

# Landscaping on Council Controlled Land Guidelines.



Cairns Regional Council has developed guidelines to help residents who are interested in landscaping a small garden on the road verge adjacent to their property – referred to as a ‘verge garden’.

Verge gardens can create a unique appeal to your individual property and contribute to the overall beauty of your street and will improve urban biodiversity, create a cool, green feel to your area and support local wildlife. Verge gardens consist of grasses, ground covers and low-lying shrubs.

Verge garden projects must be respectful to the needs of the community and need to be well-maintained, safe from trip hazards and must keep the footpath accessible for everyone without negatively impacting the environment and surrounding infrastructure.

These guidelines will help ensure:

- ✓ the safety of pedestrians and road users by minimising hazards
- ✓ minimal disruption to assets and infrastructure services
- ✓ safe access on public space
- ✓ correct plants are used that have non-invasive roots and do not attract stinging insects
- ✓ a consistent approach to permitted verge gardens.

## What is a road verge?

A road verge is the area of public land located between a property boundary and the adjacent road kerb. The verge allows access to private and public properties and accommodates above and below ground service utilities, street trees and footpaths. It may also be referred to as a nature strip or street verge.

Road verges are part of a public road reserve owned by Council. **It is important to remember the primary purpose of a road verge is to accommodate essential infrastructure (including street trees) and provide a safe transport corridor for pedestrians.** Therefore, placement of plantings, and the species of plant are important.

## Do I need permission to plant a verge garden?

Residents, as of right, may plant a verge garden adjacent to their property and do not require a permit from Council. However, **residents must ensure they follow the Guidelines listed below** to ensure landscaping will not impact the safety of pedestrians and surrounding infrastructure.

If your landscaping project meets the guidelines, then you may proceed to plant.

If your landscape project does not meet the requirements of the guidelines, then you are not permitted to plant and will need to contact Council and may require a permit.

Council does not permit landscaping other than grass within the area between the kerb and footpath or the kerb and future pedestrian access.

## Who is responsible for the verge garden?

The resident is responsible for any landscaping and/or turfing areas adjacent to their property (with the exception of street trees). All verge gardens must be maintained to a healthy and aesthetically pleasing standard.

Council is responsible for planting, removing and maintaining street trees on the road verge.

Council reserves the right at any time to remove landscaping to perform works that are required to manage any service or infrastructure (including street trees). Priority must always be given to maintenance and access for pedestrian movement, postal and utility services, water and sewerage, power, gas, telephones, and optic fibre cables.

If adequate access is not provided, Council will request the resident to remove or make changes to their verge garden. Should a street tree or service become damaged because of a poorly placed verge garden, the resident will be responsible for costs associated to replace the tree or fix the service.

From time to time, a third party may damage or remove a verge garden to undertake necessary maintenance without rectification or compensation to the resident. Examples of third parties include telecommunications or electricity companies.

## How do I ensure safe landscaping?

Health and safety precautions are the responsibility of the resident establishing the garden. If you are interested in verge gardening, please consider basic safety precautions such as appropriate clothing, appropriate and safe use of tools and sun protection.

Residents should always check 'Before You Dig Australia (BYDA)' before digging in any soil on Council land. This is to avoid damage to services and expensive repair costs. Please visit the BYDA website for more information <https://www.byda.com.au/before-you-dig>.

When planting a verge garden, residents must ensure that all gardening tools and other landscaping equipment are kept off the road and footpath to prevent accidents and to keep the area safe.

## Who is responsible for maintenance?

Once a resident has completed their verge garden it is their responsibility to care for and maintain the verge garden. Verge gardens need to be watered, kept free of weeds, and pruned to maintain a suitable height and spread (must not encroach upon footpaths or driveways).

Verge gardens must not impede pedestrians, vehicles or cyclists' movements, and must not obstruct sight lines to ensure the safe movement of traffic within Council controlled land or roads

If verge gardens become overgrown and/ or begin to pose a safety hazard Council will request the resident to carry out remedial works or even remove the garden. If the resident is unable or unwilling to complete remedial works, Council will remove the vegetation without compensation to the resident.

