



**CITY OF VINCENT**

**VERGE TREATMENTS, PLANTINGS AND  
BEAUTIFICATION**

**POLICY NO. 2.2.4**

**(Adopted at the Ordinary Meeting of Council held on 21 August 2018)**

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**VERGE TREATMENTS, PLANTINGS AND BEAUTIFICATION**

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**POLICY NO: 2.2.4**

**VERGE TREATMENTS, PLANTINGS AND BEAUTIFICATION**

**OBJECTIVES**

To:

- Provide guidelines and as to what is a “*Permissible Verge Treatment*” within the verge for the purposes of the City of Vincent Local Government Property Local Law and provide guidelines of plantings and/or beautification and to outline the City’s and residents responsibilities.
- ensure that verges within the City are maintained at a safe level relative to that of the abutting road and/or footpath.
- establish the extent of the City’s responsibility for the mowing and the removal of rubbish from road verges.
- define the City’s requirements and conditions with regards to the installation of vehicles crossovers within the road reserve.
- provide guidelines for persons wishing to pave the street verges in front of their property.

**POLICY STATEMENT**

**1. Definitions**

For the purpose of this Policy the following definitions will apply:

**“carriageway”** has the meaning given to in the *Road Traffic Code 2000*;

Regulation 3 of the *Road Traffic Code 2000* provides –

*“carriageway” means a portion of road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and where a road has 2 or more of those portions divided by a median strip, the expression means each of those portions, separately;”*

**“footpath”** has the meaning given to in the *Road Traffic Code 2000*;

Regulation 3 of the *Road Traffic Code 2000* provides –

*“footpath” means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;”*

**“vehicle crossing specification”** means the design details, measurements and materials, approved by the local government as the standard vehicle

crossing, which when first constructed on any land in the district, will be eligible for a subsidy from the local government;

**“thoroughfare”** means a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits and nothing is prevented from being a thoroughfare only because it is not open at each end;

**“verge”** means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include a footpath;

**“verge treatment”** means any treatments approved by the local government as the standard verge treatments permitted by these local laws and includes any reticulation pipes and sprinklers.

2. Any person who wishes to carry out any works on the verge shall do so in accordance with this policy, guidelines, specifications and the City of Vincent Local Government Property Local Law.
3. The City will encourage and assist where practicable owners/occupiers to maintain street verges in a way that retains and enhances the streetscape, whilst minimising water usage.
4. The City will provide assistance with mowing, cleaning and maintenance of verges in accordance with the policy guidelines.

<b>Date Adopted:</b>	<b>14 August 2007 (replaces previous Policy 2.2.3 – Road Verges – Mowing &amp; Cleaning, Policy 2.2.4 – Levelling of Verges)</b>
<b>Date Amended:</b>	<b>17 December 2013</b>
<b>Date Reviewed:</b>	<b>14 August 2007, 13 May 2008, 20 July 2009</b>
<b>Date of Next Review:</b>	<b>December 2018</b>

**GUIDELINES AND POLICY PROCEDURES  
RELATING TO VERGE TREATMENTS, PLANTINGS AND BEAUTIFICATION  
POLICY NO. 2.2.4**

**1. BEAUTIFICATION OF STREET VERGES**

Owners/occupiers of land abutting a street verge may undertake works to beautify the verge. The below guidelines apply to the design and installation of verge gardens and landscaping features.

**1.1 Approvals**

Beautification of street verges carried out in line with the below guidelines does not require approval from the City.

The City recommends you discuss your verge design with neighbours prior to commencing any works, to identify any potential issues that may arise.

**1.2 Underground Services**

Prior to commencing any work on the verge, it is advised to contact 'Dial Before You Dig' to ascertain what, if any services, including Telstra, Water Corporation, Western Power and Alinta Gas, are located within the verge and to ensure that the depth of the services is sufficient to carry out the proposed works safely.

Any works carried out on the verge by the resident, that results in damage or disruption to the services will need to be reinstated at the resident's full cost.

**1.3 Verge Gardens**

The City strongly encourages the use of waterwise plants, in particular natives, for planting on verges due to their ability to survive hot dry summers with little to no supplementary water.

Native plants are made available to residents of the City at subsidised prices. Native Plant Sales are conducted in April and August of each year and further information can be obtained by contacting the City's Parks and Urban Green.

