

## Edward River Council Roadside Vegetation Management Plan



### 1. Executive Summary

#### 1.1. How to read this Roadside Vegetation Management Plan

The Edward River Council Roadside Vegetation Management Plan will result in an improved decision-making process by Council when assessing works that may threaten biodiversity values and will lead to the protection and enhancement of the important biodiversity values in the Council's roadside reserves. Implementing measures to avoid the chances of adverse environmental effects should be standard practice and everyone's responsibility. This Roadside Vegetation Management Plan has been developed under the direction of the Edward River Council.

The scope of this Plan is the management of rural roadsides under the management of the Edward River Council. It specifically excludes urban roads, roads controlled by Transport for NSW (TfNSW) and forest roads controlled by the NSW Department of Planning, Industry and Environment (DPIE).

This Roadside Vegetation Management Plan consists of this main document and three other documents targeted to different audiences:

**Document 1** – the 'Roadside Vegetation Management Plan' is designed for Council management and services. The Plan will be a reference document in the Edward River Council Planning Scheme, and is linked to the Edward River Council Community Strategic Plan

**Document 2** – the 'Roadside Vegetation Management Code of Practice Handbook' - Tailored to the requirements of road construction and maintenance contractors and workers. To be used in conjunction with the Edward River Council's Public Works existing processes and procedures.

**Document 3** – the 'Community Roadside Vegetation Management Handbook'. Designed for the general community, including landholders, fire prevention agencies and Landcare groups.

**Document 4** – the 'Community Roadside Vegetation Management Community Information Sheet'. Designed for the general community, including landholders, fire prevention agencies and Landcare groups

### 2. Introduction

The Edward River Council area falls into the Riverina Biogeographic region. Prior to European settlement a diverse range of native vegetation types existed across these bioregions. The original vegetation was diverse with shrubs, wildflowers and native grasses present. These woodlands and grassy areas have been extensively cleared for agriculture and this has led to a significantly modified landscape contributing to a significant decline of some native vegetation types. Some of these are now officially listed as being Threatened Species and Endangered Ecological Communities. Many remnants now only remain on road reserves, which represent the few remaining examples of ecosystems where the remnant vegetation provides fauna habitat corridors and connections between isolated areas of bushland.

The Federal Government has developed '*Australia's Biodiversity Conservation Strategy 2010-2030*' to address this decline in biodiversity, while the NSW government similarly has the *Threatened Species Conservation Act 1995*, *Environmental Planning and Assessment Act 1979* and *Local Land Services Act 2013 and the Biodiversity Conservation Act 2016* to address these issues. Local government is a key player in the conservation and management of biodiversity and threatened species in NSW, as councils manage large areas of public land, much of which contains important biodiversity values.

The Strategy focuses on the management of remnant vegetation located on roadsides and recognises the opportunities to protect and enhance indigenous vegetation. While the Plan focuses on native vegetation it also involves identifying a range of other biodiversity 'assets' on roadsides (including habitats and threatened flora and fauna), cultural sites, wetlands and waterways.

#### 2.1. The Value of Biodiversity on Roadsides

The depletion of native vegetation and habitats in other land tenures has accentuated the importance of roadsides for providing a range of habitats for flora and fauna, including threatened species and vegetation types. Native vegetation and habitats on roadsides can include many of the few remaining examples in highly developed landscapes, as well as some of the higher quality examples, where there have been fewer disturbances. They often provide the only connectivity to other remnants and the framework to support revegetation and restoration efforts in other land tenures. In the Edward River Council area there are flora species known only to remain on roadsides and fauna that would otherwise not exist in some areas without roadside habitats.

Roadsides provide:

- Wildlife habitat and links for fauna movement.
- Locations for service assets and aesthetic values for tourism.
- Biological diversity (roadsides often contain endangered native plants and animals).
- Foundations and framework for landscape connectivity and restoration.
- Important historic, cultural and natural landscape values.
- Assistance with the control of land degradation and road integrity (e.g. erosion).
- Areas for planned fire management (as per Local Emergency Management Plan), and;
- Windbreaks and shelter belts.

One of the primary goals identified for native vegetation management in NSW is to stop the loss of and decline in the health of native vegetation. Within the Edward River Council area approximately 90% of the land has been cleared for agriculture. With a large percentage of this land being irrigated, a significantly modified landscape exists, contributing to almost total loss of some native vegetation types.

### 2.2. Edward River Council Roadside Vegetation Maps

Complementing this Plan is the Council's Roadside Vegetation GIS mapping of all significant roadside vegetation within the Council Area. These maps provide details on the existing conservation values of roadsides throughout the area. In 2014 assessments of the conservation value of all roadside reserves within the Edward River Council area was conducted. This data has been incorporated into the Council's Geographic Information System (GIS) for use by all departments. This data, in conjunction with more detailed assessments and other available biodiversity information, can be used as a guide when determining appropriate roadside management. The general public can access roadside conservation values information by contacting Council. The Edward River Council is responsible for the management of around 1,750 kilometres of local roads which equates to 3,500 kilometres of road length when each side of the roadside is measured separately. This results in a combined total road and roadside area estimated at around 7,000 ha. All the roadsides in the Council area have been assessed for their conservation values. As percentages of total roadside length, only 11.6% of roadsides are rated as having high conservation value. Approximately 17% of the roadsides within the Council's jurisdiction have conservation values of moderate or higher, meaning only a quarter of the roadsides can be considered to have adequate native vegetation.

### 2.3. Links to Edward River Council Community Strategic Plan 2018-2030

The Edward River 2030 Community Strategic Plan is the highest-level plan that Council prepares in accordance with the Integrated Planning and Reporting Framework. The purpose of the Community Strategic Plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. In doing this, the planning process considers the issues and pressures that may impact the community and the level of resources that will realistically be available to achieve its aspirations. At an operational level, the Community Strategic Plan is implemented through Council's Four Yearly Delivery Program and annual Operational Plans, which outline the activities and actions that are the responsibility of Council in achieving our shared vision.

