



Graffiti Management Plan 2019



Cover photo of the Black Rock Community Mural project courtesy of the Black Rock Neighbourhood Watch

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1. Introduction and Context

This Graffiti Management Plan has been prepared to drive Bayside City Council's graffiti management activities in 2019. The one year focus reflects that while Council has a wide range of graffiti management activities currently being undertaken by various teams, there has not been a coordinated focus. The plan therefore includes a number of initiatives that involve detailed investigation and assessment. The outcomes of this research and experience during the year will then enable a multi-year Graffiti Management Plan to be developed and finalised by December 2019.

The development of this Graffiti Management Plan has occurred through:

- Reviewing current programs within Bayside City Council and in targeted other Councils;
- Reviewing various reports and literature relevant to graffiti management;
- Undertaking broad community research to understand the communities views regarding graffiti management across Bayside;
- Interviewing key organisational stakeholders to understand their perspectives; and
- Holding a workshop with highly engaged community stakeholders to identify potential new initiatives for inclusion in this plan.

Bayside City Council's 2018 community research identified that typically graffiti management does not sit as one of the top three priority areas for Bayside residents. Specifically, less than 2% of the Bayside residents surveyed had graffiti listed in their top three issues for Council to address. This high level research was supplemented with graffiti specific community research in July, which identified:

- While 57% of the 401 residents surveyed were 'not really or at all concerned about graffiti', 23% expressed at least moderate concern;
- Approximately 40% of residents had recently noticed graffiti in the municipality, however, only 3% reported graffiti to Council or other organisations;
- The responsibilities for graffiti management were poorly understood, but 33% of residents believed Council should do more to address graffiti management; and
- The top suggestions by the community for action related to stronger penalties for offences, increased surveillance / security presence and quick removal of graffiti.

This community research, coupled with broader research and insights from highly engaged community stakeholders, has guided this plan.

While this plan has a primary focus on activities that are within Council's control, the plan recognises that effective graffiti management is dependent on the actions of a complex mix of stakeholders. The plan therefore includes a range of actions relating to advocacy, leveraging stakeholder activities or supporting stakeholder activities. While the plan proposes significantly increased Council investment in graffiti management, the plan actions are highly targeted due to Council budget constraints imposed by the rate capping environment. The plan actions will need to be considered in the context of all the other competing and valued services provided by Council, as part of the annual budget cycle.

The Graffiti Management Plan focuses on the following five areas:

Advocacy and Engagement: Increasing the centralised coordination of graffiti management within Council, stronger advocacy activities to ensure relevant stakeholders deliver their graffiti responsibility, as well as increased Council communication / engagement with the local community;

Removal: Driving more timely removal of graffiti across all the organisations and individuals who have responsibilities for graffiti removal, coupled with increased support for private property owners and an enhanced graffiti reporting tool;

Diversion: Increasing the focus on 'at risk' community members and implementing initiatives to minimise graffiti offending, as well as implementing alternative treatments to minimise graffiti offences;

Enforcement: Improved capturing and reporting of graffiti incidence, coupled with building stronger relationships to support enforcement activities by the relevant organisations; and

Evaluation: Ensuring that plan implementation is transparent and supported by clear accountabilities.

2. Working Together

Graffiti is a significant issue for many residents, as it impacts on local amenity and it can also create perceptions of low community safety.

Recognising the communities concern and the operational impact of graffiti, the Council Plan 2017-2021 includes an action to 'Develop and implement a joined up approach to minimise and respond to graffiti and tagging across state government, utilities infrastructure, Council and private property'.

One of the major challenges in graffiti management is the broad range of asset owner's impacted by offenders. Timely removal of graffiti can be an effective strategy, however, in practise can be difficult to achieve because of the diverse asset owners and their varying regulatory obligations.

The role of Council

Council provides a wide variety of services and assets including but not limited to public health, traffic, parking and amenity protection, roads, bridges, drains, town halls, libraries, recreation facilities, parks and gardens to their municipalities for their communities.

Council, as the local level of government, has a critical role in ensuring safety, peace and order in its municipality through many functions, services and activities.

Council is responsible for removal of graffiti on Council assets which include street signs, park signs, footpaths, street furniture, artworks, parks and gardens infrastructure as well as Council's administrative buildings. These facilities are systematically inspected by Council's service providers and any graffiti found or reported is removed in accordance with established key performance indicators.

