



Berm Maintenance Operational Guidelines

Kaipara District Council

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Berm Maintenance Statement

Prior to 01 November 2022, Kaipara District Council mowed all urban road berms, except those mown by landowners.

Council resolved, after consultation and during the Long Term Plan 2021-2031 deliberations that the mowing of residential berms should be left to the adjoining property owner.

Consideration was balanced with the understanding that most landowners are mowing their own berms already, so this provided inconsistency and inequity as the district was funding an activity that allowed greater benefit to some individual parties and local communities or, in some cases, paying for a job to be done twice. This was not providing the district with value for money especially for Kaipara having a large geographical span coupled with its small rateable population.

These Berm Maintenance Operational Guidelines (BMOG) cover the responsibilities of property owners for maintaining the grass berm bordering their property. It also covers berms outside Council properties and is consistent with most other New Zealand local authorities.

Berm Maintenance Guidelines

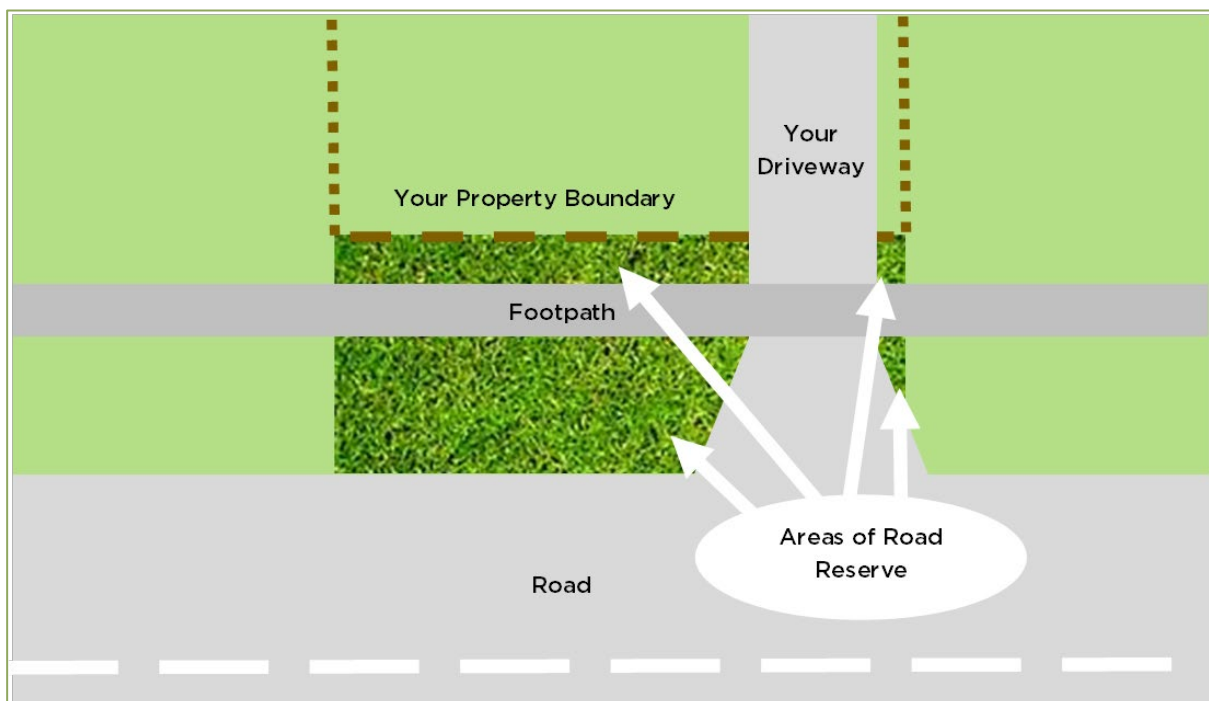


Figure 1: Berm Schematic

For the purpose of these BMOG the following definitions apply:

- Berm means the grassed area between the road and either the footpath or property boundary
- Urban Berms mean berms that are within the speed limit zone of 70km/hr

- Rural Berms mean berms on roads where the speed limit is greater than 70km/hr
- High Profile Berms mean berms on roads which are considered to be tourist routes, and
- Semi-Urban means land that is on the rural/urban boundary.

Mowing out of scope of these guidelines include:

- Vegetation and fire risk is not managed under these guidelines, and
- Berms that are on a State Highway are managed under a national Waka Kotahi - NZTA (NZ Transport Agency) contract and are not managed under these guidelines.

Berms Adjacent to Private Property and Council Mowing

Mowing of berms adjacent to private property is encouraged to be mown by the property owners however, there are still areas that will continue to be managed directly by Council either through a contractor or in accordance with lease conditions where the Council's property is leased. These are:

- berms adjacent to parks and reserves, and other Council buildings
- berms adjacent to Council utility plants e.g., wastewater treatment plants
- berms at the entrance to Council walkways.
- berms in front of a private property where the berm area is larger than 400 square metres per lot.
- high profile berms (unless mown by adjacent properties)
- berms that are steep (unable to be mown by a hand mower) or adjacent to semi-urban bush/farmland
- Semi-urban land will be mown at a maximum of 4-5 times a year by a rural reach or flail-type mower
- to ensure the safety of vehicular, pedestrian or cycle traffic is maintained
- berms where the berms do not clearly relate to a single adjacent property, such as the entrances to subdivisions
- grassed traffic islands and medians, and
- any other circumstances where Council considers it necessary or reasonable to do so. Any decision made to mow a berm under these exceptions is at Council's discretion.

