

POLICY:-	
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RESPONSIBILITY:-	
Draft Policy developed by:	Director of Environment and Planning
Committee/s (if any) consulted in the development of this Policy:	N/A
Responsibility for implementation:	Director of Environment and Planning
Responsibility for review of Policy:	Director of Environment and Planning

Sustainability, Integrity, Respect and Professionalism.



OBJECTIVE

To provide clear policy direction in regard to the development, use and maintenance of nature strips in urban and residential areas throughout the Upper Lachlan Shire Council.

INTRODUCTION

Nature strips serve an important purpose of providing a buffer between the vehicle carriage way and the private boundary. The space is typically occupied by footpaths, street trees, lawn and a range of public service utilities both above and below the ground.

Council is committed to ensuring that the streetscape in Upper Lachlan LGA is of a standard that improves local amenity, minimises public safety risks and maintains pedestrian access. However, Council does not have sufficient resources to maintain all nature strips across the LGA. This policy reinforces Council's position of not mowing nature strips of residential, commercial or industrial properties.

Council does not mow nature strips adjacent to other government facilities including schools, hospitals, Housing NSW properties, Government and non-Government entity managed properties, religious institutions, private childcare centres or other public and private businesses.

PURPOSE

The purpose of this Policy is to:

- confirm and recognise the community's role in maintaining nature strips;
- define the extent of Council involvement in the mowing of footpath/nature strips;
- recognise that the nature strip area is in most cases grassed however in some circumstances it can be modified;
- ensure the mowing, planting and landscaping of nature strips contributes to the overall streetscape and amenity;
- define appropriate criteria for assessing requests by residents to plant out nature strips; and
- outline the planting, management and removal of trees on public land.

SCOPE

This policy applies to the management of all nature strips, property owners and occupiers in the Local Government Area.

This policy does not extend to the mowing of grass or landscaping on private property and/or on road side verges, nature strips or similar, which are located outside of the communities' 50km/hr road speed limit.

PRINCIPLES

Upper Lachlan Shire Council is committed to ensuring that the streetscapes are maintained in partnership with the residents. Nature strips contribute significantly to the streetscape and visual amenity of local neighbourhoods. Council aims to maintain an overall consistency and appearance of nature strips.

Council maintains the street trees but relies on residents to assist with maintaining the grass. Council also relies on residents to keep garden plants within their property trimmed to ensure they do not obstruct pedestrian access on the footpath or nature strip and don't interfere with cyclist or motorist sightlines.

To ensure a safe and visually appealing amenity, the following general principles apply for footpaths or verges:

- The footpath area, either formed concrete, asphalt, bitumen pathway, is to allow pedestrians to walk along comfortably;
- Property owners or residents are responsible for determining the underground and aboveground services within the nature strip (ie. Dial before you Dig);
- No trees or shrubs must be planted in the footpath area without written consent from Council; and
- Council will identify the need for planting of trees within the urban space and ensure that the trees planted will be in accordance with this policy.

POLICY

1. MOWING OF NATURE STRIPS

1.1 Areas to be Maintained by Council

Council undertakes to maintain the nature strips or verge areas that meet any or all of the following criteria:

- Adjacent to Council owned or operated community, public and recreation facilities;
- Adjacent to parks and reserves; and
- Nature strips as detailed above, but only within the town 50km/hr traffic speed limits.

1.2 Property Owners' (and Tenants') Role Regarding Nature Strips

Council lacks adequate resources to effectively maintain these diverse areas which, taken together, constitute a large and sparsely spread area of land.

Council will not mow vegetated road verges and nature strips fronting private properties, commercial properties or properties owned by Government authorities, except in key strategic locations.

All areas not maintained by Council are to be maintained by the property owner and/or residents of the private property. Grassed nature strips are to be mowed regularly by residents, occupiers or property owners and be kept neat and tidy. This ensures a safe pedestrian environment and a presentable streetscape is maintained.

2.0 GARDENS AND VEGETATION ON NATURE STRIPS

Bushland Vegetation on Nature Strips

Existing remnant bushland vegetation in specific locations adjacent to Council's bushland reserves should be maintained with minimum weed infestation so as not to obstruct pedestrian, cyclist or vehicular traffic.

Gardens on Nature Strips

Modifications of nature strips from traditional grass to low growing, soft foliage plants are supported by Council. Any resident wishing to carry out modifications to the nature strip must apply in writing to Council for approval prior to any works being carried out. Any proposal must comply with the following:

- The footpath area, either formed concrete/asphalt pathway or unformed grass verge, must be maintained with sufficient clearance (generally 1.2-1.5 metres wide) to allow pedestrians to walk along comfortably;
- Where formed path exists, the planting must be kept back from the footpath and kerb edge by a minimum of 300mm to allow for safe pedestrian access along the footpath;
- The area to be improved must not be used for any other purpose other than the landscaping of the nature strip, to enhance the existing streetscape aspect of the area. There must not be any alienation of public land for private purposes;
- The landscape works must not represent an obstacle or an obstruction of any nature to the adjoining property owner(s) and/or users of the road or nature strip, including pedestrian access, kerb side parking and cyclists;
- All vegetation to be planted on the nature strip must be approved by Council, must be kept in a clean, safe, healthy and attractive condition and understory plantings must not exceed 500mm in height;
- Hard landscaping elements such as retaining walls, ornaments, rocks and timber shall not be used;
- Irrigation systems must not be installed.

