

6.11 Taking action on vacant, dilapidated, dangerous and unsightly premises

Report Author: Jo Cannington, Director City Strategy

Report Presenter: Julian Edwards, Director Planning and Building

Executive Leader: Evan Counsel, General Manager Strategy, Planning and Climate Change

Executive Summary

1. Dilapidated, unsightly, unsafe and often vacant buildings detract from civic pride and impact on Melbourne's experience, identity and brand. They can create safety, amenity and economic impacts for their immediate area.
2. On 2 September 2025, the Future Melbourne Committee (FMC) approved a Notice of Motion (NoM) requesting management review and provide advice on measures to address vacant, dilapidated, unsafe or unsightly properties across the city. This includes assessing current local laws, graffiti management, planning and building enforcement, and cost recovery options. Management will also consider updating definitions in the Activities Local Law 2024.
3. On 28 October 2025 the Council adopted the 2025-2029 Council Plan which includes a key activity to respond to this challenge.
4. Council officers currently utilise powers available to them under various legislative frameworks. Enforcement and compliance can have limitations and can also take time to progress through statutory steps.
5. The review has identified that each element listed in the NoM, vacant, dilapidated, unsafe, or unsightly properties, relates to distinct legislative and policy settings: vacant dilapidated and unsafe buildings fall under the *Building Act 1993 (Vic)* and *Building Regulations 2018 (Vic)*, empowering councils to issue orders for repair or demolition; unsightly properties are managed through local laws such as the *City of Melbourne Activities Local Law 2024*, which also supports enforcement under the *Graffiti Prevention Act 2007 (Vic)* to maintain amenity and civic pride.
6. The review has identified a need to place a greater focus on efficient action as well as a number of short-term recommendations to support improved building and construction site appearances.
7. The review has also identified areas for further investigation that will be undertaken as part of the Council Plan 2025-2029 key activities.

Recommendation from management

8. That the Future Melbourne Committee resolves to:
 - 8.1. Request management deliver the following short-term actions:
 - 8.1.1. Deliver a communication program to relevant building owners and tenants to raise awareness of their obligations and advise of powers available to Council if these obligations are not met, noting that Council will transition to a more proactive approach to enforcement of the Local Law in FY2026/27.
 - 8.1.2. Review the Graffiti Management Policy 2019 to examine options to improve definitions and the presentation of buildings, including construction sites and construction hoardings and enable the ability to recoup costs under certain circumstances.
 - 8.1.3. Create consistent, citywide guidelines for temporary hoardings that support efficient environmental clean-up, enhance urban appearance, and foster civic pride. This includes exploring mandating requirements in certain circumstances.
 - 8.1.4. Undertake a review of the requirements and guidance for temporary activation of stalled development sites to improve clarity and outcomes. Consideration will also be given to

current Capital City Zone (CCZ) demolition clauses as part of the planning scheme review.

- 8.1.5. Notes that this work will continue to be delivered and reported on as part of the Annual Budget Key Activity '*Implement mechanisms for Council to address vacant and dilapidated buildings which can include differential rates, strengthened local laws and targeted advocacy*'.

Purpose

9. The purpose of this report is to provide the Future Melbourne Committee (FMC) with the preliminary findings and advice on measures to address vacant, dilapidated, unsafe or unsightly properties within the municipality.

Background

10. A Notice of Motion was approved at the 2 September 2025 FMC meeting that requested management review and provide advice on measures to address vacant, dilapidated, unsafe or unsightly properties across the city by 30 November 2025.
11. The annual budget and recently adopted Council Plan 2025-2029 contain a key activity for FY2025/26 under the 'Vibrant and creative Melbourne' strategic priority that seeks to '*Implement mechanisms for Council to address vacant and dilapidated buildings which can include differential rates, strengthened local laws and targeted advocacy*'.

Key considerations

12. Vacant, dilapidated, dangerous and unsightly properties present a number of challenges, impacting the appearance of the city and the safety of the community.
13. A high-level review of mechanisms and approaches used by other global cities has been undertaken, along with a review of the current and potential levers available to Council. This includes pro-active measures as well as reactive and enforcement models implemented under various legislative frameworks.
14. The review has found that there is no one simple solution for this challenge experienced by cities around the world. The various approaches are multi-pronged, and in some cases have taken years to establish.
15. This is primarily due to the circumstances of each case. A building can be one or more of the four categories (Vacant, Dilapidated, Dangerous, Unsightly) and different levers or legislative frameworks will apply depending on how a building is defined.
16. Currently, each of these elements is governed by different legislative and policy frameworks. Some vacant and dilapidated buildings, as well as all unsafe buildings fall under the *Building Act 1993 (Vic)* and *Building Regulations 2018 (Vic)*, which empower councils to issue repair or demolition orders. Unsightly and dilapidated properties are managed through local laws such as the *City of Melbourne Activities Local Law 2024*, which also supports enforcement under the *Graffiti Prevention Act 2007 (Vic)* to maintain public amenity and civic pride (see Attachment 1).
17. As part of the review, management will assess the effectiveness of current measures, explore improvements in graffiti management (including rapid removal and public art), and consider planning and building enforcement tools such as demolition orders and green space conversion. The Committee has also requested an evaluation of cost recovery for services provided and a review of definitions within the Local Law to ensure clarity and enforceability.
18. The primary areas (Local Law, Graffiti and Artwork, Planning and Building) available to Council at present are listed below, along with current action and recommended opportunities to improve implementation. Although currently available, differential rates are not presently used due to the specifics of the City of Melbourne Act 2001. Reference to differential rating is captured under 'other measures' below, as well as other considerations that require further investigation.

