

GRAFFITI MANAGEMENT

Legislation / local law requirements	<i>Graffiti Vandalism Act 2016</i>
Relevant delegations	Delegations made under the <i>Graffiti Vandalism Act 2016</i> : 12.1 Give notice requiring obliteration of graffiti 12.2 Notices – deal with objections and give effect to notices 12.3 Obliterate graffiti on private property 12.4 Powers of entry 12.5 List of Authorised Persons under the <i>Graffiti Vandalism Act 2016</i>
Related policies, procedures and supporting documentation	Safer Vincent Plan 2019-2022 (D22/8996) Graffiti – Control and Removal Policy 2.1.3 (D18/30124) City of Vincent Property Management Framework Graffiti Vandalism Strategy Western Australia 2019-2021 WA Police Force Media Information for Responsible Reporting of Graffiti Vandalism (D22/36960)

INTRODUCTION

The City of Vincent recognises that graffiti vandalism has a significant financial and social impact on the community and can negatively impact perceptions of crime and safety.

The City understands that well-maintained spaces and places discourage vandalism and associated anti-social behaviour, and is committed to a whole-of-community approach to reporting, removing and preventing graffiti vandalism whilst maintaining legitimate avenues for the expression and dissemination of community information and urban art.

PURPOSE

The purpose of this policy is to confirm the City's commitment to managing graffiti vandalism in partnership with our community and key stakeholders including residents, businesses, WA Police Force and other public asset owners.

OBJECTIVE

1. To outline the scope of the City's graffiti removal service
2. To reduce the incidence and visibility of graffiti vandalism within the City;
3. To deter acts of graffiti vandalism and damage on City of Vincent infrastructure, assets and property; and
4. To encourage a whole-of-community approach to the reporting, removal and prevention of graffiti vandalism.

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POLICY PROVISIONS

DEFINITIONS

As defined in the *Graffiti Vandalism Act 2016*:

Graffiti or **Graffiti Vandalism** means any drawing, writing, painting, symbol or mark applied to or marked on property by:

- a) Spraying, writing, drawing, marking or otherwise applying paint or another marking substance; or
- b) Scratching or etching.

Offender means a person who has committed an offence under Section 5 of the *Graffiti Vandalism Act 2016*:

A person must not destroy, damage or deface the property of another person by graffiti without that other person's consent. Property that is capable of being destroyed, damaged or defaced by graffiti includes vegetation.

Urban Art is legal artwork, where permission has been granted by the owner of the property to paint on authorised surfaces.

POLICY

1. Reporting

- 1.1 The City will report all instances of graffiti vandalism on City assets and infrastructure to WA Police Force and/or the Goodbye Graffiti website.
- 1.2 The City will actively encourage and promote the reporting of graffiti vandalism through the WA Police Force and/or the Goodbye Graffiti website, or other appropriate channels, including the Crime Stoppers WA reward program.

2. Removal

2.1 **Offensive Graffiti Vandalism**

Wherever possible, any graffiti vandalism of an offensive or racist nature will be removed from City owned assets and infrastructure or eligible private property within twenty four (24) business hours of being reported.

2.1.2.2 City Assets

2.1.1 Wherever possible, the City will remove graffiti vandalism from City owned assets and infrastructure within forty eight (48) business hours of being reported.

~~**2.1.2.1.1** Wherever possible, any graffiti vandalism of an offensive or racist nature will be removed from City owned assets and infrastructure or eligible private property within four (4) business hours of being reported.~~

2.2.3 Private property

On request, the City will assist with removal of graffiti vandalism from private property where all of the following criteria have been met:

2.2.12.3.1 The instance of graffiti vandalism has been reported to WA Police Force, Crime Stoppers WA or Goodbye Graffiti, and an incident report number provided to the City;

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2.2.22.3.2 The vandalised property or infrastructure abuts City property or public open space, and is accessible from City property or public open space.

2.2.32.3.3 The graffiti vandalism is accessible from ground level; and

2.2.42.3.4 The graffiti removal request does not carry an unacceptable level of risk to staff or property, or a prohibitive level of resourcing (for example asbestos, heritage listed property or unusual surfaces, spaces or conditions) - is not heritage listed or of an unusual surface that are assessed as requiring specialist removal services ~~(ie. asbestos)~~.

2.32.4 Laneways and Rights of Way

2.3.1 On request, the City will also assist with removal of graffiti vandalism from laneways and rights of way where all the criteria specified in Section 2.32 of this policy are met, and where the graffiti is:

2.3.1.12.4.1 In the entrance to a laneway and clearly visible from the adjoining street; or

2.3.1.22.4.2 In a laneway that is commercially activated; or

2.3.1.32.4.3 Where the frontage of a property is located within the laneway; and

2.3.1.42.4.4 In the case of property outlined in 2.4.1.3 above, where the graffiti vandalism negatively impacts the visual amenity from said property as determined by the City.

2.42.5 Other public assets

Graffiti vandalism on other public infrastructure will be reported to the relevant agency for removal.

3. Prevention

3.1 The use of anti-graffiti coatings will be mandatory on all City owned assets, artwork commissions and infrastructure.

3.2 *Designing Out Crime* and *Crime Prevention Through Environmental Design* principles will be incorporated into the City's design, planning and approval processes.

3.3 Where appropriate, alternative strategies for graffiti management in hotspot areas or locations with extensive, historical graffiti vandalism will be given separate budgetary consideration.

4. Partnerships

4.1 The City will ensure that any relevant marketing, media and communications strategies are aligned with the *WA Police Force Media Information for Responsible Reporting of Graffiti Vandalism*.

4.2 The City will stipulate removal of graffiti within twenty-four (24) hours in ALL contracts where bus shelters or seating are contracted out to advertising companies.

4.3 The City will actively support and promote graffiti management strategies and education initiatives in collaboration with local schools, community groups and other stakeholders, including the WA Police Force Juvenile Clean Up Program.

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OFFICE USE ONLY	
Responsible Officer	Manager Waste and Recycling
Initial Council Adoption	28/03/2000
Previous Title	Graffiti – Control and Removal
Reviewed / Amended	22/11/2005, NOVEMBER 2010, MAY 2023
Next Review Date	MAY 2028