

ENGINEERING SERVICES Engineering

3.1.16

TITLE: VERGE MAINTENANCE

ADOPTED: OCM 20 November 2008 – Pages 113 – 114
OMC 15 March 2012 – Pages 96 - 103

REVIEWED:

ASSOCIATED LEGISLATION: Local Government Act 1995

ASSOCIATED DOCUMENTS: Verges Treatment Information Sheet (attached)
Street Trees Information Sheet (attached)
Street Tree Order Form (attached)

REVIEW RESPONSIBILITY: Director Engineering Services

DELEGATION:

Previous Policy Number N/A

Objective:

Provide further detail to support "Local Government Property and Public Places Local Law, 2003".

Define the obligations and responsibilities of the Community and the Shire of Broome in relation to the maintenance and development of verges within the Shire.

Define the type and extent of permissible works to verges.

Definitions:

Verge: The area between the back of the kerb (or edge of the road if no kerb exists) and the property boundary and excludes any paved or formed footpaths and driveways.

List of acceptable materials: Means a material that will create a hard surface and is contained on Council's List of acceptable materials in the Permissible Verges Treatment Information Sheet.

Permissible Verges Treatment: The installation of any hard or soft landscaping within the area of the verge in accordance with the Verges Treatment Information Sheet attached to this policy.

Approved Street Trees: Trees planted within a verge of a species included in the Approved Street Tree List that are installed in accordance with the Street Tree Information Sheet attached to this policy.

Policy:

Council allows the removal of small amounts of excess 'pindan' sand from its roads provided the Shire obtains a safety benefit from the removal.

Guidelines

1. The Shire of Broome will maintain Developer and Landowner installed street trees where they have been installed in accordance with the Verge Treatment Information Sheet attached to this policy
2. The Shire of Broome will maintain all trees of an endemic species naturally occurring on verges.
3. Pruning or removal of naturally occurring endemic species and existing street trees without written approval of the Shire of Broome's Parks and Gardens Department is not permissible.
4. In urban areas the Shire of Broome will provide, free of charge, 1 street tree per 20m of verge length to the adjacent landowner upon approval of a conforming application.
5. The maintenance of grass within the verge is the responsibility of the adjacent landowner. Where the landowner fails to maintain the grass the Shire of Broome will perform slashing of grass when it exceeds 600mm on areas restricting driver visibility as required and other areas above 600mm once a year after the wet.
6. Privately installed Verge Treatments will be permissible where they comply with the Permissible Verge Treatment requirements contained in the attached Verge Treatment Information Sheet.
7. The cost of removal of verge treatments and street trees installed contrary to the requirements of this policy will be the responsibility of the landowner.
8. Where a landowner does not comply with notices to rectify non-conforming Verge Treatments and street trees, The Shire of Broome will rectify the verge and recover costs for the works from the owner under the powers of the Local Government Property and Public Places Local Law 2003.
9. Maintenance of the verge, including any Verge Treatments, other than conforming street trees and naturally occurring native trees remains the responsibility of the adjacent landowner.
10. Development in the verge other than Verge Treatments as defined in this document may be approved but will be subject to a Planning Approval.

11. Reinstatement of Verge Treatments destroyed or damaged by the activity of a Service Authority or Utility Provider shall be negotiated between the Landowner and the Service Authority.
12. Verge Treatments destroyed or damaged by the activity of the Shire of Broome will be reinstated to an equivalent standard.
13. Under the powers conferred by the LGA 1995 and Shire of Broome Local Government Property and Public Places Local Law 2003, Council may give notice to a landowner or occupier to remedy an unsatisfactory situation and if necessary recover the cost of carrying out remedial works.

