

Graffiti Management Framework: Policy & Strategy

2014

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1 Purpose

To outline the Council's position on graffiti management for the municipality using a 'whole-of-community' approach.

2 Scope

The "whole-of-community" approach centres on building partnerships between Council and owner/occupiers of domestic dwelling, business owners, law enforcement agencies, statutory authorities, utility owners and graffiti artists.

The 'whole-of-community' approach includes a set of key outcome areas for graffiti management comprising:

1. graffiti removal,
2. place management,
3. education and capacity building,
4. tourism and promotion,
5. planning and enforcement, and
6. monitoring and evaluation

This policy applies to all Officers and Councillors of the City of Yarra.

3 Definitions

In alphabetical order, the following section lists the terms which are commonly used within the context of graffiti management. This list is not exhaustive.

Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design (CPTED) is an approach to crime prevention that takes into account the relationship between the physical environment and the users of that environment.

There are three overarching strategies in CPTED:

1. *Natural access control* is associated with methods and design features used to attract or connect people to some places and restrict them from others

2. *Natural surveillance* involves using design and planning techniques to provide opportunities for people to exert unofficial vigilance in the course of their routine activities to deter offenders and increase the risk of their apprehension
3. *Territorial reinforcement* concerns the use of physical features and design to express ownership, control the environment and demarcate private, semi-private and public spaces

Criminal Justice Diversion Program

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. The offender benefits from the program by avoiding an accessible criminal record, by receiving appropriate assistance 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.

Council is referred people from the Criminal Justice Diversion Program, however these offers are considered on a case-by-case basis.

Graffiti

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.

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.

Traditionally both art-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.

Graffiti occurs in a variety of forms, with common types described in Table 1 below.

Table 1: Types of Graffiti

Religious / political slogans	Any graffiti which could be offensive to particular members of the general public. This would include any obscene racist, political or religious graffiti.
Tags	<p>Tagging is the most common type of graffiti. It is quick, usually in spray paint or paint marker pen or simple throw-ups (outlines of bubble letters) and simple motifs. It is a way of saying "I was here" and is used in some cases to mark out territory. They are stylised personal graphic identifiers depicting names or nicknames, which are often large and in bold colours. Tags can be pictorial, drawn free hand or using stencils, and are usually painted with spray cans, drawn with marker pens, or scratched into windows and the like by sharp implements (such as keys).</p> <p>Tagging is highly prolific, occurs in high numbers, and can escalate rapidly. It is frequently seen in public places with high visibility.</p>
Capping	Capping involves covering an existing graffiti piece with paint.
Scratches	'Scratching' refers to the scratching or etching in to surfaces which is then extremely costly to remove or repair.
Juvenile	Generally takes the form of 'x loves y' types messages or lists of first names. They are usually written with felt tip or marker pens.
Toilet/desk graffiti	Largely involving jokes, public debate, insults and banter between anonymous contributors. The content differs according to location (school or university desks, public toilets, bus shelters) and typically involves the use of pens and markers.
Stickers	Pre-designed art, printed on stickers, and applied in public spaces. Stickers in recent years have significantly increased and generally occur in high numbers throughout particular areas.
Piece	Piece, short for the word 'masterpiece', refers to large-scale multi-coloured graffiti art containing a combination of images, patterns, symbols, and letters. Piece graffiti commonly occurs along rail corridors and other highly visible locations.
Posters	Pre-designed art, printed on large posters, and applied with glue in public spaces. Similarly to stickers, the use of posters in recent years has also increased.
Stencils	Pre-designed art which is sprayed through a stencil. Stencils are commonly applied to footpaths and walls and can vary greatly in their complexity. In recent years, stencil art has become popular with a range of artists and continues to gain recognition in the public arts space.
Throw Ups	Fat bubble style outline of a word (usually a tag name) drawn quickly.
Murals	Murals generally involve more coordinated, site specific activity and can be defined as a genre within contemporary art, but with deep and significant historical connections. Murals are commonly characterised but not limited to highly stylised imagery and marking and often incorporate ambient and architectural elements of their proposed location.
Political / protest graffiti	Political graffiti communicates a viewpoint and can challenge the legitimacy of the current political stance. It is often associated with more sophisticated street art pieces, involving highly emotive content (pictures of tanks, bombs etc).

