

Verge Development

Classification:	Council Policy
Policy Name:	Verge Development
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Responsible Officer:	General Manager Urban and Community
Relevant Legislation:	S221 Local Government Act 1999
Related Policies:	Footpath Policy Environment and Biodiversity Policy Bushfire Hazard Management Policy Kerbside Waste Management Policy Streetscape Policy Urban Tree Management Policy Water Sensitive Urban Design Policy

1. Introduction

Landscaped verges are an important aspect of the amenity and biodiversity of the City of Burnside. Verges help to sustain tree health, provide habitat, store carbon and cool streets. Verges provide an opportunity to enhance Green Infrastructure. This policy sets out the requirements for residents' use of verges.

2. Strategic Plan Desired Outcomes

- 2.1 Conservation and enhancement of the historic character of the City
- 2.2 Environmentally sustainable development which complements the City's character
- 2.3 Sustainable, engaging, healthy and functional public spaces and streetscapes
- 2.4 Natural environments and watercourses protected, conserved and enjoyed
- 2.5 Sustainable use of natural resources and minimisation of waste to address climate change

3. Our Approach

- 3.1 Support the protection of the City's local heritage, character, built heritage and natural heritage.

- 3.2 Environmentally sustainable development which complements the City's character
- 3.3 Balance future development and existing historic character
- 3.4 Implement land management that promotes bushfire management, biodiversity and environmental sustainability
- 3.5 Harness the city's water resources to achieve reuse and flood protection

4. Legislative Requirements and Corporate Policy Context

- 4.1 Council is the owner of all roads, including verges. Changes to verges requires the permission of Council as an alteration of the road under Section 221 of the Local Government Act 1999.
- 4.2 Council must take reasonable steps to prevent fire on council land under Section 105G of the Fire and Emergency Services Act 2005.

5. Interpretation

For the purposes of this Policy:

- 5.1 "Council" means City of Burnside including any of its authorised representatives or staff under delegated authority of Council.
- 5.2 "Verge" means the council-owned area between the footpath and kerb, footpath and property boundary (or edge of the carriageway) or, in the case where there is no paved or formed footpath, the whole area between the property boundary and the kerb. Note this excludes protuberances, these are generally maintained by Council.
- 5.3 "Impermeable materials" are any materials that prevent water from reaching natural soil. Examples include concrete, paving, asphalt and bitumen.
- 5.4 "Green Infrastructure" refers to the network of natural landscape assets that contribute to the character and liveability of an urban environment. Green Infrastructure includes vegetation along streets and in parks, gardens, public spaces, cemeteries, and around creeks and wetlands.

6. Policy

- 6.1 Council encourages residents to maintain the verges directly adjacent to the residents' property. These verges form part of the wider green infrastructure within our City.
- 6.2 Any development on verges must be approved by the Council. Work must not commence until approval has been received from the Council. The application is available through the Council website: "Road Reserve and/or Verge Application". This application is hereafter referred to as the Verge Application.
- 6.3 Property owners must endorse Verge Applications (in writing) for development on the verges directly adjacent to their property, where the application is made by another party (e.g. developers or renters).

- 6.4 An approval to develop a verge will only be granted where the owner of the directly adjacent property agrees to maintain the development. For example, if shrubs are to be planted, the owner of the directly adjacent property must agree to maintain the shrubs.
- 6.5 In its assessment of any Verge Application, Council considerations will include (but not be limited to) the effect of the proposal on existing trees and other vegetation, the need for provision for future construction, accessibility for pedestrians, road safety, and the streetscape amenity of the locality.
- 6.6 Council will also consider any Verge Application in context of the Urban Tree Management Policy. Council reserves the right to plant Street Tree(s) at any time at their discretion.
- 6.7 The total cost for verge development, including any work required to the road or the footpath, is to be met by the owner of the adjacent property who has approval for the verge development.
- 6.8 During construction of any approved verge development or utility work, all trenches, tripping hazards and other hazards must be barricaded or flagged off and managed appropriately. It is expected that the construction work will be undertaken by a suitably qualified trades person who carry appropriate Public Liability Insurance.
- 6.9 Any development of a verge must allow for the safe collection of waste bins as outlined in the Council's Kerbside Waste Management Policy.
- 6.10 Council reserves the right to alter verge developments (at Council cost) should any road safety concerns become apparent, as well as widening, drainage, paving, or other reasonable works be required.
- 6.11 Utility companies working within a verge will be expected to reinstate the verge to a condition that is the same or better.
- 6.12 Council will accept no liability for injury or damage to person or property as a result of a verge development or utility work during construction or thereafter.
- 6.13 Conditions relating to verge development and maintenance are set out below.

