

ITEM 12

ITEM LAID ON TABLE - ORDINARY MEETING OF COUNCIL 28 JUNE 2021 - POLICY REVIEW: GRAFFITI MANAGEMENT COUNCIL POLICY

The Graffiti Management Council Policy (Policy) has been revised as part of the Council policy review process. The Policy remains relevant with changes limited to formatting, minor edits and the recognition of additional divisions of Council currently undertaking roles in either prevention, management or removal of graffiti.

The revised Graffiti Management Council Policy is presented to Council for adoption.

RECOMMENDATION

Council adopt the revised Graffiti Management Council Policy.

REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community Cultural + Economic Development
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Draft Graffiti Management Council Policy

BACKGROUND

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

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

In June 2018, a revised Graffiti Management Council Policy was presented to Council for adoption. An extensive review process was undertaken to inform proposed changes to the previous policy. Changes included revised timeframes for the removal of graffiti on Council assets, removed ambiguity over the circumstances as to how and when Council removes graffiti from private property and outlined the responsibilities of Council divisions involved with graffiti prevention, management and removal.

In March 2021, a benchmarking exercise was undertaken with Blacktown, Penrith and Sutherland Councils. Comparisons were made against the timeframes for the removal of offensive graffiti/non-offensive graffiti on Council assets, the method of reporting graffiti to Council and the types of graffiti prevention programs. The data obtained from the benchmarking exercise was used to inform the policy review.

A review of the existing policy has been undertaken. Changes proposed to the removal timeframes being:

- Type 1 Graffiti removed within two working days from when it is reported, and
- Type 2 Graffiti removed within 20 working days.

Other changes include formatting, minor edits and recognition of additional divisions of Council currently undertaking roles in either prevention, management or removal of graffiti.

PROPOSAL

The reviewed Graffiti Management Council Policy be adopted.

CONSULTATION AND COMMUNICATION

Consultation was undertaken with:

- Community Safety Reference Group
- Infrastructure Strategy and Planning Division
- City Works and Services Division
- Governance and Information Division, including Legal Services
- Project Delivery
- City Strategy
- Development Assessment and Certification.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 5 “We have a healthy community in a liveable city”. It specifically delivers on the following:

Community Strategic Plan		Delivery Program 2018-2022	Operational Plan 2020-21
Strategy		4 Year Action	Annual Deliverables
5.5.1	Public facilities in key locations and transport routes are maintained and clean, accessible and inviting to our community and visitors	5.5.1.1 Well maintained assets are provided that meet the needs of the current and future Communities.	Coordinate and undertake Graffiti Prevention actions on Council assets and deliver the Community Partnership program to remove graffiti from non-Council assets.

The Policy supports the delivery of the Wollongong Community Safety Plan 2021-2025.

FINANCIAL IMPLICATIONS

There is a current budget for the implementation of graffiti removal, prevention and management strategies.

CONCLUSION

The revised Graffiti Management Council Policy provides Council with a framework for the effective management of graffiti in the Wollongong Local Government Area.



GRAFFITI MANAGEMENT COUNCIL POLICY

ADOPTED BY COUNCIL: : [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

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

POLICY INTENT

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 main objectives of this policy are to:

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

WOLLONGONG 2028 OBJECTIVES

The Policy contributes to the delivery of Our Wollongong 2028 goal “We have a healthy community in a liveable city”. It specifically contributes to the delivery of Objective 5.5 “The public domain is maintained to a high standard”.

POLICY

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

- Prevention
- 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.

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

Reporting Graffiti

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 on Council assets for easy reporting of graffiti.

GRAFFITI MANAGEMENT

COUNCIL POLICY

Prioritisation of Graffiti Removal on Council Assets

Removal of graffiti on Council assets is prioritised based on the type of graffiti, with priority 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 2 working days from when it is reported.
Type 2 All non-offensive or other types of graffiti.	Within 20 working days in accordance with Council's asset routine maintenance schedule.

NOTE: Based on conditions and weather permitting.

Graffiti Prevention Program

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.

Support for Removal of Graffiti on Private Property

Council does not remove graffiti from private property (subject to *Graffiti Control Act 2008*). 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, incorporating situational prevention, activating spaces and community development to reduce graffiti on private property. Council provides free graffiti removal kits for residents.

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 2008*.

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 2008* 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.

GRAFFITI MANAGEMENT

COUNCIL POLICY

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.

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.

LEGISLATIVE REQUIREMENTS

Graffiti Control Act 2008.

REVIEW

This Policy will be reviewed every two years from the date of each adoption of the policy, or more frequently as required.

REPORTING

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
- Location address of the graffiti
- Nature of the work carried out
- Cost of carrying out the work
- Actual cost of the graffiti removal by Council.

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.

ROLES AND RESPONSIBILITIES**Community Cultural and Economic Development Division**

The Graffiti Prevention Program will be coordinated and delivered by the Community Cultural and Economic Development Division.

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.

GRAFFITI MANAGEMENT

COUNCIL POLICY

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. The Division considers projects to incorporate CEPTD principles in design and opportunities to manage assets that discourage graffiti.

City Works Division

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

Project Delivery Division

Development of Technical Manuals (eg West Dapto Open Space and Technical Manuals and Public Domain Technical Manual) and design projects that integrate CPTED principles.

Development Assessment and Certification Division

Undertake assessment of development applications incorporating CPTED principles.

City Strategy Division

Preparation of town and village plans, incorporating CPTED principles. Preparation of Council planning policies (eg Wollongong Development Control Plan, Chapter E2 Crime Prevention Through Environmental Design), in reviewing Neighbourhood Plans, incorporate CPTED principles.

APPROVAL AND REVIEW		
Responsible Division	Community, Cultural + Economic Development	
Date/s adopted	<i>EMC</i> [updated by policy owner]	<i>Council</i> [To be inserted by Governance]
Date/s of previous adoptions	25 June 2018 25 November 2013 11 March 2009	
Date of next review	June 2023	