



**Murrindindi**  
Shire Council

# Rural Roadside Management Guidelines



# Introduction

These guidelines accompany Council's Rural Roadside Management Plan. They assist users by providing a general set of guidelines for how to conduct a broad range of activities with consideration to roadside conservation value.

The Rural Roadside Management Guidelines have been designed to assist Council staff, contractors, utility service authorities, other agencies and property owners to manage specific activities that may occur within a roadside reserve. They are structured in a way that enables the user to find the information relevant to their needs.



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# 1. Agricultural Activities

## a. Fencing

- Applications for fencing must be assessed according to Murrindindi Planning Scheme controls including planning permit triggers, overlays, and exemptions.
- Consent for Works on a Roadside may be required under the *Road Management Act 2004*.
- Biodiversity assets onsite must be communicated to the property owner and to those undertaking the works, such as contractors. All efforts should be made to protect these assets.
- Efforts must be made to avoid, where possible, or to minimise vegetation removal.
- The construction or maintenance zone must be clearly defined and understood by those undertaking works, such as contractors.
- Where practicable, works and machinery operation must be conducted from the property owner's side of the fence.
- Any waste generated from the works must not be left on the roadside reserve.
- The area must not be graded or ploughed.
- Native vegetation removal without a permit will be investigated by Council and rehabilitation works may be required at the cost of the third party (i.e. property owner).



## b. Livestock Grazing

- A Local Laws permit is required to graze livestock in a roadside. Site conditions and roadside conservation value will guide permit conditions.
- Grazing of native vegetation should not be undertaken if it is likely to contribute to a loss of habitat quality.
- Grazing on Highly Significant Roadsides will only be permitted in periods of prolonged drought or where a grazing regime is assessed as an appropriate biodiversity enhancement or fire prevention strategy.
- In these instances, permits will set conditions for strategic times outside the season in which native vegetation species are flowering. To determine appropriate timelines, applications for permits will need to be assessed on case by case basis by Council's, Environmental Programs Unit.
- A livestock grazing permit should, at a minimum, include the following conditions:

- Grazing should not be allowed if, according to expert ecological opinion, it is likely to contribute to a loss of native vegetation and habitat quality.
- A permit will have a maximum duration from the date of issue with regular inspections and the option to cancel if conditions decline (thereby assisting to minimise overgrazing and non-compliance issues).
- Grazing should be avoided when ground conditions are wet or extremely dry to avoid damage to grasses and other understory vegetation, as well as ground compaction and erosion.
- No other supplementary feeding of stock is allowed in roadside reserves.
- Driving vehicles on the roadside should be kept to a minimum.
- Signage is to be clearly visible to road users indicating that stock is grazing on the roadside.
- Livestock should not remain on roadside reserves at night time.



## 2. Asset Management

### a. Recreation

- Organisations that are designing and constructing proposed trails or pathways must seek permission through the Murrindindi Planning Scheme and Council's Consent for Works process as defined under the *Road Management Act 2004*.
- Recreational clubs or commercial enterprises wishing to use and/or upgrade existing roadside trails for major events should consult with Council prior to any upgrade or use and Council's Environmental Programs Unit will be involved. Construction planning, design and delivery must adhere to Guideline 2(b).
- All recreational users of roadside trails should minimise impacts upon native vegetation within roadsides by recreating within the boundaries of defined paths or trails.

### b. Road Maintenance and Construction

- All Council led capital works (realignment, resealing or widening etc.) and maintenance (drainage, re-sheeting and grading) need to be undertaken in accordance with the Policy and Guidelines for Environmental Standards in Infrastructure Works.
- Any customer request that involves a planning and environmental issue will be referred to the appropriate departments/units for assessment.
- Before undertaking any asset maintenance or construction, parties (whether Council staff, other agency staff, property owners or contractors) must understand the conservation value of the roadside prior to undertaking the works.
- When planning for works, job risk assessments must identify measures required to minimise any impacts on roadside conservation value.
- Any stakeholder involved in maintenance or construction activities is strongly encouraged to comply with the Rural Roadside Code of Practice.

Further information is outlined in Council's Rural Roadside Code of Practice.



