



## **W 5.6 Verges Policy**

### **POLICY**

As per attachment W 5.6.

The Shire supports the efforts of residents and property owners within the Shire designated townsites to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community.

(To be read in conjunction with The Shire's Activities on Thoroughfares and Public Places and Trading Local Law and Policy 5.5 Street Trees)

### **OBJECTIVES**

To support and assist residents and the community generally to achieve aesthetically pleasing outcomes and environmental benefits, but in a way that the Shire is not exposed to increased risk of liability claims.

To ensure a balance between legitimate off street parking requirements, streetscape enhancement by landscaping and on site filtration of storm water.

To manage and resolve hazards and safety issues

To ensure an equitable balance in the level of verge management carried out across the Shire towns.

To support and protect biodiversity.

### **GUIDELINES**

As attached to Policy W 5.6

### **HISTORY**

Adopted: 19/09/2012



**REVIEW**

Executive  
Services

Manager,

Engineering



## ATTACHMENT W 5.6 VERGES POLICY

### 1. BACKGROUND

The street verge has been traditionally described as the area between the road and boundary of an abutting property. The verge provides a safe pedestrian space and vehicular access to properties. The verge generally accommodates public service and local government utilities above and below ground such as street lighting, power, water, stormwater pipes, sewerage, gas and telecommunication cables. The service providers need to access their asset in the verge to install, maintain and/or repairs.

### 2. PURPOSE

- To value the verge as an important component of the streetscape
- To promote the principles of environmental sustainability and biodiversity
- To provide direction and guidance to residents on appropriate verge treatments
- To encourage ownership by owners to improve and maintain verge presentation
- To provide advice, regulatory control and incentives to property owners to improve verges to an appropriate and consistent stand

### 3. POLICY APPLICATION

The Shire recognises that the appearance of street verges is important to owners / occupiers, due to the aesthetics impact on their dwellings and properties.

The following guidelines are provided to maintain safety to the community whilst enabling owners / occupiers to improve the aesthetics and amenity of street verges abutting to their properties.

#### 3.1 Community Value

Street verges facilitate an important role in the townscape streetscape environment. They provide aesthetic and



environmental values, act as a buffer to street noise, provide shade and shelter, provide habitat for fauna and act as linkages, or vegetation corridors, between larger habitat nodes.

### **3.2 Pride and Ownership**

Development, improvement and enhancement of verges promotes pride within the community and fosters a sense of verge ownership as an important and valuable component of streetscapes and open space within the townsite.

### **3.3 Amenity**

Suitable and appropriate verge treatments contribute a significant value to the streetscape. The Shire and the community appreciate the visual amenity provided by verges that are maintained and improved by residents.

### **3.4 Natural Treatments**

3.4.1 Grass verges are permitted; however, selection of a grass species that is water-wise, hardy and sustainable in verge conditions, including shade under trees is suggested.

3.4.2 Plantings of species indigenous to the local area and minimising the use of impervious surfaces are recommended.

3.4.3 Organic mulch is permitted to be installed on verges. However, the mulch is required to be replenished as required and maintained in a safe manner.

### **3.5 Vegetable gardens**

While the Shire encourages the planting of native species indigenous to the local area on verges, installation of vegetable gardens on the verge is permissible. Vegetable gardens on the verge should not stockpile waste, mulch or manure and all spent vegetation should be removed. Stakes, lattice and/or other supporting structures are not considered appropriate due to duty of care and safety reasons.

### **3.6 Hardstand Treatments**

Concrete, segmented and permeable paving materials, artificial turf and other approved hardstand treatments are



permitted to be used on the entire verge area. Installation of compacted inorganic materials (such as gravel, crushed brick, limestone or similar) on verges are permitted, subject to the size of the granular materials not causing hazards or inconvenience to pedestrians, cyclists and motorists.

### **3.7 Stormwater Water infiltration**

On site infiltration of stormwater is desirable as a means of contributing to the replenishment of groundwater. Stormwater runoff from large sections of hard surfacing must be contained within the property, as the runoff can cause localised flooding on roads and adversely impact on the Shire's storm water disposal system and its maintenance.

