

Office of General Manager

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Contact: Bronwyn Tuohy
Phone: 9367 9379

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Administrative Centre
7-15 Wetherill Street, Leichhardt NSW 2040
PO Box 45, Leichhardt NSW 2040
Phone: (02) 9367 9285 Fax: (02) 9367 9103
Email: leichhardt@lmc.nsw.gov.au
www.leichhardt.nsw.gov.au

Standing Committee on Public Works
Parliament House
Macquarie Street
Sydney NSW 2000

Mr Kinosh Khoshaba,

RE: Inquiry into Graffiti on Public Infrastructure

Thank you for your letter dated 30th March, 2010 requesting further information about Leichhardt Council's management of illegal graffiti on public infrastructure in the local government area.

Council recently adopted a Graffiti Management Policy in March 2010, which outlines Council's approach to graffiti management and mitigation, and this document is enclosed for your information.

Leichhardt Council's Graffiti Management Policy was developed utilising evidence-based research undertaken in Leichhardt, with reference to wider studies. A key study was a landscaping and mural art project funded by Council and the Attorney General's Department. The results confirm the effectiveness of formal mural art in graffiti abatement.

The Graffiti Management Policy outlines the following elements as major components of the strategy:

- Removal of graffiti from all Council Infrastructure on a regular basis either by "paint overs" or contracted removal on unpainted masonry and sandstone surfaces;
- Regular graffiti removal service for residents and businesses, whereby illegal graffiti that occurs in high profile and highly tagged locations, is painted over. Due to resource limitations Council is not able to offer this service with regard unpainted surfaces;
- The provision of graffiti removal kits to residents who have first reported the incident to the Police Assistance Line;
- The implementation of several art based graffiti intervention strategies that reduce the amount of available "canvas" whilst encouraging artists to practise in public space legally; and
- Collaboration with other utilities, including Railcorp and the Roads and Traffic Authority, to utilise highly tagged elements of their infrastructure as sites for art based graffiti intervention strategies.

Additionally, as part of this strategy, we plan to extend the material currently on our website regarding graffiti management, including fact sheets, links to other websites, and the provision of phone number for the various utilities that own infrastructure in the local government area. This will enable the public to report any incidences of graffiti directly to the appropriate utilities.

Leichhardt Council is working hard to manage this issue and looks forward to hearing the results of the current inquiry by the Legislative Assembly Standing Committee on Public Works into the effects of graffiti on public infrastructure.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Head', with a stylized flourish at the end.

Peter Head

General Manager

Leichhardt Graffiti Management Policy

**Leichhardt Municipal Council
March 2010**



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1. Introduction

Leichhardt Municipal Council is committed to developing a connected, cohesive and caring community, in keeping with the community's vision for Leichhardt 2020+

- Making Leichhardt the place where the community wants to live, work, play, and visit.
- Valuing democratic and responsible government.
- Developing commitment, systems, and practices for Leichhardt to be a role model in social, environmental, and economic sustainability.

As part of this commitment Council maintains a network of infrastructure (roads, footpaths, public space and community assets) in the municipality to ensure the community has access to the resources and facilities it requires. This infrastructure, along with other private and public property in Leichhardt, has been the target of graffiti.

Until now, Leichhardt Council has addressed the issue of graffiti in a variety of ways. Generally graffiti has been removed as part of Council's regular infrastructure service provision, with a focus on highly visible and highly tagged spaces. Council has provided free graffiti removal kits to residents to remove graffiti from private premises. Council has provided advice to residents on how to reduce the likelihood of graffiti incidences on their property. More recently Council has invested in community and cultural development programs aimed at minimising the potential for graffiti to occur.

The Graffiti Management Policy addresses graffiti and its impact on public amenity. It is Council's public statement concerning graffiti; what it is, strategies adopted to deal with it, and the partners with whom Council works on the issue.

The Graffiti Management Policy has been developed utilising evidence-based research undertaken in Leichhardt, with reference to wider studies. The Policy demonstrates Council's commitment to reducing the financial cost of graffiti to the community while building community capacity.