Local Law

19. The Activities Local Law 2024 outlines Council's expectations of building owners and occupiers with respect to Dilapidated, Dangerous and Unsightly Premises.

20. Part 13 outlines that it is a breach to allow a property to fall into a dilapidated, dangerous or unsightly state. Property owners can be issued a *Notice to Comply* to address the issue or Council can take action against that property.
21. Enforcement of this section of the Local Law is currently undertaken in a reactive manner when complaints are received. This can take time due to access to owners and willingness to address the issues.
22. There are future opportunities to strengthen these provisions with supporting information to provide clarity and definitions, as well as better inform the community, building owners and occupiers of their obligations and responsibilities.
23. Short-term opportunity:
24. Deliver a communication program to relevant building owners and tenants to raise awareness of their obligations and advise of powers available to Council if these obligations are not met, noting that Council will transition to a more proactive approach to enforcement of the Local Law in FY2026/27.

Graffiti Management and artwork

25. The adopted Enhanced Graffiti Prevention Management Plan guides the response to graffiti in the city and its delivery is implemented under the 2024 Graffiti Management Service Contract which has seen the introduction of a 24/7 service model, improvements in response times by 17 per cent and the total area of graffiti removed has increased by 34 per cent.
26. The *Graffiti Prevention Act 2007* allows Council to enter private property to remove graffiti, with owner's consent, but this is not a positive obligation (i.e. Council don't have to), and as such there is no cost recovery provision associated. Furthermore, the Graffiti Management Policy 2019 indicates that graffiti removal on private property is a service provided by Council at no charge to the property owner.
27. Short-term opportunity:
 - 27.1. Review the Graffiti Management Policy 2019 to examine options to improve definitions and the presentation of buildings, including construction sites and construction hoardings and enable the ability to recoup costs under certain circumstances.
28. Create consistent, citywide guidelines for temporary hoardings that support efficient environmental clean-up, enhance urban appearance, and foster civic pride. This includes exploring mandating requirements in certain circumstances.

Planning and Building

29. Building legislation is focused on protecting the safety and health of people who use buildings. This means making a building or structure safe to occupy and/or restricting access where it is unsafe to occupy
30. Demolition orders under building legislation can only be issued in extreme situations where an immediate and significant risk is posed to the safety of the community. These are currently issued in an effective manner.
31. Where a site is proposed to be developed or redeveloped and includes demolition in the central city, a condition is included on the planning permit for temporary activation if construction is not started within a certain timeframe.
32. Demolition is regularly discouraged where there is no approval for the redevelopment of the site.
33. Short-term opportunity:

- 33.1. Undertake a review of the requirements and guidance for temporary activation stalled development sites to improve clarity and outcomes. Consideration will also be given to current Capital City Zone (CCZ) demolition clauses as part of the planning scheme review.

Other Measures

34. Differential rates provide an option for supporting the management of vacant, dilapidated, dangerous and unsightly properties. They can act as a deterrent for allowing a property to fall into that state and can operate effectively when utilised in conjunction with other enforcement levers. Additional investigation into this mechanism is underway in alignment with consideration of relevant sections of the City of Melbourne Act and Local Government Act.
35. Some cities around the world are using public acquisition powers to manage vacant, dilapidated, dangerous and unsightly properties, administered under varying legislative frameworks. Additional investigation into this concept is required under Victoria's legislative framework. Additionally, there would be significant cost implications that need to be factored into this potential mechanism.
36. Short-term opportunity:
37. Management will continue this work, including investigation of other measures referenced above, as part of Council Plan 2025-2029 key activity '*Implement mechanisms for Council to address vacant and dilapidated buildings which can include differential rates, strengthened local laws and targeted advocacy*' which will '*lead to a program of initiatives to strengthen civic pride*' and report back to committee before the end of FY2025/26.

Legal

38. The report accurately identifies the relevant legislation. Legal implications are being considered under both the current levers and future potential options. This is particularly important given the extent of legislative frameworks governing this challenge.

Finance

39. There are currently no financial implications as a result of this report. Current actions undertaken by officers are within existing Council policy, positions and operating budgets.
40. Short-term actions will be managed within existing operating budgets.
41. The financial implications of any future considerations will be presented to Council at the appropriate time.

Conflict of interest

42. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Charter of Human Rights and Responsibilities

43. The recommendation contained in this report is compatible with the *Charter of Human Rights and Responsibilities Act 2006* as it does not raise any human rights issues.

Health and Safety

44. In preparing this report, no specific Occupational Health and Safety issues or opportunities have been identified.

Consultation

45. No direct consultation has been undertaken in preparing this report. Consultation as part of any short- or long-term actions would be undertaken as required as part of progressing those initiatives.

Relevance to Council Plan and Council Policies

46. This report and associated recommendations align with the Council Plan 2025-2029.

Social and environmental impacts

47. **Social impacts**

There are no direct social impacts as a result of this report.

48. **Gender Impact Assessment**

A Gender Impact Assessment is not required for this report.

49. **Environmental impacts**

There are no direct environmental impacts as a result of this report.

Evaluation and review

50. Evaluation of the efficacy of the short-term actions will be undertaken to monitor their effectiveness, in improving the number of properties within the city.

Attachment List

1. Dilapidated Buildings [6.11.1 - 1 page]

