

Item 2.

Adoption - Graffiti Management Policy 2018

File No: S119189

Summary

In May 2013, 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 aim of the Policy is to minimise incidents of illegal graffiti on both public and private property, ensure prompt removal of illegal graffiti and provide the community with legitimate opportunities for expression and dissemination of community information and art.

This Policy has been reviewed and minor amendments have been made as set out in this report. The Policy amendments are shown in the updated document, with additions shown in bold italics text and deletions shown as strikethrough text.

It is recommended that Council adopt the updated version of the Policy. The updated Policy will then be published on the City's website and will be implemented by staff responsible for exercising council's operational and enforcement functions.

Recommendation

It is resolved that:

- (A) Council endorse the draft updated Graffiti Management Policy, as shown at Attachments A (clean copy) and B (showing changes) to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make minor amendments to the Graffiti Management Policy, as required from time to time, subject to all Councillors being informed of any such changes.

Attachments

Attachment A. Draft - Clean Copy - Graffiti Management Policy 2018

Attachment B. Draft - Showing Changes - Graffiti Management Policy 2018

Background

1. The City's current Graffiti Management Policy was adopted in May 2013 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, ensure prompt removal of illegal graffiti and provide the community with legitimate opportunities for expression and dissemination of community information and 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 – such as the current crime prevention through the Environmental Design Program;
 - (c) enforcement of graffiti laws – details about graffiti offences and how the City and other authorities may enforce the relevant laws; and
 - (d) art, posters and notices – reference to the City's Public Art Program, Street Art, guidelines for erection and removal of election posters, guidelines for the display of posters and notices in the community interest and guidelines for use of the City's poster pillars.

Review of the 2013 Graffiti Management Policy

5. The 2013 Graffiti Management Policy has been reviewed to determine whether there have been any issues with its operation and to confirm it is consistent with current legislation.
6. The 2013 Policy has operated effectively, however, the review identified that, where the current policy makes reference to Public Art, it now also needs to reference Street Art. Information about Street Art in the Policy was updated to align with the Sydney Local Environmental Plan Amendment (Street Art) 2017, which made Street Art exempt development in certain circumstances. The review also identified that the definition of Graffiti required a minor change to also include stickers. Lastly, the review identified the need to include an additional restriction on election posters to prevent them being placed within 200 metres of the Cenotaph in Martin Place or the War Memorial in Hyde Park.

Key Implications

Strategic Alignment - Sustainable Sydney 2030 Vision

7. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. 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 1 - A Globally Competitive and Innovative City - this Policy aims to ensure the city streets and public spaces have good amenity by discouraging graffiti and enabling its rapid removal.
- (b) Direction 2 provides a road map for the City to become 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.
- (c) Direction 5 - A Lively and Engaging City Centre - this Policy supports a city centre that has attractive spaces free of graffiti.
- (d) Direction 7 - A Cultural and Creative City - this Policy supports public art and street art.

Organisational Impact

- 8. The Policy assists staff in determining the City's position and the extent of graffiti management services required when responding to graffiti related enquiries from the community.
- 9. Graffiti removal works are carried out by the City's Graffiti Removal Service Provider. 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.

Social / Cultural / Community

- 11. 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.

Environmental

- 12. 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

- 13. 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.

Budget Implications

- 14. The City spends approximately \$2.8 million on graffiti removal annually. The implementation of the updated Policy will not require any additional resources.

Relevant Legislation

15. 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) Sydney Local Environmental Plan 2012;
 - (f) Protection of the Environment Operations Act 1997; and
 - (g) Fines Act 1996.

Public Consultation

16. Feedback received from the community about the operation of the existing policy has been considered and informed the review of this policy.

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