

CITY OF WEST TORRENS



## Council Policy: Verge Management

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<b>Related Policies or Corporate Documents:</b>	<p>Council Policy - Graffiti Management  Council Policy - Use of Public Footpaths and Roads for Business Purposes  City of West Torrens Transport Strategy  Infrastructure and Asset Management Plan - Footpaths  City of West Torrens Tree Strategy  City of West Torrens Disability Access and Inclusion Corporate Plan 2018-2021  City of West Torrens Public Realm Design Manual  Administration Policy - Natural Environment Guidelines for Works, Operations and Contractors  Council Policy - Natural Environment  PIRSA Weed Control Handbook  Standard Drawings  By Law 1 - Permits and Penalties  By Law 2 - Local Government Land  By Law 3 - Roads  By Law 4 - Moveable Signs  By Law 5 - Dogs</p>

<b>Associated Forms:</b>	<a href="#">Application for 'Verge Alterations'</a> <a href="#">Application for 'Mowing Assistance'</a> <a href="#">Application to 'Construct a Vehicle Crossing Place'</a> <a href="#">Application to 'Construct a Domestic Stormwater Connection'</a> <a href="#">Application to 'Construct Underground Electrical Consumer Mains'</a>
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## Table of Contents

- 1. **Preamble**..... 4
- 2. **Purpose**..... 4
- 3. **Scope** ..... 4
- 4. **Definitions** ..... 5
- 5. **Policy Statement**..... 6
- 6. **Environmental Considerations**..... 14

Attachment 1 - Application for 'Verge Alterations'

Attachment 2 - Application for 'Mowing Assistance'

Attachment 3 - Application to 'Construct a Vehicle Crossing Place'

Attachment 4 - Application to 'Construct a Domestic Stormwater Connection'

Attachment 5 - Application to 'Construct Underground Electrical Consumer Mains'

## COUNCIL POLICY - Verge Management

### 1. Preamble

- 1.1 The City of West Torrens (CWT) provides a range of services in relation to verges in accordance with this policy, procedures, resources and annual budgets. The CWT recognises that verges are an important aspect of the functionality, amenity and safety of streetscapes and it encourages the community to take pride in their local area.

Maintaining the verges in good condition helps achieve an appealing, safe and accessible streetscape.

Landscaping the verge (where appropriate) can beautify the street, cool urban heat, provide habitat, absorb carbon, build neighbourhood pride and contribute to a strong sense of community.

Verges are a shared resource and are used in a number of ways:

- Enable utility servicing to properties e.g. electricity, gas, water, sewage.
- Provide for vehicle crossover places (driveways) to enable access from properties to the road.
- Provide space for footpaths (for a range of users) and nature strips.
- Provide space for the CWT to plant trees (and authorise other landscaping) which provide numerous amenity and environmental benefits, such as cooling urban heat, providing habitat and enhancing stormwater management.
- Provide space for the CWT to establish Water Sensitive Urban Design (WSUD).
- Provide space for community infrastructure, such as seats and signage.
- Potential to serve important ecological functions in urban environments.
- Enhance the street-scape and appearance of homes and properties.

### 2. Purpose

- 2.1 The purpose of this policy is to outline the role and responsibilities in relation to verges in streets that are under CWT's care and control, and to provide guidance to the community on the following aspects:

- Landscaping and maintenance of verges
- Vehicle crossover places - establishment and maintenance
- Domestic stormwater and underground utilities connections
- House numbering on the kerb

### 3. Scope

- 3.1 Any modification of the verge permitted by the CWT will be guided by this policy, excluding outdoor dining, signage, hoarding, encroachments and restrictions on parking on verges. This policy and must be read in conjunction with Council By-laws and provisions of the *Local Government Act 1999 (SA) (Act)*.

#### 4. Definitions

- 4.1 **Verges** are described as the area between the edge of road/kerb and gutter and property boundary. It comprises of several elements as outlined below:

(not all are necessarily present in all circumstances)

- a) **Vehicle Crossing Place (Driveway)** - a vehicle crossing place (driveway) is the portion of the road formed and shaped to enable vehicle movement between a private property and the road.

