

## **SURF COAST SHIRE COUNCIL**

### **RESIDENTIAL NATURE STRIP GUIDELINES**

**Version 3: July 2022**

#### **1. INTRODUCTION**

Nature strips are an important part of the streetscape which allow for safe pedestrian access and provide a zone within the road reserve for:

- Street trees which are owned and maintained by Council,
- Street lights and power poles,
- Pathways,
- Storage area for garbage bins awaiting collection,
- Service infrastructure – gas, power, telecommunication, water and sewer, and
- Drainage infrastructure – pits and pipes as well as open drains in some areas.

Nature strips are also regularly used by mail and courier services for deliveries to properties as well as access for both property owners and visitors to properties.

Nature strips are public land that is owned and controlled by Council and are a part of the road reserve. The road reserve may also be comprised of pathways, roadway and/or kerb and channel.

To manage nature strips within the Surf Coast Shire, Council has developed a Nature Strip Policy and these Residential Nature Strip Guidelines.

Council's Nature Strip Policy outlines a number of key principles as follows.

Nature strips:

- are a public space that contribute to a sense of place and community,
- should be safe and accessible spaces,
- contribute to a healthy environment for people, flora and fauna,
- play an active role in supporting Council's Climate Change Response, and
- are a for location of essential services to the community (eg: water mains, gas, power etc.)

Council recognises that the townships within Surf Coast Shire are not all the same and that all the guidelines outlined within this document may not be achievable within some townships. For example, the terrain in Lorne and Aireys Inlet, is more challenging.

In cases where a residents is planning on undertaking works within the nature strip and they feel that the works may be outside the principles within Council's Policy and these guidelines they should contact Council Development Engineering team prior to commencing works.

#### **2. NATURE STRIP GUIDELINE OBJECTIVES**

These Residential Nature Strip Guidelines are intended to act as basic information for residents and outline what is an acceptable standard treatment for nature strips within the Surf Coast Shire. If a resident is adhering to these treatments when undertaking works on their nature strip within the Surf Coast Shire, they will not be required to take out a permit or seek permissions from Council. If they are varying from the treatments outlined within these guidelines, a permit will need to be obtained so that officers can individually assess any proposed works against the guidelines and the broader principles of Council. If in doubt,

residents should make contact with Council's Development Engineering team to discuss their proposals before commencing any work.

Council will consider the following when assessing any requests from residents to install anything within a nature strip, such as vegetation, an alternative surface treatment or other landscape features:

- a. Is the proposed installation permitted?
- b. Is there a risk to the community?
- c. Will pedestrian traffic flow remain safe and unobstructed? If there is no formal pathway constructed, a minimum 1.5m wide zone is required for pedestrians, prams and to maintain accessibility.
- d. Will access be maintained for postal deliveries?
- e. Will access be maintained to fire hydrants for emergency services and other service utility installations such as power, sewer and telecommunication pits?
- f. Will it impede the visibility for motorists, cyclists and pedestrians at intersections, curves in the road and at driveways?
- g. Will it absorb and filter storm water runoff?
- h. Will there be an area to place bins for collection?
- i. Will it complement the existing streetscape?
- j. Will vehicles be able to safely park at the edge of the road and will people be able to easily and safely get in and out of vehicles?
- k. Will there be space for a street tree?

**Explanatory Note:**

*Principle: Nature Strips are a public space that contribute to a sense of place and community.*

There may be situations where an item on a nature strip does not fit within these guidelines but does meet other Council objectives such as *Council Plan Strategy 6 – Enable Communities to strengthen their social connections and participate in community life*. On such occasions officers can assess works against these objectives.

### **3. COUNCIL APPROVED TREATMENTS**

The following are standard nature strip treatments and installations that are approved by Council. These treatments do not require a permit from Council.

#### **3.1 Grassed Nature Strips**

Grassed nature strips remain the most common and preferred finish on nature strips within the Surf Coast Shire. The use of drought tolerant grasses provides a low maintenance treatment which only requires periodic mowing and weeding to maintain. Grass improves the quality of stormwater runoff as it removes and filters nutrients and sediment, and allows water to infiltrate into the ground which replenishes groundwater.