Plant species selected for the verge should not be prickly, have spines or be known to be poisonous or cause allergic reactions. Plants that bear fruit should be maintained and the fruit harvested to ensure excess or rotting fruit does not pose a hazard or nuisance to pedestrians, cyclists or motorists.

All plants should be maintained to ensure clear lines of sight for pedestrians, cyclists and motorists are provided at all times.

Turfing of verges is permitted however in the interests of saving our precious water resources and reducing fertiliser run-off, alternative options are encouraged. Should turfing be required, it is recommended that a hardy low maintenance turf developed for Australian conditions be laid.

The installation of synthetic turf on verges is not an approved treatment.

## 1.4 Landscaping Features

**1.4.1** In addition to verge gardens and lawn, there are a number of permissible landscaping features that may be installed within the verge. The installation of these features must be setback from and provide clear access to any infrastructure such as power poles and underground services.

**1.4.2** The installation must also maintain safe access for pedestrians and cyclists and must be setback from footpaths, kerbs and vehicular crossings in accordance with these guidelines so as to not obscure or intrude into sightlines and maintain safe access for pedestrians and cyclists.

**1.4.3** Permissible verge landscaping features include:

- raised garden beds
- rocks/stones and/or logs
- compacted crushed gravel pathways
- paved pathways and/or bin stand areas
- seating or benches
- decorations and lighting
- any other item (not listed above) may be considered at the discretion of the Director Engineering in accordance with the Policy

**1.4.4** When installing and/or incorporating landscaping features on the verge, the below guidelines must be met:

- (i) Any landscaping feature installed on the verge must not obstruct clear lines of sight for any pedestrians, cyclists or motorists;
- (ii) Residents may incorporate a number of permissible verge landscaping features provided the specific guidelines for each feature are adhered to;
- (iii) Residents must ensure landscaping features are checked regularly and well maintained so that they meet and continue to meet the verge landscaping feature guidelines;
- (iv) If a verge landscaping feature is considered by the City to pose a safety hazard or does not meet the guidelines, the City may require the resident to remove or revise part or all of the feature to comply with this policy and guidelines;
- (v) Raised Garden Beds
  - Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
  - The raised garden bed (built structure) height shall not exceed 0.5 metres unless approved by the City;
  - Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;
  - Provide a minimum 0.5 metre setback from the face of the kerb.

- (vi) Rocks, Stones and Logs
  - Maintain clear access for parked vehicles at all times;
  - Be of a size and installed securely so as to not be easily moved.
- (vii) Compacted Gravel Pathways
  - Provide a minimum 0.5 metre setback from any street trees to maintain the health of the street tree.
- (viii) Paved Pathways and Bin Stands
  - finished level to be flush with the adjacent footpath, driveway, kerb and verge soil level so as to not create a trip hazard;
  - Provide a minimum 0.5 metre setback from street trees to maintain the health of the street tree.

*NOTE: The above guidelines apply to verge paving for non-parking purposes only. For specifications on paving of verges for parking, please refer to clause 4 below.*

- (ix) Seating or Benches
  - Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
  - Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;
  - Maintain clear access for parked cars at all times.
- (x) Decorations and Lighting
  - Constructed of durable material, securely installed with no sharp edges, corners or fixtures;
  - Maintain clear access for parked cars at all times;
  - Provide a minimum 0.5 metre setback from any street tree to maintain the health of the tree;
  - Only solar lighting is permitted in the verge area.

**1.4.5** The City may prepare further, more specific guidance for residents on verge treatments and landscaping features, related to the requirements and standards outlined in clause 1.4 of these guidelines.

## **1.5 Reticulation and Watering**

The City encourages the installation of waterwise verge gardens that conserve water eliminating the need for permanent reticulation. If reticulation is to be installed, sub-surface drip irrigation is recommended as the most water efficient reticulation type suited to the exposed conditions typical on the verge area.

## **1.6 Fertilising**

If required, slow release fertilisers are recommended for use on all verge beautification treatments, however their use should be carefully monitored and particular care should be undertaken when applying fertiliser to ensure that granules or residues do not enter the local drainage system.

## **1.7 Mulching**

Mulching of the verge area is encouraged to reduce plant stress, suppress weed growth and reduce moisture evaporation from the soil.

Mulch should be installed approximately 5-10cm thick and the finished level must sit just below the adjoining kerbs, footpaths and crossovers. This will prevent the mulch from spreading beyond the verge area, flowing into drainage systems and/or creating a hazard.