Council does not carry out routine mowing on road verges or maintain vegetation planted by residents.

## What if a verge garden does not comply?

If you believe a verge garden does not comply with these guidelines, please contact Council via 'Report a Problem' function on the MyCairns app or Council website.

Following receipt of a complaint or request to remove vegetation, Council officers will conduct an inspection and provide a recommendation for action based on the provisions of this General Policy and the provisions contained within Cairns Regional Council Administrative Instruction Dealing with Vegetation Matters on Council Controlled Land.

## Landscaping Guidelines

### 1. What to plant?

Council encourages residents to choose local native and or hardy tropical species and have provided a list at the end of this fact sheet. Council endorsed grasses, groundcovers, and low-lying shrubs. Trees or tall shrubs must not be planted in verge gardens.

[Refer to Fact Sheet - Suitable grasses, groundcovers, and low growing shrubs.](#)

### 2. Where can I plant?

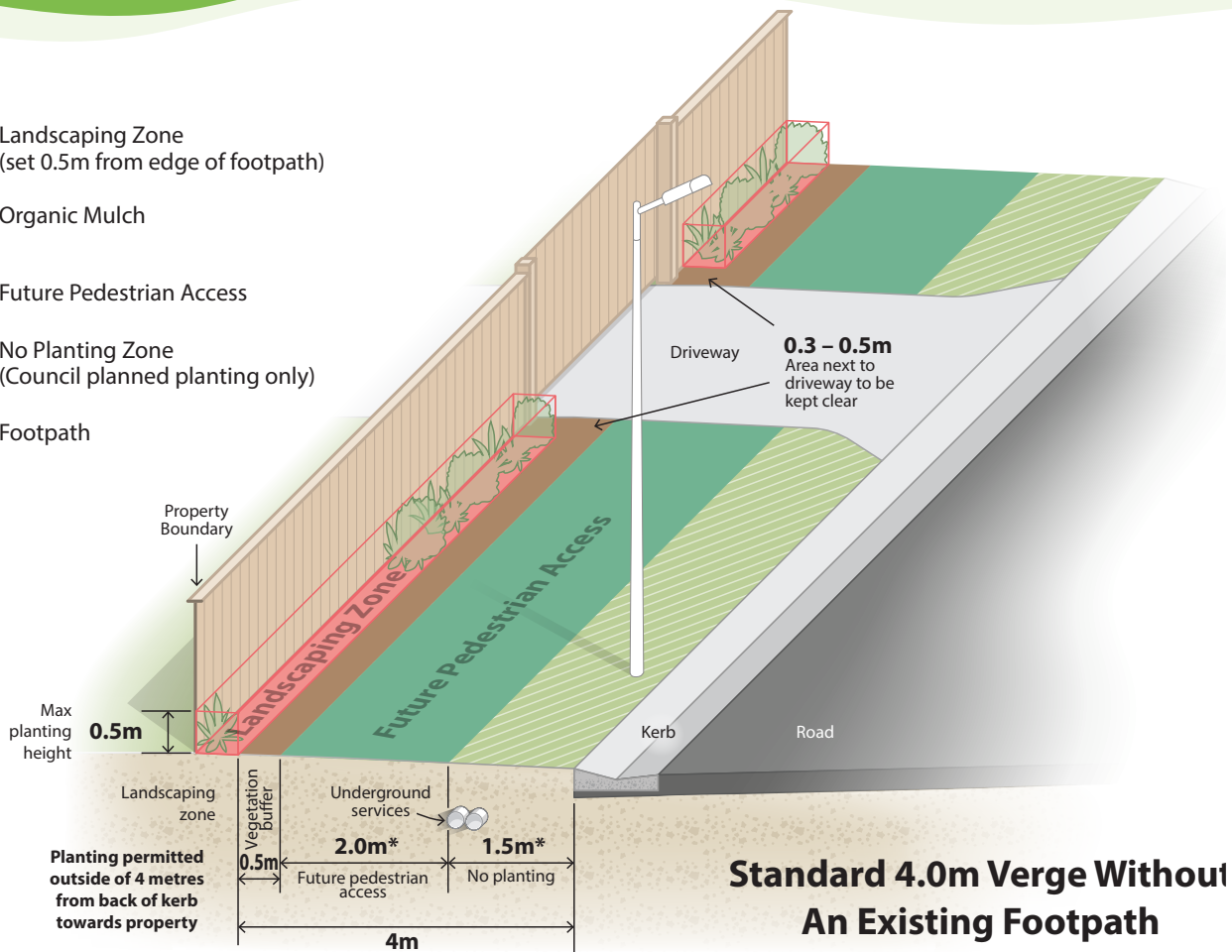
Residents may plant vegetation in a well-prepared cultivated area within the natural ground, set back a minimum of 3.3 metres of a kerb without a footpath and 3.8 metres with a footpath – if a road verge cannot accommodate the minimum requirements a verge garden is not recommended.