### **3.8 Reticulation**

3.8.1 Where the property owner wishes to install a permanent irrigation system on the verge the water supply is to be from within the adjacent private property boundary. All pipework is to be installed below ground and under footpaths. Sub-surface drip irrigation is preferred where possible to assist conservation of water. Alternatively, the sprinklers should be the pop-up variety or a type approved by the Shire.

3.8.2 Reticulation may only be required to establish plants or water-wise verge treatments and this may be possible without the installation of a reticulation system.

3.8.3 Residents are encouraged to supply sufficient water to the base of the plant or to the plants drip-line to avoid wastage and unnecessary evaporation.

3.8.4 It is preferable to avoid reticulation of the verge altogether.

### **3.9 Non permissible Treatments/Use**

3.9.1 The owner / occupier shall not install structures on the street verge. For example, tree house, play structures/equipment, fences, barriers, steps, walls, fountains, ornaments, basketball hoops, ornamental lighting or similar.



- 3.9.2 The owner / occupier shall not install extrinsic objects on the street verge. For example, bricks, rocks, logs, bollards, garden stakes, bunting, signs or similar.
- 3.9.3 The owner / occupier shall not install hard landscaping elements such as borders and or planter boxes around mature street trees.
- 3.9.4 The tethering of boats, trailers and other such items to street trees, street lights and/or road signs is not permitted due to safety issues and the potential to compromise the health of the tree and/or damage infrastructure.

### **3.10 Access by Utility Providers**

Service providers, including the Shire, retain the right to access the verge for service maintenance works that may disrupt or damage any verge treatment.

## **4. VERGE COMPLIANCE CRITERIA**

In order for applications to install landscape treatments on the verge to be approved, the following criteria will need to be met:

- 4.1 Verge treatments are limited to low growing plants and ground covers and be non hazardous to pedestrians, motorists, and/or cyclists. No plants taller than 75cm in height are to be planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- 4.2 The proposed landscaping provides a positive contribution to the aesthetic presentation of the streetscape.
- 4.3 Landscaping does not create barriers within the verge.
- 4.4 Dense planting or other low maintenance forms of landscaping is acceptable.
- 4.5 The plants are to be kept clear of the roadway and any footpath. If there is no footpath, a clear distance of 2 metres from the back of the kerb or edge of a carriageway is to be maintained to allow for the unrestricted passage of pedestrians.



- 4.6 Where a bus stop exists within a verge, the proposed development must provide a minimum 1.5m clearance around the bus stop and between the bus stop and the foot path.
- 4.7 The mature height of vegetation will be maintained below 750 mm. However, midstorey plants, particularly those that are indigenous to the area such as grass trees (*Xanthorrhoea* species) and banksias (*Banksia* species) are permissible so long as they are not planted within 10m of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- 4.8 Hedges or similar borders of plants are acceptable if planted to maintain, a minimum clearance of 500 mm from any existing and/or proposed footpath, and/or crossover and a minimum clearance of 2,000 mm from the back of kerb or edge of a carriageway.
- 4.9 Reticulation sprinklers shall not be directed onto the footpath or road, and watering is to be restricted to times where any inconvenience to pedestrians, cyclists and motorists is minimised.
- 4.10 Appropriate measures are undertaken and maintained to minimise erosion and dust.
- 4.11 The use of loose inorganic materials (ie; gravels / stones / rocks / bricks) shall not be permitted, as these may cause potential hazard to pedestrians, cyclists and motorists.
- 4.12 The use of any hard landscaping elements to create garden edging or retain soil adjacent to any proposed or existing footpaths, crossovers, and or kerbs shall not be permitted.
- 4.13 Temporary barricades for the purpose of establishing verge landscaping are acceptable provided that the materials used do not create a hazard and are identified with an abundance of markers to ensure the safety of pedestrians. Barriers must not be erected across pedestrian access ways, or in a manner which creates a sight line barrier / hazard.
- 4.14 The general level and grade of the verges is to remain unaltered.
- 4.15 The treatment is not to create any undue hazard to road users or pedestrians.



- 4.16 The applicant accepts responsibility for the removal or relocation of planting or reticulation if required by the Shire or any public authority.
- 4.17 The ratepayer shall maintain the treatment so as not to cause a hazard.
- 4.18 Should the verge treatment become hazardous, the ratepayer shall agree to remove the treatment at his/her expense.
- 4.19 The ratepayer agrees to indemnify the Shire against any claims that may arise as a result of the treatment.
- 4.20 The verge shall not be used as a car park for any vehicle including cars, trucks, boats, caravans and so on.
- 4.21 The ratepayer shall not remove or plant any tree on street verge. Requests for street trees shall be made to the Shire according to Policy 5.5 Street Trees.
- 4.22 Verge treatment shall not be over more than one third of the area of the verge (excluding any vehicle crossing).

