

# Graffiti Management Policy

## 1. PURPOSE

### 1.1 Purpose Statement

The purpose of this Policy is to provide direction how Council manages graffiti in the City of Whitehorse.

### 1.2 Background

Graffiti is the marking of public or private property without permission. Graffiti vandalism affects the visual appearance of neighbourhoods, it can influence the perceptions of public safety, and it is costly to prevent, remove and enforce.

## 2. OBJECTIVES

The objectives of this Policy are to reduce the incidence of graffiti and the impact this has on the community. The Policy is to enable delivery of the desired outcomes from the Integrated Council Plan 2025-2029, including:

**Strategic Direction 1: Community** - Community is about making sure people can easily meet and connect with others and feel they belong.

Objective 1.4: A community where people feel safe

Strategy – Partner with local agencies to improve perceptions of community safety.

**Strategic Direction 2: Built** - The spaces we create shape how we live, move, and interact. Our built environment reflects our values of accessibility, safety, and sustainability.

Objective 2.4: A desirable and well-presented City

Strategy – Deliver programs and services to the community that support a clean City.

**Strategic Direction 3: Economy** - A thriving economy creates opportunity, fosters innovation, and builds prosperity.

Objective 3.1: A thriving local economy

Strategy - Enable and support the creation of clean, safe and welcoming places to shop, access services, do business, exchange and visit, and promote the benefits of shopping and supporting local.

### 3. SCOPE

The Policy is to document Council's role in the management of graffiti.

Council is responsible for managing graffiti on its assets including:

- Council buildings and signs on local roads (main roads signs are the responsibility of Transport Victoria)
- Street furnishings such as benches and bins
- Public toilets, parks and reserves
- Playgrounds and equipment
- Fire hydrants

Private property owners are responsible for managing graffiti on their property, and Council can provide some guidance and assistance.

Utility service providers, service authorities, and government agencies are responsible for graffiti on their assets utilising their resources and contractors, including:

- Tram poles tram stops and other tram infrastructure - Yarra Trams
- Railway reserve land including shared use path on the land – VicTrack
- Around train stations – Metro Trains
- Telephone boxes and telecommunication assets - Telstra
- Traffic signal boxes, traffic lights and poles, signs and noise walls on arterial roads, highways, freeways and toll roads – Transport Victoria
- Electricity poles, light poles and substations - United Energy
- Post boxes - Australia Post
- Bus and tram shelters – Public Transport Victoria

## **4. DEFINITIONS**

Graffiti is the marking of public or private property without permission. It includes tags, drawings, or writing of any size applied using spray paint, markers, or etching tools, and is considered vandalism when not authorised.

Graffiti – as defined in the Graffiti Prevention Act 2007 means 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.

## **5. POLICY**

### **5.1 Policy Statement**

Council acknowledges that it is not possible to entirely prevent the occurrence of graffiti, however, is committed to reducing the overall amount of graffiti throughout the municipality, and encouraging others including private property owners, and other agencies and authorities to better manage graffiti for an improved outcome for the whole community.

This Policy provides details on prevention, removal, enforcement, and partnerships.

### **5.2 Prevention**

Council maintains its property and sites in a way to minimise opportunities for graffiti, including passive surveillance, appropriate lighting, anti-graffiti surfaces and maintaining plantings and gardens adjacent blank walls. A key to prevention is rapid removal of graffiti.

Surveillance and encouraging the reporting of graffiti to those responsible to remove it allows for the prompt removal.

Where there is a suitable location, and funding is available, murals may be a good option in locations that are prone to graffiti vandalism for Council and private property.

Council can provide advice to property owners on ways to prevent graffiti through design, including using vegetation, lighting or surface material selection.

## **5.3 Removal**

### ***5.3.1 Removal from Council assets***

The preferred approach to graffiti removal is regular surveillance by both Council and the community, and proactive removal.

Any graffiti on Council property can be reported to Council using the Snap Send Solve app on a mobile device, using the website form, calling 9262 6333, or emailing [customer.service@whitehorse.vic.gov.au](mailto:customer.service@whitehorse.vic.gov.au).

Council aims to remove or least obliterate offensive graffiti on Council property within 48 hours of when the report is received. Depending on the extent of the graffiti vandalism, further time may be required to fully reinstate an area.

### ***5.3.2 Removal from private property***

As stated in Part 4 Section 22 of the Graffiti Prevention Act 2007, there is no duty on a Council to “remove or obliterate graffiti from private property”.

There are hundreds of instances throughout the municipality where there is graffiti on private property. It is not considered a reasonable use of Council funds to be responsible for all private properties.

