

Council Policy

Street Trees and Verge Treatments



Legislation/local law requirements	<i>Local Government Act 1995</i>
Relevant Delegation	Please see the City's Delegated Authority Register
Related policy procedures and documents	Activities on Thoroughfares and Public Places and Trading Local Law 2010

Introduction

Scientific studies have identified that rising global temperatures have, and will continue to result in an increase in the frequency and severity of heat waves. This in turn, has increased heat stress related deaths through heart attack, stroke and heat exhaustion. Heat wave deaths are less prominent than some of the other effects of climate change but are currently the most deadly of the natural disasters in Australia (Climate Council, 2014).

Urban areas with little vegetation retain heat in the hardstand areas. This is known as the 'urban heat island effect'. A well vegetated suburb can be up to 8 degrees cooler in a heat wave. Planting trees and local native vegetation in a streetscape also has a range of other benefits, including supporting local biodiversity, retaining stormwater runoff, reducing air conditioning costs and cleaning the air of pollution and making the City a better and healthier place to live.

Purpose

The purpose of this policy is to guide the management, planting, and maintenance of street trees and verge treatments within the City. It seeks to enhance urban sustainability by addressing the challenges posed by climate change, including the urban heat island effect, and by promoting biodiversity, stormwater management, and improved air quality. This policy aligns with the City's commitment to climate change mitigation and adaptation as outlined in its Strategic Community Plan.

Objective

Council is committed to acting on climate change and has adopted a Climate Change Mitigation and Adaptation Plan identified within its Strategic Community Plan.

This Policy aims to fulfil Council's obligations in reducing the impact of heat waves by increasing the level of vegetation and trees and minimising the proliferation of heat producing surfaces such as artificial turf and hardstands.

This will be achieved by assisting residents and businesses in creating more sustainable and environmentally friendly verge treatments, while providing a safe environment and increasing the natural amenity of our urban areas.

Scope

This policy applies to all public street verges and areas managed by the City, including residential, industrial, and rural properties. It provides regulations for the planting, care, and removal of street trees, as well as permissible verge treatments. The policy governs interactions with property owners, developers, and the City to ensure sustainable practices, safety, and compliance with local laws, such as the *Activities on Thoroughfares and Public Places and Trading Local Law 2010*. The policy also outlines responsibilities for residents and the City regarding verge treatments and tree maintenance.

Policy Provisions

Policy:

1. Street Trees

- 1.1 The City will plant and approve the planting of endemic, native and exotic trees to achieve the goals identified within the City's Climate Change Mitigation and Adaption Plan.
- 1.2 The City may supply selected trees free of charge on receipt of a written application from a ratepayer/householder. The preferred species from a list of available street trees held by the City can be requested in the application but final selection is at the discretion of the City of Kwinana. An application form is available on the City's website.

NOTE: Street trees in new subdivisions are provided by the developer. The provision of a street tree by the City of Kwinana, as outlined in this policy, is applicable to existing suburbs only where a street tree has not been previously supplied at subdivision stage.

- 1.3 Landowners are entitled to one tree per for every minimum of 10 meters verge but not more than two trees/shrubs per frontage. A normal residential lot shall be allocated one tree; a corner property may be allocated two trees. Rural and industrial lots are entitled to one tree every 30 meters (all subject to available funding each year).
- 1.4 The City shall be responsible for the final selection and planting of each tree. Property owners are requested to ensure trees are watered twice weekly, with 60 litres per tree per watering application, during the warmer months for a minimum of two years from the date of planting and/or until established. In planting verge trees the City will observe restrictions imposed by service authorities where required.
- 1.5 The City may approve trees being planted on verges by ratepayers/householders, at their own expense, subject to written application. The species and location must be approved by the City with the applicant accepting the responsibility for watering the trees until well established.
- 1.6 Street trees are to be located:
 - so as to not interfere with underground services in that location;
 - no closer than one metre from infrastructure, including crossovers, footpaths, lightpoles and drainage pits;
 - no closer than 15 metres from the intersection of front and side boundaries if on a corner block;
 - not less than 15 - 20 metres apart; and
 - consistent with proposed future development, e.g, footpath construction or property development, to minimise the requirement to remove trees.
- 1.7 The City will undertake street tree pruning, the extent of which will be determined by the City's operational program in accordance with the council's policy. The City will consider written requests from ratepayers for the removal of street trees subject to acceptable justification. Depending upon the reasons submitted for removal, the ratepayer may be required to meet all costs involved. The City will consider granting approval to ratepayers/householders to carry out street tree pruning subject to a written request. For requests for

additional pruning or removal of street trees refer to Council's Policies in relation to pruning and removal of trees.

- 1.8 The City will require developers to locate roads to retain remnant vegetation where possible, particularly significant trees, in accordance with other Council Policies relating to conservation of remnant vegetation.
- 1.9 The City will require developers to plant at a minimum one street tree per lot in new subdivisions, and maintain street trees for two years until establishment. Developers are required to plant more than 70% native species in street plantings. Preference will be given to local species.
- 1.10 The City will identify strategic roads to act as ecological linkages, with particular emphasis on planting locally native understorey species as well as trees where suitable.

