



MURRAY RIVER COUNCIL
COUNCIL POLICY

GRAFFITI POLICY

POL-304.V#2



murray river
council

1. INTRODUCTION

Murray River Council (the 'Council') is committed to providing safer communities, reducing the occurrence of graffiti and addressing perceptions of criminal activity, such as graffiti.

Community groups have placed an increased emphasis on graffiti management within the Council area and in support, Council is to develop a robust management framework, including having appropriate operating and management practices in place.

Graffiti impacts the community in a number of ways. It can:

- ▶ Have a negative impact on community amenity, including perceptions of poor safety and increased crime;
- ▶ Have a negative impact on the environment through pollution (chemical run-off into waterways) and damage to items of historical or artistic value;
- ▶ Impact on the Council financially through costs associated with the removal and management of graffiti; and
- ▶ Encourage further vandalism.

2. OBJECTIVES

The objectives of this Graffiti Policy (the 'Policy') are to:

- ▶ Establish an effective and cost efficient graffiti removal service in the Council area;
- ▶ Enhance the built environment by reducing the occurrence of graffiti;
- ▶ Remove graffiti as quickly as possible to deter ongoing occurrence;
- ▶ Involve the local community as partners in reducing graffiti;
- ▶ Remove graffiti using environmentally sustainable methods to minimise harm to the environment; and
- ▶ Encourage private property owners to take responsibility for prompt action against graffiti on their property.

3. SCOPE

This Policy outlines our approach to addressing graffiti within the Murray River Council.

4. LEGISLATION

- ▶ Local Government Act 1993 (NSW)
- ▶ Environmental Planning and Assessment Act 1979 (NSW)
- ▶ Graffiti Control Act 2008 (NSW)
- ▶ Protection of the Environment Operations Act 1997 (NSW)

5. POLICY STATEMENT

5.1 Council will arrange for the removal of graffiti at its own cost from:

- ▶ Council owned and managed buildings and facilities;
- ▶ Council owned signage;
- ▶ Street furniture on the road reserve;
- ▶ Playgrounds and other assets in parks and recreational areas;
- ▶ War Memorials and other monuments and sites of significance; and
- ▶ Public art.

- 5.2 Council will not remove graffiti from any location where a risk assessment determines that the health and safety of Council Officers or appointed contractor is placed in an unacceptable risk or where Council is of the opinion that any graffiti removal would damage property.
- 5.3 Council will reduce the incidence of graffiti through the use of strategies, including reporting and removal. Council's staff will arrange for the removal of graffiti on Council owned and/or managed infrastructure based on the following type of graffiti, location and frequency:

Offensive graffiti	will be removed from Council owned and/or managed infrastructure within two (2) working days of detection or reported to Council.
Non-offensive graffiti (Prominent areas)	will be removed from Council owned and/or managed infrastructure within six (6) weeks of detection or reported to Council.
Non-offensive graffiti (Non-prominent areas)	will be removed from Council owned and/or managed infrastructure twice annually

- 5.4 Council will notify owners of graffiti in accordance with the Graffiti Control Act 2008.
- 5.5 Council will encourage the community to report incidences of graffiti for removal.
- 5.6 Council will participate in programs such as the NSW Attorney General and Justice's Crime Prevention through Environmental Design Program.

6. ROLES AND RESPONSIBILITIES

Position	Responsibility
CEO / Directors, Managers/Supervisors	To communicate, implement and comply with this policy.
Community Members	May report any items considered to be graffiti

7. EVALUATION AND REVIEW

It is the responsibility of the Director Infrastructure to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

8. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

External

Nil.

Internal:

MRC Policy – Work, Health and Safety Policy and associated Procedures

MRC Policy – Risk Management Policy

MRC Framework – Risk Management Framework

Definitions

Term	Definition
Council Officer (Officer)	<p>A Council Officer is defined as being one of the following:</p> <ul style="list-style-type: none"> ▸ An employee, or ▸ A contractor or subcontractor, or ▸ An employee of a contractor or subcontractor, or ▸ An employee of a labour hire company who has been assigned to work in the person's business or undertaking, or ▸ An outworker, or ▸ An apprentice or trainee, or ▸ A student gaining work experience, or ▸ A volunteer
Graffiti	Any unlawful inscription, word, figure or word design that is marked, scratched, drawn, sprayed, painted, pasted, applied or otherwise affixed to or on any surface of any assets and includes any remnants of same such as adhesives, glues, tape, shadows or colour variations remaining after removal. It also includes posters, notices, stickers and bill posters.
Infrastructure	Fences, footpaths, roads, cabinets, skateparks, poles.
Offensive graffiti	Graffiti as per the meaning above where the graffiti has the intent to be rude, insulting, derogatory, hurtful, discriminative or vilify, which results in a person or members of the community feeling disrespected, resentful, upset or annoyed.
Property / Premises	Includes the whole or any part of a structure, building, vehicle, vessel or place, whether built on or not.

9. DOCUMENT CONTROL

Version No.	Details	Date	CM9 Reference	Resolution No.
1	Initial Issue	26 Feb 2019 to 28 Jan 2025	VF/19/530	270219
2	Reviewed to reflect changes in legislation, current practise and position titles. Reformatted into the adopted MRC Policy template	28 Jan 2025 to today	VF/19/530	150125

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in 2029.

NOTE:

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DISCLAIMER:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)