



GRAFFITI PREVENTION & REMOVAL POLICY

<i>Responsible Officer/s</i>	Director Infrastructure Services
<i>Relevant Legislation / Documents</i>	Graffiti Control Act 2001 (Part 4, S12 (1)) Local Government Act, 1999 (Chapter 12, Part 2)
<i>Adopted</i>	16 August 2013
<i>Reviewed</i>	18 October 2023
<i>Next Review</i>	18 October 2027

A. Purpose

This policy outlines the District Council of Loxton Waikerie's (Council) responsibilities and powers in relation to the control and removal of graffiti within the district; Council's commitment to deploy crime prevention measures; and intention to identify and implement such mechanisms that will aid Council, members of the community and regulatory authorities in combating graffiti related vandalism within its jurisdiction.

This policy is to provide a framework for the exercise of the District Council of Loxton Waikerie's powers regarding the management, minimisation and removal of graffiti within its jurisdiction. In conjunction with the Local Government Act 1999 and the Graffiti Control Act 2001, this document seeks to:

- define the specific powers possessed by Council to both implement the removal of graffiti from Council owned land/ property, public land/ property where the entity has given Council approval to remove graffiti,
- assistance that Council can offer owners of private land/ property, and that which enforces property owners to rectify or obliterate graffiti associated vandalism from private property;
- define standard practices for the removal of graffiti by both Council staff and Graffiti Prevention Volunteers

Graffiti is a criminal offence that detracts from the visual amenity of the area, is destructive to property and is a cost burden to the community.

Council endeavours to encourage and support community groups and individuals who wish to assist in implementing graffiti prevention and removal initiatives.

B. Policy

1. Scope

This document relates to all community, business, volunteer and / or other groups affected by or involved in the management of graffiti within the Council area.

The Graffiti Control Act, 2001 specifies that while Council *may* remove graffiti from a privately or publicly owned land/ property (under Section 12(1) of the Graffiti Control Act 2001 it has no obligation or responsibility to remove, obliterate or paint over graffiti associated with vandalism from any privately or publicly owned residence or property within it's governed area;

Council, in exercising its authority under this policy, section 12(5) of the Graffiti Control Act 2001 negates any civil liability attached to Council for anything done by a worker when in the course of their official capacity through graffiti removal duties.

Council will support anti – graffiti initiatives which aim to:-

- Reduce the incidence of graffiti vandalism in the District Council of Loxton Waikerie;
- Increase the community reporting of graffiti;
- Increase community participation in anti graffiti programs;

2. Graffiti removal service levels for removal of graffiti on council owned land or property

<i>PRIORITY</i>	<i>CONTROL MECHANISM</i>	<i>RESPONSE TIME</i>
2 - LOW	Arrange Removal	7 Days
1 - EXTREME	Offensive Graffiti – Arrange Removal	24 Hours

3. Closed Circuit Television

Council has installed closed circuit television cameras, footage collected may be provided to SAPOL to support any investigation regarding graffiti vandalism, the footage is provided in accordance with the provisions of the Closed Circuit Television (CCTV) Policy.

Council also has mobile CCTV cameras that will be installed in temporary locations if warranted by any increase in the incidence of graffiti vandalism

4. Definitions

Council means a council within the meaning of the Local Government Act 1999

Council owned land / property means all buildings, land, reserves, structures, community facilities etc owned and maintained by the District Council of Loxton Waikerie

Publicly owned land / property means all buildings, land, reserves, structures, facilities etc owned and maintained by public entities or agencies of the Crown, for example, Australia Post and government buildings and assets of public utilities such as SA Power Networks and Telstra.

Privately owned land / property means any property which is not described above

Graffiti is a form of vandalism that includes written, scribbled, scratched or painted damage on property or surface.

Complex graffiti denotes that which requires the use of strong chemicals (not included in the Graffiti Removal Kits provided to volunteers), high pressure spraying equipment, replacement of panelling, and / or requires specialist attention to remove. Complex graffiti is also that which is out of 'easy reach' and requires the use of ladders to remove.

