DRAFT – Nature Strip Policy September 2014

CI – Assets – 02

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1 DOCUMENT CONTROL INFORMATION

DOCUMENT CONTROL

Policy Name	*Nature Strip Policy*
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DOCUMENT HISTORY

	Version	Date	Author
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Final Draft			
Approved			
Review Draft			
Review Final			
Approved			

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2 POLICY STATEMENT

2.1 INTENT

This Policy acknowledges that well maintained nature strips add to the appearance and presentation of the City and its streetscapes. They can bring economic benefits to businesses and property owners. The City of Ballarat encourages property owners to recognise the value of nature strips and to take pride in maintaining them. Nature strips are an integral part of City of Ballarat urban environment.

2.2 STATEMENT

Council will not permit alternate nature strip treatments, other than compacted granitic sand in non-heritage overlay areas, subject to prior approval. Nature strips are to be grassed between the property boundary and the kerb as per the Landscape Design Manual section 6.2.

2.3 OBJECTIVES:

The objective of the policy is to ensure that if nature strips are modified, they are landscaped and maintained in a way that:

- Minimises the risk to the community;
- Provides for the unobstructed and safe flow of pedestrian traffic;
- Provides access for postal deliveries and utility service providers;
- Doesn't impede access to fire hydrants;
- Doesn't impact the safety of vehicles using the road;
- Allows kerbside parking of vehicles and safe and practical conditions for emptying rubbish and recycling bins;
- Compliments the existing street scape;
- Are in keeping with heritage areas;
- Can act as additional footpath space when two or more people walk together or pass by;
- Allow vehicles to park safely at the kerbside and for door opening space; and
- Provide space for street tree planting.

3 OWNER

The owner of this policy is the Chief Executive Officer.
All enquiries regarding this policy should be initially directed to Information Services – Governance Unit.

4 APPLICABILITY

This policy applies to all Council Officers, residents, businesses and property occupiers within the Municipality.

5 DEFINITIONS

Nature Strip

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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. In most cases a nature strip is grassed.

6 PROCEDURE AND GUIDANCE NOTES

6.1 NATURE STRIP MAINTENANCE

Council does not carry out renovation or maintenance (including mowing and watering) of nature strips. It is common, accepted practice throughout Australia that the property owners or residents of abutting properties maintain the plants (excluding trees) and any landscape features on the nature strip. Generally, this amounts to weeding, mowing and edging turf.

6.2 NATURE STRIPS

Grassed nature strips remain the most common form of nature strip treatment within The City of Ballarat. The use of drought-tolerant grasses provides a low maintenance treatment which requires periodic mowing and weeding to maintain.

No permit is required to maintain a grassed nature strip.

6.3 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 Tree Management Plan 2007.

6.4 HERITAGE OVERLAYS

Areas covered by planning heritage overlays are not permitted to alter nature strips and must abide by Council's Grass nature Strip Standard.

6.5 SYNTHETIC TURF

Use of synthetic turf is not permitted on nature strips with the City of Ballarat due to issues relating to utilities accessing their assets and damage due to maintenance and garbage collection activities

However, if the application for synthetic turf is for a short term application such as a display home and adheres to the following criteria, it may be permitted:

- The turf must be installed by a qualified and insured professional company; and
- The turf must be maintained in a neat and weed-free condition

Council retains the right to request removal of turf in the case of non-compliance with this policy, at the resident's cost.

6.6 GRANITIC SAND

Granitic sand can only be used if approved , by submission of an application to modify nature strip and must meet Council design standards. Granitic sand will not be approved in areas covered by planning heritage overlays. All other areas will be considered on a case by case basis taking into account:

- Streetscape;
- Street character; and risk and liability.

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6.7 SHRUBS AROUND TREES

Council does not encourage the planting of shrubs around established trees as the planting process can impact on tree routes. Existing plantings must be managed and kept below the maximum height of 500mm. Approval and ordering the removal of these planting will be made at the discretion of Council's Vegetation Planning Officer.

6.8 LAWN CLIPPINGS AROUND TREES

Depositing lawn clippings in road reserves including nature strips is prohibited as prescribed by Local Law 17 5.3 (b). This includes placement around street trees. Build-up of lawn clippings around trees promotes fungal decay and odours.