### 2.4. Strategic Objectives

The natural environment is an identified priority of the Edward River 2030 Community Strategic Plan. Within the Strategic Plan, Outcome 3 – *A valued and enhanced natural environment*; sets out several targets with roles and responsibilities to achieve the outcome. The Council's Roadside Management Plan will directly contribute to Target 3.2 – *our natural environment is protected and enhanced*, by ensuring that important roadside reserves are managed in an environmentally and culturally acceptable manner.

The Edward River Council Combined Delivery Program 2018-21 and Operational Plan 2019-20 outlines how Council will contribute to achieving the vision set out in the Community Strategic Plan and turns the strategic objectives contained in Edward River 2030 into actions. All plans, projects, activities and funding allocations made by Council must be directly linked to the Delivery Program. Supporting the Delivery Program is an annual Operational Plan. Adopted by Council each year alongside its annual Budget, the Operational Plan identifies the plans, projects and activities that will be carried out over the financial year covered by the Operational Plan to achieve the commitments made in the Delivery Program.

This Strategy is a reference document to the delivery program and operations plan. Reference documents explain why particular requirements are in the scheme, substantiate a specific issue or provide background information to specific decision guidelines in the local planning policies and/or schedules. The Roadside Vegetation Management Plan has been prepared to reflect all levels:

- **Objectives:** To maintain and enhance biodiversity of native flora and fauna communities
- **Strategies:** Protect remnant areas of native vegetation, streamlines, wetlands and other environmentally sensitive features, and;
- **Implementation:** Utilise this Plan and Roadside Vegetation Assessment Maps.

Through these mechanisms, Council aims to provide long-term commitment to ensure that there is a visible and measurable improvement to roadside reserves throughout its local government area in terms of:

- Safety.
- Quality, viability and quantity of flora and fauna.
- Aesthetics.
- Reversing land degradation, and;
- Best management practices.

### 2.5. Community and Other Government Agency Partnerships

Community education will accompany this Plan so that all stakeholders have a clear understanding of the value of native vegetation on roadsides and their responsibilities in relation to any work that may impact on roadsides. By gaining a better understanding of the issues relating to biodiversity conservation, improving practices and implementing simple processes, the Edward River Council can improve its environmental performance, increase efficiencies and reduce costs. The *Community Roadside Vegetation Management Handbook* and the *Community Roadside Vegetation Management Community Information Sheet* initiates the education process by providing important information to the community about roadside management and guidelines for activities on roadsides as well as when and who to contact when activities require a permit.

Partnerships with other government partners is essential to the successful implementation of the Plan, and subsequent monitoring and evaluation and updating as new knowledge becomes available. Government organisations such as Murray Local Land Services provide essential expertise in a range of disciplines needed to properly develop and assess roadside vegetation management.

## 3. Council Objectives, Management and Delivery

### 3.1. Roadside Vegetation Management Objectives

This Roadside Conservation Strategy aims to:

- Ensure that key stakeholders are aware of this Strategy and to encourage their participation and commitment to its implementation.
- Enhance community awareness and knowledge of roadside issues.
- Increase the adoption of best practices by all land managers.
- Control and reduce the spread, and where possible, eradicate priority pest plants and animals.
- Maintain and enhance biodiversity, on both public and private land, encouraging revegetation on adjoining land to compliment roadside values.
- Protect and enhance the environmental, amenity and cultural values of roadsides.
- Prevent further land degradation on linear roadside reserves.
- Improve water quality resulting from road runoff.
- Minimise the risk and impact from fire.
- Promote minimum disturbance techniques, and;



- Protect service assets located on roadsides while maintaining a safe road network.

### 3.2. Who is the Plan for?

This Plan is for a range of stakeholders throughout the community. The Plan consists of this main document and three other documents targeted to audiences:

**Document 1** – the ‘Roadside Vegetation Management Plan’ is designed for Council management and services. The Plan will be a reference document in the Edward River Council Planning Scheme, and is linked to the Edward River Council Community Strategic Plan

**Document 2** – the ‘Roadside Vegetation Management Code of Practice Handbook’ - Tailored to the requirements of road construction and maintenance contractors and workers. To be used in conjunction with the Edward River Council’s Public Works existing processes and procedures.

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### 3.3. Who will Manage this Plan

Council’s Manager Operations is responsible for the implementation and management of this Plan. Copies of the Strategy (and handbooks) along with Council’s Roadside Conservation Values Assessment Map are available to all service providers, contractors and staff. The community (e.g. Landcare groups) also plays a role in protecting and enhancing roadsides within Council’s local government area and will be provided with access to the Strategy. The Plan and handbooks will be accessible from the Edward River Council website [www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au)

### 3.4. Implementation of the Plan

Edward River Council is the responsible authority for local roads and has a responsibility to manage risks to biodiversity in road reserves under its care. This role is determined to an extent by a range of awareness, understanding and compliance with responsibilities required by these controls can address many of the issues associated with biodiversity conservation in road reserves. Implementation of this Plan will be assisted by clauses in tender documentation and performance works contracts relating to contractor’s responsibilities under the Plan.

Implementing the Plan will require ongoing monitoring and evaluation to ensure appropriate direction of funding, compliance with reporting requirements and the achievement of Council’s goals. This Plan provides significant opportunities for Edward River Council to develop and implement new internal procedures for works and processes (such as Local Laws) to regulate and manage third party activities on road reserves. The Plan will be a reference document as part of the overall Edward River Council Strategic Plan. All Council staff have access to the GIS based Roadside Vegetation Mapping. This enables all staff to include roadside conservation values in their planning of projects.