## **1.8 Indemnification**

The City reserves the right to remove any verge beautification treatment or landscaping feature at any time if the City considers the installation is treatment is contrary to this policy or poses a hazard to or interference with persons or property.

## **1.9 Damage**

Any damage to the footpath, kerb and road reserve whilst undertaking works will need to be made good by the resident, to the City's satisfaction.

Although due care will be taken, the City will not be held responsible for any damage that occurs to verge gardens and landscaping features as a result of the City's regular maintenance programs or capital works projects.

## **2. LEVELLING OF STREET VERGES**

**2.1** Where the level of a kerb or footpath has been changed or the level of the verge is considered to pose a safety problem the City will:

- (i) establish a properly levelled verge by undertaking the grading or filling of verges evenly between the property line and street kerb;
- (ii) take all reasonable actions to replace any lawns and/or plants where the level has been changed by the City.

**2.2** Where the level of a kerb has not been changed the City will establish a properly levelled verge by undertaking the grading or filling of verges evenly between the property line and the street kerb. Where it is necessary to remove or cover lawn to effect the levelling, the lawn will not be replanted by the City. Such work will only be undertaken after written request from the adjoining property owner.

**2.3** The service is not provided as a top dressing for street lawns, nor will the City assist with excavating verges below the kerb level to facilitate paving of verges.

- 2.4** For residents who wish to beautify their verge the City will offer a service in March/April and July/August each year, subject to appropriate funding being allocated in the annual budget, to excavate the verge below the kerb level, provide a layer of mulch and provide to the resident a credit for the supply of twenty (20) local native plant species to be redeemed at the City's subsequent Native Plant Sale, which is usually held in April and August every year. A suitable plant species list will be provided to residents for consultation when applying for the program. (Adopted at Council Meeting 17 December 2013)

### **3. MOWING & CLEANING OF STREET VERGES**

#### **3.1 Mowing**

- (i) Verges along main roads and district distributor roads, as determined by the Director Engineering will be mowed by the City a maximum of two times in any one financial year where a visibility problem or significant safety/hazard exists.
- (ii) Verges along all other roads shall be maintained/mowed by the adjacent owner/occupier and will only be mowed a maximum of three times in any one financial year by the City where the owner/occupier is either a pension (age or disability) card holder or in the case of proven hardship or where, in the opinion of the Chief Executive Officer or Director Engineering or nominated representative, the verge represents either a:
  - (a) Fire hazard;
  - (b) Visibility problem;
  - (c) Safety issue; or
  - (d) In a neglected state.
- (iii) Verges on any road which are reticulated with in-ground reticulation will NOT be mowed by the City.
- (iv) A register is to be kept by the Engineering Division of the street address of verges mowed and the number of times the verge has been mowed in any one financial year.
- (v) Should budgetary constraints not permit a verge or a number of verges to be mowed in a current financial year, the verge/s in question will be listed for action in the following financial year.

#### **3.2 Cleaning**

- (i) Cleaning of litter and removal of the build-up of leaves and grass clippings from the verge is the responsibility of the adjacent owner/occupier.
- (ii) The City will assist with the removal of litter and general rubbish from verges only in the following circumstances:
  - Bi-annual verge collections;
  - Accidents;
  - Storm damage;

- Where responsibility for placing the litter on the verge cannot be determined; or
  - As approved by the Director Engineering, in liaison with the Chief Executive Officer.
- (iii) Where responsibility for placing litter on the verge can be determined the City will direct the person responsible to remove the litter and will enforce the *Litter Act 1979* and regulations.

#### **4. PAVING OF STREET VERGES FOR PARKING**

(Refer also to the City's Specifications for the Installation of Brick Paved Crossovers)

The City discourages parking on street verges. However it is acknowledged that in some Precincts within the City there is limited kerbside and off-street parking available to residents.

In locations where there is sufficient room to park a light vehicle on the verge without obstructing the footpath or creating a traffic hazard, the City will approve the paving of a portion of the verge for parking.

##### **4.1 Application**

An owner of a property wishing to apply to pave a portion of the verge is to apply in writing to the City stating specific requirements relating to the proposal.

##### **4.2 Assessment**

Following receipt of an application, the site shall be inspected to determine the conditions which should apply to any approval.

