

Item 4.

Public Exhibition - Graffiti Management Policy

File No: X090053

Summary

In May 2018, Council approved a Graffiti Management Policy, and this Policy is publicly available on the City's website. The Policy is now due for review.

The purpose of the Graffiti Management Policy is to establish an effective and cost-efficient graffiti removal service in the City of Sydney local government area and to outline the framework for the display of art, posters and notices.

The Policy describes the City's graffiti maintenance program, graffiti prevention programs and available enforcement mechanisms. It also describes the means through which the community can display art, posters and notices.

This policy has been reviewed and minor amendments have been recommended as set out in this report.

Recommendation

It is resolved that Council:

- (A) approve the draft Graffiti Management Policy as shown at Attachment A to the subject report, for public exhibition for a period of 28 days; and
- (B) note that the draft Graffiti Management Policy, including any recommended changes, will be reported to Council for consideration following the exhibition period.

Attachments

Attachment A. Draft Graffiti Management Policy

Background

1. The City's current Graffiti Management Policy was adopted in May 2018 and is now due for review.
2. The aim of the Policy is to minimise incidents of illegal graffiti on both public and private property through prompt removals, whilst providing legitimate avenues for the expression and dissemination of community information and artwork or street art.
3. The current Policy describes the City's graffiti maintenance program, graffiti prevention programs and available enforcement mechanisms. It also describes the means through which the community can display art, posters and notices.
4. The key policy elements of the Graffiti Management Policy are:
 - (a) The City's graffiti maintenance program - including details of the extent of the City's program and information on graffiti removal zones, emergency removals and owner consent requirements (including the removal of bill posters).
 - (b) Graffiti prevention programs - the City participates in programs such as the NSW Attorney General's and Justice's Crime Prevention Through Environmental Design program.
 - (c) Enforcement of graffiti laws - details about graffiti offences and how the City and other authorities may enforce the relevant laws.
 - (d) Art, posters and notices - reference to the City's public art program, murals and street art, guidelines for erection and removal of election posters, posters and notices in the community interest and guidelines for use of the City's poster pillars.

Review of the 2018 Graffiti Management Policy

5. The 2018 Graffiti Management Policy has been reviewed in accordance with the policy review process, to update the policy to reflect the current service, and to allow consultation with stakeholders regarding its implementation.
6. The 2018 Policy has operated effectively and the review has identified minor wording changes, inclusion of a definition for character precincts, procedures for City managed parks and open spaces, and the removal of one poster pillar location in Haymarket following road alterations by Transport for NSW to accommodate the light rail infrastructure.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

7. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 2 - A leading environmental performer - this policy aims to reduce the impacts of graffiti on the environment, which includes chemical and litter runoff into waterways, impacts to environmental heritage and atmospheric impacts via aerosol sprays.
 - (b) Direction 3 - Public places for all - this policy aims to ensure the city streets and public spaces have good amenity by discouraging unlawful graffiti and enabling its rapid removal.
 - (c) Direction 8 - A thriving cultural and creative life - this policy recognises the artistic and social value of murals and works of street art as engaging forms of artistic expression that can contribute to the unique character of a place.

Organisational Impact

8. The Policy assists staff in determining and communicating the City's response to graffiti and bill poster related enquiries from the community and internal stakeholders.
9. Graffiti removal works are carried out by the City's contracted graffiti removal service providers. These services are covered by contractual insurances and are carried out in accordance with strict operational procedures, regularly verified by the City's Risk and Contract Management processes.

Risks

10. The adoption, publication and application of the updated policy will support transparency and consistency in the exercise of council's enforcement functions and will consequently reduce risks arising from the exercise of those functions.
11. Specific risks associated with the policy are covered in detail in the Graffiti Removal Contract Risk assessment. This risk assessment is regularly reviewed and updated.

Social / Cultural / Community

12. Graffiti can have a negative impact on community amenity including perceptions of poor safety and increased crime. Graffiti can also be offensive to community members. This policy aims to reduce these impacts while balancing the artistic and social value of murals and works of street art that can contribute to the unique character of a place.

Environmental

13. Graffiti can have a negative impact on the environment through pollution (including chemical and litter runoff into waterways), damage to items of environmental heritage and atmospheric impacts caused by aerosol sprays. This policy aims to reduce these impacts.

Economic

14. Graffiti impacts the community and the City financially through costs associated with its removal and the potential for a reduction in property values if it were to remain. This policy aims to reduce these impacts.

Financial Implications

15. The City has existing contracts in place to manage incidents of unlawful graffiti and removal of posters and notices as required. The implementation of the updated policy will not require any additional resources.

Relevant Legislation

16. The policies relate to all enforcement action taken in accordance with council's statutory functions under legislation, including, but not limited to:
- (a) Environmental Planning and Assessment Act 1979.
 - (b) Local Government Act 1993.
 - (c) Protection of the Environment Operations Act 1997.
 - (d) Graffiti Control Act 2008.
 - (e) The Local Environmental Plans that apply in the City of Sydney local government area.
 - (f) Fines Act 1996.

Public Consultation

17. While there is no legislative requirement for public consultation the City will exhibit the policy through Sydney Your Say for 28 days.

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