

POLICY	ROBY COUNCIL	Responsible Department	Essential Services & Assets
		Original Adoption Date	08.12.2011
		Current Adoption Date	20.12.2023
		Date of Next Review	20.12.2026

ROAD VERGE & FOOTPATH DEVELOPMENT AND MAINTENANCE	
Latest Review Changes	<p>Update to new template, reviewed policy in its entirety, inclusion of Application to Improve Road Verge and Frequently Asked Questions</p> <p>Inclusion of Footpath Development</p> <p>Added the following:</p> <p style="margin-left: 20px;"><u>6.1. Verge Development</u>.....6</p> <p style="margin-left: 40px;">6.1.1. Application for Authorisation6</p> <p style="margin-left: 40px;">6.1.2. Application Assessment6</p> <p style="margin-left: 40px;">6.1.3. Planting6</p> <p style="margin-left: 40px;">6.1.4. Irrigation Systems7</p> <p style="margin-left: 40px;">6.1.5. Removal of Development7</p> <p style="margin-left: 40px;">6.1.6. Road Verge Development and Maintenance Guidelines7</p> <p style="margin-left: 20px;"><u>6.2. Verge Maintenance</u>.....8</p> <p style="margin-left: 40px;">6.2.1. Council Responsibility8</p> <p style="margin-left: 40px;">6.2.2. Resident Responsibility8</p> <p style="margin-left: 40px;">6.2.3. Reinstatement8</p> <p style="margin-left: 40px;">6.2.4. Footpath Construction8</p> <p style="margin-left: 40px;">6.2.5. Crossing Place8</p> <p style="margin-left: 20px;"><u>6.3. Footpath Development</u>.....8</p> <p style="margin-left: 40px;">Principles8</p> <p style="margin-left: 40px;">Process for Determining the Type, Number and Location of Footpath9</p> <p style="margin-left: 40px;">The selection of streets for the construction of a footpath is based on:9</p> <p style="margin-left: 20px;"><u>6.3. Disability Discrimination Act</u>.....10</p>
Previous Council Reviews	8.12.11,27.3.14

Applicable Legislation

<p>Austrroads, Guide to Traffic Engineering Practice, Part 13, Pedestrians</p> <p>Australian Road Rules SA, under the Road Traffic Act 1961</p> <p>Australian Standard AS1428 Part 1</p> <p>Australian Standard AS1428 Part 4</p> <p>Australian Standard AS1379</p>

Australian/New Zealand AS/NZS 4455 Part 2

Australian/New Zealand AS/NZS 4456

Disability Discrimination Act 1992

Infrastructure Guideline SA Rev 1

Local Government Act 1999 (SA)

Related Policies

Related Procedures

Reference Documents

Horticulture Plan

Strategic Plan 2021-2025

Infrastructure and Asset Management Plan 2023-2033

Contents

1. PURPOSE	4
2. POWER TO MAKE THE POLICY	4
3. STRATEGIC PLAN	4
4. PRINCIPLES	5
5. DEFINITIONS	5
6. POLICY	6
6.1. Verge Development	6
6.1.1. Application for Authorisation	6
6.1.2. Application Assessment	6
6.1.3. Planting	6
6.1.4. Irrigation Systems	7
6.1.5. Removal of Development	7
6.1.6. Road Verge Development and Maintenance Guidelines	7
6.2. Verge Maintenance	8
6.2.1. Council Responsibility	8
6.2.2. Resident Responsibility	8
6.2.3. Reinstatement	8
6.2.4. Footpath Construction	8
6.2.5. Crossing Place	8
6.3. Footpath Development	8
Principles	8
Process for Determining the Type, Number and Location of Footpath	9
The selection of streets for the construction of a footpath is based on:	9
6.4. Disability Discrimination Act	10
7. REVIEW & EVALUATION	11
8. AVAILABILITY OF THE POLICY	11
APPENDIX 1 - APPLICATION TO IMPROVE ROAD VERGE	12
TERMS & CONDITIONS	14
VERGE DEVELOPMENT GUIDELINES	14
FREQUENTLY ASKED QUESTIONS	15

1. PURPOSE

The purpose of this Policy is to outline Roxby Council's obligations and applicants' responsibilities in developing and maintaining road verges in the Roxby Council area.

Many applicants prefer to manage the Council owned area in front of their homes to a different standard than the level provided by the Council. Primarily this is done to enhance the visual appeal of the property by managing the front garden in continuity from the front door to the roadway.

Residents are encouraged to develop and maintain the verge area between the property boundary and the kerb. In order to ensure public safety, Council access and rights over this portion of the road reserve, the form and development permitted by the Council is guided by this Policy.

