



LEETON
SHIRE COUNCIL

GRAFFITI MANAGEMENT POLICY
OCTOBER 2018

DOCUMENT AUTHORISATION

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REVIEW OF THIS POLICY

This Policy has a projected life span for an initial 4 year period with review and amendment as required in 2022.

CONTENTS

- 1. Purpose: 4
- 2. This Policy applies to:..... 4
- 3. Outcomes:..... 4
 - 3.1 Eradication 4
 - 3.2 Education 4
 - 3.3 Engagement 5
 - 3.4 Enforcement..... 5
- 4. Roles and Responsibilities 5
 - 4.1 Eradication 5
 - 4.1.1 Reporting and removal used by Leeton Shire Council..... 5
 - 4.1.2 Graffiti Register..... 6
 - 4.1.3 Public Enquiries and Reporting..... 6
 - 4.1.4 Removal..... 6
 - 4.2. Education 7
 - 4.3 Engagement 7
 - 4.3.1 Street Art 7
 - 4.3.2 Safer by Design Central Business District 8
 - 4.3.3 Lighting..... 8
 - 4.3.4 Addressing Blank Canvases..... 8
 - 4.3.5 Landscaping 8
 - 4.4 Enforcement..... 9
- 5. Definitions..... 9
- 6. Legislation and Supporting Documents 9
- 7. Attachments..... 10

1. Purpose:

This Policy provides Leeton Shire Council (LSC) staff and community partners with a framework for the management of graffiti in the Local Government Area. The primary purpose of the Policy is to deliver a range of actions designed to work effectively together to reduce graffiti vandalism within the local government area. Council's approach is one of working in partnership with our community aiming to create and maintain better neighbourhoods for residents, businesses and visitors by effectively reducing and managing graffiti vandalism.

2. This Policy applies to:

This policy document applies to all Council employees, including contractors and volunteers and members of the community.

3. Outcomes:

The Graffiti Management Policy provides Leeton Shire Council with a framework for responding to graffiti in the Leeton Local Government Area. The primary purpose of the Policy is to deliver a range of actions designed to work effectively together to reduce graffiti and provide opportunities for the engagement of the community in its effective management.

The Policy is based on the following four broad themes:

3.1 Eradication

The rapid removal of graffiti is important to ensure the effective and efficient control of the problem. Rapid removal discourages repeat offences, assists with ease of removal, improves the appearance of the neighbourhood and works to deprive peer recognition.

Reporting is essential for the effective management of graffiti. The Policy sets out a number of strategies designed to increase the reporting of graffiti incidents and in doing so encourage residents, local businesses, government and non government organisations and Council staff to report the presence of illegal graffiti on public property.

3.2 Education

The education component of the Policy aims to improve access to information about graffiti for the community, reduce the fear of crime in the community caused by graffiti and inform the public about preventative measures and graffiti removal options.

The rationale behind the prevention theme is to gradually change the attitudes and behaviours of graffiti vandals and to empower the community to actively engage in the prevention of graffiti.

There are a number of strategies to stop people vandalising property including lighting, addressing blank canvases, landscaping, anti-graffiti coatings, design of public furniture and murals or public art.

3.3 Engagement

Council recognises that graffiti is an element of youth culture and as such aims to provide acceptable, legal opportunities for engagement and expression. The diversionary theme aims to change the attitudes and behaviours of graffiti vandals through providing opportunities to undertake constructive and legal activities.

3.4 Enforcement

Graffiti is categorised as a form of vandalism or malicious damage and is a criminal offense that causes damage to property. Graffiti also creates a community perception of disorder and criminal behaviour. The enforcement theme is a necessary part of graffiti management and aims to provide a deterrent to potential offenders, as well as in the prosecuting of offenders.

4. Roles and Responsibilities

4.1 Eradication

4.1.1 Reporting and removal used by LSC

Reporting is essential for effective management of graffiti in our community. Council encourages members of the community to report incidents of graffiti.

Council currently uses a Customer Request Management System (CRMS) to record, respond to and track the occurrence of and extent of a graffiti event. The system will also be utilised to record information on graffiti in order to maintain a Graffiti Register and therefore report on graffiti incidences, removal and associated expenditure associated with removal.

