

## VANDALISM AND GRAFFITI PREVENTION POLICY (COMMUNITY POLICY)

**1 Scope:**

This policy applies to residents of the Rockhampton Region.

**2 Purpose:**

To encourage the public to report and prevent acts of vandalism and graffiti (including information of offenders) within the Region.

**3 Related Documents:**

**Primary**

Nil

**Secondary**

*Criminal Code Act 1899*

*Local Government Act 2009*

*Summary Offences Act 2005*

Vandalism Reward Claim Form

**4 Definitions:**

To assist in interpretation, the following definitions apply:

CEO	<i>Chief Executive Officer</i> A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council
Council Property	Property owned or managed by Rockhampton Regional Council.
Council Table	The body of elected Councillors of Rockhampton Regional Council.
Criminal Proceedings	An action taken by Police against an individual for a malicious damage offence. This includes an individual being charged for the offence where that individual has admitted guilt, or been found guilty of those charges in a court of law. This also includes proceedings, cautions or youth justice conferences administered under Queensland legislation where a young person had admitted guilt.
Graffiti	Any inscription, word, figure or word design that is marked, etched, scratched, drawn, sprayed, painted, pasted, applied or otherwise affixed to or on any surface without the owner's consent. This includes remnants such as adhesives or colour variations remaining after removal.

**Corporate Improvement and Strategy use only**

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Region	Area defined by the electoral boundaries of Rockhampton Regional Council.
Vandalism	The wilful or malicious destruction, injury, disfigurement, or defacement of any public property without consent of the Council.

## 5 Policy Statement:

Council recognises that residents take pride in the appearance of their Region and that vandalism and graffiti increase the perception that the Region is unsafe.

The community's assistance is sought to report instances of vandalism and graffiti in a timely manner in order to minimise:

- The unsightliness of an area;
- The cost of vandalism and graffiti to Council and the community; and
- The perception that an area within the Region is unsafe.

### 5.1 Reward Scheme

A reward will be awarded to members of the public where information is provided regarding an offence that results in successful legal action being taken against the offender.

#### 5.1.1 Limitations

The reward scheme is limited by a number of factors including:

- The reward applies only to offences committed on or to Council property;
- The amount of a reward is equal to the remediation costs of the vandalism (as determined by Council) and is capped at a maximum amount of \$1,000 per event;
- Persons providing information must be aware that they may be required to attend a Police station to provide a formal statement and/or appear in a court of law to provide evidence; and
- A reward under this scheme will only be payable for information leading to a criminal proceeding resulting in a conviction, formal caution/warning or juvenile justice conference where guilt has been found or admitted.

#### 5.1.2 Process

- Any person who witnesses or holds information regarding an act of graffiti or vandalism should report the matter to the Police. Police will examine the information provided and investigate the offence.
- Should an offender be identified, and admit guilt or be found guilty, the informant will complete a Vandalism Reward Claim Form. Council will investigate the application, including confirming relevant details with Police. The General Manager Community Services will approve recommendations and processing of payments of any reward.
- The applicant will be informed of the decision in writing. If the applicant disagrees with the decision he/she may request that the application be reassessed by the CEO.
- Where appropriate, Council will seek compensation for graffiti and vandalism offences where an offender has been identified, and admitted or been found guilty.

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### 5.1.3 Recordkeeping, Confidentiality and Privacy

Information indicating the identity of the applicant will be marked confidential. Any person who makes an application under this scheme will be deemed a complainant to Council.

To protect the safety of applicants, documentation created and held in relation to applications under this scheme will not be subject to release to members of the public.

### 5.1.4 Breaches and Sanctions

Applications for a reward are verified with Police and Council records to ensure compliance with this policy.

Fraudulent and/or misleading applications will be ineligible for payment of the reward. Council may seek to recoup the reward and costs associated with this action should an application be found to be fraudulent and/or misleading.

### 5.1.5 Reporting

A report is provided annually to the Council table on the operation of this scheme and the details of rewards applied for and approved. The report excludes personal information of reward applicants.

## 5.2 Graffiti Removal

Council's Parks Maintenance team removes graffiti from public spaces and buildings owned and operated by Council.

Free graffiti removal kits are available to help residents, businesses and community groups remove unsightly graffiti from their property.

### 5.2.1 Limitations

Graffiti removal kits are limited by the following factors:

- Will only be supplied if available (dependent on available stock and State Government funding); and
- Will be limited to one per customer/club per request.

### 5.2.2 Process

- Any person who sights graffiti should report the matter to the Police or Council's Graffiti Hotline.
- Contact the Graffiti Hotline or Council's School of Arts Building to request a graffiti removal kit.

## 6 Review Timelines:

This policy will be reviewed when any of the following occur:

- 6.1 The related information is amended or replaced; or
- 6.2 Other circumstances as determined from time to time by Council.

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**7 Responsibilities:**

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	General Manager Communities and Facilities
Policy Quality Control	Corporate Improvement and Strategy

**EVAN PARDON  
CHIEF EXECUTIVE OFFICER**

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