Attachment B

Draft – Showing Changes –
Graffiti Management Policy 2018

Graffiti Management Policy

Purpose

The City of Sydney (the City) seeks to minimise incidents of Graffiti on both public and private property by prompt removal, whilst providing legitimate avenues for the expression and dissemination of community information and art.

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 describe the framework for the display of art, posters and notices.

Scope

This policy applies to Graffiti management on public and private property in the City of Sydney local government area.

Definitions

Term	Meaning
Accessible Property	Fixed property assets that are easily reached from a public place. Graffiti can be removed from Accessible Property without the consent of the owner/ occupier in accordance with Section 12 of the Graffiti Control Act 2008.
Graffiti	Any unlawful inscription, word, figure or word design that is marked, scratched, drawn, sprayed, painted, pasted, applied or otherwise affixed to a surface of an asset, including posters, notices***, stickers*** and bill posters.
Street Art	***Art that is painted, marked or otherwise affixed to the outside of a building and that is visible from a public place, which has the approval of the owner of the building on which the street art is located or any statutory authorities. Street Art cannot project more than 30mm from a wall or other surface, cannot be a sign or advertising and must not contain material that discriminates against or vilifies any person or group, or is offensive or sexually explicit.***
Non Accessible Property	Fixed property assets which the City requires Owner's Consent to enter the property in order to carry out Graffiti removal works.

Term	Meaning
Owner's Consent	The consent required from the owner/occupant in order to remove Graffiti from Non Accessible Property in accordance with Section 11 of the Graffiti Control Act 2008.
Priority Zones (24 Hour)	Main streets that are inspected every 24 hours to identify incidents of Graffiti for removal.
Routine Zones (weekly)	Suburban streets that are inspected weekly to identify incidents of Graffiti for removal.

Policy Statement

Graffiti impacts the community in a number of ways. Graffiti can have a negative impact on community amenity including perceptions of poor safety and increased crime. 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. Finally, graffiti impacts the community and the City financially through costs associated with its removal, management and associated decreased property values. This policy seeks to address these impacts in a sensitive, effective and cost effective way.

The intended outcomes of this policy are to:

- minimise incidents of Graffiti on both public and private property
- ensure the prompt identification and removal of Graffiti
- provide legitimate opportunities for the expression and dissemination of community information and art

Reducing Graffiti

The City encourages the community to report incidences of Graffiti for removal. Where possible, reported incidences will be removed within 24 hours of identification, or once Owner's Consent has been obtained. ***Graffiti incidents can be report via the City's Call Centre on 9265 9333 or online through the City of Sydney website.***

The City's Graffiti Maintenance Program

The City's intensive Graffiti Maintenance Program involves routine inspections and removal by City contractors and site specific removal in response to requests. This program aims to prevent recurrence of illegal Graffiti through rapid removal, thus removing recognition sought by the vandal.

Graffiti removal is carried out on a case by case basis, depending upon the medium used and the surface it has been applied to. The City's contractor carries out an inspection to determine the best removal method and often carries out a small removal test first. The most appropriate removal method is then identified and may include hand removal or use of pressure hoses, with sensitive products or paint touch ups.

The City takes extra precaution in the removal of Graffiti from structures which are environmentally sensitive or of heritage significance. Residents are requested to notify the City if they are aware of the heritage or environmental value of a structure requiring Graffiti removal.

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The City's Graffiti Maintenance Program includes the removal of Graffiti that is above ground level and which can be viewed from, and is within three metres of any Council or public authority road, street or highway. This includes Graffiti removal from Accessible Property and Non Accessible Property and is carried out at the City's expense.

Graffiti removal which forms part of the City's program from privately owned, residential, commercial, retail and industrial property assets, is carried out subject to consent from property owners/occupiers, as required. The City will notify owners of Graffiti removal work in accordance with Section 12 of the Graffiti Control Act 2008.

Graffiti removal which is outside of this City's Graffiti maintenance program will not be removed by the City ***and is to be removed by the property owner at their expense***.