### 3.5. Roadside Vegetation Management Assessment

The Roadside Vegetation Management assessment was based on a range of attributes including:

- The proportion of remnant native vegetation including grasslands.
- Percentage of weed cover.
- Degree of site disturbance.
- Potential habitat value.
- Width of road reserve, and;
- The presence of any threatened species of flora or fauna.

From the assessment, the vegetation quality is classified into three categories; High, Moderate, Low quality. The quality rating evaluates the vegetation condition as well as vegetation status (e.g. endangered or vulnerable), and applies to different vegetation types (Trees, Shrublands, Grasslands).

The different categories are defined as:

*High Quality Condition* – indicates significant ecological assets, i.e., endangered vegetation and/or threatened species. These two categories can be grouped together for management purposes as both categories indicate roadsides with native vegetation present in good condition. Features of very high and high conservation value vegetation may include:

- Relatively lower level of disturbance (may have been subjected to disturbance historically but has since regenerated).
- Various vegetation layers (such as trees, shrubs, grasses and groundcovers) present, although not necessarily all layers (as native vegetation such as grasslands are characterised by their lack of trees).
- Native vegetation occurs across much of the area.
- Low weed levels (may be seasonally high due to annual weeds).
- Support for a range of habitats.
- Forming of a wildlife corridor that is linked to other adjoining native vegetation, and;
- Provision of habitat for rare or threatened flora and fauna species.



*Roadside in High Quality Condition due to the presence of trees, shrubs, groundcovers and grasses and rare species*

*Moderate Quality Condition* – also indicates significant ecological assets; however, these sections do not currently have the same critical range as high conservation value sites. Vulnerable and rare vegetation of medium conservation value is at the lower end of the condition range. Vegetation condition may be higher for depleted vegetation than on other high conservation value roadsides where the vegetation is of endangered, vulnerable or rare status. Features of moderate quality vegetation may include:

- Moderate disturbance and weed levels (levels could be high at times if annual grassy weeds dominate seasonally).
- Native vegetation occurs mainly in patches, some capacity for natural regeneration, and;
- Few other habitat features.





*Roadside in Moderate Quality due to the high level of disturbance and introduced plant species.*

**Low Quality Condition** – indicates ecological assets that are depleted or least concern status. This category also indicates scattered tree sites. Features of low conservation value vegetation may include:

- Poor condition substantially disturbed and or modified, predominantly non-native vegetation.
- Little if any native vegetation on site or adjacent, low natural regeneration, and:
- Few other habitat features.



*Roadside in Low Quality Condition with very little native vegetation and an abundance of introduced grasses.*

It is important to note that the 2019 survey is a point-in-time assessment. Just because a length of roadside is rated in 'moderate' quality does not exclude the possibility that its rating could improve in the future, particularly with management intervention. With each roadside within the Edward River Council Area assigned a quality value, this information has been displayed on the Roadside Vegetation Management Assessment Map. The map is designed for use in conjunction with management guidelines and is available in GIS format.

### **3.6. Legislative Requirements and Implementation by Council**

There is an array of legislation and policy relevant to biodiversity and road management. The following Commonwealth Acts influence Council's management of road reserves:

- Environment Protection and Biodiversity Conservation Act 1999.

The NSW Acts that influence Council's management of road reserves include:

- Environmental Planning and Assessment Act 1979.
- Local Land Services Act 2013.
- Biodiversity Conservation Act 2016.

Australia's Biodiversity Conservation Strategy 2010-2030 and NSW Biodiversity Conservation Program are two strategies that influence Council's management of road reserves.

Under the NSW Roads Act 1993, Council is the responsible authority for all local roads within its local government area. Council is also responsible for the management of third-party activities on those roads. TfNSW is the responsible authority for state highways, freeways, main roads and tourist roads and the DPIE manages most forest roads. LLS are responsible for the management of vegetation and permits on the roadside. Council, in consultation with other reserve authorities,

manages road reserves to meet requirements of State and Federal legislation in several areas including:

- Road safety.
- Protection of native flora and fauna.
- Protection of biodiversity.
- Management of cultural heritage sites and sites of aboriginal or archaeological significance
- Water quality
- Weed control, and;
- Environmentally sustainable development.

Edward River Council is the responsible authority for local roads and has a responsibility to manage risks to biodiversity on road reserves under its care. This role is determined to an extent by a range of legislative requirements and strategies. Many issues associated with biodiversity conservation on road reserves will be addressed by increasing awareness and understanding of the values of biodiversity on roadsides. Compliance with this Plan will be achieved by adopting this Plan and ensuring all tender documents and performance works contracts comply with this Strategy. Implementing this Plan will require ongoing monitoring and evaluation to ensure appropriate direction of funding, compliance with reporting requirements and the achievement of Council's goals. The Plan further develops Council policies in relation to environmental sustainability and the responsible management of natural resources encapsulated in the Council's Community Strategic Plan and 2030.

#### **4. Taking Action for Roadside Vegetation Management**

This Plan aims to guide a responsible land manager in taking the required action to address a particular roadside management issue. It has been designed to allow for a clear distinction to be made between the strategic (management), tactical (planning, engineering and local laws) and operational levels of decision making.

##### **4.1. What can Council do?**

The Council can contribute to biodiversity conservation along its road reserves through:

##### **Legislation and Plans**

- Ensuring compliance with legislative and other regulatory responsibilities.
- Providing direction and support through Council plans, strategies and policy.
- Integrating roadside environmental management into systems, procedures, processes and practices.
- Implementing systems and controls to manage and ensure compliance with Council consent for third party activities in road reserves, such as 'Consent for Works', 'Road Opening Permits' and livestock permits.
- Developing, implementing and reviewing incident response procedures.
- Reviewing existing practices and procedures (controls) for strengths and weaknesses and modify where necessary.
- Ensuring adequate reserves.