There are guidelines for landscaping and maintenance of Council road verge in established township areas that applicants need to follow to ensure the safety of pedestrians and motorists. These policy guidelines are available from Council.

The purpose of this road verge development and maintenance policy is to:

- a) Recognise the responsibility of the Roxby Downs Council to improve and maintain verge areas around town.
- b) Provide opportunity for applicants to share responsibility with the Council in maintaining and improving verges under certain conditions provided in this document.
- c) Ensure that verges are to be utilised mainly as footpath whether formed or unmade and accommodate public utilities.
- d) Ensure that verges should be used to add more greenery around town.
- e) Ensure that any developments whether by Council or others shall always promote public safety.
- f) Provide a process to apply for verge improvement.
- g) To ensure that pedestrian access is available within a road verge area
- h) To ensure that adequate sight distance is available to and from vehicles and pedestrians
- i) If a formal footpath has not been provided and the verge area is not maintained by the applicants, Council will spray these areas to control weeds and reduce fire risk, and under-prune or prune trees to provide pedestrian access and sight distance.

2. POWER TO MAKE THE POLICY

This Policy incorporates the strategies required to fulfil the Council's obligations in all areas of road verge management with regard to Sections 218 and 221 of the *Local Government Act 1999*.

3. STRATEGIC PLAN

This Policy has the following link to Council's Strategic Plan

Environment and Sustainability

- **ES7** We will develop a horticulture plan and planting compendium to suit the arid climate

Infrastructure and Essential Services

- **IES4** We will provide cost and functionally efficient and aesthetically appealing public buildings and amenities that complement our natural outback environment.
- **IES5** We will maintain a road and footpath network that supports safe walking, cycling and vehicle travel.

4. PRINCIPLES

Council recognises that:

- A principal purpose of that part of the road reserve between the kerb and the property boundary is for use by pedestrians and to accommodate Service Utilities.
- The verge area is increasingly becoming an important part of the local amenity and green space for the community. It also provides important functions for facilitating our street trees and opportunities for improving water runoff.
- The maintenance of road verges has traditionally been a shared responsibility between Council and its applicants.

5. DEFINITIONS

For the purposes of this policy the following definitions apply:

AADT	Is defined as being the 'Annual Average Daily Traffic'
Council	Refers to the Municipal Council of Roxby Downs
Driveway	Refers to a paved or formed area between a road and adjacent land for vehicles to enter or exit a road to and from the adjacent land.
Essential Link	Refers to where a footpath is required to enable pedestrian movement between two or more pedestrian generators.
Footpath	Refers to the paved pedestrian path along one or both sides of a street (could be made of brick paving, concrete, bitumen or a compacted material e.g. rubble, gravel etc.)
Native Vegetation	Refers to a plant or plants of species indigenous to South Australia.
Property Developers	Refers to the Property Owner or Builder
Resident	Refers to a Resident and/or Ratepayer (property owner)
Road Pavement	Refers to the sealed area (generally asphalt) between the two kerb lines intended for the movement of vehicles
Service Authorities	Refers to Roxby Power, Roxby Water, Telecommunications, Gas or other service authorities servicing infrastructure
Street	Refers to the whole of the road reserve between the property boundaries.
Verge	Refers to areas between constructed roadways usually from kerbs and private property boundaries that are owned or under the control and care of the Council NOTE: excludes kerbing protuberances which are maintained generally by Council
VPD	Refers to 'Vehicles Per Day'

6. POLICY

6.1. Verge Development

Applications may be made to gain authorisation under Section 221 of the Local Government Act 1999 to privately develop a verge area at the applicants cost provided the type or form of development **does not**:

- prevent any pedestrian from walking along the verge area in preference to walking on the roadway, regardless of whether a footpath has been constructed or not;
- prevent the Council from installing new services or maintaining existing services; and
- include installation of artificial turf on the verge due to its environmental impact and the heat it generates. (Where applicants have previously been authorised to install artificial turf on the verge area, they are responsible for all ongoing repairs and maintenance of the installed product).

6.1.1. Application for Authorisation

An application for authorisation must be made using the 'Application to Improve Road Verge' form, available from the Council Office and Council's website.

Numerous options are available to be authorised for the verge development; these options along with guidelines are available on the Application To Improve Road Verge (refer [section 6.1.6](#)).

Property Developers may be authorised to install suitable verge landscaping at their cost to an approved plan, but they and potential purchasers of the properties are advised that Council will only provide the same standard of ongoing maintenance as exists elsewhere in Roxby Downs.

6.1.2. Application Assessment

An application to improve a road verge will be assessed in accordance with the provisions of applicable Australian Standards, *Disability Discrimination Act 1992*, and take into account the suitability of the development and the safety of the members of the community who will use the verge area.