Treatment

- 6.14 Verge development must not impede the maintenance or condition of trees or any underground infrastructure or other existing infrastructure, including (but not limited to) underground pipes and wires.
- 6.15 The owner of the property who has approval for verge development is responsible for the detection, alteration, or damage to any underground or other services because of excavation for the verge development. A "Dial Before You Dig" and checks for existing stormwater or irrigation systems must be undertaken prior to any excavation.
- 6.16 All works must comply with AS4970-2009 Protection of Trees on Development. Guidelines on the protection of trees are available through the Council website, "Guidelines for Protecting Trees During Development."

- 6.17 Landscaping material may consist of ground-level features such as paths, stepping stones and borders that are accessible and negotiable by pedestrians. Boulders and rockeries (no moss rocks) may be approved in some circumstances in steeper terrain where pedestrian movement is unlikely.

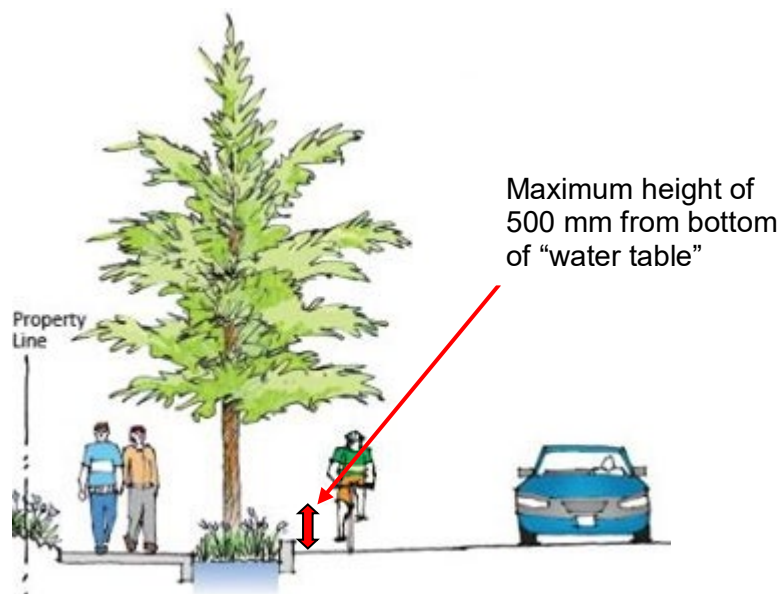
Materials

- 6.18 All paving materials including crossovers and footpaths must be consistent with the Council Streetscape Guide.
- 6.19 Where practicable verge development shall not result in a nett increase of impermeable material of more than 20% of a verge directly adjacent to one property.
- 6.20 The installation of synthetic turf / lawn will not be approved due to the associated heat absorbing and retention properties that can have a detrimental effect on surrounding soil temperatures and water penetration.

Plantings

- 6.21 Plantings may consist of:

- Native grasses or drought-tolerant lawn. Note that any new lawn area must include irrigation (see details below)
- Ground cover or shrubs to a maximum height of 500 mm from bottom of "water table"



- Inclusion of plants that are locally native (indigenous) that add to the local natural character of the Council area and are drought tolerant will be viewed favourably
- Advice can be sort from Council on suitable plantings

- 6.22 Plantings must not include:

- Weed species that are either declared plants, pest plants or are known to be invasive. See information on the Primary Industries and Regions SA and Natural Resources SA websites.
- Plants that have thorns, sharp edges, sharp ends or spines.
- Plants that do not allow reasonable pedestrian access or egress from a vehicle to the footpath.

Irrigation

- 6.23 All irrigation must be installed by a suitably qualified trades person and compliant with relevant Australian Standards, which includes a backflow prevention device.
- 6.24 If an irrigation system is being installed, a detailed plan for the system must be included in the verge development application.
- 6.25 The spray from sprinklers must not extend over the roadway or footpath.
- 6.26 Due regard is to be given to the public when selecting operating times for the sprinklers.
- 6.27 No part of the irrigation system is to protrude above the adjoining surface level creating a tripping hazard, except when operating, or where the irrigation system forms part of a landscaped area other than lawn not accessible to pedestrians.
- 6.28 The operation, maintenance, repair, or damage caused by the installation is the owner's responsibility. No liability will be accepted by Council.

Maintenance

- 6.29 Council encourages residents to maintain the verges directly adjacent to the residents' property.
- 6.30 Verges that have been developed are to be maintained in reasonable health and weed management undertaken.
- 6.31 Verges that have been developed must be maintained so that
- plants are kept below 500mm high from the water table level
 - grass is kept short
 - all vegetation is kept clear of other infrastructure, including but not limited to kerbing, footpaths, driveways, signs, pits, trees, stobie poles and lighting columns
- 6.32 If the area becomes untidy and an eyesore, Council will approach the resident requesting that maintenance is improved, failing which, Council may remove the landscaping and replace it with suitable material (material will be at Council's discretion, considering the local streetscape).

7. Review and Authority

- 7.1 This Policy will be reviewed bi-annually in accordance with Council's Policy and Procedure Framework.

8. Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council's website www.burnside.sa.gov.au
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

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