### c. Utility Services

- All utility service providers must notify Council when undertaking utility works and may be required to obtain written consent for works as required under the *Road Management Act 2004*.
- Consultation must occur with Council's Planning Department and Environmental Programs Unit to ascertain whether conflict exists between installation and/or maintenance of services and roadside conservation value.
- Council encourages utility service authorities to share their works programs 6 to 12 months in advance to allow sufficient lead time to work through the required planning processes.
- A planning permit may be required for removal of native vegetation apart from exemptions provided for under relevant legislation such as *Electricity Safety Act 1998*, *Telecommunications Act 1997*, or the Murrindindi Planning Scheme.
- Any permitted removal will require native vegetation offsets in line with the Victorian Government's Native Vegetation Permitted Clearance Regulations.
- Other permits may also be required for works near waterways or in habitat of rare, threatened and/or endangered species. It is responsibility of the utility service authority to investigate the need for any other permit approvals required at local, state or federal government level.
- It is Council's expectation that utility service authorities and/or their contractors work cooperatively with Council to apply measures that are sensitive to and minimise impact on the surrounding environment. Council's Rural Roadside Code of Practice is a useful resource to assist utility service authorities and/or their contractors to comply with best practice standards.
- It is important that utility service authority staff and their contractors are made aware of the roadside conservation values by Council staff (through the consent for works or other permit processes).
- Unless otherwise negotiated, it is Council's expectation that roadside reserves are left in the condition in which they were found and if damage occurs, rehabilitation works be required at the utility service provider's expense.



## 3. Works in a Roadside Reserve

### a. Consent for Works in Roadside Reserve

Council has a permit system in place that requires a 'Utility or Non-Utility works within Municipal Road Reserves' Permit. Written consent for non utility or utility works in a roadside reserve may be required under the *Road Management Act 2004* before any third party can conduct works in a Council managed roadside reserve. Council's Infrastructure Assets and Development Department can establish whether a permit is required. Broadly speaking, consent is required for the following kinds of activities:

- Earthwork activities in a roadside reserve such as constructing or maintaining assets (property access points, fencing, drains, construction of pathways, tracks, power, telecommunications, pipelines etc.)
- Removing, lopping or pruning trees.
- Works that use, pollute, obstruct or in any way interfere with the passage of water in a drain, or drainage works.

It should be noted, in some instances, a Planning Permit for native vegetation removal or other environmental sensitive works may also be required under the Murrindindi Shire Planning Scheme, or state and federal environmental legislation. Council's Planning and Environment Staff can determine the need for a Planning Permit as required.

Where biodiversity impacts are likely through loss of habitat and fragmentation of native vegetation, the proponent should demonstrate options to avoid and minimise vegetation/habitat removal and soil disturbance. This could be achieved, for example by changing or relocating works where possible or conducting works and operating machinery from the private property side of the road reserve boundary.





Council must make every effort to ensure the proponent is aware of the potential for biodiversity impacts, and understands how to avoid them. Council should ensure permits include:

- Definition of extent and location of works and a map or drawing defining proposed work area.
- Description of construction zone and methods to ensure works do not exceed limits and disturbance is minimised.
- Conditions for use and movement of machinery on roadsides.
- Conditions for disposal of removed vegetation and soil.
- Conditions for erosion/sediment control.
- Conditions for follow up weed control.
- Reference to identified biodiversity assets and conservation value.
- Reference to other compliance and permit requirements such as planning permits for vegetation removal.

### **b. Powerline Clearance (Trees)**

- All responsible persons required to maintain clearing space around electrical lines must comply with the *Electricity Safety Act 1998*, and its associated *Electricity Safety Regulations 2010*. Over pruning of trees on municipal roadsides is discouraged.
- Close and cooperative relationships between Council and SP Ausnet and other electricity distributors and/or their contractors are an important element to ensure these guidelines are applied.
- Any revegetation works must consider powerline clearance requirements.

### **c. Slashing and Spraying**

Council delivers its own slashing and spraying programs as part of its routine road, fire and environmental maintenance works. Council also recognises that property owners, community groups or contractors mow, slash or spray in a roadside (often areas that are not maintained by the Council).