The planting position of vegetation must be set back a minimum of 0.5 metre from a footpath, driveway or bus stop and maintained by the resident to avoid any encroachment.

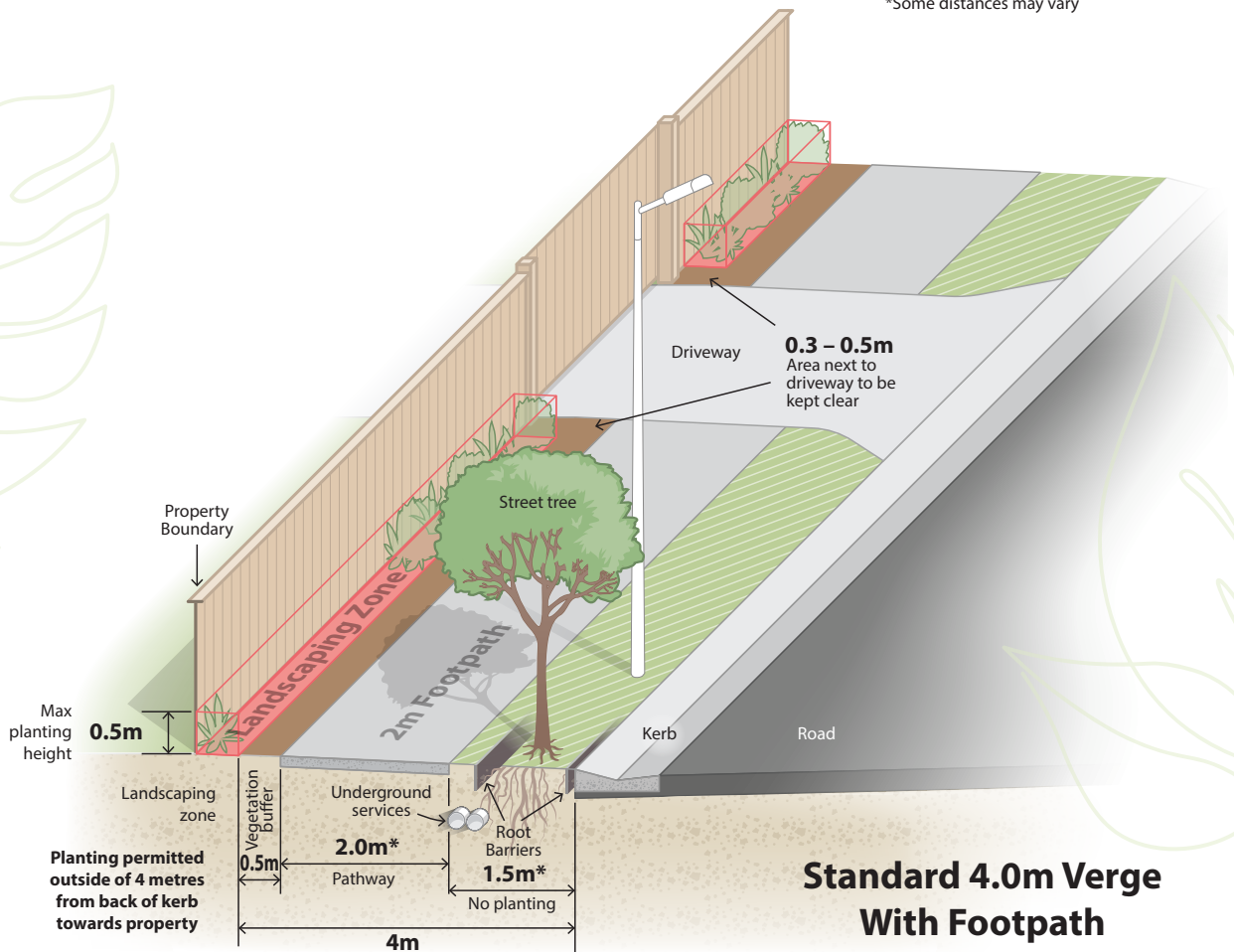
Good example below of verge gardening



- Landscaping Zone  
(set 0.5m from edge of footpath)
- Organic Mulch
- Future Pedestrian Access
- No Planting Zone  
(Council planned planting only)
- Footpath



\*Some distances may vary



\*Some distances may vary

### 3. Selecting your plants

When choosing your plants, read the label for an indication of the mature plant height. Plantings need to be low enough to ensure vehicles entering and leaving driveways to have adequate vision in all directions. Residents need to maintain their plants to ensure they are kept at a suitable height and do not spread outside the recommended planting area.

Council encourages you to choose local native and/ or hardy tropical species and have provided a list at the end of this fact sheet. Appropriate species do not drop excessive leaf litter or fruit, nor do they have invasive root systems that will interfere with underground services. Plants that have sharp, thorny or poisonous or that attract stinging insects (e.g. wasps) should not be planted on the road verge.

Organic mulching should be used, and it is recommended to be maintained at a minimum depth of 75-100mm flush with the footpath or grassed areas.

### 4. What is not permitted

When designing your verge garden, residents should note the following is not permitted:

- ✗ Council does not support planting within the 'no planting zone' (prohibited).
- ✗ Loose, inorganic materials such as gravel, stones, rocks, pebbles, or bricks.
- ✗ The installation of hard landscaping and paving elements to retain soil around street trees, or adjacent to any proposed or existing footpaths, crossovers, or kerbs.
- ✗ Edging should not have footing or be formed concrete.