Where the proposed verge development is not directly adjacent to the applicants property, the applicant should gain written approval from the relevant property owner adjacent to the proposed verge development area prior to submitting the Application To Improve Road Verge.

In its assessment of any Verge Application, Council consideration will include (but not be limited to) the effect of the proposal on existing trees and other vegetation, the need for the provision to enable future construction to improve accessibility for pedestrians, road safety and the streetscape amenity of the locality.

6.1.3. Planting

Council encourages planting of the verge where it meets the requirements of the Policy and the Verge Development Guidelines including ongoing maintenance.

The streetscape is an important part of community open space and the coordination of plantings is an important aspect of Council works. Council supports plantings with flora that are drought tolerant and suited to hot, dry summers with a maximum height of 5m. Tree planting will only be undertaken by Council (or a group under the auspice of Council) and Council will be responsible for the location of new trees and their maintenance.

Council prioritises retention of its existing street trees due to the benefits they provide to the community. Council will consider any Verge Application in context of the Tree Management Policy, however, reserves the right to plant Street Tree(s) at any time at their discretion. Any removal of existing street trees will require Council approval and an assessment will be carried out by Council once an Application To Improve Road Verge is submitted for Council's consideration. A cost for the street trees removal will incur costs to the applicant.

Any alterations (other than general maintenance) to approved plantings will require approval.

6.1.4. Irrigation Systems

Residents may install below-ground irrigation systems. Residents are responsible for all ongoing repairs and maintenance and must reinstate any footpath disturbed in the installation or maintenance of any irrigation systems.

Any installed irrigation systems does not negate a resident's responsibilities to abide by State legislation with respect to applicable water restrictions.

6.1.5. Removal of Development

Development of the verge without approval may result in the development being removed by Council at its discretion and cost of the proponent concerned.

Non-compliant works

Development of the verge in a manner that is different to what is approved, or it is deemed to be non-compliant with the provisions of the policy, the development will be required to be altered to be compliant or in accordance with the approval provided by Council. Should the alterations not occur in a timely manner or is considered a safety concern, the work may be undertaken by Council at the cost of the proponent concerned.

6.1.6. Road Verge Development and Maintenance Guidelines

a) *Surface materials*

Under no circumstance is a resident to use solid surface materials such as concrete on any part of a verge. Residents who wish to improve their property verges shall only use the following surface materials.

- Aggregate or River rock – not greater than 25mm in diameter
- Road Base – 10mm
- Crusher dust

Consideration on the use of pavers will be given as long as applicants agree to the following conditions.

- i. Council, at any time, will remove the pavers to access and repair its services. Laying back of pavers shall be the responsibility of the resident.
- ii. Paved verges are not to be used as an alternative parking space or driveway (applicable fines are in place)

b) *Solid construction*

Solid structures that may impeded or pose unsafe to pedestrians and obstruct vehicular line of sight, access to utility implements and access for Council's maintenance works shall not be installed on any part of the verge.

c) *Plants and trees*

Existing plants or trees are not to be removed from the verge unless Roxby Council has given approval. Any new plants or trees to be planted must be selected from Roxby Council's approved species list (contact Council for the list).

d) *Irrigation*

All road verge planting should be irrigated to ensure its survival. Where available, irrigation will be installed by Roxby Council horticultural contractors. Residents can install irrigation as long as any damages/disturbances on footpath caused by doing so will be rectified at their own cost.

e) *Removal of existing development*

Removal of existing developments is not permitted, unless approved by Council via application process.

f) *Alternate parking and driveway*

Use of verge as alternative parking and driveway is not permitted, unless approved by Council via application process.

6.2. Verge Maintenance

6.2.1. Council Responsibility

Where applicants choose not to, or are unable to, maintain the verge area adjacent to their property, Council will provide the same level of ongoing maintenance as elsewhere in the Municipality to ensure the verge surface is safe for pedestrians to use.

6.2.2. Resident Responsibility

Where a resident develops the verge, the responsibility for ongoing maintenance will rest with the resident. The development may be removed by Council at the cost of the resident concerned where adequate maintenance is not carried out. Where the verge is developed by a property developer, any future owner of the property is responsible for ongoing maintenance of the verge, otherwise the development may be removed by Council or maintained to the same level as elsewhere in the Municipality.

6.2.3. Reinstatement

When any development of a verge is disturbed or destroyed by activity undertaken by the resident, reinstatement will be subject to negotiation and consultation between Council and the resident. Any damage which occurs will need to be repaired at the cost of the resident. This applies to work undertaken by the resident or contractors on their behalf.

Council will advise the property owner of the repair works required to rectify the damage and the owner will be required to undertake those works within the timeframe specified in that notice. Should the damages not be repaired within the required timeframe, Council will undertake the repair works at the owner's cost without any further warning (in accordance with section 213(2)(a) of the *Local Government Act 1999*).

