
  - The sign must not be an animated or internally illuminated
  - The sign must not be displayed longer than 14 days after the election is held
  - A sign publicising a local political event may include information about a candidate for an election
- If the above requirement cannot be met, 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](http://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](http://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 notify the land-owner and/or candidate requesting that 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 2023 defines an "advertising sign" as:

Any placard, sign, real estate signage/pointer board, notice, poster, mobile billboards, animated or electronic sign, banner or projected image or other similar device, whether portable or affixed or attached to any bicycle or vehicle, which is used for the purposes of:

    - Soliciting sales
    - Advertising goods, services, or an event
    - Providing information about a business or industry
    - Advertising and seeking support for a candidate in an upcoming political election but does not include an advertising sign which requires and has been granted a permit under the Wyndham Planning Scheme.

#### **PORTABLE OR MOVEABLE ELECTION SIGNS**

Portable or moveable election signs that are attached to a vehicle, trailer or bicycle may travel on a road within the Wyndham municipality provided that the sign does not unreasonably restrict the use of the road or endanger the safety of members of the public.

The vehicle, trailer or bicycle with election signage attached cannot be parked on a road for the purpose of election advertising without a permit.

Election signs cannot under any circumstances be displayed on a vehicle, trailer or bicycle on a footpath.

## 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 86, 110, 134 and 135 of the Community Amenity Local Law 2023.
- When the person displaying a billboard or signage is doing so on a roadside for which the state government is the responsible road authority, the *Road Management Act 2004* requires that consent is obtained from the Department of Transport and Planning.

## PENALTIES

The penalty for breaching the Wyndham Planning Scheme is \$988.

The penalty under the Wyndham City Council Community Amenity Local Law for advertising on Council land is \$390.

## 5. RELATED DOCUMENTS

*Local Government Act 2020*

Wyndham City Council Community Amenity Local Law 2023

Wyndham Planning Scheme

Wyndham City Council Enforcement Policy

*Planning and Environment Act 1987*

*Road Management Act 2004*

### VERSION HISTORY

ID	DATE	AUTHOR	REVISION REASON / KEY CHANGES	REVIEW DATE
1.0	3/06/2020	Coordinator Governance	New Protocol	2023
2.0	6/08/2019	Coordinator Governance	Revision	2027

### DOCUMENT CONTROL

DOCUMENT NAME	WCC – Election Signage Protocol 2024
OBJECTIVE ID	A4438177
OWNER	Executive Manager Corporate Affairs
APPROVER	Chief Executive Officer
DATE OF ADOPTION	27 June 2024
NEXT REVIEW DATE	2027



## CHIEF EXECUTIVE OFFICER STATEMENT

### PLACEMENT OF ELECTORAL SIGNAGE

I, Stephen Wall, Chief Executive Officer of Wyndham City Council, under the powers delegated to me under section 11 of the *Local Government Act 2020*, 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 2023, clause 86.3 which provides that *“a person must not, without a permit, or unless otherwise permitted under the Wyndham Planning Scheme, distribute any handbills, place cards, notices, advertisements, books, pamphlets, goods, gifts or samples to any person on any road or Council land”*.



Stephen Wall  
Chief Executive Officer

27/06/2024

Dated