

## **Road Verge Maintenance Policy**

<b>Policy type</b>	Council
<b>Function</b>	Infrastructure Services
<b>Policy Owner</b>	Asset Engineering
<b>Effective date</b>	22 August 2024

### **1. Policy Statement**

The Road Verge Maintenance policy outlines arrangements for the road verge area so that it contributes to the locality and is compatible with the streetscape, is accessible and safe, does not interfere with or compromise existing infrastructure, and protects and increases the number of street trees.

Council accepts appropriate plantings to occur on road verges where it can be demonstrated it complies with Local Law requirements.

This policy sets out the obligations and responsibilities for planting and maintenance of verges (nature strips) on Council managed road reserves.

### **2. Purpose**

The predominant functions of verges are to provide a roadside corridor for safe and convenient access by pedestrians as well as a corridor for public utilities and underground services.

This policy constitutes best practice management for the purposes of Council’s Local Laws.

The Road Verge Maintenance Policy operates alongside the Tree Management Policy.

### **3. Principles**

Road reserves must be kept clear of obstructions to allow for pedestrian access, vehicle safety and for infrastructure purposes. Council Road reserves are sometimes referred to as road verges and nature strips.

Works on Council land must be approved by Council but noting limited exception in Council’s Local Law No. 4 (Local Government Controlled Areas and Roads) 2022, section 24. Where planting occurs on Council land or road reserves, the adjacent property owner is responsible for vegetation maintenance, plantings and mowing.

### **4. Scope**

This policy applies to Council road reserves in the Cassowary Coast.

This policy does not apply to:

- Private property
- State controlled land and State road reserves

- Council owned or managed in trust land where vegetation management is explicitly stated as the responsibility of the Lessee
- Community gardens on public land
- Creek lines
- Remnant vegetation
- Reserve areas such as parks, esplanades, and the like.

## 5. Objectives

This Policy is underpinned by the following objectives:

- Ensure road verges are kept clear, except as provided for under Local Law
- Establish the self-assessment tool for plantings in road verges
- Explain the allocation of responsibilities for verge maintenance.

## 6. Content

### 6.1 General

Before planting vegetation on a road verge, the adjacent landowner must determine whether the proposed planting complies with Council's Local Law No. 4 (Local Government Controlled Areas and Roads) 2022, section 24.

If proposed plantings do not comply with Local Law, a permit is required before planting or work can be undertaken in the verge or road reserve.

Adjacent landowners or occupiers are responsible for mowing and related activity on road verges. Where adjacent landowners or occupiers do not maintain the verge, Council may periodically slash or rough-cut the grass.

When purchasing a property, the new landowner accepts responsibility for maintaining any existing plantings, except for Council tree plantings on the road verge, or otherwise removing the plantings.

Where plantings in the road verge are not maintained, or affect visual amenity, or create a hazard, they may be removed by Council, at the adjacent land-owners cost.

### 6.2 Vegetation Planting

The Road Verge Planting Self-assessment tool will indicate whether a permit is required.

Plantings must not impact public utilities above or below ground level. Positioning and type of plantings must have regard to the potential full growth of the species. Trees, medium and large shrubs, even if on the planting list, should be avoided due to their size.

A person who undertakes planting and/or the adjacent property owner may be held liable for damage done to Council services or footpaths due to plant growth, roots or water movement.

Council reserves the right to remove plantings, and may seek payment for damage incurred and other costs.



Planting in verges must not:

- Obstruct access to any services or affect visibility of signage
- Obstruct pedestrian or vehicular traffic, nor create traffic hazard or cause damage to existing trees
- Impede the safe movement of vehicle or pedestrian traffic
- Obstruct or impede vehicle line-of-sight
- Impede roadworks or maintenance activities undertaken by Council from time to time.

The following are not acceptable in Council road verges:

- Plantings on verges of roads with speed limit above 60km per hour
- Planting adjacent to disabled parking spaces
- Planting adjacent to bus zones
- Plants that have spikes or attract pests such as wasps
- Hard garden surrounds in Council road verges, including mounded beds, rocks, pots, irrigation, raised beds, planter boxes and other built garden features
- Weeds or invasive plants as identified from time to time
- Artificial turf and other artificial plants.