The vehicle crossing place, (with the vehicle crossing invert) is designed to accommodate the movement of vehicles to enter or exit the property from the road.

- b) **Vehicle Crossing Place (Invert)** (or kerb layback) is the concrete formation along the edge of a road (aligning with the kerb and gutter), designed to enable vehicles to enter/exit the road to/from the vehicle crossing place (driveway).

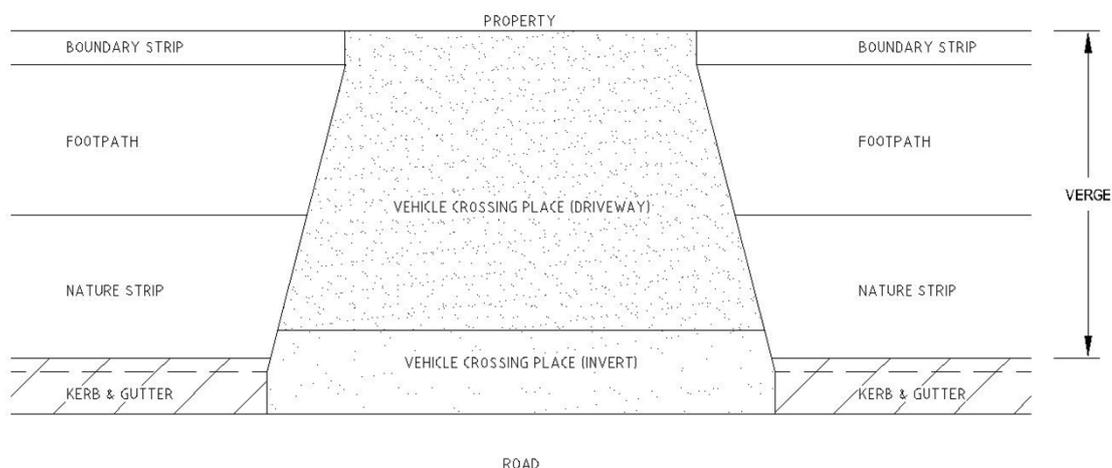
- c) **Nature strip** - the area between the footpath and the kerb, whether landscaped or rubbled.

- d) **Footpath** - an area, whether paved, formed or unmade, that is designated for use by pedestrians, cyclists and gophers (and other legally permitted users).

- e) **Boundary strip** - the area between the property boundary and footpath.

- f) **Kerb and gutter** - the concrete formation along the edge of a road, typically for the purpose of collecting and transporting stormwater flows.

These elements of the verge are shown on the following diagram:



- 4.2 **Verge landscaping** refers to the alteration of the verge for the purpose of establishing plants, turf, soil replacement, irrigation and/or edging.

- 4.3 **Domestic Stormwater Connections** refers to a conduit through the verge which delivers stormwater from the property to the kerb and gutter.
- 4.4 **Underground Electrical Consumer Mains** refers to an electrical service through the verge or council land which connects from the property to the electrical utility supply point.
- 4.5 **Applicant** - refers to a property owner and/or \*resident (\*If a tenant, written consent is required from the property owner).
- 4.6 **Not for Profit Organisation** for the purposes of this policy, a Not for Profit Organisation refers to a community group, such as a Local Neighbourhood Watch group or Rotary Club, Community Club or similar.
- 4.7 **Turf** refers to living grass and lawn.
- 4.8 **Public-Private Partnership** - An arrangement (typically associated with larger new developments) where CWT and the private property owner jointly fund the upgrading of a verge adjacent to a property.
- 4.9 **Kerbside House Numbering** - installation of house numbers on CWT's kerb and water table.

## 5. Policy Statement

- 5.1 Authorisation to alter a road verge must be obtained under Section 221 of the Act, unless exemption in association with a development application is applicable. Alterations to a road verge will only be considered where the type or form of activity does not:
- a) Divert people onto the road; regardless of whether a footpath has been constructed or not;
  - b) Prevent any service authority, the CWT, or other authorised body from installing new services, infrastructure or maintaining existing services or infrastructure;
  - c) Compromise or risk public safety on road reserves or the safety of road users;
  - d) Compromise the safety and convenience of the members of the community who will use the verge;
  - e) Compromise CWT's obligations under the Disability Discrimination Act 1992;
  - f) Shout not compromise existing street trees;
  - g) Does not compromise the disembarking of parked vehicles; and
  - h) Does not compromise the placement of street bins.

