

Response Summary: Graffiti Management Framework Stakeholder Consultations

Theme	Council Response
Policy	
Tagging	For the purpose of this policy it can be assumed that reference to management and removal of graffiti indicates the removal and management of illegal graffiti, in particular, tagging.
Advocacy <ul style="list-style-type: none"> • Further restrictions around spray paint 	<p>Due to certain cultural practices pertaining to acquiring resources and materials for graffiti and street art, regulations around the sale and availability of aerosol cans demonstrate an inability to prohibit artists from their acquisition.</p> <p>Despite, for example, it being an offence to sell graffiti implements to those under the age of 18, evidence demonstrates that this demographic remains highly active in graffiti practices.</p> <p>A legacy of “do it yourself” (DIY) practices within the culture, where practitioners avail of knowledge from their own experiences, their peers or the internet to make their own mark-making devices, further demonstrates the innovative responses to regulation that sits at the heart of the culture.</p> <p>Tightening regulations upon the availability of tools for graffiti and street art will not necessarily abate practitioners’ access to them. Indeed it may well elaborate a cultural practice that has, as its cornerstone, “invention” as a modus operandi.</p>
Heritage	<p>The Framework notes that The Yarra Planning Scheme includes heritage overlays which are planning controls applied to places, mostly buildings, which have cultural heritage significance. They can apply to individual buildings or precincts. The heritage overlay helps to protect heritage properties by requiring a planning permit for external changes and through the permit application the impact on the heritage values can be considered.</p> <p>External painting of any previously unpainted surfaces associated with a property located within a heritage overlay should be avoided.</p> <p>Planning approval is required to paint a previously painted surface if the associated property is located within a heritage overlay with external paint controls.</p>

	Heritage is recognised as an issue with regards to graffiti removal, however, broader issues relating to heritage protection are beyond the scope of the Framework - the Yarra Heritage Strategy has a key direction 'protecting and managing our heritage'.
<p>Budget</p> <ul style="list-style-type: none"> • Transparency 	<p>The graffiti budget is currently \$750K per annum which covers graffiti and poster removal in accordance with the Graffiti Management framework 2015 - 2019. The funds are used for in-house labour, plant/equipment, paint, chemicals and contractor payments.</p> <p>By February 2020 Council will have the required data (see 'Monitoring & Evaluation') to link the most effective strategy actions to the 2020 – 2021 draft budget. This will allow Council to provide a graffiti budget that is linked to dealing with graffiti on retail strips and other assets including private property.</p> <p>By February 2020 Council will be in a position to provide a report that will allow Council to make informed decisions around graffiti management and the graffiti budget based on reliable data and proven methodology. The intention is to identify the most effective and efficient way to <i>prevent</i> graffiti within Yarra so we are moving from a reactive process towards a proactive process.</p>
Zero tolerance	A zero tolerance stance may be appropriate in areas where graffiti is not part of the social fabric or urban landscape. However, in an area such as Yarra where graffiti is seen by some as positively contributing to the social and cultural diversity and vibrancy of the area, a more tolerant position is suitable.
<p>Definitions</p> <ul style="list-style-type: none"> • Graffiti vs street art 	<p>Graffiti can be an inscription, figure or mark written, painted, drawn or otherwise displayed on any surface. Tagging, a common practice of graffiti, is a calligraphic signature often illegally placed on public and private property.</p> <p>Street art is a public visual art form that has grown out of the graffiti movement and refers to works that sit outside of traditional art establishments.</p> <p>Traditionally both forms have been unsanctioned and illegal however contemporary understandings have accepted street art for its broader aesthetic appeal over graffiti. The cultural nature of graffiti maintains an illegal context to its practice; however works can be both sanctioned and unsanctioned.</p> <p>This is a complex area with a lot of grey – it is not as simple as saying graffiti is illegal and street art is legal. This is why the Framework continues to refer to both graffiti and street art.</p>
Evidence	There is no definitive best practice approach towards graffiti management, with success meaning different things to different Councils.

