

COU0024: GRAFFITI REMOVAL POLICY

Policy Type:	Council
Responsible Department:	City Development
Responsible Officer:	Manager Assets and Operations
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	22 March 2021: C0471/21
Next review date	March 2024
Reference/Version Number	COU0024: Version 4
ECM Doc set I.D.	2741364

1. PREAMBLE

1.1. Council seeks to minimise incidents of Graffiti throughout the community in collaboration and partnership with residents, businesses, service authorities, State Government Departments, SAPOL and volunteers. Council is committed to coordinate and/or facilitate graffiti removal by encouraging stakeholders and asset owners to promptly remove graffiti, with the vision to enhance the City of Unley's urban environment by controlling and minimising the impacts of graffiti related vandalism.

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 facilitate the removal of graffiti as promptly as practicable from Council owned land/property, and to seek and encourage removal of graffiti where other agencies, asset or property owners are responsible for the defaced and damaged property.

3.2. Through this policy Council seeks to:

- minimise the incidence of graffiti on both public and private property;
- ensure the prompt removal of graffiti;
- provide legitimate avenues of artistic expression;

- increase community participation in volunteer graffiti removal programs;
- be proactive in the prevention of graffiti; and
- minimise the cost burden to the community

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. **DIT** means the Department of Infrastructure and Transport
- 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 Development
 - Manager Assets and Operations
 - Manager Development & Regulatory
 - Team Leader Regulatory Services
- 5.2. Appropriate authorisation will be assigned to Council Officers in accordance with Section 12(4) of the Act.

6. POLICY STATEMENT

- 6.1 To discourage graffiti through physical design or social responses, whenever opportunities arise to do so.
- 6.2 Appropriately designed and legally placed murals are acceptable to Council and require consultation with Council's Coordinator Cultural Development prior to commissioning. Murals are considered a positive form of art or decoration and are considered 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 risks associated with Workplace Health and Safety. Council will liaise with property owners to facilitate prompt graffiti removal.
- 6.4 Council will not remove graffiti from businesses and shop frontages, unless Council enters into an agreement as per 6.12.5. Council will liaise with business owners to facilitate prompt graffiti removal.
- 6.5 Council may assist residential property owners with the removal of graffiti from their property frontage fencing only or by supplying advice on graffiti removal practices.

- 6.6 Council will coordinate and administer a community volunteer graffiti removal program to assist in creating a graffiti free community environment.
- 6.7 Council will remove graffiti from all fences that directly abut Council owned shared use paths, linear walks and trails. e.g. Charles Walk and Wilberforce Walk.
- 6.8 Council will coordinate the removal of graffiti from all fences that directly abut shared use paths owned by DIT for which Council has entered into maintenance agreements. e.g. Mike Turtur Bikeway
- 6.9 Graffiti deemed to be offensive (reflecting racial, political, 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.
- 6.10 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.
- 6.11 In order to reduce the handling and use of toxic and environmentally damaging cleaning agents, Council will pro-actively identify opportunities to treat surfaces with anti-graffiti coatings and/or introduce chemical free graffiti removal practices where possible.
- 6.12 The following measures in accordance with the *Graffiti Control Act 2001*, 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.
- 6.12.1 Council at its' discretion may utilise legislative powers 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.*
- 6.12.2 Council may, if safe to do so and at its discretion, remove offensive graffiti from within private land provided notification has been given in accordance with the Act.
- 6.12.3 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.
- 6.12.4 Where it is deemed safe and appropriate, Council may remove graffiti from assets owned by DIT, SAPN and other utilities providers, which directly abut Council owned assets. However, Asset owners will be notified in the first instance to remove graffiti from their assets.
- 6.12.5 Council reserves the right to enter into agreements with property owners or business owners for the purpose of recovering all or part costs incurred by Council for the removal of graffiti from private land/property, (if Council has deemed it appropriate to facilitate the removal)

7. POLICY DELEGATIONS

NIL

8. LEGISLATION

- *Local Government Act 1999*
- *Graffiti Control Act 2001*
- *Graffiti Control Regulations 2013*

9. AVAILABILITY OF POLICY

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

City of Unley 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	
22 March 2021	C0471/21: V4	