### Training / promotion

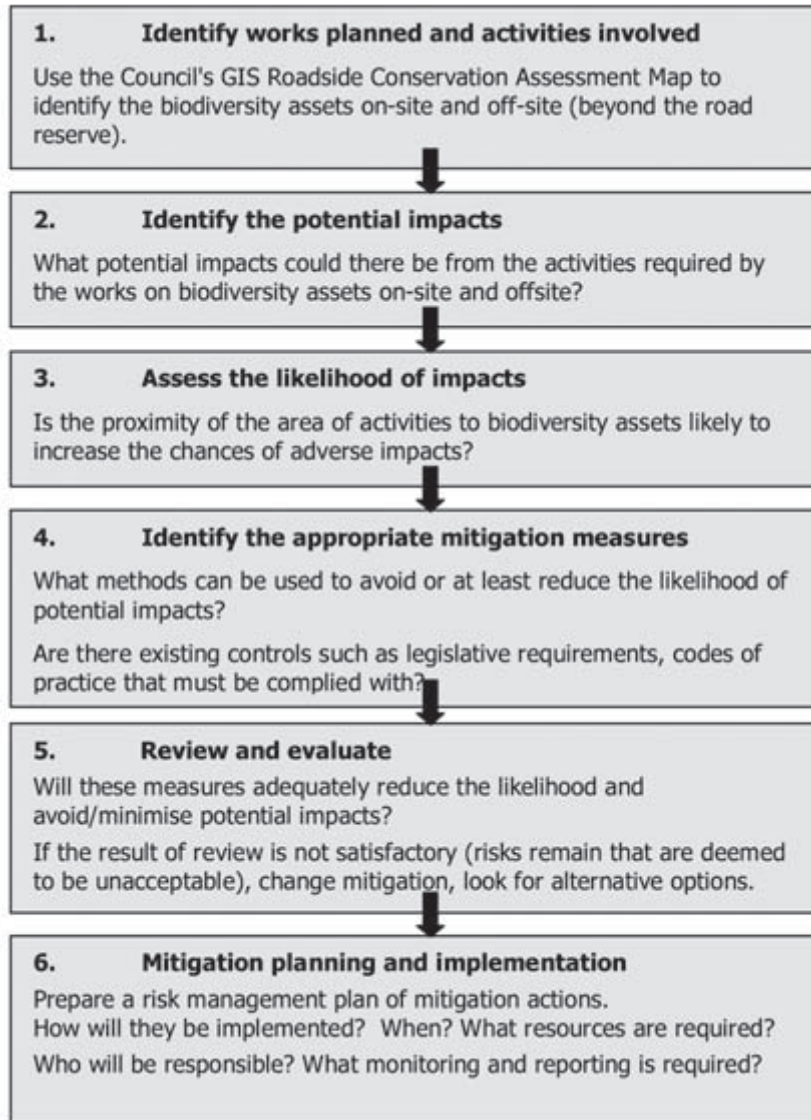
- Developing awareness, knowledge and commitment to sound environmental management in all Council staff.
- Encouraging communication and sharing of responsibilities between all Council functions.
- Providing regular environmental management awareness and technical training with a focus on a whole of organisation approach rather than just a section such as road crews.
- Including other sectors such as customer service, administration, planning, local laws, infrastructure, management and councillors, as they all influence roadside management.

### Operations

- Identifying and documenting biodiversity asset information, threatening processes and management requirements and ensuring this is accessible, well known and used by operational staff.
- Developing and resourcing Council revegetation/rehabilitation projects.
- Providing skilled environmental technical support for staff.
- Sourcing and providing technical information.
- Supporting inter-council and agency cooperation, information sharing and joint projects.
- Improving the management of weeds (therefore reducing the extent of weeds).
- Encouraging community involvement and acceptance in:
  - Providing information with clear direction from Council.
  - Ensuring informed and consistent responses from Council staff to enquiries.
  - Ensuring systems are in place and implemented to manage third party activities in road reserves e.g. consent for works, livestock permits, and;
  - Discouraging unauthorised activities in road reserves.

As part of this Plan a Roadside Biodiversity Risk Management Protocol will be followed. The protocol provides general guidelines and simple measures that can be easily adapted and implemented into existing council plans to mitigate potential impacts to biodiversity as a result of works and other activities in road reserves. The guidelines and checklists are about adopting and implementing measures to avoid and minimise the chances of adverse environmental effects.





*Steps in the Roadside Biodiversity Risk Management Process*

### 4.2. Community Engagement and Education

Community engagement will accompany this Plan so that all stakeholders have a clearer understanding of the value of native vegetation on roadsides and their responsibilities in relation to any work that may impact on roadsides. Community education will encourage the adoption of best practices by all land managers and promote maintaining and enhancing native vegetation on roadsides and adjoining properties. Maintaining and enhancing biodiversity on public and private land is promoted through many projects, due to the wide benefits it provides in the landscape.

Increasing knowledge of the issues relating to biodiversity conservation, improving practices and implementing simple processes, the Council can improve its environmental performance, increase efficiencies and reduce costs. Council will:

- Launch the Roadside Vegetation Management Plan and Handbook, and the Community Roadside Management Handbook and Community Information Sheet
- Handbook and make copies available to all stakeholders.
- Ensure the Plan and supporting handbooks are available electronically from Council's website.