Timely and effective reporting provides Council with the ability to organise the most appropriate manner of removal.

Any reports of graffiti on non-council property are recorded for information purposes only, with the exception of that deemed to be racist or highly offensive language, in which case Council may remove in the greater public interest.

4.1.2 Graffiti Register

The Graffiti Control Act 2008 requires Council to develop and implement a graffiti register. Council will develop a graffiti register as part of this Policy to record graffiti incidents and provide regular reporting to the local Police, Council and the community.

4.1.3 Public Enquiries and Reporting

Members of the community can report graffiti incidents to Council either via Customer Service phone number or by email. Incidents reported will be given a priority rating for investigating and addressing the matter appropriately.

Reporting of graffiti vandalism taking place or information on graffiti offences should be reported to the Emergency Number 000 while requests for illegal graffiti removal on Council property should be made to the Council's Customer Service team on 69530911. A reward is available for reporting of an incident that leads to a conviction.

4.1.4 Removal

There are a range of options associated with the removal of graffiti on private and public property. The key options are outlined as follows:-

(a) Rapid Removal

The prompt removal of graffiti is encouraged in order to:

- Discourage repeat offences.
- Act as a deterrent to offenders.
- Allows ease of removal.
- Improves the appearance of property and neighbourhoods making them a less likely target for illegal graffiti and dumped waste.
- Deprives illegal graffiti artists of the reward/satisfaction of recognition.

Council intends to promote a do-it-yourself approach in responding to illegal graffiti issues at a local community level by providing Graffiti removal kits free of charge to affected shop owners, businesses and residents.

Council will use the provisions of the Graffiti Control Act 2008 in order to remove graffiti on buildings or places where the graffiti can be seen and accessed from a public place.

(b) Graffiti Removal from Private Property

It is the responsibility of the owner of the property to remove all illegal graffiti including billposters, as soon as practicable.

4.2 Education

4.2.1 Community Awareness

A better informed community is more likely to adopt prevention measures and change from being passive victims to becoming active participants combating illegal graffiti within their community. If awareness of the graffiti vandalism problem and its effect on the whole community, is raised and people are informed about the prevention and diversionary measures that are available, a real positive impact on behaviour will be achieved.

Council has a major role in improving community access to information about graffiti and to provide information and support to other groups and individuals who are removing graffiti.

Under Council's Annual Operational Plan Council is required to provide a community that is safe to live in and move about by reducing, preventing and mitigating graffiti and vandalism across Leeton Shire. Council will report on any actions taken in response to graffiti or vandalism incidents each quarter.

Council will continue to provide information on graffiti including removal techniques, reporting rewards and street art opportunities on its website.

4.3 Engagement

4.3.1 Street Art

The painting of street art is another effective deterrent of graffiti. Street art involves a partnership between Council and the community whereby Council provides suitable spaces and opportunities for street art to be created and exhibited. Suitable spaces might include bus shelters, spaces at the skateboard park or walls of Council owned buildings and assets.

Respect for the artistic and creative thought that has gone into the mural acts as a deterrent to graffiti tags. Murals could be considered in high graffiti areas, and consulting youth for designs of these walls will promote an element of ownership

Murals are a proactive strategy in minimising graffiti. Murals can also brighten up a dull area or wall. Business or commercial property owners can commission artists to have the mural designed in a way that promotes the business to the public.

4.3.2 Safer by Design Central Business District

The Council will proactively develop safer by design principles which can be used to discourage or limit the severity of graffiti.

The safer by design principles include the following measures to reduce incidents of graffiti:

4.3.3 Lighting

Lighting can be an effective prevention technique. Dark areas are often targets for graffiti due to low visibility from the residents or pedestrians. Graffiti is often conducted under the cover of darkness, to avoid the risk of getting caught or reported. Therefore a well lit area will discourage graffiti.

4.3.4. Addressing Blank Canvases

The design of blank walls promotes graffiti. By creating textured surfaces blank walls can be managed. A further preventative technique for blank walls is painting them certain colours such as grey or dark green. Painting your wall or fence a dark colour does not provide a good base coat for most colours of paint that the tagger uses. This is an extra deterrent.