Council provides graffiti removal kits, and paint vouchers for standard acrylic paint, to support property owners to remove graffiti from their private property where the graffiti is visible from a public space, for example, a front fence or fence abutting a Council park or open space. In addition, Council officers can provide advice on graffiti removal and prevention and direct them to the services of private contractor painters or graffiti removal specialists.

If Council decides to remove graffiti from private property it is to be done in accordance with Part 4 Section 18 of the Act, by either serving notice or the property owner providing consent.

Council removal of graffiti from private properties is discretionary and based on consideration of available resources, funding, safety and other risks. Council may remove graffiti from private properties if the graffiti is visible from a public place and consent is granted by the property owner.

When there is a request to remove graffiti from a private property, Council will consider options including:

- Provide a graffiti removal kit or paint voucher.
- Provide advice to the property owner on how they could remove the graffiti.
- Council may assist to remove the graffiti subject to the following criteria:
  - Removal would have a significant public benefit.
  - Available resources and funding to do so.
  - Approval provided by the property owner.
  - It is safe to do so, including not above a height of 3 metres.
  - It does not require entry into private property.
  - Surface is suitable for painting or cleaning and the removal will not cause damage.
  - Surface is a standard colour, if it needs to be painted.

### ***5.3.3 Removal from other property***

Information is provided on Council's website, and other education opportunities can be utilised to direct the community to the relevant entity that is responsible for the asset where there is graffiti, with examples provided in Section 3 'Scope'.

It is not considered a reasonable use of Council funds to manage graffiti on assets that are the responsibility of others. In addition, there is a liability risk associated with potential damage to the asset, and risks to the safety of Council staff if work was to be done on these assets, for example, working near tram lines, railway tracks, arterial roads, or on electrical infrastructure.

## **5.4 Enforcement**

Victoria Police enforces the Graffiti Prevention Act 2007 and is responsible for prosecuting graffiti offenders. Advice to the public is if they see a graffiti vandal at work, call the police on 000, and never attempt to confront a graffiti vandal. If graffiti has already been done and there is no sign of the person responsible, they should call their local police station and provide them with the location of the graffiti and photographs.

All graffiti that is removed by Council is uploaded to a database that is used by other councils and the police. If the police arrest an offender, the database can be used to identify previous offences with the same graffiti tag.

The Whitehorse Community Local Law 2024 S3.1 and S3.2 requires property owners/occupiers to maintain their properties and prevent them from becoming unsightly. Community members can report a private property that is unsightly, with graffiti which is visible to the public, to Council and this will be investigated by our Local Laws team. Further information is available on the Council website at:

<https://www.whitehorse.vic.gov.au/community-local-law/unsightly-properties-and-dilapidated-buildings>

## **5.5 Partnerships**

Council will participate in partnership opportunities that may arise, on any aspect of graffiti management including prevention, education, sharing of resources, funding for murals or other street art projects. The collaboration may be with other councils, other authorities or agencies, or the police.

Council has arrangements with the Department of Justice and Community Safety through Community Correctional Services (CCS) to provide crews for graffiti removal from council assets.

### **5.5.1 Opportunities on partnering/collaborating with others to remove graffiti from non-Council assets**

Within the Whitehorse there are many private and public organisations that own and maintain buildings, infrastructure and assets. A collaborative approach between organisations is required to achieve the most effective graffiti management outcomes across the City of Whitehorse.

Council is committed to collaborating with organisations to provide a consistent approach towards graffiti management across all buildings and infrastructure located within the Whitehorse municipality. This can take the form of Council removing graffiti from non-Council assets. Agreements between the Council and organisations/owners can be used to specify service provision, cost arrangements and reporting requirements.

### **5.5.2 Guidelines for authorised street art projects**

Council recognises the importance of legal street art in contributing to a vibrant, urban culture. Street art can enhance the appearance and amenity of public spaces that people can visit and enjoy.

Legal street art requires the permission of the property owner, and is to comply with Whitehorse planning regulations, and heritage overlays. Artists are required to gain written approval from the property owner, and contact Council for advice.

Advertising, including logos and branding, in the form of street art is subject to separate planning regulations governing advertising.

Property owners and occupiers are required to contact Council, and comply with the Community Local Law 2024, prior to installing legal street art on external surfaces of buildings.

## **6. RESPONSIBILITIES**

Council's City Services Department is responsible for the management of graffiti.

## **7. RELATED POLICIES & LEGISLATION**

- Graffiti Prevention Act 2007
- Whitehorse Community Local Law 2024

## 8. REVIEW

Document: 25/156523

Responsible Manager: Director Infrastructure and Manager City Services

Date Adopted: 8 September 2025

Date of Next Review: Remains the Policy until reviewed or updated

This policy has been reviewed for Human Rights Charter compliance.