6.9 MEDIUM DENSITY DEVELOPMENTS

Consideration of applications for additional plantings and alterations in the road reserve of medium density developments will be considered on the following criteria:

- Amenity;
- Existing public open space; and
- Improvement of streetscape;

6.10 NOT PERMITTED ON NATURE STRIPS

Hard surfaces such as concrete, pavers, asphalt or stepping stones are not permitted in residential areas. If a hard surface is required for vehicle access purposes, a vehicle crossing permit should be obtained.

- Irrigation systems are not permitted in nature strips.
- Mulch material, stone, woodchips, and crushed rock are not permitted
- Rocks, bluestone pitchers, railway sleepers or retaining walls are not permitted as these items are all potential trip hazards.
- Letterboxes must be established on private property and suitable access to Australia Post delivery drivers must be maintained.
- Temporary or permanent electrical wiring must not be installed on to the nature strip (e.g. lighting of trees is not permitted).

6.11 EXCAVATION AND CULTIVATION

Excavation and cultivation must be by hand as mechanical excavation (bobcat/dingo) or cultivation (rotary hoe) may damage infrastructure and services that may be underground. They may also cause damage to street trees and their root systems.

Hand (spade or fork) excavation and cultivation only will be permitted. As hand digging may expose some underground services, the property owner or their contractor is advised to contact 'Dial before you dig' on 1100, to check the location of services prior to carrying out works.

The owner or occupier is responsible for repairing any damage to infrastructure caused by any landscaping works.

6.12 UTILITIES AND COUNCIL MAINTENANCE WORK

Utility companies that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to perform maintenance work. The utility companies are required to make good the nature strip following maintenance work, but are not required to re-instate residential nature strips that have been landscaped other than in grass.

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Council undertakes work on and around the natures strip including some mowing and tree maintenance. Council will not repair or reinstate nature strip plantings if they are damaged by Council activities.

Council will not be responsible for replacing plants or landscaping as a result of Council or Council contractor's works and will only reinstate grassed nature strips.

6.13 RISK MANAGEMENT AND SAFETY

The City of Ballarat Council is very much aware of the need to provide a safe environment within urban and rural areas in the municipality. As the nature strip is public land, the City of Ballarat Council must be vigilant when it comes to recognising when a threat to public safety exists.

Any feature that is deemed by the City of Ballarat 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.

Council will take appropriate action to rectify problems in relation to tripping hazards or safety issues. Council officers will write to the relevant property owner requesting that they attend to the identified problem.

If the property owner fails to take action, a delegated Council Officer will issue a 'Notice of Non-compliance', requesting that the specific problem be fixed by a date (a 28-day notice is usually given).

Failure to take action following a 'Notice of Non-compliance' can result in an on-the-spot fine (1 penalty unit) or open court action (up to 10 penalty units). All fines would be issued under Local Law No 10, Part 10, Clause 27. This applies to all non-compliant landscaping found in nature strips.

6.14 HOW NATURE STRIPS ARE MAINTAINED

Nature strips must be kept in a well maintained and 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 the nature strip free of weeds and rubbish, any tripping hazards and any protruding objects.
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6.15 FAILURE TO MAINTAIN A NATURE STRIP

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
- impacts unfavourably and significantly on the local amenity,

An Authorised Officer may enforce the requirements of this Policy under the General Local Law No. 11.

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6.16 POLICY IMPLEMENTATION

The Policy will be effective from the date formally adopted by Council. Existing modified nature strips not compliant with this Policy may remain, however any Nature Strips containing alterations as listed in section 6.6 Not Permitted on Nature Strips may be issued a notice to remove item if deemed to be a risk to the public, or impede on pedestrians.

This policy only relates to formalised nature strips in urban areas, typically where kerb and channel exist.

7 COMPLIANCE RESPONSIBILITIES

Authorised Officers
The implementation and enforcement of this policy, within the bounds of Councils Local Laws.

CEO
Responsibility for providing sufficient resources to implement the Policy.

Councillors
Provide ongoing support for the Policy.

8 CHARTER OF HUMAN RIGHTS COMPLIANCE

It is considered that this policy does not impact on any human rights identified in the Charter of Human Rights Act 2007

9 REFERENCES AND RELATED POLICIES

	Include - Name, Reference and location of reference
Acts	NA
Regulations	LOCAL LAW NO 17.
Codes of Practice	NA
Guidance notes	NA
Australian Standards	NA
Related Policies	NA

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