1.1 Definitions: What is Graffiti?

Graffiti is the act of inscribing drawings, names and/or written text on surfaces. Flat surfaces (walls & windows) are predominantly used, but almost any surface may be subjected to graffiti, for example trees and rocks. Attachment 1 details the range of graffiti practice. Graffiti is a multifaceted cultural activity which can be both illegal and legal. The inspiration for graffiti can be a variable mix of artistic expression, rebellion, and risk taking behaviours, with differing degrees of these factors present for different individuals. The urge to belong to a particular sub-culture can also be a mitigating factor in its execution, as well as a desire for the recognition of artistic skill, or for the kudos attached to the execution of tags or artwork, on difficult to reach locations.

In NSW all unauthorised graffiti on public or private property is illegal.

In Leichhardt authorised aerosol art on public or private property is referred to as Street Art and/or Urban Art.

1.2 Prevalence of Graffiti.

Increasingly, all levels of government are recognising the financial, social and environmental impacts of graffiti. Differences in the way graffiti costs are recorded make it difficult to itemise the costs of graffiti removal and mitigation. The estimated cost of graffiti clean-up across Australia in 2003 was \$300 million¹ a year with these costs being passed on to the community through higher service costs, insurance premiums and service rates. While many government entities do not account separately for graffiti (as removal comes out of a centralised maintenance budget) it is estimated that across Australia local governments spend approximately 260 million a year removing graffiti.²

In NSW, Bureau of Crime Statistics and Research, (BOCSAR) records a significant upward trend in recorded graffiti incidents in New South Wales over the period 1996 - 2005, with a net increase of 88 per cent.³

1.2.1 Leichhardt Local Government Area

NSW State government data

Data provided by BOCSAR indicate a steady increase in the reported incidences of graffiti (up 58%) in the Leichhardt Local Government Area (LGA) in the period 2002 – 2008. Reported incidents indicate a clustering along main thoroughfares and arterial roads including; Norton Street, Marion Street, Balmain Road, Darling Street, Victoria Road and Parramatta Road. This information explains Council's current prioritisation for graffiti removal in highly visible and highly tagged areas of the municipality.

Leichhardt Council Data

Leichhardt Council maintains statistics of all graffiti removed (Attachment 2), and Council has actively encouraged residents and businesses to report graffiti to the NSW Police Assistance Line prior to residents receiving a free graffiti removal kit. According to Council records there were an average number of 72 requests for graffiti removal per month in the period November 2004 – June 2009. A total of 78 free graffiti removal kits have been issued in the period May 2006 to June 2009.

2. Need for this policy

The purpose of this Policy is to support Council to deliver a sustainable and liveable community. It details what action the Council will take to address the issue of graffiti in the context of financial, social and environmental sustainability.

¹ Department of Justice, Victoria, Australia

² Local Government Focus – Volume 25, Number 8, August 2009

³ NSW Bureau of Crime Statistics – Bureau Brief Issue Paper no. 34, April 2006

2.1 Financial Impacts - Leichhardt Council

Direct costs incurred by Council on graffiti management and mitigation strategies in 2008 / 2009 totalled \$149,749.00, as shown in the following table:

Graffiti removal (4,491m ²)	\$94,778.00
Graffiti kits (24)	\$524.04
Beat Graffiti <i>LikeArt</i> Strategy <ul style="list-style-type: none">• Insight Out of Sight - 12 traffic signal box artworks• Wall2Wall - 4 large scale murals• Hawthorne Canal• Birrung Park	\$13,346.80 \$19,404.09 \$20,887.16 \$808.94
TOTAL	\$149,749.00

Graffiti removal costs do not include time and materials costs of graffiti removal undertaken by Council Staff in the course of general outdoor work.

Council funded the *LikeArt Beat Graffiti Strategy* as a means of reducing the available canvas for illegal graffiti while encouraging artists to practice in public space. The strategy has served a dual purpose as an action research program to assess the effectiveness of public art programs in reducing tagging on highly visible sites. Attachment 5 presents a visual record of highly tagged sites "before" and "after" LikeArt projects. The evidence indicates that tagging on walls, and signal boxes has reduced since the introduction of the LikeArt Strategy. At War Memorial park, tagging frequency requiring graffiti removal diminished from more than twice a week to less than twice a year.

