

## Operations

<b>TITLE:</b>	<b>VERGE MAINTENANCE</b>
<b>ADOPTED:</b>	OMC 20 November 2008 – Pages 113 – 114 OMC 15 March 2012 – Pages 96 – 103 OMC 17 December 2015 – Pages 110 - 121
<b>REVIEWED:</b>	OMC 14 December 2017 – Pages 1032 - 1043
<b>ASSOCIATED LEGISLATION:</b>	Local Government Act 1995 Local Government and Public Places Local Law
<b>ASSOCIATED DOCUMENTS:</b>	Local Planning Policy 5.7 – Development Standards for Development Applications Verge Treatment Information Sheet (attached) Street Trees Information Sheet (attached) Street Tree Order Form (attached)
<b>REVIEW RESPONSIBILITY:</b>	Director Infrastructure
<b>DELEGATION:</b>	

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Previous Policy Number 3.1.16

### Part A

#### Objective:

Provide further detail to support "Local Government Property and Public Places Local Law, 2016".

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.

#### Policy:

The Council and the Shire of Broome are committed to ensuring that verge treatments installed within the district will:

- contribute to the amenity of the area,
- compliment local flora types
- be carried out in a manner that does not cause safety or access issues for general community users of the verge and road reserve.

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

### **Guideline**

1. All landscaping and planting within the verge must be undertaken in accordance with the Shires Verge Treatment sheet and Street Tree information sheet (attached).
2. The Shire of Broome will maintain all trees occurring naturally in the verge and approved street trees installed in accordance with the Street Tree Information Sheet attached to this policy. The maintenance of non-landowner with the Shire of Broome reserving the right to remove this vegetation if and when required with it further possible that cost relating to this removal be passed on to the adjacent landowner.
3. Western Power are responsible for trimming endemic trees to ensure safety within proximity to power lines.
4. 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.
5. 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.
6. At intersections and corners and within 20m of that intersection or corner where growth may impact drivers vision and sight lines, only plants with a growth habit of less than 400mm will be approved. It is the responsibility of the adjacent landowner to maintain any non-approved vegetation to this height. If non-conforming, the Shire of Broome may issue of that notice, the Shire of Broome may undertake the required work with the cost of such works being the responsibility of the landowner.
7. The Shire of Broome may issue a notice of non-conformance to the verge policy where required. Where a landowner does not comply with notices to rectify non-conforming Verge Treatments and plantings, the Shire of Broome may rectify the verge and the cost of removal of verge treatments or plantings installed contrary to the requirements of this policy will be the responsibility of the landowner.
8. Approval is required for installation of any Verge Treatments and plantings that

do not comply with the requirements of this policy attached information sheets.

9. Approval must be sought from the Shire of Broome to place any sculpture or hard object within the road reserve, any such subject must be frangible, that is easily collapsible upon vehicle or bike rider impact. No hard stakes such as star pickets or fence droppers are permitted to be used within the verge.
10. 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.
11. Verge Treatments destroyed or damaged by the activity of the Shire of Broome will be reinstated to an equivalent standard.15. Under the powers conferred by the LGA 1995 and Shire of Broome Local Government Property and Public Places Local Law 2016, 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.

## **Part B**

### **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 website under Parks and Gardens.
2. Completed application forms can be emailed to [shire@broome.wa.gov.au](mailto:shire@broome.wa.gov.au), mailed to PO Box 44, Broome 6725 or hand delivered to the Shire Administration Centre.
3. The Infrastructure Directorate will process applications and notify Landowners at their earliest convenience.
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
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 Planting

6. 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 Parks and Gardens.
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. Where rectification has not been completed or response has not been received within the time specified, 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 notification will be issued that rectification will be undertaken at the earliest convenience by the Shire of Broome and the cost of rectifications will be recovered from the Landowner.

## Infrastructure Information Sheet

# VERGE TREATMENT



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### 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, increase community amenity and 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 area is bounded perpendicular to the exterior property boundary and running directly to the kerb or road edge if no kerb exists.