If Council gives approval for the modifications, Council will not contribute financially to the cost of approved work or its ongoing maintenance. This applies regardless of change of ownership/occupancy of a property.

Following the modification of the nature strip the property owner remains responsible for all maintenance works.

It is important to note that utility service authorities such as water, gas, electricity, fire services and telecommunications, as well as Council, all have access rights to the road reserve. These service authorities and Council may be required to excavate the nature strip periodically and residents who chose to modify the nature strip area will not be compensated for any loss of vegetation or landscaping items and will be required to reinstate the road verge at their own expense.

Existing Gardens on Nature Strips

Existing modified nature strips should not be landscaped to look like private land and/or used for a private purpose. Garden plants on nature strips must be kept in a safe, clean, healthy and attractive condition. Understorey plants must be kept to a maximum height of 0.5 metres and maintained so as not to obstruct pedestrian, cyclist or vehicular traffic.

Sight distances for vehicles entering and exiting driveways, cross overs and intersections must be maintained and vegetation must not interfere with the driving task itself. A clearance zone of 1.5 metres beside the road is required so people can still get in and out of cars and rubbish bins can be collected.

Any works considered hazardous will require removal or to be made safe at the cost of the relevant property owners.

Hard landscaping elements such as large rocks or boulders, railway sleepers or retaining walls will not be permitted as these items are potential hazards or they may interfere with the driving task itself.

Letterboxes must be established on private property with suitable access for Australia Post.

Electrical or solar wiring must not be installed on the nature strip (eg. lighting of trees etc.).

Mulch material must be kept stable and properly contained. Allowable treatments include granitic sand, screened granite, crusher grit, blue and white metal grit and finely ground organic mulch which have a diameter of less than 10mm.

Nature strip soil levels, including mulch, should not be allowed to significantly drop or protrude above the level of the footpath or kerb. Ideally nature strips are gently graded towards the kerb for drainage purposes.

Council will not be responsible for replacing plants or landscaping as a result of works. Council will endeavour to restore the disturbed area however, Council reserves the

right to remove any nature strip landscaping or treatment for the purpose of carrying out works, without being liable to compensate owners for any loss in reinstating the nature strip.

3. TREES IN PUBLIC SPACES

Tree Planting and Species Selection

Council will identify opportunities to increase its tree canopy over the local government area, especially within built up areas.

Council will plant the most appropriate tree species based on site suitability, aesthetic, functional and biological attributes, performance and the potential to contribute to the landscape character.

Tree Removal (Whole or Limb) and Replacement

Selective tree removal and replacement programs are vital in managing canopy cover to ensure that the numerous benefits trees provide are sustained for future generations.

Council will assess all trees proposed for removal or lopping in Council owned or managed land and implement removal and replacement programs as required.

The risk to public safety (including road users) and property will take priority in tree removal in decisions in emergency situations.

Requests for Street Tree Planting By Residents

Council will consider requests from residents to plant street trees. Requests will be assessed according to policy and standard requirements.

TREE MAINTENANCE

Council recognises that trees are a major asset and play an important role in ensuring our Shire is liveable, attractive and healthy. Our trees grow in a harsh environment and require specialised care and management.

Risk management strategies include, but are not limited to, replacement, repair or redirecting of footpaths, tree pruning, diverting services or minor infrastructure, enlarging root zones or tree removal.

Tree maintenance where the tree/s are located on the nature strip, public reserve, open space or similar is the responsibility of Council's Environment and Planning Department.

Tree maintenance where the tree is located within the road reserve is the responsibility of Council's Infrastructure Department.

TREES AND SHRUBS ON PRIVATE PROPERTY

Property owners are required to maintain trees and shrubs within their property.

DEFINITIONS

- **Nature strip:** Means any Council owned and/or controlled land located between a constructed road and a parcel of private property, that is, the street verge. It is generally that portion of the street verge that is grassed and may contain street trees, driveways and/or footpaths. It does not include land reserves for a public purpose or bushland.
- **Key strategic locations and areas:** Means main roads and locations such as town centres, community facilities and high-profile public domain areas where a grassed nature strip or general maintenance requirement exist.
- **Road reserve:** Means the area contained within the statutory width of a road and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the **road reserve** boundary.

RELEVANT LEGISLATION AND COUNCIL POLICY AND PROCEDURES

The following Legislation and Council Policies and documents that are relevant to this Policy include:

- *Environmental Planning and Assessment Act 1979*
- *Roads Act 1993*
- *Civil Liability Act 2002*

VARIATION

Council reserves the right to vary or revoke this policy.