Where a Council activity or operation disturbs or destroys the verge development, Council will endeavour to restore the verge to a reasonable standard, provided the verge development conforms with and was approved under this Policy.

6.2.4. Footpath Construction

Regardless of any development of the verge area, Council reserves the right to construct a footpath on this part of the road reserve at its discretion. In doing so Council may remove any existing plants, groundcover or decorative features if necessary and no compensation to the resident for such removal or alteration will be considered. Permeable paving may be considered if suitable benefits are demonstrated in the location.

6.2.5. Crossing Place

In accordance with the provisions of Section 218 of the *Local Government Act 1999*, Council may, by order in writing to the owner of the adjoining property, require the owner to carry out specified work to construct, remove or repair a crossing place over the verge area from the kerb (or edge of the roadway) to the property boundary.

6.3. Footpath Development

Principles

Council acknowledges its role in the Community as a provider of accessible and safe pedestrian facilities. In doing so it will endeavour to provide a safe and integrated network of footpaths throughout Roxby Downs that:

- Offers residents the opportunity for healthy, safe, and convenient travel and social interaction.
- Creates amenity and access to Community facilities and open space.

- Council periodically inspects and rates its footpaths including access ramps according to condition or compliance to the Australian standard on a scale of 1 to 5, where 1 is Excellent or complying and 5 is Very Poor or non-complying.
- Generally, provides accessible access to people with disabilities.

Council will be mindful of the following when considering the addition of new footpaths:

- The changing needs of the Community.
- Areas where footpaths cannot easily be constructed.
- Where it is unlikely that footpaths will be required either for local traffic or through traffic.

Where possible, a footpath along a street will always be parallel to the road pavement at an even spacing from its edge, and of a consistent width, with variations only to avoid objects including trees, major telecommunication pits and electricity poles. Additionally, variations may need to be considered due to height differences in the verge or steep cross falls.

Process for Determining the Type, Number and Location of Footpath

- A quantitative system of condition evaluation will be adopted for the future assessment of the existing footpath network.
- Existing footpaths will be maintained in a condition rating of 3 (Fair) or better.
- Reconstruction or rehabilitation of existing footpaths required by 7.2 will be in accordance with the Infrastructure Asset Management Plan – Footpath and Walkway Assets.
- Where possible, concrete or asphalt footpaths will be replaced with brick paving.
- A hierarchy of footpaths has been established and based on pedestrian needs, traffic volume, speed and potential conflict, to enable the qualitative selection of candidate streets for the construction of a footpath. This hierarchy of footpath construction is as follows:

Footpath Constructed on Both Sides of Street

Roads in this category warrant footpaths on both sides due to pedestrian use for safety and accessibility reasons.

Consideration will be given to constructing footpaths on both sides of a street for:

- Arterial roads and major collector roads.
- Roads with central medians and/or a carriageway.
- Commercial precinct.
- In the vicinity of schools, sports grounds and other public facilities which are significant pedestrian generators.
- An area of high demand (such as a worn track along an existing verge or if there are extenuating circumstances to provide an accessible footpath).

Footpath Constructed on One Side of Street

These streets are typically residential streets (general city route) with no significant pedestrian generators. Streets with these traffic volumes generally can be crossed safely with reasonable care to access the footpath on one side of the street.

As part of any new land division that creates a street, it is a requirement for the developer to provide a footpath on at least one side of any street created at the developer's expense and that it be constructed to the satisfaction of Council.

The selection of streets for the construction of a footpath is based on:

- Pedestrian use and access to Community facilities
- Continuity of the network

- The hierarchy as detailed in [item v.](#) above
- Ease of construction
- Resident requests
- Reasonable spread across the Town
- Consideration of special access needs
- Environmental and sustainability impacts/benefits

The final program for each year will be implemented by the Group Manager Essential Services and Assets in accordance with the approved budget and the provisions of this Policy.

- New paths or walkways in reserves shall be considered based upon connections to the existing network and potential usage.
- New and re-constructed footpaths will be designed and constructed to a minimum standard that complies with the provisions of:
 - o Australian Standard AS1428 Part 1- Design for Access and Mobility - General requirements for access – New building work
 - o Australian Standard AS1428 Part 4 – Design for Access and Mobility: Means to assist the orientation of people with vision impairment: Tactile ground surface indicators.
 - o Austroads, Guide to Traffic Engineering Practice, Part 13, Pedestrians
 - o Australian/New Zealand AS/NZS 4455.2 – Masonry Units, Pavers, Flags and Segmental Retaining Wall Units – Part 2 Pavers and Flags
 - o Australian/New Zealand AS/NZS 4456 - Masonry Units, Pavers, Flags and Segmental Retaining Wall Units – Methods of Test
 - o The technical requirements of the Concrete Masonry Association of Australia technical publications MA 57: Guide to Specifying, T45: Design Guide for Residential Accessways and Roads, and T46: Detailing Guide; and
 - o Australian Standard AS1379 – Australian Specification and Standard Supply of Concrete
 - o Infrastructure Guideline SA, Standards and Requirements for the Design and Construction of Infrastructure Assets in South Australia

The nominal width of paved footpath in residential areas is 1.5 metres. The footpath will be constructed to normal industry practice.

