

GRAFFITI REMOVAL

Policy Type:	Council Policy
Responsible Department:	Assets and Environment
Responsible Officer:	General Manager Assets and Environment
Related Policies and Procedures	N/a
Date Adopted:	C758/10; 25 October 2010
Last Council review:	C526/16; 25 July 2016
Next review date:	July 2019
ECM Doc Set ID:	2741364

1. POLICY STATEMENT

This policy provides a clear framework for the management of graffiti within the City of Unley.

2. COMMUNITY GOAL

Goal 2.3; Cultural and artistic diversity.
 Goal 2.5; Collaborative and engaged community

3. POLICY OBJECTIVES

To enhance the City's environment by controlling and minimising the impact of graffiti.

4. PRINCIPLES

The City of Unley strives to:

- achieve respect for the City's heritage and natural areas, and
- reinforce the amenity of the City and village charm as described within the Community Plan 2033.

The City of Unley seeks to:

- minimise the incidence of graffiti on both public and private property;
- promptly remove graffiti;
- provide legitimate avenues of expression; and
- being proactive in the prevention of graffiti.

5. POLICY

5.1 Council's Philosophy

- 5.1.1. The Council's objective is to remove graffiti as promptly as practicable where Council has control over affected property, and to seek and encourage removal of graffiti where other agencies are responsible for the damaged property. (see 5.2.1 below)
- 5.1.2. It is also Council's intention to discourage graffiti through physical design or social responses, whenever opportunities arise to do so.
- 5.1.3. Appropriately designed and legally placed murals are accepted as a positive form of art or decoration and as a deterrent to graffiti.
- 5.1.4. The following measures are designed to keep the built environment in the Unley Local Government area clear of graffiti as much as practicable, and to work in partnership with other agencies and individuals in combating the problem.

5.2 Implementation

- 5.2.1. The Council will take up the power to remove or obliterate graffiti in accordance with Section 12(1) of Part 4 of the Graffiti Control Act 2001;

"A council may enter private property and take any action necessary to remove or obliterate graffiti on the property **that is visible from a public place** if –
 - (a) a notice under this section was served on the owner or occupier of the property at least ten days prior to the action being taken; and
 - (b) the owner or occupier on whom the notice was served has not objected, in accordance with the notice, to the action being taken."
- 5.2.2. Appropriate authorities will be assigned to Council officers in accordance with Section 12(4) of the legislation.
- 5.2.3. Graffiti deemed to be offensive (reflecting racial, political or sexist images or language) will be removed from Council-owned assets within one working day and non-offensive graffiti within 10 business days of notification when feasible.
- 5.2.4. For frequently abused properties a 'standing' authorisation to remove graffiti deemed to be offensive (reflecting racial, political or sexist images or language) may be sought under Section 12(2) of the Graffiti Control Act 2001 from property owners/occupiers/agents so that the legislative requirements are streamlined.
- 5.2.5. Where it is deemed safe and appropriate Council will remove graffiti from property, including that owned by DPTI, SAPN, TransAdelaide and other utilities, which directly abuts Council owned assets.
- 5.2.6. For property or structures other than that owned by Council, if the location of the graffiti is assessed as presenting a Work Health and Safety hazard, then its removal from the structure or building will be the responsibility of the owner. The following are examples of unsafe areas:

- SAPN assets such as light poles, electric boxes, transformers, cable cylinders and associated infrastructure.
 - DPTI assets such as traffic signals, traffic signs, signal boxes.
 - TransAdelaide assets such as tram over pass, railway tracks, fences, train platforms.
 - Graffiti removal surrounding creek beds or associated infrastructure will be undertaken when and where it is deemed safe and appropriate.
- 5.2.7. Council will not remove graffiti from building construction sites, demolition sites, enclosed/secure premises, vacant land or abandoned buildings due to actual risks associated with Workplace Health and Safety and personal security.
- 5.2.8. Council's field staff will maintain surveillance of the district to locate and report graffiti.
- 5.2.9. Staff will maintain liaison with schools, councils, police and other relevant agencies in order to keep abreast of current 'tag registers', approaches to offenders and any other aspects of the issue which may inform this Council's practices, or to which Unley Council can contribute.
- 5.2.10. This policy, and the availability of Council's assistance to residents in combating the graffiti problem, including the provision of a Graffiti Volunteer program, will be effectively promoted and published periodically.
- 5.2.11. Where there are opportunities to treat surfaces with anti-graffiti coatings, Council will pursue these pro-actively so that the handling of toxic and environmentally damaging cleaning agents is reduced as much as possible.
- 5.2.12. Council will consider design and planning aspects that may deter graffiti whenever opportunities arise through deliberations of development in the City or its own property maintenance, e.g. screen planting on prominent locations, installation of night lighting and security lighting.

6. DEFINITIONS

Graffiti – is the illegal application of writing or drawings to property without the owners' permission. Graffiti is the unwanted marking and adornment of the physical environment. It is considered to be visual pollution of the environment and an affront to property owners, whether public or private.

Tag – an individual mark in the nature of a signature or identification logo defined as graffiti.

DPTI – Department of Planning, Transport and Infrastructure

SAPN – SA Power Networks

7. LEGISLATION/REFERENCES

Local Government Act 1999
Graffiti Control Act 2001

8. POLICY DELEGATIONS

Full information about the sub-delegated powers and duties is contained in the Council Delegations Register.

9. ROLES / RESPONSIBILITIES

- Manager Operational Services
- Coordinator Civil Works and Response

10. AVAILABILITY

The policy is available for public inspection during normal office hours from;

Civic Centre
181 Unley Road
Unley SA 5061

A copy may be purchased for a fee as determined annually by Council.

It is also available for viewing, download and printing free of charge from the Council's website, www.unley.sa.gov.au

11. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
04/04/2001		Policy COU 51
18/10/2010	CSP Committee; CSP367/10	
25/10/2010	Council; C758/10	Was policy COU 114
25/7/2016	Council; C526/16	Was policy COU 72