### 5.2 Verge Landscaping

- 5.2.1 CWT encourages the authorised landscaping of verges by the community with plants and/or turf to enhance amenity and neighbourhood pride, biodiversity, and to cool urban heat.

Street trees are the responsibility of CWT and, as such, planting, pruning and/or tree removal is to be performed by CWT only.

Residents and ratepayers can request street trees to be planted on the verge through a formal request to CWT. Similarly, requests to remove a street tree can be requested. Each request will be considered on an individual basis as guided by the CWT Tree Strategy (refer to the Tree Strategy available on Council's website) and the Tree Management Policy. Requests can be made in writing to the City of West Torrens 165 Sir Donald Bradman Drive, Hilton SA 5033, or via email: [csu@wtcc.sa.gov.au](mailto:csu@wtcc.sa.gov.au).

5.2.2 Artificial turf is not permitted on verges as it is not considered to be an environmentally friendly product and it can exacerbate urban heat.

5.2.3 Applications to landscape a verge can be made on the 'Verge Alterations' form. The application will be merit assessed in accordance with the provisions of this policy (and relevant legislation and Standards) whilst taking into account the suitability of the proposed alterations and the safety of the members of the community who will use the verge.

The 'Verge Alterations' form can also be used to request CWT to remove existing verge rubble and replace it with suitable soil for planting purposes, and provide lawn seeds for the applicant to plant, at no charge, pending Council's annual budgetary resources.

CWT can provide advice on suitable landscaping, such as plant species, but it does not supply plants, mulch or irrigation systems.

5.2.4 Successful applicants are responsible for ongoing landscaping maintenance, as outlined below in section 5.5.

5.2.5 Applications to landscape the verge are guided by the following requirements:

a) Planting

- Suitable plants for verges include ground covers and small shrubs (i.e. smaller than 500mm in height at maturity), and do not have thorns, spines or spikey leaves.
- Plants are not to create a hazard to other users of the verge area (refer to section 5.2.5 b).
- Plants to avoid include those that are toxic or a weed species (as per the *Landscape South Australia Act 2019* list of 'Declared Plants'), due to the risk they pose to primary industries, the natural environment, and public safety.

In addition, edible plants such as fruit trees, herbs and vegetables are not deemed as suitable due to the potential health impacts should any contaminated soil be present in the verge.

- Turf may be planted and is to be maintained by the applicant, or a request for assistance can be made under some circumstances (Refer to section 5.5.5 of this policy outlining CWT assistance).
- The health of existing street trees is to be protected from any proposed works and plantings.
- Before any verge modification works are undertaken it is required that underground services are located to prevent damage to other service providers' infrastructure, (i.e. contact Dial Before You Dig, Ph 1100 or web site: [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au))

b) Verge Hazards

The placement of any landscaping/ vegetation must safeguard the safety and space for the movement of pedestrians, cyclists, gophers or vehicles (or other legally permitted users), and not affect sight lines for these users.

A clear space on the verge is to be provided for passengers to enter and exit from vehicles and for general pedestrian access, as well as clear space provided for the placement of domestic bins for collection.

This clear space needs to be provided on a levelled surface consistent with the surrounding environment, and be either a compacted rubble surface, grass, or paved material.

c) Irrigation Systems

Residents/ rate payers can apply via the 'Verge Alterations' application form to install below ground irrigation systems, (including below ground dripper and drip systems) provided the irrigation conduit is located beneath the footpath and that the resident accepts responsibility for damage by the activities of any service authority, the CWT or its agents, or contractors or the public.

The CWT's approval to install irrigation systems does not negate residents' responsibilities to abide by State legislation in regard to water restrictions as they arise.

Manual watering of the verge is to be undertaken in a safe manner.

### 5.3 Verge Rubble

5.3.1 Application for CWT to provide compacted rubble to the verge can be made via the 'Verge Alterations' form.

- a) Residents/ rate payers may be authorised to have compacted rubble verge treatment applied in a street which has verges predominately of rubble verge treatment, or in unique circumstances considered appropriate by Council.
- b) Compacted rubble verge treatment should not be used in streets where verges are predominately made of turf.