Graffiti Hotspots

Graffiti Hotspots are strategic or highly visible areas within the municipality (such as gateways and retail precincts) with extreme levels of graffiti determined through audit and monitoring processes.

Graffiti Prevention Act 2007

The Graffiti Prevention Act 2007 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.

Offences under the Act include:

1. 'Marking graffiti' – creating graffiti that is visible from a public place and done without the property owner's consent. Mark graffiti means to spray, write, draw, mark, scratch or 'deface' property by any means so that the result cannot be cleaned off with a dry cloth.
2. 'Possessing a graffiti implement on transport company property or an adjacent public place, or a place where you are trespassing', for anyone aged under 18. 'Graffiti implement' refers to any tool or object or implement or substance that you can use to mark graffiti.

The Act carries significant penalties including imprisonment or fines of up to fifty penalty points.

Heritage Overlays

Heritage overlays help to protect heritage properties by triggering a requirement for a planning application. Under the heritage overlay, a planning permit is required from Council to externally paint an unpainted surface; in some instances, other external paint controls may also apply.

Place Management

Place Management involves the participation of all relevant parties/stakeholders in the development of specific responses to address local issues. This includes urban design elements, heritage overlays, activity centre review, physical infrastructure (e.g. planting, and lighting access to the particular site).

Commissioned Public Art

Commissioned public art in Yarra has typically been delivered by Council in a number of ways, either as graffiti management treatments, or as curated street art. Both forms require consent from the property owner (whether it be Council or the owner of private property). Even when this permission exists, planning approval is required for graffiti on property where there is a heritage overlay.

Treatments

The primary purpose of a treatment is graffiti management; a mural or other type of graffiti is used to improve the appearance of outdoor walls and spaces covered in tagging and as a result, reduce the chance of future incidents occurring. Treatments can be minor or major, and involve direct commissioning of local street artists as quick, short turn around projects. Treatments are temporary and are not defended by Council.

A minor treatment:

- is **small scale** (for example, on a signal box) or **low profile** (for example, in a laneway)
- is **coordinated by Engineering Operations**.

Examples of minor treatments on traffic signal boxes:



A major treatment:

- is **large scale**
- is **coordinated by Engineering Operations, in consultation with Arts, Culture & Venues**
- must be **approved by the Director, Infrastructure.**

Treatments are not curated, nor do they form a part of Council's Public Art Collection. However, photographic evidence must be recorded through Council's prospective treatment register, noting the date, location, artist and cost.

An example of a major treatment on private property:



Curated Street Art

When street art is curated, Council provides parameters for the artists involved with a focus on work that is site-specific and/or within particular themes or aesthetic approaches. Another model that has been successfully adopted involves outsourcing the work to an external work to bring a level of expertise, resources and capacity unique to the partner and different to what Council can deliver.

Curated street art:

- **requires consultation** as works are generally large scale and high profile
- can be **temporary or permanent**
- is **defended** by Council
- is **coordinated by Arts, Culture & Venues**.

Curated street art forms a part of Council's Public Art Collection. Further information around curated street art can be found in *Murals in Yarra Working Document* and *Public Art Discussion Paper May 2013_Version 3*.

Example of curated street art at Fitzroy Pool:



4 Council Policy

4.1 Preamble

Everyone reacts differently to graffiti. For some, graffiti can have real impacts on perceptions of safety. For others it represents a vibrant culture; an important form of artistic and political expression in the urban environment.

The debate between what constitutes 'art', as opposed to 'graffiti' (in its illegal sense) is heavily debated and perceptions of whether a graffiti piece is art or crime are inherently subjective.

Yarra City Council recognises the aspirations of property owners to have their properties free from defacement and broader community desires for well-maintained local streets and neighbourhoods.

