

Policy Name	Graffiti Management
Policy Number	CD07
Responsible Section	Community Development
Responsible Department	Community Development
Date Last Adopted	November 2020
Date of Next Review	November 2023
Applicable Legislation	Graffiti Control Act 2001 Graffiti Control Regulations 2013 Local Government Act 1999
Related Governance Documents	Council Policy – Public Art and Placemaking Volunteer Manual for Safe Graffiti Removal 'The Grafters'
City Plan Theme	Community Placemaking

1. PURPOSE/OBJECTIVE

Illegal Graffiti detracts from the visual amenity of the area, contributes to people feeling unsafe, is damaging to property and a cost burden to the community. The act of marking a building, structure or place with graffiti, without the permission of the owner, is a criminal offence which can attract penalties under state law.

Graffiti is identified as a crime under the *Graffiti Control Act 2001*. This policy sets out Council's approach to minimising the incidence of graffiti and reducing its impact on the community.

2. SCOPE

This policy applies to illegal graffiti on public and private property in the City of Port Adelaide Enfield. Street art or any art that is commissioned, with the prior consent of the building owner is outside the scope of this policy. This policy excludes Public Art and Placemaking activities for which permission is granted by Council, and are the subject of a separate policy.

3. POLICY

3.1 Key principles

Council utilises the following principles in managing the incidence of Graffiti and its impact:

- **Eradication** – based on a program of rapid removal
- **Education and Engagement**– with (1) those likely to engage in Graffiti on the impact and consequences of their actions, while providing appropriate avenues for skill development and creativity, and (2) other agencies and partners able to support Council's efforts to prevent, reduce, remove and minimise the incidence and impact of Graffiti
- **Enforcement** – by working with SAPOL, residents, businesses and others to support efforts to prosecute those responsible for graffiti.

3.2 Eradication of Graffiti

Rapid removal of graffiti has been shown to be one of the most effective strategies for reducing the frequency, recurrence and extent of graffiti in an area. It also reduces the exposure time of the graffiti and makes the graffiti physically easier to remove. Council is therefore committed to removing graffiti, or working with property owners to do so, as quickly as possible.

Removal of graffiti will be undertaken using a combination of Grafters, Council Staff and Contractors. Such decisions will be based on timeliness, availability, work health and safety considerations, skills and equipment required to safely undertake the task, and on some occasions cost.

3.2.1 *Removal of Graffiti from Council and Public Property*

Council will be responsible for removing all graffiti from assets owned by Council or under Council's care and control. This includes assets owned by Council and leased to a third party.

From time-to-time Council may partner with other agencies (for example, Restitution SA, Neighbourhood Watch, etc) to undertake removal of graffiti within the City. Council may, as negotiated in advance, provide materials or financial assistance to such groups to support their work.

Where it is deemed safe and appropriate to do so Council will remove graffiti from property, including that owned by State Government agencies, SA Power Networks, and other utilities under the following circumstances:

- The graffiti directly abuts a Council owned asset; and/or
- Removal by Council will be more timely; and
- There is a standing agreement with the asset owner that Council has permission to undertake such graffiti removal. In some instances, this agreement may include a contribution to the costs of such removal by providing funds, paint or other equipment.

3.2.2 Removal of Graffiti from Private Property

In accordance with Section 12 of the Graffiti Control Act 2001 Council may elect to remove graffiti from private residences, business, commercial or industrial premises where:

- It is deemed safe to do so;
- Council can purchase, at reasonable cost, the materials required to safely remove or cover the graffiti;
- There is little likelihood of property damage, discolouration, or disfigurement occurring as a result of Council or its Contractors actions; and
- Written consent has been provided by the property owner and/or occupier.

In limited instances where it is not practical to gain written consent, or that consent cannot be gained in a timely manner Council may accept verbal consent from a property owner/ occupier to remove graffiti. Where this occurs, the Council staff member, Grafter or Contractor will keep a record of the date, location and person who gave consent.

For frequently targeted properties a 'standing authorisation' to remove any graffiti may be sought.

Subject to meeting the conditions outlined above, removal of graffiti on a private residence will be provided at no cost to the owner/ occupier.

