

Verge Maintenance

Policy Objective

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

Define the obligations and responsibilities of the Community, private and commercial landowners within the Shire of Broome in relation to the maintenance and development of all verges within the Shire.

This Policy is to be read in conjunction with the Shire of Broome’s relevant Local Law pertaining to activities on verge and footpaths.

Policy Statement

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.
- Encourage local fauna and habitat
- Promote waterwise principles

The Shire recognises that the appearance of road verges are important to owners / occupiers, due to the aesthetic impact on their properties and dwellings. The following policy is provided to maintain safety to the community whilst enabling owners / occupiers to improve the aesthetics and amenity of road verges adjacent to their properties. To enable this the following are in place:

1. All landscaping and planting within the verge must be undertaken in accordance with the Shire’s Verge Treatment Sheet, Street Tree information Sheet and Roebuck Bay Working Group’s Coastal Gardens Planting Guide.
2. The Shire of Broome will maintain approved street trees in regard to pruning and safety clearance issues.
3. The Shire will not be responsible for root intrusion to hard infrastructure on the verge or within the landowner’s property. Curbing or road boundary damage remains the Shire responsibility.
4. The Shire of Broome will maintain all trees endemic to the Broome Shire occurring naturally within the verge. Endemic is referenced to Flora of the Kimberley region

where the trees grow naturally within a 20km radius to Broome post office.

5. Western Power are responsible for trimming trees to ensure safety within proximity to power lines.
6. Ongoing maintenance of the verge area, removal of rubbish including any verge treatments not approved by the Shire and the maintenance of non endemic vegetation within the verge is the responsibility of the adjacent landowner.
7. Owners / occupiers are not permitted to prune or remove naturally occurring endemic species and existing street trees without written approval of the Shire of Broome's Parks and Gardens Department.
8. In urban areas the Shire of Broome will provide, free of charge, one (1) street tree per 20m of verge length to the adjacent landowner upon approval of any application.
9. Planting within 20m of intersections and corners, where growth may impact driver's vision and sight lines, will only be permitted using plants with a growth habit of less than 400mm, as outlined in the Verge Treatment Information Sheet. It is the responsibility of the adjacent Landowner to maintain any non-approved vegetation to this height.
10. Developments in the verge other than Verge Treatments as defined in this document may be approved but will be subject to a Planning Approval.
11. All commercial developments are required to submit a landscape plan to the Shire for approval.
12. Approval must be sought from the Shire of Broome to place any sculpture or hard object within the road reserve, any such item must be frangible, I.E. 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.
13. 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.
14. Verge Treatments destroyed or damaged by the activity of the Shire of Broome will be reinstated to an equivalent standard by the Shire of Broome or its chosen representatives.
15. Where a landowner does not comply with notices to rectify non-conforming Verge Treatments and plantings, the Shire of Broome may rectify the verge, under the powers conferred by the Local Government Act 1995 and Shire of Broome Local Government Property and Public Places Local Law 2016 and the cost of these works will be forwarded onto the respective landowner, including administrative costs.
16. The cost of removal of verge treatments, non endemic species and street trees installed contrary to the requirements of this policy will be the responsibility of the adjacent Landowner. This includes rubbish, vegetative material and fire fuel material.

Public utilities i.e. Water Corporation and Horizon Power generally follow a set alignment within the road reserve. The landowner shall confirm the alignment and ensure that any verge treatment will not adversely impact the public utility.

Scope

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.
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, Weld St.
3. The Infrastructure Directorate will process applications and notify Landowners at their earliest convenience.
4. Approval of the application to a maximum quantity of one (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 one (1) tree per 20m of verge
 - The required clearances from services and installed hard infrastructure are met.
 - It does not or will not impede on local flora
5. Trees will be supplied to the applicant and their location agreed upon by Shire of Broome Parks and Gardens staff. Once planted by the landowner, the landowner will take responsibility of the tree. The Shire will maintain the tree in relation to safety and site issues associated with the required clearance specifications.
6. Street trees will be supplied with a copy of the Street Tree Information Sheet.

Verge Treatment

1. The Verge Treatment Information Sheet and Roebuck Bay Working Group's Coastal Gardens Planting Guide will be available for pick up from the Shire Administration Centre and on the Shire web page.
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 aspects; 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 a response has not been received within the time specified then a further notice will be issued stating that compliance has not been achieved. If no response has been received within a further 14 day's, notification will be issued that rectification will be undertaken at the earliest convenience by the Shire of Broome with all costs of rectification recovered from the Landowner.

