

# Play Equipment on Verges

## Residential Guide – Information Sheet

The City has developed guidelines to assist residents in placing play equipment on verges and attaching swings to street trees. These guidelines have been created in relation to the *Activities in Thoroughfares and Public Places and Trading Local Law 2020*.

### ✓ NO PERMIT NEEDED

If you comply with all conditions of this guideline

### ⚠ PERMIT REQUIRED

Where play equipment does not comply with this guideline, a permit application must be submitted and approval obtained before the equipment is placed on the verge.

## 1 · WHICH VERGE CAN I PLACE PLAY EQUIPMENT ON?

Residents of the City of Bayswater are only permitted to place play equipment on the verge immediately adjacent to their own property. Play equipment cannot be placed on:

- The verge adjacent to a neighbour's property without their permission.
- The verge adjacent to other land such as vacant land or parks.

## 2 · CAN I PLACE EQUIPMENT ANYWHERE ON THE VERGE?

The *Thoroughfares and Public Places and Trading Local Law 2020* has a number of conditions about verges that residents need to consider:

- Play equipment is not permitted on a verge adjacent to another property unless approved by the City and the adjoining occupier or owner.
- Play equipment cannot be placed on any part of the footpath or obstruct any part of the footpath (see Diagram 3).
- If your verge does not have a footpath, play equipment cannot be placed within 2m of the road, to allow for the safety of pedestrians (see Diagram 2).
- Play equipment cannot be placed within 6m of an intersection (see Diagram 1).
- Play equipment should not be placed in a way that it obscures the driver's vision of pedestrians and vehicles exiting driveways, signage, or intersections and pedestrian crossings.
- Verge means the portion of a thoroughfare between the carriageway and the property boundary, including any footpath, landscaping, street trees and associated infrastructure.

## 3 · WHAT PLAY EQUIPMENT CAN I PLACE ON THE VERGE?

### ✓ PERMITTED

- ✓ Play equipment intended for children
- ✓ Play equipment that is easily removable
- ✓ Swings and similar attachments must be installed in a manner that does not damage, restrict growth, remove bark, compress branches or otherwise adversely affect the health of the tree.
- ✓ Rope ladders that do not damage the street tree
- ✓ Small slides and other equipment safe to use

### ✗ NOT PERMITTED

- ✗ Tree houses
- ✗ Cubby houses
- ✗ Equipment requiring nails, bolts, or fixings attached to a street tree
- ✗ Trampolines and other equipment posing danger to children near the road
- ✗ Permanent play structures
- ✗ Equipment containing electrical connections

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### 4 · PROPERTY OWNER RESPONSIBILITIES

- Ensure that children are supervised at all times by a responsible adult while playing or walking on the verge.
- Ensure any play equipment is set up and installed in line with the manufacturer's specifications and is maintained.
- Play equipment must be removed immediately upon direction of an Authorised Officer.
- Play equipment must not damage, alter, prune, drill into, nail, bolt, strap or otherwise interfere with any street tree.
- Play equipment must not obstruct access to irrigation infrastructure, utility services, drainage infrastructure, street lights, signs, fire hydrants or service pits.
- If a City of Bayswater staff member determines that the play equipment does not comply with this guideline, the equipment must be removed immediately.
- The City may revoke, suspend or amend a permit where:
  - permit conditions are breached;
  - equipment becomes unsafe;
  - equipment causes obstruction or nuisance;
  - public works are required;
  - the equipment damages City assets;
  - the City otherwise considers revocation necessary in the public interest.
- Where a person fails to remove play equipment when directed, the City may remove, relocate or store the equipment and recover any reasonable costs incurred from the owner.
- Placement of play equipment on a verge does not grant exclusive use or occupation of the verge, which remains public land.
- Play equipment must not create a hazard to pedestrians, cyclists, motorists or users of the verge.

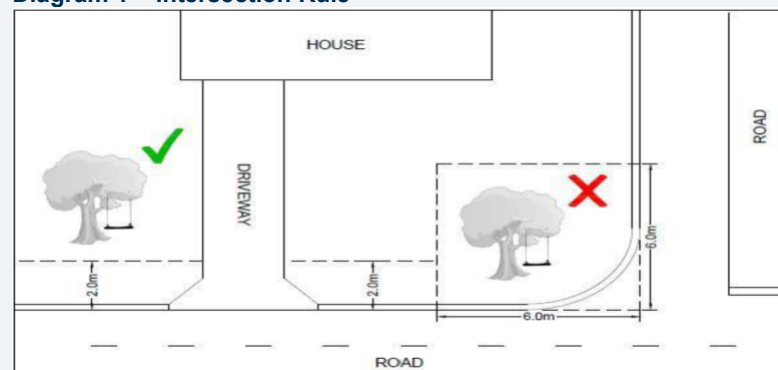
### 5 · LIABILITY

#### ⚠ Important – Please Read

The City accepts no liability for any injury, loss or damage arising from the placement or use of play equipment on a verge within the City. If the equipment is stolen or otherwise damaged, the City of Bayswater will not accept responsibility and will not provide compensation. The City of Bayswater accepts no liability for any injury or illness sustained by the use of or obstruction caused by equipment placed on the verge.

### DIAGRAMS

**Diagram 1 – Intersection Rule**

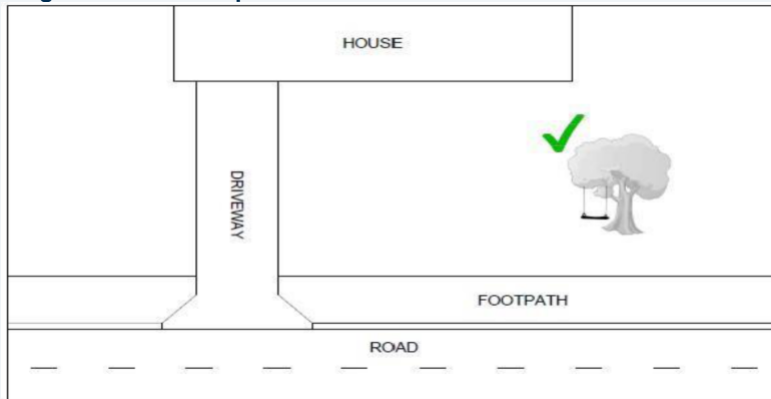


*Play equipment cannot be placed within 6 metres of an intersection.*

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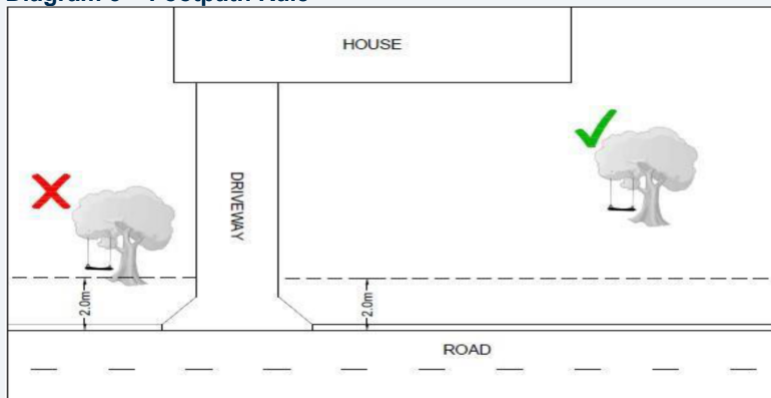
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**Diagram 2 – No Footpath Rule**



*Play equipment cannot be placed within 2 metres of the road where no footpath is present.*

**Diagram 3 – Footpath Rule**



*Play equipment cannot be placed on or obstructing the footpath.*