At the same time Council supports the right to and importance of freedom of political and artistic expression, including the rights of street artists to undertake legal artwork. Yarra City Council respects both of these sets of values, and seeks to balance them in the context of a corporate philosophy, valuing inclusion and diversity. Graffiti on private property without consent is illegal. Private property owners are responsible for their property, including maintaining public amenity. Council does however have a responsibility to the community to encourage property owners to maintain their assets to appropriate standards.

Graffiti, especially tagging, is a problem for some sectors of the community because it has an impact on their perception of safety. Some people feel that an area with graffiti is unsafe and therefore they may avoid areas where graffiti is present. It can increase feelings of fear and disorder in the local community and distort perceptions around the actual level of crime and safety. Graffiti can have a negative impact on the amenity and general sense of safety in the community.

Effective management of graffiti is important to create and maintain quality open and public spaces and to engender civic pride.

The Graffiti Management Policy consists of 6 key result areas: graffiti removal, place management, education and capacity building, tourism and promotion, planning and enforcement, and monitoring and evaluation.

4.2 Policy

4.2.1 Graffiti Removal

4.2.1.1 Council Property

- Council will prioritise removal of offensive graffiti (defamatory or degrading remarks or graphics about race, religion, sex or personal privacy) from Council property.
- Council will remove inoffensive graffiti from Council property as soon as possible.
- Council commits to management of graffiti on its assets through effective environmental design Crime Prevention through Environmental Design (CPTED) and the application of 'place management' principles.

4.2.1.2 Private Property

In order of priority:

- Council will prioritise support to private property owners through community education and urban design advice that avoid and reduce incidents of graffiti.
- Council will support private property owners to self-remove graffiti from their properties through provision of graffiti removal kits and discount paint vouchers.
- Council will support local community-driven initiatives which help mitigate negative impacts of graffiti to residents and property owners.
- 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 (see Figure 1 overleaf detailing priority 1 zones for graffiti management).

