

ASSET MANAGEMENT POLICY AM18 NATURE STRIP PLANTING

DEPARTMENT:	Works and Infrastructure
RESPONSIBLE OFFICER:	Manager Infrastructure and Development Services
LINK TO STRATEGIC PLAN:	To provide quality infrastructure which enhances the liveability and viability of our communities for residents and visitors.
STATUTORY AUTHORITY:	Nil.
OBJECTIVE:	To provide guidance to residents wishing to plant on the nature strip adjoining their property.
POLICY INFORMATION:	Adopted 14 December 2015 - Minute No 12/15.12.3.326 Amended 20 July 2020 – Minute No 07/20.13.4.119 Amended 26 June 2023 – Minute No 06/23.14.4.145

POLICY

1. PURPOSE

To ensure proper management of nature strips in the Break O'Day Council municipality.

2. SCOPE

This policy applies to all Council nature strips in the Break O'Day Council municipality.

3. DEFINITION

The term “nature strip” refers to “the area of road reserve between the property boundary and the back of the kerb (or road shoulder), excluding any footpath or other asset such as driveways, power poles, utility pits or fire hydrants”.

Nature strips are set aside to provide one or more of the following uses:

- to accommodate power poles, light poles and a range of underground infrastructure such as water, gas, electricity, storm water, sewage, communications;
- to allow pedestrian access along the street where there is no footpath;
- to provide a flat space for the kerbside collection and emptying of waste and recycling bins;
- to allow vehicles to park safely at the kerbside and for door opening space between the road and footpath;
- to allow for pedestrian, pram, pusher, scooter and wheelchair traffic between the road and footpath;
- to provide visibility of and for motorists, cyclists and pedestrians at intersections, curves in the road and near driveways; and
- to provide space for street tree planting.

4. WORKS REQUIRING COUNCIL CONSENT

Aside from regular maintenance activities on the nature strip, including mowing, weeding and picking up rubbish/litter, all other activities carried out on the nature strip require a Works Permit, available upon application and payment of fee from Council's Works Department.

5. APPROVED PLANTINGS AND MULCHES

If certain conditions are met (as detailed in 5.1); residents are permitted to plant nature strips abutting their property with a range of indigenous ground covers, low growing shrubs and grasses that are well-suited to the natural environment. These species require less watering, are hardy and low-maintenance once established.

A list of recommended indigenous plant species is available from Council.

5.1 Plants may be planted on the nature strip under the following conditions:

- a) That approval to work within the road reserve is sought from the relevant Coordinating Road Authority (Council for local roads and Department of State Growth for state roads) prior to commencing modifications in the road reserve.
- b) Indigenous ground covers, shrubs and grasses listed in Council guidelines are used;
- c) Plants (except street trees) must be maintained at a maximum height of 600mm. Corner blocks are limited to ground cover plants to a maximum height of 250 mm.
- d) Minimum clearance distances:
 - 500 mm from the back of kerb to allow for people to enter and exit their vehicles safely and to allow for placement of waste and recycling bins;
 - 500 mm from the edge of a hard surface footpath;
 - 1.5 metres from the property boundary to allow for pedestrian access, mail, paper and other deliveries;
 - 9 metres either side of a minor intersection and 15 metres at a major intersection to ensure a clear line of sight for motorists and pedestrians (measured from kerb, edge of seal or pavement);
 - 2 metres from driveways, drainage pits, service pits and hydrants;
 - 3 metres from power poles, street lights and service wires;
- e) Ensure plants do not obscure or prevent access to signage, mailboxes, gates, lighting, footpaths and pedestrian accesses, and are not planted over utility pipes and connections.

5.2 The following mulches, wood chips and gravels are permitted:

- Fine gravel such as compacted washed granitic sand or similar, to a depth of 75mm;
- Mulches or bark chips 12mm to 25mm in size, to a depth of 75mm and natural in colour.

5.3 Where a fine gravel or wood chip mulch is used on the nature strip:

- it must remain on the nature strip and not be allowed to spill onto the footpath, driveways or in the kerb and channel;
- the level of the mulch must not extend above the level of the footpath or kerb; and
- the mulch on the nature strip must be maintained in a reasonably level and weed free condition.

