



### 1. Intention

To provide direction for road verge development and maintenance in the Shire of Waroona and to deliver resource allocation and community services that are equitable and sustainable.

The Shire is responsible for the control of development of street verges.

The maintenance of lawns and gardens on verges is the responsibility of the adjoining landowner.

### 2. Scope

This policy applies throughout the district.

The purpose of this Policy is to outline the Shire of Waroona council's obligations and residents' responsibilities in developing and maintaining road verges in the Shire. Excluding street trees and any site actively managed by the Shire, the owner of the property adjoining the verge is responsible for the maintenance of verge vegetation. Where a verge adjoins land owned by the Shire, then the Shire will maintain the vegetation on that verge.

This policy also aims to ensure public safety, and guide Council and service authority access and rights over this portion of the road reserve, and the form and development of verges permitted by the Council.

In addition, this policy aligns with the Shire of Waroona's commitment to environmental stewardship and seeks to encourage homeowners to transition to waterwise verges with enhanced tree canopy cover in the longer term.

### 3. Statement

For the purpose of this policy, a road verge is the portion of land between the road and the property boundary. Road reserves (this includes the verge) are crown land and not owned by the Shire. Local Governments do have responsibility for the care, control, and management of this land (unless the road has been designated a highway or main road). The responsibility for the management of verges does not mean that the Shire is required to undertake works requested.

This Council policy dictates the level of service provided, with this being a balance between the activities undertaken and the associated cost to ratepayers. This means that Shire works will be restricted to essential areas, such as public safety and infrastructure maintenance.

**Verge mowing, slashing, and spraying is the responsibility of the owners of adjoining property** excepting in the case:

- (a) The Shire owns the land adjoining the verge, or
- (b) Where this activity is undertaken by the Shire for reasons of road safety, or
- (c) It is required for maintaining Shire infrastructure.

However, the Shire may spray verges for weed elimination where this is part of an annual budgeted weed removal program. The intent of this program is to achieve broad outcomes for the community

such as road infrastructure management.

Flora declared as a pest species for the Shire of Waroona area according to the Biosecurity and Agriculture Management Act 2007 (BAM Act) and Local Laws will be considered for inclusion in the program with other works on a priority basis within the budget constraints of the program. Isolated works for other reasons, such as for the improvement of the amenity for local residents, are not considered for inclusion.

*The Shire will not undertake road verge maintenance for aesthetic reasons unless the location is part of a Shire managed developed streetscape.*

## 4. Principles

The Shire of Waroona Council recognises the following -

1. A principal purpose of that part of the road reserve located between the kerb and the property boundary is for use by pedestrians and to accommodate service utilities.
2. The verge area is increasingly becoming an important part of the local amenity and green space for the community. It also provides important functions for facilitating our street trees and opportunities for improving water runoff and quality via Water Sensitive Urban Design, along with increasing tree canopy and vegetation cover, which help cool our Shire and mitigate the impacts of climate change.
3. The nature strip (verge) is the area between the private property boundary and the edge of the road which has been planted in with a garden or grass.
4. A well planned and maintained front garden that incorporates the nature strip, greatly enhances the amenity and environmental quality of a neighbourhood.

### 4.1 Road verge responsibilities

The maintenance of road verges is a shared responsibility between Council and its residents and includes the following principles.

- 4.1.1 Landowners or residents are typically required to maintain their verges.
- 4.1.2 The Shire of Waroona will only undertake the maintenance of road verges required for essential areas, such as public safety and infrastructure maintenance.
- 4.1.3 Isolated works for other reasons, such as for the amenity of local residents, are not considered for inclusion.
- 4.1.4 The following are not considered to be sufficient reasons to permit tree removal or pruning;
  - (a) Nuisance from leaves, nuts or seeds, sap, or bird noise;
  - (b) Insignificant or perceived fire hazard; and
  - (c) Unsightly trees or impacts on views.
- 4.1.5 The Shire will not undertake maintenance for aesthetic reasons unless the location is part of a Shire managed developed streetscape.
- 4.1.6 The Shire of Waroona has published *Verge Maintenance Guidelines* to assist residents in carrying out maintenance, landscaping or other improvement works to

the nature strip adjoining their property.

## 5. Legislative and Strategic Context

1. The *Local Government Act 1995*, *Local Government (Administration) Regulations 1996*, and sections 33(1), 25(1)(a) and 24G(2) of the *Bush Fires Act 1954* and associated subsidiary legislation provide the broad framework within which this policy operates.
2. Verge development and maintenance activities must meet all other requirements listed within the Shire's planning framework that may be applicable for a particular site under any relevant Local Planning Scheme, structure plan, Local Planning Policy or Local Development Plan.
3. This Policy provides the following links to Council's Strategic Plan:
  - **Objective 1.1** Create a connected, safe and cohesive community with a strong sense of community pride.
  - **Objective 3.1** To continually care for, protect and enhance our environment for the generations to come.
  - **Objective 3.2** Proactively manage resources and practice sustainability through responsible management of water, energy, fire control and waste.

## 6. Review

This policy is to be reviewed biennially.

## 7. Associated Documents

Other documents that have an association to this policy and that may be useful reference material are:

- Policy IP010 – Street and Reserve Trees
- Shire of Waroona Verge Maintenance Guidelines
- Shire of Waroona Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001.
- Shire of Waroona Local Government Property Law 2014.

## 8. Document Control

Division	Infrastructure
Policy Number	IP019
Contact Officer	Director Customer & Development Services
Related Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996 Bush Fires Act 1954
Related Shire Documents	Policy IP010 – Street and Reserve Trees Shire of Waroona Verge Maintenance Guidelines Shire of Waroona Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001. Shire of Waroona Local Government Property Law 2014
File Number	PR.7

Risk Rating	Low	Review Frequency	Biennially
Next Review	November 26	Date Adopted	26/11/2024
OCM Number	OCM24/11/177	Previous Policy No.	N/A

**9. Amendments**

Date	Details of Amendment	Reference	Record Number