At a minimum and where practicable, the following guidelines must be observed:

- Planning of slashing and spraying activities should reflect an understanding of roadside conservation value and consider options to minimise environmental impact, including:
  - In highly significant roadsides, altering the timing of works so not to directly overlap with the flowering season of native flora species. This will require a case by case assessment in collaboration with Council's Environmental Programs Unit.
  - If slashing or spraying is not appropriate, work with Council's Environmental Programs Unit to explore alternative options such as brush cutting or ecological burns (for more detail please see Guideline 5(a) Fire Prevention).
- No slashing or spraying is to occur in Special Protection Zones. Special Protection Zones are a Forest Management Planning Tool, and can be searched via DEPI Biodiversity Interactive Maps. Council Environmental Programs Unit can assist identify where Special Protection Zones are located.
- In areas close to waterways and/or highly sensitive zones, environmentally friendly herbicides must be used. It may also help to mark native vegetation with highly visible tape.
- In significant areas, ensure weed control techniques are specific, for example, drilling and filling, cutting and painting, using spray hoods or in some instances, hand pulling plants. Where possible, explore methods that have lower environmental risk when controlling vegetation along drainage lines. Consider brush cutting/power trimming as alternative options.
- Special consideration must be made in southern parts of the Shire due to the known presence of Round Leaf Pomaderris (*Pomaderris vaccinifolia*) and Silky Golden Tip (*Goodia lotifolia*).
- Widespread blanket spraying is not permitted on roadsides.
- Chemicals used in Council's internal maintenance activities must be approved for use by Council's Infrastructure Operations and Environmental Programs Unit and applied in accordance with the *Agricultural and Veterinary Chemicals Act 1992*.
- Slashing, by any person(s) must not occur on days of Total Fire Ban.

Please refer to the Rural Roadside Code of Practice for further information.



## 4. Education and Awareness

### a. Promotion and Communication

Approaches to managing roadsides must accommodate different needs of the community. Council plays an important role in promoting the range of values provided by roadsides. In supporting and encouraging community to adopt these guidelines, roadside conservation value must be promoted and communicated to property owners, Council staff, contractors, and other agencies.





## 5. Emergency Management

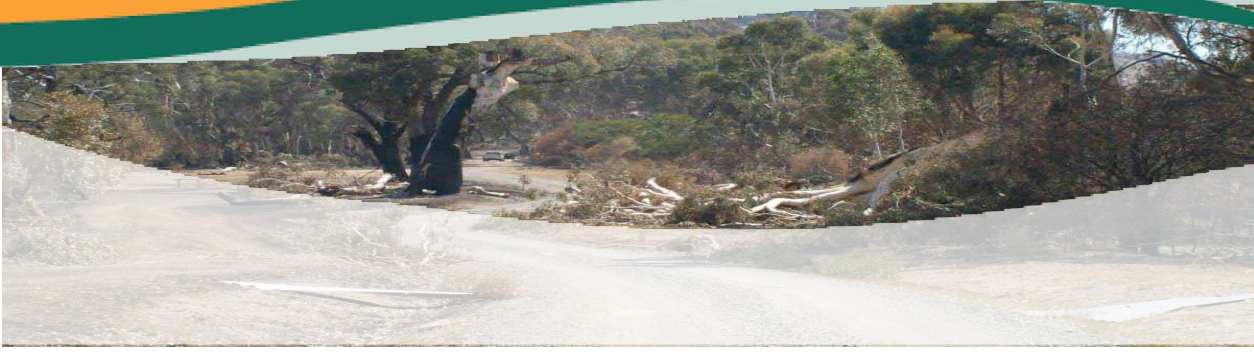
### a. Fuel Load Reduction Treatments

It is expected that fuel load reduction is planned in consultation with relevant stakeholders. In most cases a planning permit for native vegetation removal is required unless exemptions apply.

Plans should be developed before the ensuing fire season and work regimes are to be referred to appropriate Council departments and/or government agencies (i.e. CFA and Department of Environment and Primary Industries) to assess and validate proposed regimes.

The following treatments can be explored based on their impact on roadside conservation value:

- Slashing and spraying works; however such works must be planned in accordance with Guideline 3(c).
- Trimming vegetative re-growth (such as brush-cutting on some Highly Significant Roadsides.)
- Ecological burning regimes where, based on sound advice, such a treatment would reduce fire risk and at the same time enhance biodiversity values.
- Controlled stock grazing that does not impact adversely on soil and ground flora such as native grasses, wildflowers and other flora species.
- Fire wood collection, where an onsite assessment has determined that removal of logs would decrease fire risk, and not have an adverse impact on habitat values.
- Education initiatives that raise property owner awareness of roadside fire risk and bushfire survival planning.
- Development of strategic fire breaks (such as mineral earth firebreaks i.e. use of heavy machinery to construct fire control lines) are a last resort and will only be considered if other treatment options are unable to provide the same level of safety to the community. These will need to be assessed on a case by case basis to ensure obligations under environmental legislation are met. They must be constructed in accordance with the prescriptions set out by Council's Environment and Municipal Fire Prevention Officers.