### 5.4 Removal of Verge Landscaping

5.4.1 If a resident alters the verge without authorisation from the CWT and is inconsistent with this policy, the alteration may be removed by the CWT at a cost to that property owner.

The following procedure will apply to unauthorised alterations to a verge:

- A letter will be written to the property owner stating that they have 21 days to remove the alterations.
- The CWT may remove the alterations at a cost in accordance with Council's fees and charges, to the resident/ rate payer.
- If the verge alterations is deemed to pose a risk to public safety or the local amenity, or contravenes any other matter in this policy, the CWT may waive

the 21 days notification and may remove the alterations at cost to the resident/ rate payer.

- 5.4.2 CWT may remove verge landscaping if this is necessary to undertake public works, however it will endeavour to minimise the impact of such where practical to do so.

## 5.5 Verge Maintenance

### 5.5.1 Responsibility for Maintaining Verge Landscaping

The property owner/ resident is responsible for maintaining the verge landscaping in a neat and safe manner so that plants, etc., do not encroach on any existing infrastructure, road, footpath or impact on the public health and safety of the community. This is likely to involve watering, mowing, weed control and pruning (excluding street trees).

Where CWT has landscaped the verge it will be responsible for its ongoing maintenance, unless an alternative arrangement has been agreed to with the property owner/ resident. (This excludes existing landscape reinstated as part of CWT capital or asset maintenance works.)

Where a property developer has established verge alterations (e.g. landscaping, irrigation, etc), the property owner will ultimately become responsible for ongoing maintenance of the verge in front of the property. Should the property owner/ resident not wish to take on this responsibility an application to CWT can be made for maintenance assistance or to have the landscaping removed, as set out in section 5.4 of this policy.

### 5.5.2 Weed Control

The CWT, as part of a yearly program for weed control, will treat non-landscaped verges to eradicate and prevent growth of weed species without prior notice to the property owner/ resident.

Verges that are included in CWT's 'No Spray' register will not be treated. Contact Council should you wish to have the verge in front of your property placed on this register.

### 5.5.3 Reinstatement of Disturbed Verge Landscaping

If any approved verge landscaping is disturbed or damaged by the activity of a service authority or developer, reinstatement will be subject to negotiation between the service authority/developer in consultation with the property owner/resident.

There are circumstances where Council has no authority to require service authorities or developers to undertake rectification works to third party improvements within road verges.

If CWT undertakes any activity or operation that disturbs or damages the verge landscaping, the CWT will endeavour to restore the verge to a reasonable standard, provided the verge landscaping and finishes conform to this policy.

### 5.5.4 Repair of Rubble Verges

CWT will consider requests to replace unsafe and/or unsightly rubble verges with new compacted rubble, via the 'Verge Alterations' Application form. There is no charge for this service.

#### 5.5.5 Mowing of Verges

- a) If a property owner undertakes alterations to the verge, such as landscaping, they accept the responsibility for verge maintenance which includes mowing, where appropriate.
- b) CWT may consider requests for mowing grassed verges if the owner/occupier cannot perform maintenance duties due to incapacity. These requests are considered on an individual basis and take into account factors such as injury, disability or old age, and evidence will be required via the application process.

Application for assistance can be made on the 'Mowing Assistance' application form.

#### 5.5.6 Bin Pads

The bin pad is an area on the verge designed to accommodate household bins for routine collection. A clear space on the verge is to be provided for this purpose. Where the CWT has constructed bin pads it will be responsible for their ongoing maintenance.

### 5.6 Footpaths

- 5.6.1 In keeping with the CWT's long term asset management strategies, CWT in most circumstances will provide formed and compliant footpaths on at least one side of the road.
- 5.6.2 In general, footpaths established by CWT will be maintained by CWT.
- 5.6.3 The property owner is responsible for maintaining in good condition the section of footpath that is integrated within the vehicular crossing place (driveway).

When footpaths are constructed, replaced or maintained, the vehicle crossing place may be required to be re-constructed or altered. Where this is the case, a charge to the property owner may be made pursuant to section 218 of the *Local Government Act 1999*.

