

COU0024: GRAFFITI REMOVAL POLICY

Policy Type:	Council
Responsible Department:	City Development
Responsible Officer:	Manager Operational Services
Related Policies and Procedures	N/A
Community Plan Link	<i>Civic Leadership:</i> 4.2 Council provides best value services to the community.
Date Adopted	25 October 2010: C758/10
Last review date	23 September 2019: C106/19
Next review date	September 2022
Reference/Version Number	COU0024: Version 3
ECM Doc set I.D.	2741364

1. PREAMBLE

- 1.1. Council seeks to minimise incidents of Graffiti on both public and private property by prompt removal, to enhance the City of Unley's environment by controlling and minimising the impact of graffiti, whilst providing legitimate avenues for the expression and dissemination of community information and art.

2. SCOPE

- 2.1. The Policy applies to Graffiti management on public and private property in the City of Unley.

3. POLICY OBJECTIVES

- 3.1. 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 (refer to section 5.7).
- 3.2. Council seeks to:
- minimise the incidence of graffiti on both public and private property;
 - promptly remove graffiti;
 - provide legitimate avenues of expression; and
 - be proactive in the prevention of graffiti.

4. DEFINITIONS

- 4.1. the **Act** is the *Graffiti Control Act 2001*.
- 4.2. **Council** means the Corporation of the City of Unley.
- 4.3. **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.
- 4.4. **Tag** is an individual mark in the form of a signature or identification logo defined as graffiti.
- 4.5. **DPTI** means the Department of Planning, Transport and Infrastructure
- 4.6. **SAPN** is SA Power Networks

5. ROLES AND RESPONSIBILITIES

- 5.1. This policy will be administered on behalf of Council by the:
 - General Manager City Services
 - Manager Development & Regulatory Services
 - Team Leader Regulatory Services
- 5.2. Appropriate authorities will be assigned to Council Officers in accordance with Section 12(4) of the Act.

6. POLICY STATEMENT

- 6.1 It is also Council's intent to discourage graffiti through physical design or social responses, whenever opportunities arise to do so.
- 6.2 Appropriately designed and legally placed murals are accepted as a positive form of art or decoration and as a deterrent to graffiti.
- 6.3 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.
- 6.4 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.
- 6.5 The following measures are designed to keep the built environment in the City clear of graffiti as much as practicable, and to work in partnership with other agencies and individuals in combating the problem.
 - 6.5.1 Council will take up the power to remove or obliterate graffiti in accordance with Section 12(1) of Part 4 of the Act:

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 (10) 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.*

- 6.5.2 Graffiti deemed to be offensive (reflecting racial, political or sexist images or language) will be removed from Council-owned assets within one (1) working day and non-offensive graffiti within ten (10) business days of notification when feasible.
- 6.5.3 For frequently targeted 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 Act from property owners/occupiers/agents so that the Act requirements are streamlined.
- 6.5.4 Where it is deemed safe and appropriate, Council will remove graffiti from property, including that owned by DPTI, SAPN and other utilities, which directly abuts Council owned assets.
- 6.5.5 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.
 - Other 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.
- 6.5.6 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 Council's practices, or to which Council can contribute.

7. POLICY DELEGATIONS

7.1. Delegation under this Policy is made to the following officers:

- Manager Operational Services
- Manager Strategic Assets
- Manager Development and Regulatory Services

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

8. LEGISLATION

- *Local Government Act 1999*
- *Graffiti Control Act 2001*

9. AVAILABILITY OF POLICY

9.1 The Policy is available for public inspection during normal office hours at:

The 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 Council's website www.unley.sa.gov.au.

10. DOCUMENT HISTORY

Date	Ref/Version No.	Comment
25 October 2010	C758/10: V1	
25 July 2016	C526/16: V2	
23 September 2019	C106/19: V3	