2.2 Environmental impacts

The effect of the chemicals associated with graffiti on the environment is a currently unmeasured issue for Council to consider. The products used for both graffiti vandalism (typically aerosol paint) and graffiti removal contain chemicals that potentially impact local habitat and stormwater systems when incorrectly used. Discarded equipment, and aerosol cans can pose a health and safety risk to persons, posing slip and trip hazards, and the potential for injury through cuts and abrasions.

Graffiti vandalism has impacted local environmental amenity, as evidenced at Birrung Park (Attachment 5)

- High level, high frequency tagging transformed Birrung Park from a place of high amenity featuring creative art pieces on the retaining wall overlooking White Bay, into a place of low public amenity:
 - Trees, rocks and adjacent garden beds sprayed with aerosol paint began to suffer;
 - Significant accumulation of aerosol cans at Birrung Park in the period up to January 2008 created a chemical hazard and high-risk fire hazard in the vicinity of the park;
 - Paint spilled on walkways and stairways created potential slip hazards for pedestrians, and potentially entered the stormwater system.
 - Tagging and vandalism extended into the adjacent neighbourhood with a poor impact on the neighbouring residences

Environmental amenity has been restored at Birrung Park, as a result of community and cultural development programs led by local artists.

- The Birrung Park Art Space invites graffiti-style artists to apply to paint the wall under a Council community and cultural development program.
 - Tagging has dissipated
 - No pile-up of aerosol cans
 - Amenity of natural environment has been restored.

2.3 Social impacts

Leichhardt residents raise issues related to incidences of graffiti through customer service calls, and representation to Council through correspondence, or in person at public meetings and /or Council Committee meetings. Graffiti as a legal art form also receives positive feedback from the community. The following outlines some of the major features of the social impacts to the community.

Perception of Crime

Clear links between the perception of crime and the prevalence of graffiti have been demonstrated in literature relating to graffiti⁴. The behaviour of individuals has also been demonstrated to be more socially responsible in relation to littering in areas that are well kept i.e. free from tagging, with evidence that people will pick-up litter, report dumped rubbish and otherwise assist in maintaining the well-being of the neighbourhood when areas are maintained by civic authorities in a good state.

Community Perceptions of Social Decline

In 'broken windows theory', graffiti in a neighbourhood is believed to signal that the authorities (such as police and local Councils) and residents are not in control or concerned about the area. This is thought to encourage further criminal activity which can lead to economic decline and social instability.

⁴ Dealing with Graffiti in New South Wales – p.10. Rachel Callinan. NSW Parliamentary Library Research Service 2002

A response to Council's Graffiti Happens community consultation (2009) by a local business owner indicates his identification of a direct link between the incidence of graffiti and a negative impact on his business.

"It (graffiti) is a huge cost to doing business in the area both due to the cost of removal and continually seeking new ways to protect against it. Should I have to relocate the business I would not remain in this area solely due to the above".

Potential Harm to Offenders

Graffiti offenders are potentially exposed to noxious chemicals through their use of aerosol paint, especially if personal safety measures are not taken. The quest to mark graffiti on hard-to-reach locations, including moving trains, drains and the exteriors of buildings, exposes them to injury and even death.

Cultural Amenity Enhanced by Public Art

In contrast to other forms of graffiti such as tagging, legal graffiti pieces and mural art substantially enhance the experience of public and open space. Place-making through public art and cultural programs is a proven means of improving neighbourhood amenity, and creating a personality, look and feel for a particular domain. The act of producing the work, as well as the completed piece, can connect people to each other as well as connecting people to place. In the Leichhardt LGA, this has been a principal outcome of the Wall 2 Wall and Insight Out of Sight art programs.

Two surveys conducted in 2007 and 2008 indicate that 100% of those consulted showed a preference for public art over graffiti in public space, with a further 94% believing that public art can act as an aid in Council's graffiti reduction strategy.⁵

Skills development for practitioners

Public infrastructure provides an attractive canvas for potential graffiti practitioners. It is characterised by high visibility for the finished product, particularly in locations with a high level of car and pedestrian traffic. Leichhardt Council is formalising access to these walls through community art competitions, which engage practitioners in developing their careers in a legal manner.

Action research undertaken through Council's LikeArt strategy and the Attorney-General's funded Landscaping and Crime Prevention through Environmental Design Program indicated that sustainable practices can be achieved while reducing illegal graffiti. (Attachment 4)

⁵Two surveys were conducted in 2007 (Insight Out of Sight) and 2008 (Wall2Wall) in order to obtain feedback from the community after the implementation of the aforementioned LikeArt Community Art Projects.

