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| **11.3** | **Update of Revision of Council's Graffiti Management Framework** |

**Executive Summary**

**Purpose**

To update Council on the revision of Council’s Graffiti Management Framework (Framework) and seek endorsement of the Framework for public exhibition.

**Key Issues**

Due to the extensive work done around updating and clarifying Council’s policy position for the current Framework, the new Framework only contains some minor revisions.

Additional strategies

There are a number of new strategies in the revised Framework, predominantly around removal.

Additionally, under key result area Planning & Enforcement, the draft Framework includes a proposal to investigate the use of local laws as a tool to manage graffiti on building sites, abandoned buildings and private property, if appropriate.

Change to tiered approach to graffiti removal

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.

Heritage overlays

The current Framework suggests that a planning permit is required to externally paint an unpainted surface in a heritage area, although an exemption applies when art work is carried out by, or on behalf of Council.

However, Heritage Advisors have noted that painting over any originally unpainted masonry surface on a heritage building will not usually be supported – irrespective of who carries out the work. In fact, the Planning Scheme encourages the removal of paint from originally unpainted masonry surfaces.

The Framework has been updated to reflect this.

Treatments

There is an increased focus on engaging and supporting the community to assist in the rapid removal of graffiti, and a reduced emphasis on the use of alternative treatments such as murals to manage graffiti. This is due to increased tagging of murals in recent years which makes them difficult and expensive to maintain and less effective as a tool to manage graffiti.

**Financial Implications**

The annual budget for graffiti management is $760,000 per annum. The cost of delivering the actions within the Framework are covered within the annual budget.

**PROPOSAL**

That Councillors note the updates to the draft Graffiti Management Framework 2019-2022, and endorse the Framework for public exhibition and consultation.

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| **11.3** | **Update of Revision of Council's Graffiti Management Framework**    |

Trim Record Number: D18/191607

Responsible Officer: Community Partnerships Unit Manager

  [Help](https://intranet.yarracity.vic.gov.au/Divisions/Governance/Pages/Meetings.aspx)

**Purpose**

1. To update Council on the revision of Council’s Graffiti Management Framework and seek endorsement of the Framework for public exhibition.

**Background**

1. There is no definitive best practice approach towards graffiti management, with success meaning different things to different Councils.
2. ‘Success’ of a graffiti management approach depends on a Councils position towards graffiti (zero-tolerance or a more tolerant approach), and what it hopes to achieve through the implementation of the strategy (for example a total reduction in graffiti incidents or more opportunities for public art).
3. When Council updated the previous 2004 Policy & Strategy (Attachment 1), a number of key changes were made to how Council manages graffiti. These are reflected in the current Graffiti Management Framework 2015-2019 (Attachment 2).
4. A major change included recognising and setting clear boundaries around removal of graffiti from private property, and clarifying the difference between a treatment (which is using graffiti solely as a preventative measure) and curated public art.
5. The previous policy didn’t promote the removal of graffiti from private property by Council, but rather promoted the idea of property owners to undertaking this task themselves.
6. However, in practice Council removed graffiti from private property when requested. This left open the problem of managing increasing resident expectations (and escalating costs) for removal.
7. The current Framework prioritises support to private property owners through community education and urban design advice that avoid and reduce incidents of graffiti. However, Council works 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.
8. Council is in the process of revising the Graffiti Management Framework 2015-2019, with the draft Graffiti Management Framework 2019-2022 (Attachment 3) set to be completed by mid-2019.

**External Consultation**

1. It is proposed to put the draft Framework out on public exhibition for consultation from the week beginning 14 January 2019 to the week ending 24 February 2019, although this may be subject to change depending on stakeholder availability. In the event that any change to these date is necessary, officers will ensure the duration of the consultation will remain the same.
2. Extensive external consultation will be undertaken during the period of public exhibition including (but not limited to) Victoria Police, Department of Justice, Department of Health and Human Services – Office of Housing, Neighbourhood Justice Centre, Business & Trader Associations, and Residents & Resident Associations, and street artists.
3. Consultation will occur via a variety of methods including online (for example, Your Say Yarra) and face to face (for example, listening posts at graffiti workshops and one on one meetings), encouraging input from a range of community members and stakeholders.

**Internal Consultation (One Yarra)**

1. An internal working group comprising Community Partnerships, City Works, Youth Services, Economic Development, Arts & Culture, and Open Space Maintenance provide strategic direction and leadership.
2. Internal stakeholders will be consulted with over the period of public exhibition.

**Financial Implications**

1. The annual budget for graffiti management is $760,000 per annum. The cost of delivering the actions within the Graffiti Management Framework are covered within the annual budget.

**Economic Implications**

1. There are no obvious immediate economic implications, however a reduction in graffiti may be considered to improve the amenity and attractiveness of some areas.

