



DISTRICT COUNCIL OF LOXTON WAIKERIE

Graffiti Prevention and Removal Policy

Policy Identification:	
<i>Adoption Date:</i>	16 August 2013
<i>Last Review:</i>	17 April 2015
<i>Next Review Date:</i>	April 2016 (annual review)
<i>Responsible Officer(s):</i>	Works Administrative Officer
<i>Relevant Delegations:</i>	
<i>Council File GDS Reference:</i>	14.63.1
<i>Other Relevant Policies:</i>	Closed Circuit Television (CCTV) Policy
<i>Related Procedures:</i>	District Council of Loxton Waikerie Service Standards – Graffiti removal
<i>Relevant Legislation:</i>	Graffiti Control Act 2001 (Part 4, S12 (1)) Local Government Act, 1999 (Chapter 12, Part 2)
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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.

Strategic reference

Strengthen our community through the provision of cultural, recreational and community services: strategy 5.1.1: facilitate a proactive approach to healthy and safe activities or pursuits.

Background

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.

Purpose

The purpose of 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

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 publically 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 publically owned residence or property within its 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.

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

PRIORITY	CONTROL MECHANISM	RESPONSE TIME
2 <i>Low</i>	Arrange removal	Programme for removal 7 days
1 <i>Extreme</i>	Offensive Graffiti Arrange removal	As soon as possible 24 Hours

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.

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

Publically 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.

Policy

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;

Graffiti removal

- **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.

- **Publically owned land or property**

Council employees or Graffiti Prevention Volunteers may undertake action to remove graffiti from publically 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 Appendix 1.

- **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.

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 publically 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.

Where a volunteer is unable to remove simple graffiti from a location, Council workers will assume this responsibility.

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.

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.loxtonwaikerie.sa.gov.au or postal copies may be obtained from the Council Office, to be charged at the scheduled rate according to the Fees and Charges Register.

Appendix 1

Graffiti Prevention and Removal Policy – contact list SA Power Networks (ETSA)

Practice

SA Power Networks (ETSA) do not remove graffiti outside the CBD but do supply paint and resources for graffiti to be removed by council staff and or volunteers. Lodge report of graffiti on 8404 5673 or 13 12 61, these numbers can be used by public or staff

Telephone 13 12 61 or 8404 5673

Telstra

Will remove non offensive graffiti within 5 days (may take longer in rural areas)

Offensive graffiti within 48 hours (though may take longer in rural areas)

Can email reports of graffiti to Telstra infrastructure F1103732@team.telstra.com (this email address is for the use of councils only - not the general public)

Telephone 180 2244

SA Water

Offensive graffiti will be removed within 24 hours.

Non offensive gets recorded and prioritised accordingly along with other jobs

Telephone 1300 650 950

Department for Planning, Transport and Infrastructure (DPTI)- Major Roads & Signage

Council can report graffiti on DPTI controlled roads and signage to DPTI contractor on 0438 400 476 (council use only), Council should not remove graffiti from DPTI roads and signage.

Offensive Graffiti or graffiti that is covering 50% or more of any regulatory signage will be removed within 24 to 48 hours.

Non offensive graffiti is removed on a fortnightly as needs basis (continually ongoing).

Telephone 0438 400476