



## **COUNCIL RESOLUTION AT THE ORDINARY MEETING HELD ON 25 AUGUST 2015 - POLITICAL SIGNAGE**

The City's position on political signage is linked to the implied freedom of political communication contained in the Constitution.

The City enforces a reasonably applied restriction on political signage that is no more onerous on political signage than on a comparable sign that has no political connection, this being consistent with the implied freedom of political communication.

Council considered the matter of political signage at its Ordinary Meeting on 25 August 2015 and resolved as follows:

*'That Council:*

- 1. Exempts political signage on private land from the requirement to obtain approval to erect the signage during the defined election period (no more than 28 days prior to the election with signage to be removed within 24 hours after the election to which it relates), provided that the signage (size, location, illumination and fixing) complies with the other requirements of City's Town Planning Scheme No.24 and Signage Policy TP-P5.2.*
- 2. Requires tenants and lessees to seek prior approval from the City to erect political advertising and signage on land under the care, control and management of the City.*
- 3. Approves the removal of the restriction in regard to political signage placed on the contracts for bus shelter advertising and authorises relevant correspondence to be sent to the lessees.'*

### **FAQs**

- **Private Land - prior to election period**

Political signage is not permitted to be erected on private land outside of the election period without obtaining prior approval from the City in accordance with the requirements of the City's Town Planning Scheme No. 24 and Signage Policy.

- **Private Land - during the election period**

During the election period there is no restriction on the erection of political signage on private land, provided the structure is not dangerous and does not cause a hazard to other land or road users.

- **When is the election period?**

The election period commences with the issue of writs. The period varies depending on whether the election is Federal, State or Local Government.

- **Council owned land and land under the care, control and management of the City of Bayswater**

Tenants and Lessees of land under the ownership or care, control and management of the City, are required to seek approval from the City prior to erecting political advertising and signage on City land.

- **Political advertising in areas approved for general advertising - bus shelters and bench seats**

Where the City permits the provisions of general advertising, such as bus shelters and street benches, there is no restriction on political advertising.

- **How does the City deal with complaints regarding political signage?**

If the City receives a complaint regarding the installation of political signage, the extent of compliance action undertaken by the officers is in accordance with the above Council resolution.

- **Complaint outside of the election period - private property**

If there is no approval on file from Planning, then the Rangers would give a time frame for the sign to be removed completely.

- **Complaint within the election period - private property**

Rangers would not investigate any further unless there is a sight line issue or the sign is causing a hazard, then the matter will be reported to Planning.

- **Complaint any time - land owned by state government entity**

If the electoral sign is on property owned and operated by state Government Department (e.g. Water Corp) Rangers would not investigate it any further. Generally the complainant is to contact the relevant agency and in limited circumstances the City will notify the property owner that there is a sign on their property.

- **Complaint any time - land owned by or under the care, control and management of the City**

If the electoral sign is on City of Bayswater property or thoroughfare - each sign investigated would be assessed on an individual basis.

If it is not creating an obstruction is reasonably close to private property and is not subject to multiple complaints rangers would not request the removal of the sign and the city would provide permission by default.

If it is creating an obstruction or is a long way from any private property, Rangers would deal with it as normal illegal signage.

The Ranger would give a time frame for the sign to be moved to a suitable location or request for it to be removed completely.

Failing to comply with these instructions, the sign would be impounded and an infringement may be issued.