



9. WORKS AND SERVICES

9.1 TECHNICAL SERVICES

9.1.8 Road Reserve Vegetation Management

Background & Issues

The Shire of Manjimup is responsible for the care and control of over 1,300km of road reserves, the majority of which include native vegetation within the verge areas. Whilst most of the vegetation on road verges can remain in place, there are times when clearing is required to facilitate fence line clearing, road works or to allow development to occur on adjoining land.

The assessment of environmental impact of clearing proposals in road reserves is governed by the Department of Water and Environment Regulation (DWER). The Shire's role in this process is as the manager of the land. Although road verge clearing may be requested and undertaken by a neighbouring landowner or other third party, the Shire is the applicant and responsible for the conduct of the clearing under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Given the level of environmental scrutiny already afforded clearing proposals through the DWER process, the Shire's role need not duplicate this process. The Shire's consideration of a clearing proposal on a road reserve is limited to granting approval as the manager of the land. In determining whether to grant this approval, the Shire focusses on the economic and social elements associated with the clearing and balances these with the environmental assessment undertaken by the DWER. In effect, the Shire considers whether the clearing, on balance, is in the community's interest.

This Policy has been prepared to provide for the consideration of the economic and social elements of a clearing proposal. This will be provided for by targeted consultation and incorporation of a transparent decision-making process.

Objectives

The objectives of this Policy are to:

- i. Provide for economic and social elements of clearing on Shire-controlled road verge to be considered in addition to the environmental assessment process undertaken by the DWER. Minimise the removal and / or degradation of vegetation on road reserves in recognition of its conservation and economic values.
- ii. Allow for appropriate levels of consultation to be undertaken prior to the Shire determining whether to support the clearing on Shire-controlled road reserves; and
- iii. Provide a transparent decision-making process.

Area of Application

This Policy applies to all local government road reserves managed by the Shire of Manjimup.

9. WORKS AND SERVICES
9.1 TECHNICAL SERVICES
9.1.8 Road Reserve Vegetation Management

Policy Measures

Assessment Level Matrix

		Road Hierarchy		
		Priority 1	Priority 2	Priority 3
Assessment Outcome	Category 1	Low	Low	Low
	Category 2*	High	Medium	Low
	Category 3	High	Medium	Medium

* Excl. general maintenance e.g. noxious weeds, over-hanging branches.

Assessment Outcome/Level of Consultation Required

- **Low** – No formal Shire notification of proposed clearing.
- **Medium** – Notify adjoining landowners of proposed clearing seeking comment for 14-day period.
- **High** – Notify all property owners on subject road seeking comment for 14-day period. Advertisement of clearing proposal in a newspaper for 1 week. Signage on proposed clearing site if larger than 2 hectares.

Any submissions received objecting to the proposed roadside clearing during the 14-day period are to be given due regard by Council at an Ordinary Meeting.

Road Hierarchy

All Shire road reserves are allocated a status in Technical Services Policy 9.1.14 *Road Hierarchy*. When considering clearing of a road verge, the hierarchy of the road is to be identified and assessed against the Assessment Level Matrix.

Where clearing on a road verge will be visible from another road of a higher hierarchy level, the higher level is to be used to identify the Assessment Level.

Assessment Categories

Category 1 Clearing

Requests for Road Reserve Clearing for Fencing and Access

This type of vegetation removal is considered Category 1 Clearing in the Assessment Level Matrix. Requests for removal of road reserve vegetation for the purposes of installing or repairing fencing and road accesses shall be assessed by the Shire and if approved, shall be subject to the following conditions:

- Property boundaries, or existing boundary, to be correctly located on the ground by the landowner.

9. WORKS AND SERVICES
9.1 TECHNICAL SERVICES
9.1.8 Road Reserve Vegetation Management

- Boundary location to be inspected and approved by an authorised Shire Officer prior to clearing commencing.
- Clearing width of a maximum of 1.5m from property boundary will be confirmed onsite with Shire Officer. This includes all vegetation to a diameter of 600mm at breast height.
- Timber and debris resulting from clearing operations shall be disposed of according to Shire written instruction. Any vegetation considered of value is considered a Shire asset. Debris is to be removed from the road reserve by the applicant.
- Where relevant the Department of Biodiversity, Conservation & Attractions (DBCA) conditions relating to dieback hygiene shall be observed.
- Where relevant, a permit from the Department of Water regarding clearing in the catchment area shall be obtained by the landowner prior to work commencing.
- Where relevant, a permit from Department of Water and Environmental Regulation regarding clearing of native vegetation shall be obtained by the landowner prior to work commencing.

Unauthorised Clearing

Where instances of unauthorised clearing / burning of road reserves come to the Shire's attention and sufficient information is available as to the identity of the instigator, the shire shall seek from the instigator:

- Reimbursement of lost forest value (based on DBCA valuations);
- Replacement of vegetation;
- Repair of all damage; and
- Reimbursement of any Shire operational costs.

