



**COUNCIL POLICY**  
Works

1.5.4

<b>Title:</b>	<b>1.5.4 RURAL ROAD VERGE VEGETATION MANAGEMENT</b>
<b>Adopted:</b>	19 May 2021
<b>Reviewed:</b>	-
<b>Associated Legislation:</b>	Environmental Protection Act 1986 Environmental Protection (Clearing of Native Vegetation) Regulations 2004
<b>Associated Documents:</b>	N/A
<b>Review Responsibility:</b>	Works Manager
<b>Delegation:</b>	-

Previous Policy Number/s: Nil

**Objective:**

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

**Policy Purpose:**

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

**Designated Maintenance Corridor**

The *Environmental Protection Act 1986* and other legislation, in particular the Item 22 of the Table forming part of Regulation 5 (Clearing for maintenance in existing transport corridors) of the *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 demonstrated in Diagram 1.



Diagram 1: Maintenance Corridor



Clearing of vegetation within the maintenance corridor which is older than 10 years will require a Clearing Permit.

### **Road Construction Activities**

All works shall be planned to minimise clearing and prevent damage to native vegetation outside the limits of clearing specified under the Clearing Regulations. Works will take into consideration the preservation of roadside vegetation utilising relevant environmental tools.

Where required, the Shire will apply for the appropriate Clearing Permit from the Department of Water and Environmental Regulation prior to undertaking any road construction.

Any cleared vegetation will be removed from site if it is not chipped and used on site. It will not be pushed or heaped onto adjacent un-cleared native vegetation.

### **Road Maintenance**

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 drains, offshoot drains and batters to the top of the back slope.

When major weed control works are to be undertaken, including areas outside the 'maintenance corridor', consultation may occur with the Department of Biodiversity, Conservation and Attractions, Department of Water and Environmental Regulation and local natural resource management groups.

As part of the Shire's annual road program, unsealed shoulders on sealed roads that are subject to significant traffic will require periodic grading and/or gravel re-sheeting. During this process, all grasses and vegetation will be removed from the shoulders prior to work commencing. Some maintenance grading may require clearing of native vegetation to accommodate the machine and ensure road safety.

Drains, including table drains and offshoot drains, are usually mechanically cleared and maintained using a grader, and/or slashed if covered with grass. Drains that are 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 required.

### **Management of Works**

All personnel undertaking road works on behalf of the Shire will have appropriate training. This can include training provided by, through or in conjunction with WALGA or the Roadside Conservation Committee in roadside vegetation management and maintenance.

### **Removal of Dangerous Vegetation**

Occasionally it is necessary to remove a dangerous tree/vegetation that poses an imminent threat to public safety, such as impeding sight lines along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fence line or a roadway. Following inspection by Shire staff, tree removal will be in accordance with *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.



### **Services and Utilities**

Alignment of services is encouraged to minimise impact on roadside native vegetation where possible. Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire of Mingenew regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas. If clearing of vegetation is required, it is the responsibility of the service providers to obtain a valid Clearing Permit from Department of Water and Environmental Regulation.

All materials are to be removed from the road verge, by the utility providers, on the completion of works. All trenches, if relevant, are to be backfilled, adequately compacted and trimmed to ensure they are safe. Where clearing of vegetation has been undertaken, it is the responsibility of the utility service provider to revegetate the disturbed area with local native flora either by spreading seed, brush or chipped vegetation of similar composition from nearby areas, or by planting tube stock.

### **Unauthorised Clearing and/or Activities within Rural Road Reserves**

Clearing of a rural road verge or unmade road reserve without the relevant approvals and/or permit is prohibited. Penalties may also apply in accordance with the *Environmental Protection Act 1986*.

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

### **Fence Line Clearing**

Clearing of up to 1.5 meters from a fence line to provide access to construct or maintain a boundary fence is exempt under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Landowners wishing to remove vegetation from within the road reserve to allow them to construct or maintain an existing boundary fence should seek the approval of the Shire before undertaking such works.

### **Restoration and Revegetation**

Where roadworks by the Shire results in the creation of un-vegetated areas no longer being required to be incorporated into the 'maintenance corridor', the area will be revegetated with local, native flora either by re-spreading topsoil, spreading seed, brush or chipped vegetation of similar composition from nearby areas, or by planting tube stock.

Where native vegetation has been inadvertently cleared during roadworks or any other activities by the Shire or others, the vegetation will be restored either by re-spreading topsoil, spreading seed, brush or chipped vegetation of similar composition from nearby areas, or by planting tube-stock of local, native flora.

### **Weed Management**

Weeds within the 'maintenance corridor' will be controlled and managed as part of the Shire's routine roadside spraying.

Following construction and maintenance works, weeds will be regularly controlled by the most effective manual, mechanical or chemical means, considering site characteristics, types of weed, weed life cycle, climatic season and the presence of native species.



### **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 and requirements on road infrastructure works, and landowners who wish to undertake work in road reserves.

### **Stakeholder Consultation**

The Shire will inform those parties that might be affected by road clearing proposals through appropriate and timely communication methods.