



TWEED
SHIRE COUNCIL

Policy

Graffiti Vandalism Management

Version 1

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Graffiti Vandalism Management

Policy Objective

This policy acknowledges the need to consider and adopt diverse approaches that will address the problem of graffiti vandalism across the whole community, including graffiti vandalism removal from private property to engaging with youth groups/young people to provide legal alternatives for creative expression through graffiti art.

All graffiti vandalism management actions will be efficient and cost effective and where possible use environmentally-friendly products and/or be safe for the community, volunteers and staff involved. To prevent and/or manage graffiti in a timely manner, collaboration with business and community groups will be fostered to build the capacity of neighbourhoods and/or localities.

Definitions

Urban art usually features creative elements drawn from graffiti-art culture. The key distinction between urban art and graffiti vandalism is the legality; i.e. urban art which has the approval of property owners. This policy seeks to manage graffiti vandalism in all its forms.

Types of graffiti vandalism

There are many terms used to describe graffiti vandalism. Commonly known types and styles include:

Tag – used/applied for notoriety, peer recognition and is applied to as many places as possible. It can be written or etched on to surfaces and is the most common form of graffiti vandalism.

Slogan – communicates a point of view or challenges an issue.

Stencil – a template that is applied and spray painted onto a surface.

Toilet / desk graffiti – a conversation or comment made in public toilets/places.

Piece – a graffiti vandalism mural that is usually larger and takes longer to apply than a tag.

Policy Background

In the context of the *Graffiti Control Act 2008* graffiti refers to the defacing of private and/or public property without the consent of the property owner and is illegal - a crime. In accordance with current day vernacular, illegal graffiti is commonly referred to as graffiti vandalism.

Graffiti vandalism can take the form of writing, drawing, scratching or etching onto surfaces using an implement that creates a not-readily removable mark. Graffiti vandalism is considered to be unacceptable by many in the community because of its

negative impact on public amenity and community pride. Consequently graffiti vandalism imposes economic and social costs on the community.

Tweed Shire Council is committed to reducing levels of graffiti vandalism in the Shire to foster the maintenance of a safe and welcoming environment for the community and its visitors. Council will work to minimise and mitigate the incidence of graffiti vandalism on both public and private property; it will do this through working with community stakeholders to establish and develop practices and procedures for the management of graffiti vandalism throughout the shire. Council will manage graffiti vandalism in accordance with the *NSW Graffiti Control Act 2008*. This will include its reporting and removal, provision of educational resources and diversionary programs. Diversionary programs may include, but are not limited to, fostering community based (legal) graffiti art in suitable public locations and spaces, establishing a legal graffiti wall.

Policy

Policy Principles

It is acknowledged worldwide that graffiti vandalism management is more than just the removal of illegal graffiti and / or the presence of penalties. An effective approach to graffiti vandalism reduction needs to incorporate a variety of interventions, these include: business and community engagement; reporting and removal; education and youth engagement; and enforcement.

Council will manage graffiti vandalism in accordance with the six principles outlined below.

Stakeholder engagement - Council will continue to support ratepayers, businesses and community groups through information gathering, information sharing and directing coordinated efforts to address graffiti.

Council will develop graffiti removal kits to be available for sale to businesses, organisations and members of the community.

Report – Simple reporting mechanism to be made available to community, business and council services. To provide timely data for clean-up crews, and enforcement agencies, as well as provide statistical information for educational and reporting.

Removal – Timely removal based upon set prioritisation criteria in an environmentally friendly manner.

Prevention – Implementation of design-based and environmental strategies to assist in the prevention of graffiti vandalism.

Education – Web based information and educational material provided to assist the community in the prevention and safe removal of graffiti vandalism. This may include educating young people on the legal and community consequences of graffiti vandalism.

Enforcement – Reporting system must assist in the mapping of graffiti vandalism incidents within the LGA to inform stakeholders of the worst affected area.

Management of graffiti vandalism by Tweed Shire Council

Tweed Shire Council will seek to minimise the incidence of graffiti vandalism on both public and private property that impacts public amenity by facilitating prompt removal in accordance with the levels of service outlined below.

High profile areas

Council has established that the following precincts will have a two (2) working days response time standard after notification in respect to the removal of graffiti vandalism:

- major commercial centres e.g. Murwillumbah, Tweed Heads, Kingscliff
- gateway locations e.g. Budd Park, Jack Evans Boat Harbour
- village centres e.g. Cabarita, Tumbulgum
- places of interest e.g. Art gallery, Tweed Valley cemetery

Graffiti hot spots

Council will record graffiti vandalism 'hot spots'. Locations where graffiti vandalism is removed six (6) times or more in three (3) months will be included on a hot spot list that has a response service standard of two (2) working days. These listings will be made utilising the Australian Graffiti Register.

All other areas will have a ten (10) working days response time standard after notification in respect to the removal of graffiti vandalism.

Graffiti vandalism removal on Council property

Graffiti vandalism on Council property in High Profile Areas will be acted on within two (2) working days. All other Council property areas will be acted on within ten (10) working days of notification subject to budget constraints.