- Actively promote the Plan and the value of roadsides in the area to stakeholders (including service providers, Landcare groups and the community) through:
  - Press releases,
  - Mayoral columns,
  - Workshops,
  - Landcare Group meetings,
  - Field days, and;
  - Other appropriate public forums.
- Encourage community involvement and acceptance of this Plan by:
  - Providing information and clear direction.
  - Ensuring informed and consistent responses from Council staff to inquiries.
  - Ensuring systems are in place and implemented to manage third party activities in road reserves e.g. consent for works, livestock permits.
  - Discouraging unauthorised activities in road reserves.

### 4.3. Review of Plans

In order to reflect changes to existing management practices that contribute to a loss or improvement to conservation rankings and to meet changing community expectations, this Plan will be reviewed every four years or as required.

## 5. Guiding Principles for Protecting Roadside Vegetation

Managing the vegetation of roadsides and revegetating roadsides will be guided by the following principles:

- Native vegetation includes trees, shrubs, grasses and groundcovers. In some cases, not all these types of plants are present (e.g. grasslands do not feature trees). The highest priority is to retain existing native vegetation by avoiding clearance where feasible, minimising disturbance to flora and fauna while installing and maintaining service assets and ensuring the safe functioning of roads. Where removal is unavoidable the principle of 'Net Gain' will be applied. Net Gain simply requires that land managers responsible for losses in the extent or quality of native vegetation redress those losses by producing gains in extent and quality elsewhere – overall gains to be greater than overall losses.
- Prevent the decline of indigenous vegetation communities and fauna habitat by actively managing roadsides to protect remnants and to maintain visual amenity, landscape qualities as well as cultural and heritage values.
- Enhance priority habitats by targeting action for designated priority ecosystems to protect endangered species.
- Improve connectivity by revegetating potential wildlife corridors that form a link between isolated habitats.
- Identify, protect and enhance remnant vegetation including grasslands (note: the width of the road influences this opportunity with the wider 'three-chain roads' in the area presenting the best of these opportunities).
- Grasslands are to be restored with grasslands flora (which excludes trees).
- Recognise the importance of understorey and species composition.

### 5.1. Regeneration

Regeneration of indigenous vegetation will be protected and encouraged except where:

- It imposes a safety risk (including the preservation of sight distances), or;
- It interferes with the road, table drains, sign posting, road widening and road construction or where overhead power lines exist.



*Regeneration occurring along a roadside*

### 5.2. Removing Native Vegetation on Roadsides

LLS has control of clearing of native vegetation on road reserves. A permit may be required to remove, lop or destroy native vegetation. This could include the following activities:

- Pruning or cutting.
- Slashing or mowing.
- Grazing.
- Spraying.
- Clearing along fence lines.
- Ploughing, cultivation or grading.
- Cropping.
- Seed collection, and;
- Firewood collection.

The principle of Net Gain is applied to all permit applications. This involves avoiding vegetation clearance where possible, and minimising and offsetting any vegetation clearance where permits are granted.

### 5.3. Threatened Flora or Fauna

The Biodiversity Conservation Act 2016 provides special protection for threatened species. Roadsides within NSW contain many rare or threatened fauna (including the Squirrel Glider, Bush-stone-curlew, Superb Parrot) and flora species and communities listed under the Act. In addition, the Environmental Protection and Biodiversity Act 1999 provides additional protection for a range of species. If a rare or threatened species is suspected to be present at a site, Council and/or the DPIE and Murray LLS should be consulted for confirmation and appropriate management advice. It is an offence to disturb or destroy species listed under the FFG Act 1988 and Environment Protection and Biodiversity Conservation Act 1999. Heavy penalties apply for breaches of the Acts.



A Bush stone-curlew hides amongst fallen timber important for the species to be able to avoid predators



A Superb Parrot feeds on acacia seeds a part of its diet and an important understorey shrub on roadsides

### 5.4. Protecting Native Fauna and Wildlife Habitat

Roadsides contain habitat for a range of native fauna. In particular, scattered large old remnant trees that are features of the Edward River landscape contain hollows that are vital habitat for many species including gliders, possums, birds and bats. Other elements such as fallen timber, coarse woody debris, leaf litter and native understorey form equally important habitat for other species including lizards, insects and birds. Written consent from Council is required for works in a Council road reserve and conditions apply. LLS is responsible for permits relating to fauna and flora and must be contacted.

The following guidelines apply to protecting habitat for wildlife:

- Natural regeneration on roadsides will be encouraged where they form wildlife corridors and these areas are to be given priority in restoration programs.
- Dead trees or limbs containing hollows, that have fallen naturally will be retained to provide habitat unless they are identified as a safety risk.
- All habitat components will be retained unless they pose a significant hazard as specified by the Local Emergency Management Plan.
- Check for nests or other fauna habitat, and avoid disturbance to those areas
- Retain all habitat such as rocks, dead standing trees, fallen timber and leaf litter unless they pose an identifiable risk in terms of road safety.
- Ensure that large old trees are protected from activities such as firewood collection, and agricultural activities.
- Do not slash or disturb regeneration, unless approved and for safety, and;
- Leave native vegetation undisturbed. Do not 'tidy up' areas of native vegetation or fallen timber/leaf litter, on roadsides.

### 5.5. Protecting Wetlands and Waterways

The Edward River Council jurisdiction contains different wetlands within its road reserves. Prior to any works being undertaken consultation will take place with the Murray LLS and DPIE where works may change a natural wetland, including the interruption or diversion of flows into wetland areas. Designated waterways may be named or unnamed, permanent or seasonal and range in size from a river to a natural depression. Wetlands and waterways are to be protected by appropriate practices based on minimum disturbance principles:

- Wetlands will be identified, protected and enhanced and the status will be recorded, and;
- Artificial wetland areas on roadsides will be retained if they do not have a detrimental effect on native flora and fauna.