The role of the Community

Everyone in the Bayside community has an important role to play in contributing to personal and neighbourhood quality of life of the community. There are many groups and organisations that willingly take on volunteer or elective roles that directly contribute to and improve the sense of safety and security across the community. Groups and organisations such as sporting clubs, youth groups, schools, charity and service groups, Neighbourhood Watch and Trader Associations play an important role in maintaining connections, building resilience and creating an awareness of crime prevention activities.

The removal of graffiti on private property is the responsibility of the property owner. Private property owners may be requested by Council to remove reported graffiti on their assets within a specified time frame. A key issue in enforcing clean up on private property is that property owners are also the victims of the graffiti and are then required to spend time and money to address the issue.

The role of Partners

Community safety is a whole of community issue and partnerships are key to achieving outcomes in graffiti management. Other key agencies and stakeholders that work towards community safety and/or with mandated responsibilities include:

- Victoria Police is the key agency for law enforcement, however also has a strong focus on preventative programs and on engagement with the community;
- The Department of Education plays a strong role in maintaining connections to school and providing support services for young people who may be at risk;
- The Department of Justice and Regulation provides crime prevention programs, eradication programs and grants through the Community Crime Prevention Unit;
- Vic Roads plays an important role in maintaining major roads and other assets within our community;
- Public transport (trains, trams and buses) is the responsibility of the contracted public transport providers, Victoria Police and Protective Service Officers, Public Transport Victoria and Vic Track; and
- Utilities companies provide essential services and maintain a network of assets in the public realm.

The responsibility for graffiti removal on public utilities is managed as follows:

- Australia Post for red post boxes or green delivery boxes;
- United Energy for power poles and electricity supply units;
- South East Water for pump-stations and sewer vents;
- VicRoads for grey traffic boxes, signal poles and traffic lights;
- Telstra for telephone boxes;
- Adshel for glass bus shelters; and
- Metro Trains for railway corridors and station precincts.

3. Action Plan

Advocacy / Engagement

The critical challenge to an effective graffiti management response is the complex stakeholder environment. There are numerous organisations accountable for graffiti removal across different assets (for example, power poles, traffic signal boxes, train line infrastructure and private property) and they have a wide range of regulatory obligations. The broader enforcement activities are outside Council responsibilities, being led by Victoria Police and the Department of Justice and Regulation. However, a significant recent development is the Government announcement of a two year \$1.95 million dollar trial with six Councils (including Bayside) that involves Councils leading graffiti removal on public utility assets from July 2019.

An additional challenge internal to Council has been that while there are numerous Council departments involved in graffiti management activities, there is not a role that focuses on coordination of the activities and ensuring a strategic approach.

As a result, a key advocacy focus in this plan is on the integration of stakeholder activities and driving greater accountability for graffiti removal by the relevant organisations. Given graffiti management is an issue across the metropolitan area and most organisational stakeholders have regional or larger footprints, this advocacy is targeted at a regional or metropolitan level, rather than through a siloed focus on the Bayside municipality.

A key focus is also on building community understanding of graffiti management, increasing the communities support for action and the personal commitment to action. Currently, while the majority of the community can recall observing local graffiti, addressing graffiti is considered a relatively low priority and there is low awareness of aspects such as roles and responsibilities for removal. However, there is also a component of the community that is concerned about graffiti (23%) and a number of people who are highly engaged with graffiti issues and actively seeking and contributing to solutions. These highly engaged community members can be leveraged through their personal contributions and as inspiration for new activities.