Document Control Box					
Document Responsibilities:					
Owner:	Director Infrastructure		Owner Business Unit:	Infrastructure	
Reviewer:	Manager Operations		Decision Maker:	Council	
Compliance Requirements:					
Legislation:	Local Government Act 1995 Property and Public Places Local Law 2016				
Industry:	https://www.roebuckbay.org.au/?s=coastal+planting+guide				
Organisational:	Development Standards for Development Applications				
Document Management:					
Risk Rating:	Low	Review Frequency:	Triennial	Next Due:	Dec 2026
Version #	Decision Reference:	Synopsis:			
1.	20 November 2008	OMC Initial Adoption			
2.	14 December 2017	OMC Review			
3.	12 December 2019	OMC – Under review – converted to new Policy Template			
4.	27 October 2022	OMC Review - Minute No. C/1022/001			
5.	16 November 2023	Council Policy Review – Minute No. C/1123/041			

Infrastructure Information Sheet

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, 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 and Coastal Gardens Planting Guide.

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. If on a corner both verge maintenance areas will be the responsibility of the corner land owner.

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 within the verge (As described in this information sheet) adjacent to your property and if installed they must be 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 Before You Dig www.byda.com.au (previously dial before you dig) 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 under any circumstances without prior approval from the Shire of Broome Manager Operations. Any non approved plantings may be removed by the Shire and any costs occurred forwarded onto the installer.

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 area, regardless of whether it was installed by previous Landowners or occupiers, with the exception of naturally occurring endemic tree species.

CAN I REMOVE OR TRIM TREES WITHIN THE VERGE?

All naturally occurring endemic tree 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 or trim unapproved street trees or endemic trees within your verge area, please contact the Shires Parks and Gardens Department 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 acceptable verge trees,
3. 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, or 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 street lighting and visibility of signage.
 - Will obstruct overhead power lines.
 - Is of a thorny or prickly nature which may create a hazard for pedestrians or vehicle thoroughfares.
 - Intrudes or invades Shire of Broome Public Open Space, Reserves or Drainage Easements.
 - Is a vigorous running creeping vine that will cover hard infrastructure, footpaths and roadways. E.g., Ipomea or Canavalia.
 - Creates a fire hazard, E.g. whole branches, palm fronds or tree trunks.
 - Is a declared weed species including those listed in the Coastal Gardens Planting Guide. Coastal Gardens Planting Guide can be picked up from the Shire administration building.
 - Producing nuts, where it is overhanging or interfering with pedestrian and or vehicular thoroughfares. E.g. Coconuts, Mangos, etc.
 - Restricts a 2m clear and safe pedestrian access way where there is no existing footpath along verge edge.
 - Restricts a 2m clearance that is maintained for planned subdivisional footpaths within the verge. Contact Shire of Broome Infrastructure Directorate to confirm Broome Footpath Plan.

Appendix 1 – Verge Treatment

- Will or has the potential to intrude on a 3m clearance zone above a footpath or access way and a 4.5m clearance zone above a roadway. Figure 3
4. Where a Landowner wishes to install permanent sprinklers, the landowner must:
- Source water from a point beyond the water meter and inside the property through a legal backflow protected irrigation connection
 - Ensure solenoids are within the Property Boundary
 - All supply reticulation pipes must be installed at a minimum depth of 300mm and placed in conduit P.V.C 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 the road pavement.
 - Any non confirming installations must have prior approval from the Manager Operations before installation.

INSTALLATION OF STATUES, BOULDER ROCKWORK AND NON-FRANGIBLE OBJECTS SO LONG AS THEY DO NOT:

- Exceed 400mm 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.
- Does not impede service providers access to their infrastructure for maintenance and servicing requirements.

