

Responsible Directorate	Operations
Responsible Business Unit/s	Operations
Responsible Officer	Manager Operations
Affected Business Units	Engineering Services, Strategic Planning

Objective

The objective of this Policy is to provide direction in the maintenance and development of road verges within urban and rural areas of the Shire of Serpentine Jarrahdale (the Shire). The principles and priorities of this Policy are set out in accordance with the *Public Places and Local Government Property Local Law 2019*, and ensure that public health and safety, social and environmental benefits, amenity, and aesthetics are considered in all verge developments.

A verge is classified as the area between the edge of a road (kerb) and an adjacent property boundary. Verges are owned by the Crown but vested in by the Shire. The purpose of a road verge is to provide a buffer between the road and private property, or where public facilities such as footpaths, bus stops and parking bays may be placed. Road verges can also accommodate for essential services such as power, water, and communications.

Scope

Using industry standards and best practice, the Shire has developed the Urban and Rural Verge Policy Guidelines (Verge Guidelines) to assist property owners and occupiers to ascertain what is permitted on urban and rural verges, and the processes to follow if Shire approval is required.

This Policy only applies to a new verge treatment, or changes to an existing verge. The policy is not retrospective and existing, compliant verge treatments can remain. Commercial or industrial verge areas are covered within the Development Application and are excluded from this Policy.

Policy

This Policy outlines the requirements for verge treatments and maintenance by property owners, and the Shire's responsibilities to ensure public safety and mitigate fire risk.

Permissible Verge Treatments

Property owners wishing to develop their verge with landscaping are supported and encouraged to do so. All proposed verge treatments should complement the Shire's Urban and Rural Forest Strategy and Council Policy 2.1.12 – Street Trees and are required to take into consideration the retention and protection of existing trees and remnant vegetation.



Subject to the conditions as outlined in the Verge Guidelines, the following treatments can be installed within a road verge:

- Waterwise gardens.
- Lawn treatments.
- Edible gardens.
- Organic mulch.
- Reticulation.
- Acceptable hardstand materials (refer to Verge Guidelines)

Non-Permissible Verge Treatments

- Retaining walls or other obstructions such as rocks, posts or raised garden beds.
- Artificial turf.
- In-situ concrete or any asphalt material (crossovers and footpaths are excluded).
- Compacted materials, such as limestone, gravel, or blue metal fines (acceptable on rural verges as per Verge Guidelines).
- Loose materials such as gravel, blue metal (acceptable on rural verges as per Verge Guidelines).
- Loose materials such as sawdust, crumbled rubber, or crushed bricks.
- Private infrastructure such as letter boxes, water meters, and electrical wiring.

Design Considerations

- Sight lines and truncations.
- Plant height and plant selection.
- Existing street trees and native vegetation.
- Public access and safety.
- Existing streetscape design.
- Potential hazards.
- Existing utilities and infrastructure.

Property Owner Responsibilities

The property owner or occupier is responsible for maintaining all verges abutting their property in a neat and tidy condition, in accordance with *Public Places and Local Government Property Local Law 2019*. Maintenance tasks may include, but are not limited to:

- Mowing/slashing.
- Weed control.
- Fire mitigation.
- Plant watering.
- Rubbish removal.

**Shire Responsibilities**

The Shire retains the right to undertake works on the road verge including construction, maintenance, mowing, pruning, pest and weed control and any other action as determined. The Shire is responsible for all street trees, remnant vegetation and drainage infrastructure. The Shire will undertake the mowing or slashing of some road verges in areas including community facilities and open space areas like parks and reserves, in addition to maintenance requirements associated with road hierarchy. The Shire will not mow or slash road verges fronting private or commercial property unless it is deemed necessary for the maintenance of essential infrastructure or sight lines.

The Shire maintains an extensive drainage network designed to prevent the flooding of roads and properties. Maintenance tasks include the replacement of damaged pit lids, grates and other infrastructure when required, in addition to mowing/slashing and rubbish removal to ensure drain functionality. Refer to the Verge Guidelines for more information.

Re-Instatement of Verge Treatments

It is important to note that both the Shire and utility services such as water, gas, electricity, sewage, fire services and telecommunications have access rights to the road reserve and may be required to excavate the verge periodically.

The Shire generally endeavours to contact landowners prior to undertaking works that could damage landscaping. In general, property owners who have modified the verge area will not be compensated for any loss of vegetation or landscaping items because of these works.

Protection of Verge Trees and Remnant Vegetation

Any proposed clearing of native vegetation or street trees within the verge will require a clearing permit from the Department of Water and Environmental Regulation (DWER), as well as permission from the Shire.

In addition, rural verges may be home to threatened ecological communities and protected native vegetation, meaning that further permission may be required by the Department of Biodiversity, Conservation and Attractions (DBCA). Any unauthorised clearing is classed as unlawful.