#### **3.2 Street Trees**

Planting and maintaining street trees is solely Council's responsibilities. Property owners are not permitted to remove, alter trees or plant new trees without Council's permission. Planting the wrong type of tree can make the streetscape unsightly and unsafe. Unsuitable species can grow into powerlines, and their root systems can damage roads, drains, pathways and kerb and channel.

Property owners are not permitted to undertake any form of pruning of street trees, nor can they make any alterations such as boxing around the tree base or placing material around the base of the tree which can have a detrimental effect on the health of the tree.

To request a street tree be planted in the nature strip, the resident should contact Council. The request will be added to the Street Tree Planting Register. Council will then arrange for an appropriate species of tree to be planted. To make a request for a street tree to be planted, call Council on 5261 0600 or email [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au).

**Explanatory Note:**

*Principle: Nature Strips play an active role in supporting Council's Climate Change Response.*

Street trees and grass reduce the Urban Heat effect. The temperature within urban areas during the hotter periods of the year is increased due to the amount of asphalt and concrete, and trees and grassed nature strips can contribute to reducing the overall heat effect. Gravel type nature strips actually increase the urban heat effect

*Principle: Nature Strips contribute to a healthy environment for people, plants and animals.*

As well as providing visual and shading features for people, trees provide habitat and safety for birds and wildlife.

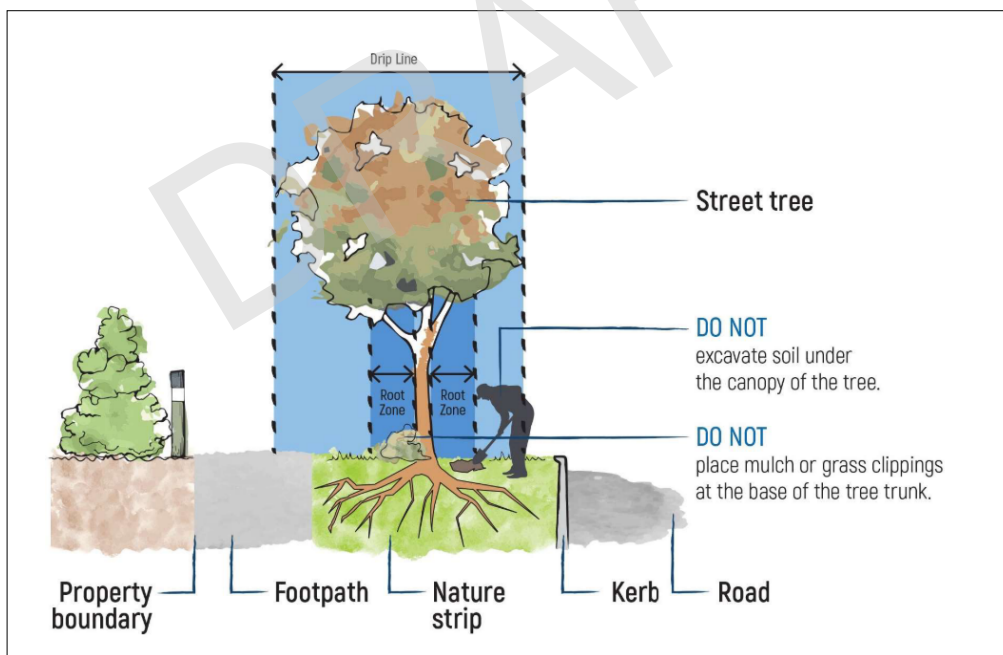


Figure 1: Street Trees

**3.3 Additional Plantings on the Nature Strip**

Lower level plants, shrubs and edible plantings can be planted within the nature strip, subject to the following conditions:

1. The type of vegetation is on Council's preferred species list. Council will not permit the use of plants that are:

- a. Woody, prickly or spiky plants;
- b. Shrubs which grow more than 0.5m in height that can obstruct a drivers line of sight; and/or
- c. Species considered to be environmental weeds within the municipality.