Procedure:

STREET TREE SUPPLY

1. A Street Tree Information Sheet and Street Tree Supply Application Form will be available for pick up from the Shire Administration Centre and on the Shire web page under Development /Engineering/Information Sheets.
2. Completed application forms can be emailed to shire@broome.wa.gov.au, mailed to PO Box 44, Broome 6725 or hand delivered to the Shire Administration Centre.
3. Parks and Gardens Section will process applications and notify Landowners in the first week of every month.
4. Approval of the application to a maximum quantity of 1 street tree per 20m of verge in urban areas will be granted where:
 - There are no existing Street Trees in the Verge adjacent to the property
 - There are existing street trees but the number is less than 1 tree per 20m of verge
 - There has been no previous supply of free Street Trees to the property. (Free supply is a once off offer per property not per owner/resident)
5. Upon approval of an application the owner shall be contacted and advised:
 - Their application was successful
 - The number and species of trees that have been approved
 - Details of the availability of the trees
 - Time and location of pickup
6. Trees may be collected by the resident where the owner has completed the application form nominating the resident as the installer.
7. Street trees are to be supplied with a copy of the Street Tree Information Sheet.

VERGE TREATMENT

1. The Verge Treatment Information Sheet will be available for pick up from the Shire Administration Centre and on the Shire web page under Development /Engineering/Information Sheets
2. Where required the procedure for enforcing rectification of non-conforming treatments will follow the requirements of the Local Law and will include:
 - a. Written notification to Landowner citing details of non-conforming aspect and specified time for rectification or response, requiring the Landowner to:
 - Rectify non-conforming aspect; or
 - Give a satisfactory reason why the Landowner should be given extra time in which to comply with the notice.
 - b. Were rectification has not been completed or response has not been received within the time specified above a further notice is to be issued stating that compliance has not been achieved and if no response has been received within a further 28 days that rectification will be completed by the Shire and the cost of rectifications will be recovered from the Landowner.

VERGE TREATMENT

Introduction

While the predominant function of verges is to provide a safe corridor for pedestrian access as well as a service corridor for placement and maintenance of public utilities, appropriately landscaped verges enhance the visual appeal of the streetscape, provide shade and create a habitat for birds and other wildlife.

Landscaping of verges can be broken up into 2 categories, Verge Treatments and Street Trees. This information sheet provides guidelines on Permissible Verge Treatments. For further information on the installation and maintenance of street trees please refer to the Street Tree Information Sheet.

Definitions

Verge: The area bounded by the back of the kerb (or edge of the road if no kerb exists) and the property boundary.

Verge Treatment: Any soft or hard landscaping installed within the area of the verge excluding street trees

Approved Street Tree: A developer installed street tree or a tree of the approved species for that street planted in a verge in accordance with the street tree installation requirements included in this Information Sheet

CAN I INSTALL VEGETATION WITHIN THE VERGE?

Grass, garden beds, trees and shrubs can be installed within the verge adjacent to your property if they are installed and maintained in accordance with the guidelines contained in this information sheet.

Before any installation the installer is required to contact dial before you dig (1100) and other service and utility providers to ensure underground services and infrastructure are not damaged and correct clearances maintained.

WHO IS RESPONSIBLE FOR MAINTAINING TREES AND VEGETATION WITHIN THE VERGE?

The Landowner of the property directly adjacent to the verge is responsible for the maintenance of any vegetation and grassing within the verge, regardless of whether it was installed by previous Landowners or Residents, with the exception of:

- approved street trees
- naturally occurring endemic species

CAN I REMOVE OR TRIM TREES WITHIN THE VERGE?

All approved street trees and naturally occurring endemic species within the verge are the property of the Shire and it is an offence to trim or remove these trees without prior approval. If you are wishing to remove trees from your verge please contact Parks and Gardens on 9193 7033 to have protected trees identified and to get approval for removal of these trees where necessary.

PERMISSABLE VERGE TREATMENT

This is the "Permissible Verge Treatment" referred to in the Local Law.

A Landowner may improve a verge directly adjoining their property in the following manner:

