



NATURE STRIP LANDSCAPING POLICY

Responsible Officer: Manager Infrastructure Planning and Delivery	Adoption Date:	June 2019
	Approved By:	Council
Authorising Officer: Chief Executive Officer	Review Date:	June 2020
	Policy Type	Council Policy

INTRODUCTION

This Policy:

- acknowledges that well maintained nature strips add to the appearance and presentation of streetscapes within the municipal district of Rural City of Wangaratta municipality (**Municipality**); and
- sets out Council's requirements with respect to landscaping on nature strips, including the requirement for owners and/or occupiers to obtain nature strip landscaping permits (**Permit**).

CONTEXT

Rural City of Wangaratta (**Council**) occasionally receives requests from residents and businesses for permission to landscape the nature strip or footpath adjacent to their house or business.

More frequently complaints are received from other parties about plantings or other landscaping works that have been undertaken without permission. These unapproved works can cause problems with drainage, sight distances for road users and the safety of pedestrians.

SCOPE

This policy applies to any landscaping or planting works to be carried out by or on behalf of owners or occupiers in the municipality on the nature strips of urban roads only, including those in small towns, which are managed by Council.

This policy does not apply to roads in rural areas, or roads which are not managed by Council.

PURPOSE

Council encourages property owners and occupiers to recognise the value of nature strips and to take pride in maintaining them.

This policy is intended to ensure that, if nature strips are modified, they are landscaped and maintained in a way that:

- Minimises risk to the community;
- Provides for the unobstructed and safe flow of pedestrian and vehicle traffic;
- Provides access for deliveries and utility service providers;
- Allows kerbside parking of vehicles and door opening space;
- Complements the existing streetscape; and
- Complies with any planning overlay.

POLICY

Definition of 'Nature Strip'

A nature strip is an area of public land between the property boundary and the back of kerb or table drain, excluding any public pavement.

Grassed nature strips remain the most common form of nature strip treatment within the Rural City of Wangaratta.

When permits *are* required

Owners and occupiers are required to obtain a permit for any form of landscaping on a nature strip.

Where permits *are not* required

Owners and occupiers are not required to obtain a permit if:

- they propose to plant or maintain only grass on the nature strip; or
- the nature strip is located on a road in a rural area.

Permit applications

Requirements

Applications must:

- include a completed Works within Municipal Road Reserves Permit application;
- conform to the setbacks and restrictions detailed in the Minimum Clearances Table at **Attachment 1**;
- include a landscape plan; and
- if the permit applicant is not the owner of the adjoining property, include written permission from the property owner.

Cost

The cost for a permit application will be determined by Council from time to time and is set out in the Works within Municipal Road Reserves Permit application form.

Discontinuation of permits

Council reserves the right to withdraw permission for the ongoing landscaping of the nature strip if:

- complaints are received about the landscaping;
- the site is not maintained;
- the site is deemed to be unsafe;
- the site is required by Council for any other purpose; or
- otherwise at Council's discretion.

Planning permits

Owners and occupiers must also obtain an appropriate planning permit if required by the Wangaratta Planning Scheme.

Assessment and approval process

Council officers will have the final say on landscaping treatments appropriate to the location considering environmental conditions, aesthetics and risk.

In assessing the materials to be used, consideration will be given to the:

- prevailing streetscape and character;
- amenity of the locality; and
- risk associated with the proposed design, plantings and materials.

Landscaping must not commence until a permit to landscape has been issued.

If approved, a permit will be issued within 20 days.

Permitted plants and mulches

The following plants and mulches will generally be permitted to be used on nature strips (only with a permit):

- Low growing plants and groundcovers
 - Plants must be low growing and be maintained to a maximum height of 500mm
 - Natives plants, and particularly plants indigenous to the area
 - Select plants that are tolerant of the climate, soil type and other conditions of the area
 - Select plants that do not shed fruit, seeds or other material/s
 - A mulch layer will help to maintain soil moisture and assist with weed control.

- Organic mulches
 - Recommended treatments include composted organic mulch, pine bark mulch, recycled wood chip mulch
 - Mulches must not be allowed to spill onto footpaths, driveways, roadways, etc.
 - Mulched treatments are generally not permitted on sloping sites

Prohibited landscaping activities

Owners and occupiers are not permitted to engage in any prohibited landscaping activities, as listed in **Attachment 2**, unless advised by Council officers otherwise in writing.

Maintenance

Council does not carry out renovations or maintenance (including mowing and watering) of nature strips.

Reinstatement

The permit holder will be responsible for reinstating the nature strip to its original condition (grass) and all associated costs, if reinstatement is required by Council.

Costs

Landscaping of the nature strip or footpath is at the permit holder's own expense and risk. The cost of establishment, maintenance, renewal, repair and replanting of the landscaping is the responsibility of the permit holder.

Risk Management and Safety

It is crucial that safety is not compromised. Nature strip landscaping is not appropriate in all locations. Landscape design and planting must be undertaken to maintain adequate clearance, accessibility and visibility for pedestrian, bicycle and vehicular traffic when using, entering or exiting an intersection, driveway or footpath.

Any feature that is installed without a permit or is deemed by Council to be a risk to the public as a tripping hazard, a falling hazard, obstruction or other hazard, may be removed from the nature strip without consultation or warning.