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

**Approved Street Tree:** A species approved within the Shire of Broome Street Tree Information Sheet planted in accordance with the Shire of Broome verge policy.

### CAN I INSTALL VEGETATION WITHIN THE VERGE?

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

No planting or treatments are permissible on Shire of Broome land that does not fit into the definition of a verge 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.

### UNAPPROVED PLANTING

Planting within Shire of Broome Public Open Space, Reserves or Drainage Easements is not permissible without prior approval from the Shire of Broome Parks and Gardens Section 08 9191 3456.

## **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 verge treatments 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 9191 3456 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 400mm in height when within an intersection abutting a crossover, pedestrian access way as shown in the curve visibility triangle 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 or vehicle thoroughfares. All species of this nature are to be maintained to a 1m clearance from all pedestrian and vehicle thoroughfares e.g. Bougainvillea, Agave
  - Intrudes or invades Shire of Broome Public Open Space, Reserves or Drainage Easements.
  - Is a declared weed species including those listed in the Shire of Broome Weed Brochure
  - Producing nuts or is maintained clear of Pedestrian and Vehicular thoroughfares to ensure safe passage for all users. E.g. Coconuts, Mangos, etc.
  - Restricts a 2-metre clear and safe pedestrian access way where there is no existing footpath.
  - Restricts a 2m clearance is maintained for planned subdivisional footpaths within the verge. Contact Shire of Broome Infrastructure Directorate to confirm Broome Footpath Plan. 08 9191 3456.
  - 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 meter and inside the property through a backflow protected irrigation connection
  - ensure sprinklers are a pop-up type
  - Ensure solenoids are within the Property Boundary
  - All supply reticulation pipes must be installed at a minimum depth of 300mm and placed in conduit sleeves two times the diameter of the supply pipe under footpaths and crossovers. Sleeves are to protrude a minimum of 300mm out from the edge of the footpath or crossover.
  - maintain the sprinkler system in a safe and proper operating condition
  - Ensure overspray and runoff does not intrude onto road pavement.

3. Installation of Surface Treatments using an “acceptable material” where the treatment is installed and finished level is 20mm below a containment border, garden kerb, kerb, crossover or footpath.

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

4. Installation of Statues, Boulder Rockwork and non-frangible objects so long as they do not:

- Exceed 300mm 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 travelled path on un-kerbed roads
- Require electricity