##### **4.3 Clearance**

The area of verge to be paved shall conform to the following conditions:

- (i) There shall be a minimum clearance of 0.5 metres from a side boundary.
- (ii) The minimum clearance from any existing verge tree or pole is to be 0.5 metres.

**Note:** Where a tree is within 1.5 metres from the edge of the proposed paving, advice should be obtained from the Parks and Urban Green team on the potential for further growth of the tree.

##### **4.4 Design**

- (i) The maximum allowable width of paving (parallel to the kerb) is to be 7.5 metres.
- (ii) Where a crossover exists, the area of verge to be paved may abut the crossover providing the full width of the "hard stand" including the crossover does not exceed 7.5 metres.

- (iii) Where the proposed “hard stand” exceeds 7.5 metres in width a landscaped gap of 1.0 metre must be provided between the edge of the crossover and the edge of the proposed paving.
- (iv) Where the proposed paving abuts an existing footpath, the proposed paving material must be clearly different in material, colour and texture from the existing footpath.

#### **4.5 Construction**

- (i) All works shall be constructed in accordance with the City’s Specifications for the Installation of Brick Paved Crossovers.
- (ii) Where the existing kerb abutting the verge area to be paved is either semi mountable or barrier, this section of kerb shall be replaced with a mountable kerb by the City at the applicant/owner’s expense.
- (iii) Where required, finished levels will be established by the City.
- (iv) The applicant shall bear the cost of any public utility service adjustments or any other alteration works required as a result of verge paving works.
- (v) The applicant must advise the City’s Engineering Directorate at least 24 hours prior to commencing the paving works.

Note: Approval, if granted, is on the understanding that the City accepts no liability for any damage to other Services Authorities infrastructure.

#### **4.6 Bonds**

- (i) Prior to approval being granted, the applicant must submit a minimum bond, as determined by the Council and listed in the annual Fees and Charges to ensure that all works are carried out to the required standard.
- (ii) Request for the refund of the bond must be made in writing at which time an inspection will be carried out by the Engineering Directorate.

#### **4.7 Location**

- (i) Where the property is located at the intersection of two (2) local streets, there shall be a minimum of six (6) metres between the edge of the proposed brick paving and the kerb tangent point in accordance with City’s Specifications for the Installation of Brick Paved Crossovers.
- (ii) Where the property is located at the intersection of all other roads the extent of the paving is to be determined by the Director Engineering.

#### **4.8 Parking**

The parking of vehicles on verges shall be in accordance with the City’s Local Law Relating to Parking and Parking Facilities 2007.

#### **4.9 Drainage**

Approval for the paving of verges in streets where the existing road drainage system is inadequate or where there is a history of flooding is at the discretion of the Director Engineering.

#### **4.10 Maintenance**

The property owner will be responsible for all future repairs and maintenance of the paving unless the paving is damaged by specific City works.

### **5. PLANT CONTAINERS ON THE FOOTPATH IN COMMERCIAL AND RETAIL PRECINCTS**

Placement of plant containers on or obstructing the footpath in commercial and retail precincts within the City need to take into account public safety, practical and aesthetic considerations, with a view to preserving and enhancing the streetscape.

#### **5.1 Size**

Containers shall be of an appropriate scale in relation to other elements of the streetscape, and easily seen by pedestrians.

#### **5.2 Design**

The design of the planters including materials, colour and finish - should be in keeping with the surrounding streetscape and to the satisfaction of the Director Engineering.

#### **5.3 Plant Material**

Plant species are to be approved by the Parks and Urban Green team and must not exceed a height of 1.2 metres above ground level.

Alternatively trees in pots may be approved where the bottom of the canopy has a minimum 1.5m clearance to the footpath and is not more than 300mm wider than the container and should not obstruct parking signs.

The plants must be maintained in a healthy, tidy condition at all times, and all maintenance is the responsibility of the property owners/occupants. No drainage or other discharges from the containers are to flow across the footpath or strain the pavement in any way. No poisonous, prickly or other harmful plants are to be used and maintenance procedures should not interfere with pedestrians at any time.

#### **5.4 Location**

Plant containers must:

- (a) not obstruct pedestrian crossing points, public utilities or other public facilities;
- (b) be located to provide, at all times, free and unobstructed access of not less than 1.5 metres for pedestrians and other users of the footpath or paved area.

