

Vegetation Vandalism - Guidelines for Response



1. Background

Vandalism (illegal damage) to Council vegetation, particularly trees, is a growing problem. This damage is a significant cost to the community through the lost economic, environmental, aesthetic, cultural and social benefits of the vegetation, and to Frankston City Council through the costs of treatment, investigation and replacement. While we use the term vandalism, in most cases the damage is actually criminal damage to the community's property, which is a serious offence.

These Guidelines have been implemented to provide a determined and consistent policy to deter vegetation vandalism in Frankston City.

2. Scope

These Guidelines apply where vegetation on Frankston City Council owned or managed land has been deliberately damaged without the authorisation of Council. They apply to any type of damage to any Council managed vegetation, including street trees and foreshore vegetation, where -

- 2.1. Council reasonably believes that the damage has been deliberately inflicted; or
- 2.2. the damage is likely to provide an actual or perceived benefit to one or more persons, such as by;
 - 2.2.1. improving views,
 - 2.2.2. improving access to property,
 - 2.2.3. preventing normal plant behaviour, for example, casting shade or shedding leaves, twigs, flowers or fruit; or
- 2.3. according to its normal policies and practices, the Council would refuse, or has refused, a request for action regarding the vegetation.

These Guidelines are not intended to apply where the damage to the vegetation was inadvertent and provides no benefit to the perpetrators. It is expected that in these situations Council will recover the costs of rectification from the responsible parties.

3. The value of our vegetation

Every tree and patch of vegetation in our community forest provides us with some value. These values can be economic, environmental, aesthetic, cultural and social. Examples of these are given below.

Economic

Each of our community's street trees has been calculated to provide a net annual return to the community of \$54. As a total asset, street trees therefore provide a net economic benefit of around \$2.5 million each year.

Trees around our homes can reduce heating and cooling costs, both in economic terms and by reducing greenhouse gases.

Mature individual trees, tree-lined streets and proximity to blocks of vegetation such as reserves all add to property values. Every tree lost can reduce the value of every property in the vicinity.

Environmental

The Seaford Foreshore is the largest remnant of natural foreshore vegetation on the east of the bay. As such it is rated as Regionally Significant. It supports a wide variety of plants and animals that are a vital part of our biodiversity. The foreshore vegetation also stabilises the coastal dunes, preventing them from moving and covering the Nepean Highway and the properties nearby with sand.

Aesthetic

Vegetation and trees in particular, help to soften the otherwise harsh built environment of our cities and suburbs. They aid with beautification of streets and suburbs and promote neighbourhood character.

Cultural

Frankston City has two trees at Ballam Park Homestead that are on the National Trust Register of Significant Trees because of their age and links to the founding families of the Frankston district. Many of our other trees have local significance, for a variety of reasons.

Social

Vegetated urban areas have been shown to reduce stress for people living in them, improve health and recovery from illness, as well as increase personal safety and reduce crime.

4. Type and scale of response

Vegetation vandalism is usually carried out by one or a few people for selfish interests, without regard for the cost to or effect on the rest of the community and the environment.

The goals of Council in responding to vegetation vandalism are –

1. to protect the safety of the public,
2. to protect the interests of the whole community and the environment,
3. to deter further acts of vandalism,
4. to repair or replace the damaged vegetation,
5. to educate the vandals and the community about the value of our vegetation, and the costs created by the vandalism,
6. to remove any perceived or actual benefit created by the vandalism,
7. to recover the costs of Council’s response from the vandals, including the cost of vegetation re-establishment,
8. to prosecute vandals. Council offers rewards of up to \$10,000 for information that leads to successful prosecution of vegetation vandals.

In some cases the vandals may admit to the vandalism, or may not realise the value of the vegetation. While this does not reduce the consequences of their actions, genuine remorse and a commitment to rectification of the damage should be a consideration in Council’s response.

The type and scale of response at the site of the vandalism should be commensurate to the damage caused, and should take into account Council’s goals in responding to vegetation vandalism.

Effectively responding to vegetation vandalism will usually require a combination of actions. The actions taken by Council should be obvious and provide a clear deterrence to further vandalism without causing further harm to the environment or undue hardship to the rest of the community.

Table 1 – Summary of responses

Council Response	Education Campaign	Signage	Visual Barriers	Retention of Stumps and Dead Trees	Fencing, Webbing or Wind protection structure	Investigation and Prosecution/ Cost Recovery	Immediate Replacement of Vegetation
Types of Damage							
Damage to Tree (Pruning branches)	Yes	Yes	Yes			Yes	If required
Tree Death/Illegal Removal	Yes	Yes	Yes	Yes	If required	Yes	Yes
Damage to Patches of Vegetation – Council Land	Yes	Yes	Yes	Yes	If required	Yes	Yes
Damage to Patches of Vegetation – Crown Land	Yes			Yes	If required	Yes	Yes

Onsite response by Council will include –

- educational or enforcement signage in all cases,
- public education campaigns, such as media coverage and letterbox drops in all cases,
- erection of visual barriers to remove views where it is probable that improving views was the intent of the vandalism until new vegetation has grown to replace the damaged vegetation,
- where appropriate, highlighting the damage to increase awareness that there is an active vandal in the area,
- retention of stumps and dead trees for as long as it is safe to do so,
- installation of safety measures such as fencing, webbing or mesh to prevent falling limbs from dead or damaged trees,
- in cases where the value of damage is determined by the methods below to exceed \$10,000, investigation with the intent to enforce the law through prosecution of the vandals.
- other appropriate actions,
- a combination of these actions.

4.1. Individual or groups of trees

Where the damage is to an individual tree or a group of trees, Council will commit up to the greater of \$500 or 50% of the value of the tree(s) to its response, with the value determined by applying Council's Guidelines for Amenity Tree Valuation.

4.2. Patches of vegetation on Council land

Where the damage is to a patch of vegetation, such as natural bush or grassland, Council will commit up to 100% of the value of the vegetation to its response. The value will be determined as the cost to re-establish the equivalent amount of vegetation based on the Habitat Hectares lost, as per the Victoria's Native Vegetation Management – A Framework for Action.

4.3. Vegetation or trees on Crown Land including the foreshore

Where the damage is to an individual tree or a group of trees, Council will commit up to the greater of \$500 or 50% of the value of the tree(s) to its response, with the value determined by applying Council's Guidelines for Amenity Tree Valuation.

Where the damage is to a patch of vegetation Council will commit up to 100% of the value of the vegetation to its response. The value will be determined by the cost to re-establish the equivalent amount of vegetation based on the Habitat Hectares lost, as per the Victoria's Native Vegetation Management – A Framework for Action.

All actions on Crown land will be made in line with Department of Sustainability and Environment guidelines and approval, and any agreement between Council and DSE for such responses.

5. Authorisation of action

The Chief Executive Officer, General Managers, Environment Manager & Parks and Leisure Manager are each authorised to act under these Guidelines where the cost of action is within their normal delegated authority.

6. Reporting

Following investigation, each act of vegetation vandalism with the intended response will be reported in the weekly Councillor Bulletin.

Where the scale of vandalism or the cost of a commensurate response is beyond the scope or authority of these guidelines, a report will be presented to the next available Council meeting detailing the damage and recommendations for response.