3. Policy Scope and Objectives

3.1 Scope

The scope for this policy is illegal graffiti on Council assets in the Leichhardt Council LGA. It also considers graffiti which occurs on private property in identified graffiti hotspots which are reported to Council. Graffiti that occurs on private property in these highly visible, highly tagged locations is painted over by Council. Tagging on signage is removed wherever possible.⁶

This policy is also concerned with the reduction of available wall space as well as direct removal of graffiti. Where possible other utility owners will be invited to participate in collaborative graffiti management strategies, such as the successful art based LikeArt projects.⁷

3.2 Objectives

The Graffiti Management Policy is aimed at minimising the negative impacts of illegal graffiti in the Leichhardt Council LGA. The policy objectives are:

1. To reduce the incidence and cost of graffiti vandalism to the community.
2. To promote civic pride through a safer and more attractive place to live.
3. To divert people away from criminal activity and towards positive and productive pursuits.

3.3 Policy Principles

Leichhardt Council is informed by the following principles:

1. Graffiti reduces neighbourhood amenity.
2. The prevalence of illegal graffiti increases a perception of crime in areas where it is located.
3. Unauthorised graffiti is illegal and prosecutable by law as described in the Graffiti Control Act 2008 circular. (Attachment 3).
4. Leichhardt residents, workers, utility services and visitors can work collaboratively with Council to reduce the incidence of graffiti in Leichhardt.
5. Creative expression enhances community well being⁸.

⁶ This policy may be revised at a later date to incorporate a component for the management of bill posting.

⁷ For further information go to <http://www.leichhardt.nsw.gov.au/Arts--Culture.html>
Collaborative projects include Insight Out of Sight (RTA) and The Hawthorne Canal Mural Mosaic (Railcorp).

⁸ Art and Wellbeing – “Assembles ideas and case study material that demonstrates connections between community cultural development and government 'wellbeing' initiatives”. (Brown and Mills– Australia Council for the Arts, 2004)

4. Graffiti Management Policy

Prevention is better than cure and significant results can be achieved by applying planning and design protocols, in tandem with education and awareness programs. However local Councils are legally required to maintain and manage public amenity.

Council also supports the delivery of the *Leichhardt 2020+* vision to develop a “shared community purpose” that builds on community strength. Council’s commitment to this vision was expressed in a number of community consultation sessions on the subject of graffiti management. The resulting policy has thus been informed by the community in its development, and will provide further opportunities for the community to participate in active graffiti management.

The approaches and strategies that underpin Council’s graffiti management strategies can be grouped into the following three areas:

- 4.1 Planning and Design
- 4.2 Community Involvement and Education
- 4.3 Protection and Removal

4.1 Planning and Design

Crime Prevention through Environmental Design (CPTED) is a design protocol based on the premise that the environment may influence people’s behaviour. By incorporating CPTED principles into the Leichhardt LGA we may be able to minimise graffiti vandalism before it happens.

Thus CPTED principles, when integrated into a neighbourhood plan, may work in a preventative way, rather than reacting to crime and graffiti problems after they materialise.

Examples of CPTED principles are:

- Utilising landscaping as an anti graffiti device ie. planting vines against walls that might otherwise be tagged
- Creating spaces which are well lit and well utilised and feel safe
- Increasing natural surveillance by designing adequate sightlines into public space
- Installing motion detection lighting in under utilised spaces
- Attracting the community to public spaces which receive low level usage by introducing “activity generators” such as community art, cafes and play equipment

Additionally, graffiti reduction guidelines in Council’s Development Control Plan will inform prospective developers on how they can introduce measures, such as CPTED principles, in their constructions. Attachment 4 documents the success of CPTED in reducing the incidence of graffiti, from Council’s Action Research CPTED Project.

