

Local Government Amendment (Graffiti Removal) Bill 2001

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to amend the *Local Government Act 1993*:

- (a) to provide that local councils may, by agreement with the owner or occupier of any private land, carry out graffiti removal work on the land, and
- (b) to facilitate the granting of financial assistance by local councils as part of programs of graffiti removal.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Local Government Act 1993* set out in Schedule 1.

Schedule 1 [3] inserts proposed section 67A into the Principal Act to give effect to paragraph (a) of the objects outlined above. In general, a local council may carry out work on private land with the agreement of the owner or occupier of the land. However, under section 67 of the Principal Act, the council must either fix a general or particular rate for carrying out that work or notify a meeting of the council before the work is carried out. The amendment facilitates the rapid carrying out of graffiti removal work by allowing such work to be undertaken immediately. Details of such work are to be recorded in a public register. **Schedule 1 [1]** and **[2]** are consequential amendments.

Schedule 1 [4] inserts proposed section 356 (4) into the Principal Act to give effect to paragraph (b) of the objects outlined above. In general, grants of financial assistance are subject to a delay of 28 days to allow public notice to be given. The amendment removes this delay where the grant is part of a program of graffiti removal.