POLICY NO: I/RR/2

FORMER POLICY NO: 

RURAL ROAD VERGE VEGETATION MANAGEMENT

<table>
<thead>
<tr>
<th>DIVISION</th>
<th>BUSINESS UNIT</th>
<th>RESPONSIBILITY AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Works and Services</td>
<td>Infrastructure</td>
<td>Roads and Reserves</td>
</tr>
</tbody>
</table>

OBJECTIVE

To provide guidelines for the effective management of native vegetation contained within rural road verges under the care, control and management of the Council.

POLICY

1.0 Purpose of Policy

The purpose of this policy is to allow for the construction and maintenance of rural roads while acknowledging the importance of the protection and conservation of native vegetation where possible.

Although conservation of roadside vegetation is an objective of this policy, road safety and road asset protection is the principal consideration.

2.0 Relevant Legislation

The *Environmental Protection Act 1986* and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* govern the activities that will impact on native vegetation. This legislation is relevant to the Shire, setting limitations for road infrastructure works, and landowners who wish to undertake work in road reserves.

3.0 Designated Maintenance Corridor

The Environmental Protection legislation, in particular *Regulation 5, Item 22 Clearing for maintenance in existing transport corridors (Environmental Protection [Clearing of Native Vegetation] Regulations 2004)* provides that local government can carry out activities to maintain and protect the integrity of road infrastructure within the designated ‘maintenance corridor’ as shown in Diagram 1.

![Diagram 1 Designated Maintenance Corridor](image_url)
4.0 Road Construction Operations

Where necessary, the Shire will make application for the appropriate clearing permits from the Department of Environment Regulation (DER) prior to undertaking any road construction. Conditions of the permit will be complied with including special considerations for declared rare flora and/or fauna if any has been identified as present in the maintenance corridor.

Rural road widening is to be carried out according to the requirements of the Council but will take into consideration the preservation of roadside vegetation wherever possible by clearing only one side of the road.

All works shall be planned to ensure that there is no damage to any vegetation outside the limits of clearing specified. No growing vegetation shall be destroyed or damaged by the works other than those specified and those indicated.

Any tree remaining within the road reserve but outside the limits of clearing which upon assessment is considered unsafe and likely to fall upon the roadway may be cleared and disposed of.

5.0 Road Maintenance Operations

The Shire’s road maintenance program includes grading, slashing, herbicide application, pruning, drain cleaning, drainage improvements, bitumen resealing, bitumen shoulder grading and gravel re-sheeting. Road maintenance activities will be contained within the Maintenance Corridor, which comprises the running surface, shoulder, table drain and batter to the tip of the back slope (as per Diagram 1).

When major weed control works are to be undertaken, including areas outside the Maintenance Corridor, consultation may occur with the Department of Parks and Wildlife, DER and local catchment management groups.

As part of the Shire’s annual road program, unsealed shoulders subject to significant traffic will require periodic grading and gravel re-sheeting. During this process all grasses and vegetation will be removed and disposed of prior to operation.

Some maintenance grading requires occasional clearing of vegetation to accommodate the machine and ensure road safety, however, where possible this will be minimised.

Drains can be mechanically cleared and maintained with a grader, or slashed if covered with grass. Drains inaccessible to mechanical equipment may require maintenance with hand tools or approved herbicides. In the cases where these practices will not provide for an acceptable level of drainage the use of excavation equipment may be used.

Requests received from members of the public relating to exclusion of a road reserve/section of road reserve adjacent to their property from the spraying program, should be forwarded in writing to the Chief Executive Officer for consideration.

6.0 Removal of Dangerous Vegetation

Occasionally it is necessary to remove a dangerous tree/vegetation that pose/s an imminent threat to public safety, such as impeding sight along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fenceline or a roadway. Following inspection by a Shire Officer, any tree removal will be in accordance with Environmental Protection (Clearing of Native Vegetation) Regulations.
7.0 Services and Utilities
Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire of Plantagenet regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas.

All materials are to be removed from the road verge, by the utility providers, on the completion of works. The trenches, if relevant, are to be backfilled, adequately compacted and trimmed. All works are to be in accordance with Council Policy I/R/12 – Notice of Entry for Public Services and Utilities.

8.0 Flora Roads
Gazetted Flora Roads shall be managed to minimise any disturbance to the roadside flora, consistent with the provision of a safe and efficient roadway. Flora Roads currently within the Shire of Plantagenet are Millinup Road, Woogenellup North Road, Mira Flores Avenue and Reynolds Road.

9.0 Unauthorised Clearing and/or Activities Within Rural Road Reserves
Clearing of a rural road verge or unmade road reserve without the relevant permits is prohibited. Penalties may also apply in accordance with the Environmental Protection legislation.

No works shall be undertaken in rural road reserves without written approval from the Shire of Plantagenet. This includes planting (including native species), drainage work, fencing, spraying, burning off, clearing vegetation or seed collection.

10.0 Landowner Maintenance of Rural Road Verges
10.1 Legislation and Approvals
Landowners may apply, in writing, to the Shire of Plantagenet to maintain the rural road verge immediately adjacent to their property boundary. Maintenance activities may include vegetation protection or weed removal, but do not include any additions or developments, including, drainage works or construction of any type. Planting within road verges may be considered, however approval will only be given to native / local species that enhance the biodiversity of the road verge area.

Landowners must also comply with the Environmental Protection legislation (refer 2.0 – Relevant Legislation) if planning to undertake any work in a rural road verge.

10.2 Maintenance Area
If approved, landowners may only work on the areas of road verge which fall outside the Maintenance Corridor. This is the portion of the verge from the tip of the back slope to the property boundary/fenceline. The Council will take all care not to damage any portion of the rural road reserve from the back slope to the fenceline, however, landowners will also acknowledge that the Council does not accept any responsibility for any loss or damage to vegetation or areas of the road reserve that may occur due to road maintenance or construction activities.

10.3 Application Process
An application fee may be applicable for landowners wishing to maintain their rural road reserve areas. If approval is given to a landowner to maintain their rural road verge, the subject area will be marked with blue ‘hockey stick’ style markers and a register kept of relevant rural road verges which are to be left untouched. The landowner needs to be aware when applying for approval that their application may be refused if the Shire is required to carry out maintenance activities to maintain the integrity of the road infrastructure.

10.4 Spraying

The Shire’s annual spraying program is conducted within townsites and on particular rural road verges to reduce the amount of flammable material. Residents requesting no spraying of the rural road verge adjacent to their property need to apply to the Shire to be placed on the ‘Do Not Spray’ register.

10.5 Fenceline Clearing or Removal of Trees Over Fencelines/Boundaries

Landowners wishing to remove vegetation from road verges that has impacted on their property or boundary fenceline, or seeking permission to clear an area of the road verge for a boundary fenceline, should apply in writing to the Shire for permission to do so.

10.6 Seed Collection from Road Verges

Landowners wishing to collect seed from native vegetation in road verges should refer to Shire Policy NRM-C-2 – Native Flora Collection. A permit for seed collection may also be required from the Department of Parks and Wildlife. It is the responsibility of the landowner to check they have the relevant approvals in place.

11.0 Fire Hazard

The Shire of Plantagenet conducts an annual spraying program both within townsites and rural road verges to reduce the amount of flammable material.

As the budget for spraying is limited, landowners are encouraged to apply to the Shire under Policy I/R/15 – Road Verge Burning. This policy provides guidelines for landowners wishing to further reduce the fire risk on rural road verges adjacent to their property.

ADOPTED: 19 AUGUST 2014

LAST REVIEWED: