

## INTERIM POLICY

<b>TITLE:</b>	<b>Graffiti Control/ Bill Poster Removal</b>
<b>SECTION:</b>	<b>Operations</b>
<b>DOCUMENT ADOPTED:</b>	<b>10 November 2009</b>

### SCOPE

Ashfield Council spends over \$240,000 each year on the removal of graffiti/bill posters, with Council's graffiti removal team committed to cleaning off graffiti as soon as practical once it has been reported.

Council is committed to removing graffiti from within the Ashfield LGA with the aim of removing all graffiti in, or visible from public areas as quickly as possible. Offensive graffiti is given priority, with a commitment to be removed within 48 hours of being logged. The quick removal of graffiti is a key means of discouraging further attacks. Graffiti offenders want their graffiti seen so removing it as soon as possible lessens the impact. If graffiti is not removed from a location, more graffiti tends to occur. It is also easier to remove graffiti when it is fresh.

### POLICY COMMITMENTS

Council will continue a commitment to remove graffiti/bill posters as a matter of priority when:-

- i) It is located on Council / public property
- ii) It is deemed to be of a defamatory or offensive nature
- iii) It is situated in a prominent, high traffic or gateway location
- iv) It is visible within the Ashfield CBD area or town centres

Council has an undertaking to remove graffiti from private property subject to available resources. Council will only remove graffiti from private property in accordance with the statutory limits included in the *Graffiti Control Act 2008*.

Graffiti will therefore only be removed by Council if:

- It can be seen from a public road, public footpath, public park or other land the general public is allowed to use.
- Its removal can safely be undertaken by staff without the aid of scaffolding or other specialised equipment.
- Its removal can safely be undertaken with limited traffic control equipment that can be reasonably carried in the vehicle being used by the graffiti removal crew.
- The private property in question is free from any hazards (such as unleashed dogs or unsafe structures).
- It satisfies The *Graffiti Control Act 2008* sections (11) and/or (12)

Ashfield Council agrees to undertake the following:

- Undertake an inspection of the site on receipt of an application/complaint being received.
- Council's staff will inform the property owner/occupier of the outcome of the inspection and of its intention to remove graffiti from the property at least 24 hours prior to commencing any graffiti removal works

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- The property owner/occupier may object to the proposed graffiti removal within the 24 hour period allowed and the General Manager/Manager – Operations will take any objection into account in determining whether to proceed with graffiti removal.
- Should graffiti meet any of the priority criteria listed in this policy and removal of graffiti is deemed to be required to be removed as per section 12(1) of the *Graffiti Control Act 2008*, Council may proceed with removal without providing an opportunity for the property owner/occupier to object. In such cases Council will provide the owner or occupier of the land concerned with written advice that the work has occurred no later than 14 days after the work has occurred.
- Works carried out by Ashfield Council to remove graffiti from private property in accordance with this policy will be undertaken at no cost to the property owner/occupier.
- Ashfield Council will use “best practice” to remove any graffiti from the Property. However Council will not be held liable for any damage caused by these practices in the graffiti removal process.
- Ashfield Council will provide public liability insurance cover for all graffiti/bill poster removal activities occurring under this policy.
- Council will maintain a register of graffiti removal work undertaken as per the *Graffiti Control Act 2008*