

## **11.3 Infrastructure Services Attachments**

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| ITEM NO | SUBJECT   | PAGE |
|---------|---|------|
| 11.3.1  | MANAGEMENT OF VEGETATION ON SHIRE LANDS – REVISION OF POLICY 16 | 1    |

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## **11.3 Infrastructure Services**

### **11.3.1 MANAGEMENT OF VEGETATION ON SHIRE LANDS – REVISION OF POLICY 16**

Attachment 1 – Schedule of Submissions

Attachment 2 – Policy 16 Management of Vegetation on Shire Reserves

**Draft Policy – ISP 16 Management of Vegetation on Shire Land  
Summary of Submissions**

| Doc No  | Name/Address<br>(if not confidential)       | Support of Proposed Policy |   |   | Removing clearing for views provision |   |   | Comment  | Officer Comment   |
|---------|---|----------------------------|---|---|---------------------------------------|---|---|--|---|
|         |   | S                          | O | I | S                                     | O | I |  |   |
| I295044 | J & D Smart<br>Turner St<br>Augusta         |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to draft policy.</li> <li>Objects to removal of clearing for views provision</li> <li>The practices carried out by residents reduce the risk of wild fire.</li> <li>Real estate prices of Cygnet Cres are higher due to the quality of views.</li> <li>Location is popular for whale watching, walking track, showcases the whole of Flinders Bay from a central position.</li> <li></li> </ul> | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted.  |
| I291928 | Confidential<br>Cottesloe                   |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Davies Rd Augusta.</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Objects to the preventing removal or trimming of vegetation considered to be a fire hazard.</li> <li>Object to clause requiring work to be undertaken by Shire or contractors as it would cause unnecessary delay in work being carried out.</li> </ul>  | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Ensuring work is carried out by Shire or contractors is necessary to address OSH and quality control matters. |
| I292138 | E Frannschich<br>Davies Rd<br>Augusta       |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Davies Rd Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Does not address protection from fire hazard vegetation can cause.</li> </ul>   | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported.   |
| I292210 | Peter St Claire-<br>Baker<br>Margaret River | X                          |   |   | X                                     |   |   | <ul style="list-style-type: none"> <li>Support draft policy.</li> <li>Supports removal of clause relating to pruning for views.</li> </ul>   | Fuel reduction to permit private development is not permitted within Shire Reserves.  |

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|                    |                                       |                            |   |   |                                       |   | <ul style="list-style-type: none"> <li>Supports restrictions on clearing of reserves that are required to facilitate a private development.</li> <li>Is a ratepayer with views and accepts the natural vegetation and natural recruitment, however there should be a clause that covers the shire planting trees that could subsequently obscure existing views.</li> <li>Plans to supplement existing vegetation should be restricted and should involve consultation.</li> </ul>  | Limited planting occurs in areas where views would currently occur. Revegetation generally undertaken in accordance with advertised plans.   |                 |
| I292213            | R Giles<br>Witchcliffe                | X                          |   |   |                                       |   | X <ul style="list-style-type: none"> <li>Support draft policy.</li> <li>Policy on reserves vegetation is required;</li> <li>Policy could be simplified by listing species that adjoining land owners can remove without Shire consent as current wording suggests approval be sought everytime someone wishes to remove these weeds.</li> <li>Confusion over shire approval being sought, and that the Shire or its subcontractor will undertake work (point 5) – if that’s the case why is shire consent required?</li> <li>Seems to be contradictory that approval be given for land owners on rural road reserves to undertake weed eradication on road reserves.</li> </ul> | Disagree that listing species simplifies policy as target species change over time. Consent still required to address OSH and quality control. Policy attempts to clarify situations when Shire may undertake works on request, or provide consent for works to occur but are funded by others. Rural land owners may not remove vegetation (even weeds) without consent due to OSH and quality control matters. |                 |
| I295051<br>I295563 | D Duffett<br>Bridgetown               | X                          |   |   |                                       | X | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Supports a vegetation policy;</li> <li>Policy 16 does not address broader reserve management such as weed and erosion management and friends groups.</li> <li>Objects to removing clearing for views provisions as the existing damaged trees due to previous pruning will be ongoing problem, if left unkept, multi-stemming will occur, creating</li> </ul>  | Other aspects of reserve management covered in reserve management plans. Noted that problems have been incurred due to poor past pruning hence policy developed to ensure better outcomes. Do not support development of new areas due to resourcing requirements and impact on environmental values.  |                 |