Activity	Milestones	Cost
Graffiti Management Officer Establish a fixed term (0.6 FTE) Graffiti Management Officer (GMO) to coordinate Council graffiti management activities, drive the implementation of this plan and lead advocacy activities.	March 2019 appointment	\$60,000 p.a., to be submitted as part of 2019/20 budget process (and interim funding for March – June 2019)
ISMMF Advocacy Actively participate in Inner South Metropolitan Mayors Forum (ISMMF) Graffiti Management Working Group to efficiently implement Government funded 2 year trial of Council removal of utility asset graffiti, drive longer term accountability of the utility asset managers and broader advocacy focus areas in this action plan.	As per working group meeting schedule	Within the proposed GMO resource

<p>MAV Advocacy Actively participate in the Municipal Association of Victoria (MAV) Graffiti management working group to drive broader advocacy focus areas in this action plan.</p>	<p>As per working group meeting schedule</p>	<p>Within the proposed GMO resource</p>
<p>Community communication and engagement Establish and implement a communication plan to increase community awareness of graffiti management issues and increase the communities' commitment to supporting improvement activities.</p>	<p>Establish communications plan by April 2019, implement in accordance with communications plan</p>	<p>\$5,000 p.a.</p>

Removal

Rapid removal of graffiti is a critical component of graffiti management as it reduces the incentive for offenders (ie the visibility of their tagging), reinforces that the behaviour is not tolerated by the community and improves local amenity and perceptions of community safety. However, a complex stakeholder environment with different organisations responsible for graffiti removal makes integrated graffiti removal challenging.

A significant recent development is that Bayside Council is one of six Councils involved in a two year \$1.95 million dollar trial whereby the Councils will be funded from July 2019 to removal graffiti from public utility assets. The detail of the trial, including the public utilities involved, graffiti prioritisation and safety restrictions need to be developed, however, it is expected to significantly improve performance in this difficult area.

Private property owners are accountable under Council's Local Law to remove graffiti from their property and Local Law officers enforce this requirement based on community complaints. However, recognising that this effectively punishes the victim, Council has also supported private property owners through providing graffiti removal kits, funding a successful trial with the Church St Traders Association and facilitating community mural projects. This plan expands this support program and has a focus on harnessing the significant commitment within the community for personal action to address graffiti.

Council is responsible for graffiti removal on its assets and has KPIs for removal that will be maintained. Relevant to all assets and stakeholders, this plan also aims to simplify and strengthen graffiti reporting, through a new reporting tool and stronger reporting by Council staff and contractors.

Activity	Milestones	Cost
Council asset graffiti removal Continue to remove graffiti on Council assets as per current KPI's	(2 business days, or within 24 hours for offensive graffiti)	Approximately \$100,000.00 p.a. in existing involvement.
Council asset graffiti removal - leases Strengthen graffiti removal in Council property lease agreements (tenant responsible for graffiti removal within appropriate timeframes)	As new leases are entered into	Within existing resources
Public utility graffiti removal Implement 2 year trial involving Council removal of graffiti from targeted public utilities	July 2019 - June 2021	\$165,000 p.a. (Government grant funding)
Public utility graffiti removal Utilise information from 2 year trial to develop and advocate for stronger public utility graffiti removal performance post 2021	Ongoing	Within the proposed GMO resource
Private property graffiti removal Continue to provide and promote graffiti removal kits	As per request	Within existing investment

<p>Department of Justice Clean up Continue to utilise Department of Justice clean-up programs to support graffiti removal in targeted areas</p>	Ongoing	N/A
<p>Private property graffiti removal Expand Local Law hot spot program to incorporate proactive patrols to identify graffiti and immediately initiate enforcement of private property removal.</p>	Ongoing	Within current resources – recent structural changes are increasing Local Law enforcement capacity
<p>Private property graffiti removal Investigate improved tools to address graffiti on temporary structures e.g. construction hoardings</p>	June 2019	Within the proposed GMO resource
<p>Private property / Public utility removal small grants Establish a small grants scheme for supporting community graffiti removal programs (such as local trader programs within shopping strips) and other initiatives such as facilitation of community murals.</p>	July 2019	\$50,000 pa to be submitted as part of 2019/20 budget process
<p>Community activism support Investigate opportunities to support community groups to target graffiti, such as through ‘how to’ guidance, provision of paint supplies, facilitation of ‘Keep bayside beautiful’ days or a reward and recognition program.</p>	Proposed opportunities defined by August 2019	Within the proposed GMO resource
<p>Graffiti reporting Implement improved tool to support increased community and council staff reporting of graffiti, efficient triaging of removal responsibility and offender identification / enforcement activities by Victoria Police. Initial analysis has identified VandalTrak as the preferred reporting tool. Partner with tool provider to simplify reporting and auditing of graffiti removal, triaging of removal responsibility, analysis of data and enforcement.</p>	July 2019	Within the proposed GMO resource – implementation costs TBC

Diversion

Diversion programs increase the focus on 'at risk' community members and implement initiatives to reduce progression into graffiti offending and other criminalisation. Council's Youth Action Plan includes an action to deliver graffiti education programs for young people in partnership with Victoria Police.