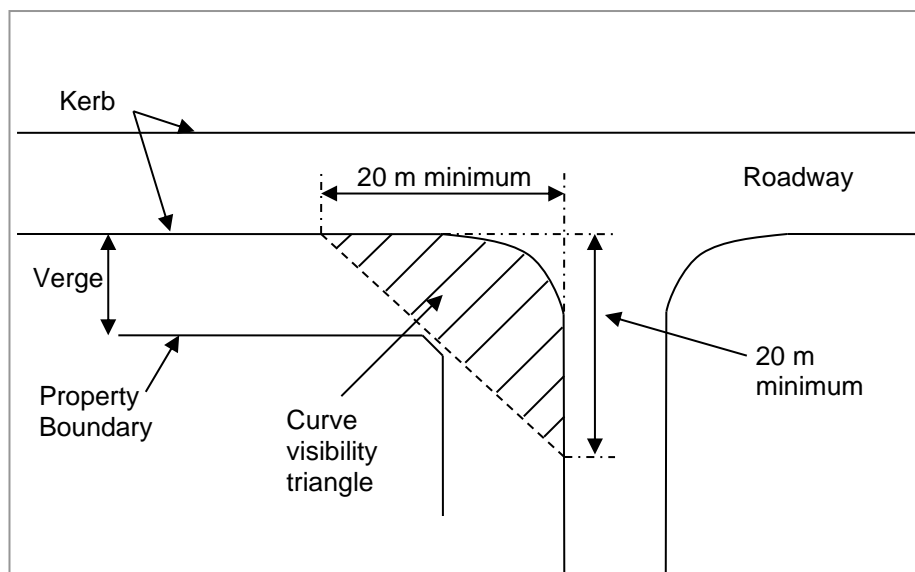


Figure 1 – Intersection or Curve Planting Height Restrictions

Appendix 1 – Verge Treatment

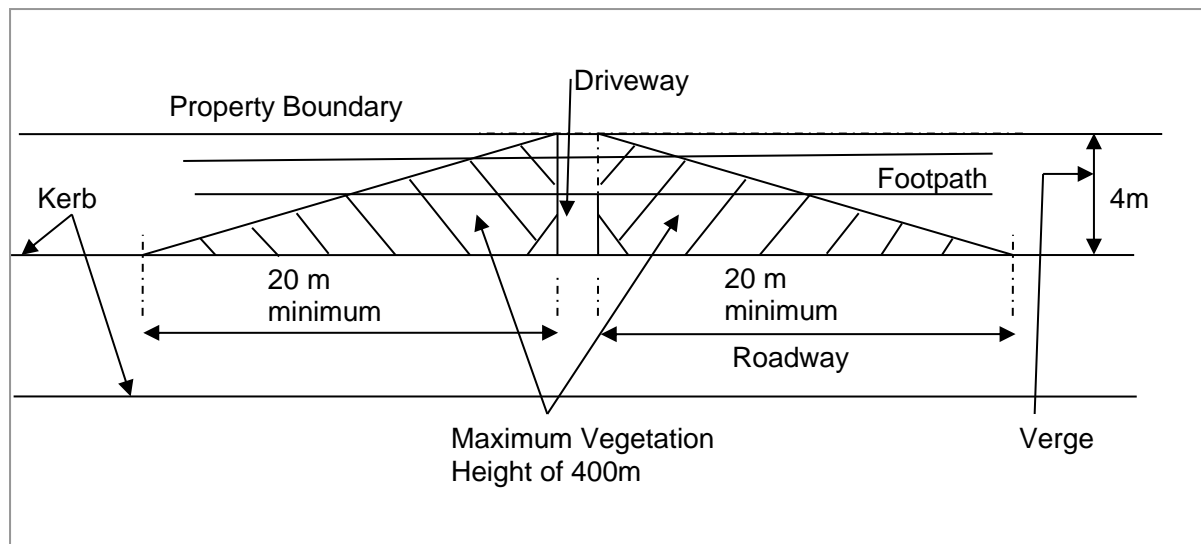


Figure 2 – Crossing Point Height Restrictions

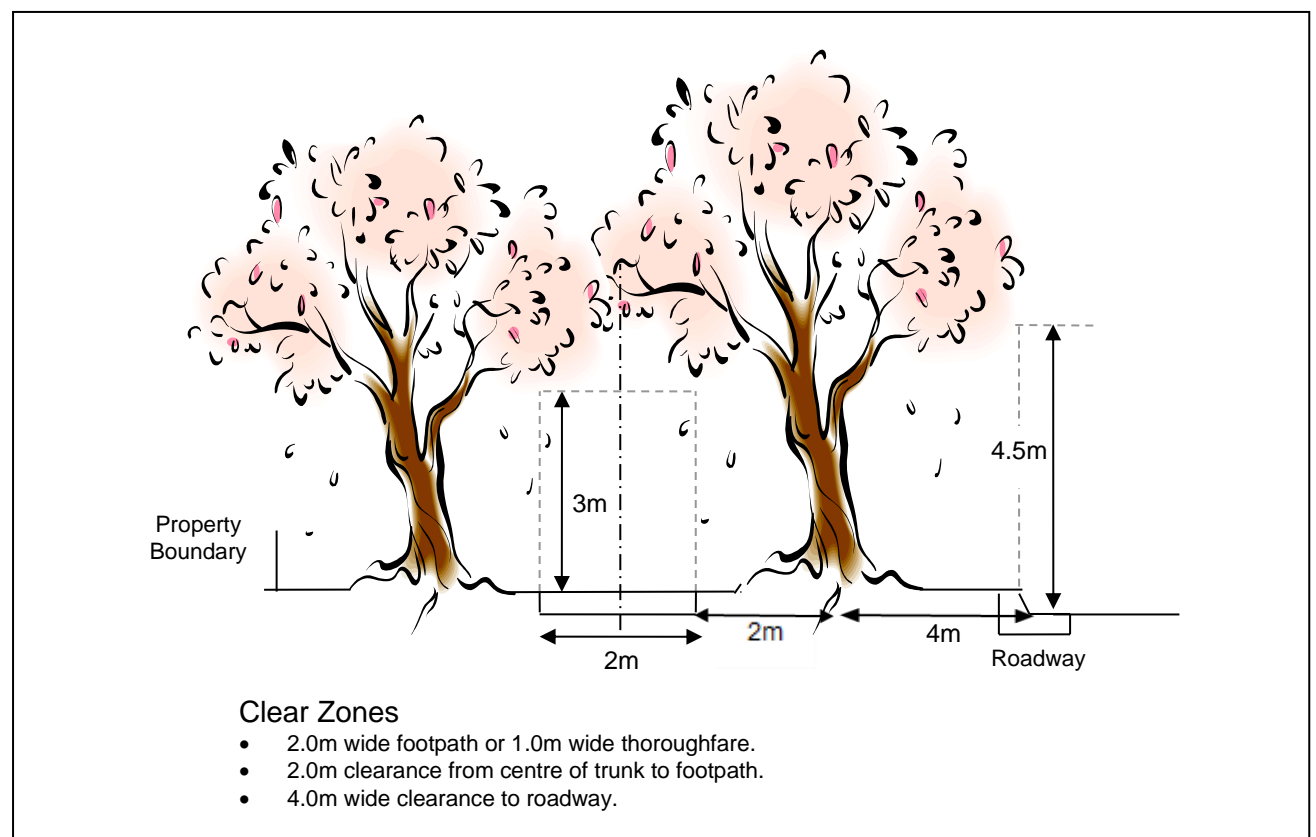


Figure 3 - Footpath and Road Overhead Clearances

ALTERNATIVE VERGE DEVELOPMENT

Where a Landowner wishes to develop their verge other than in accordance with the “Permissible Verge Treatment” requirements, they 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 Planning Department. Contact Shire of Broome Administration 08 9191 3456.

INSTALLATION OF SURFACE TREATMENTS USING AN “ACCEPTABLE MATERIAL

Where the treatment is installed the finished level is a minimum 20mm below and no more than 50mm below a containment border, garden kerb, kerb, crossover or footpath.

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
 - River-washed rounded stone D20<40mm
 - Crushed rock D20<40mm
 - Crusher dust D50<40mm

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 includes areas of inorganic material that are over 20m² and perceived as car parking areas or non landscaped verges.

Where artificial turf is installed it is to be placed on a compacted base and pinned or glued to the surface to prevent lifting and trip hazards. Artificial turf that is not maintained in a safe manner will be required to be removed by the landowner.

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

Infrastructure Information Sheet

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 and the Coastal Gardens Planting Guide.

INFORMATION AND ADVICE

The Shire of Broome encourages the installation of Street Trees and will supply a Street Tree to the Landowner at the rate of 1 Street Tree per 20m of verge length parallel to the road, adjacent to their property. The supply of Street Trees will be free of charge under the understanding that the landowner will maintain the trees in accordance with this information sheet and will water the tree regularly.

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 tree species within the verge for sight and safety issues only. All other vegetation and verge treatments 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, previous Landowners or Occupiers.

WHAT SPECIES OF TREE WILL BE SUPPLIED?

To ensure the species of Street Tree is suitable to your verge area and street, the Shire has an approved variety of native tree species that can be selected. Species selection will be based on availability, suitability and habitat that suits the proposed location at the time of application.

