

**FILE NO:** PSC2008-2921

**TITLE:** TREE VANDALISM POLICY

**POLICY OWNER:** STRATEGY AND ENVIRONMENT SECTION MANAGER

**1. PURPOSE:**

- 1.1 The primary aim of the Tree Vandalism Policy is to reduce the incidence of vandalism to public trees and vegetation across Port Stephens.
- 1.2 This Policy sets out a consistent approach for Council when responding to tree vandalism incidents in Port Stephens. It includes a range of response measures which are collectively aimed at raising the public profile of the tree vandalism in the community in order to serve as effective deterrence measures.

**2. CONTEXT/BACKGROUND:**

- 2.1 Tree vandalism continues to be of concern in Port Stephens and is particularly apparent in coastal areas where development pressure as well as conflicts between water views and vegetation puts trees / vegetation on Council managed land at risk.
- 2.2 This vandalism has a significant and cumulative impact on Council assets and the environment. Impacts include reduced visual and community amenity, the loss of wind-breaks and erosion control in some locations, and the loss of wildlife habitat.
- 2.3 Such vandalism can also have substantial financial and human resource costs for Council including tree replacement costs, the cost of the investigation, rehabilitation and repair costs, and the cost of implementing potential punitive and/or deterrence measures.

**3. SCOPE:**

- 3.1 This Policy applies to all instances of tree vandalism on Council managed land.

**4. DEFINITIONS:**

- 4.1 An outline of the key definitions of terms included in the policy are provided below:

Tree vandalism	The intentional and unlawful destruction, damage or injury to trees and/or vegetation on Council managed land. Examples include poisoning, mowing, pruning, removal and ringbarking.
Council managed land	Any land that is under the care, control and management of Port Stephens Council.

## **5. POLICY STATEMENT:**

- 5.1 Council values trees and vegetation on Council managed land and the significant contribution they make to environmental health, and to human health and wellbeing.
- 5.2 Council is committed to maintaining the economic, cultural, environmental and social values of Port Stephens.
- 5.3 The identification and prosecution of perpetrators of public tree vandalism will be pursued consistently by Council consistent with this Policy and Council's Compliance Policy and Council Prosecutions Policy.
- 5.4 Council will assess the impact (Low, Medium, or High) of the tree vandalism incident in accordance with the industry standard assessment which takes into account the following factors: significance of the tree; the tree's life cycle stage; the profile of the site; the tree's safe useful life expectancy; the environmental effects; the target where the tree could fall; damage caused; and the cost of remediation.
- 5.5 Council will develop and implement response measures to act as a deterrence and to prevent further damage and the rehabilitation of damaged areas in accordance with the guidelines provided in **(ATTACHMENT 1)**.
- 5.6 Council will continue to promote the protection of trees and vegetation, and to encourage the reporting of vandalism.

## **6. POLICY RESPONSIBILITIES:**

- 6.1 All members of the public have responsibility for complying with this Policy.
- 6.2 Strategy and Environment have responsibility for monitoring, reviewing and providing advice on this Policy.
- 6.3 Strategy and Environment have responsibility for undertaking compliance in accordance with Council's Compliance Policy.
- 6.4 Public Domain and Services have responsibility for undertaking and funding relevant response measures under this Policy.

## **7. RELATED DOCUMENTS:**

- 7.1 Compliance Policy
- 7.2 Council Prosecutions Policy
- 7.3 Environmental Legislative Requirements Procedure (EMS 3.0)
- 7.4 Environmental Incident Procedure (EMS 4.0)
- 7.5 Environment Policy
- 7.6 Heritage Policy
- 7.7 Legal Management Directive
- 7.8 Tree Vandalism Management Directive

**CONTROLLED DOCUMENT INFORMATION:**

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<b>EDRMS container No</b>	PSC2008-2921	<b>EDRMS record No</b>	TBA
<b>Audience</b>	Councillors, staff and community		
<b>Process owner</b>	Strategy & Environment Section Manager		
<b>Author</b>	Natural Resources Coordinator		
<b>Review timeframe</b>	Two years	<b>Next review date</b>	August 2020
<b>Adoption date</b>	TBA		

**VERSION HISTORY:**

Version	Date	Author	Details	Minute No.
1	August 2018	Natural Resources Coordinator	<p>Reviewed the previous Policy (Tree/Vegetation Vandalism Policy), included numbering to each paragraph and updated the version control.</p> <p>Substantial re-write of the Policy which necessitates replacing the existing Policy dated July 2014.</p> <p>Intent of existing Policy remains unchanged.</p>	246

## **ATTACHMENT 1 RESPONSE MEASURES FOR LOW, MEDIUM AND HIGH IMPACT VANDALISM EVENTS**

The suite of response measures considered appropriate to implement in response to high, medium and low impact tree and vegetation vandalism events on Council managed land are outlined below. They include:

### **Low impact events**

- Letterbox surrounding residents advising of incident and seeking information.
- Install small temporary signage.
- Leave tree skeletons in place as far as safety allows and stencil trunks.
- Where sufficient evidence exists, issue Penalty Infringement Notice or pursue prosecution in the Local Court.
- Rehabilitate or re-plant.

### **Medium impact events**

- Letterbox surrounding residents advising of incident and seeking information.
- Erect medium sized temporary (consider permanent) signage.
- Leave tree skeletons in place as far as safety allows and stencil trunks.
- Treat poisoned plants or soil to attempt to rescue affected vegetation.
- Re-plant and rehabilitate damaged areas.
- Where sufficient evidence is available, pursue legal proceedings in either the Local Court or Land and Environment Court (NB. While the penalties are more substantial in the Land and Environment Court, so too are the costs of proceedings and the burden of evidence that is required. The decision regarding which court to commence proceedings in will depend largely on an assessment of these factors).

### **High impact events**

- Letterbox residents in the vicinity highlighting the damage and seeking information on perpetrators.
- Leave tree skeletons in place as far as safety allows.
- Erect large permanent signs on the site highlighting damage and its consequences.
- Publicise damage and responses in the media.
- Protect site and rehabilitation works with fencing (e.g. construction fencing).
- Involve residents and community groups (e.g. Landcare and schools) directly in planning and implementing rehabilitation strategies.
- Treat poisoned plants or soil to attempt to rescue affected vegetation.
- Increase the density or extent of vegetation in rehabilitation works (e.g. “two-for-one” or “three-for-one”) where practicable.
- Persist with rehabilitation works and maintenance of rehabilitated areas to ensure no loss of vegetation over time.

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- Offer rewards for information.
  - Consider proceedings in the Land and Environment Court where sufficient evidence exists.
  - Draw attention to the damage through public art or painting the dead stumps.
  - Block views using barriers such as bunting, shade cloth, fences or shipping containers.