4.2 Community Involvement and Education

4.2.1 Informing the Community

Council will educate the public on options for reducing the likelihood of attracting graffiti. This will include:

- Posting the relevant information on Council's website
- Developing and distributing an information leaflet on graffiti reduction techniques.
- Conducting community seminars in conjunction with industry partners on how to manage and remove graffiti
- The implementation of artwork on Council's graffiti removal van indicating Council's support for legal artwork in public space
- Publicising the web address for Council's graffiti education materials in the Council Newsletter and on the graffiti removal van
- Raising the profile of Council's graffiti management strategies through the promotion of the graffiti removal team's work in the community
- The graffiti removal team wearing vests identifying their role
- The graffiti removal team acting as a visible point of contact for the community regarding graffiti. i.e. they may distribute the graffiti reduction leaflet and supply the web address on request
- The promotion of Leichhardt Council's LikeArt Beat Graffiti strategy and other graffiti-reduction programs via letters requesting and advising of removal.

Council will educate potential graffiti practitioners on the legal implications of practising illegal graffiti in Leichhardt by:

- Posting links to legal websites via the Council website
- Working in partnership with youth service providers and schools to raise awareness in young people
- Utilising signage in locations such as the Birrung Park Art Precinct informing potential offenders about legal opportunities
- Renewing a partnership with Juvenile Justice for the removal of graffiti by young people serving community service orders

4.2.2 Involving the Community

Council actively encourages the participation of the community in graffiti management by:

- Requiring the community to report occurrences of graffiti to the Police Assistance Line prior to Council actioning their requests for graffiti removal or access to a graffiti kit.
- Encouraging community members to write letters to asset owners and other organisations to request removal of illegal graffiti
- Re-engaging representatives from precinct committees to report on incidences of graffiti spotted in the LGA
- Consulting the community during the development of this policy

4.2.3 Enlivening the Community – LikeArt Public Art

Through inviting the community to participate in community art projects which increase the “liveability” and quality of life in their community, Council increases usage of areas and increases the potential for natural surveillance (in line with CPTED principles).

By providing opportunities for artists to engage creatively in their community and showcase their skills, Council is also effectively reducing the amount of available “canvas” for acts of illegal graffiti. Additionally through Council’s LikeArt initiatives, Council aims to facilitate alternative and legal art opportunities for offenders, who may otherwise engage in illegal graffiti. This follows a responsible approach towards the wellbeing of any offenders in our community, and moves us closer towards reducing risk of harm⁹.

4.3 Protection and removal

The Council and the community will work together to improve the amenity of the local government area with

- Council removing all graffiti vandalism to its assets.
- Council requesting asset owners remove graffiti from their own property within 24 hours utilising Council’s free Graffiti removal kit, or painting-out the graffiti.
- Council painting over all graffiti on private property that is located in all high profile, highly tagged locations (excluding windows, unpainted masonry and brick surfaces, unpainted timber surfaces and inaccessible areas).
- Council informing asset owners located in high profile, highly tagged locations of removal, and requesting they remove graffiti if there are any future incidents
- The provision of information regarding the application of graffiti barrier products, whereby asset owners can remove any tags quickly, and participate in the maintenance of their own properties against graffiti.

Removal of graffiti ideally within 48 hours (24 for obscene graffiti), is an important facet of graffiti management strategies. This in effect reduces the period of time that the offender’s identifying tag is visible, and can reduce the efficacy of their attempt at obtaining “street kudos.”

Leichhardt Council will prioritise removing obscene graffiti within 24 hours.

Leichhardt Council will continue its current practice of removing graffiti from private property in highly visible highly tagged locations on a scheduled basis.

⁹ Harm minimisation was originally adopted as an approach to deal with the complexity of issues related to drug misuse “as it was clear that punitive approaches [alone] could not solve these complex issues.” – p.6 Managing Graffiti and Disorder - Paper presented at the Graffiti and Disorder Conference, Brisbane 2003 – S. Spooner

Attachments 1 - 4

Attachment 1: Range of Graffiti Practice

- Take the form of tags (a 'writer's' signature or alias): Tags are the most prolific form of graffiti as they are simple and quick to enact.
- "Throw-up": A throw-up is usually writing with solid or bubble style lettering. It is similar to a tag in that it showcases the writer's 'signature'.
- Be a "piece": Short for the word masterpiece, pieces are large-scale, multicoloured features, which may include characters, backgrounds and letters. Pieces are intended to be complete art works and are most often done with spray paint.
- "Bombing": Bombing is when tags, throw ups and pieces are done in a spree. As many as possible are done as quickly as possible.
- Be political in nature (for eg. The BUGAUP campaign in Sydney in the 1980's).
- Be obscene.
- Take the form of "Paste-up's" (artworks on paper prepared off-site and then quickly glued on-site).
- Scratched / etched into a variety of surfaces.
 - Utilising paints containing acid and other chemicals which eat into surfaces.
 - Utilising sharp implements to scratch directly into the surface (called "Dutch" graffiti).
- Stencilled (images pre-cut into paper/cardboard and sprayed or painted through a stencil to reveal an image).

