

Verge Development Policy

Reference Number:	CR20/79419
Type:	Council Policy
Responsibility:	Director Infrastructure and Environment
Responsible Officer (s):	Manager City Maintenance and Community Safety
Initial Adopted Date:	December 2020
Last Review Date:	New Policy
Next Review Date:	June 2024
Legislation:	<i>Local Government Act 1999 - S221</i> <i>Fire and Emergency Services Act 2005 - S105G</i> <i>Public Health Act 2011</i> <i>Disability Discrimination Act 1992</i> <i>Planning, Development and Infrastructure Act 2016</i> <i>Electricity Act 1996</i> <i>Environment Protection Act 1993</i> <i>South Australian Water Corporation Act 1994</i> <i>Road Traffic Act 1961</i> <i>Landscape South Australia Act 2019</i> AS/NZ ISO 31000:2018: Risk Management Guidelines
Related Documents:	City of Prospect City Works Guide – Public Realm (Roads) City of Prospect Risk Management Policy City of Prospect Risk Management Framework City of Prospect Environmental Action Plan City of Prospect’s By-Law No. 3 Local Government Land

1 Purpose

1.1 It is the intention of this Policy to both formalise and clearly state Council’s commitment to:

- Improving and maintaining verges and streetscapes across the City of Prospect.
- Enabling and empowering our community to sustainably develop our City’s verges and streetscapes.
- Provide advice and guidance on the constraints and opportunities residents should take note of when improving and maintaining the City’s verges and streetscapes.

2 Definitions

2.1 **“Artificial Grass”** also refers to artificial turf, artificial lawn, synthetic grass, synthetic turf and synthetic lawn. Artificial grass is a surface of synthetic fibers made to look like natural grass. It is most often used in arenas for sports that were originally or are normally played on grass as well as used on residential lawns and commercial applications as well.

- 2.2 **"Council"** means City of Prospect including any of its authorised representatives or staff under delegated authority of Council.
- 2.3 **"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.
- 2.4 **"Impermeable materials"** are any materials that prevent water from reaching natural soil. Examples include concrete, paving, asphalt and bitumen.
- 2.5 **"Verge"** means the council-owned area between the kerb (or edge of carriageway) and property boundary or, in the case where there is no paved or formed footpath, the whole area between the kerb and property boundary. Note this excludes road protuberances, these are generally maintained by Council.

3 Scope

- 3.1 This Policy relates to the development and maintenance of verges and streetscapes on land owned by or under the management and control of Council.
- 3.2 This Policy applies to:
- The process for obtaining Council approval to modify a verge;
 - The treatment and materiality of green infrastructure associated with verge development; and
 - The ongoing maintenance and responsibilities of property owners associated with existing crossovers.

4 Legislative and Corporate Requirements

- 4.1 Council is the owner of all roads (except roads owned and maintained by the State Government), including verges.
- 4.2 The Verge Development Policy is to be read and implemented in conjunction with relevant Legislation and Council's other relevant policies, strategies and documents, including:

Legislation

- *Local Government Act 1999 - S221*
- *Fire and Emergency Services Act 2005 - S105G*
- *Public Health Act 2011*
- *Disability Discrimination Act 1992*
- *Planning, Development and Infrastructure Act 2016*
- *Electricity Act 1996*
- *Environment Protection Act 1993*
- *South Australian Water Corporation Act 1994*
- *Road Traffic Act 1961*
- *Landscape South Australia Act 2019*
- AS/NZ ISO 31000:2018: Risk Management Guidelines

Council Related Documents

- City of Prospect's City Works Guide - Public Realm (Roads)
- City of Prospect's Risk Management Policy
- City of Prospect's Risk Management Framework
- City of Prospect's Environmental Action Plan
- City of Prospect's By-Law No. 3 Local Government Land
- City of Prospect's Open Space Strategy
- City of Prospect's Environment Action Plan
- City of Prospect's 21st Century Street Tree Manual

5 Policy Statement

- 5.1 Landscaped verges are an important aspect of the amenity and biodiversity of the City of Prospect. Verges help to sustain tree health, provide habitat, store carbon and cool streets. Verges provide an opportunity to enhance Green Infrastructure.
- 5.2 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.
- 5.3 The Verge Development Policy (the "Policy") sets out the requirements for residents' development and maintenance of verges.
- 5.4 All verge developments must occur in accordance with Verge Development Guidelines.
- 5.5 The Verge Development Guidelines will include suggestions on appropriate materials and plants that may be used for Verge Developments
- 5.6 Council encourages verge developments that result in:
 - Increased amenity
 - Increased biodiversity
 - Increased habitat opportunities
 - Mitigation of the urban heat island effect
 - Opportunities to build and sustain a vibrant, connected and resilient community.
- 5.7 Aside from allowing for green infrastructure and being aesthetically pleasing verges have a crucial role in sustaining tree health, providing natural habitat and cool streets.
- 5.8 Council has therefore prohibited artificial grass on verges given the overall negative environmental impact, including increased generation of heat and loss of natural coverage, together with a detrimental effect on surrounding soil temperatures and water penetration ability.

Applications for Verge Developments

- 5.9 Any development on verges must be approved by the Council. Work must not commence until approval has been received from the Council. Property owners must endorse Verge Development 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).

- 5.10 An approval to develop a verge will only be granted where the owner of the directly adjacent property agrees to maintain the development. In its assessment of all Verge Development Applications, 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.
- 5.11 Upon request from the applicant, Council will arrange supply and placement of loam or in certain situations, dolomite for verge developments, with 50% of the cost being borne by the resident and 50% by Council.
- 5.12 Council will consider all Verge Development Applications in context of the 21st Century Street Tree Manual and Council's Green Tunnel Strategy. Landscaping must not compromise the health of any existing street tree(s) and Council reserves the right to plant a street tree(s) at any time at their discretion.
- 5.13 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. Construction work must be undertaken by a suitably qualified trade's person who carries the appropriate Public Liability Insurance.
- 5.14 Any development of a verge must allow for the safe collection of waste bins as outlined in the Council's By-Law No. 6 Waste Management.
- 5.15 Utility companies working within a verge will be expected to reinstate the verge to a condition that is the same or better.
- 5.16 Council is responsible for the maintenance of any verges, protuberances or roundabouts which Council has itself planted with grass or ground cover plants.
- 5.17 Council will not be responsible for ongoing maintenance of lawns or plants in verges where those areas have not been planted by the Council.
- 5.18 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.
- 5.19 Council reserves the right to remove any landscaping that becomes unsightly or unkempt or restricts line of sight issues for traffic.
- 5.20 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 Review

- 6.1 The Policy will be reviewed once per Council term or as required by legislation.

7 Access to the Policy

- 7.1 The Policy is available for public inspection on Council's website www.prospect.sa.gov.au and from Customer Service at Payinthe, 128 Prospect Road, Prospect SA 5082.

8 Further Information

8.1 For further information about this policy please contact:

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