Alternative treatments in building design are also a preventative measure to minimise the risk of graffiti and broader property vandalism. Alternative treatments and mural projects will need to align with the neighbourhood character of business districts.

Activity	Milestones	Cost
Youth services preventative activities Continue to deliver preventative activities which aim to improve connection, sense of community and strengthen supports for vulnerable young people through: <ul style="list-style-type: none"> • The "hangout" drop in program at the youth centre • Various group & therapeutic programs throughout the term) • School holiday program encouraging young people to be engaged and active during holidays. • Youth and family counselling support. 	Year 1 – 2 actions in Youth Action Plan	Within existing resourcing
Youth education program – Youth Action Plan Deliver three graffiti education programs for young people per year in partnership with Victoria Police	3 programs delivered per year	Within existing resourcing
Youth education program - evaluation Evaluate Youth Action Plan education programs and investigate current Department of Education and other programs targeting youth anti-graffiti education, identify delivery gaps and potential solutions to address any gaps.	Delivery gaps and potential solutions identified October 2019	Within the proposed GMO resource
Urban design for alternative treatments Activity Centre Master Plans and Urban Design frameworks to identify opportunities to use alternative treatment and passive surveillance to minimise the risk of graffiti.	As plans are developed	Within existing resourcing
Urban design – best practice fact sheets Develop fact sheets for the application of best practice design response for the prevention of graffiti.	November 2019	\$5,000

<p>Private property / Public utility eradication small grants (Duplicate Activity in 'removal' focus area) Establish a small grants scheme for supporting community graffiti removal programs (such as local trader programs within shopping strips) and other initiatives such as facilitation of community murals.</p>	<p>Year 1</p>	<p>N/A</p>
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Enforcement

The management of graffiti offences is primarily the responsibility of Victoria Police and the Department of Justice and Regulation (with the exception of Council's Local Law enforcement of graffiti removal from private property, as described under 'Removal'). Community stakeholder consultation identified concerns related to enforcement, primarily in relation to graffiti being perceived as a relatively low priority for Victoria Police investigation and in terms of a perceived reluctance to initiate criminal proceedings for youth graffiti offences, unless linked to significant offending. The reluctance has been attributed to a focus on avoiding youth criminalisation for relatively minor offences and challenges with obtaining fine payment. For example, courts have not imposed jail periods for the non-payment of fines by Youth.

While Council activities (other than advocacy) will have little direct impact on these enforcement concerns, Council can partially support the effectiveness of enforcement activities through activities such as providing integrated, robust graffiti incidence data to Victoria Police for investigation, assisting with offender identification and promoting successful enforcement outcomes.

Activity	Milestones	Cost
Integrate graffiti reporting and enforcement Implement improved graffiti reporting tool and ensure graffiti incidence data can support Victoria Police enforcement activities.	July 2019	Within the proposed GMO resource
Facilitate offender identification Evaluate graffiti offender identification benefits in any broader Council evaluations of CCTV (for example in evaluating parking assistance technologies) and investigate opportunities to enable community groups to identify graffiti offenders to Victoria Police or relevant community support services.	Ongoing evaluation August 2019 (enabling community groups)	Within the proposed GMO resource
Integrate graffiti reporting and enforcement Maintain Victoria Police liaison arrangements to ensure Council's graffiti data supports efficient targeting of enforcement activities.		
Community communication Establish and implement a communication plan to increase community awareness of graffiti enforcement, community impacts and offence penalties.	April 2019	Within \$5,000 communication budget identified under 'Advocacy / Engagement'

4. Evaluation

Council will provide transparency and accountability by reporting annually on the status of action implementation and KPIs.

The majority of activities identified in the Graffiti Management Plan are funded through current budget allocations and resources. Costs associated with new funding initiatives will be submitted as part of Council's annual budget processes for 2019/20.

The KPIs for the 2019 Graffiti Management Plan are listed in the table below. However, these KPIs are indicative and will be reviewed and updated in subsequent Graffiti Management Plans based on 2019 experience.

