



COFFS COAST REGIONAL PARK – Procedure for Managing Damage of Vegetation occurring in Coffs Coast Regional Park – December 2022

Purpose

This report has been prepared for the Coffs Coast Regional Park (CCRP) Trust Board to review and approve an amendment of the procedure for managing damage of vegetation in Coffs Coast Regional Park.

Overview

There are more than 1300 direct neighbours to the park, and a variety of adjacent land uses place pressure on the park along the park interface. Illegal clearing or damage of native vegetation within the park or along the park boundary has significant negative effects on park values, which range from the loss of individual plants to further fragmentation and isolation of the remnant vegetation within the park.

Under the National Parks and Wildlife Regulation, it is illegal to pull or dig up, poison, cut, fell, remove, damage or destroy any vegetation in the park without consent. It is also illegal to introduce any vegetation into the park without authorisation.

Illegal damage, vandalism and destruction of vegetation (including trees, shrubs and grasslands) are significant and ongoing problems in the park. There are usually several major incidents each year that can have a range of negative impacts on the park's natural, cultural and visitor values.

What are the Aboriginal cultural values and their significance in Coffs Coast Regional Park?

Uncle Tony Dootson, a Gumbaynggirr/Garby knowledge holder advises "We want people to respect our land, plants and animals. Disturbance of our coastal vegetation leads to erosion, which potentially lead to unearthing our middens and burials. Most of our headlands are our last Oaks (Casuarina) stands on the North Coast, due to past sandmining. We ask people to respectfully enjoy our Coffs Coast Regional Park, as we would like to share it with you."

NPWS is the lead agency in responding to illegal vegetation clearing complaints and will undertake law enforcement investigations, liaise with local residents and involve the local media as appropriate.

The Plan of Management highlights that in certain situations the installation of signs, banners, screens, barrier fencing or shipping containers in strategic locations is appropriate to identify where damage has occurred, to block views that have been created by the illegal clearing, and to aid in regeneration of the site (by protecting the damaged vegetation from salt and wind). Signs may also help to act as a deterrent and may motivate people to help with investigations.

CHCC and NPWS have been requested by the Trust Board to prepare an updated procedure for managing damage of vegetation in CCRP. The procedure below is consistent with the Coffs Harbour City Council Vegetation Vandalism Procedure PRO-077 19/08/2017.

1. ASAP after becoming aware NPWS staff assess the vandalism site and gather information;
2. Staff should assess the significance of the damage utilising Attachment 1 – Response Assessment Model;
3. Staff instigate response measures for low, medium and high significance vandalism events – See attachment 2;
4. Staff advise CCRP Trust Board members of any high significance events and response outcomes.

Board Consideration

- The destruction of vegetation without consent in a Regional Park is a breach of National Parks & Wildlife Act s18(1)a.
- There is a risk of offenders continuing to destroy vegetation on park if response measures for vandalism events are not instigated by staff in an efficient and timely fashion.
- The Plan of Management recognises unauthorised vegetation damage is illegal, that they can pose a potential liability to the park authority and affect park values.

RECOMMENDATION

That the CCRP Trust Board:

- 1 Approve updated policy.
2. Policy amendments to be implemented from date of Board approval.
3. Updated policy to be published on new CCRP Board website under Policies section.
4. Publish media releases/social media (including full cost of damage)/promote community education when a new CCRP damaged vegetation events occurs .

ATTACHMENT 1

RESPONSE ASSESSMENT MODEL

Response Model for Vegetation Vandalism									
Location:									
Officer:									
Date:									
0.125 Weighting for each Main Criteria									
Criteria	T ¹	T ²	T ³	T ⁴	T ⁵	T ⁶	T ⁷	T ⁸	T ⁹
Significance of the Vegetation									
1 = No 2 = yes									
Historical value									
Commemorative tree									
Significant tree (on register)									
Local significance									
Endangered Ecological Community									
Curious growth habit or physical appearance									
Horticultural/scientific value									
Crown projection area > 100m ²									
Aesthetic amenity									
Valuable habitat or corridor									
Key stone species									
Contributes to the landscape									
TOTAL	0	0	0	0	0	0	0	0	0
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Life Cycle Stage									
Type 3 for young, 10 for semi-mature, 42									
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Site Significance									
1 for low profile, 2 for average profile and 3 for high profile									
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Life Expectancy									
Type 1 for short, 2 for medium or 3									
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Environmental & Ecological Impact									
Type 2 for yes and 1 for no									
Contamination									
erosion / increased exposure of other vegetation									
removal of regenerative capacity									
Habitat loss - Loss of nesting sites / feed tree									
Is the area able to be restored									
Does poisoned tree impact threatened species									
Is there an urban ecological benefit									
TOTAL	0	0	0	0	0	0			
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Public Safety Burden									
1 for access, 2 obstructed, 3 trapped, 4 for contact									
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
Damage									
Type 2 for major or 1 minor									
WEIGHTED TOTAL	0	0	0	0	0	0	0	0	0
TOTAL SCORE	0	0	0	0	0	0	0	0	0
SIGNIFICANCE	ACTION								
Low Significance < 6.253	as per Policy/Procedure								
Medium Significance 6.253 - 9.876									
High Significance > 9.876									