Simple graffiti denotes minor instances of graffiti (small tags, throw –ups ect) that are committed under quick opportunistic circumstances (eg on public surfaces, fences and / or private property); that is in 'easy reach' (within 2 metres from the ground); takes little physical exertion to remove; can be removed without the use of a ladder and can be removed with a "Graffiti Removal Kit"

Offensive graffiti denotes graffiti that has content that would be reasonably considered extremely offensive or hate based within the community, this may vary according to the location of the graffiti, ie if the site significant or highly visible.

Graffiti Prevention Volunteer means a person undertaking or performing specific duties for Council as part of the Graffiti Volunteer Program for no direct payment or disbursement.

Graffiti Volunteer Program means any volunteering program run to combat the incidents of graffiti with the District Council of Loxton Waikerie

Vandalism is the wilful or malicious damage or destruction of property

Employee means an employee engaged by Council

Contractor means a person engaged by Council or an employment agency who acts/ works on behalf of Council.

E. Graffiti removal

I. Council owned land / property

Council employees or Graffiti Prevention Volunteers will undertake the removal of graffiti from Council owned land / property, as per the service levels outlined in this policy.

II. Publicly owned land or property

Council employees or Graffiti Prevention Volunteers may undertake action to remove graffiti from publicly owned land or property within the service levels outlined in this policy if prior consent has been recorded. (At this point in time permission has been granted from Australia Post). Public institutions have existing service standards for the removal of graffiti on their assets or property, please refer to

III. Privately owned property

Upon notification of graffiti vandalism on private property Council employees will inspect the property and complete a recommendation form advising of appropriate practice to remove the graffiti. This report will be forwarded to the owner and/ or occupier of the property, with any removal being undertaken by the owner and/ or occupier of the property.

Council may order the owner of a private property within the district to remove, obliterate or paint over graffiti from the premises when it is considered necessary by Council to remove an unsightly condition, structure or object on a private premises in accordance with section 12 of the Graffiti Control Act 2001 and section 254 of the Local

Government Act 1999. Any such order will only be considered in instances where extremely offensive or hate based graffiti is present in highly visible locations or sites.

D. Graffiti Removal Program

Council will co-ordinate, where required, a Graffiti Prevention Program enabling Graffiti Prevention Volunteers to remove simple graffiti within from Council owned land or buildings or from publicly owned land or buildings where prior consent has been given.

Council will ensure that the Graffiti Prevention Volunteers are provided with:-

- Appropriate training
- Personal protective equipment
- Graffiti Removal Kit

In all instances there will be a minimum of 2 volunteers or persons working together to remove simple graffiti only.

When the incidence of graffiti is low or where a volunteer is unable to remove simple graffiti from a location council workers will assume this responsibility

C. Review

The Graffiti Prevention and Removal Policy is to be reviewed annually or sooner if the prevalence of graffiti vandalism increases within the district. It is acknowledged that at the time of writing the Graffiti Prevention Program is limited by the number of volunteers, if this number increases the actions of the volunteers and the aims of the program will be reviewed.

D. Availability

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website: www.lwdc.sa.gov.au or copies may be obtained from the Council Office free of charge.

E. Document history and version control

Date	Version	Council/ Committee/ Internal	Document history
	1.1	Endorsed by the Senior Management Team at the meeting of 12 September 2016	Changes made to reflect the strategic plan (LW Futures) and the changes to the policy and procedure templates.
18/10/2023	1.2	Ordinary Council Meeting held 18 October 2023	Formatting changes, updated to new template

Appendix 1

Graffiti Prevention and Removal Policy – contact list

SA Power Networks (SAPN) – 13 12 31 – or contact their website on SA Power networks – Maintenance and select Graffiti reporting. Completing the online form

Telstra - <https://www.telstra.com.au/forms/report-damage-to-telstra-equipment> or by phoning 13 22 03

SA Water – 1300 729 283 to report Graffiti on their buildings and infrastructure

Department for Transport and Infrastructure (DTI) – 1300 872 677 – or contact their website on dit.sa.gov.au – Contact us – completing an online submission