Where a large area of graffiti is removed from a business, commercial or industrial site Council may seek a contribution to material costs from the building owner or tenant. In an event where this applies, such contribution will be agreed in advance of the graffiti being removed.

3.2.3 Timely removal of Graffiti

Wherever possible and safe to do so, Council staff, Grafters or Contractors will remove graffiti in accordance with the following timeframes:

- Graffiti which is deemed to be offensive, obscene, racist, sexist, political or in some way vilifies a group or individual will be removed within 24 hours of being identified by Council staff, Grafters or Contractors or reported to Council by a member of the public.
- All other graffiti will be removed within five (5) working days of being identified by Council staff, Grafters or Contractors or reported to Council by a member of the public.

3.3 Education and Engagement

The prevention and eradication of graffiti requires whole of community support. To ensure a proactive and comprehensive approach Council will from time to time undertake activities and initiatives that seek to educate and engage:

- The community about what to do if they see graffiti
- The community, Neighbourhood Watch and similar groups on ways to prevent, remove or reduce the incidence of graffiti on private property, including through the use of Crime Prevention Through Environmental Design (CPTED) principles
- Those responsible for the sale of materials which could reasonably be used for graffiti about their storage and sale

- Council staff in the use of CPTED principles and their application to the design, construction and renewal of community facilities and assets; and
- Those likely to engage in graffiti and/or the broader community about the impacts and consequences for those involved in illegal graffiti.

As part of its education and engagement work Council will seek to provide appropriate legal avenues for skill development and expression of creativity in a manner consistent with Council's Public Art and Placemaking Policy.

Wherever possible Council will seek to partner with relevant agencies, organisations, other councils and community groups to deliver and fund education and engagement projects, initiatives and activities.

3.4 Enforcement

Council will work with SAPOL and other law enforcement agencies to support their efforts in prosecuting, cautioning or diversionary responses of those responsible for graffiti by:

- Providing data as required; and
- Reporting any marked or changed graffiti activity when identified.

4. ROLES AND RESPONSIBILITIES

The Community Programs Officer in conjunction with the Leader, Community and Cultural Development is responsible for the carrying out and oversight of Council's day-to-day activities under this Policy.

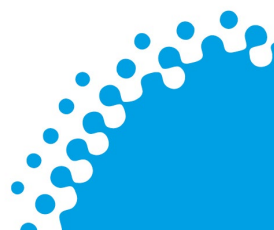
The Community Development Manager is responsible for the oversight and review of this Policy.

5. DEFINITIONS

Contractor – a business engaged by the City of Port Adelaide Enfield to undertake work on behalf of Council.

Crime Prevention Through Environmental Design (CPTED) – is a set of efforts to design out, reduce and deter crime through good urban and environmental design. It works by increasing the perceived likelihood of detection and apprehension. The principles of CPTED are:

- **increasing natural/ passive surveillance** – through lighting, fencing, sight lines, housing facing public spaces, windows overlooking reserves, reducing concealed areas and entrapment, etc
- **natural access control** – use of clear entry & exits, use of thorny plantings, limiting access to roofs, gate locks, fence heights
- **territoriality** – reinforcing a sense of ownership or territory by active occupying presence, security system signage, scheduling activities in common areas. Makes users feel safe and gives potential offenders a sense of scrutiny & potential apprehension



Linked to these principles are practices which improve or increase:

- **the image or maintenance** of an area– through the prompt removal of graffiti and maintaining spaces to a good standard
- **activity support** – encouraging and supporting (planned and incidental) activity and making clear the types of people and activity expected in a place (eg ‘caution children present’)
- **target hardening** – sensor lighting, locks, fence heights, reducing access to back yards, etc

Graffiti – in the context of this policy, means the illegal or unauthorised application of words, figures, drawings, pictures, or designs which have been drawn, painted, sprayed, marked, pasted or otherwise affixed on any surface of public or private property.

Grafters – A team of skilled Council volunteers responsible for the removal of graffiti across the City of Port Adelaide Enfield.

Private Property – property within the City of Port Adelaide Enfield boundaries for which rates are payable to Council.

Public Property – property owned by or under the care and control of the City of Port Adelaide Enfield, a State Government agency or utility provider.