Where possible, consistent streetscape planting which incorporates street trees with understory planting will be included as part of full width verge development including a constructed footpath.

The exact location of a footpath within the verge will be determined by the Group Manager Essential Services and Assets with reference to the publication, Services in Streets, a Code of Practice for the Placement of Infrastructure Services in New and Existing Streets, Main Arterial Roads Landscape Design Guidelines and Infrastructure Guideline SA.

An assessment of existing street trees will be undertaken prior to a footpath being constructed to determine the suitability of location within the verge of the species or individual tree.

Where possible, an audit of the footpath network shall be undertaken every four (4) years.

6.4. Disability Discrimination Act 1992

Objections

If the development of a verge area is considered to be contrary to the provisions of the *Disability Discrimination Act 1992* concerning access and or the approved road and verge development application, it will be removed at the cost of the property owner.

7. REVIEW & EVALUATION

This Policy will be reviewed every 3 (three) years. The Chief Executive will report to Council on the outcome of the review and make recommendations for amendment, alteration or a substitution of a new Policy if considered necessary.

8. AVAILABILITY OF THE POLICY

Copies of this Policy will be available at Council's principal office during ordinary business hours and at Council's website www.roxbydowns.sa.gov.au.

APPLICATION TO IMPROVE ROAD VERGE

This application form must be submitted a minimum of 10 working days prior to works commencing and the approval shall last for 1 year from the intended commencement date of works.

APPLICANT DETAILS

Surname _____ Date of application _____

Given name(s) _____

Residential address _____

Email _____

Contact phone number _____

Do you own this property? Yes No

If you do not own this property, please include details of the property landlord, managing Real Estate Agent or property owner below, together with written confirmation of Property Owner/Authorised Representative approval

Surname _____

Given names _____

Residential address _____

Email _____

Contact phone number _____ Best time to contact _____ : _____ am/pm
(Please circle)

DETAILS OF EXISTING ROAD VERGE

What does the existing road verge look like? *(attach photographs)*

Attach File

Aggregate/ River Rock Crusher Dust Pavers Bare (no verge)

Is there existing irrigation present? Yes No Unsure

Is there existing vegetation present? Yes No Unsure

Additional comments or description about the existing road verge

DETAILS OF ROAD VERGE IMPROVEMENT REQUEST

Preferred Surface Materials

Aggregate/ River Rock Crusher Dust Pavers Bare (no verge)
(Please provide specifications, colour & photo of paver)

The proposed works in relation to this application are indicated below (Please tick whichever is applicable) and I have enclosed a sketch or plan of these proposed works

- Construction of concrete invert/kerb
- Construction of driveway/crossover
- Installation of private underground electrical service within Council land
- Installation of stormwater pipe
- Erect or relocate a structure (including post box, sign, fixture) within Council land
- *Plant or remove a tree or vegetation from the road verge
- Minor Verge Development (*planting on verge with *approved plant/shrub species*) in area between boundary & kerb)
- Other (please specify)

If planting vegetation, specify what species (from the *approved plant/shrub species list) will be planted on the road verge?

Additional comments about your road verge improvement request

Is the Proposed Alteration Permanent Temporary **Indicate Period** _____
(Tick whichever is applicable)

These works will be undertaken by Property Owner/Applicant Contractor

Contractor Details (*leave this blank if the work is to be carried out by the permit holder*)

Name _____

Email _____

Phone _____

I, the Applicant acknowledge that I have read and understand the terms and conditions and agree to abide by these Conditions, Provisions and Special Conditions of this application and will ensure that all works will be undertaken in accordance with this application.

