

WORKS

W 5.6 Verges Policy

<i>Responsible Department</i>	Engineering Services
<i>Resolution Number</i>	
<i>Resolution Date</i>	
<i>Next Scheduled Review</i>	2022
<i>Related Shire Documents</i>	Activities on Thoroughfares Public Places and Local Trading Law 2018; Street Tree Policy
<i>Related Legislation</i>	Local Government (Uniform Local Provisions) Regulations 1996: 6. Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)

OBJECTIVES

To provide guidelines to assist residents and the community generally to achieve aesthetically pleasing outcomes and environmental benefits of treatments on Shire verges, in conjunction with the Shire's Activities on Thoroughfares, Public Places and Local Trading Laws.

- 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 the community on appropriate verge treatments
- To encourage adjacent property owners to improve and maintain verge presentation
- To provide advice and regulatory control to property owners
- to improve verges to an appropriate and consistent standard.

SCOPE

Any person who wishes to carry out any works on the verge shall do so in accordance with this policy, guidelines and specifications.

POLICY

Introduction

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.

Due to the extensive amount of verges within the Shire, it is impractical to assign the level of resources that would be required to maintain all verges. The Shire therefore requires all residents and commercial property owners to endeavour to maintain the verge adjacent to their property, for their own benefit, the benefit of their neighbours and the wider Northam community.

Community Value

Street verges facilitate an important role in the town site 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.

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.

Permissible Treatments

The following treatments are permissible to be installed by the owner or occupier of the adjacent land to that verge. The owner and/ or occupier of who installs a permissible verge is responsible for maintaining the verge in a neat, safe and tidy condition.

Grass Verges

It is suggested that water-wise grass species that are hardy and sustainable in verge conditions, including shade under trees are selected.

Garden / Plantings

- Species tolerant to the local environment are recommended.

- Verges treatments are limited to low growing plants and ground covers that are nonhazardous to pedestrians, motorists, and/or cyclists. No plants taller than 75 centimetres in height are to be planted within 10 metres of a road junction or intersection, or in any location where they may obstruct visibility for road users or vehicles exiting from a crossover.
- Landscaping does not create barriers within the verge.
- 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.
- The proposed landscaping provides a positive contribution to the aesthetic presentation of the streetscape
- Hedges or similar borders of plants are acceptable if planted to maintain, a minimum clearance of 50 centimetres from any existing and/or proposed footpath, and/or crossover and a minimum clearance of 2 metres from the back of kerb or edge of a carriageway.
- 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, and should only be watered on the properties allocated watering day.

Organic Treatments

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, and; shall not encroach surrounding areas outside the verge.

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.

Stormwater Water infiltration

Stormwater runoff from large sections of hard surfacing must be effectively managed by the landowner, as the runoff can cause localised flooding on roads and adversely impact on the Shire's storm water disposal system and its maintenance.

Reticulation

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.

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. 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.

Non permissible Treatments/Use

- 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.
- The owner / occupier shall not install extrinsic objects on the street verge. For example, bricks, rocks, logs, bollards, garden stakes, bunting, signs or similar.
- The owner / occupier shall not install hard landscaping elements such as borders and or planter boxes around mature street trees.
- 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
- 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.

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 in accordance with Section 2.13 of the Activities on Thoroughfares Public Places and Local Trading Law 2018;

Verge Compliance Criteria

- 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.
- 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.
- The general level and grade of the verges is to remain unaltered.
- The treatment is not to create any undue hazard to road users or pedestrians.
- The resident accepts responsibility for the removal or relocation of planting or reticulation if required by the Shire or any public authority and shall maintain the treatment so as not to cause a hazard.
- Should the verge treatment become hazardous, the ratepayer shall agree to remove the treatment at his/her expense.
- The verge shall not be used as a car park for any vehicle including cars, trucks, boats, caravans and so on.
- The ratepayer shall not remove or prune any tree on street verge. Unless they have an approved verge development for which they are responsible for the maintenance and up-keep of.
- Prior to planting any tree on the road verge, the ratepayer is required to submit an application in the form of a written letter to the Shire, and obtain approval as per the Shire's "Street Tree Policy."
- The resident is to inform the Shire in writing if they wish for their verge not to be sprayed by having it placed on the "No Spray Register"

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.

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 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.
- A minimum two (2) metre paving clearance from any street tree is to be maintained.
- The property owner is responsible for the maintenance of any Shire approved verge paving installation.

- The property owner is responsible for the reinstatement of any verge paving removed by the Shire or Utility Service Provider in providing routine maintenance of services and projects approved by the Shire.
- Commercial areas are treated separately from residential verges as paving is permitted to 100% of the verge in commercial areas.

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.

Existing Verge Treatments

A verge treatment which was installed prior to the commencement day of the *Activities on Thoroughfares Public Places and Local Trading Law 2008* is to be taken to be a permissible verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions.

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 these works, with the property owner being liable for any cost incurred.

Verge Maintenance

Property owners throughout the Shire are encouraged to maintain and/or improve the verge area outside their property, in a manner that ensures the safety of themselves and / or pedestrians and road users.

The Shire of Northam aims to create a visually pleasing community, inclusive of tidy and attractive verges and roadsides.

The Shire will perform an annual verge maintenance program consisting of the following where practicable:

- Town site verges will be sprayed at least once per year;
- Town site verges will be slashed at least once per year where the adjoining property is privately owned and vacant;

- Town site verges which adjoin property owned by the Shire will be slashed at least once per year and maintained to a standard that is deemed acceptable by Council;
- Rural verges will be sprayed and slashed throughout the year in an effort to reduce grass loadings. Areas of focus will be assessed annually and addressed within budget constraints.
- Spray and slash a minimum 1.5m clearance around a registered bus stop.