**Sustainability Implications**

1. Council employs and encourages the use of environmentally sensitive techniques and materials in the removal of graffiti.

**Social Implications**

1. Research suggests that graffiti can have a negative impact on community perceptions of safety and public amenity. However, Annual Customer Satisfaction Survey results show that there is no obvious association between perceptions of safety and areas of heightened graffiti levels within the City of Yarra.

**Human Rights Implications**

1. Council recognises the aspirations of property owners to have their properties free from defacement, and broader community desire for well-maintained local streets and neighbourhoods.
2. 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.
3. Yarra City Council respects both of these sets of values, and seeks to balance them in the context of a philosophy valuing inclusion and diversity.

**Communications with CALD Communities Implications**

1. Officers consulted with Council’s Community Partnerships Unit about the best way to engage with CALD communities. The consultation period will be publicised through local multicultural services and Neighbourhood Houses, and through key Council networks such as the Yarra Multicultural Advisory Group.
2. The draft Framework and consultation material will be provided in multilingual accessible formats and available upon request.
3. Interpreters will be available for CALD community members attending consultations, upon request.

**Council Plan, Strategy and Policy Implications**

1. The draft Graffiti Management Framework 2019-2022 supports Objective 1 ‘A Healthy Yarra’ in the Council Plan 2017-2021.

**Legal Implications**

1. There are no legal implications.

**Other Issues**

1. Due to the extensive work done around updating and clarifying Council’s policy position for the current Framework, the new Framework only contains some minor revisions. These are outlined below.

Additional strategies

1. There are a number of new strategies in the revised draft Framework, predominantly around removal. These include:
	1. Utilise the Department of Justice Graffiti Removal Services where applicable;
	2. Implement and evaluate a process to assess the criteria for removing graffiti from private property;
	3. Establish relevant Memoranda of Understanding with other authorities and asset owners where required, to facilitate ongoing removal of graffiti;
	4. Establish workflows that focus on proactive removal and prevention rather than reactive removal; and
	5. Carry out collaborative quick removal trials with the community to identify the most effective methods of minimising graffiti.
2. Additionally, under key result area Planning & Enforcement, the draft Framework includes a proposal to investigate the use of local laws as a tool to manage graffiti on building sites, abandoned buildings and private property, if appropriate.
3. This proposal is to explore the options open to Council. No changes to local laws will be implemented without Council’s express direction.

Change to tiered approach to graffiti removal

1. Council’s tiered approach to graffiti removal previously prioritised support to private property owners through community education and urban design advice that avoided and reduced incidents of graffiti.
2. Now 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.

Heritage overlays

1. The current framework suggests that a planning permit is required to externally paint an unpainted surface in a heritage area, although an exemption applies when art work is carried out by, or on behalf of Council.
2. However, Heritage Advisors have noted that painting over any originally unpainted masonry surface on a heritage building will not usually be supported – irrespective of who carries out the work. In fact, the Planning Scheme encourages the removal of paint from originally unpainted masonry surfaces.
3. This section has been updated to reflect this.

Treatments

1. There is an increased focus on engaging and supporting the community to assist in the rapid removal of graffiti, and a reduced emphasis on the use of alternative treatments such as murals to manage graffiti. This is due to increased tagging of murals in recent years which makes them difficult and expensive to maintain and less effective as a tool to manage graffiti.
2. An example of the change in culture around murals is the large mural recently installed opposite Wangaratta Park in Stewart Street Richmond, which was badly tagged two days after the formal commissioning. This is a huge shift in the respect of an art piece by graffiti offenders.
3. The section on commissioned public art (comprising treatments and curated street art) has been rewritten to reflect this shift.
4. Treatments are now referred to as an example of Crime Prevention Through Environmental Design (CPTED), and the definitions of minor treatments and major treatments (and approval processes) have been removed.
5. Curated street art now sits separately as its own definition with reference to the Public Art Policy 2015-2020.

**Options**

1. There are no other options explored in this report.

**Conclusion**

1. The revised draft Graffiti Management Framework 2019-2022 has been drafted to improve Council’s response to graffiti management.
2. To improve Council’s response to graffiti management, Officers would like to lead engagement with the community in reaching an agreed position and practice, with a view to finalising the updated draft Graffiti Management Framework 2019-2022.
3. It is anticipated that Officers will bring the final version of the draft Framework to Council in May 2019 for consideration.

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| **RECOMMENDATION**1. That:
	1. Council notes the draft Graffiti Management Framework 2019-2022; and
	2. Council endorse the draft Graffiti Management Framework 2019-2022 for public exhibition and consultation from 14 January 2019 to 24 February 2019.
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**TITLE: Community Advocacy Team Leader**

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**Attachments**

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| **1**  | Graffiti Management Policy 2004 |  |
| **2**  | COY Graffiti Management Framework 2015-2019 |  |
| **3**  | Graffiti Management Framework 2019-2022 |  |