Not every location is suitable for verge planting due to safety, public access, community needs and infrastructure requirements (especially for street trees).

Subject to the suitability of plants in certain locations, Council recommends the use of endemic species of plants over non-endemic species.

### **6.3 Vegetation Management - Council**

Council will not routinely weed, mow or trim grass on road verges in urban areas.

Where the verge is not maintained by the adjacent property owner or occupier, Council may periodically slash or rough-cut the grass. In determining if or when to rough cut or slash a verge, Council may consider safety, pest control and visual amenity.

Council may conduct trimming or removal of plantings in Council road verges. Reasons may include:

- Vegetation poses a safety hazard to persons and/or property or
- Plantings cause obstruction to the movement of vehicle or pedestrian traffic or
- Plantings affect Council infrastructure or Council works or
- To improve visual amenity.

### **6.4 Vegetation Management – adjacent landowners and occupiers**

Adjacent landowners or occupiers are responsible for maintaining and pruning plantings on their road verges.

Adjacent landowners or occupiers are responsible for weeding, mowing, and trimming of grass on road verges. This acknowledges the benefit received by the use of Council land. Where adjacent landowners or occupiers do not maintain the grass on the verge, Council may periodically slash or rough-cut the grass.

## 6.5 Insurance

Council's insurance does not cover any claims against the adjacent property owner as a result of planting and maintenance in the road verge by that property owner.

## 6.6 Council works in the road verge

When Council undertakes work in the road verge, Council is not responsible for the repair, renewal or replacements of unapproved works or plantings. Any works undertaken will be to the Council's standard and finish.

## 7. Responsibilities

Adjacent landowners will conduct a self-assessment before planting in the verge. If the self-assessment indicates a permit is required, the adjacent landowner must not commence plantings until the permit is issued.

Adjacent landowners or occupiers accept responsibility for the maintenance of plantings, including the removal when required.

Adjacent landowners or occupiers are responsible for mowing and related activity on road verges. Where adjacent landowners or occupiers do not maintain the verge, Council may periodically slash or rough-cut the grass.

## 8. Definitions

**Council** – means Cassowary Coast Regional Council.

**Council controlled land** – in this policy, refers to land under Council freehold ownership or Crown land managed by Council under trust. It also includes Council controlled road reserves and State controlled road reserves that are managed by Council under the Road Maintenance Performance Contract (RMPC).

**Hazard** – means any source of potential damage, harm or adverse health effects on something or someone.

**Road reserve** – has the same meaning as in Council's Local Law No. 4 (Local Government Controlled Areas and Roads) 2022.

<b>Related forms, policies and procedures</b>	Cassowary Coast Regional Council Local Laws 2022 Recreation and Natural Areas Asset Management Plan CCRC Local Area Biosecurity Plan CCRC Planning Scheme FNQROC Development Manual
<b>Relevant legislation</b>	<b>Federal Government</b> <i>Biosecurity Act (2014)</i> <i>Environment Protection and Biodiversity Conservation Act (1999)</i> <b>State Government</b> <i>Biosecurity Act (2014)</i> <i>Environmental Protection Act 1994 Local Government Act (2009)</i> <i>Local Government Regulations (2012)</i> <i>Planning Act (2016)</i> <i>Nature Conservation Act (1992)</i> <i>Disaster Management Act (2003)</i> <i>Queensland Heritage Act (1992)</i> <i>Vegetation Management Act (1999)</i> <i>Fisheries Act (1994)</i> <b>Local Government</b> Local Law No. 1 (Administration) 2022 Local Law No. 4 (Local Government Controlled Areas and Roads) 2022
<b>Reference and resources</b>	Australian Standard 31000:2009 Risk Management Australian Standard 31000:2009 Risk Management Principles Australian Standard 4373:2007 Pruning of Amenity Trees Australian Standard 4970:2009 Protection of Trees on Development Sites Wet Tropics Roadside Management Guidelines

