

**ADVERTISING AND ELECTION SIGNAGE
POLICY**

Adopted: *(Current date)*

TRIM

ADVERTISING AND ELECTION SIGNAGE POLICY

DIRECTORATE: Planning & Design

BUSINESS UNIT: Community Standards

1. PURPOSE

The purpose of this Policy is to provide clear rules for the management of advertising and election signage within the Liverpool local government area, in order to protect amenity, ensure safety, and uphold legislative requirements.

- Protect the visual amenity and heritage character of the local government area.
- Prevent unapproved and unauthorised advertising that creates clutter or litter.
- Regulate advertising and election signage to ensure compliance with legislative requirements.
- Safeguard public safety by ensuring signs and structures do not obstruct or restrict roads or footpaths, interfere with public convenience, or distract motorists, cyclists, or pedestrians.

2. DEFINITIONS

The following terms are used consistently throughout this Policy. Where terms are defined in legislation, the legislative meaning prevails.

Term	Definition
Authorised Officer	Council Rangers, Parking Officers, Waste Rangers authorised under the relevant legislation
Printed Promotional Materials	Posters, flyers, corflutes, and A-Frames affixed to public assets
Permanent Signage	Fixed projecting wall signs, pylon signs, directory boards, digital signage, etc.
Election	Includes Commonwealth, State and Local Government periodic and general elections, by-elections and supplementary elections, referenda, polls and/or plebiscites.
Election Signage	An election sign as defined in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Part 2 Division 2 Subdivision 13 is a sign that:

	- displays the name of a candidate at an election, the name of the party of any such candidate and the picture of any such candidate (including any photograph of the candidate and any drawing or printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate - is displayed by or on behalf of a candidate at an election or the party (if any) of any such candidate
Signs	Election Signage Posters A-Frame Signs and sandwich board Variable message signs (VMS) Trailers Electronic message boards Static vehicle mounted signs Moveable signs on vehicles Above Awning Signs High Wall Signs Inflatable Signs Dynamic Digital Signs Flashing Signs Illuminated Street Name Signs Moving Signs Roof (Sky) Signs, that being any sign erected on or above the roofline of a building. Static digital signs Real estate signs Pointer or stake signs Plastic wrap, cling-wrap or film-based signs (including wrap-around signage) Printed promotional material
Signage	Any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following: - an advertising structure, - a building identification sign, - a business identification sign, but does not include a traffic sign or traffic control facilities.

Council Land	Any land owned by, vested in or under the management or control of Liverpool Council, including reserves, footpaths but excludes a road.
Public Property	Is land either owned by Liverpool City Council or Crown land under the care, control and management of Council or land that is being leased by Council.
Variable message sign	Advertisement whereby the message, design or wording displayed may be changed at pre-set timing intervals or by any mechanical or electric source of power.
Vehicle-mounted sign	Advertisement displayed on a vehicle, trailer or the like, where the vehicle acts as part of the supporting structure for the advertisement. This definition does not apply to vehicles with magnetic, painted, or sticker advertising.

3. POLICY STATEMENT

3.1. Signage on Public Property

3.1.1. All signs including variable message signs, vehicle-mounted signs, printed promotional material, A-Frames, banners, portable signs and are not permitted on the following -

- Council owned land, including public roads and road verges
- Public property or land
- Roads, roundabouts and footpaths
- Traffic signs
- Power poles
- Trees – no nailing or screwing of signage to trees
- Other areas or fixtures which are not privately owned.

3.2. Unsupported Signage on Private Property

3.2.1. The following sign types are not supported in Liverpool Local Government Area as listed in [Liverpool Development Control Plan 2008](#) » [Part 1 General Controls for all Development](#) 26 Outdoor Advertising and Signage -

- A-Frame Signs
- Above Awning Signs
- High Wall Signs (Except in Employment Zones)
- Inflatable Signs
- Dynamic Digital Signs
- Flashing Signs

- Illuminated Street Name Signs
- Moving Signs
- Roof (Sky) Signs, that being any sign erected on or above the roofline of a building
- Static digital signs (Except in E2 Commercial Centre and MU1 Mixed Use).

Any other signage on private property that does not meet the requirements for exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or Liverpool Local Environmental Plan 2008 is also not supported and requires development consent.

