

Street Verges Policy

Responsible Division	Infrastructure and Assets
Responsible Business Unit	Transport and Buildings, Parks and Environment
Responsible Officer	Parks and Gardens Manager, Transport Infrastructure Manager
Affected Business Units	Parks and Environment, Transport and Buildings
ECM Document Set ID	3372085

Purpose

This policy details the key considerations for the development, improvement, enhancement and maintenance of verges within the City of Bayswater. This policy must be read in conjunction with the City's 'Verge Greening Guidelines'.

To provide further detail and guidance on the installation and maintenance of verge treatments as allowed under the Activities on Thoroughfares and Public Places Local Law.

Definitions

Nil.

Policy Statement

The City of Bayswater defines verges as the portion of Crown land which lies between the edge of a road and the adjacent property line. The verge is an area important for access and services including utilities, crossovers, street trees and footpaths.

An owner or occupier who has land, where there is an adjacent verge area, may install a verge treatment in accordance with the provisions of the Activities on Thoroughfares and Public Places Local Law and this Policy.

Any existing Street Tree within a verge area shall be retained and any works on the verge around existing trees shall comply with Australian Standard AS 4970:2009 to ensure the tree/s are protected during the works occurring on the verge.

Approvals

It is a requirement under the *Local Government Act 1995* that permission is sought from a local government before any private works are undertaken on a public thoroughfare or local government land. In the case of verge treatments, the following shall apply:

Deemed to Comply – proposed verge treatments that meet the requirements of the Local Law and this Policy do not require an application to the City for approval and will be deemed to comply and approved.

Requiring application for City approval - proposed verge treatments (including any components of that treatment) that do not meet the requirements of the Local Law and this Policy will require an application to be made to the City for consideration for approval. The treatment will be considered and assessed against the principles as described in this Policy.

Permissible Verge Treatments - Deemed to Comply Provisions

Verge treatments that meet the following provisions are deemed to comply and are therefore approved without the need for application to the City:

1. The planting and maintenance of a natural lawn (artificial lawn is not permitted).
2. The planting and maintenance of a garden (acceptable gardens include native gardens, waterwise gardens, edible/vegetable gardens, raised garden beds). provided that –
 - a. Clear sight visibility is maintained at all times at intersections, crossovers and pathways. Plants to be kept at a maximum height of 0.75m and larger species lifted to a height of 1.5m in accordance with the City’s Tree Pruning Guidelines for Residents.
 - b. Where there is no footpath, a pedestrian has a safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - c. Raised garden beds meet the following requirements:
 - i. The maximum raised garden bed (built structure) height is 0.35m (not including vegetation);
 - ii. Provide a 0.5m setback from footpaths, crossovers and street trees;
 - iii. Provide a 0.5m setback and clear access to any other infrastructure such as power poles and underground services; and
 - iv. A dial before you dig check being undertaken prior to works.
3. Trees in accordance with the Urban Tree Planting and Maintenance Policy;
4. Low plants or ground covers, including shrubs or trees that do not restrict sight lines;
5. Brick paving (up to 30% of the verge area excluding driveways and pathways) and is accompanied by one or more trees capable of shading the full brick paved area when fully mature;
6. Woodchips;
7. Natural elements such as rocks or logs that do not present a hazard; and
8. A combination of the above.

Permissible Verge Treatments - Principles

The following principles are applicable to all verge treatments and shall be used by the City when considering applications for verge treatments that do not meet the deemed to comply provisions in this Policy:

1. Pedestrian and rider safety – the following shall apply to ensure that all pedestrians and riders within the vicinity of the verge treatment are not placed at any undue risk:
 - a. Where there is no pathway on the verge:
 - i. the treatment does not impede a pedestrian from traversing the verge in a safe manner.
 - ii. The treatment shall be constructed from materials that can be maintained in such a way

as not to present a slip hazard for pedestrians traversing the verge.