Signed by the Applicant _____

Date _____

OFFICE USE ONLY

***An approved plant/shrub species list can be obtained by contacting Council on 08 8671 0010 or emailing roxby@roxbycouncil.com.au.**

The Granting of Approval to Develop a Verge is Subject to the following Terms & Conditions;

The Applicant further agrees:

- a) Driveway stormwater to be disposed to the street water table (kerb & gutter) where appropriate.
- b) Any crossovers, inverts or paving which become redundant due to the new work are to be reinstated to Council's satisfaction at the Permit Holders expense, if required by Council.
- c) Heavy duty crossovers are required to all driveways other than residential properties.
- d) A plan drawn to an appropriate scale is required. This plan must show precise locations, including measurements of any existing and proposed crossovers, drains, electrical or water connections etc. With locations of any trees or other infrastructure. It must also show the locations of any relevant parts of buildings on the land.
- e) The ongoing maintenance (including damage and general wear and tear) of all items covered by this Permit is the responsibility of the Permit Holder.
- f) Trees or vegetation on Council land must not be removed to enable proposed works to proceed, unless Council approval is granted and costs are paid for by applicant, prior to works being undertaken.
- g) Infrastructure must be reinstated to Council's satisfaction.
- h) This permit must be approved in writing by Council, prior to any work proceeding. All work is to be approved by Council and notice must be given to the appropriate Council officer before the commencement of the approved work.
- i) To ensure the verge development does not cause interference to or cause loss of view to pedestrian movement across the verge area and for Motorists entering streets from private property or adjoining streets and intersections.
- j) If the condition of the verge development is altered in any other way than the approved development, Council must be notified immediately.
- k) For a verge development to accept full responsibility for the maintenance of the verge. In the event the verge is not maintained to the satisfaction of the Council, to pay for all costs associated with the verge removal.
- l) This permit must be approved in writing by Council, prior any work proceeding. All work is to be approved by Council and a week notice must be given to the appropriate Council officer before the commencement of approved works.

Verge Development Guidelines

1. GENERAL

Many property owners prefer to manage the Council owned area in front of their residences to a different standard than the service level provided by Council to enhance the visual appeal of the property. The strip of Council owned land between the kerb and the property boundary is known as the 'VERGE'. Verge developments permitted are approved according to these guidelines, to ensure public safety.

Where property owners choose not to or are unable to maintain the verge adjacent to their property, Council will service this area to the following standards;

- Council will ensure the verge surface is even and free of potholes and depressions or mounds that may present a trip hazard to pedestrians
- Council will treat any verges where proclaimed pest plants have been identified
- Spraying as required.

Council will not subsidise or assist with the development of verges in any other form or manner. Any developed verge by a resident must be fully maintained by the resident and any plantings should be kept in reasonable health and not overgrown with weeds.

Council relies on the goodwill of the resident to maintain the verge. If the homeowner does not maintain the verge of long grass, when the height is over 300mm, Council will apply a treatment necessary to ensure pedestrian safety. In the first instance this will mean spraying of the tall grass.

Service Authorities have access and rights over this portion of the road reserve. The verge area may be occupied (above or below the ground) by the following;

- Electricity underground pits and poles
- Telecommunications wiring, pits and poles
- Gas mains
- Water mains and connections
- Sewer mains and connections
- Roxby Council owned and managed
 - o stormwater drainage systems (including the concrete kerbing)
 - o footpaths
 - o Street furniture, signage, shelters and street trees.

2. Development

The *Local Government Act 1999* requires that all private development of the verge has Council approval. Property owners may develop their verge areas, provided the type or form of development maintains the following;

- Pedestrian access along the verge area in preference to walking on the roadway, regardless of whether a footpath has been constructed or not
- Traffic sight line distances
- Service Authority and Council access for installation of new services and maintaining services
- Provision is made for Council Street Tree/s as per the Council's street tree planting program
- Where a property owner develops the verge, the responsibility for ongoing maintenance rests with the property owner. The development may be removed by Council where adequate maintenance is not carried out.

3. Verge Treatment Options

The following verge treatments are permitted and are suitable for safe pedestrian access;

- Mulch beds (other than trafficable surfaces)
- Rubble path (compacted)
- Low plants (maximum 500mm height)
- Paved footpath (1.5m wide to be constructed to Council's standards and manufacturers specifications at applicants' cost)
- Turf (irrigated and unirrigated)

4. Planting

Planting with flora that is drought tolerant and suited to hot, dry summers is preferred and is to be maintained to a maximum height of 5m or not obstructing corner sight distance, with the exception of Council managed street trees. All planting must accommodate existing street trees and consider the needs and conditions of Council and various Service Authorities as well as the requirement to ensure clear pedestrian access along the verge area. If no street trees are present, provision must be made for the future planting of trees on all property frontages.

5. Solid Construction

Public safety is Council's highest priority and therefore Council does not permit structures such as fences and walls within the verge area.

6. Irrigation Systems

Property owners may install below-ground irrigation systems (including pop-up sprinklers, below ground drippers and 'leaky-pipe' systems) provided the property owner accepts all responsibility for all on going repairs and maintenance.

