

## COUNCIL POLICY NO: 107

<b>Responsible Directorate</b>	Infrastructure and Works
<b>Responsible Section</b>	Technical Services and Works and Parks and Natural Environment
<b>Responsible Officer</b>	Manager Technical Service and Works

### OBJECTIVE:

1. To establish the extent of the Town of Cambridge's responsibility for the condition of street verges and the removal of rubbish which may accumulate;
2. To provide guidelines for the landscaping of street verges by the adjacent property owner or occupier;
3. To ensure that street verge treatments do not create a safety issue, hazard or obstruction to pedestrians, cyclists or motorists;
4. To encourage aesthetic, sustainable and water-wise street verges; and
5. To maximise infiltration of stormwater into the ground.

### SCOPE:

This policy applies to a person considering modifying the street verge abutting their property which is vested under the management, care and control of the Town of Cambridge ('the Town').

This policy applies to the Town's Parks and Natural Environment and Technical Services and Works Sections.

### POLICY STATEMENT:

#### Rights and Responsibilities

1. The Town has established 'Street Verge Landscape and Maintenance Guidelines' which provide detailed information about what is permitted on the street verge and the process to follow to obtain approval for the various treatments. The Guidelines are referred to as the Town of Cambridge "Standard Verge Treatment Specifications" as defined in the Town of Cambridge *Local Law - Local Government and Public Property Local Law 2017*. Reference to the Guidelines will determine if an application for proposed works is required prior to commencement of any works;
2. The Town has a 'duty of care' to the community for the safety of street verges and is required to ensure compliance with relevant legislation, policies and the Guidelines in the case of safety issues, hazardous or unsuitable street verge treatments;
3. Where practicable, pedestrians have priority access to the street verge;
4. The Town of Cambridge employees and contractors, and Public Utilities such as Telstra, Water Corporation, ATCO Gas and Western Power require access to the street verge to repair and maintain services. Following works, street verges are re-instated in accordance with IPWEA 'Restoration and Reinstatement Specification for Local Governments in Western Australia' or Town of Cambridge Local Law, as appropriate;

5. The owner/occupier of the property adjacent to the street verge may landscape the street verge and/or install reticulation without formal approval from the Town provided that the landscaping treatment complies with the "Street Verge Landscape and Maintenance Guidelines";
6. A formal application to the Town and subsequent approval is required prior to the undertaking of any work or improvements to a street verge for all paving and for any treatment that does not comply with these Street Verge Landscape and Maintenance Guidelines. Artificial grass treatments are not permitted under any circumstances;
7. The owner or occupier who installs a street verge treatment adjacent to their property is responsible for the on-going care and maintenance of the street verge treatment and is required to maintain a safe environment for the public at all times;
8. A person cannot park a vehicle on the street verge without the approval of the adjacent property owner or occupier as required under Clause 4.8 of the Town of Cambridge Parking Local Law;
9. Non-Compliant Existing Street Verge Treatments:-
  - 9.1 Where an existing street verge treatment is not consistent with the Guidelines and is identified as a potential safety issue or hazard, the Town of Cambridge will request, in writing, the property owner or occupier to carry out the necessary remedial works within 24 hours of notification by the Town of Cambridge; and
  - 9.2 Where an existing street verge treatment is identified to present an immediate safety issue or hazard, the Town of Cambridge will make the street verge safe and request (in writing) the property owner or occupier to carry out other remedial works within 14 days of notification by the Town of Cambridge.
10. Street verges will not be mown by the Town except in cases of proven hardship or where verges are considered to be a fire hazard or present visibility problems for pedestrians. The Town will, however, remove litter and other rubbish which cannot be attributed to the adjacent property owner.
11. The Town will fill erosion gullies and remove excess sand that can be attributed to storm water runoff from the road or footpath.

## **DEFINITIONS:**

Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

The street verge is the section of the road reserve between the property boundary and the street kerb line.

Provision of footpaths and crossovers are not included in this Policy or in the 'Street Verge Landscape and Maintenance Guidelines' ('the Guidelines') - For crossovers, refer to Policy No 106 -Vehicle Crossovers- Specification.

The road reserve is crown land under the care, control and management of the relevant Local Authority (Town of Cambridge).

## Document Control

**Office Use Only:**

<b>Previous Policy No</b>	Policy No 5.2.19 and incorporates Previous Policy 5.4.2			
<b>Statutory Legislation and Compliance</b>	<i>Local Government Act 1995;</i>			
<b>Related Documents/Legislation</b>	Town of Cambridge Local Government and Public Property Local Law, Parts 9, 10, 11 & 12; Town of Cambridge Parking Local Law 2016; Town of Cambridge Policy 5.2.7; Town of Cambridge Street Verge Landscape and Maintenance Guidelines.			
<b>Date of Adoption by Council</b>	Council Meeting – 27 July 1999			
<b>Date Reviewed/Amended</b>	27 June 2000 22 November 2005 22 February 2011 26 June 2018	27 March 2001 22 April 2008 22 May 2012 23 June 2020	26 August 2003 26 May 2009 24 November 2015	28 October 2003 25 May 2010 24 May 2016
<b>Next Review Date</b>	July 2024			