## **5.5 Approvals**

The City's approval is not required for plant containers that comply with the requirements of this Part 5.

The City reserves the right to request owners to remove the containers at any time.

## **5.6 Cleaning**

The applicant shall be responsible for the cleaning of the area immediately adjacent to and under the container.

## **5.7 Cost**

All costs associated with the application, purchase of containers and plants and installation are to be borne by the applicant.

## **5.8 Indemnification**

Notwithstanding the granting of approval, the City reserves the right to remove the containers at any time, and applicants should ensure that the City is indemnified against all claims resulting from the installation of plant containers.

## **5.9 Damage**

Any damage to footpath, verge or other street furniture caused by the planter or its movement shall be the responsibility of the applicant.

(Refer also to the City's Specifications for Paving of Verges to Permit Vehicle Parking)

## **6. MEMORIAL FOOTPATH PLAQUES**

That the City will consider on its merits any application for a memorial plaque or slab to be included in the footpath in the City and the criteria to be taken into account shall include:

- (i) the person or event, subject of the memorial, shall have made a significant contribution to the development of the City or the State, or some major contribution to a social welfare or community or public organisation.
- (ii) comments received from the Heritage Council, West Australian Historical Society or other relevant organisation.

The sponsor may be identified either by words or a logo, provided that this identification does not exceed an area of 75mm by 25mm.

The location of the plaque or slab shall be at the discretion of the City which may take into account in considering the application, the nature of work undertaken by the person, subject of the memorial.

The memorial plaque shall be cast in bronze or other approved material and of such design and of such dimensions as determined by the City from time to

time, having regard to the location and the footpath surface in the area where the plaque is to be located.

The applicant will be required to meet all the costs associated with the purchasing, installation and maintenance of the plaque.

The City reserves the right to remove a memorial plaque or slab without notice and is not required to relocate/reinstate the plaque to a similar or to another location.

## **7. REINSTATEMENTS OF ROADS AND FOOTPATHS**

Pursuant to the provisions of the *Local Government Act 1995*, the City is responsible for the maintenance of streets in a safe condition at all times.

Accordingly, when from time to time a road or footpath is excavated or damaged by other agencies, either Government or private, the City requires the necessary road or footpath reinstatement works to be undertaken to the City's specification.

All costs of the works shall be met by the organisation which was responsible for the initial excavation/damage.

### **7.1 Public Utility Authority (PUA)**

The PUA is to provide an order number for the works, prior to the works being carried out.

### **7.2 Developers**

If the City holds a bond, the developer may request in writing that the works be carried out and bond monies be used to complete the reinstatement.

Should the cost of the reinstatement be more than the bond being held or if no bond is held, the developer is required to provide payment, prior to the works being carried out.

Reinstatement work is to be at least to the same standard as the existing road or footpath.

Reinstatement is to take place with the minimum of delay.

## **8. CROSSOVERS**

### **8.1 Council and Private Construction**

8.1.1 Having regard to the provisions of Schedule 9.1 of the *Local Government Act 1995*, all proposals relating to the construction of crossovers, shall be approved by the City.

8.1.2 Construction of crossovers within the road reserve shall comply with the City's requirements relating to location and the standards of construction, which are available from the City's Engineering Directorate.

## 8.2 Specification

- 8.2.1 Crossovers shall be constructed in accordance with the City's Standard Specification for the 'Installation of Brick Paved Crossovers and the Installation of Cast Insitu Concrete Crossovers'.
- 8.2.2 Crossovers shall be constructed perpendicular to the kerb line with an absolute minimum clearance of 0.5 metres from a side boundary.
- 8.2.3 The clearance of any existing tree or pole in the road reserve shall be 0.5 metres. Where an existing tree is within 1.5 metres of a proposed crossover, advice shall be obtained from the City's Parks and Urban Green team on the future size of the tree and the advisability of it being retained.
- 8.2.4 The maximum width of any crossover and/or adjoining crossover shall not exceed 7.5 metres, except for service stations, where it shall not exceed 10.5 metres.
- 8.2.5 Where required, crossover levels may be established by the City.
- 8.2.6 The owner of the property to which the crossover is being constructed shall bear the full cost of any public utility service adjustments/relocations or any other alteration works required as a result of constructing the crossover.
- All completed crossovers, shall be inspected by the City to ensure they meet the City's requirements prior to the City's contribution being made.
- 8.2.7 Vehicle Crossovers which are no longer required, or no longer connect with an internal driveway or parking area (obsolete or 'Blind' crossovers) must be removed at the cost of the property owner.
- 8.2.8 The location of a crossover is to be approved by the Director Engineering or nominated representative and the location shall be in accordance with AS2890.
- 8.2.9 Proposed crossovers to be constructed within close proximity of a signalised intersection or main road shall be individually assessed in accordance with the requirements of Main Roads Western Australia (MRWA).
- 8.2.10 All new crossovers must indicate a visual continuity of the footpath as outlined in the City's Standard Specification for the 'Installation of Crossovers'.
- 8.2.11 (i) Upon approval being granted, the applicant must submit a minimum bond, as determined by the City as itemised in the Schedule of Fees and Charges to ensure that all works are carried out to the required standard, should a bond not be held already pertaining to a development application which covers the City's infrastructure.