Charging the property owner for such works is typically considered when the vehicular crossing place (but not limited to):

- Is considered to be in existing poor condition;
- Was built without appropriate approval, is considered redundant; and/or
- Is non-compliant with CWT standards.

- 5.6.4 CWT undertakes annual footpath construction and maintenance programs to construct footpaths, and at its discretion, regardless of any alteration to the verge. The CWT will:

- Provide residents 21 days advance notice of footpath construction works.

- Remove, if necessary, any existing plants, shrubs, ground cover, decorative features or other structures. There will be no compensation to residents for such removal or alteration.
- Reinstate any disturbed areas associated with the works to a safe and level surface.
- Endeavour to reinstate any authorised verge alterations where considered appropriate to do so.

## 5.7 Vehicle Crossing Place

### 5.7.1 Approval of Vehicle Crossing Places

- a) When a new vehicle crossing place (driveway and invert) is to be constructed, or an existing driveway altered or replaced, a 'Construct a Vehicle Crossing Place' application form must be submitted to CWT to seek approval.

Where a new or modified vehicle crossing place is associated with a proposed development, then it will be considered as part of the Development Application process and no separate application is required.

The assessment of all new or modified vehicle crossing places will take into consideration the requirements of this policy.

Development Approvals may also include condition(s) relating to the establishment and execution of new and/or altered vehicle crossing places.

- b) In assessing the suitability and design of proposed driveways, consideration is to given to the location, offset and proximity of existing physical features and infrastructure including but not limited to street trees, stobie poles and traffic control devices, pedestrian ramps, bus stops and stormwater infrastructure.
- c) The materiality, shaping, design and standards of new vehicular crossing place works will be required to be undertaken as per CWT's specifications and standard drawings.
- d) The design of driveways should seek to minimise the impact on the road verge through minimising the width of a vehicular crossing place, and hence maximising space for on-street parking, bin collection, street trees, amenity and stormwater management.
- e) When considering vehicular crossing place applications, CWT considers consistency with existing streetscape design and amenity improvement in the location.

### 5.7.2 Construction and Maintenance of Vehicular Crossing Place

- a) The cost of establishing and maintaining the vehicular crossing place (driveway and invert) is the responsibility of the subject property owner, unless it is associated with works being undertaken by Council.

In accordance with the provisions of Section 218 of the *Local Government Act 1999*, the CWT may, by order in writing to the owner of land adjoining a road, require the owner of a property to carry out specified work to

construct, remove or repair a vehicular crossing place from the property, unless damage has been caused by works undertaken by CWT.

All maintenance works required as part of such orders will require the property owner to submit a 'Construct a Vehicular Crossing Place' application form.

Should a proposed residential vehicular crossing place be considered unique in relation to its length or design due to the road arrangement, CWT may consider contribution towards the cost of the vehicular crossing place. The cost sharing arrangement will be considered on an individual case basis.

- b) All vehicular crossing place construction or maintenance must comply with the relevant Australian Standards, CWT standard infrastructure drawings and undertaken in a manner that observes public safety.

In relation to concrete vehicular crossing places into non-residential properties, it is to be reinforced in accordance with relevant Australian Standards and CWT infrastructure design drawings with the owner/occupier to pay the full cost.

- c) Where CWT is initiating works and alters the material and/or shape of an existing vehicular crossing place it will bear the cost of these works. Future costs of the maintenance of the vehicular crossing place will be the responsibility of the property owner.

#### 5.7.3 Removal of Vehicular Crossing Place

- a) Redundant vehicular crossing places (driveway and invert) are to be removed and replaced with kerb and gutter through (to match existing) at the cost to the property owner on whose frontage they have been constructed (under Section 218 of the Local Government Act 1999), unless associated with Council undertaking works.

These works are to also include reinstatement of other elements of the verge such as the nature strip, footpath and boundary strip, in keeping with the materials and finishes of existing.

### 5.8 Kerbside House Numbering

5.8.1 CWT does not permit any additional kerbside numbering to take place other than for maintaining existing numbering for Not for Profit Organisations, as detailed below.