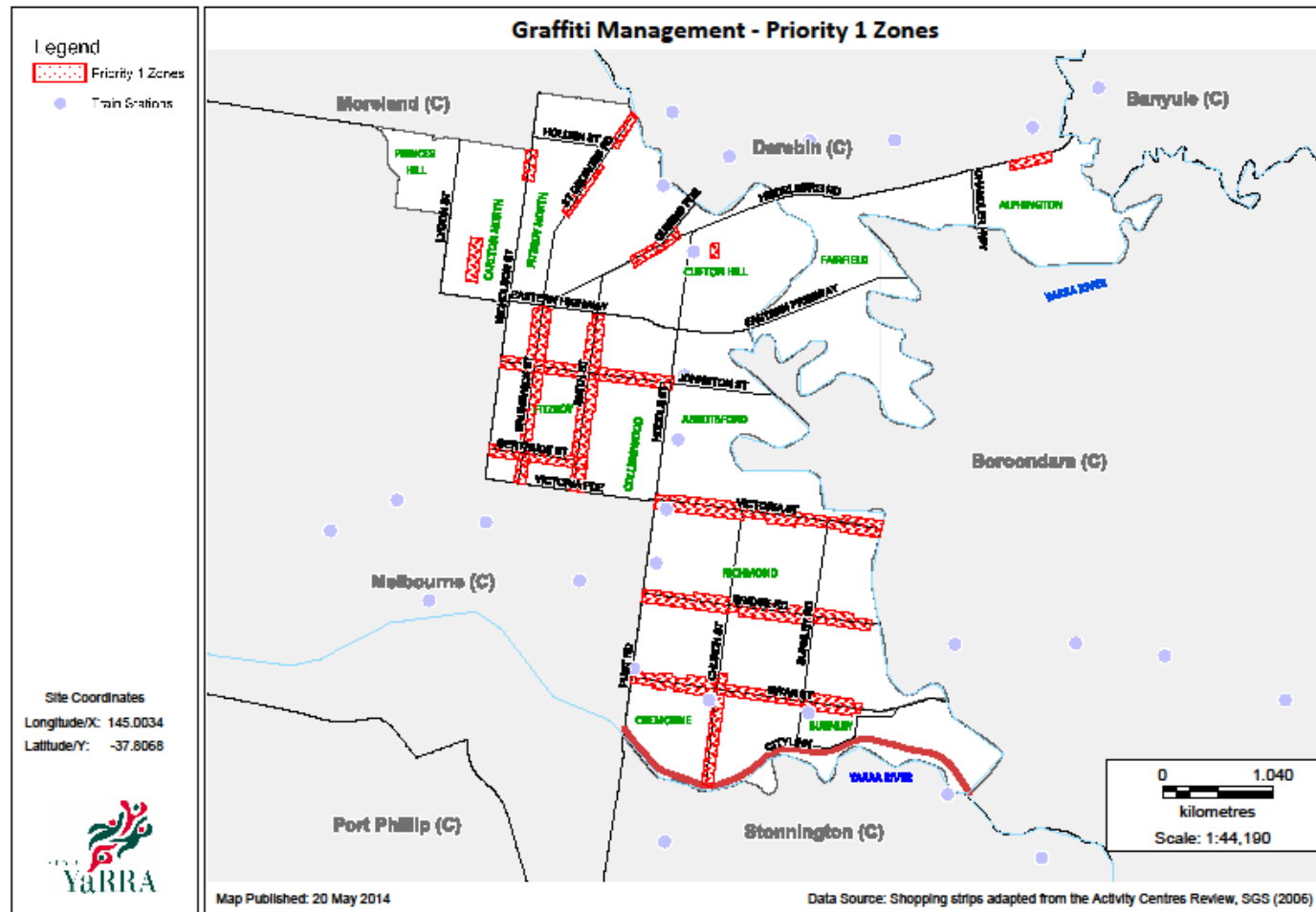


Figure 1: Graffiti Management Priority 1 Zones

4.2.2 Place Management

- Council will engage the community in understanding and responding to graffiti.
- Across the municipality, Council will deliver place-based interventions, with universal evaluation through a coordinated approach.
- Council will recognise, celebrate and cultivate the unique public art in Yarra's urban environment.
- Council will identify, recognise and promote spaces and places across the municipality that are *designated* for public art expression.
- Council will use alternative treatments including graffiti walls, the commissioning of murals and signal boxes. Alternatively, Council may use urban design and landscaping strategies to reduce the negative impact of graffiti in public places.

4.2.3 Education & Capacity Building

- Council will facilitate a coordination group on good management of public spaces, considering CPTED through statutory planning, landscaping, open space, urban design, and properties and building.
- Council will support delivery of community education, prevention, diversion, awareness and promotion programs on graffiti management including steps that residents, businesses and property owners can take to remove graffiti from private property.

4.2.4 Tourism & Promotion

- Council acknowledges the considerable interest in Yarra's street art and graffiti and will support its promotion where appropriate.

4.2.5 Planning and Enforcement

Graffiti is a criminal offence that is dealt with under the provisions of the Graffiti Prevention Act 2007.

Where it is brought to Council's attention, Council will refer complaints regarding appropriate maintenance of their assets to the relevant statutory authorities.

4.2.6 Monitoring and Evaluation

- The Graffiti Management Policy will be advanced by active monitoring and improved through robust and strategic evaluation.
- Evidence from the evaluation will be used to plan activities, monitor and improve their implementation, make judgements about their impact and the allocation of resources.
- Council will monitor best practice in this space.

5 Consultation

Yarra City Council Engineering Operations, Community and Corporate Planning, Arts and Culture and Family, Youth and Children's Services have provided input into this policy.

Melbourne, Knox, Port Phillip, Frankston, Darebin, Casey, Hume and Stonnington City Councils were also consulted in relation to the development this policy.

5.1 *Related documents and attachments*

A Graffiti Management Strategy is attached to this policy and establishes a framework for Council to respond to its own property, and to working with private and public property owners, community organisations and street artists.

The Graffiti Management Strategy is not an exhaustive list of all graffiti related activity at Yarra. Rather, it provides a means for Council to prioritise and drive forward strategies related to graffiti management and removal.

