

Road Encroachments

Purpose

To provide a safe and visually pleasing streetscape through the proper control of signage and structures located in the road verge.

To ensure there is a clear, safe pedestrian access along urban roads.

Scope

This policy relates to encroachments located primarily within the road verge in urban areas of Yass Valley

Intent

To provide guidance for the use of road verges within urban areas

Definitions

Term	Meaning
TfNSW	Transport for New South Wales
Road Verge	The section of the road reserve that is typically between the gutter or roadside drain and the property boundary. Typical this area will be grassed and may have a formed footpath, street trees, power poles, streetlights etc.

Policy Principles

1. Signage in Commercial Areas

1.1 Villages

- 1.1.1 Advertising signs such as finger-boards, menu boards, and similar will only be located in the footpath, in commercial areas, subject to Council approval. The design, size and colour schemes adopted must be approved by Council, and their placement must be in an area which will not encourage a hazard to pedestrian or vehicular traffic.
- 1.1.2 Signs are not to be fixed to the pavement in any way, however, they must be of adequate weight in order that they do not become dangerous due to high winds. Each sign is to be removed from the footway at the close of business.

1.2 Yass

Signage shall be in accordance with DA-POL-9 "Outdoor Eating & Signage in the Yass Commercial Area" and any specifically approved DA conditions.

2. Real Estate 'For Sale' Signs

- 2.1 Under no circumstances are for sale signs to be located in the road reserve.
- 2.2 Signs can be located on front fences, flush with the fence or preferably in private property.
- 2.3 Small temporary directional signage will be permitted at strategic locations on the day of a sale or "open exhibition" subject to approval of Council and the sign owner holding a public liability insurance policy

in the amount of \$20M dollars showing Council as being insured with an appropriate cross liability clause.

- 3.4 All unapproved signs located in public areas will be impounded.

3. Letterboxes

Generally all letterboxes in urban areas are to be located inside private property however Council will consider approving letterboxes within the road verge where circumstances require this. Such letterboxes must be located away from the gutter to minimise the risk of damage to a vehicle particularly when opening vehicle doors when parked on the street.

Letterboxes in rural and rural residential areas for designated 'Roadside Mailboxes' can be located in the road reserve. Such letterboxes must be well clear of vehicular traffic and in a location where sight distance is adequate.

4. Direction Signs

4.1 Community Facilities

4.1.1 All directional signs are to be approved by Council and will generally only be provided for facilities providing a community benefit as clubs, schools, hospitals, medical services, churches and retirement villages etc.

4.1.2 Directional signs for commercial/business undertakings or contain an advertising component.

4.2 Tourist Facilities

4.2.1 Directional information signs to tourist facilities such as caravan parks, hostels, overnight accommodation, motels, etc. installed as a finger-sign (white on blue) require Council approval and the cost of the sign and installation are at the applicant's expense. Signs directing the public to places of scientific, historical or scenic interest will also be permitted.

4.2.2 Larger directional signs for tourist facilities must be in accordance with DA-POL-1 "Winery and Tourism Signage". DA-POL-1 Winery and Tourism Signage does not apply to signage erected within road reserves. Such signs may require the approval of TfNSW etc

5. Landscaping

5.1 In order that Council protects pedestrian users of the road verge and minimises its liability only low risk landscaping is permitted in the road verge such as soft ground covers, shrubs, trees, pinebark, decorative stone and small rocks etc

5.2 The construction of retaining walls, raised garden bed edging and pine log structures will not be permitted unless specifically approved by Council.

5.3 To maintain an adequate pedestrian access, a clear width not less than 1.5m must be maintained along the road verge at all times.

6. Obstructions on Road Verges

6.1 Obstructions either temporary or permanent that prohibit the clear passage of pedestrians will be required to be removed unless specifically approved by Council under S138 of the NSW Roads Act.

6.2 Parking on the road verge is prohibited under the Australian Road Rules (s197). This will be enforced where it has been demonstrated to Council that clear pedestrian passage has been obstructed.

6.3 To maintain an adequate pedestrian access, a clear width not less than 1.5m must be maintained along the road verge at all times

Responsibilities & Review

The Manager Maintenance Services will

- Provide all necessary administrative support for the operation of this policy
- Develop and document any procedures for the effective implementation of this policy
- Keep sufficient records to enable monitoring of compliance with this policy and provide information required for Integrated Planning and Reporting purposes and internal organisational performance measurement.
- Review this policy every four years. The next review date is in 2026.

References

Nil

Legislation	DA- POL-1 “Winery and Tourism Signage”
	NSW Road Rules 2014
	NSW Roads Act
Policies and procedures	

Approval History

Stage	Date	Comment	MagiQ Reference
Original	11 July 2001	Approved	
Reviewed	25 June 2008	Adopted at Council Meeting	Min 280
Reviewed	11 May 2011	Adopted at Special Planning	Min 153
Reviewed	23 September 2015	Adopted at Council Meeting	Min 239
Reviewed	30 June 2022	Minor change only	Doc ID 32945

Ownership and Approval

Responsibility	Role
Author	Manager Engineering Services
Owner	Director Infrastructure & Assets
Endorser	EMT
Approver	Council