ATTACHMENT 2

RESPONSE MEASURES FOR LOW, MEDIUM AND HIGH SIGNIFICANCE VANDALISM EVENTS ASSESSMENT MODEL

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

Low significance events

- Letterbox surrounding residents
- Install 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 significance events

- Letterbox surrounding residents
- Erect signage. Sign to remain in place until site vegetation regeneration meets per requirements of the below listed sign removal trigger.
- 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 & Environment Court (NB. While the penalties are more substantial in the Land & 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).
- Publish media releases/social media (including full cost of damage)/promote community education when a new CCRP damaged vegetation events occurs

High significance events

- Letterbox residents in the vicinity highlighting the damage and seeking information on perpetrators
- Erect signage. Sign to remain in place until site vegetation regeneration meets requirements of the below listed sign removal trigger.
- Leave tree skeletons in place as far as safety allows
- 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”)

- Persist with rehabilitation works and maintenance of rehabilitated areas to ensure no loss of vegetation over time
- Offer rewards for information
- Consider proceedings in the Land & 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 (prior consultation with Trust Board should occur if this is proposed).
- Publish media releases/social media (including full cost of damage)/promote community education when a new CCRP damaged vegetation events occurs

Sign Removal Trigger

Signage removal requires regeneration to meet the below triggers:

1. Duration/Height Trigger – Site regeneration will be deemed suitable to remove signage when vegetation reaches 2.0m height or at a time after two years where the sign is no longer acting as a deterrent or not required to highlight the environmental damage.
2. Species Trigger – The restoration species composition that is required to meet regeneration/replanting goals will be guided by publicly available guidelines below to represent the vegetation that was mapped under CHCC Fine-Scale Mapping, as stated in:
 - A. ‘A guide to species selection for revegetation projects in the Coffs Harbour Local Government Area March 2015’:



<https://www.coffsharbourlandcare.org.au/wp-content/uploads/2015-SpeciesSelectionReport-web.pdf>

- B. ‘Fine scale vegetation map of Coffs Harbour’:



<https://www.coffsharbour.nsw.gov.au/Environment/Plants-and-animals/Vegetation/Fine-scale-vegetation-map-of-Coffs-Harbour>

C. 'Whole of Coffs Harbour LGA mapped vegetation':



<https://enterprise.mapimage.net/intramaps99/default.htm?configId=002f3dcb-246d-4ce9-9a12-ce55e9df910f&project=CoffsHarbour%20Public&module=General%20Enquiry>

(To query mapping: select 'Planning and Environment' module, choose 'Coffs harbour Fine-Scale Vegetation Mapping' layer to display)

3. Sign Reinstatement Trigger – Signage will be kept in place (or reinstated) if any further manipulation of native vegetation is found to occur at the site, including any understorey thinning, tree pruning or any similar activities which are not approved by NPWS
4. Vegetation quality Trigger – regeneration must meet 'Fair' condition as per below table

Vegetation Condition Key	
Good	Virtually weed free, structure / species composition and diversity typical for that community
Fair	Minor infestations of weed species, structure / composition mostly intact
Poor	Severe weed infestations, poor native regeneration and / or structure
Very poor	Virtually native-free! Missing most strata, very limited regeneration

For example, an integrated response to a major incident, combining a suite of actions, may include:

1. Immediately assess the site and gather information.
2. Immediately erect signage pointing out the damage and seeking information on the perpetrators.
3. Letterbox residents in the vicinity to publicise the damage and seek information for the investigation.
4. Conduct a thorough investigation including doorknocking local residents with a view to identifying potential witnesses.
5. Assess the best response to stabilise the area and ensure the vandalism isn't rewarded (e.g. by cutting down or clearing the dead vegetation). Implement measures to block views that may have been obtained (e.g. shipping containers, large permanent signage or screening with shade cloth) or to highlight the damage that has occurred (e.g. decorating tree skeletons or installing bunting). Such actions can go some way in defeating the vandal's purpose.
6. Prepare and implement a rehabilitation plan, preferably involving local residents (although this may not always be possible or desirable). Successful rehabilitation can be linked with the removal of "punishments". For example, bunting or signs may be removed after 12 months if re-planted vegetation is established and maintained. This will encourage residents to protect rehabilitation works.
7. Where sufficient evidence may be available, consider prosecution in the NSW Land and Environment Court. If successful, publicise the outcomes.