5. A combination of 1 to 4 above:

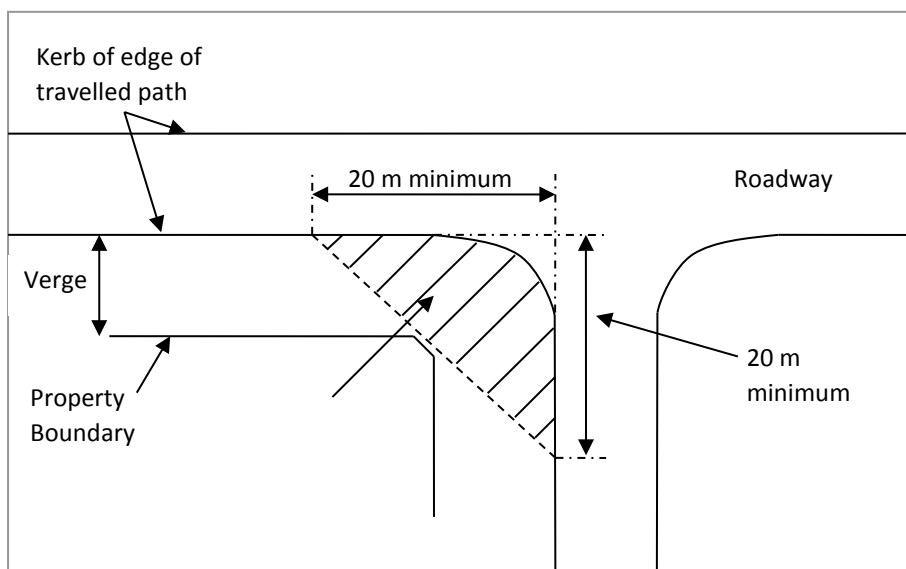


Figure 1 – Intersection or Curve Planting Height Restrictions

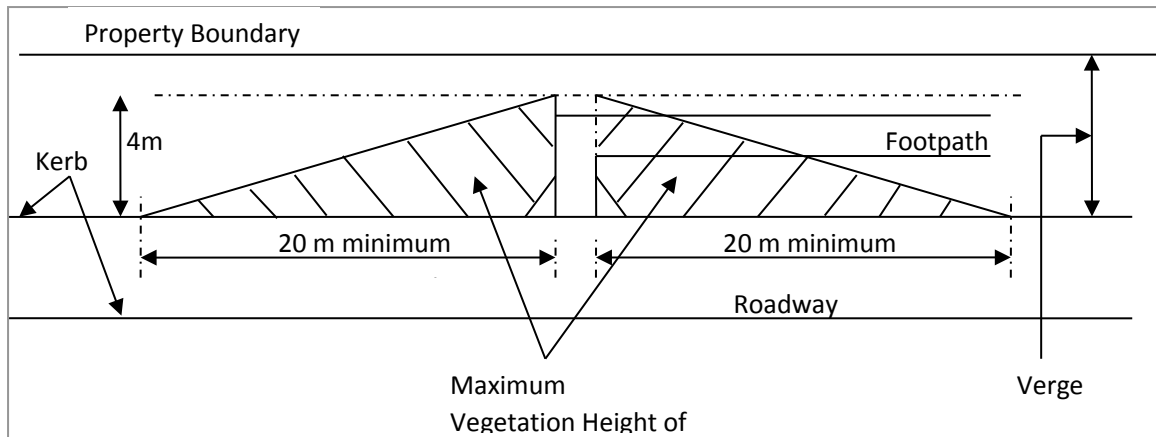


Figure 2 – Crossing Point Height Restrictions

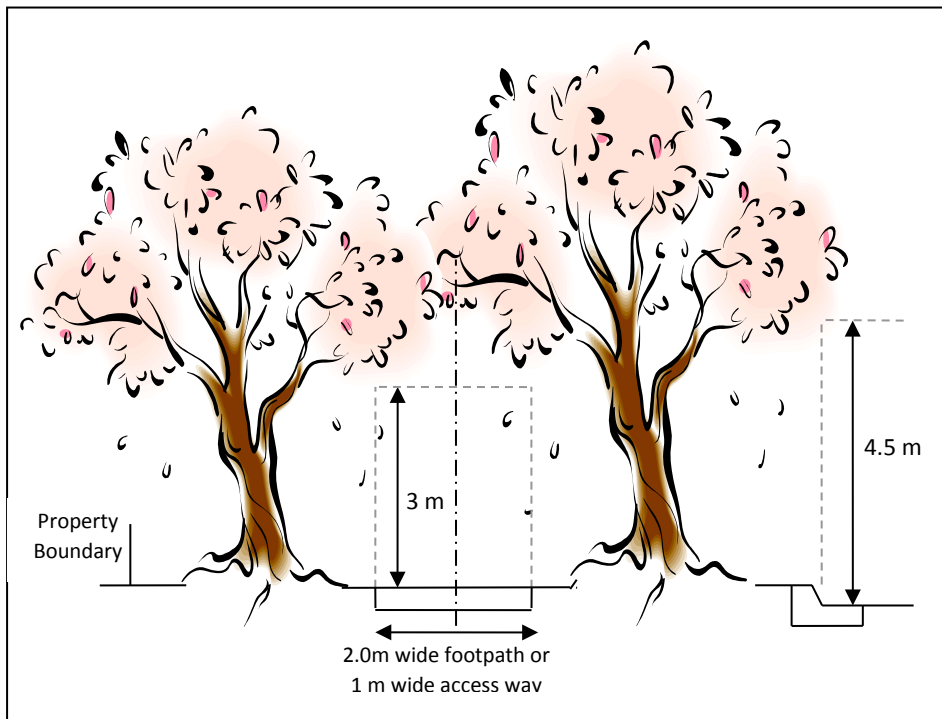


Figure 3 - Footpath and Road Overhead Clearances

### 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. This will be referred to the Shire of Broome Parks and Gardens Section. Contact Shire of Broome Administration 08 9191 3456.