### 5.6. Unformed Road Reserves

Unformed road reserves can provide some of the best examples of remnant vegetation. In some cases, they form part a corridor for movement of fauna in between patches of remnant vegetation. Where opportunities exist for projects to protect and/or enhance native vegetation on unused road reserves, they will be supported by Council. DPIE will be consulted regarding any projects on unused road reserves with the goal of obtaining long-term protection of these sites.

### 5.7. Protecting Cultural Heritage

Indigenous and non-indigenous cultural heritage provides a sense of community identity. New South Wales' heritage includes archaeological sites, buildings and structures, created landscapes and community values and beliefs. As activities on roadsides have the potential to impact on heritage sites, it is important to identify heritage issues to enable impacts to be avoided, minimised or mitigated. All Aboriginal archaeological sites are protected by the State National Parks and Wildlife (NPW) Act 1974, the Heritage Act 1977, The Environmental Planning and Assessment Act 1979, and the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984. These Acts prohibit the wilful destruction or disturbance of any cultural heritage site, place or object, whether on private or public land.

DPIE works in partnership with other government agencies and communities to identify, care for and promote the cultures and the heritage of NSW. Under the NPW Act, it is an offence to do any of the following things without an exemption or defence:

- A person must not knowingly harm or desecrate an Aboriginal object, and;
- A person must not harm or desecrate an Aboriginal object or Aboriginal place

An important aspect of the legislation is what is known as 'due diligence'. Before commencing works on a roadside conduct an Aboriginal Heritage Information Management System search to help identify any registered sites. If someone is planning an activity, they must show that they have taken steps to avoid damaging or harming any Aboriginal site. Refer to the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.

Not all sites are recorded so care must always be taken when undertaking the site assessment to look for possible Aboriginal cultural heritage sites. Roadside workers and contractors would benefit from training to increase awareness of heritage issues and to increase recognition skills of indigenous artefacts such as mounds, middens, surface scatters, tools, stone quarries, burial sites and scar trees to assist in the identification and subsequent protection of new sites.

DPIE has published a Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW to assist individuals and organisations to exercise due diligence when contemplating activities which could harm Aboriginal objects or places. Anyone who uses due diligence to determine that their actions will not harm Aboriginal objects or places has a defence against prosecution for the strict liability offence if they later harm and object or place.

The Code also provides a process to determine whether the activity requires an application for an Aboriginal Heritage Impact Permit (AHIP). An AHIP – which must be supported by an Aboriginal Cultural Heritage Assessment Report, including evidence of consultation with Aboriginal people –



can be issued by the departments Chief Executive when harm to an Aboriginal object or place cannot be avoided.



*Aboriginal Scar Trees and middens. Scarred trees are often found on roadsides. Roads closer to waterways and wetlands have a higher chance of containing sites of Aboriginal cultural heritage such as middens.*

### 6. Guiding Principles for Specific Activities on Roadsides

Under the NSW Roads Act 1993, written consent is required from Council before undertaking works in a road reserve. This written consent is provided by Council in the form of a permit for working on roadsides which can place conditions on the works undertaken (for example timing of works, minimising environmental impacts, etc).

#### 6.1. Firewood Collection and Timber Removal

Firewood collection is not permitted on roadsides. Dead and fallen timber is very important habitat for many native mammals, birds, bats, reptiles and insects. Firewood collection is listed as a threat to many native vegetation types contributing to the decline of some species of fauna. Given the highly altered landscape of the Edward River Council area, few roads contain enough native vegetation to require biomass removal through firewood collection. No firewood collection is permitted on any council managed roadsides.

#### 6.2. Fire Prevention and Management

Under the Rural Fires Act 1997 the Council has a responsibility to 'take all practicable steps to prevent the occurrence of fires on and minimise the danger of the spread of fires on, any road under its care and management'. Specific road reserves have been used as fuel reduced corridors for many years. Fire prevention measures outlined in the Emergency Management Fire Prevention Plan include periodic fuel reduction and firebreaks. The objectives of roadside fire management, after road user safety, are:

- Prevent fires on roadsides (which includes education, regulation and provision of fuel free areas including fuel free shoulder).
- Contain roadside fires.
- Manage safety of road users.
- Provide control lines (on designated roads, not all roads), and;



Landowners are advised that only works in accordance with the Emergency Management Fire Prevention Plan are permitted on road reserves. Any fire prevention works on roadsides, including burning, require written consent from Council. The Rural Fire Service (RFS) and Council are authorised to conduct burning on roadsides.

Council is authorised under the NSW Roads Act 1993 to ensure that:

- no new ploughed or graded firebreaks should be constructed by landowners on roadsides. Breaches of this law will be prosecuted.
- landowners are encouraged to undertake fire prevention works, including new firebreaks, on their own property, as promoted as best practice by the RFS, and;
- existing ploughed or graded firebreaks can only be maintained if they are part of the Local Emergency Management Plan. These breaks are not to expand or encroach on native vegetation. Breaks generally should not exceed 5 metres.

Existing firebreaks are not located on roadsides with conservation values of very high or high. The development of new firebreaks is to be placed on adjacent land as recommended by the RFA. Fuel reduction burning on the road reserve may reduce surface fuels to a minimum and deprive an ignition source of fuel. In areas where there is a history of successful fuel reduction burning and where there is no dispute over the application of this treatment, it is suggested that the practice continue. In the Edward River Council jurisdiction, roadsides managed by Council and suited to fuel reduction burning will be described in the Emergency Management Fire Prevention Plan and conducted in an arrangement with local RFS brigades. Where RFS brigades complete fuel reduction burns on roadsides, assistance will be provided by Council to obtain the required Works on Roadside permit.