KPI Description	Source	Target	Current
Top 3 issues for the community in the City of Bayside - Graffiti / vandalism	Annual Community Satisfaction Survey	<1%	1.6%
<i>Comment: A reduction of graffiti as a top 3 issue for the community may indicate a successful program, however, there is also a focus in this plan on stronger communication which may increase awareness and prioritisation.</i>			
Satisfaction with selected Council services and facilities - Maintenance and cleaning of public areas	Annual Community Satisfaction Survey	>7.6	7.6
Increase in the number of graffiti reports	Internal reporting systems	1,100	972
<i>Comment: There is a strong focus on improving graffiti reporting and therefore higher graffiti report volumes are being targeted, however, proactive hot spot programs and more effective removal may result in reduced reports.</i>			
Council initiated graffiti removal – (m ² removed)	Internal reporting systems	TBC	TBC
<i>Comment: Council initiated graffiti removal is proposed as a measure of graffiti removal commitment, however, removal volumes should reduce over time due to the deterrent effect of rapid removal. There will be significant changes in 2019 removal volumes due to the trial of public utility graffiti removal, therefore the values are listed as TBC.</i>			
Graffiti incidence rate	Internal reporting systems	TBC	TBC
<i>Comment: The incidence rate of graffiti across the municipality is proposed as the ultimate measure of the success of this graffiti management plan, however, robust data will require a streamlined reporting tool and widespread adoption.</i>			

5. Legal Environment

Graffiti Prevention Act 2007

The Graffiti Prevention Act 2007 (“the Act”) is a key aspect of the State Government’s graffiti management approach. This 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.

Under the Act, a person must not sell spray paint to a minor unless the minor has a letter or statutory declaration from their employer stating that they require spray paint for the purposes of their employment; an authorised Council Officer may serve an infringement notice on a person who the Officer has reason to believe has committed this offence.

The Act carries significant penalties including imprisonment or fines of up to fifty penalty points. 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. Nothing in the Act imposes a duty on Council to remove graffiti from private property.

Consolidated Local Law No: 2 ‘Neighbourhood Amenity’ 2012 (section 27)

Unsightly Land

- An owner or occupier of Private Property must not allow any graffiti to remain on any building, wall, fence, post or other structure or object erected on that property.

Penalty: 10 Penalty Units

- A Person who owns or has vested in him, her or it, or who has the control and management of, any building, wall, fence, post or other structure or object, or any asset, located on Council Land must not allow any graffiti to remain on that building, wall, fence, post or other structure or object, or asset.

Penalty: 10 Penalty Units

6. Glossary

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. The use of design principles to address issues of crime and antisocial behaviour has been associated with best practise initiatives both internationally and throughout Australia.

Graffiti – Creating graffiti that is visible in a public space and done without the property owner's consent. The following table defines the different types of graffiti, Morgan and Louis (2009):

Religious/political	Any graffiti that disseminates a political or religious message, viewpoint or challenges the legitimacy or political order.
Tags	Tagging is the most common type of graffiti. It is quick, usually in spray paint or paint marker pen 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. Tagging is highly prolific, occurs in high numbers, and can escalate rapidly. It is frequently seen in public places with high visibility.
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.
Gang-related	Strategic and territorial, normally occurs in groups and facilitates group identity and sense of belonging.
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).

Hot Spots - Hot spot areas are areas in which graffiti is marked on a regular basis. Hot spots are generally entities congregate or are hidden locations including, skate parks, recreation reserves and parks.

Offensive Graffiti - Offensive graffiti includes defamatory or degrading remarks or images that erode dignity, equity or respect including but not limited to: race, religion, gender, age or ability.

To support the assessment of offensive graffiti Section 2 of the Advertising Code of Ethics, adopted by the Australian Association of National Advertisers (AANA) should be referred to.

Street Art - Street art is a common culture and can be defined as visual art developed in public spaces. The determination between graffiti and Street Art is the permission of the property owner. The term can include traditional graffiti artwork as defined above or sculpture, video projection and other contemporary forms of modern expression.



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We acknowledge the Boonwurrung people of the Kulin Nation as the traditional owners of this land and we pay respect to their Elders past and present.

We acknowledge that together we share a