



**GEORGES
RIVER
COUNCIL**

GRAFFITI AND POSTERS POLICY

July 2017

POLICY ADMINISTRATION

Dates	Policy approved 3 July 2017 This policy is effective upon its approval. Policy is due for review in July 2021
Approved by	Council Meeting 03/07/2017 Council Resolution CCL133-17
Exhibition Period	4 May 2017 and ending on 31 May 2017
Policy Owner	Executive Manager Outdoor Operations, Assets & Infrastructure
Related Documents	Nil
References & Legislation	Graffiti Control Act 2008 No 100 (NSW) Graffiti Control Amendment Act 2014 (NSW) Local Government Act 1993 (NSW) Parliamentary Electorates and Elections Act 1912 No 41
Document Identifier	Policy #: Pol-014.01 Doc #: D17/118130
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

PURPOSE

To manage graffiti and posters in the Georges River Local Government Area (LGA). This includes:

- The removal of graffiti and unauthorised posters from public and private property
- Working with New South Wales (NSW) Police and relevant agencies, to keep track of and prosecute graffiti vandals
- Working with residents, businesses and community groups for effective and prompt graffiti removal and unauthorised posters.

SCOPE

This Policy applies to the management of graffiti and unauthorised posters on both public and private property within the Georges River LGA.

It applies to all senior management and staff involved in the management of graffiti.

DEFINITION OF TERMS

Term	Meaning
<i>Graffiti Implements</i>	Spray paint, marker pen or any device designed or modified to produce a mark that is not easily removable.
<i>Property</i>	Includes buildings, structures, poles, trees.
<i>Infrastructure</i>	Includes fences, junction boxes, footpaths, roads, cabinets, and poles owned by u agencies such as Ausgrid, Jemena, Telstra, and Council.
<i>Bill Posters and Placards</i>	Visual items that have been placed on walls, fences, poles, and the like, advertising a message
<i>Political Posters and Placards</i>	Visual items that support a registered candidate and/or political party in a local, state or federal election, with an electorate or part thereof in the Georges River LGA.

POLICY STATEMENT

1. Graffiti

1.1 Where Graffiti Will Be Removed From

1.1.1 Council removes graffiti from the following at its own cost:

- Council buildings and facilities
- Council owned signage
- Street furniture on the road reserve
- Playgrounds and other assets in parks and recreation areas.
- War Memorials and other monuments/sites of significance
- Other government agency assets such as bridges, walls, and signs
- Private property (if the graffiti is visible and accessible from a public place)

1.2 Where Graffiti Will Not Be Removed From

1.2.1 Council will not remove graffiti from the following:

- Any location where a risk assessment determines that the health and safety of Council staff/contractor is placed at an unacceptable risk.
- Where Council is of the opinion that any graffiti removal would damage private property, in which case Council will provide advice to the property owner.

1.3 Service Levels for Graffiti Removal

1.3.1 The following Service levels apply for the removal of graffiti once Council has received notification:

- Graffiti that is racist, defamatory, offensive or obscene will be removed within 24 hours of notification.
- Graffiti on war memorials and other monuments/ sites of significance will be removed within 24 hours of notification.
- Graffiti other than above will be removed within 5 working days of notification or receipt of written permission from the private property owner.

1.4 Notification of Graffiti Removal Work - Private Property

1.4.1 Council is not legally required to notify the owner or occupier of private land of its intention to carry out graffiti removal work on private land as long as the graffiti is visible and accessible from a public place.

1.4.2 As a sign of courtesy, Council will however, make an attempt to notify the owner or occupier of private land of its intention to undertake graffiti removal work (where this is reasonable).

- 1.4.3 Council will give written notice to the owner or occupier of private land that graffiti removal work has taken place within a reasonable period following the completion of this work.

1.5 Graffiti Register

- 1.5.1 Council will operate a graffiti register, where all incidences of graffiti are recorded with location information and photographs. This database of information will be made available to the NSW Police.

1.6 Point of Sale of Graffiti Implements

- 1.6.1 Council will engage with shopkeepers to ensure they limit access to spray-cans and other graffiti implements, and that they abide by the relevant clauses in the Graffiti Control Act 2008 (No 100), in particular Part 3 Section 8.

2. Posters

Council, at its discretion, will remove bill posters and placards from any premises or infrastructure that can be viewed from a public place, unless the person has obtained the consent of the property owner.

2.1 Service Levels for Removal of Bill Posters & Placards

- 2.1.1 Generally, the following service levels apply for the removal of bill posters and placards once Council has received notification:
- Where bill posters and placards have racist, defamatory, offensive or obscene content, they will be removed within 24 hours of notification
 - Where bill posters and placards present a risk to public health and safety, they will be removed within 24 hours notification
 - Where consent has not been provided for the erection of bill posters and placards, these will be removed within 5 working days.
- 2.1.2 Temporary bill posters for small local activities (such as for garage sales) will be considered to have consent provided they are safe and removed within 3 working days of the event.

2.2 Political Posters & Placards

- 2.2.1 Council supports the democratic process in elections and considers political posters and placards as an inherent part of this process. Council will not remove any political posters and placards that are within 40 days of a Federal, State, or Local Government election. Candidates will have 7 days

to remove their political placards and posters thereafter. Generally the following service levels will apply:

- Where political posters present a risk to public health and safety, they will be removed within 24 hours notification to Council.
- Where political A-Frames or other standalone structures are placed and left unattended on Council footpaths or other civic areas, they will be removed within 24 hours notification to Council.
- Political posters that have been installed on any Council infrastructure will be removed within 24 hours notification to Council.
- Where political posters are outside the 40/7day inclusion period they will be removed within 24 hours notification to Council.

RESPONSIBILITIES

Position	Responsibility
<i>Councillors</i>	To refer any requests or removal of graffiti and / or posters to the Executive Manager Engineering Operations.
<i>Director Assets and Infrastructure</i>	Implementation of and review of this Policy in accordance with graffiti legislation.
<i>Director Environment and Planning</i>	Ensure local shopkeepers abide by the Graffiti Control Act 2008 No. 100

VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
1.0	New Georges River Council Graffiti and Posters Policy	Executive Manager Engineering Operations	03/07/2017