Graffiti Removal Schedules

Graffiti is inspected and removed based on the following zones and frequencies:

1. **Priority Zones (24 hour)**
   Priority Zones include streets that are subject to high pedestrian traffic and tend to be main arterial roads and thoroughfares. These streets generally attract large amounts of frequent Graffiti and poster incidences. Priority Zones are inspected every 24 hours and Graffiti is removed within 24 hours of identification or Owner's Consent being obtained.

2. **Routine Zones (weekly)**
   Routine Zones are suburban streets that are not subject to high pedestrian traffic or large amounts of Graffiti and posters. Routine Zones are inspected weekly and Graffiti is removed within 24 hours of identification or Owner's Consent being obtained.

3. **Poster Zones (range from 1-7 days)**
   Bill posters are generally of a commercial nature and are often posted in an uncontrolled manner without permission from the asset owner. Poster zones have been created due to the proliferation of commercial posters in an area. In poster zones, Graffiti removal is carried out weekly, while poster removal is carried out more regularly depending on the location.

4. **Emergency Removal**
   As part of the City's Graffiti Maintenance Program, the City has an emergency Graffiti removal capacity that enables the City to organise the removal of particularly offensive Graffiti four hours from it being reported to the City.

Posters, Notices and ~~Public~~ Art

Election Posters

The display of election campaign posters is a traditional part of the democratic process in Australia. There is, however, some community concern about the impact of campaign posters on the urban environment, particularly when posters are not removed promptly.

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NSW parliament elections and local government elections are held on fixed days every four years, and Commonwealth parliamentary elections are generally held every three years. This means that the visual impact of election posters on the urban environment can be minimised.

The City shall not direct resources to removing election campaign posters during the period 14 days immediately prior to a parliamentary or local government election or by-election and seven days immediately following the election, provided that any such posters:

- are in support of a candidate for that election or a party registered to contest that election;
- comply with the legislative provisions applying to that election;
- are fixed in a manner that is not likely to endanger the general public, obstruct road signs or traffic signals or damage property***;***
- ***are not placed within 200 metres to the Cenotaph in Martin Place and the War Memorial in Hyde Park***.

The City shall remove any posters not complying with these conditions or which are displayed outside the periods specified above.

Community Posters and Notices

Community posters and notices include those with social, political and environmental comment or those which relate to events such as school fetes, markets, garage sales or missing persons/animals notices. In order to allow the community to display community posters and notices, a number of 'character precincts' have been established.

Character precincts allow for extended display of notices and posters in the community interest. General Graffiti is removed to the schedules described above in these areas, while community posters and notices are removed only once a week. Character precincts in the City include:

- Newtown: King Street eastern side from Church Street to Union Street
- Glebe: Glebe Point Road from St Johns Road to Toxteth Road
- Broadway: Broadway northern side from Wattle Street to Harris Street
- Darlington: City Road from Carillon Avenue to Cleveland Street
- Surry Hills: Crown Street from William Street to Sir John Young Crescent.

The City also provides a number of community noticeboards in its libraries and community centres. These noticeboards are managed by each facility and are available for the community to display posters and notices of a community interest.

Poster Pillars

The City has installed poster pillars on popular city streets to provide a legal site for the community and businesses to place posters. Poster pillars operate on a first come, first served basis, with posters removed weekly. There are currently nine pillars located across the City in the following locations:

Darlinghurst - Oxford Street, near Liverpool Street
Darlinghurst - Oxford Street, near Taylor Square South
Erskineville - Erskineville Road, near Prospect Street
Glebe - Bay Street, near Grose Street
Glebe - Glebe Point Road, near Cowper Road

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Haymarket - Thomas Street, near Hay Street
Kings Cross - William Street, near Brougham Street
Kings Cross - Bayswater Road at Darlinghurst Road
Moore Park - Anzac Parade, near Cleveland Street

For a list and map of the City's poster pillars***, go to the City of Sydney website.***~~:~~
~~http://www.cityofsydney.nsw.gov.au/Residents/Graffiti/BillPosters.asp~~

~~Public~~ Art
The City is supportive of planned public art as a source of inspiration and pride for the whole community. The City Art program is the principal framework for commissioning, acquiring and managing public art in the City. The community can also apply to carry out commissioned murals ~~and street art~~ through the City's approval process.