5.8.2 CWT will not be responsible for any changes to existing house numbering on the kerb and gutter.

5.8.3 Where existing house numbering will be affected by CWT's maintenance or Capital Works it will be the responsibility of a Not for Profit Organisation (the organisation) to reinstate the numbering.

5.8.4 Where there are existing kerbside house numbers, a Not for Profit Organisation (organisation) will be permitted to paint and maintain house numbers subject to the following protocols:

- a) The organisation must notify CWT in writing of the names of all relevant persons responsible for the maintenance of existing kerbside house numbering.

- b) Where an extension of house numbering in a particular area is requested, the organisation must seek approval for those streets for which it requests permission to install the house numbering system. Such requests must be received at the beginning of the financial year or as soon as possible during the year should any further requests be received.
- c) The organisation is requested to consult CWT's City Assets Unit to determine if any streets proposed for house numbering will be affected by CWT's Works Program.
- d) Maintenance to existing kerbside number needs to be completed in the following manner:
  - Numbers are to be WHITE - reflectorised road marking paint.
  - Background is to be GREEN - reflectorised road marking paint.
  - Numbers to be 75mm high.
  - Background to be 125mm high.
  - Background is to be 200mm wide.
  - Font style is to be ARIAL.
  - Numbering must be placed on the kerb face 300mm away from the vehicular invert to the property, on the property side of the invert.
  - Multiple numbering will not be allowed.
  - Where a property occupies two or more house numbers only the first number is to be placed on the kerb face.
  - No names will be permitted.
  - Alpha characters will only be permitted if it forms part of the house number, for example 24A.

5.8.5 Property owners are to ensure existing numbers are free of overhanging grasses and other vegetation.

5.8.6 Activities relating to kerbside numbering must be undertaken in an environmentally-friendly manner to prevent pollution of local creeks via the stormwater system, and the environment at large:

- Consideration must be given to using environmentally-friendly paints and cleaning materials
- Equipment such as brushes and stencils must not be cleaned or washed in the gutter.
- Solvents, excess paint and wash water must not be disposed of via the stormwater drainage system.
- A spill kit is to be kept close at hand for prompt clean-up of accidental spillage or residue.

## 5.9 Domestic Stormwater and Underground Electrical Utilities Connections

- 5.9.1 Approval from CWT is required for the installation of stormwater drainage pipes and underground electrical utilities across the verge or council land.
- 5.9.2 Council approval for the connection of stormwater drain(s) can be obtained via the 'Construct a Domestic Stormwater Connection' application form. This form includes conditions to be met by the applicant.
- 5.9.3 Council approval for underground electrical utilities can be obtained via the 'Construct Underground Electrical Consumer Mains' application form. This form includes conditions to be met by the applicant.
- 5.9.4 In accordance with the provisions of Section 217 of the *Local Government Act 1999*, the CWT may, by order in writing to the property owner to carry out repairs to installations of domestic stormwater or underground electrical utilities which have not been installed to appropriate standards or in accordance with approvals.
- 5.9.5 Should at any point in time the domestic stormwater connection become damaged, the CWT may, by order in writing to the property owner to carry out repairs in accordance with the provisions of Section 217 of the *Local Government Act 1999*.
- 5.10 Public Private Partnership opportunities
  - 5.10.1 This policy provides a framework for developing contractual relationships between the CWT and the private sector for developing and delivering public infrastructure and related services relating to the verge through Public Private Partnerships.
  - 5.10.2 Where a development has a frontage of at least 50 metres (or as deemed acceptable by Council), CWT may offer an opportunity to enter into a Public Private Partnership arrangement in relation to the verge. This will enable the Administration to negotiate works and cost sharing of the verge with the property owner/ developer.
- 5.11 Other
  - 5.11.1 Should a resident/ rate payer seek to modify or install something on the verge which is not covered under this or other CWT policy, then the request (and any associated design or support documentation) should be forwarded in writing to 'Manager City Assets' for consideration. Such requests will be considered on a case by case basis.

## **6. Environmental Considerations**

- 6.1 CWT encourages members of the community to take all reasonable and practicable measures to prevent or minimise environmental harm which may result from their activities.

Activities on public road verges are to be undertaken in manner that minimises polluted runoff, dust and litter, in accordance with the *Environment Protection Act 1993*.