

ADOPTED BY EXECUTIVE MANAGEMENT COMMITTEE: 25 JUNE 2018

BACKGROUND

Graffiti has a direct and immediate impact on the community by reducing the social amenity of public spaces, creating visual pollution and leading to increased fear for personal security. Graffiti is an offence under the *Graffiti Control Act 2008* (updated 2010) and the role of Local Government in managing graffiti is identified under that Act. Despite legal sanctions, it is an increasingly prevalent social problem that causes serious damage to property and imposes significant removal costs for Council, businesses and private citizens.

OBJECTIVE

The purpose of this Policy is to provide a clear and consistent framework for managing graffiti so that we are a healthy community in a liveable city.

POLICY STATEMENT

Council recognises the significant community impact of graffiti and will minimise and manage the impacts of graffiti through the implementation of the Graffiti Prevention and Management Program.

The program aims to:

- Minimise the incidence of graffiti on public and private property.
- Reduce the impact of graffiti on residents and business operators.
- Increase quality of community life in relation to personal safety and security.
- Reduce the financial impact of responding to graffiti.

POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

STATEMENT OF PROCEDURES

Approach

Council's approach to graffiti management is based on the following principles:

- Detection and reporting
- Prompt removal
- Criteria for prioritisation of removal work
- Enforcement of legal sanctions
- Community information and education
- Data collection and analysis
- Ongoing program evaluation and research
- Facilitation of legal avenues for expression

Deployment

Council will respond to graffiti within the Wollongong Local Government Area via the following strategies:

1 Reporting

Promotion of Council's Graffiti Reporting Line and Graffiti Removal Services will encourage the community to report incidents of graffiti in the Local Government Area. The Council Graffiti Reporting Line will be the central point for the collation and allocation of graffiti removal jobs for the Local Government Area. Ownership of the property affected by graffiti (Council assets, private property or owned by another Government authority) will determine action or referral. The Graffiti Reporting Line phone number and website will be displayed clearly on Council assets for easy reporting of graffiti.

2 Prioritisation of Graffiti Removal on Council Assets

Removal of graffiti on Council assets is prioritised based on the type of graffiti, with precedence given to the removal of offensive, racist or defamatory graffiti and/or graffiti on prominent sites or sites of significance within the community. The following table outlines the graffiti removal timelines on Council assets depending on the type of the graffiti.

TYPE OF GRAFFITI	PRIORITY REMOVAL TIME
Type 1 Racist, defamatory, offensive graffiti on Council assets and/or prominent sites or sites of significance.	Within 1 working day
Type 2 All non-offensive or other types of graffiti.	Within 1 to 20 working days in accordance with Council's asset routine maintenance schedule.

NOTE: The priority removal time is relevant to the current level (number) of staff removing graffiti.

3 Council

Council has four (4) Divisions that have clearly defined responsibilities for prevention, management and graffiti removal.

- *Community Cultural and Economic Development Division*

The Graffiti Prevention Program aims to reduce graffiti from Council assets and non-Council assets through a community development approach that engages the community and partners with other levels of government and business. This includes actions such as maintaining community partnerships which remove graffiti from non-Council assets, completing community prevention murals to reduce graffiti costs on Council assets which also act to improve amenity in the area and conducting community education prevention programs such as Graffiti Removal Day.

- *Governance and Information Division*

Customer Service receives all enquires relating to graffiti (including Council and non-Council assets) that come through Council's dedicated Graffiti Reporting Line and directs the enquiry to the appropriate Council Division for action or advice.

- *Infrastructure, Strategy and Planning Division*

Incorporate graffiti removal requirements and industry standards as stated in the Graffiti Management Policy into the Service Level Agreements with City Works for the delivery of maintenance and graffiti removal programs from Council assets.

- *City Works and Services Division*

Provide graffiti removal on Council assets in accordance with the Graffiti Management Policy and the Service Level Agreement/s.

4 Support For Removal of Graffiti on Private Property

Subject to item 5 below, Council does not remove graffiti from private property. Council will only remove graffiti from Council owned assets. Council will provide information regarding the removal or prevention of graffiti using Crime Prevention Through Environmental Design (CPTED) principles on private property. Council provides free graffiti removal kits for residents.

5 Access For Graffiti Removal on Private/Commercial Properties

The *Graffiti Control Act 2008* provides Councils with the power to remove graffiti where the graffiti can be seen and accessed from a public place. The removal of graffiti from private property is set out in Part 4 Sections 10, 11 and 12 of the Graffiti Control Act.

The Act states that local Councils, by agreement with the owner/occupier of any private land, can remove graffiti on the land.

Council has also been given the authority to remove graffiti without agreement from the owner/occupier if:

- Graffiti removal can only occur from a public place.
- Graffiti is visible from a public place.
- Council must cover the cost of graffiti removal.
- Council must, within a reasonable time, inform in writing the owner/occupier of the work that has occurred at that property.
- If any damage is caused by Council while removing the graffiti Council must pay compensation.

The Graffiti Control Act states that if a local Council is carrying out work on private property it must keep a register of graffiti removal work including location, the nature of the graffiti, and cost for the work for each incident.

6 Register of Graffiti Removal Work

As part of the Graffiti Control Act 2008 - section 13, Council must keep a register of graffiti removal work carried out. The register is available on Council's web page and updated regularly.

The register must:

- Specify the graffiti removal work carried out;
- The location address of the graffiti;
- The nature of the work carried out;
- The cost of carrying out the work; and
- The actual cost of the graffiti removal by Council.

7 Community Participation and Prevention of Graffiti

Council's Graffiti Management Action Plan includes a range of strategies for community participation and prevention. Community education programs will focus on primary and high schools and link to key local activities such as festivals and social events.

A number of partnerships have been developed to work with Council on the removal of graffiti from private / commercial property. Council supplies the material and equipment so that our partners can remove and paint over graffiti on Council's behalf.

Encouraging participation in community development activities such as community murals is intended to encourage a shift away from illegal graffiti activities. Key groups within the community will be targeted for engagement in planning community murals and participation in all aspects of the projects.

8 Data Analysis, Evaluation and Research

Council will record and analyse data regarding frequency of graffiti, location, reported details and cost of removal. This information will be utilised to inform Council in its ongoing approach to the management of graffiti.

Council will continue to review the effectiveness of its prevention activities and assess other models of intervention that may be applicable to the Wollongong Local Government Area.

SUMMARY SHEET

Responsible Division	Community Culture and Economic Development
Date adopted by Executive Management Committee	25 June 2018
Date of previous adoptions	25 November 2013, 11 March 2009
Date of next review	June 2021
Responsible Manager	Community Cultural and Development Manager
Authorised by	Manager Community Cultural and Economic Development