If property owner/occupier believes their berm is over the 400 square metres per lot threshold they can log a request for service for the berm to be mown by Council. The request to have a berm mown outside a private property will be assessed and the area of berm outside the property will be measured. Should staff determine the berm area to exceed the 400 square metres per lot threshold, we will mow the berm outside the property.

Where the berm remains unmown outside a property, we will mow the berm one to four times a year to keep the grass from becoming a fire hazard.

Council generally do not maintain berms that contain stormwater treatment such as swales, basins, overland flow paths. If they can be safely mown using a hand or rotary mower, adjacent property owners are encouraged to mow these berms.

Exceptions for Berms Adjacent to Private Property

Private property owners can apply to the Council for the berms adjoining their property to be mown. Council Infrastructure Officers will assess berms against the current mowing assessment matrix to determine whether Council will carry out berm mowing.

Council may mow urban grass berms that contain stormwater treatment such as swales, basins, overland flow paths to protect the asset or carriageway, to ensure efficient operation of the asset, to meet regulatory requirements and/or if the asset cannot be maintained safely by the adjoining property owner due to its design.

Berm Maintenance – Spraying

The Northland Transportation Alliance (Roading) spray both path and kerb edges within urban area, approximately twice a year unless clearly maintained by the adjacent property owner.

Berm Landscaping/Decorating

Approval must be sought from Council prior to any landscaping or decoration on or in berm areas.

Approval, if granted, will be on the basis that the adjacent owner assumes responsibility to continue to maintain such berms and that:

If at any stage berms are required to be altered or excavated as part of maintenance or capital works, adjoining property owners will remove landscaping and decorations on notice of the works, and reinstatement of the landscaping and/or decorations is at the adjacent property owner's cost; and if at any stage Council decides, at its discretion, to revert the landscaped and/or decorated berm to a grass berm this is at the adjacent property owner's cost.

New Berms

Council contractors establish and mow new grass berms that are sown as part of roadworks, footpath resurfacing or trenching for a minimum maintenance period of three (3) months after completion of the work. Once the maintenance period of the work has expired, berm mowing will be managed in accordance with these guidelines.

Developers are responsible for the establishment and mowing of new grass berms that are sown as part of subdivision construction. Once the maintenance period of the work has expired, the berm mowing will be managed in accordance with these guidelines.

Construction Works

Where existing grass berms are required to be excavated or altered as part of Council maintenance or capital works, Council will re-establish the grass and Council-installed street trees and associated irrigation. Letter boxes will be reinstated.

Where a private property owner arranges work to excavate or alter the berms because of works to their property or neighbouring property, the cost of reinstatement of berm will be met by that owner.

Vegetation Encroachment

It is also Council's expectation that landowners control vegetation originating from within, or directly adjacent to their property (as visualised below) to prevent obstruction of and allowing free passage along any Council paths or walkways. Where this is not adhered to, Council contractors will provide a formal notice advising of the unacceptable obstruction. Where landowners have not made considered efforts to remedy, Council contractors will clear the obstruction at their discretion.

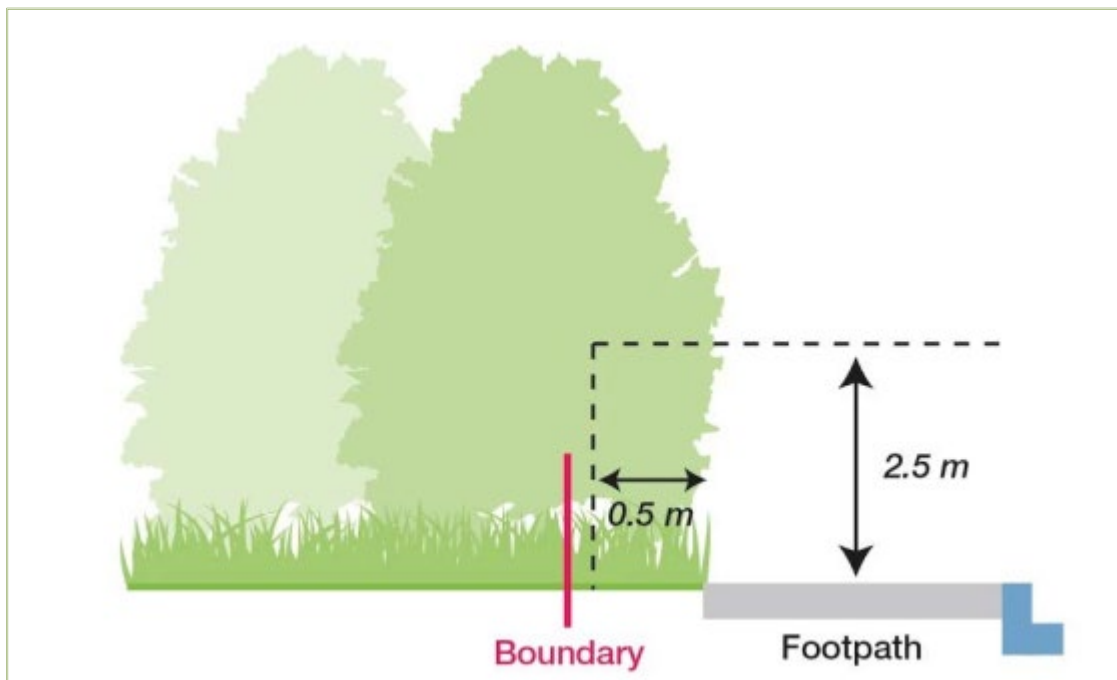


Figure 2: Vegetation Encroachment Schematic