



DAMAGE TO PUBLIC TREES POLICY

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| Date Adopted: | 10 December 2013 |
| Council or Corporate Policy | Council Policy |
| Responsible Division: | Infrastructure and Services Division |
| Supporting documents, procedures & forms of this policy: | N/A |
| References & Legislation: | Section 629 Local Government Act 1993 |

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1 Purpose of Policy

To provide an effective strategy and procedure for dealing with illegally pruned, poisoned and/or vandalised Council public trees throughout the Municipality.

2 Actions to be taken when damage occurs to Public Trees

This strategy is to provide deterrence to persons who may wish to carry out destructive actions to trees. Associated with the deterrence is a procedure for seeking the identity of those persons who have perpetrated this action. A component of the deterrence will be achieved through the erection of a banner and/or shrouding the affected tree with material such as shade cloth to similar dimensions as the canopy of the tree which has been damaged. The purpose is to deny the perpetrators of any benefit from the removal of the vegetation such as view enhancement, or perceived benefits from reduced leaf and/or seed drop.

Local Government Act 1993:

S 629 Injuring or removing plants, animals, rocks and soil in or from public place

(1) A person who, without lawful excuse, wilfully or negligently injures, damages or unnecessarily disturbs any plant, animal, rock or soil in a public place is guilty of an offence.

Where a tree on Council Land is suspected of having been poisoned or illegally pruned, ringbarked or damaged, a notice will be placed at the tree asking the community to provide any information they may have which would lead to the identification and possible prosecution of the offender. Residents of adjacent premises will also be notified in writing and encouraged to contact Council with any information. Residents are to be encouraged to contact the Police Assistance Line if they have witnessed an act of vandalism and can identify the person(s) responsible.

Where sufficient information has been obtained, Council will proceed with investigation in accordance with legal advice. If a mature tree is identified as having been illegally pruned, or vandalised by poisoning, ringbarking etc, and where such a tree is dead or likely to die, the tree is to be pruned to remove the risk of branch failure which could cause injury to the public. The main trunk and limbs, which outline the tree's shape and dimensions, are to be retained. When the remnant tree poses an unacceptable risk, it is to be removed. A media release will be prepared regarding the incident.

A notice is to be placed at the tree informing the community that the tree has been vandalised/poisoned asking them to forward any information to Council which may help with identifying the person(s) responsible.

Where it is deemed appropriate, due to possible injury to the public from the tree falling or limbs failing, Council will remove the dead tree or tree that is likely to die and erect a banner that approximates the dimensions of the removed tree with wording to be written on the banner informing the community that the tree has been vandalised/poisoned and to forward any information to Council which may help with convicting the person(s) responsible.

A replacement tree(s) is to be planted if the tree is totally removed. Where replacement tree(s) have been planted, appropriate protection/barriers will be put in place to suit site conditions and species of tree to deter further vandalism.

3 Policy Implementation

That the Poisoned Tree Policy be implemented where Council suspects a tree on Council land has been poisoned or illegally pruned, ringbarked or damaged.

4 Version Control and Change History

| Version Control | Date Effective | Approved By | Amendment |
|-----------------|------------------|-------------|-----------|
| 1 | 10 December 2013 | Council | |
| 2 | | | |
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