### **6.3. Pest Animal Control**

Pest animals have many detrimental impacts on the natural environment, including:

- Limiting remnant vegetation regeneration by eating seedlings.
- Contributing to land degradation by burrowing and scratching soils.
- Reducing biodiversity by killing native animals, or outcompeting them for available food sources, and;
- Spreading weeds.

The major pest animal species in the Council area are rabbits, foxes, hares and feral cats.

### **6.4. Pest Plant Control**

Pest plants are a major threat to native vegetation on roadsides and have a large economic impact. Noxious weeds are plants that are legally declared to be a serious threat and economic cost to agriculture and the environment. There are four classifications, State Prohibited, Regionally Prohibited, Regionally Controlled and Restricted. The management of State Prohibited weeds is the responsibility of DPIE. Landowners (including Council) must take reasonable steps to eradicate Regionally Prohibited weeds and they have an obligation to take reasonable steps to prevent growth and spread of Regionally Controlled weeds. Restricted Weeds describe plants that pose an unacceptable risk of spreading in NSW or other parts of Australia and are not to be traded or sold.

Strategies for the management of weeds have been developed at a national, state and regional level. Council's Weed Management Plan. outlines the strategic approach for weed management within the council area. On roadsides with high conservation value, particularly where the native vegetation is grasslands, the preferred method of weed control is spot spraying. In some cases, it is preferable to burn the weeds, mainly to reduce annual grasses such as rye and oats and the burn can also be timed to promote an ecological response such as stimulating a soil seed bank.

### 6.5. Fencing

Consent is required for fencing works being undertaken by a third party in a road reserve as required under the NSW Roads Act 1993. There is an exemption under the planning scheme to allow the removal, destruction and lopping of native vegetation to enable the construction of a fence on a boundary between properties in different ownership or to enable the operation or maintenance of an existing fence. The combined maximum width of clearing must not exceed 3 metres. Vegetation can be cleared either side of the fence provided the combined width does not exceed 3 metres. This exemption does not apply to the construction of internal property fences or where there is an Environmental and Landscape overlay. This exemption for clearing vegetation is to a maximum width of 3 metres, it is not to be interpreted that it is a right to clear 3 metres along the entire length of fence. Council expects clearing of native vegetation for fencing to be minimised.

This consent must be received from LLS with concurrence from Council.

### 6.6. Farming and associated activities

#### *Livestock Movement, Droving and Grazing*

Livestock Movement, Droving and Grazing Livestock are an important economic factor within the Council jurisdiction. However, the Roadside Vegetation management Plan seeks to address the impact of livestock activities on roadsides such as the potential spread of weeds. Grazing can destroy areas of significant high conservation value native vegetation. Permanent livestock crossing (livestock regularly crossing a road at a location) is only permitted with a Council permit. Livestock droving (the movement of livestock either by driving them into, or by driving them along any roads throughout, the local government area a distance greater than can be achieved by travelling in one day between the hours of sunrise and sunset) or grazing (livestock held in an area for the purpose of feeding off roadside vegetation) requires a permit. In granting a permit Council must consider whether damage to plants of conservation value is likely and may impose permit conditions. Movement of livestock (livestock which are being moved on any Council controlled road other than droving or grazing or regular movement) does not require a permit, provided that:

- All livestock reach their destination by the most direct route consistent with the requirements of the law.
- Livestock are only allowed on the road for the time it takes for the movement to their destination.
- Stock are only allowed on a road during daylight hours.
- Must be supervised by a competent person and adequate warning must be given to drivers on that road, with no traffic delays exceeding 5 minutes in anyone crossing.
- Stock movement is not allowed on sections of the road that are determined by the Council to have high or very high conservation value, and;
- Comply with directions from Council with regards to; protection from damage caused by livestock to the road, the road reserve, roadside vegetation, any construction on the road or roadside drainage.

Livestock must be moved by the shortest distance as determined by Council. Regular movement of livestock must meet the requirements of movement of livestock, as listed above.

#### *Cultivation and Ploughing*

Ploughing, grading or cultivation on roadsides requires written consent for works on roadsides. Landholders are required to install firebreaks for private benefit on private land, as recommended by the RFS. Firebreaks for community benefit can only be constructed on public land on sites listed in the Emergency Management Prevention Plan. Any infringement can result in rehabilitation works to compensate for biodiversity loss and to reduce the spread of weeds. The destruction of species

listed under Threatened Species Conservation Act 1995 and/or EPBC Act 1999 can result in prosecution under these Acts.

### *Slashing*

Slashing of native vegetation with very high or high conservation value requires written consent from LLS and a permit and consultation with Council. Slashing of native grasses should not occur between October and February to allow native seed set, and blades on slashers should be set no lower than 150mm above the ground.

### *Cropping and Haymaking*

Cropping or haymaking activities on roadsides require written consent from Council for works

on roadsides. Non-compliance could result in an infringement notice being issued. Anyone wishing to undertake these activities should apply to Council for the above permit and consent. Council will assess each application on a case by case basis subject to conditions at the time. Cropping and haymaking is not the preferred management for roadsides.

### *Machinery Movement*

Due to the value placed on remnant vegetation, Council is reluctant to approve machinery movements requiring vegetation removal beyond normal clearance distances.

### *Drainage of Land*

Landholders require a planning permit for earthworks that may alter the direction or rate of water flow across a property boundary or change the point of water discharge from a property or increase the discharge of saline groundwater. Typical activities that might involve earthworks include; landforming, laser grading, levee banks, construction of lanes, tracks, channels and drains as well as above ground storages. Landholders need to ensure water is retained on-farm through improved irrigation practices as the Environment Protection Authority can impose penalties for discharge offsite, including roadsides.

### *Farm storage*

Storage of farm equipment, refuse, fencing materials or chemicals is prohibited on roadside reserves.

