

FILE NO: PSC2008-2921

TITLE: TREE VANDALISM POLICY

OWNER: STRATEGY AND ENVIRONMENT SECTION MANAGER

1. PURPOSE:

- 1.1 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.

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. STATEMENT:

- 5.1 Council values trees and vegetation on Council managed land and the significant contribution they make to healthy ecosystems and the health and wellbeing of Port Stephens' residents.
- 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 by Council consistent with this policy, Council's Compliance Policy and the Council Prosecutions Policy.
- 5.4 Council will assess the retention value (Low, Medium, or High) of the vandalised tree in accordance with Port Stephens Council Tree Technical Specification 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 proportionate response measures to act as a deterrent to prevent further damage and to rehabilitate damaged areas.
- 5.6 Council will continue to promote the protection of trees and vegetation, and to encourage the reporting of vandalism.

6. 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 Assessment 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
- 7.9 Environmental Planning & Assessment Act (EP&A) 1979
- 7.10 Port Stephens Council Tree Technical Specifications.

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2008-2921	EDRMS record No.	TBC
Audience	Councilors, staff and community		
Process owner	Strategy and Environment Section Manager		
Author	Natural Systems Coordinator		
Review timeframe	3 years	Next review date	TBC
Adoption date	August 2018		

VERSION HISTORY:

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

Version	Date	Author	Details	Minute No.
2	December 2020	Natural Resources Coordinator	<p>1.1 – Deleted paragraph.</p> <p>5.1 – Insert ‘healthy ecosystems’ delete environmental health.</p> <p>5.1 – added ‘of Port Stephens’ residents’.</p> <p>5.3 – Deletion of consistently.</p> <p>5.5 – Insert ‘proportionate’, ‘deterrent’, to ‘rehabilitate’.</p> <p>5.5 – Delete ‘deterrence, the rehabilitation of, and in accordance with the relevant guidelines’.</p> <p>7.9 – Insert ‘Environmental Planning & Assessment Act (EPA&A) 1979’.</p> <p>7.10 – Insert Tree Vandalism Guidelines: Response measures for low, medium and high impact vandalism events.</p> <p>Delete Appendix 1 – Tree Vandalism Guidelines: Response measures for low, medium and high impact vandalism events.</p>	277
3	TBC	Natural Systems Coordinator	<p>5.4 – Removed reference to assessment to industry standards and replaced with reference to Port Stephens Council Tree Technical Specification for tree value.</p> <p>7.3 – Replaced reference to Environmental Legislative Requirements Procedure with Environmental Assessment Procedure.</p> <p>7.10 – Replaced reference to Tree Vandalism Guidelines: Response measures for low, medium and high impact vandalism events with Port Stephens Council Tree Technical Specification.</p> <p>Changed author to reflect name change.</p>	TBC