

Political Advertising – Election Signage

Candidate Advice prepared for 2020 Council Election Period

HOBSONS
BAY CITY
COUNCIL



1.0 Introduction

The following information relating to political advertising is provided to all candidates who have nominated in the 2020 Council Election.

This advice should also be read in consultation with the Hobsons Bay Election Period Policy.

2.0 Council Property

Political advertising is not permitted on any Council property. This includes road reserves. Hobsons Bay City Council is the Responsible Authority for local roads under the Road Management Act 2004. As such, Council land includes road reserves.

3.0 Town Planning Permit Requirements

The Hobsons Bay Planning Scheme (HBPS) provides that a planning permit is not required for political advertising on private property provided such political advertising meets the criteria as outlined in 52.05-10 as follows:

Hobsons Bay Planning Scheme 52.05-10 – Signs not requiring a permit:

A permit is not required to display the following signs:

A sign with an advertisement area not exceeding 5.0 m². Only one sign may be displayed on the land. The sign must not be animated or internally illuminated and must not be displayed longer than 14 days after the event is held or 3 months (whichever is sooner).

Political signs that do not meet the exemption outlined above will require a planning permit, and in that event, the town planning permit must be obtained before the signage can be lawfully displayed.

A “V” board sign with two faces is counted as two signs and so is not allowed except with a planning permit.

Please note that any signs that are erected on private land can only be displayed with the prior permission of the owner or the occupier of that land.

Failure to comply with the requirements of the Planning Scheme will result in a Planning Infringement Notice being issued to both the owner of the land and the candidate to the amount of between \$826 (individual) and \$1,652 (incorporated body) per sign.

4.0 Building Permit Requirements

In addition to the Planning Scheme requirements, many signs will also require a building permit. The *Building Act 1993* and the *Building Regulations 2006* require that a building permit is required for any sign that exceeds 1.0 m² if the height is located within 3.0 m of any street alignment boundary of the allotment on which it is proposed to be erected.

If a sign is to be located or set back on an allotment a distance further than 3.0 m from any street alignment boundary, a building permit will be required if the sign exceeds 8.0m in height or if the sign has a display area exceeding 6.0 m².

Building permits must be issued prior to the erection of a sign. The penalties for non-compliance are up to 500 penalty units (\$77,730.00) in the case of an individual and 2,500 penalty units (\$388,650.00) in the case of a company.

Under the monetary Units Act 2004 one penalty unit is \$165.22 (as of 1 July 2020).

For further information about the permit requirements relating to the erection of political signs, please contact Council's Building and Planning department on 9932 1000.

5.0 Signage within Council's road reserve

Any signage found to be situated on Council property will be removed and any political advertising signage on Council's road reserves will be removed in accordance with the *Road Management Act 2004* (Section 66).

Please note that under Section 66 (1)(b) the *Road Management Act 2004* the penalty is 10 penalty units (\$1,554.00).

6.0 Signage within VicRoads road reserve

VicRoads is required to meet obligations with respect to road safety within the arterial road network. VicRoads should be contacted prior to any installation of any signage on the road reserve where VicRoads is the coordinating Authority.

VicRoads have power under the *Road Management Act 2004* to remove anything placed unlawfully without prior consent on the arterial road network.

The Register of Public Roads within Hobsons Bay with VicRoads as the coordinating Road Authority are listed at www.vicroads.vic.gov.au.

For further information regarding the VicRoads road reserves please contact Council's Planning Department on 9932 1000.

6.0 Election signs on any vehicles, trailers, bicycles, prams or similar

In accordance with section 15.2 of the Hobsons Bay Election Period Policy, portable or moveable election signs that are attached to a vehicle, trailer, bicycle, pram or similar may be displayed on a road provided that:

- (a) the sign does not unreasonably restrict the use of the road or endanger the safety of members of the public
- (b) the relevant parking restrictions and requirements are observed

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