

Policy number	Policy 204
Policy title	Improvement of verges or footpaths adjacent to commercial properties
Strategic outcomes supported	<p>EC2 - A clean, safe and accessible place to visit.</p> <p>EN2 – A safe, interconnected and well-maintained transport network that makes it easy for everyone to get around.</p> <p>EN5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.</p> <p>EN7 – Increased vegetation and tree canopy.</p>

POLICY OBJECTIVE:

To allow commercial applicants, subject to the Town's approval, to aesthetically improve commercial areas immediately adjacent to the property in question by paving or placing plant containers on the verge or footpath.

POLICY SCOPE:

This policy applies to the paving of verges and the placing of plant containers on verges or footpaths immediately adjacent to commercial properties.

DEFINITIONS:

Applicant means the entity who is proposing the paving, plant container or other improvement to the verge or footpath immediately adjacent to the street frontage of a commercial property, who must be the property owner, business owner, tenant or other person responsible for the maintenance and/or management of the commercial property.

Commercial property means A property from which commercial activities are legally carried out, in accordance with any necessary approvals of permits from Council, including (but not limited to) the Town of Victoria Park Town Planning Scheme No. 1, any relevant Local Planning Policies and/or Local Laws.

Verge means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare.

Footpath means the paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists.

POLICY STATEMENT:

1. The intent of this policy is to allow for and encourage enhancements to public verge or footpath areas immediately adjacent to commercial property frontages by the installation of aesthetically suitable and well-maintained paving materials and/or the placement of appropriate plant containers.
2. All paving of verges immediately adjacent to commercial properties should conform to the Town of Victoria Park's Street Verge Guidelines, except where otherwise approved in writing by the Town
3. All placement of plant containers on verges or footpaths immediately adjacent to commercial properties should conform to the Town of Victoria Park's Street Verge Guidelines.
4. All maintenance and cleaning is the responsibility of the applicant, unless otherwise agreed with the Town.
5. Maintenance procedures should not interfere with pedestrians at any time.
6. No drainage or other discharges from the containers are to flow across the footpath or stain the pavement in any way.
7. All costs associated with the construction, purchase, installation, greening, maintenance and removal remains with the applicant, unless otherwise agreed with the Town.
8. Any damage to the footpath, verge or other street furniture caused by the paving or plant container or its movement shall be the responsibility of the applicant.
9. Replacing stolen, or repairing damaged or vandalised paving or plant containers is the responsibility of the applicant.
10. The Town reserves the right to remove the containers or paving at any time.
11. Applicants must ensure that the Town is indemnified against all claims resulting from the installation of plant containers or paving.

RELATED DOCUMENTS:

[Street Verge Guidelines 2016](#)

[Policy 211 Parklets and alfresclets](#)

[Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 Consolidated](#)

Policy manager	Manager – Technical Services
Responsible officers	-
Approval authority	Council
Next Evaluation Date	

REVISION HISTORY

Version	Approved, Amended, Rescinded or Reviewed	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	12/08/1997	Council	-	Item 14.3
1	Reviewed	15/08/2006	Council	-	Item 4.1
1	Reviewed	09/07/2013	Council	-	Item 10.1
1	Reviewed	11/08/2015	Council	-	Item 10.1
2	Reviewed and Amended	20/08/2019	Council	148/2019	Item 10.1
3	Reviewed and Amended				