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|                    |                                       |                            |   |   |                                       |   |   | dense canopy, best management of these areas is to continue topping. <ul style="list-style-type: none"> <li>Suggests the Shire develop new areas where pruning for views occurs with good structured trees kept and pruned up.</li> </ul>  |  |
| I295486            | E West Augusta                        | X                          |   |   | X                                     |   |   | <ul style="list-style-type: none"> <li>Nil comment.</li> </ul>   |  |
| I295709            | Confidential Augusta                  |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Concern with fire risk if not managed.</li> <li>Locals and visitors use the area for whale watching during the season.</li> </ul>   | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted. |
| I295850            | H Lee Turner St Augusta               |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Concerned of fire risk if not maintained.</li> <li>Purchased homes at premium prices because of views.</li> <li>Turner Street is a local viewing point of Augusta (Flinders Bay, walks, whales, boats, beaches are viewed above the well maintained verge.</li> <li></li> </ul> | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted. |
| I295854<br>I295521 | J Graves Turner St Augusta            |                            | X |   |                                       | X |   | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Homes in Turner St were purchased at premium price because of views.</li> </ul>   | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private  |

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|         |                                       |                            |   |   |                                       |   |   |  |                 |
|         |                                       |                            |   |   |                                       |   | <ul style="list-style-type: none"> <li>Street regularly visited for views, walking, riders, whale watchers;</li> <li>Concerned about fire risk.</li> </ul>  | owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted.   |                 |
| I295852 | S Perkin<br>Margaret River            |                            | X |   |                                       | X | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Homes are maintained and built for 180deg views;</li> <li>Turner Street has views of Augusta, beaches, whales, recreation sites.</li> <li>Concerned about fire risk.</li> <li></li> </ul>  | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted.   |                 |
| I295561 | A Rothery<br>Barlee St,<br>Bridgetown | X                          |   |   |                                       | X | <ul style="list-style-type: none"> <li>Nil comment.</li> <li></li> </ul>  |  |                 |
| I295562 | Confidential<br>Augusta               |                            | X |   |                                       | X | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Have maintained verge for 18 years, including planting grass, trimming trees;</li> <li>Concerned about fire risk.</li> <li>By maintaining themselves, saves Western Power from maintaining trees below power lines;</li> <li>Visitors walk, ride, drive and view the scenery and whales at Turner Street.</li> </ul> | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Reduced resource requirements in relation to power line pruning noted but Shire or Western power is ultimately responsible and we can not rely on residents to ensure appropriate clearances. Scenic nature of Turner Street is noted. |                 |

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|                       |  | S                          | O | I | S                                     | O  | I |   |  |
| I291395               | J Lashmar,<br>Cygnet Crescent<br>Augusta | X                          |   |   |                                       |    | X | <ul style="list-style-type: none"> <li>• Owns a property in Cygnet Crescent.</li> <li>• Supports pruning for views on Cygnet Crescent.</li> <li>• Concerned about fire risk.</li> </ul> | Council has resolved to permit pruning for views on Cygnet Crescent. As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. |
| Total Submissions: 14 |  | 6                          | 8 | 0 | 2                                     | 10 | 2 |   |  |

# Infrastructure Policy 16

## Management of Vegetation on Shire Reserves

AMR Shire Infrastructure Policy



*This policy was adopted by Council to set governing principles in place that align the strategic direction of the organisation with community values and aspirations.*

### Objective

The purpose of this policy is to ensure vegetation within Shire reserves is managed to provide for biodiversity protection, erosion control, fauna habitat, amenity and sense of place.

### Policy

1. Removal of vegetation from reserves is prohibited without consent from the Shire.
2. This Policy applies to all Shire reserves, including road reserves.
3. Consent for removal or trimming of vegetation from reserves **will** be considered where:
  - (a) Vegetation is causing damage to private property;
  - (b) Vegetation is a weed species;
  - (c) Vegetation is causing an unacceptable risk to public safety
  - (d) Vegetation is required to be removed to erect or maintain a fence; or
  - (e) Where views previously existed and evidence can be provided of such views for houses located on Cygnet Crescent or between 4 and 18 Turner Street Augusta only.
4. Consent for removal of vegetation **will not** be considered:
  - (a) Where it is contrary to the reserve purpose
  - (b) For aesthetic or view enhancement reasons except where previous views can be demonstrated as per 3(e) above; or
  - (c) Due to leaf litter or the like causing annoyance.
5. All work on Shire land shall be undertaken by the Shire or Shire approved contractor.
6. Any waste such as trimmings produced as a result of works should be removed and disposed.
7. Applications under Clause 3(d) and 3(e) will require the benefiting landowner to fund these works.

### Dangerous Trees

1. If a tree is perceived to be a safety hazard, Shire officers will assess the tree in accordance with Infrastructure Services Policy 13 – Dangerous Trees.
2. If vegetation is perceived to cause a hazard because it restricts vehicle or pedestrian sightlines, Shire officers will inspect the site and arrange for the clearing to be undertaken if required.