4.3.5 Landscaping

Planting trees and shrubs along walls and fence lines is a successful graffiti prevention strategy which is designed to limit access to walls and blank canvases. Landscaping can be used as a barrier due to its density, height and texture, which can deter offenders. Graffiti is created to be seen and the planting of trees and shrubs does not allow graffiti to be seen, therefore

4.4 Enforcement

Enforcement is a necessary part of graffiti management. It provides a deterrent to potential offenders. Graffiti is illegal in New South Wales with most graffiti related offences in NSW prosecuted under the Graffiti Control Act 2008. Graffiti offences will be reported by the NSW Police as malicious damage. It is Council's intention to liaise with the NSW Police in identifying and prosecuting offenders.

Council will investigate technology including camera, computer and GPS interface for use by LSC staff. This will assist in gathering intelligence on graffiti incidents which may be used by Police in the prosecution of graffiti vandals

5. Definitions

Graffiti Control Act 2008 No 100

Current version for 24 September 2018 to date (accessed 3 October 2018 at 11:26)

Part 1 Section 3

3 Definitions

(1) In this Act:

exercise a function includes perform a duty.

function includes a power, authority or duty.

graffiti implement means any of the following:

(a) spray paint,

(b) a marker pen,

(c) any implement designed or modified to produce a mark that is not readily removable by wiping or by use of water or detergent.

premises includes the whole or any part of a structure, building, vehicle, vessel or place, whether built on or not.

property includes a tree.

spray can includes anything that is made or adapted for use for emitting a liquid or substance and that operates by means of air, gas or vapour pressure.

spray paint includes any liquid or other substance that is designed to stain, mark or corrode and to be applied from a spray can, and includes the spray can.

spray paint can means a spray can that contains spray paint.

vehicle includes:

(a) a motor vehicle (whether or not still capable of being driven), and

(b) a train or other vehicle used on a railway or monorail, and

(c) a trailer or anything else constructed to be drawn by a vehicle or animal.

Note:

The Interpretation Act 1987 contains definitions and other provisions that affect the interpretation and application of this Act.

6. Legislation and Supporting Documents

- Graffiti Control Act No 100
- Leeton Shire Council Annual Operational Plan

7. Attachments

Reporting and removal used by Leeton Shire Council

Graffiti Management Policy Action Matrix – Leeton Shire Council

Action	Lead Agency	Partnership Opportunities	Priority	Performance Indicator
1. Eradication				
<i>Objective: Assist in the removal of graffiti on Council owner property, businesses and local households.</i>				
1.1 Rapid removal process for graffiti on Council owned property utilised. Measure the effectiveness of the nominated timeframe annually.	Council – Buildings Maintenance, Open Spaces, Water, Sewerage, Roads	Local cleaning contractors	High	Reduction in graffiti on Council owned sites. Council will endeavor to remove graffiti from Council priority areas within 5 to 7 working days of registering the incident. Council will aim to remove offensive graffiti from Council buildings and infrastructure within 24 hours of registering the incident.
1.2 Trial the provision of graffiti clean up kits for local residents and businesses	Council	Police, Chamber of Commerce, local residents	Medium	Track time frames for graffiti removal and clean up.
1.3 Encourage reporting of graffiti incidents to Council.	Council	Councillors, Council staff	High	Track the number of reported incidents.

2. Education				
<i>Objective: Improve community access to information about graffiti</i>				
2.1 Provide graffiti prevention and management tips on Council's website, including a link to www.graffiti.nsw.gov.au	Council	Leeton Police	Medium	Website information up-to-date.
3. Engagement				
<i>Objective: Divert and discourage those who may have a predilection towards graffiti.</i>				
3.1 Identify location for the placement of street art in public spaces.	Council	Council's Youth Committee	Low	Number of locations identified across the LGA
3.2 Encourage opportunities for positive street art activities.	Council	Schools	Low	Program developed to provide opportunities for positive community based art activities.
3.3 Co-ordinate an annual street art education opportunity and an event	Council	Leeton Police	Medium	Report on activity
4. Enforcement				
<i>Objective: To work with the legislative framework and with the OLAC to ensure enforcement</i>				
5.1 Investigate technology including camera, computer and GPS interface to gather intelligence on graffiti incidents which may be used by LSC.	LSC	Council	Medium	Number of offenders prosecuted.