## **5. VERGE DEVELOPMENT APPROVAL PROCESS**

All proposals for landscape treatment of the verge require approval from the Shire of Northam.

In order for applications to install landscape treatments on the verge to be assessed, property owners are required to submit in writing an outline of the landscape proposal which includes a diagram to illustrate the proposed work including plant species and the layout of any proposed reticulation system(s).

The Shire will then:

- Inspect the location;
- Notify the owner in writing whether the Shire supports or does not support the proposed landscape development;
- On completion of any approved works the Shire will inspect the works;
- Works not carried out in accordance with the relevant approvals will require any noncompliance issues to be rectified; and



- Maintain a register of the site and the approved verge treatment.

## **6. VERGE DEVELOPMENT ASSISTANCE SCHEME**

The objective of providing verge development assistance is to encourage and support property owners to develop and maintain verges that contribute to the aesthetic presentation of streetscapes and a sustainable quality environment for the community:

### 6.1 Verge Restoration:

The objective of providing verge restoration is to provide a better growing medium for low water demand plantings of low growing shrubs or ground cover plants other than turf. Existing soil/vegetation is removed from the verge to a depth of 50 mm below kerb/footpath levels and then replaced with fresh topsoil and levelled. Where a vehicular crossover is no longer used to gain access to the property, a verge restoration will include the removal of the redundant crossover. This scheme is available once only in every 10 years for individual properties.

### 6.2 Plant Subsidy:

Residential property owners can apply to purchase subsidised low water demand native plants for landscaping the street verge abutting to their properties. The objective of providing subsidised plants is to encourage residents to support biodiversity, water conservation, and the establishment of green corridors to link habitat areas within the townsites. The Shire will subsidise up to a maximum of 40 plants per property each year on a dollar for dollar basis. Plants are available through the native plant subsidy scheme run on an annual basis within the month of May.

### 6.3 Landscape Design Advice:

Plant selection advice and landscape design expertise is available to residential property owners requiring or seeking assistance in regard to verge landscaping. The Shire will subsidise assistance to a value of \$100. This scheme will be available once in every 5 years for individual properties.

Verge Development Assistance Scheme applications will be considered using the following criteria:

- Application must be from the property owner;



- An application for verge restoration will not be considered, where building work or activities within the property have damaged the street verge;
- The proposed verge treatment will improve and sustain the streetscape;
- Preference will be given to native ground covers/shrubs with reduced water demands.
- Applications to participate in one of the above three Verge Assistance Schemes shall be submitted in writing to the Shire of Northam.

The availability of the verge development assistance scheme will be delivered within the limits of the available budget. Residents are therefore recommended to register their interest early in the financial year to avoid disappointment.

It is recommended property owners kill any existing turf prior to verge restoration to avoid resprouting. This may be done when the turf is actively growing (spring or autumn) by using weed control mats or biodegradable herbicides.

## **7. VERGE PAVING**

Where there is a legitimate requirement for verge paving and there is no reasonable alternative property owners can apply to pave a portion of the verge directly adjacent to their property.

Proposals for verge paving require approval from the Shire of Northam.

Where the installation of paving to the verge is likely to compromise the safety of pedestrians, cyclists or motorists or the longevity of an existing street tree, the application will not be approved.

Where paving is proposed to provide a footpath between the property boundary and the kerb line, the path is to be 2.0 metres wide.

In order for verge paving proposals to be assessed the property owner is required to submit in writing an outline of their proposed paving plan with a diagram that illustrates the proposed location, alignment, and the materials to be used.



The Shire will then:

- Inspect the location.
- Notify the owner in writing of whether the Shire approves the application or not.
- On completion of the approved works, the Shire will inspect the works. Works not undertaken in accordance with the relevant approvals will require any noncompliance issues to be rectified.
- Maintain a register of the site and the approved verge treatment.
  
