



Election Signs Policy

Contents

Policy Statement	2
Policy Scope	2
Definitions	2
Policy	3
Dimensions, materials and content of election signs	3
No election signs on Shire parks, reserves or Shire facilities	4
Enforcement	4
Election Promotion	5

Policy Statement

Council allows flexibility in relation to election signage and activities.

Council recognises the decisions of the High Court of Australia and the Supreme Court of Western Australia which protect the display of electoral advertising that is appropriate exercise of free political communication.

This policy governs how election signs may be displayed on land owned and managed by the Shire of Denmark ('Shire') during Local, State and Federal Government elections and referendums. The policy establishes a clear framework regulating how, where and for what period of time an election sign may be displayed to minimise health and safety hazards.

Provided the provisions of this policy, and the Shire's Local Laws are met, election signage does not need a licence from the Shire.

Policy Scope

This policy applies to political parties and candidates promoting a party or an individual participating in Local, State and Federal Government elections and referendums.

Definitions

Act means the *Local Government Act 1995* (WA).

Election Day means the date of voting or polling for a Local, State or Federal Government election or referendum.

Election Period means the period after the day of issue of writ for an election, referendum or poll, commencing on the 36th day before the day on which the election, referendum or poll is to be held, and ending 48 hours after that election, referendum or poll day.

Election Sign means anything which presents a visual message, and which advertises any aspect of a forthcoming election for Local, State or Federal Government or referendums and may include promoting a registered candidate or political party.

Shire Land means all land held in freehold or under the care, control or management of the Shire and includes road reserves.

Sign means a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols.

Thoroughfare has the meaning given to it by the Act.

Policy

The Shire's Local Law generally requires a licence for signs on or within Shire land.

Subject to the terms of this Policy, a licence for election signs to be displayed on Shire land will not be required under the Local Law where the sign is:

- (a) only displayed during the election period;
- (b) free standing and not affixed to any existing tree, sign, post, power or light pole, or similar structure;
- (c) at least 1.5 metres from the edge of the carriageway and 0.5 meters from the footpath.
- (d) erected at least 10 metres from any intersection of thoroughfares;
- (e) not closer than 50 metres to a signalised intersection or before any speed indicator sign;
- (f) not placed on a median strip, roundabout or other traffic control device;
- (g) not placed within an intersection;
- (h) not placed within 50m of a pedestrian crossing;
- (i) not located in, or within 50 metres of a 40kph school zone, on school days;
- (j) not placed so as to obstruct or impede:
 - i. a footpath, thoroughfare or carriageway;
 - ii. the reasonable and/or safe use of Shire land; or
 - iii. access to a place by any person;
- (k) placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (l) not placed within 100 metres of any works on Shire land;
- (m) maintained in good condition;
- (n) securely installed;
- (o) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message; and
- (p) not located in a position which would suggest that the sign has the endorsement of the Shire.

Dimensions, materials and content of election signs

All election signs must not:

- (a) be more than 1.5 square metres in area;
- (b) be higher than 1.2 metres from the top of the sign to the natural ground level;

- (c) be illuminated (externally or internally), move, flash, be reflective, be fluorescent, rotate or otherwise cause a distraction to road users;
- (d) be self-adhesive;
- (e) advertise any organisation or person other than a political party or a registered candidate; or
- (f) use the Shire's logo.

No election signs on Shire parks, reserves or Shire facilities

To ensure the safe use of Shire parks and reserves, election signs are not permitted to be placed on or within any Shire parks and/or reserves.

To reduce the risk that election signs on Shire facilities or Shire land are interpreted as having the endorsement of the Shire, election signs are not permitted on or adjacent to municipal buildings, including but not limited to the Shire Administration Office, the Denmark Library, the Denmark Recreation Centre and the Shire Depot.

This section does not relate to any Shire land or facility that is used as a polling place on an election day where election signs may be displayed.

Enforcement

Where a sign breaches this policy, the Local Law or any other relevant law, or poses a health or public safety hazard, the Shire will exercise its powers to ensure compliance and/or remove any health or safety hazard as appropriate.

Placement of election signs on a verge is permitted with the consent of the adjacent landowner or occupier. The Shire will intervene if the sign is placed without consent and/or the sign poses an immediate health or safety hazard.

The following process will apply to the removal and impounding of signs:

- (a) The candidate will be notified that the sign has been removed and impounded and will be held by the Shire for 48 hours during which time it will be available for collection, during normal office hours; and
- (b) If the sign is not collected within the 48 hours, the sign may be destroyed by the Shire.

Penalties may also apply under the Shire's Local Laws for non-compliance.

In accordance with the Shire's Local Laws, signs having offensive or abusive text or images may be removed without notice.

Election Promotion

The Australian Electoral Commission and/or the Western Australian Electoral Commission may promote an election by displaying a sign on Shire land without a permit.

The policy does not apply to the Shire promoting an election by displaying a sign on Shire land or Shire facilities.

Document Control Box			
Document Responsibilities:			
Owner:	Governance Coordinator	Owner Business Unit:	Governance
Reviewer:	Chief Executive Officer	Decision Maker:	Council
Compliance Requirements:			
Legislation:	Local Government Act 1995		
Document Management:			
Synergy Ref:	NPP253101	Review Frequency:	As required
Version #	Date:	Action:	Resolution No.
1.	25 March 2025	ADOPTED by Council	090325
2.			