Street trees, even in rural settings, are considered property of the Shire of Serpentine Jarrahdale and the Shire's approval is required to remove or alter trees.

For this reason, any proposed works on verges containing remnant vegetation requires the submission of a Verge Treatment Variation Application Form found on the Shire's website, and approval in writing from the Shire. In most cases, any activities that will disturb remnant vegetation will not be approved, unless there are serious mitigating circumstances as determined by the Shire.

Fire Mitigation and Hazard Reduction

Rural verges can require careful management of fuel loads to minimise the threat from fire. Property owners are encouraged to consider the verge adjoining their properties as a part of their land's overall fuel management plan.



Activities such as slashing, the reduction of leaf litter and removal of fallen branches are acceptable methods to address the fuel load. Although it is not encouraged, Verge Burning Permits can be found and applied for through the Shire's website. Written approval must be received from the Shire and the permit authorised by the local Fire Control Officer.

In most cases, the burning of verges that contain any remnant vegetation will not be approved, unless there are serious mitigating circumstances as determined by the Shire. Any verge burning must be accompanied by post-fire weed control by an appropriate professional, as fire often encourages the growth of highly flammable weeds and can increase fire hazard.

Exemption and Variations to Policy

Works relating to an authorised and compliant crossover are exempt from this Policy.

Emergency works and urgent safety works carried out by the Shire, utility or emergency services officers are not subject to the provisions of this Policy.

The local government should be consulted to determine whether Policy exemptions apply.

A variation to this policy will be assessed against the objectives of this policy where adequate justification is provided, and the intent of the policy is deemed to have been met.

Non-Compliance

Non-compliance with the verge policy could result in enforcement action in accordance with the provisions of the *Public Places and Local Government Property Local Law 2019*.

Initially, a request will be made in writing to remove the non-compliant treatment. If this does not occur, the Shire may take action to remove the treatment and recover the costs from the resident responsible. In extreme cases the Shire may commence prosecution or court action.

If a verge treatment is a type that may be considered under the provisions for variations of the policy, then a retrospective application may be made for a variation to the verge policy.

Definitions

Boundary means the dimensions of the property shown on the survey plan.

Crossover means the connecting driveway between the kerb line and the boundary of the property.

Edible Garden refers to edible landscaping that uses fruit, vegetables, herbs, and edible flowers.



Hardstand is a paved or hard-surfaced area on which vehicles, such as cars, may be parked.

Impermeable means a material that prevents water and oxygen from passing through.

Kerb is a stone edging to a pavement or raised path.

Permeable means a material that allows full infiltration of water and oxygen through it.

Semi-permeable means a material that allows some infiltration of water and oxygen through it.

Modification means an improvement, addition, or alteration from its natural state.

Mulch is a material such as decaying leaves, bark, or compost that is spread around or over a plant to enrich or insulate the soil.

Path means a bicycle path, footpath, separated footpath, and shared path as defined in the *Road Traffic Code 2000*.

Paver is a landscaping material designed to be used outdoors. Typically made of concrete, stone, or brick they are set on a prepared stone, sand, or mixed base.

Permissible means that it is acceptable as it does not break any law or rules.

Impermissible means it is not accepted as it goes against law or rules.

Reticulation is a network of pipes used in irrigation and water supply.

Infrastructure is the basic systems and services, such as transport or power supplies, that the Shire uses in order to work effectively.

Property Owner is a holder or proprietor of land who has a legal interest and owner rights to the property, such as a block of land or a building.

Road Reserve means any land dedicated at common law or reserved, declared, or otherwise dedicated under an Act as an alley, bridge, court, land, road, street, thoroughfare, or yard for the passage of pedestrians, vehicles, or both.

Street Trees are trees identified by the Shire as an asset, planted within the road reserve.

Truncation Area is a visual truncation that is required near a driveway or intersection, allowing for clear line of sight onto a street, right-of-way, or footpath. This contributes to the safe movement of vehicles and pedestrians in public spaces.

Variation means a modification or addition to the proposed verge treatment that meets the objectives of the policy.

Verge means the portion of land between a property boundary and the road kerb, bitumen edge, or edge of a maintained trafficable surface. It may accommodate public utilities, footpaths, stormwater flows, street lighting poles, street trees and other landscaping.



Waterwise is a term used to describe a water and plant management practice that emphasizes the use of plants that have lower supplemental water needs and grouping plants by water needs to encourage efficient water use.

Relevant Policies/Council Documents

- Council Policy 2.1.12 - Street Trees
- Urban and Rural Verge Policy Guidelines
- Council Policy 2.3.1 – Control of Weeds
- Urban and Rural Forest Strategy
- Local Planning Scheme No 3

Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Public Places and Local Government Property Local Law 2019*
- *Town Planning and Development Regulations 2009*
- *Road Traffic Code 2000*

Office Use Only				
Relevant Delegations				
Council Adoption	Date	18/11/2024	Resolution #	OCM333/11/24
Reviewed/Modified	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	