A number of art media is utilised for graffiti including textas, crayon, paint, glue, paper, sharp implements and mixes of petrol and shoe polish. In fact anything that has the capacity to make a mark can be used for graffiti.

Attachment 2: Monthly graffiti removal statistics for the financial year 2008 / 2009.

The average number of requests is 48 with an average size of 7.8 square metres per request.

MONTHLY GRAFFITI REMOVAL 2008 - 2009 FY

Month	Sq Metres Removed	No. of Requests
Jul-08	386	53
Aug-08	320.4	48
Sep-08	540.5	60
Oct-08	283	34
Nov-08	425.8	61
Dec-08	375	55
Jan-09	316.5	43
Feb-09	301	43
Mar-09	610.7	75
Apr-09	334	32
May-09	316	32
Jun-09	282	40
TOTAL	4,490.9	576

Attachment 3 - Summary of relevant legislation

Graffiti Control Act 2008

This act introduces higher penalties for the wilful defacement or damage to properties by means of any graffiti implement. The act also extends the penalty relating to possession of spray can with intent, and to the possession of "any graffiti implement" with intent to execute illegal graffiti. Additionally, the affixing of placards or paper on premises without authorisation of the owner (when it is within view of the public) is an offence attracting a fine. All graffiti related penalties are outlined in the following Department of Local Government "Circular to Councils."



GRAFFITI CONTROL ACT 2008

The purpose of this Circular is to advise Councils that the *Graffiti Control Act 2008* was passed by Parliament and assented to on 3 December 2008. It is anticipated that the provisions of the Act will be proclaimed to commence early in 2009. The Act is administered by the Attorney General.

The Act follows a review of all graffiti-related legislation by the Anti-Graffiti Action Team, chaired by the Attorney General's Department. The review recommended that all relevant legislation be consolidated into a graffiti specific Act, including relevant provisions under the *Local Government Act 1993*:

graffiti removal work by agreement with owner or occupier (s67A) –
now section 11 of the Graffiti Control Act
graffiti removal work without agreement of owner or occupier (s67B) –
now section 12 of the Graffiti Control Act
register of graffiti removal work (s67C) – now section 13 of the Graffiti Control Act.

The Graffiti Control Act also includes existing graffiti related offences:

- I. A person must not, without reasonable excuse, wilfully damage or deface any premises or property by means of any graffiti implement (section 4). The maximum penalty is 20 penalty units (\$2,200) or imprisonment for 6 months. This expands a previous offence under the Summary Offences Act that was limited to spray paint.
- II. A person must not have any graffiti implement in their possession where it is intended to be used to damage or deface premises or other property (section 5). This offence has a maximum penalty of 10 penalty units (\$1,100) or 3 months imprisonment. This also expands a previous offence under the Summary Offences Act that was limited to spray paint.
- III. A person must not affix a placard or paper on any premises; or wilfully mark, by means of chalk, paint or other material, any premises, so that the placard, paper

or marking is within view from a public place unless the person first obtained the consent of the owner or occupier (section 6). The maximum penalty is 4 penalty units (\$440).

Under the Local Government Act, the following offences will continue to apply:

- I. Defacing or likely to deface public bathing place (s631) – maximum penalty is 10 penalty units (\$1,100), or penalty notice of \$220 (under Schedule 12 of the Local Government (General) Regulation 2005)
- II. Wilful defacing of notices or signs erected by a Council (s667) – maximum penalty is 20 penalty units (\$2,200).

As these offences are not graffiti specific they were not transferred to the Graffiti Control Act. However, where these offences include graffiti, there are specific offences under the graffiti specific legislation, which can be enforced by Police officers.

