



Graffiti Management Policy

Version No.	V2.0, 13 April 2017
Endorsement	Policy Review Panel, 26 June 2017
Authorisation	Council 24 July 2017
Review date	1 April 2019
Responsible officer	Operations Manager
Policy owner	Waste Services Coordinator

1. Purpose

To ensure an effective, coordinated and proactive approach to graffiti management through prevention, education, removal and enforcement.

2. Scope

This Policy outlines Council's approach to illegal graffiti prevention and associated removal and or responses within the capacity of Melton City Council's General Local Law and the *Graffiti Prevention Act 2007*.

While Council acknowledges the positive contribution of street art to express artistic creativity, the process and management of street art is not within the scope of this policy.

3. Definitions

Word/Term	Definition
Graffiti	Defined in the <i>Graffiti Prevention Act 2007</i> (the 'Act') as to 'write, draw, mark, scratch or otherwise deface property by any means so that the defacement is not readily removable by wiping with a dry cloth.'
Offensive graffiti	Obscene in nature and has the potential to cause offence to the community or certain groups within the community. In particular, it often includes defamatory remarks or slurs about race and gender and includes offensive words, phrases or graphics.
Crime Prevention Through Environmental Design (CPTED)	A planning approach to deter criminal behaviour through the design of the built environment that leads to a reduction in the fear and incidence of crime.
Rapid Removal	Removal of graffiti within 24 to 48 hours of it occurring.
Inaccessible Graffiti	Graffiti that is not readily accessible and/or exposes graffiti response team members to unacceptable risks to health and safety.

Word/Term	Definition
Private Property	Any asset that is not owned by Melton City Council. The <i>Graffiti Prevention Act 2007</i> outlines the specific circumstances in which Council is permitted to enter private property
Visible by Public	Graffiti that is within view from a public road or park reserve at the discretion of the Operations Manager.
Tagging	A type of graffiti that commonly occurs on walls / fences, bridges, and service authority assets such as light poles, traffic signal devices etc. Tagging is generally indecipherable and sometimes gang related.
Murals	Usually occur on walls and fences and are generally within sight of high trafficable and high activity areas such as parks and reserves, skate parks, transport corridors, main roads etc.
Stenciling	Destructive form of graffiti that can be etched onto windows (particularly shops/businesses). Other types of stencilling are painted onto walls/fences and can carry messages which are either political or are concerning current social issues.
Tributes	Usually occur on walls, light poles, fences, road pavements, footpaths and local rocks as a declaration, or other acknowledgment of gratitude, respect or admiration to a person/s.
Legal Street Art	Refers to artistic work implemented with the permission of the person/authority who owns the surface/wall that the artwork is being presented, and with the permission of the local Council.

4. Policy

Council recognises that the presence of graffiti can have negative effects on the community. Council also recognises the positive effects of legal street art which include:

- creating opportunities for local artists to develop their creativity and experience the artistic work of others
- contributing to the vibrancy of an area
- encouraging local pride
- supported legal street art that creates local identity, pride and character of local neighbourhoods and or the City.

Whilst negative impacts of graffiti include:

- economic impacts associated with the removal of graffiti
- contributing to poor perceptions of safety
- contributing to reduction in local pride via perceptions of cleanliness and the quality of the physical environment.

The objective of this policy is to minimise the negative impacts of illegal graffiti and recognise the need for a coordinated and multifaceted management approach to graffiti through:

1. Graffiti Prevention
2. Graffiti Education
3. Graffiti Removal and Enforcement
 - Council and public property and assets
 - Private property and assets.

4.1 Graffiti Prevention

Best practice graffiti reduction models, both nationally and internationally, recognise the importance of graffiti prevention. Council acknowledges that one of the effective strategies in graffiti prevention is active engagement and development of partnerships to develop a broader approach to the management and removal of graffiti across the municipality.

Council supports the following graffiti prevention principles:

- 4.1.1** Active engagement including engagement with young people to promote and provide appropriate avenues for creativity and skill development opportunities.
- 4.1.2** Ownership and community pride to enable influence, involvement and promote a sense of collective community confidence, safety and security.
- 4.1.3** Community education and information to ensure a whole of community proactive approach to graffiti prevention.
- 4.1.4** Partnership approach to support a coordinated response to develop solutions and opportunities for graffiti prevention, education, removal and enforcement.
- 4.1.5** Urban Design that contributes to a positive amenity.

Council will continue to implement and promote graffiti prevention strategies including:

- Through planning processes, developing safe and welcoming public spaces that improve perceptions of safety, encourage crime prevention and provide opportunity for positive social engagement via implementing CPTED principles. These include improved lighting, landscape plantings, surface finishes (i.e. texture and colour), and property maintenance.
- Use of murals in site appropriate locations that contribute to the amenity of the area and prevent illegal graffiti on the site.
- Rapid removal of graffiti. Prompt removal discourages the recurrence of graffiti, as it reduces exposure time of the graffiti and makes the graffiti physically easier to remove.
- Use of graffiti resistant materials or protective coatings to assist with removal.
- Utilising the Graffiti Offenders Program facilitated by the Department of Justice that places graffiti offenders managed by the Department of Justice within the municipality removing graffiti from allocated sites.