### Fire Risk

The Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources. As such, allowing private owners to undertake fuel modification on Shire reserves is not supported.



## Process for Application

Application for a permit to modify vegetation under the *Property Local Law* must be made in writing to the CEO using the appropriate form. If approved, the Shire will seek a quote for the works and the Permit Holder must pay the cost of the works in advance. The Shire will then appoint the contractor to undertake the works.

## Definitions

1. Clearing is defined as per the Environmental Protection Act (1986) as:
  - (a) *the killing or destruction of; or*
  - (b) *the removal of; or*
  - (c) *the severing or ringbarking of trunks or stems of; or*
  - (d) *the doing of any other substantial damage to,*

*some or all of the native vegetation in an area, and includes the draining or flooding of land, the burning of vegetation, the grazing of stock, or any other act or activity, that causes —*

  - (a) *the killing or destruction of; or*
  - (b) *the severing of trunks or stems of; or*
  - (c) *any other substantial damage to,*

*some or all of the native vegetation in an area.*

It should be noted that the proposed clearing will require a clearing permit to be issued by the Department of Water and Environmental Regulation (DWER) unless the proposal is considered an exempt activity. Further information on exemptions is available on the DWER website [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)

2. Clause 4.4 (1) of the Local Government Property Local Law 2013 states:

*Unless authorised to do so under a written law or with the written approval of the CEO or an authorised person, a person must not —*

  - (a) *remove, damage or interfere with any flora that is on or above local government property;*
  - (b) *cut any tree or clear any vegetation; or*
  - (c) *plant or deposit any flora on local government property.*
3. Clause 3.4 of the Shire of Augusta Margaret River Local Planning Scheme No. 1 states
  - (a) *3.4.1 A person must not:*
  - (b) *Commence or carry out development on a Local Reserve, without having first obtained Planning Approval under part 10 of the Scheme.*

## Application

Responsibility for the implementation of this policy rests with the Chief Executive Officer. The Policy is to be reviewed every three years.

|                         |                  |
|-------------------------|------------------|
| Adopted for Advertising | Date: 14/02/2018 |
| Adopted by Council      | Date:            |
| Policy Reviewed         |                  |

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|         |                                       |                            |   |   |                                       |   | <ul style="list-style-type: none"> <li>Street regularly visited for views, walking, riders, whale watchers;</li> <li>Concerned about fire risk.</li> </ul>  | owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted.   |                 |
| I295852 | S Perkin<br>Margaret River            |                            | X |   |                                       | X | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Homes are maintained and built for 180deg views;</li> <li>Turner Street has views of Augusta, beaches, whales, recreation sites.</li> <li>Concerned about fire risk.</li> <li></li> </ul>  | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Scenic nature of Turner Street is noted.   |                 |
| I295561 | A Rothery<br>Barlee St,<br>Bridgetown | X                          |   |   |                                       | X | <ul style="list-style-type: none"> <li>Nil comment.</li> <li></li> </ul>  |  |                 |
| I295562 | Confidential<br>Augusta               |                            | X |   |                                       | X | <ul style="list-style-type: none"> <li>Owner of property on Turner St Augusta</li> <li>Objects to policy.</li> <li>Objects to removal of clearing for views provision</li> <li>Have maintained verge for 18 years, including planting grass, trimming trees;</li> <li>Concerned about fire risk.</li> <li>By maintaining themselves, saves Western Power from maintaining trees below power lines;</li> <li>Visitors walk, ride, drive and view the scenery and whales at Turner Street.</li> </ul> | As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. Reduced resource requirements in relation to power line pruning noted but Shire or Western power is ultimately responsible and we can not rely on residents to ensure appropriate clearances. Scenic nature of Turner Street is noted. |                 |

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|                       |  | S                          | O | I | S                                     | O  | I |   |  |
| I291395               | J Lashmar,<br>Cygnet Crescent<br>Augusta | X                          |   |   |                                       |    | X | <ul style="list-style-type: none"> <li>• Owns a property in Cygnet Crescent.</li> <li>• Supports pruning for views on Cygnet Crescent.</li> <li>• Concerned about fire risk.</li> </ul> | Council has resolved to permit pruning for views on Cygnet Crescent. As the Shire has a cohesive and comprehensive Bushfire Risk Management Plan to assess and mitigate risk according to risk and available resources, allowing private owners to undertake fuel modification on Shire reserves is not supported. |
| Total Submissions: 14 |  | 6                          | 8 | 0 | 2                                     | 10 | 2 |   |  |