- The use of soil reinforcing cells will entitle the property owner to pave up to 70% of the adjacent verge.
- Where the road reserve is narrow and the verge contains a large and mature street tree with a wide spreading canopy, which overshadows the whole verge and which prohibits the establishment of ground covers the adjacent residential property owner may apply to pave up to 70% of the verge consistent with the requirements of this policy.
- Where there is approval to install conventional clay or concrete paving to 70% of the verge the adjacent property owners must make provision for the on-site drainage of storm water within the verge. The adjacent property owner is required to provide detailed plans of the proposed method of storm water infiltration to the Shire for its consideration and approval. The use of soil reinforcing cells (which provide for storm water infiltration) will not require additional drainage provisions.
- A minimum two (2) metre paving clearance from any street tree is to be maintained.
- The property owner is to acknowledge in writing that any approved verge paving installed within the verge will be maintained by the property owner at grade consistent with the surrounding soil level at all times to ensure safe pedestrian access.
- The property owner is to acknowledge in writing that there is no responsibility on the part of the Council or utility service provider to reinstate verge paving removed to provide for routine maintenance of services or projects approved by Council.



- Commercial areas are treated separately from residential verges as paving is permitted to 100% of the verge in commercial areas.

## **8. PROPERTY DEVELOPMENT**

To minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the base of an existing street tree. Where excavation to a depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the base of an existing street tree.

## **9. EXISTING VERGE TREATMENTS**

Where verge treatments are not consistent with the policy and are identified as safety hazards, the Shire will request the property owner to carry out remedial works.

Where the owner of the property is unable or unwilling to complete remedial works, the Shire will complete works. The property owner will be liable for the cost thus incurs.

Existing verge treatments, which are not consistent with this policy, are required to be rectified, on the following basis:

- Identified hazards or safety issues ie; tree houses, play equipment or any structure that has not been approved etc, boats and/or trailers tethered to street trees etc, landscaping that has thorns, spear like leaves or plants that are known to be toxic etc, landscaping that impedes sightlines/pedestrian access etc,
- Rectification within 14 days of notification. Where an existing verge treatment is identified to present an immediate hazard, the Shire will rectify within 24 hours. The ratepayer abutting to the verge will be liable for the cost thus incurs.
- Paving (not approved by the Shire of Northam) in excess of areas defined in this policy is to be rectified within 60 days of notification.
- Planter boxes/borders not constructed to meet Australian Standards or industry standards; or constructed to a height greater than 150mm and/or within 500 mm of an existing



footpath/crossover and/or within 2,000 mm of the kerb line, require rectification within 60 days.

Residents and commercial property owners are encouraged to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the benefit of the wider Northam community.

## **10. PUBLIC AWARENESS**

The Shire will acknowledge residents' efforts to develop a sustainable verge landscape via a 'Sustainable Verge Award' each year in spring. The award will target verge landscapes which contribute to the Shire's green objectives. The award is available for two categories' residential and commercial/schools.

The award is judged on the following criteria: biodiversity; water wise strategies; design; maintenance and any unique aspects. Nomination forms are available at the Administration Centre, and can be submitted from August to mid-September annually.

Public awareness programs to highlight the responsibilities of residents and the Shire on the issues of planting and maintenance of verge treatment will be undertaken, including articles placed from time to time (quarterly) in the Post newspaper and Talk about Northam newsletter. The articles should include all aspects of verge planting and maintenance, including responsibility and relevant Local Laws.

## **11. GLOSSARY OF TERMS**

**Street Verge:** Portion of road reserve between the property boundary and edge of carriageway (kerb line).

**Street Tree:** A tree planted and maintained by the Shire and is typically situated at the 2.7 metre alignment off the property boundary.

**Verge Treatment:** Landscaping of the portion of street verge not occupied by a footpath or crossover. Typically involves the planting of grass, ground covers or low shrubs and may include reticulation or paving.



- Verge Restoration:** The removal of any existing treatment and excavation of soil up to 100mm below existing paved levels. Topsoil is placed and levelled so that the new soil is flush with any existing paving (footpath, crossover, kerbing, etc).
- Soft landscaping:** Refers to grass, ground cover and shrubs
- Hard Landscaping:** Refers to retaining structures or edging / borders.
- Paving:** Refers to clay or concrete paving materials for footways or hardstand for parking of vehicles.
- Structures:** Refers to built structures