The artistic and social value of Street Art is recognised by the City. Street Art is a visible and accessible art form and the City supports lawfully created works in appropriate locations. Street Art does not include re-painting a building and is Exempt Development under the Sydney LEP in certain circumstances. Street Art located on a heritage item or within a heritage conservation area or a special character area is not Exempt Development.

If a property owner confirms that no approval has been given to graffiti on their property, arrangements will be made for its removal.

~~For further details on public art in the City go to: http://www.cityofsydney.nsw.gov.au/cityart/~~
For guidelines ~~and criteria~~ for the display of public art ***and street art,*** refer to the City of Sydney website ~~Public Art Policy 2011~~.

Graffiti Prevention Programs
The City participates in programs such as the NSW Attorney General's & Justice's Crime Prevention Through Environmental Design program. Through this program, the City has reduced the possibility of Graffiti in a number of hotspots, either through planting against walls, increased access/visibility and Graffiti protective treatments to murals. ***The City also participates in events that discourage graffiti, such as Graffiti Removal Day.***

Hoardings, ~~and~~ Abandoned *Buildings and* Shopfronts

Hoardings are usually used as physical barriers around construction sites while work is in progress. Hoarding permit holders are responsible for the removal of all Graffiti from hoardings. The City does not remove Graffiti or posters from hoardings ***(refer to the City's Hoarding and Scaffolding Policy 2017)***.

Abandoned buildings and shopfronts can attract excessive graffiti requiring constant removal activity, often for extended periods when they are not ***appropriately*** maintained. ~~Where a shopfront is damaged or has broken window glass, removal of graffiti and posters can be difficult.~~ Where abandoned ***buildings or*** shopfronts attracting excessive graffiti are identified, the City will contact the property owner requesting agreement to ***maintain the property and assist in reducing the graffiti incidents*** ~~reinstate the shopfront~~. This involves an undertaking from the property owner to fix any broken glass or damage and where necessary provide ongoing maintenance to the

property ~~shopfront~~. Once this agreement has been made, the City will remove the graffiti or posters and continue to monitor the property ~~shopfront~~ as part of normal graffiti inspections.

Enforcement of Graffiti Laws

Engaging in Graffiti, including damaging or defacing property, is an offence under the Graffiti Control Act 2008. While the City is responsible for the removal of Graffiti as outlined in this policy, the NSW Police is the agency responsible for enforcement and prosecution in relation to Graffiti offences.

Under the Protection of the Environment Operations Act 1997, bill posting is considered illegal because it is a form of pollution. If caught in the act of placing advertising material in a public place, City Rangers can issue on the spot fines to those ***persons*** who are ***placing*** ~~putting up~~ ***the*** posters. The City has, however, found that prompt removal of bill posters is the most effective deterrent.

Responsibilities

The City Services division is responsible for graffiti removal as well as the implementation and review of associated controls.

The Health and Building unit will investigate compliance matters relating to alleged unauthorised street art.

Community members may report to the City any items considered to be graffiti.

Consultation

City of Sydney Cleansing & Waste, City Rangers, ~~Parks Services~~ ***City Greening & Leisure***, Design, Legal Services and Governance Units have provided input to this Policy.

References

Laws and standards	• Graffiti Control Act 2008 • Local Government Act 1993 • Protection of the Environment Operations Act 1997 • ***Environmental Planning and Assessment Act 1979*** • ***Sydney Local Environmental Plan 2012***
Policies and procedures	• City of Sydney Public Art Policy ***2016***~~2011~~ • ***Hoardings and Scaffolding Policy 2017***

Approval status

The Council approved this policy on XXX.

(A copy of the CEO's signature should be inserted here.)

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Approval history

Stage	Date	Comment	TRIM Reference
Original Policy	May 2013	Approved by Council/ Endorsed by the Executive	2012/176335-02
Review	***February 2018***	***Fit for purpose. Minor changes to Graffiti definition, placement of election posters and reference to both Public Art and Street Art. Approved by Council/***	***2018/081783***
Next review	***February 2022***		

Ownership and approval

Responsibility	Role
Author	Resource Recovery Manager
Owner	Cleansing & Waste Manager
Endorser	City of Sydney Executive
Approver	City of Sydney Council

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