7. Reinstatement

When any development of a verge is altered or removed by the activity of a Service Authority, reinstatement will be subject to negotiation between the property owner and that Service Authority. Where a Council activity or operation alters or removes a conforming verge development, Council will endeavour to restore the verge to a reasonable standard.

8. Trafficable Area And Paved Footpath Construction

An area (nominal width of 1.5 metres) to serve as a pedestrian refuge is to be left clear for general pedestrian access, this area should be levelled grass or lawn, a compacted rubble surface or sealed by paving. Any development of a verge without an existing concrete or block paver footpath must allow for the possible future construction of a footpath by Council.

Where a property owner desires as part of a verge development to construct a paved footpath (where no paved footpath exists on adjoining verges) its location within the verge and the materials used for its construction shall be parallel to the road pavement at an even spacing from its edge, and of a consistent width, with variations only to avoid objects including trees, major telecommunication pits and electricity poles and shall be to Council specification. Construction shall be at the property owner's cost and shall be maintained by the property owner, in a safe and trafficable condition at all times.

Pavers must be laid flat, and levels must match connecting infrastructure and pits, example: Communications Service Pits (ie Telstra).

Service pits must be brought up to height if required at resident cost. Council will inspect service pit integration and will on charge applicants if required.

9. Removal or Modification of Existing Development

Where any verge has been developed (either before the adoption of these guidelines or following its adoption) in a manner contrary to these guidelines and Council considers that the verge development could cause or is causing a hazard or obstruction to the public or Service Authority, then Council shall require the development to be removed or modified to Council's satisfaction.

Any such removal or modification shall be at cost to the property owner except where Council deems otherwise.

Conditions and Provisions for work that will impact on Council owned Streets, Roads or Council owned Infrastructure or Council Controlled Land**1. Drainpipe Across Verge**

To carry off stormwater only to watertable (kerb & gutter)

- a) For residential properties where the stormwater pipe will not be subject to vehicular traffic, a sewer grade PVC pipe is required
- b) For properties where 80mm of cover above top of pipe cannot be provided, tubular or box section Zinalume Steel or similar is approved.

NOTE: The stormwater pipe is the owners responsibility to be maintained.

2. Temporary Crossings Over Footpaths

The area of the work and its immediate vicinity must be kept safe for pedestrians at all times. Warning signs and bunting must be erected during works.

3. Concrete Works

Where approval has been given for street works involving concrete, the following conditions shall apply:

- a) No concrete equipment shall be cleaned in the street, and no cement slurry or other materials to be allowed to enter a catchpit (stormwater system)
- b) On completion of concrete works the street to be thoroughly cleansed of all cement and other materials or rubbish associated with the work
- c) In streets with heavy traffic, vehicles associated with concrete works shall NOT be manoeuvred to or from the site during peak traffic hours 8 to 9 am and 5 to 7 pm. Prior to the commencement of any works the Council will confirm whether the street is subject to heavy traffic.

4. Laying of Underground Electrical Service

- a) The underground cable is to be laid at a minimum depth of 0.6 m below the present or future surface, whichever is the lower.
- b) Cables shall be laid in accordance with the Australian Standard Specification (Wiring Rules) AS3000 - 1991, and Roxby Power's service requirements.
- c) When the distance from the service point is greater than 3 meters along the verge, Council requires a service pit to be installed.
- d) On completion of the work, the footpath is to be left in a tidy and safe condition. The reinstatement of the trench is to be undertaken at the permit holder expense to the satisfaction of Council.
- e) The electrical contractor shall erect signs, barricades and lights to the satisfaction of the Group Manager Essential Services and Assets, adjacent to the excavation.

- f) The Council shall not accept responsibility for any damage or claims resulting from the laying of the service.
- g) No responsibility will be accepted by the Council for any damage to the service from any causes whatsoever
- h) Any future alterations necessary through road widening or other works shall be carried out at no cost to the Council
- i) Prior to submitting this application, the electrical contractor shall contact Dial Before You Dig, Roxby Power, Telstra and other appropriate organisations, to ascertain the location of underground plant and any special precautions necessary.

5. Verge Development

Refer to [Verge Development Guidelines](#) above

6. Plan Requirement

A plan must be submitted with this application showing the:

- a) location of the property in relation to the street alignment
- b) location of proposed driveway/invert, landscape or stormwater outlet
- c) location of any plant species to be planted
- d) location of any current or proposed paved or rubble footpath.

7. Indemnity

The Permit Holder agrees to indemnify and to keep indemnified the Council, its officers and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the permit.

8. Standards

During the currency of the permit, the Permit Holder must comply with any applicable industry or health and safety standards in relation to the activity.

The permit holder must ensure that the activity permitted to be carried out is conducted in a safe and responsible manner.