Other associated documents include:

- Yarra Youth Arts Program 2012-2015
- Arts and Cultural Strategy 2011-2015
- Health Plan 2013-2017
- Asset Management Policy 2011
- Yarra Youth Policy 2013-2016
- Murals in Yarra Working Document
- Public Art Discussion Paper May 2013_Version 3

6 Graffiti Management Strategy 2014 - 2018

Key Result Area	Action	Responsible Unit	Timeline	Resources
1. Graffiti Removal <i>Council property</i> <i>Private property</i>	1.1 Continue removal of offensive graffiti (defamatory or degrading remarks or graphics about race, religion, sex or personal privacy) from Council property within 4 hours of notification 1.2 Continue removal of inoffensive graffiti from Council property ideally within twenty four hours, but no later than within 5 days of notification	Engineering Operations	Ongoing	Existing
	1.3 Respond to service requests within 24 hours and where appropriate removal of graffiti from private premises within 10 days of notification	Engineering Operations	Ongoing	Existing
	1.4 Continue removal of graffiti from road signs	Engineering Operations	Ongoing	Existing
	1.5 Continue removal of graffiti from street litterbins and park assets including playgrounds, furniture and signs	Open Space / Engineering Operations	Ongoing	Existing

Key Result Area	Action	Responsible Unit	Timeline	Resources
	1.6 Continue removal of graffiti from street furniture	Engineering Operations	Ongoing	Existing
	1.7 Continue to fund designated positions to identify, audit and carry out clean-up work throughout retail precincts and commercial gateways across Yarra	Engineering Operations	Ongoing	Existing
	1.8 Continue to provide free graffiti removal kits and discount paint vouchers to local residents	Engineering Operations	Ongoing	Existing
	1.9 Investigate the feasibility of entrepreneurial and innovative solutions/enterprises for removal and treatments of graffiti e.g. fee for service	Asset Management, Economic Development, Family, Youth & Children's Services	Year 2	New
	1.10 As part of Council's community grants program, fund community-based initiatives that seek to reduce the impact of graffiti	Community & Corporate Planning	Ongoing	Existing
	1.11 Develop and maintain a quality assurance process to monitor graffiti removal and associated costs	Community & Corporate Planning/Engineering Operations	Year 2	New

Key Result Area	Action	Responsible Unit	Timeline	Resources
	1.13 Promote the implementation of the Graffiti Management Policy	Community & Corporate Planning	Ongoing	Existing
	<p>1.14 Access Yarra will encourage the community to report graffiti to the organisation responsible for the assets via the Council website</p> <p><u>Public Transport</u></p> <p>Trams: Yarra Trams Customer Service – 1800 800 166</p> <p>Trains and Train Stations: Metro Trains – 1800 800 705</p> <p><u>Public Facilities & Utilities</u></p> <p>Bus Shelters: Adshel – 1800 501 402</p> <p>Signal Boxes: VicRoads – 13 11 70</p> <p>Post Boxes: Australia Post – 13 13 18</p> <p>Electricity Poles: Citipower – 1300 301 101</p> <p>Pay Phones: Telstra – 1800 011 433</p>	Communications & Customer Service	Ongoing	Existing
2. Place Management	2.1 In consultation with community, develop place	Community & Corporate	Year 2	New

Key Result Area	Action	Responsible Unit	Timeline	Resources
<i>Deliver Place Based Interventions</i> <i>Engage the Community</i> <i>Recognise Public Art</i> <i>Recognise and Promote Spaces</i> <i>Alternative Treatments</i>	management strategies for graffiti hotspots and places with emerging graffiti issues	Planning, Recreation & Open Space, Engineering Operations, Asset Management, Urban Design, Arts & Culture, Family Youth & Children's Services		
	2.2 Develop a checklist for the application of CPTED principles to new and existing Council assets	Community & Corporate Planning, Recreation & Open Space, Engineering Operations, Asset Management, Urban Design, Arts & Culture	Ongoing	Existing
	2.3 Conduct programmed graffiti removal in retail precincts in partnership with business and property owners	Engineering Operations, Economic Development	Ongoing	Existing
	2.4 Plan, co-ordinate and implement public art projects with an early intervention/prevention/community development	Arts & Culture/Family, Youth & Middle Years	Ongoing	Existing