4.2 Graffiti Education (Community education and the provision of support resources)

Council recognises the role community education plays in empowering our community to appreciate and respond appropriately to impacts and opportunities associated with graffiti. As such, Council will continue to provide the following local empowerment initiatives:

4.2.1 Graffiti Education and Preventions Initiatives

From time to time Council will deliver graffiti prevention initiatives that connect community, increase participation, build capacity and local pride and ownership of the public realm (i.e. youth street art projects, local art projects including the use of murals and neighbourhood beautification initiatives). Some projects may relate to tributes/memorials and will be considered on a case by case basis.

4.2.2 Report Graffiti

Residents are encouraged to report graffiti on public and private property within the municipality.

Graffiti can be reported to Council in the following ways;

- 1) contact Customer Service on 9747 7200
- 2) Council's Website.

4.2.3 Graffiti Removal Kits and Portable Removal Systems for residents

Council will provide free graffiti removal kits and/or portable removal systems to enable residents to tackle graffiti in local communities, by making graffiti removal resources more readily available.

Graffiti removal kits are suitable for smaller jobs such as tags less than 1m². Removal kits will include graffiti removal chemical, scrubbing brush and personal protective equipment. Larger jobs over 1m² will require the use of a graffiti removal systems which will include a small high pressure washer and graffiti removal chemicals.

Note: Resources are available to residential properties only.

Limits on the number kits and/or chemicals supplied to residents will be at the discretion of the Operations Manager. An induction on the safe use of these items may be required.

If residents do not want to remove the graffiti themselves, they can request assistance from Council, and provided the graffiti is visible from a public place and written consent is obtained in accordance with the Graffiti Prevention Act, Council may assist (Refer to definitions on page 1

4.3 Graffiti Removal from Council and public property

To manage the positive and negative effects of graffiti in our community, Council will proactively remove graffiti from Council or public property in a timely manner. Council will maintain a target of the rapid removal of offensive graffiti on Council property within 48 hours and of non-offensive graffiti within ten (10) working days.

To deter graffiti and support the apprehension of offenders, Council will maintain a record of graffiti in a central register prior.

4.3.1 Graffiti removal on public art assets

Public art refers to works of art in any media that have been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all. Where graffiti is located on public art assets, initial contact must be made with a Council Arts and Culture Officer to obtain copy of an Art Work Maintenance Manual which states how to treat, or clean and repair art.

4.4 Graffiti Removal on private property and assets

Historically, graffiti removal on private property and assets has been reliant on property owners. However, for numerous reasons property owners do not always

remove the graffiti promptly. In addition to improving amenity and contributing to positive perceptions of safety, rapid removal discourages reoccurrences of graffiti. It also makes the graffiti physically easier to remove.

In support of private property owners and our community, Council will:

- Proactively use the Act to remove graffiti from private property and assets.
- Ensure appropriate officers are delegated in accordance with section 98(1) of the *Local Government Act 1989*, to proactively serve notices to property and assets owners in accordance with section 18(2) and section 18(3) and section 19 and 20 of the Act 2007
- Incur all costs associated with delegation, administration and removal of graffiti.

4.4.1 Graffiti removal on private assets

Council will utilise the provisions of the Act to remove graffiti by gaining consent from such entities through issuing of notices under sections 18(2) and 18(3) of the Act.

4.4.2 Inaccessible graffiti

Council may enter private property for the purpose of removing or obliterating graffiti if it serves a notice under the Act to the owner or occupier at least 28 days before the action is proposed to be taken; and the owner or occupier of the property has given written consent to do so or does not object.

4.4.3 Accessible graffiti

If entry to private property is not necessary, Council must serve a notice under the Act at least 10 days before the action to remove or obliterate the graffiti is proposed to be taken; and the owner or occupier of the property has given written consent to do so or does not object.

4.4.4 Offensive graffiti removal

Under the provisions of the Act Council can take action to remove or obliterate graffiti from private property when graffiti is deemed offensive in nature' or 'when it is affecting community perceptions of safety.' The removal of obscene or offensive graffiti will be fast-tracked through immediate contact with the property owner or their representative. The *Racial and Religious Tolerance Act 2001* may be used to support fast removal which makes it illegal to write racist graffiti in public places.

4.4.5 Graffiti Tributes

Council acknowledges the sensitivity associated with graffiti tributes and recognises that they will occur from time to time, appearing as murals, tags or stencils. Illegal graffiti tributes will be removed within a reasonable timeframe, as determined by Council, and if appropriate in consultation with the family to whom the tribute relates.

5. Responsibility /Accountability

5.1	Operations Manager <ul style="list-style-type: none">• Responsible to oversee the implementation of the policy and review it in a consultative and collaborative exercise at identified periodic intervals.
5.2	Council Officers and Council Contractors <ul style="list-style-type: none">• Responsible for implementation and or adherence to this policy.

6. References and links to legislation and other documents

Name	Location
<i>Graffiti Prevention Act 2007 (Vic)</i>	www.legislation.vic.gov.au
Melton City Council: Council Plan 2013-2017	www.melton.vic.gov.au
Melton City Council: Municipal Public Health and Wellbeing Plan 2013-2017	www.melton.vic.gov.au
Melton City Council: Community Safety Plan 2010-2014	www.melton.vic.gov.au
Melton City Council: Public Art Policy 2011 - 2014	www.melton.vic.gov.au
Melton City Council General Local Law (2015)	www.melton.vic.gov.au