All fire prevention works on a municipal roadside reserve must:

- Have approval from CFA in consultation with the Municipal Fire Prevention Officer, Engineering and Assets Staff and Environmental Staff.
- Comply with Murrindindi Planning Scheme.
- Comply with Murrindindi and Lake Mountain Municipal Fire Management Plan and Country Fire Authority Act 1958.
- Comply with Flora and Fauna Guarantee Act 1988 and the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999.
- Consultation with DEPI Biodiversity Staff when considering works on highly significant roadsides.

## b. Emergency Response Works

For the purpose of these guidelines, **emergency response** is defined as a Council and/or emergency service-led response to a storm, flood or bushfire event that leads to excess timber and vegetation on roadsides.

The purpose of this guideline is to define the best way to manage excess timber on roadsides within the resource available to the Council. For larger scale events, it is important that the costs for cleaning up timber responsibly are included in budgets under the State Government's National Disaster Funding requests. Depending on the nature of the storm event, the process may include:

- Cutting up larger logs and making timber available for public collection in a controlled manner through Council's Community Local Law 2012, and/or in partnership with Department of Environment and Primary Industry and community service organisations.
- Removing the finer fuels either through chipping, burning off or transporting off site.



### c. Emergency Recovery Works

For the purpose of these guidelines **emergency recovery** is defined as works after an extreme weather event designed to assist the natural environment rehabilitate. For larger scale events, it is important that the costs for environmental recovery are included in budgets under the State Government's National Disaster Funding requests. Planning for such works should consider the need for:

- Environmental assessments and ongoing monitoring in disaster affected areas to determine the degree of intervention required to support rehabilitation processes.
- Bulk removal of dead/fallen vegetation from roadside so that it does not suffocate regeneration of ground flora. Consider offering firewood for public collection.
- When revegetating areas, primary focus is on sites that have lost structural connectivity and habitat values for local fauna.
- Ensure weed identification and management planning is factored into the process over a longer timeframe, for example a 5 to 10 year plan.
- Where treatments to control re-growth of woody weed species are required, use alternative methods such as cut-and-paint, drill-and-fill, and spot spray with knap-sack rather than broad-scale herbicide application.
- Slashing is also a preferred option, however an appropriate considerations should be made when designing slashing programs in a post-recovery context:

- Identify plant and equipment required to do the job that has minimal impact this can be achieved through options such as hiring or contractor selection.
- If vegetation must be removed for maintenance reasons, only that within 'verge arm reach' (no greater than 2 meters into the "vegetation zone") is to be removed.
- Areas that have a high number of standing trees retained and/or areas of natural regeneration may require more labour intensive techniques such as light chainsaws or power trimmers. This will help avoid damage to new growth, existing trunks and root system.
- Mowers or other machinery/equipment should be operated in a way that minimises soil disturbance and the impact on understorey flora.
- Appropriate prevention strategies for weed spread should be employed such as wiping down machinery and equipment before exiting one area and entering another.



## 6. Environmental Management

### a. Firewood Collection

According to the Victorian Firewood Strategy for Public Land and the *Forest Act 1958*, collection of firewood from public land requires permission from the land manager. Council's policy for collection is as follows:

- It is Council's preference that residents collect firewood at designated areas. Further information is available: <http://www.dse.vic.gov.au/forests/firewood/collection-areas>
- Collection of firewood from municipal roadsides is not allowed on Highly Significant Roadsides.
- Firewood collection is generally not approved on any other roadside due to road safety concerns and potential environmental damage. However, in the event of storm or wildfire damage, excess timber can present fire and road safety hazards. In these instances, firewood may be collected from a municipal roadside reserve providing a permit has been obtained. Permit applications will be assessed on the following basis:

- Excess timber demonstrates an immediate fire and public safety hazard as assessed by a Council or CFA Vegetation Officer.
- Removal of any excess amounts of timber demonstrates no to minimal loss in overall habitat value of the site.