<b>Policy Number</b>	20097		
<b>Approved by</b>	Resolution LG1795	<b>Approval date</b>	22 August 2024
<b>Review date</b>	22 August 2027		

## Attachment

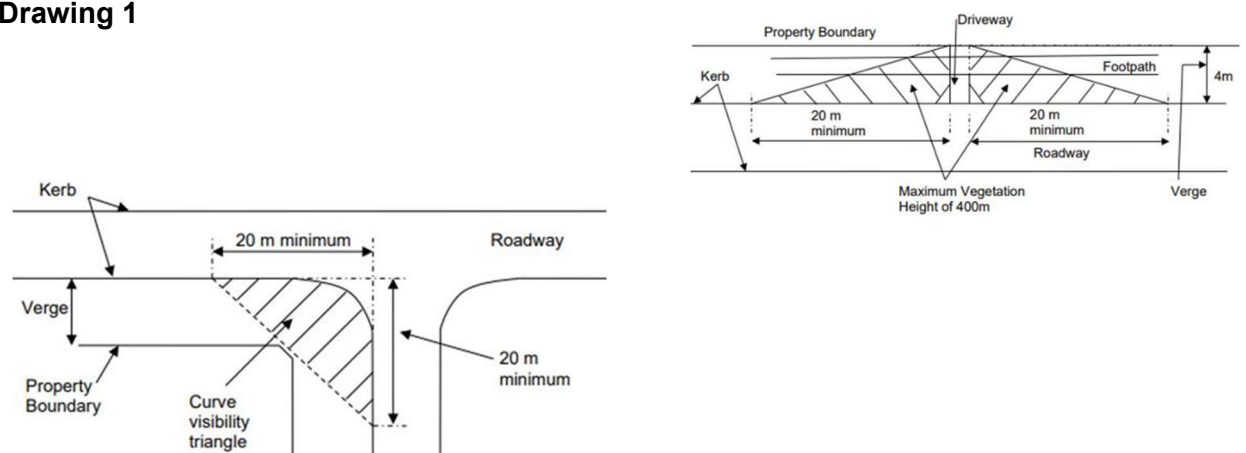
### Road Verge Planting Self-assessment

Refer to CCRC Local Law No.4, section 24; and CCRC Planning Scheme Schedule 6

Section A	Yes	No
Select only plants from the list of Shrubs and Groundcovers in the CCRC Planning Scheme Schedule 6		
Only use plants the surrounding area can accommodate, given the eventual fully grown size of the plants		
Plantings will not impact public utilities above or below ground level		
All plants will have a maximum height (natural or trimmed) below 600mm		
Accept responsibility for ongoing maintenance of plants		
If selling the property, ensure new owner accepts responsibility for maintaining plantings, or otherwise restore to pre-planting condition		
Before You Dig <a href="http://www.byda.com.au">www.byda.com.au</a> check undertaken		
Sight distances maintained per Drawing 1 below		

Section B	Yes	No
Obstruct access to any services or affect visibility of signage		
Obstruct pedestrian or vehicular traffic, create traffic hazard or cause damage to existing trees		
Obstruct or impede line-of-sight for vehicles		
Impede roadworks or maintenance activities undertaken by Council from time to time		
Plantings on verges of roads with speed limit above 60km per hour		
Planting adjacent to disabled parking spaces		
Planting adjacent to bus zones		
Plants that have spikes or attract pests such as wasps		
Planting weeds or invasive plants, as identified from time to time		
Install hard garden surrounds such as mounded beds, rocks, pots, irrigation, raised beds, planter boxes and other built garden features		
Install artificial turf and other artificial plants		
Install gravel beds, or lay concrete or pavers		

**Drawing 1**



If you checked any of the shaded boxes you will need a permit before any works or plantings are commenced. Use Form 4.23 Alteration or Improvement of Local Government Controlled Areas or Roads.