Utilities and Council Maintenance Works

From time to time Utility companies that supply water, gas, electricity and telecommunications require access to the nature strip to perform maintenance work.

Utility companies and Council are required to make good the nature strip following maintenance work, but are not required to reinstate residential nature strips that have been landscaped with something other than grass.

Unauthorised landscaping

If Council is of the view that unauthorised landscaping on nature strips has occurred, it may:

- issue a Notice to Comply in accordance with Council's Local Law No. 1 – Community Amenity (Local Law) (cl 98);
- if an owner or occupier has damaged, defaced or interfered with Council Property (in breach of clause 32 of the Local Law):
 - issue an official warning;
 - issue an infringement notice in accordance with the Local Law (clauses 102 and 103, and Schedule 1); and/or
- require the owner or occupier to bring their nature strip into compliance at their own cost.

Existing non-compliant nature strips

Existing nature strip treatments that do not meet the requirements must be brought into compliance by the owner or occupier at their own expense.

Existing landscaping cannot be taken as precedent for future approvals.

Liability

Council will not be liable for any injury, loss, or damage sustained by an owner or occupier in the course of maintaining a nature strip.

Council will not be liable for any loss or damage to crops, plants and structures located on or over a nature strip including by reason of theft, damage, or vandalism.

Street Trees

Council is responsible for the planting, maintenance and removal of all street trees in the urban area. Trees are managed in accordance with the Council's Tree Management Plan 2018.

COMMITMENT

Council is committed to maintaining its infrastructure in a safe and sustainable condition. We acknowledge the value of nature strips and encourage residents to take pride in maintaining them.

RESPONSIBILITIES

The Council

Acts as steward for Council owned and maintained assets.

Adopts Policies, Strategies and Plans.

Sets levels of service.

CEO and Corporate Management Team

Ensure the Nature Strip Policy is implemented.

Ensure staff are appropriately skilled and trained to perform the required asset management functions.

Asset Management Unit

Oversees the development and implementation of the Nature Strip Policy.

Monitors and reviews the Nature Strip Policy and associated processes.

Senior Officer – Referrals & Road Safety

Acts as customer contact

Reviews submitted permits

Approves and issues permits

Field Services unit

Clean-up / removal of nature strips as required.

REPORTING

There are no reporting requirements proposed.

MANAGEMENT FRAMEWORK

Council will maintain a Nature Strip Landscaping Management Framework

OTHER INTEGRATION ARRANGEMENTS

This policy is intended to use the current Works in Road Reserves permit.

REFERENCES

Local Government Act 1989

Road Management Act 2004

Local Laws

Nature Strip Landscaping Guidelines

Works within Road Reserves Application

REVIEW

Any change or update which materially impacts and alters this policy must be by CEO approval following review by the Corporate Management Team. This policy will be reviewed in November 2020 or if there has been a material change to any relevant laws.

Attachment 1 – Minimum Clearances Table

Assets / features	Minimum clearance / restriction
Access points including accessible parking bays, pedestrian ramps, steps, taxi stands, loading zones, bus zones, and train stations Vehicle parking Tactile ground surfaces	Landscaping must not be placed over or create access barriers to or from.
Intersections	10m
Pedestrian crossings	6m (6000mm)
Pedestrian pathways	1.8m (1800mm) clear walkway in commercial areas 1.5m (1500mm) clearway to be maintained, usually from property boundary PLUS a further 0.5m (500mm) buffer between landscaping and pathway in residential areas
Trees	3m from the edge of tree trunk or outside dripline whichever is greater
Street or traffic signs. Street furniture, including public seats, bicycle racks, telephones, parking meters, rubbish bins and similar. Services and utilities including fire hydrants, street tree pits or grates, light poles, utility access lids, grates, drains, vents, light wells and similar. Any building entrance including fire escapes and service entrances Other planter boxes.	1.5m (1500mm)
Driveways	1m (1000mm)
Kerb or car space	0.7m (700mm)
Rubbish, recycling and other bins	Retain clear and level ground space
In-ground gardens	Maximum height 0.5m (500mm)

Attachment 2 – Prohibited landscaping activities on nature strips

Synthetic Turf

Use of synthetic turf is prohibited on nature strips within the Rural City of Wangaratta.

Plants

Use of Plants classified as environmental weeds, or plants that are poisonous or dangerous

Materials

The following materials are not permitted:

- Hard landscaping elements, such as rocks and pavers, railway sleepers, garden edging, etc
- Materials used as mulch such as straw, river pebbles, other loose stones, crushed rock or chunky woodchips that are unstable underfoot

Impermeable surfaces

Impermeable surfaces are not permitted in nature strips

Structures

Structures such as climbing frames, plant stakes, water tanks, water features, nets, ornaments and compost bins

Irrigation or sprinkler systems

Irrigation or sprinkler systems are not permitted to be kept within the nature strip.

Letterboxes

Letterboxes are not permitted to be kept within the nature strip.

Animals

Animals are not permitted to be kept within the nature strip.

Vehicle Parking

Nature strips are not intended as spaces for vehicle parking or storage of boats, caravans, trailers etc. Modifications to nature strips to incorporate parking are not supported in this Policy.