## **7.0 Monitoring and Evaluation**

In order to reflect changes to existing management practices that contribute to a loss or to an improvement to conservation rankings and to meet changing community expectations, this Plan will be reviewed every four years.

Actions specified in the Plan will be reported against annually.

A Monitoring and Evaluation Strategy is required to assess the progress of implementation of this Plan. The following performance indicators have been identified.

Annually:

1. Review Council's on-line documentation to see if the relevant documents have been updated to include reference to this Roadside Vegetation Management Plan. This would include:
  - a. Develop a Vegetation Protection Overlay to incorporate the Roadside Conservation Values embodied in this Plan.
  - b. Review Council Local Laws to ensure they cover issues which cannot be fully addressed through the planning system - including the application of overlays - in relation to the protection of roadside conservation values.

- c. Issues such as fencing, stock crossing, storage, bee keeping, pest animal management, firewood collection, haymaking and cropping, and revegetation works.
2. Conduct a review of works undertaken on roadsides in its local government area to measure compliance.
3. Commence photo point recording, and other monitoring, of high value and medium value roadside vegetation to monitor (visual) change over time, include grasslands.

After four years:

4. Review incident reporting and investigation procedures to see whether gains have been made from the development and implementation of the Roadside Vegetation Management Plan.

### 8.0 Guideline Summaries for Roadside Activities

Table 1. The foremost principle for all the activities in Table 1 is that approval to remove native vegetation requires a planning permit. Secondly, consent from Council is required to work on a Council road reserve.

Action	High Conservation	Moderate Conservation	Low Conservation
<b>Native Vegetation Removal</b>	Avoid removing native vegetation beyond the road formation where possible. Apart from exempt works a permit is required to remove native vegetation from roadsides. Council will provide priority and support to any proposal aimed at creating a vegetation link for a wildlife corridor.	Avoid removing native vegetation beyond the road formation where possible. Apart from exempt works a permit is required to remove native vegetation from roadsides.	Avoid removing native vegetation beyond the road formation where possible. Apart from exempt works a permit is required to remove native vegetation from roadsides.
<b>Firewood collection</b>	No firewood collecting permits are issued for roadsides.	No firewood collecting permits are issued for roadsides.	No firewood collecting permits are issued for roadsides.
<b>Weed management</b>	No broadacre spray applications to be conducted on these roadsides. Use hand weeding, rope wick applicator or spot spraying to remove isolated weeds in areas of native vegetation. Dispose at a licensed waste depot or landfill.	Identify location of prominent weeds. Inform adjacent landholders of proposed weed control and encourage their involvement. Plan to slash weeds in late spring. To ease slashing consult with Council prior to removing stumps and fallen timber. Implement a program to remove woody weeds between March and July (except Blackberries, which require control during November to March). If additional weed slashing is necessary for fuel reduction, the area should be checked, and all regenerating native plants identified with a stake or other appropriate methods [temporary fencing]. Burn weeds on site or on cleared area or dispose of at a Council approved disposal site.	Identify location of prominent weeds. Inform adjacent landholders of proposed weed control and encourage their involvement. Plan to slash weeds in late spring. To ease slashing consult with Council prior to removing stumps and fallen timber. Implement a program to remove woody weeds between March and July (except Blackberries, which require control during November to March).
Action	High Conservation	Moderate Conservation	Low Conservation

<b>Grazing on Roadsides</b>	Droving or grazing is not permitted on High Conservation Value roadsides, unless approved by the relevant authorities for ecological management.	Limited droving or grazing may be permitted where ecological benefits such as weed control can be demonstrated, or to reduce fuel in accordance with the Local Emergency Management Plan	Droving will only be permitted when soils are not saturated or prone to compaction.
<b>Slashing</b>	If slashing is unavoidable, plan works to occur during early spring or autumn to minimise disturbance to native grasses and groundcovers.	If slashing is unavoidable, plan works to occur during early spring or autumn.	Check all sites prior to slashing operations and identify regenerating native vegetation with a stake or other appropriate method [e.g. temporary fencing].

Table 2. summarises the required approvals for activities on roadsides. This table is also included in both the 'Community Roadside Management Handbook' and 'Roadside Vegetation Management Code of Practice Handbook'.

Activity	Approval Required	Point of Contact
<b>Fencing</b>	Working on roadside permit required, if working from the road reserve. Planning permit if overlays present for removal is beyond exemption. If vegetation is protected, require Protected Flora permit as well.	Council Phone: (03) 5898 3000 E: council@edwardriver.nsw.gov.au LLS Phone 1300 795 299 E: <a href="mailto:admin.murray@lls.nsw.gov.au">admin.murray@lls.nsw.gov.au</a>
<b>Revegetation</b>	Working on roadside permit required.	Council LLS
<b>Collection of firewood</b>	Not permitted on roadsides.	Council LLS
<b>Droving</b>	Local Law permit is required	Council
<b>Grazing</b>	Local Law permit is required	Council
<b>Ploughing</b>	Not permitted on roadsides	Council LLS
<b>Grazing</b>	Grazing permit required from LLS with concurrence from Council.	Council LLS
<b>Mowing /Slashing</b>	Permit required from LLS with concurrence from Council.	Council LLS
<b>Haymaking</b>	Not permitted on roadsides.	
<b>Fire Prevention</b>	Permit required	Council
<b>Spraying</b>	Working on roadside permit required	Council
<b>WATERWAYS AND WETLANDS</b>		





<b>Any Works on the banks or bed of a waterway</b>	Works on Waterways permit. Planning permit if native vegetation being removed.	Council LLS
<b>CULTURAL HERITAGE</b>		
<b>Any works or activities that may disturb or damage site of cultural heritage.</b>	Notification or approval, depending on the nature of the works. A permit is required for work on or near a scar tree.	Registered Aboriginal Party (for advice see Council).