1. Planting and maintenance of lawn
2. Planting and maintenance of vegetation (garden) provided that no part of the vegetation:
 - Is greater than 600mm in height when within the intersection or curve visibility triangle shown in Figure 1 and the crossing visibility triangle shown in Figure 2.
 - Restricts clear sight visibility for a person using the thoroughfare or using a driveway abutting the thoroughfare
 - Inhibits or interferes with adequate street lighting and visibility of signage
 - Is of a thorny or prickly nature which may create a hazard for pedestrians eg Bougainvillea, Agave
 - Is a declared weed species including those listed in the Shire of Broome Weed Brochure
 - Produces large heavy fruits eg Coconuts unless the Landowner installs appropriate fall protection devices
 - Restricts a 2 metre clear and safe pedestrian access way where there is no existing footpath
 - Is more than 600mm high within 1.2m of either side of a footpath or access way
 - Intrude on a 3.0m clearance zone above a footpath or access way and a 4.5m clearance zone above a roadway (Refer Figure 3 - Footpath and Road Overhead Clearances)
 - Where an owner/resident wishes to install permanent sprinklers the owner/resident must:
 - source water from a point beyond the water metre and inside the property through a backflow protected irrigation connection
 - ensure sprinklers are a pop-up type
 - all supply reticulation pipes must be installed at a minimum depth of 300mm and placed in conduit under footpaths
 - maintain the sprinkler system in a safe condition

3. Installation of Surface Treatments using an “acceptable material” where the treatment is installed and levelled to 15mm below a containment border or garden kerb. This is the “List of Acceptable Materials” referred to in the Local Law. It may consist of:

- Organic Mulch contained so as not to be displaced during storm events
- Inorganic mulch
- Cracker-dust where the resident is prepared to remove material washed into roads during storm events
- Other materials

Refer to Appendix 1 for a current “List of Acceptable Materials”.

4. Installation of Statues and Boulder Rockwork so long as they do not:

- Exceed 600mm in height when within the intersection or curve visibility triangle shown in Figure 1 and the crossing visibility triangle shown in Figure 2.
- Restrict clear sight visibility for a person using the thoroughfare or using a driveway abutting the thoroughfare
- Inhibit or interfere with adequate street lighting and visibility of signage
- Occur within 2.75m clear of the back of kerb or travelled path on un-kerbed roads
- Require electricity