3.3. Exempt and Complying Development Signage

3.3.1. Exempt Signage

The display of certain types of signage and banners including real estate signs, home business signs and temporary event signs can be considered as exempt development (not requiring consent), provided the signage complies with the relevant standards including the exempt development standards under Division 2 of the [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (the SEPP).

[Liverpool Local Environmental Plan 2008](#) (LEP) Schedule 2 Exempt development contains exempt advertising development that may not be specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Note: If there are any discrepancies in controls the SEPP overrides the LEP.

3.4. Election Signage

- 3.4.1. Election signage must not be displayed in a public space within the Liverpool local government area, or on any Council property, without the prior written approval of Council.
- 3.4.2. Election signage may be displayed on private property with the written consent of the owner, provided it complies with Division 2 Subdivision 13 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- 3.4.3. Rules governing electoral material are set out in the Electoral Act 2017 (Division 14 of Part 7 for State elections) and the Local Government (General) Regulation 2005 (Division 9A of Part 11 for Local Government elections).
- 3.4.4. Any election signage that is not exempt requires development consent under the Environmental Planning and Assessment Act 1979.

3.5. Signage that is exempt from this policy

- 3.5.1. Signs erected by Council in the exercise of the Council's function are exempt from this policy.
- 3.5.2. Signs erected by other public authorities under their statutory powers are also exempt and may override Council's controls where such powers apply.

3.6. Enforcement

- 3.6.1. Unauthorised signage on public property, including roads and footpaths, will be managed in accordance with the Public Spaces (Unattended Property) Act 2021, the Roads Act 1993, the Local Government Act 1993 and Council's Compliance and Enforcement Policy. Enforcement action may include fines, removal, or other measures.
- 3.6.2. Responsibility for signage rests with the owner of the sign, being the person or entity benefiting from or responsible for the item. In the case of election signage, responsibility rests with the candidate (or their party where applicable). In the case of real estate signage, responsibility rests with the listing real estate agent or agency.
- 3.6.3. Unauthorised signage on private property will be addressed under relevant legislation, including the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, and in accordance with Council's Compliance and Enforcement Policy.

3.7. Removal and Storage of Signs

- 3.7.1. For the purposes of this section, "signs" means signage that is not permitted under this Policy.
- 3.7.2. Council Authorised Officers will impound any unauthorised signs including unauthorised election signs found on Council property or public spaces within the Liverpool local government area.
- 3.7.3. Removed signs will be stored at Council's depot for a period of 28 days. Where the owner of the sign can be identified, Council will make reasonable efforts to contact them to arrange collection. In the case of election signage, the relevant candidate or party representative will be contacted. Any signs not collected within this timeframe may be disposed of in accordance with Council procedures.
- 3.7.4. Impounded posters may be released to an appropriate person upon proof of identity and payment of the impounding fee as stated in Council's Fees and Charges Schedule.
- 3.7.5. After the expiry of 28 days held in impound, the posters will be destroyed by Council in accordance with the Public Spaces (Unattended Property) Act 2021.

4. RELEVANT LEGISLATIVE REQUIREMENTS

- Environmental Planning and Assessment Act 1979 (NSW)
- Environmental Planning and Assessment Regulation 2021 (NSW)
- Liverpool Development Control Plan 2008
- Liverpool Local Environmental Plan 2008
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (NSW)
- State Environmental Planning Policy (Transport and Infrastructure) 2021 – Advertising and Signage provisions (consolidating former SEPP 64)
- NSW Electoral Act 2017
- Commonwealth Electoral Act 1918
- Local Government (General) Regulation 2005 (NSW) – Division 9A, electoral signage
- Public Spaces (Unattended Property) Act 2021 (NSW)
- Roads Act 1993 (NSW)
- Roads Regulation 2018 (NSW)
- Local Government Act 1993 (NSW)

5. RELATED POLICIES & PROCEDURE REFERENCES

Nil

6. AUTHORISED BY

7. EFFECTIVE FROM

8. REVIEW DATE

The policy must be reviewed every two years or more frequently depending on its category or if legislative or policy changes occur.

9. VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1	New Policy	NA		

10. THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH

- Governance
- Manager Community Standards
- Legal
- Community

11. Attachments

Nil

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