



Legislative Assembly

Graffiti Control (Spray Paint Can Display) Bill Hansard

Extract

05/04/2001

Second Reading

Mr RICHARDSON (The Hills) [10.28 a.m.]: I move:

That this bill be now read a second time.

This bill was introduced in this House in October 1995, and was rejected in 1996 by the Government. I have reintroduced it not just because I am optimistic that the Government may have rethought its opposition to the legislation, but because I know from responses to radio interviews I did in 1996, and from talking to people during the past five years, that this is an idea whose time has come. Graffiti is a blight on our urban landscapes. It costs more than \$100 million a year in New South Wales alone: railways, buses—honourable members might remember what happened to Westbus at Northmead a couple of years ago when virtually all their buses were spray painted—the Anzac War Memorial in Hyde Park when the Government moved legislation to increase penalties for graffitiists despoiling the memorial.

Nothing is sacred to the graffiti vandal. In my own electorate the M2 noise barriers, and increasingly private property, fences and walls and so on, are being targeted. This latter fact has been recognised by the Government, which has given notice that it will be introducing legislation requiring local councils to clean up private property in exchange for \$25,000 graffiti blasters. The bill is very straightforward. It would require retailers to keep full spray paint cans in locked cages or other locked display cabinets, or within or behind any counter that is attended by the owner of the business, or by any member of the staff of the business. The latter section was inserted in recognition of the fact that the provision of a locked cage or locked display cabinet may impose an unreasonable financial impost on small retailers.

I emphasise that nothing in the legislation prevents any person from selling a spray paint can to another person, or the display for commercial purposes of an empty spray can. The bill does not restrict trade in any way. Approximately 90 per cent of spray cans used by graffitiists are stolen. The best way to reduce graffiti in our community is to restrict the access of graffitiists to their tools of trade. During debate on the bill I introduced in 1995 the then Minister for Fair Trading, Faye Lo Po', had some ill-thought objections to the bill. One of my constituents, Mr Bob March of Cherrybrook, was hopping mad when I sent him a copy of her speech. He forwarded to me a copy of his letter to the Minister, which states:

I wrote to my local member, Michael Richardson, about the graffiti problem in my area asking what he proposed to do about ...

I put it to him that most of the problem is caused by spray cans that are stolen ... In turn he sent me a copy of a bill that he had tried to introduce and a copy of your speech in reply which I read and the more I read the angrier I became.

You say in small shops that one person alone manages the checkout. Let me say as a tradesman and constant user of hardware stores all over Sydney, for both home and work projects, I have never yet seen a hardware store staffed by only one person.

You say that the problem cannot be remedied by reducing the availability of spray paint. I am not saying reduce the availability, I am saying simply to make it harder to steal.

Pursuant to sessional orders business interrupted.