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 tree species within the verge are the property of the Shire and it is an offence to trim or remove Street Trees without prior approval. If you are wishing to remove trees from your verge please contact the Shires Parks and Gardens Department on 9191 3456 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 Order Form attached to this information sheet and submit. as per the directions on the order form.

STREET TREE INSTALLATION

Before any installation the installer is required to contact Before You Dig www.byda.com.au (previously dial before you dig) online and other service and utility providers to ensure underground services and infrastructure are not damaged and correct clearances 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 and are recommended to be planted using a root barrier product around the base:

17. 3.2m from back of kerb
18. 1.2m from the edge of existing footpath
19. Not within 20m of an intersection (See Figure 1 Below)
20. 1.2m from the property boundary
21. 4m from a driveway or street signage
22. 5m from a light pole
23. 3m from a fire hydrant
24. Minimum distance as specified by any underground service providers and may vary on each verge.

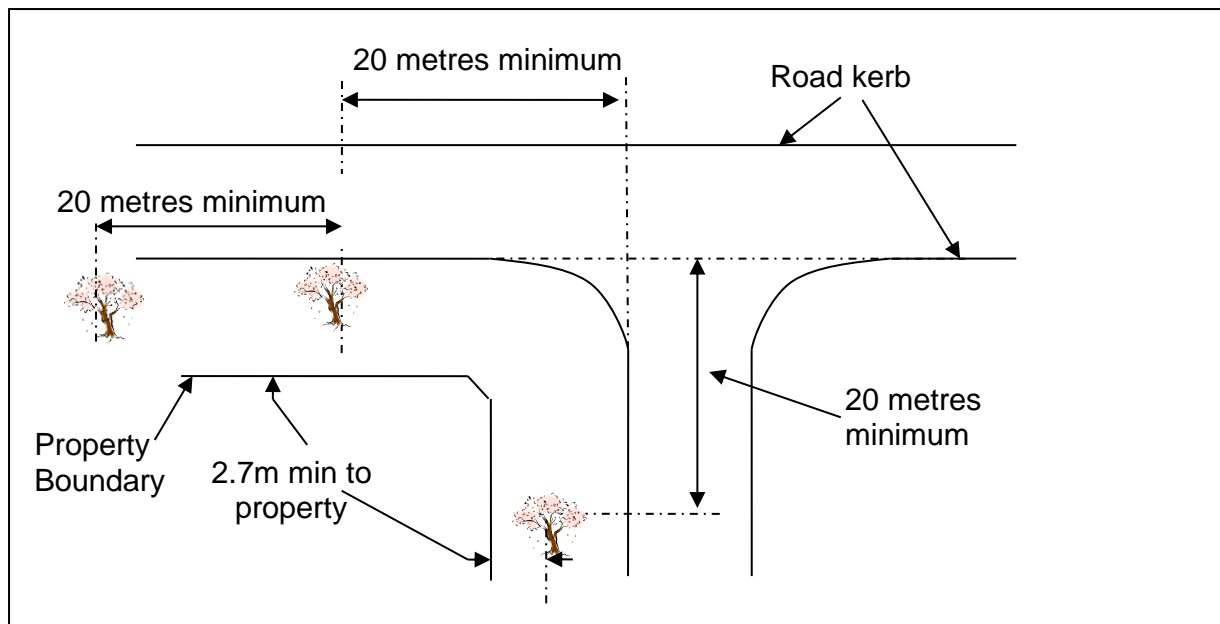


Figure 1 – Intersection Planting Clearances

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

STREET TREE MAINTENANCE ESTABLISHMENT PERIOD

Street trees once planted need ongoing maintenance and care. It is recommended that you;

- Water your tree every second day for the first 2 years (less during heavy rains),
- Fertilise your tree with a multi purpose native tree fertiliser every six (6) months,
- Prune low hanging branches prevent sight issues
- Remove branches that are growing on the truck, from ground level up to 1.5m, to form a tall healthy canopy as the tree establishes,



STREET TREE ORDER FORM

Property Owner_____

Address_____

Suburb_____

Telephone No. (Home)_____ (Work) _____

Mobile No._____

Email. _____

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. Trees will be selected from native species available at the time of application.

Completed order forms can be returned via:

- Email to shire@broome.wa.gov.au
- Deliver or post to Shire of Broome Administration Centre, Cnr Weld and Haas Street, PO Box 44, Broome 6725

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.

Signature_____ Date_____

Appendix 4 – Roebuck Bay Working Group

Roebuck Bay Working Group – Coastal Gardens Planting Guide