



**Policy Owner:** Director Community, Planning & Environment

**Category:** Operational

**Direction:** 3. Our Innovative City

## 1. STATEMENT OF INTENT

- 1.1 North Sydney Council acknowledges its obligation to our community to keep our local government area free of unapproved advertising clutter, that occasionally results in litter.
- 1.2 This Policy outlines Council's intention to implement the prohibitions applied under the *State Environmental Planning Policy (Industry and Employment) 2021* and the *Public Spaces (Unattended Property) Act 2021* with regards to advertising and restates the prohibitions on electoral advertising posters in public spaces as stated in the *NSW Electoral Act 2017*.
- 1.3 This Policy will be applied consistently to all electoral and referenda signage in public spaces and on Council property within the North Sydney local government area.
- 1.4 This Policy will provide guidance to Authorised Persons on the management of signs and signage for elections and referenda and the actions to be taken.

## 2. ELIGIBILITY

- 2.1 This Policy applies to the placement, erection, and display of election and/or referenda signs and signage erected in the North Sydney local government area for any Commonwealth, State or Local Government election or referenda.

## 3. DEFINITIONS

- 3.1 **Authorised Persons** - Council Rangers and Parking Officers, NSW Police Officers.
- 3.2 **Council property** - refers to any premises occupied or used by, or under the control or management of North Sydney Council.
- 3.3 **Election** - is taken to include Commonwealth, State and Local Government periodic and general elections, by-elections and supplementary elections, referenda, polls and/or plebiscites.

- 3.4 **Public space** - is land either owned by North Sydney Council or Crown land under the care, control and management of Council or land that is being leased by Council.
- 3.5 **Signs** - For the purposes of this Policy, signs means signs or articles that are promoting candidature for an election, making a political statement or a position for a referenda that can be erected or otherwise displayed in public spaces include the following:
- a) posters
  - b) sandwich boards or A-frames
  - c) variable message signs (VMS) trailers
  - d) electronic message boards
  - e) digital posters
  - f) static vehicle mounted signs
  - g) moveable signs on vehicles
  - h) pamphlets, leaflets or brochures
  - i) any future methods that comprise of an announcement/information for a candidate or party for an election or an opinion or point of view for a referenda or poll.

#### **4. PROVISIONS**

- 4.1 A sign as defined above, must not be displayed in a public space within the North Sydney local government area or on any Council property without the prior approval in writing of North Sydney Council.

#### **5. RESPONSIBILITY/ACCOUNTABILITY**

- 5.1 Council Authorised Officers will impound any election posters found on Council property or public spaces within the North Sydney local government area.
- 5.2 Impounded posters will be stored in Council's impound bay.
- 5.3 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*.
- 5.4 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*.

#### **6. RELATED POLICIES/DOCUMENTS/LEGISLATION**

The Policy should be read in conjunction with the following documents/legislation:

- NSW Electoral Act 2017 (Section 184 Display of posters)
- State Environmental Planning Policy (Industry and Employment) 2021
- Public Spaces (Unattended Property) Act 2021

<b>Version</b>	<b>Date Approved</b>	<b>Approved by</b>	<b>Resolution No.</b>	<b>Review Date</b>
1	8 September 2022	General Manager	-	2024/25
2	26 September 2022	Council	296	2024/25