- (ii) Request for the refund of the bond must be made in writing at which time an inspection will be carried out by an Engineering Officer.

### **8.3 Subsidy**

In accordance with Schedule 9.1 of the *Local Government Act 1995*, the City will contribute one half of the cost of a standard concrete crossover up to 3.05 metres wide at a rate to be determined by the Director Engineering, to a maximum value of \$750.00, if that crossover is either:

- the first crossover to an allotment, or
- at the discretion of the Director Engineering, if the crossover is constructed from bitumen and is in poor condition.

Upon application by the property owner the City will inspect the crossover to ensure it meets the City's requirements. The property owner will be required to submit two (2) quotations from reputable contractors to the City for assessment.

## **9. UPGRADING OF FOOTPATHS**

### **9.1 Residential Areas**

9.1.1 The minimum standard for the construction of footpaths within the City's residential areas is insitu concrete with a minimum thickness of 100mm and a minimum width of 1.5 metres.

9.1.2 Existing slab paths in the City are to be progressively upgraded in accordance with the City's adopted annual Footpath Replacement Program and/or any other approved Capital Improvement works.

9.1.3 At the discretion of the Chief Executive Officer or Director Engineering, the continuity of surface and appearance of a path in a residential street may be altered when a submission requesting the change has been received subject to:

- (i) the cost of the change is borne by the applicant.

### **9.2 Commercial Areas**

9.2.1 The minimum standard for the construction of footpaths within the City's commercial areas is heavy duty clay pavers with an absolute minimum width of 1.5 metres.

9.2.2 Slab footpaths in Commercial areas are to be upgraded in accordance with the City's adopted annual Footpath Replacement Program, the City's adopted Commercial Precincts Streetscape upgrade program and any other approved Capital Improvement works and/or by private developers.

9.2.3 Where a commercial property owner applies to have a verge, fronting that property, paved to the full width, the applicant is required to contribute 50% of the cost to have the area paved with heavy duty clay pavers. The City may meet the other cost subject to the availability of funding.

### **9.3 Developer Contributions**

In accordance with the adopted footpath condition criteria, as reported to the Council at its Ordinary meeting held on 12 August 1996, the following procedures are to be applied as a condition of development and building licence approval for footpaths fronting developments.

### **9.4 Condition 1 and 2 paths Fronting Developments**

For a condition 1 and 2 path fronting a development, a refundable 'footpath bond' is to be charged on the approved building licence (over and above the usual security deposit) to cover the full replacement cost of the footpath.

### **9.5 Condition 3, 4 and 5 paths Fronting Developments**

For a condition 3, 4 and 5 path fronting a development, a non-refundable 'footpath upgrading fee' calculated on the amount to cover half the cost of total footpath replacement to an appropriate standard as determined by the Chief Executive Officer or Director Engineering, is to be charged on the approved building licence.

Note: Footpath condition is rated between 1 and 5, with 1 being relatively new i.e. cast insitu concrete and 5 being in a state of disrepair, i.e. broken, uneven concrete or slabs.

## **10. OPEN CAR SALES YARDS**

In regard to applications to the Motor Vehicle Dealers' Licence Board for licences to use land as open car sales yards, the required prior written approval of the City for such proposals shall be subject, inter alia, to the provision of a permanent barrier at least 200mm high around the street frontage of all lots to be used as open car sales yards. Furthermore, this requirement shall be fulfilled prior to the issue of the Certificate to the Motor Dealers' Licence Board.