	<p>'Success' of a graffiti management approach depends on a Council's position towards graffiti (zero-tolerance or a more tolerant approach), and what they hope to achieve through the implementation of their strategy (for example a total reduction in graffiti incidents or more opportunities for public art).</p> <p>A zero tolerance stance may be appropriate in areas where graffiti is not part of the social fabric or urban landscape. However, in an area such as Yarra where graffiti is seen by some as positively contributing to the social and cultural diversity and vibrancy of the area, a more tolerant position is suitable.</p>
Education & Capacity Building	
Civic pride	<p>There are five community trial areas in progress which are based on stimulating community engagement, generating civic pride and trialling quick removal on all assets – these are due to end in June 2019. The five trial areas will be evaluated to provide information that can be utilised for future graffiti management.</p> <p>Council has committed to creating a culture of civic pride to encourage residents to remove graffiti from private property.</p>
Capacity building	Council is committed to working in partnership with local organisations to build capacity around graffiti education and awareness.
Education	<p>Council will continue to focus on educating the community via:</p> <ul style="list-style-type: none"> • Delivering community education on graffiti management including steps that residents, businesses and property owners can take to remove graffiti from private property. • Planning, developing and delivering youth-led treatments, stencil and mural projects that enhance young people's engagement, health and wellbeing • Regularly updating and maintaining graffiti-related information on Council's website • Providing advice and information to residents on commissioning of murals on private properties • Providing advice and information to property owners on graffiti removal and prevention in heritage areas
Legal graffiti	Council has committed to identifying a suitable site for, and implementing, a 'legal graffiti' site within Yarra.
Place Management	
Diversion	<p>The Criminal Justice Diversion Program is governed the Criminal Procedure Act 2009. The Program provides mainly first time offenders with the opportunity to avoid a criminal record by undertaking conditions that benefit the offender, victim and the community as a whole.</p> <p>The offender benefits from the program by avoiding an accessible criminal record, by receiving appropriate assistance</p>

	<p>through rehabilitation, counselling and/or treatment, whilst the community benefits by way of donations or unpaid community work to various charities or local community projects.</p> <p>Council is referred people from the Criminal Justice Diversion Program, however these offers are considered on a case-by-case basis.</p>
Partnerships	Council will continue to build and nurture partnerships with key stakeholders in the municipality, including State Government, relevant authorities, local businesses, residents, non-government organisations, and others.
Place management	<p>Place management involves the participation of multiple stakeholders in the development of specific responses to address local issues. This approach could be adopted as a response to unwanted graffiti or as a proactive way to minimise the occurrence of graffiti. This includes urban design elements, heritage overlays, activity centre review, physical infrastructure (e.g. planting, and lighting access to the particular site).</p> <p>Across the municipality, Council will deliver place-based interventions in consultation with the community, using a range of approaches to reduce the negative impact of graffiti in public places including urban design, landscaping, and graffiti management treatments.</p>
Prevention	<p>The theme of prevention is woven through a number of key result areas, including Graffiti Removal and Place Management.</p> <p>Council's preventative measures include advising residents on Crime Prevention Through Environmental Design (CPTED) via strategies such as lighting, greening of space, and maintenance of space, investigating technology that will assist prevention, establishing workflows that focus of proactive removal and prevention rather than reactive removal, and continuing to use alternative treatments such as traffic signal boxes and murals for precinct amenity improvement.</p>
Monitoring & Evaluation	
<p>Monitoring and evaluation</p> <ul style="list-style-type: none"> • Trials 	<p>A comprehensive audit completed in July 2018 provided a base measure of 53,000 square metres of graffiti in Yarra. Based on 19 square kilometres in Yarra this is a key ratio of <i>2789 square metres of graffiti per square kilometre</i> or <i>0.2%</i>.</p> <p>Private property is a challenge when it comes to graffiti and adds a layer of complexity when trying to manage graffiti as quick removal is a common denominator in graffiti prevention. There are a number of activities currently happening in the graffiti space which require completion and analysis to ensure the link to the budget is based on data, science and proven methodology.</p> <ul style="list-style-type: none"> • There are five community trial areas in progress which are based on stimulating community engagement, generating civic pride and trialling quick removal on all assets – these are due to end in June 2019.