2. Verge Treatments

2.1 General conditions

- a) A verge treatment shall not encroach onto the frontage or verge of any adjoining / abutting property;
- b) A verge treatment shall not encroach onto the pavement of the road or footpath;
- c) Earth mounding, retaining walls, or built structures such as, but not limited to, fountains, ponds and planter boxes, are not to be constructed or placed on the verge;
- d) All stormwater must be retained within the verge and is not permitted to flow onto footpaths or road surfaces;
- e) A verge treatment is not to restrict safe pedestrian access across the verge; and
- f) No damage to existing street trees, including their root system, is to occur during any modification to the verge.

2.2 Public utilities

The owner or occupier of land abutting a street verge, on which a lawn or garden is to be planted, shall make arrangements to determine the location of public utilities which may be located within the road reserve, prior to installation and shall be liable for damage to any utilities.

2.3 Permissible verge treatments

An owner of land which abuts a verge, may, on that part of the verge install or construct a permissible verge treatment, provided that stormwater is contained within the verge. Permissible verge treatments are:

2.4 Treatment One - Lawn

Plant and maintain a lawn in accordance with the following conditions:

- a) The lawn is mowed on a regular basis and is kept in a condition which is not deemed hazardous to pedestrians.
- b) Any irrigation components are to be installed beneath the surface of the verge so that they do not protrude above ground level and all associated pipework is to be installed at a depth not more than 300mm but not less than 150mm from the surface. All irrigation is to comply with all Water Corporation requirements.
- c) Sprinklers must be positioned to minimise water spraying onto pedestrian pathways, vehicle carriageways and neighbouring verges and properties.

2.4.1 Treatment Two - Garden

Plant and maintain garden in accordance with the following conditions:

- a) Vegetation is not to restrict sight visibility for pedestrians or vehicles. Clear sight visibility is to be maintained at all times for a person or vehicle using an abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare.
- b) Where there is no footpath, a pedestrian has safe and clear access of a minimum width of two metres along that part of the verge immediately adjacent to the kerb.
- c) No plant or other vegetation within the verge treatment is of a thorny or poisonous nature or may otherwise create a hazard.
- d) No sprinkler or reticulation component will impede or prevent the safe and convenient movement of traffic or pedestrians.
- e) Planting on top of services is not permitted.
- f) All planting on the verge is the responsibility of the owner to maintain. Any plant or shrub which needs to be removed by the City or a Service Authority will not be replaced by the City or Service Authority.
- g) No vegetation identified as a National or West Australian noxious weed is to be planted.

The City encourages the planting of a verge garden using local and native species as a water wise verge treatment.

2.4.2 Treatment Three - Installation of Acceptable Material

One third of the street verge may be treated with an 'acceptable material' from the list below in accordance with the following conditions:

- a) The area of hard surface, or 'acceptable material' is to be limited to a maximum of 33% (one third) of the total area of the verge, excluding any crossover.
- b) The remainder of verge is to be treated with a lawn and / or garden bed in accordance with clause 2.3.1 and / or 2.3.2.

Acceptable materials

The following is the list of acceptable materials required by the City of Kwinana Activities in Thoroughfares and Public Places and Trading Local Law 2011:

- Porous trafficable brick paving.
- Precast trafficable concrete slabs spaced for adequate drainage.
- Mulch/wood chips (appropriately levelled and compacted as to not spill onto the road or footpath).
- any other materials deemed by the City to be acceptable.

Non- acceptable materials

Materials classified as non-acceptable and which cannot be installed on a verge include:

- Crushed brick or rock.
- Pea or other gravels.
- Any other materials deemed by the City to be non-acceptable.

Loose aggregate such as crushed brick, pea gravel and blue metal are not permitted as this material may present a hazard to pedestrians using the verge or if the material is dislodged onto the road surface may present a hazard to vehicles and other road users.

2.5 Remnant vegetation

Clearing of remnant vegetation within the verge area of Special Residential/Special Rural and Rural areas is prohibited without the prior written consent of the City.

Verge treatments within those zones should incorporate native flora to help minimise impacts on local biodiversity.

2.6 Alternative treatment assessment

Alternative treatments may be approved in certain circumstances. Such treatments need to be assessed by the City for elimination or identification of any risks associated with this type of treatment to pedestrians or vehicles.

Approvals for alternative treatments will generally need to take into account the objectives of the City's Climate Change Mitigation and Adaption Plan.

The City is to assist and educate property owners and occupiers in installing verge treatments that are focused on environmental sustainability and reducing the effects of heat and excess water use, while adding to the amenity of neighbourhood streetscapes.

In the event that the above criteria are not satisfied then the verge treatment will not be approved or will be required to be removed at the applicant's cost.

2.7 Obligations of owner or occupier

An owner or occupier who installs a permissible verge treatment or purchases or occupies a property with an existing permissible verge treatment, shall maintain the verge treatment in a neat and tidy condition and ensure it continues to comply with this Policy. The owner or occupier must ensure at all times that pedestrians are able to travel along the verge and that it is safe and convenient to do so even if no footpath has been installed.

No verge treatment is to obstruct a footpath on the verge or a carriageway abutting the verge.

It is the responsibility of all owners and occupiers to:

- a) not place any obstruction on or around the verge treatment;
- b) not disturb a footpath on the verge; and to
- c) maintain the verge treatment to the satisfaction of the City.

According to Local Law, the installation of verge treatment other than permissible verge treatment, as well as failure to maintain permissible verge treatment or placement of obstructions on the verge, is subject to fine.

OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Engineering	
Initial Council adoption	Date: 26 February 1992	Ref#: 347
Reviewed/amended	Date: November 2024	Ref#: 583
Next Review Date	Date: November 2026	
Policy Document Number	D13/6442[v4]	