Graffiti vandalism removal on government and agency property

Council will contact the appropriate department or agency and advise them of the graffiti vandalism incident within five (5) working days of notification.

Council will record the date and time of a graffiti vandalism notification to each government and agency.

Council will offer to treat the graffiti vandalism on a cost recovery basis as part of the notification.

Heritage items and conservation zones

All listed heritage items and conservation zones will have five (5) working days response standard after notification in respect to the removal of graffiti vandalism. Council is aware that heritage structures and monuments may require special approvals before removal can be carried out where removal is likely to impact on the integrity of historic fabric.

Graffiti vandalism removal on private property

Council will remove all graffiti vandalism from private property in High Profile Areas after notification in accordance with Part 4 of the Graffiti Control Act 2008.

Council will offer to treat graffiti vandalism on a cost recovery basis in all areas across the Shire following formal agreement with the property owner or occupier in accordance with Part 4 of the Graffiti Control Act 2008 prior to taking any action to remove graffiti vandalism from private property.

Removal of graffiti vandalism of an offensive nature

Subject to the approval of the General Manager Council will remove or render non-offensive any offensive graffiti vandalism visible to the public domain within two (2) working days of notification.

Graffiti removal at Skate Parks

Regular graffiti vandalism removal on skate parks will have damaging effects on the skate surface affecting both the skate-ability and the life span of the facility. Due to the substantive amount of graffiti vandalism encountered at skate parks, removal response times will not apply.

Graffiti vandalism removal procedures

All solvents, additives or chemicals used by Council for removing graffiti vandalism will be handled with ecologically sustainable development principles to minimise harm to the environment and comply with relevant environmental law and policies and in accordance with manufacturer safety guidelines.

Graffiti vandalism surveillance

Council will inspect the High Profile Areas of Council at least twice a week for graffiti vandalism.

Council will inspect all areas at least once monthly for graffiti vandalism.

All inspections will be undertaken in conjunction with other scheduled maintenance and inspection practices and not as a dedicated graffiti vandalism inspection regime.

Council will record on the Australian Graffiti Register all significant incidences of graffiti vandalism noted in its surveillance program.

Related Legislation

Graffiti Control Act 2008

The *Graffiti Control Act 2008* (amended 2010) was passed by NSW government to deal directly with graffiti specific offences, which encompasses malicious damage to property and the possession and sale of spray cans. Powers granted to LGAs to manage graffiti vandalism is detailed at Part 4 of the *Act*.

Tweed Shire Council Community Strategic Plan 2013/2023

The Tweed Community Strategic Plan 2013/2023 is the community's 10-year vision for the Tweed. It aims to protect the features and qualities that make the Tweed Shire a great place to live, as well to enable communities which are strong and well connected. Graffiti vandalism has the potential to impact its strategic priorities of: Civic Leadership,

Supporting Community Life, Strengthening the Economy and the Caring for the Environment.

Tweed Youth Strategy and Action Plan 2013-2017

The *Tweed Youth Strategy and Action Plan 2013-2017* (the Strategy) is a four-year plan addressing the issues and aspirations of Tweed Shire's young people and identifies shared solutions and priorities to make the Tweed a great place for young people to live, work and 'hang out'. Strategic Outcome 5 – young people feel safe and protected from drugs, alcohol and violence – identifies an action to develop a Graffiti Management Policy and related documents to address graffiti prevention and management.

Review Period

This policy will be reviewed annually.

Useful Links

Graffiti Information Sites

New South Wales Government

NSW Graffiti Information

www.graffiti.nsw.gov.au

NSW Office of Local Government

www.dlg.nsw.gov.au

NSW Department of Housing

www.housing.nsw.gov.au

NSW Department of Public Works & Services

www.dpws.nsw.gov.au

NSW State Rail

www.staterail.nsw.gov.au

NSW Network for Education

www.dse.nsw.edu.au

NSW Attorney-General's Department of Crime Prevention Division, Bureau of Crime Statistics and Research

www.lawlink.nsw.gov.au

Local Government

Local Government NSW

www.lgsa.org.au

Australian Local Government Association

www.alga.com.au

Industry

Australian Paint Manufacturers Federation

www.apmf.asn.au

Legal Matters

Australian Legal Information

www.austlii.edu.au

Lawstuff Australia

www.lawstuff.org.au

Police

NSW Police Service

www.police.nsw.gov.au

Crime Prevention Strategies

International CPMTED Association

www.cpted.net

National Crime Prevention

www.ncp.gov.au

Community Involvement

Community Builders NSW

www.communitybuilders.nsw.gov.au

Youth Issues and Hip Hop

Youth NSW

www.youth.nsw.gov.au

Art Crimes: Interviews, Articles and Research

www.graffiti.org

Da'Hub - Aerosol Art Centre

www.dahub.com.au

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www.hip-hop.com

Graffiti Verite

www.graffitiverite.com

Legal Graffiti

MuralArt.com

www.muralart.com

Version Control:

Version History		
Version #	Summary of changes made	Date changes made
<i>Eg: 1.1</i>	<i>Brief overview of changes made: Eg: Amended legislation, Major Re-write to enhance content, etc.</i>	<i>dd/mm/yyyy</i>