- iii. Pedestrians can traverse the verge without being impacted by trip hazards.
- b. Where there is a pathway:
 - i. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians and riders using the pathway.
 - ii. The treatment shall not impact on sightlines of pedestrians and riders at crossings, including road crossings and at crossovers.
 - iii. The treatment shall not impact on the passage of pedestrians and other users of the pathway.
2. Vehicle safety – the following shall apply to ensure that all vehicles are not placed at any undue risk due to the verge treatment:
 - a. The treatment shall be constructed from materials that can be maintained in such a way that there is no spillage onto the kerb and roadway.
 - b. The treatment shall not impact on sightlines of vehicles entering and exiting properties and crossovers.
 - c. The treatment shall not impact on the passage of vehicles and other users on the roadway.
3. Stormwater Management – treatments seeking more than 30% hardstand coverage of the verge area (excluding the crossover and pathway) shall take into consideration the impact of the verge treatment on the stormwater capacity in the immediate catchment area:
 - a. This is on the understanding that the road drainage system is designed to accommodate a blanket runoff coefficient of 50% for all verges.
 - b. Concessions may be agreed to through the provision of additional stormwater management measures such as the addition of soakwells and other engineered solutions.
4. Urban Heat Island Effect – non-organic treatments, such as hardstand treatments shall incorporate extra trees to provide canopy coverage area sufficient to offset the non-organic treatment area.
5. Under no circumstances is synthetic lawn permitted as a permissible verge treatment.

General Provisions applicable to all verge treatments

1. Undue hazards such as ropes, stakes and star pickets cannot be placed on the verge.
2. A walkable and rideable neighbourhood is a sustainability priority for the City of Bayswater. As such, pathway installation will have priority over verge treatments.
3. Owners from multiple dwellings on the same block all need to be in agreement before installing a permissible verge treatment.
4. If a verge treatment is considered to pose a safety hazard, does not meet the Local Law, Policy or Guidelines, the City of Bayswater will request the adjoining property owner to undertake required works or remove the non-compliant treatment. The City may also undertake works at any time on street verges non-compliant with the street verges policy with all associated costs borne by the property owner.
5. City will consider financial support for the development of waterwise verge gardens in partnership with the owner, grant funding bodies and the City consistent with grant funding body guidelines and budget consideration.
6. Verge treatments installations and maintenance shall be done safely and in accordance with safety

risk management principles that include any safety measures deemed necessary to protect the workers undertaking the work and the public.

Verge Maintenance

An owner or occupier of a property adjoining a verge containing a verge treatment are required to maintain the treatment and must keep the verge in a good and tidy condition. The City's Urban Tree Planting and Maintenance Policy is applicable to the maintenance of street trees. The City provides programmed maintenance for Verges along arterial roads due to the higher risks associated with working close to traffic on these roads and the City's desire to maintain a uniform standard of presentation on these busier roads. A list of these roads can be found on the City's Verge Greening Guidelines.

The City of Bayswater may also periodically mow verges other than those listed within the Verge Greening Guidelines as directed by the Chief Executive Officer or Director Infrastructure and Assets. This is subject to the owner being a resident of the property and demonstrating an inability to mow the verge, or if the verge is a fire hazard or creates visibility issues for traffic.

All other requests will be progressed in accordance with clauses 3.1 to 3.4 of the *Local Laws for Activities on Thoroughfares*.

Related Legislation

Nil.

Related Documentation

Verge Greening Guidelines
Activities on Thoroughfares and Public Places Local Law 2020
Urban Tree Planting and Maintenance Policy

Document details

Relevant delegations	LL-D01 Local Laws General Administration
Risk evaluation	Low
Strategic link	E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.
Council adoption	23 April 1996
Reviewed/modified	27 June 2006
Reviewed/modified	26 February 2008
Reviewed/modified	17 March 2016
Reviewed/modified	15 November 2016
Reviewed/modified	22 February 2017

Reviewed/modified 9 April 2019

Reviewed/modified 23 July 2024

Next review due July 2028
