

## Post Exhibition - Graffiti Management Policy

File No: X027344.007

### Summary

The purpose of the draft 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.

On 22 August 2022, Council resolved that the draft Graffiti Management Policy be placed on public exhibition for a period of 28 days and for a further report to be submitted to Council following public exhibition, with any recommended changes.

The City has now completed the public exhibition process. Two submissions were received and reviewed, however these submissions did not require any changes to the draft policy. A summary of submissions and the City's response is provided at Attachment A of this report. The final draft policy is provided at Attachment B.

This report is seeking Council's adoption of the draft Graffiti Management Policy.

### Recommendation

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft Graffiti Management Policy, as shown at Attachment A to the subject report;
- (B) Council adopt the Graffiti Management Policy as shown at Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Graffiti Management Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

### Attachments

**Attachment A.** Graffiti Management Policy Review Engagement Report

**Attachment B.** Graffiti Management Policy

## Background

1. The purpose of the Graffiti Management Policy is to minimise incidents of illegal graffiti on both public and private property through prompt removal, whilst providing legitimate avenues for the expression and dissemination of community information and artwork or street art.
2. 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.
3. The Policy is to be reviewed every four years.
4. On 22 August 2022, Council endorsed the draft Graffiti Management Policy for public exhibition and community comment for a period of 28 days with any recommended changes to be reported to Council following the exhibition period.

## Public Exhibition

5. The draft Policy was placed on public exhibition for 28 days from 19 September to 17 October 2022.
6. The public notice of the exhibition was through City of Sydney Your Say website. The notice received 73 unique views and 15 document downloads.
7. Notification of the public exhibition was also included in the City's Sydney Your Say eNewsletter, sent to 7,088 subscribers.
8. Two submissions were received during the consultation period via the Sydney Your Say website survey. They have been internally reviewed and passed to the relevant business units for consideration. The responses are included in the engagement report at Attachment A.

## Amendments to Draft Graffiti Management Policy Post Exhibition

9. No further changes to the published draft Policy are proposed following the review of the submissions.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

10. 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

11. 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.
12. 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

13. 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.
14. 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

15. 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.
16. 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

17. 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**

18. 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**

19. 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**

20. 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) Local Environmental Plans that apply in the City of Sydney local government area.
  - (f) Fines Act 1996.

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