5. A combination of 1 to 4 above:

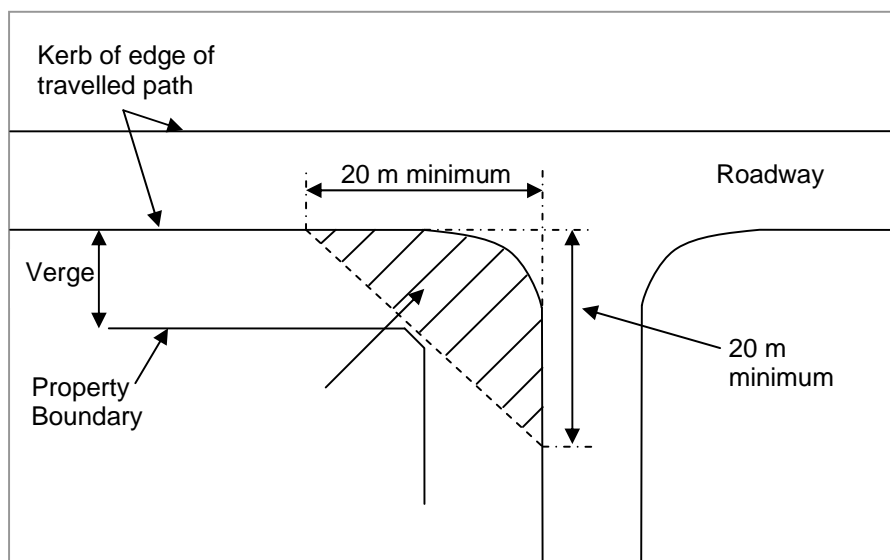


Figure 1 – Intersection or Curve Planting Height Restrictions

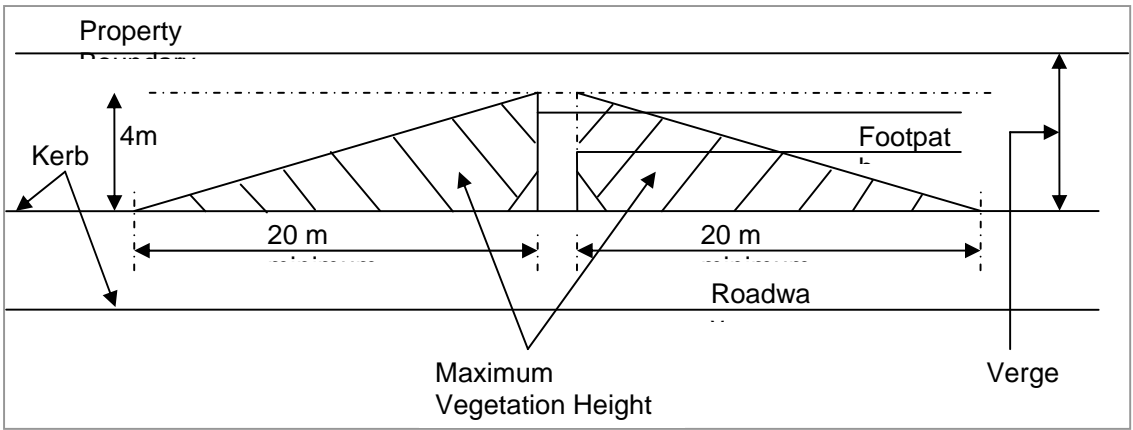


Figure 2 – Crossing Point Height Restrictions

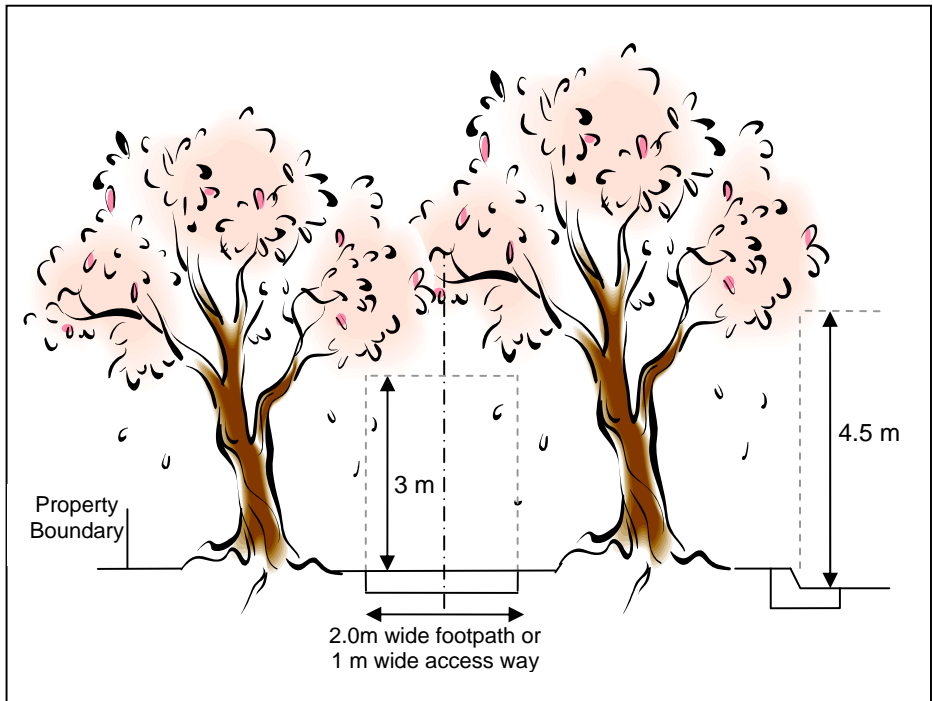


Figure 3 - Footpath and Road Overhead Clearances

ALTERNATIVE VERGE DEVELOPMENT

Where a Landowner wishes to develop his/her verge other than in accordance with the “Permissible Verge Treatment” requirements he/she can apply for a Development Approval for the works under the Planning and Development Act 2005.

List of Acceptable Materials

Acceptable material means any material that will create a dust free, moisture retentive, erosion resistant surface, and which appears in the following list:

- Treated Timber, Plastic or concrete garden edge kerbing flush with infill or garden bed;
- Stone/rock-mulch treatments
 - River-washed rounded stone $D_{50} < 40\text{mm}$
 - Crushed rock $D_{50} < 40\text{mm}$
 - Crusher dust $D_{50} < 10\text{mm}$
- Organic mulch

Where the intention is to provide an impervious concrete, bitumen or brick-paved hardstand surface for the parking of cars, it is necessary to first obtain a Development Approval from Council's Development Services Department.