Local Government Amendment Graffiti Act 2002

The Local Government Amendment (Graffiti) Act 2002 commenced 19 July 2002. This Act provides Councils with the power to remove graffiti where the graffiti can be seen and accessed from a public place. The removal of graffiti from private property is set out in Sections 67A, B, and C of the Local Government Act (Now sections 11, 12 and 13 of the Graffiti Control Act 2008).

Section 67A empowers Council with the agreement of the owner or occupier to carry out graffiti removal work on private property. Under the agreement of the owner the Council may charge for this service.

Section 67B empowers Council to remove graffiti on private property without the agreement of the owner or occupier. The activity of removal must be able to be achieved from a public place and is to be at Council's cost. Section 67B does not empower Council to recover cost and also requires Council to pay compensation for any damage to property caused by the Council. Additionally Council is required to give written notice to the owner/occupier that the graffiti has been removed.

In compliance with Section 67C Council must record all graffiti removal work it carries out and make this information available to the public free of charge.

Summary Offences Act 1988

The placement of graffiti on public or private property without consent is illegal in NSW. Damaging or defacing property by means of chalk, paint, felt tip markers or other materials is an offence. This offence is reported by the NSW Police Service as malicious damage. Most graffiti related offences in NSW are handled under the Summary Offences Act

1988, Sections 9, 10a, 10b and 10c

Under the Summary Offences Act 1988 Section 10C it is also illegal for anyone to sell spray paint cans to persons under the age of 18.

Attachment 4 - Attorney General's CPTED Graffiti Reduction Project - Moore Street, Leichhardt

Benchmarks and Best Practice

Case Study – Attorney General's Pilot Project in Leichhardt LGA

Leichhardt Council conducted an Action Research Project in partnership with NSW Attorney General's Department to assess the effectiveness of Crime Prevention through Environmental Design (CPTED) principles in the reduction and prevention of graffiti in the Leichhardt LGA.

Funding from the Attorney General's Department was matched by Leichhardt Council. A total of \$92 576.00 was spent on the project which occurred from July 2007 to August 2008 (Council issued \$44,509.20 through in-kind support to the project).

Two sites were identified as suitable for the research project. The intervention site (8 Moore St, Leichhardt) and the control site (176 Mullens St, Rozelle) were chosen as they were both located in high volume traffic thoroughfares, and were heavily tagged and highly visible to the public. Both were landmark sites positioned as 'gateways to Leichhardt.' Due to the strategic location of both sites, the project will also trial the concept that reduction in graffiti in "gateway" locales, has an impact on people's perception of the pride, safety and connection to the area. An important feature of the project was the installation of a mural, which contributed to the cultural life and vitality of the area.

A number of CPTED principles were applied to the control site and included:

- Painting a mural
- Installation of lights
- Landscape works
- Installation of water tank, irrigation system and stormwater overflow

CPTED principles supported by:

- Regular rapid removal of graffiti on the property

The intervention site was also regularly maintained by contractors who removed graffiti within a short time frame (rapid removal). This comparative Action Research Project facilitated an assessment of the effectiveness of CPTED principles in reducing the number of graffiti incidents.

Since the Action Research Project was implemented in July 2007 until its completion in August 2008, the application of CPTED principles at the intervention site demonstrated that there was a significant reduction in the number of graffiti incidents occurring in the area, compared to the control site, where no maintenance activity occurred. After the implementation of CPTED principles at the intervention site, it was tagged on only four occasions, while in the same period the control site was tagged fifteen times.

The Graffiti Reduction Action Research Project transformed an area that was previously marginalised and ill kept, into an attractive community asset, additionally contributing to the cultural vitality of the Leichhardt LGA.

Attachment 5 Birrung Park Art Space

Before LikeArt Intervention

Environmental impacts

- Damage to built form
- Damage to nature
- Damage to stormwater systems
- OH&S problem for Council Workers
- Risk factor for members of the public
- Community concern



After LikeArt Intervention

The Birrung Park Art Space is now clean and clear of the environmental impacts listed at left. It is also clearly marked by signage which indicates that it is not a legal wall. The result is a clean and safe community space.



Hawthorne Canal Mural

Before LikeArt Intervention



After LikeArt Intervention



Moore Street - Crime Prevention Through Environmental Design Action Research Project

Before LikeArt Intervention



After LikeArt Intervention



Insight Out of Sight

Before LikeArt Intervention



After LikeArt Intervention