Any person wishing to collect firewood from a Council roadside must obtain a permit to do so. Council will issue permits for roadside firewood collection (for a period of 3-6 months). Firewood collection will only be allowed in the autumn/winter season (1 March - 30 June) and the spring season (1 September - 30 November).

Applicants wishing to seek a permit need to include the following details for assessment:

- Proposed location of firewood collection
- Purpose of collection (domestic or commercial purposes)
- Estimated volume of firewood
- Date and time of proposed collection
- Traffic Management Plan



## b. Heritage

Rural roadsides and the Great Victorian Rail Trail have places and objects of natural and cultural heritage that are protected under legislation. The key pieces of legislation include *Planning and Environment Act 1987*, *Heritage Act 1995*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection Biodiversity and Conservation Act 1999*. Any person wishing to undertake activities involving disturbance in a roadside reserve such as maintenance or construction activities, must investigate requirements for a permit under legislative protections for heritage. Council's Planning Department can assist identify the need for a permit.

## c. Litter and Dumping

- Council's Local Laws Enforcement Officers will investigate roadside litter and dumping reports.
- Council encourages, supports and promote community initiatives that assist in the collection and removal of roadside litter including 'Clean Up Australia' day events.

## d. Native Vegetation Removal

Removal of any native vegetation species (including lopping, trimming or pruning of standing trees) is not permitted without approvals under the Murrindindi Planning Scheme.

Clearance of native vegetation without approval is illegal and offenders may be prosecuted under the *Planning and Environment Act 1987*. As a result, the following guideline must be followed:

- Native vegetation control should only occur through approved work regimes (e.g. road maintenance and fire prevention) that have either obtained or are exempt from obtaining a permit under the Murrindindi Planning Scheme.





## e. Revegetation

- Under the *Road Management Act 2004* revegetation works are considered non-utility works in a roadside reserve. Written consent from Council as the public road authority may be required, as well as approval from Council as the land manager.
- Revegetation will not compromise public safety. Revegetation must be in accordance with set-backs outlined in Council's Road Asset Management Plan and the Murrindindi and Lake Mountain Municipal Fire Management Plan.
- Revegetation must also meet requirements under the *Country Fire Authority Act 1958*, the *Road Management Act 2004* and electricity and telecommunications service provision regulations.
- It is Council's expectation that the Murrindindi Shire Council's Revegetation Guidelines are followed at all times when identifying revegetation locations and carrying out the works.

## f. Roadside Weed and Pest Animal Control

Declared noxious weeds in Victoria are plants that have been proclaimed under the *Catchment and Land Protection Act 1994*. These plants require management to eradicate. Under the existing Act, the Victorian Government relies on declaration categories to determine management responsibilities for particular invasive species. The categories include:

- State Prohibited Weeds
- Regionally Prohibited Weeds
- Regionally Controlled Weeds
- Restricted Weeds
- Established Pest Animals



In addition to declared noxious weeds there are a number of undeclared weeds present on municipal roadsides. Declared and undeclared weeds pose threats to the natural environment and agricultural productivity.

Council's approach to municipal roadside weed and pest animal control:

- Must be undertaken in accordance with the objectives outlined in Council's Roadside Weed and Pest Animal Plan.
- Where possible, routine maintenance such as slashing and spraying should consider ways to control municipal roadside weed and pest animal control.
- Collaborative approaches with other agencies such as DEPI, GBCMA, VicRoads, Goulburn Murray Water and Landcare Groups should also be explored to help supplement efforts.
- Municipal roadside weed control must be carried out in accordance with Guideline 3(c) and the Rural Roadside Code of Practice.

For further information on types of weed species proclaimed under the *Catchment and Land Protection Act 1994* refer the: *Weeds of the Goulburn Broken: Weed Identification Booklet*. In addition, further information on spraying and weed prevention is available in Council's Rural Roadside Code of Practice.

## **g. Seed Collection**

Seed collection on public land may require a permit from the Department of Environment and Primary Industries under the Flora and Fauna Guarantee Act 1989. Any seed collector should investigate the permit requirements for the flora species to be collected. Collection must be done responsibly leaving sufficient seed on the tree for both other collectors, insects, animals and the tree itself. Seed collectors are responsible for their own safety requirements and insurance.