6. ITEMS NOT PERMITTED ON THE NATURE STRIP

Items not permitted to be installed or used on the nature strip include:

- shredded plant products such as pea straw, wood chips and bark, other than that specified in Part 5.2 of this policy;
- rocks or pebbles greater than 7mm diameter;
- bluestone pitchers, railway sleepers or retaining walls;
- scoria;
- artificial turf;
- irrigation systems;
- letterboxes (subject to council approval);
- temporary or permanent electrical wiring, including tree lights;
- metal stakes or star pickets; and
- hard paving such as concrete, brick or asphalt (non-slip stepping stones, flush with the surrounding surfaces are permitted if approved).

7. STREET TREES

Residents are not permitted to supply or plant trees on the nature strip.

Residents may request Council to plant a nature strip tree/s. The species, location and timing of trees planted to be determined by Council in consultation with the resident.

8. MAINTENANCE OF NATURE STRIPS

Nature strips modified in accordance with this Policy must be kept in a well maintained safe condition by the resident at all times by:

- ensuring that plants are pruned so that they do not protrude onto pathways, driveways or over the kerb;
- keeping plants (other than street trees) pruned to a height of no more than 600mm at all times and 250mm within 9 metres of an intersection for corner blocks; and
- keeping the nature strip free of weeds, rubbish, trip hazards or protruding objects.

Ongoing maintenance of a modified nature strip is the responsibility of the owner, or any subsequent owners of the property for the life of the landscape.

9. VEGETATION ON PRIVATE LAND

In accordance with the Local Government (Highways) Act, Council may require the occupier of land on which any vegetation is growing to remove a branch or other part of the vegetation that overhangs a local road and that is less than:

- a) 2.5 metres above a part of the road that is intended mainly for the use of pedestrians;
- b) 4.5 metres above any other part of the road that is not intended for vehicle traffic;
- c) 6 metres above a part of the road that is intended for vehicle traffic.

10. NATURE STRIPS MODIFIED PRIOR TO ENDORSEMENT OF THE POLICY

Nature strips modified prior to Council endorsement of this Policy are not subject to the need to retrospectively apply Council consent unless there is a failure to maintain the nature strip in accordance with this Policy. Any modifications (beyond maintenance) or new proposal planned to the nature strip, post endorsement of this policy will be subject to the requirements of this policy.

However, for any nature strips that are deemed unsafe for any reason, e.g., creating a visual obstruction to pedestrians or traffic or creating a tripping hazard, Council will request the property owner to rectify the issue.

11. UTILITIES AND MAINTENANCE WORK

Council and utility companies that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to carry out maintenance works. The utility companies are required to reinstate the nature strip following maintenance work, but do so with topsoil and grass seed only.

Council or the utility companies will not be responsible for replacing plants or landscaping because of such works.

12. SAFETY AND LIABILITY

During landscaping or maintenance works on the nature strip, the person conducting the works has a duty of care under common law to take all reasonable measures to prevent accident or injury to persons carrying out the works and also to members of the public using the road or footpath.

Residents must contact “Dial Before You Dig”, (a free national service) to determine the presence of any underground services before commencing any excavation to the nature strip.

Council will not be liable for any financial penalties that a resident incurs from damaging any underground services.

13. FAILURE TO MAINTAIN MODIFIED NATURE STRIPS

Where a resident fails to maintain a nature strip modified in accordance with this Policy and:

- the condition of the nature strip is a traffic or pedestrian hazard; or
- it does not provide appropriate pedestrian access; or
- it is a safety or fire hazard; or
- it interferes with the visibility of motorists, cyclists and pedestrians at intersections, curves in the road and near driveways; or
- where weed species have been allowed to flourish; or
- it impacts unfavourably and significantly on the local amenity,

Council may require the resident to remove any offending parts or the whole planting if it does not conform to the above requirements.

If Council considers that the state of the nature strip creates an imminent risk to users of the nature strip or adjacent road/s, or it limits or prevents access and appropriate use of the nature strip or that the vision of motorists and cyclists is affected, Council may take immediate action to remove the landscaping and reinstate the nature strip to a safe condition.

The cost of maintenance or reinstatement will be charged to the resident.

In the event a new resident does not wish to retain or cannot maintain a previously modified nature strip, they may request Council to reinstate the nature strip with seeded turf grass at the new resident’s cost.

14. REVIEW

This Policy will be reviewed every three (3) years in line with the Council’s Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.