Key Result Area	Action	Responsible Unit	Timeline	Resources
	focus			
	2.5 Explore opportunities to support public art events	Arts & Culture/Family, Youth & Middle Years	Ongoing	New
	2.6 Develop a place management plan for the coordination and implementation of public art projects which includes: <ul style="list-style-type: none"> Increasing the commission of art in public places in Yarra Identifying Council owned sites available for public art initiatives Working with private property owners to identify their sites for public art projects Supporting and identifying community partners for public art within Yarra 	Community & Corporate Planning, Recreation & Open Space, Engineering Operations, Asset Management, Urban Design, Arts & Culture, Family, Youth & Middle Years	Ongoing	Existing
	2.7 Continue to use alternative treatments such as traffic signal boxes, graffiti walls and murals as diversionary/early intervention/prevention strategies	Engineering Operations, Arts & Culture, Family, Youth & Middle Years	Ongoing	Existing

Key Result Area	Action	Responsible Unit	Timeline	Resources
	and for precinct amenity improvement.			
3. Education & Capacity Building <i>Establish Coordination Group</i> <i>Deliver Community Education</i>	3.1 Implement Coordination Group to strategically coordinate graffiti based projects across Council and good management of public spaces, including CPTED through statutory planning, landscaping, open space, urban design, and properties and building	Community & Corporate Planning	Year 1	Existing
	3.2 Continue to plan, develop and deliver a youth-led treatments, stencil and mural projects that enhance young people's engagement, health and wellbeing	Family, Youth & Middle Years	Ongoing	Existing
	3.3 Work with local schools to build capacity around graffiti education/awareness	Family, Youth & Middle Years	Ongoing	Existing
	3.4 Regularly update and maintain graffiti-related information on Council's website	Community & Corporate Planning, Communications	Ongoing	Existing
	3.5 Provide an information package on opportunities for residential response, including graffiti removal options, advice about CPTED and public art projects	Communications & Customer Service	Year 2	New
	3.6 Provide advice and information to property	Communications &	Ongoing	Existing

Key Result Area	Action	Responsible Unit	Timeline	Resources
	owners on graffiti removal and prevention in heritage areas	Customer Service / Urban Design		
	3.7 Implement community education programs on graffiti and graffiti management	Engineering Operations	Ongoing	Existing
	3.8 Continue to enhance a mechanism for the community to report graffiti to the Council, leveraging new technology	Communications & Customer Service	Year 2	New
4. Tourism & Promotion <i>Leverage social media</i> <i>Investigate commercial benefits</i>	4.1 Leverage social media to identify, document and promote graffiti within Yarra *	Economic Development	Year 2	New
	4.2 Investigate the commercial benefits of Yarra's street art including exploring the possibility of holding Council-led graffiti tours within Yarra *	Economic Development	Year 2	New
5. Planning & Enforcement <i>Maintenance of Assets</i>	5.1 Ensure complaints regarding the maintenance of their assets are referred to statutory authorities	Community Amenity	Ongoing	Existing

Key Result Area	Action	Responsible Unit	Timeline	Resources
6. Monitoring & Evaluation	6.1 Council will undertake evaluations of projects as required	Community & Corporate Planning	Ongoing	Existing
	6.2 The Coordination Group will undertake timely reviews of the Policy and report to Council on the results	Community & Corporate Planning	Ongoing	Existing
	6.3 Council will investigate the introduction of a spatial mapping database (with capacity for uploading images)	Geographical Information Systems	Ongoing	Existing
	6.4 Council will investigate the best means of improving a 'live' register of street / public art installations and introducing a prospective register of treatments	Community & Corporate Planning/Arts & Culture/Engineering Operations	Ongoing	Existing

* Where graffiti/street art is supported by the property owner