	<ul style="list-style-type: none"> • The five trial areas will be evaluated to provide information that can be utilised for future graffiti management. Evaluation of the trial areas to date indicates that quick and consistent removal of graffiti does slow down the return rate. • There is a focus on retail strips and the removal of graffiti from all assets including shop fronts – this will run as a trial methodology until June 2020. • Council will develop an effective strategy regarding mural maintenance and mural commissioning. • For areas outside of the retail strips, Council will trial utilising existing staff in a more flexible and efficient way to remove graffiti from the more prominent streets with a high traffic flow. This will include private properties that attract graffiti (hot spots). This is part of the Council continuous improvement focus and this trial will end in June 2020. • In around November 2019 another comprehensive graffiti audit will be completed which will measure the improvement from the base measure. <p>Council will undertake evaluations of projects as required and the Coordination Group will undertake annual reviews of the Policy and report to Council on the results.</p>
Graffiti Removal	
Council removal	<p>Council will continue to prioritise removal of offensive graffiti (defamatory or degrading remarks or graphics about race, religion, sex or personal privacy) from Council property, and will remove inoffensive graffiti from Council property as soon as possible.</p> <p>With regard to private property, Council will work with the community to remove graffiti from private premises where it has a significant impact on public amenity (for example, where it is deemed offensive), and/or is a shopping centre, a gateway or an area of high prominence OR where residents are frail aged or living with a disability.</p>
Rapid removal	<p>The key focus of Council’s graffiti management approach is rapid removal. Evaluation of current graffiti management trial areas to date indicates that quick and consistent removal of graffiti does slow down the return rate.</p> <p>Council will continue to remove offensive graffiti (defamatory or degrading remarks or graphics about race, religion, sex or personal privacy) from Council property within 4 hours of notification.</p> <p>Council will continue to remove inoffensive graffiti from Council property as soon as possible within operational scheduling.</p>

Removal kits <ul style="list-style-type: none"> Effectiveness Sustainability 	Council acknowledges that the removal kits are only effective for use on small areas. Where it is appropriate, Council will use paint rather than chemicals, and supports residents' removal of graffiti via the provision of paint vouchers.
Rental properties	<p>Under the Act, Council is required to give notice to a property owner of its intention to remove graffiti from private property. If a property owner does not give their permission, Council cannot remove it.</p> <p>Council will deliver community education on graffiti management including steps that property owners can take to remove graffiti from private property.</p>
Priority areas <ul style="list-style-type: none"> Walls backing onto public spaces such as parks Laneways Areas beyond reach (first floor etc) 	<p>Council will remove graffiti from private property that abuts public spaces when it is in an area of high prominence.</p> <p>Laneways are a low priority area for Council, and Council will support residents to remove graffiti via the provision of removal kits and paint vouchers.</p> <p>Council is looking at ways in which it can remove graffiti in shopping strips from first floors and above. Due to the prohibitive cost and need for specialised equipment, Council cannot assist residents with this. Council's website provides a list of contractors which provide graffiti removal services in the local area:</p> <p>https://www.yarracity.vic.gov.au/services/cleaning-and-maintenance/removing-graffiti</p>
CPTED <ul style="list-style-type: none"> Use of green walls Lighting 	<p>Council is committed to managing graffiti on its assets through effective environmental design Crime prevention through Environmental Design (CPTED) and the application of 'place management' principles.</p> <p>Council is prioritising support to private property owners including advising residents on lighting and greening of space. Council will be trialling the use of a light projection on the wall in Peel St Park as a means of managing graffiti, and has further- committed to investigating the use of initiatives such as green walls and lighting to manage graffiti.</p>
Fee for service	Council will investigate the feasibility of entrepreneurial and innovative solutions/enterprises for removal and treatments of graffiti and tagging e.g. fee for service.
Reporting <ul style="list-style-type: none"> Vandal Trak 	<p>Graffiti can be reported via Council's website: https://www.yarracity.vic.gov.au/services/cleaning-and-maintenance/removing-graffiti</p> <p>Council has evaluated the Vandal Trak graffiti recording system and may proceed down the path of implementing the system. However, the Municipal Association of Victoria also went out to tender for a State wide graffiti recording system. The intention is to trial the software across five Councils and Yarra has expressed interest in being one of the trial Councils.</p>