## 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
- Garden Edging,
- Organic Mulch (Particle size under 300mm)
- Feature Rock
- Minimum 500mm in diameter (See Installation of Statues, Boulder Rockwork and non-frangible objects for installation restrictions)
- Stone/Rock/Gravel 20mm<D50<40mm up to a maximum of 40% of the verge area for verges greater than 50 square metres (not including crossovers and footpaths)

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 Directorate.

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

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## Infrastructure Information Sheet



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### 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 **and install** an urban **for the** 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 **maintain** the trees in accordance with this information sheet and will 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 native, endemic tree or a street tree of the approved species in the verge in accordance with the street tree installation requirements.**

### **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 after the initial two year establishment period. 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 9191 8710 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 administration on Weld St. as per the directions on the application form.

### **STREET TREE MAINTENANCE-2 YEAR ESTABLISHMENT PERIOD**

An information sheet containing all the relevant maintenance details will be supplied to the landowner upon planting of the designated street tree/s.

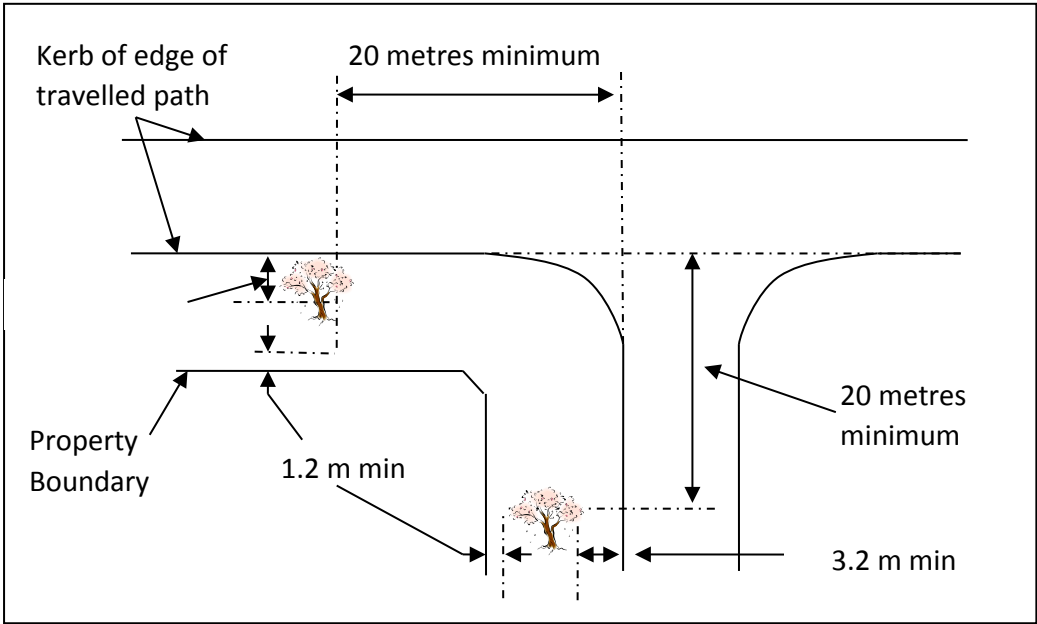


Figure 1 – Intersection Planting Clearances

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
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Acacia eriopoda	Pindan wattle
Adonsonia gregorii	Boab
Alstonia linaria	Bitter bark
Eucalyptus bella	Weeping ghost gum
Eucalyptus bigalerita	Northern salmon gum
Eucalyptus dampieri	Dampiers bloodwood
Eucalyptus miniata	Woollybutt
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
Lysiphyllum 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
Leptospermum 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](mailto: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:

- Maintain the approved street tree in accordance with the Street Tree Information Sheet provided upon planting.
- Water the tree for the first 2 years during its establishment period according to the Street Tree information sheet provided.

Signature\_\_\_\_\_ Date\_\_\_\_\_