This list may be updated with the approval of the Director Engineering Services from time to time.

STREET TREES



INTRODUCTION

Street Trees are an important element in the enhancement of Broome's Streetscape and the visual appeal of your street and property. Street trees provide shade, enhance the environment and create a habitat for birds and other wildlife.

Landscaping of verges can be broken up into 2 categories, Verge Treatments and Street Trees. This information sheet explains the services provided by the Shire and the responsibility of the Landowner in relation to the supply and maintenance of street trees.

For further information on installing and maintaining gardens, irrigation, turfing and surface treatments within the verge please refer to the Verge Treatment Information Sheet.

INFORMATION AND ADVICE

The Shire of Broome encourages the installation of street trees and will supply an urban Landowner, who currently does not have street trees in their verge, 1 tree per 20m of verge length parallel to the road, adjacent to their property. The supply of these trees will be free of charge under the understanding that the landowner will install the trees in accordance with this information sheet and to water the tree for the first 2 years.

DEFINITIONS

Verge: The area between the back of the kerb (or edge of the road if no kerb exists) and the property boundary.

Approved Street Tree: A developer installed street tree or a tree of the approved species for that street planted in a verge in accordance with the street tree installation requirements included in this Information Sheet

WHO IS REQUIRED TO MAINTAIN STREET TREES?

The Shire of Broome will maintain all Approved street trees and naturally occurring endemic species within the verge. All other trees planted in the verge or on the adjacent property that extends out over the verge, are the responsibility of the Landowner whether installed by that Landowner or previous Landowners or Residents.

WHAT SPECIES OF TREE WILL BE SUPPLIED?

To ensure the species of tree is suitable to your verge and to create a consistent theme within a street the Shire has approved a species of tree for every street. Please check the attached council approved Street Tree List to find the street tree species approved for your street.

CAN I PLANT TREES AND VEGETATION OTHER THAN APPROVED STREET TREES IN THE VERGE?

You can plant trees and vegetation other than approved street trees in the verge, where it is installed in accordance with the Verge Treatment Information Sheet. Planting of this nature remains the responsibility of the landowner and will not be supplied, maintained, trimmed or removed by the Shire.

CAN I REMOVE OR TRIM TREES WITHIN THE VERGE?

All approved street trees and naturally occurring endemic species within the verge are the property of the Shire and it is an offence to trim or remove these trees without prior approval. If you are wishing to remove trees from your verge please contact Parks and Gardens on 9193 7033 to have protected trees identified and to get approval for removal of these trees where necessary.

HOW DO I APPLY FOR THE SUPPLY OF A STREET TREE?

Complete the Street Tree Supply Application Form attached to this information sheet and forward it to the Shire as per the directions on the application form.

STREET TREE INSTALLATION

Before installation the installer is required to contact dial before you dig (1100) and other service and utility providers to ensure underground services and infrastructure are not damaged and correct clearances are maintained.

To minimise the cost of future maintenance, facilitate future footpath installations and to prevent damage to overhead and underground services, street trees must be installed in accordance with the following minimum clearances to the centre of the Tree:

- 3.2m from back of kerb
- 1.2m from the edge of existing footpath
- Not within 20m of an intersection (See Figure 1 Below)
- 1.2m from the property boundary
- 1.2m from the closest side of and of an existing underground service
- 4m from a driveway or street signage
- 5m from a light pole
- 3m from a fire hydrant
- Minimum distance as specified by any underground service provider