Category 2 Clearing

Removal of Vegetation for Shire Generated Road Works

This type of vegetation removal is considered Category 2 Clearing in the Assessment Level Matrix.

Category 3 Clearing

Requests for Road Reserve Clearing for reasons other than Fence Lines, Access and Traffic Safety

9. WORKS AND SERVICES
9.1 TECHNICAL SERVICES
9.1.8 Road Reserve Vegetation Management

This type of vegetation removal is considered Category 3 Clearing in the Assessment Level Matrix. The Shire shall assess requests for road reserve clearing with consideration of economic and social elements using the Shire of Manjimup Road Hierarchy (see Appendix 1) and Assessment Level Matrix above as a guide for the level of community consultation required.

Clearing Exemptions

Requests for Removal of Dangerous Trees on Road Reserves Threatening Private Property

Where a landowner's property is threatened by an allegedly dangerous tree located on Shire land, the Shire shall undertake the following:

- Arrange for an inspection of the tree by a qualified arborist.
- If the inspection report indicates a high risk, the Shire shall arrange removal of the tree and may seek assistance from the landowner in the removal process.
- If the report indicates the tree is a low risk then the Shire will take no further action, can permit the landowner to remove the tree at their expense subject to:
 - The contractor engaged by the landowner shall ensure all OSH and Road Traffic Management Regulations are met.
 - A permit to clear from the Department of Water and Environment Regulation (or any other relevant statutory authority) has been obtained by the landowner if required.
 - All debris and disruption caused by the tree removal operation shall be made good by the landowner to the satisfaction of the Shire.
 - Timber of commercial value (as determined by the Shire) resulting from the tree removal operation shall be disposed of at the discretion of the Shire.

Requests for Removal of Trees on Road Reserves Posing a Traffic Hazard

Where the Shire receives complaints regarding trees threatening a public road the Shire shall undertake the following:

- Engage a person with appropriate expertise to assess the severity of the threat.
- If the inspection report indicates a high threat, the Shire shall add the tree to a register for subsequent removal in accordance with severity rating and available budget.
- If the report indicates a low hazard then no further action be taken.

9. WORKS AND SERVICES
9.1 TECHNICAL SERVICES
9.1.8 Road Reserve Vegetation Management

Delegation of Authority

- i. If no objection to a roadside clearing proposal is received during the consultation period, the application can be approved by a Shire Officer.
- ii. If an objection to a roadside clearing proposal is received during the consultation period, the application is to be referred to Council for determination.
- iii. If a Shire Officer recommends refusal of a roadside clearing proposal, the application is to be referred to Council for determination.

Review of Decision

Where an applicant is aggrieved by the decision of the Local Government and additional information is provided that was not considered as part of the initial decision, they may request a reconsideration of the decision by Council.

A request for reconsideration is to be received by the Shire within 28 days of the initial decision, or such longer period approved by the Shire.

Administration

The administration of this policy will be by the Manager Technical Services.

Adoption and Date Due for Revision

ADOPTED 23 OCTOBER 2003
REVIEWED 18 NOVEMBER 2021

NEXT DUE FOR REVIEW NOVEMBER 2025

The Administration of this Policy is by Works and Services Directorate.
--

9. WORKS AND SERVICES
9.1 TECHNICAL SERVICES
9.1.8 Road Reserve Vegetation Management

APPENDIX 1

Shire of Manjimup Road Hierarchy*

Classification Name	Classification Code	Assessment Level	Example
Primary Distributor (Sealed)	SPD	Priority 1	SW Highway Pemb. N'Clif. Road
District Distributor Road (Sealed)	SDD1 & SDD2	Priority 1	Graphite Road Wheatley Coast Rd
Rural Local Distributor (Sealed)	SRLD	Priority 1	North Walpole Rd Seven Day Road
Main Street Roads (Sealed)	SMS1, SMS2, SMS3 & SMS4	Priority 1	N/A
Urban Local Distributors (Sealed)	SUD	Priority 1	N/A
Industrial Roads (Sealed)	SI1 & SI2	Priority 1	N/A
Urban Local Roads (Sealed)	SUL	Priority 1	Large number
Rural Local Roads (Sealed)	SRL	Priority 1	Large number
Tourist Roads (Unsealed) – High Volume	GT1	Priority 1	Old Vasse Highway Kemp Road
Tourist Roads (Unsealed) – Lower Volume	GT2	Priority 1	Broke Inlet Road
Local Distributor Roads (Unsealed)	GLD	Priority 2	Boorara Road Smithbrook Road
Rural Local Roads (Unsealed)	GLR	Priority 3	Large number

* Please refer to Technical Services Policy 9.1.14 *Road Hierarchy* for detailed descriptions of each road classification.