Private property	<p>Graffiti to private property is like all property damage and is the responsibility of the owner. Council has worked hard to set clear boundaries around removal of graffiti from private property. The tiered approach to removal from private property ensures that residents and traders are presented with options other than removal by Council.</p> <p>Council is prioritising support to private property owners to self-remove graffiti from their properties through provision of graffiti removal kits, discount paint vouchers and advice on graffiti removal, along with advising residents on lighting, greening of space and maintenance of space as preventative measures.</p> <p>Nothing in the Graffiti Prevention Act imposes a duty on Council to remove graffiti from private property.</p>
Promotion	
Use of anti-graffiti coatings	Council will use a standardised anti-graffiti coating on all Council commissioned street art.
<p>Street art</p> <ul style="list-style-type: none"> • More • Support • Promote 	<p>Council will continue to use alternative treatments such as murals and traffic signal boxes for precinct amenity improvement and as diversionary/early intervention/prevention strategies.</p> <p>Council will recognise, celebrate and cultivate the unique public art in Yarra’s urban environment and will support and advocate for significant street art, both historical and contemporary, including commissioning and scoping preservation and restoration with stakeholders.</p> <p>Additionally Council will leverage social media to identify, document and promote street art within Yarra.</p>
Planning & Enforcement	
<p>Enforcement</p> <ul style="list-style-type: none"> • Surveillance 	Enforcement of the Graffiti Prevention Act is largely the responsibility of State Authorities. Council will work closely with Victoria Police to provide information on graffiti related incidents such as tagging.
Community service	<p>Through its Graffiti Removal Program, Community Correctional Services partners with 30 program partners including local councils, Public Transport Victoria, Department of Health and Human Services (Housing Services) and VicRoads to remove graffiti across metropolitan Melbourne and in major regional centres.</p> <p>Teams of supervised offenders use purpose-built trailers to clean-up graffiti from vandalised state and local government property, including road and rail assets, community areas and private property.</p> <p>Council will utilise the Community Correctional Services removal program where applicable.</p>
Managing graffiti	This is a complex issue.

<ul style="list-style-type: none"> • Planning permits • Vacant buildings 	<p>Planning permits have a standard graffiti proof condition which states that before the building/s is/are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.</p> <p>There's a general local law about unsightly property, however it's not specific to graffiti. For it to be an offence, certain criteria needs to be considered, such as how it's detrimental to the area. If there's an area where a lot of graffiti is present this is harder to demonstrate, in an area where the group of shops are pristine and one stands out, it's easier to enforce.</p> <p>Graffiti is a criminal offence under the Graffiti Prevention Act 2007 and owners of property usually come to Council or the Police to catch the perpetrators as it vandalising their property. Council needs to be careful about enforcing and penalising the victim. However, Council will investigate using local laws to manage vacant and abandoned buildings.</p>
<p>Policing</p>	<p>The <u>Graffiti Prevention Act 2007</u> (the Act) is a key aspect of the State government's graffiti management approach. The Act is a key piece of legislation that graffiti related local government local laws and policies must be consistent with.</p> <p>Council will provide the feedback from this consultation to Victoria Police for their consideration. Council will continue to work closely with Victoria Police to provide them with information on graffiti related incidents such as tagging.</p>