- ✗ The installation of bollards and artificial grass.
- ✗ Permanent irrigation is not permitted. Temporary irrigation may be installed for the establishment and initial maintenance of a verge garden. Water must be provided from within the adjacent property. The design and installation of any temporary irrigation within the verge must ensure water does not spray on the footpath and ensure sustainable water consumption.
- ✗ Plant species that have sharp, thorny or poisonous leaves or that attract stinging insects (eg wasps).
- ✗ Plant species that have invasive roots or are declared weed species. A list of plant species not permitted can be found [here](#).

Examples of materials not permitted in verge gardens are illustrated below:



Use of rocks and pebbles



Plant species that have sharp leaves & attract wasps. Plants encroaching on footpath

## 5. Planting your verge garden

Residents should follow the recommended places to plant shown at [2. Where can I plant?](#) Failure to do this may not only interrupt essential services but may also damage the roots of street trees if the recommended distances are not followed.

Examples of poorly maintained verge gardens are illustrated below:



Not maintained and impacting pedestrian access.



Overgrown plants encroaching footpath access.

## 6. Do I need to provide space for pedestrian access?

Yes. The road verge is an important pedestrian corridor, and pedestrians must have access without being obstructed by verge gardens. This means verge gardens should not encroach upon the footpath. In the situation there is not a footpath, there should be a pedestrian way with a minimum width 3.3m.

Examples of poorly planted verges.



Poor pedestrian access and overgrown plants impacting site lines.



No pedestrian access & poor site lines.



No pedestrian access.



Overgrown plants impacting site lines.