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| Policy Title: | Graffiti |
| Policy No: | 202 |
| Policy Subject: | Graffiti |
| Directorate: | Corporate Services |
| Department: | Legal Matters |
| Responsible Officer: | Director of Technical Services |
| Authorised by: | North Burnett Regional Council |
| Adopted: | General Meeting – 20/12/2011 |
| Review Date: | 20/12/2013 |
| Authorities: | <i>Local Government Act 2009; Queensland Criminal Code of 1899; Summary Offences (Graffiti Removal Powers) Amendment Act 2008</i> |

INTRODUCTION:

This Policy recognises the importance of the effective management of graffiti and gives direction for its management and removal. Council will adopt a zero tolerance approach to the incidents of graffiti.

SCOPE:

This policy applies to graffiti on all Council assets, private property (including community leasehold sites) and any assets covered by relevant Memorandums of Understanding between Council and third party asset owners.

This policy applies to all Council staff and Council contractors involved in asset management and planning, design, redesign and refurbishment of Council structures.

This policy applies to both reported and observed graffiti.

OBJECTIVES:

The objectives of this policy are:

- To remove graffiti as quickly as practicable as a strict deterrent;
- To reduce the incidence and visibility of graffiti;
- To work with the Police, the community and other government agencies in identifying graffiti offenders and in dealing with them via legal and remedial means;
- To improve community perceptions of safety in North Burnett Regional Council; and
- To engage community support and participation in graffiti removal and prevention.

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| Performance Measures: | Dollar cost to Council for graffiti removal |
| | Number of reported incidents of graffiti |
| | Number of actual graffiti removals |

Wherever possible, Council staff and contractors are to remove graffiti in accordance with the following rapid removal timeframes.

PRIORITY 1 – Removal within 1 working day - Applies to sites with obscene, racist or other offensive material.

PRIORITY 2 – Removal within 3 working days – Applies highly visible sites.

PRIORITY 3 – Removal within 5 working days – Applies to all other graffiti.

Exceptions:

It may be necessary to deviate from these timeframes on a case-by-case basis. Exceptions include, but are not limited to:

- Skate bowls – where skating surfaces may require specialised treatment;
- Temporary fences – these are to be referred to the property owner or fence hire company;
- Murals where an artist is required to repair artwork;
- Temporary memorials – where a sensitive approach may be appropriate; and
- Sites that require a risk assessment or have access and/or workplace health and safety constraints (eg. graffiti that is more than 2.4 metres above the ground or on a roadway).

Prevention:

Council is committed to implementing strategies that reduce and prevent graffiti vandalism. Council recognises the importance of developing and maintaining community partnerships to assist in the effort to reduce graffiti. This particularly applies to the reporting of graffiti, the removal of graffiti and the identification of potential graffiti reduction strategies.

Council recognises that any strategy to reduce the incidence of graffiti should contain an enforcement element so as to ensure that serious offenders are appropriately dealt with through the proper legal channels. As such, Council will share information with Queensland Police Service as appropriate.

Council will promote design strategies that reduce opportunities for graffiti on public and private assets. For example, Crime Prevention through Environmental Design (CPTED). Council will not provide walls or surfaces for unregulated/'legal' graffiti, as a graffiti prevention strategy.

RELATED POLICIES / LEGISLATION:

Qld Management Graffiti Policy 2008 – 2011

Graffiti is identified as a crime under the *Queensland Criminal Code of 1899*, Section 469 (Wilful Damage).

The *Summary Offences (Graffiti Removal Powers) Amendment Act 2008* prescribes powers of entry for authorised officers with respect to "public graffiti" which is defined as:

- (a) *graffiti in a public place; or*
- (b) *graffiti in another place but only to the extent the graffiti can readily be seen from a public place.*

Appendix A Definitions

'Private Property' – property within the North Burnett Regional Council boundaries, and for which rates are paid to the North Burnett Regional Council (excludes State Government owned property).

Community Leasehold Sites – sites held under leasehold tenure to community groups ('not for profit' groups or 'incorporated associations') for land owned or under the control of Council or the State Government.