The Permit Holder or any Contractor, where appropriate, must ensure that it is licensed or registered to carry out the activity authorised by the issuing of this permit, and must comply with and give all notices required by any Act of Parliament,

Ordinance, Regulation or By-law relating to the activity.
Wherever there is any cost associated with
this compliance, the Permit Holder will be responsible
for payment of those costs.

9. Damage

The Permit Holder must take all precautions to avoid damage to the Council street, road, infrastructure or land. The Permit Holder must immediately notify the Council of damage to the street, road, infrastructure or land or any Council owned property located within or adjacent to it or them.

The Permit Holder will be responsible to reimburse the Council for all its reasonable costs to repair or rectify any damage caused as a result of the Permit Holder's use or misuse of the street, road, infrastructure or land.

10. Breach

If the Permit Holder breaches a provision of this Permit, the Council may give the Permit Holder written notice to remedy the breach and the notice will identify that failure to remedy the breach will result in cancellation of the Permit.

NOTE:

- If the Permit Holder fails to remedy the breach within a time specified in the Council's notice, then the Council may cancel this Permit.
- The Permit Holder, having obtained a Permit from the Council for the opening of any street, road or Council land for the installation of drainpipes, electrical or irrigation connections, paths or plantings etc., must ascertain the actual position of any existing services from the Council and from the relevant utility or Department before excavating or breaking the surface of any street, road or Council land or doing any act which may interfere with any existing service pipes or conduits, and must exercise special care in breaking up and reinstating so as not to damage any underground service. The resident must call Dial Before You Dig (visit www.1100.com.au for more information) to ensure a service location search is undertaken, to minimise disruption to service authorities or Council infrastructure.

FREQUENTLY ASKED QUESTIONS

What is an invert and crossover?

- An invert is the opening in the kerbing to permit a vehicle to leave the roadway and into a property.
- A crossover is the connection between an invert and adjacent property. The crossover is the part of the driveway that crosses the footpath or footway from the kerb to the property boundary which allows the property owner to enter onto any street or road from the property or exit from the street or road to their property.



Do I need a permit to construct my invert and crossover?

If lodging a development application that includes a site plan clearly showing the location of your crossover you are not required to do anything further. Your development application will be forwarded to Council's Planning Consultant for assessment and advice of this assessment and any conditions that need to be met will be forwarded to you with the development application approval. Any alteration to the approved crossover will require an application.

Do I need a permit to repave or reconcrete my crossover?

Yes, you need to lodge an 'Application to Improve Road Verge' with Council along with a scale plan of the property showing the proposed location of the access, width of proposed crossover and invert, proposed materials for crossover to ensure that construction is in accordance with Council's standards and specifications.

Will Council construct my crossover?

No, the property owner(s) is responsible for the cost and the standard of construction and maintenance of the crossover. Any modification to the kerb is considered to be part of the construction of the driveway and is the responsibility of the property owner(s). Council takes no responsibility for any public liability injury or property damage caused by you carrying out work on the public road.

What are the Standards for my crossover?

Please contact Council for information to assist you with the construction of your crossover and kerbing. If you require further information please visit the Council at 6 Richardson Place, Roxby Downs SA 5725.

Who do I engage to construct my own crossover, or do I need a contractor to do the work?

You can construct your own crossover. By doing so, you are responsible just as the contractor would be for completing the job and for any liability that may arise from the work. Alternatively, you can engage a licensed contractor to do the work for you. Please refer to the Yellow Pages or refer to the trades and services page in your local newspaper.

Does my crossover have to be either concreted or paved to invert?

No. However, an approval for the location and surface is required from Council and it is necessary for Council's engineer to inspect the site prior to the laying of any paving to ensure correct levels are in place for flood protection and footpath use.

Can I widen my invert?

The current trend for narrower lots means there is less verge space for things like street trees, public infrastructure and on street parking. As a result, Council does not generally allow widening of crossover beyond the approved widths. There may be exceptions made where a lot has a large frontage and there is sufficient room for on street parking.

What could stop me from having an additional invert and crossover?

You may not be able to have an additional invert and crossover if:

- It is near a bend or close to a road junction
- Street signs, Communication pits (i.e. Telstra, Optus etc) or other public infrastructure cannot be relocated
- A street tree on the verge cannot be removed or the street tree would be too close to the proposed invert and crossover
- No on-street parking would be available for the lot
- Insufficient space is available on the property for a vehicle to be parked

Do I have to reinstate the abandoned invert and crossover?

Yes, a property owner is required to reinstate any abandoned invert and crossover where they are no longer required. This work will be at the cost to the applicant.

Does Council repair my invert?

Yes. Council will assess the damage and if repairs are deemed warranted, our maintenance coordinator will schedule the required repairs as soon as possible.