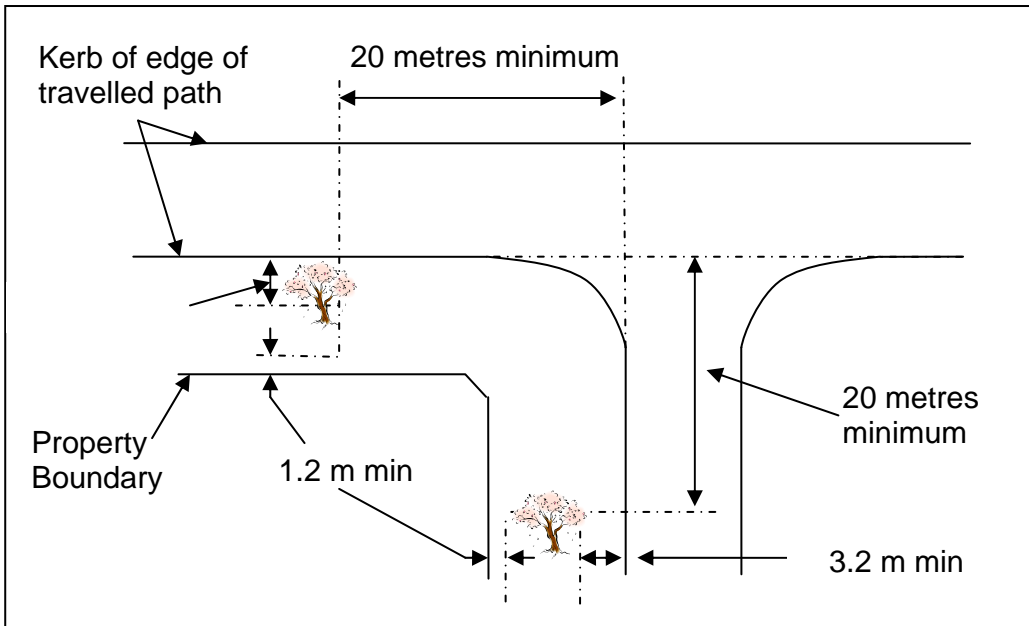


Figure 1 – Intersection Planting Clearances

Where the above minimum clearances cannot be achieved, please contact Council for specific advice on your situation.

Shire of Broome

Street Tree Planting Guide

Version 1 January 2008

Document Review – January (annually)

The tree specie listed in the table below is the current selection to be used for all approved street-tree plantings

Each street in Broome has been assessed and a particular “Theme” tree identified which becomes the Approved Street tree” for your street. Contact the Parks and Gardens Team for advice on the Theme Tree for your street.

Botanical Name	Common Name
Acacia eriopoda	Pindan wattle
Adonsonia gregorii	Boab
Alstonis linerias	Bitter bark
Eucalyptus bella	Weeping ghost gum
Eucalyptus bigalerita	Northern salmon gum
Eucalyptus dampieri	Dampiers bloodwood
Eucalyptus miniata	Woolybutt
Eucalyptus paractica	Cable beach ghost gum
Eucalyptus phoenicia	Scarlet gum
Eucalyptus polycarpa	Long fruited bloodwood
Eucalyptus ptychocarpa	Swamp bloodwood
Gardenia pyroformis	Turpentine tree
Grevillea pteridifolia	Kimberley christmas tree
Hakea aborescens	Yellow hakea
Lysyphyllium cunninghamii	Jigal
Melaleuca dealbata	Garnboor tree
Mimusops elengii	Mamajen
Owenia reticulata	Desert walnut
Planchinia careya	Cocky apple
Terminalia cunninghamii	Pindan walnut
Terminalia ferdinandiana	Gubinge tree
Terminalia petiolaris	Blackberry tree
Leptospernum longifolium	Weeping t-tree

*denotes trial specie

Street Tree Supply Application Form



STREET TREE ORDER FORM

Property Owner _____

Address _____

Suburb _____

Telephone No. (Home) _____ (Work) _____

Mobile No. _____

Length of verge adjoining your property boundary measured at the back of kerb (m) _____ Corner Block (Yes / No)

Urban Landowners, who currently do not have street trees in their verge, are entitled to (1) tree per 20 metres of verge. Street Trees supplied will be of the approved species for your street as per the attached Approved Street Tree List.

Completed order forms can be returned via:

- Email to Shire@broome.wa.gov.a
- Deliver or post to Shire of Broome Administration Centre, Cnr Weld and Haas Street, PO Box 44, Broome 672

Declaration

I / We the Property Owner would like to apply for the supply of a street Tree(s) and undertake to:

- Install the tree in accordance with the guidelines contained in the Street Tree Information Sheet
- Water the tree for the first 2 years during its establishment period

Signature _____ Date _____