A list of preferred and banned species is available on Council’s website.

2. Safety and accessibility must be maintained at all times. Clearances are required from the back of kerb, the building line and driveways to ensure that:
  - a. People can travel safely on the pathway;
  - b. People can see other people walking and cycling;
  - c. People can get out of a car parked on the street;
  - d. Service authorities can access their infrastructure. Clearance are required from any planting to service pits and other utility installations;
  - e. There is space for bins; and
  - f. A safe street environment that maintains good surveillance, light and access is maintained.
  
3. The minimum clearance distances are as follows:
  - a. 1.0m from the edge of a pit;
  - b. 1.5m around service pits (power, telecommunications, etc.);
  - c. 1.0m from the edge of a driveway; and
  - d. Under 0.5m high within 2.0m of a driveway.

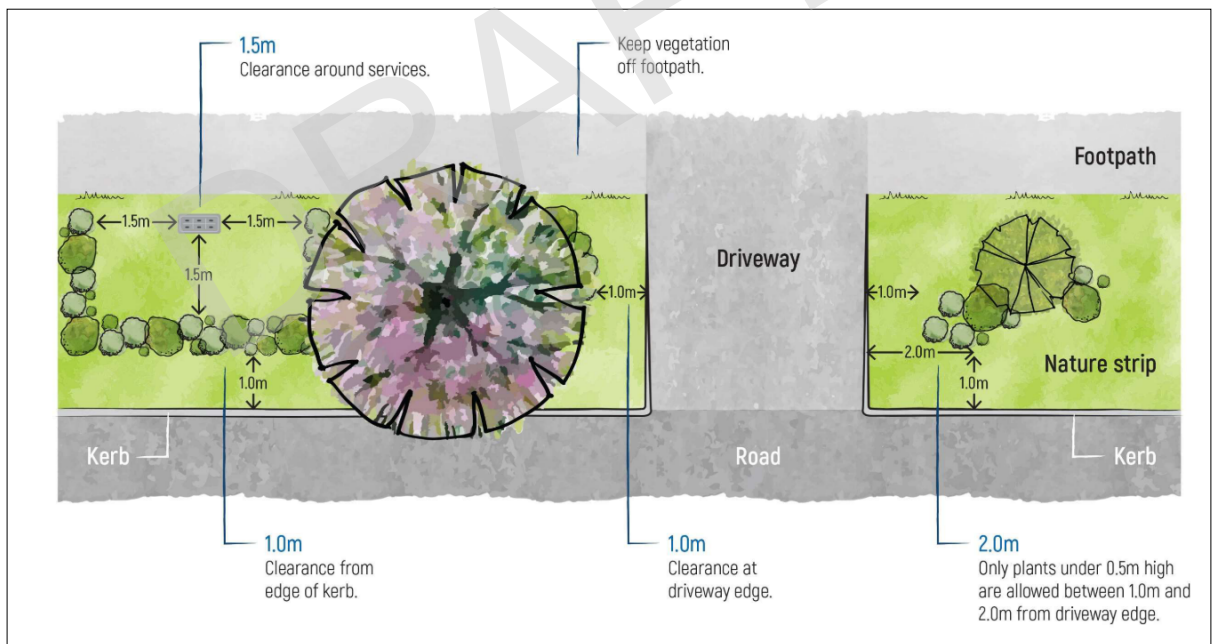


Figure 2: Clearances

4. Plant heights
 

Plants growing up to 0.5m in height may be planted in nature strips if clearances from driveways, kerb, pathway and services are maintained. Planting of any shrubs which grow more than 0.5m in height are not permitted as they can obstruct a driver’s line of sight.

### 3.4 Garden Edging and Planter Boxes

Planter Boxes around street trees are not permitted as this negatively impacts on the health of the tree. .

Planter boxes around other introduced vegetation within the nature strips is permitted as long as it complies with the offset and height parameters outlined within this document. This includes removable planter boxes.

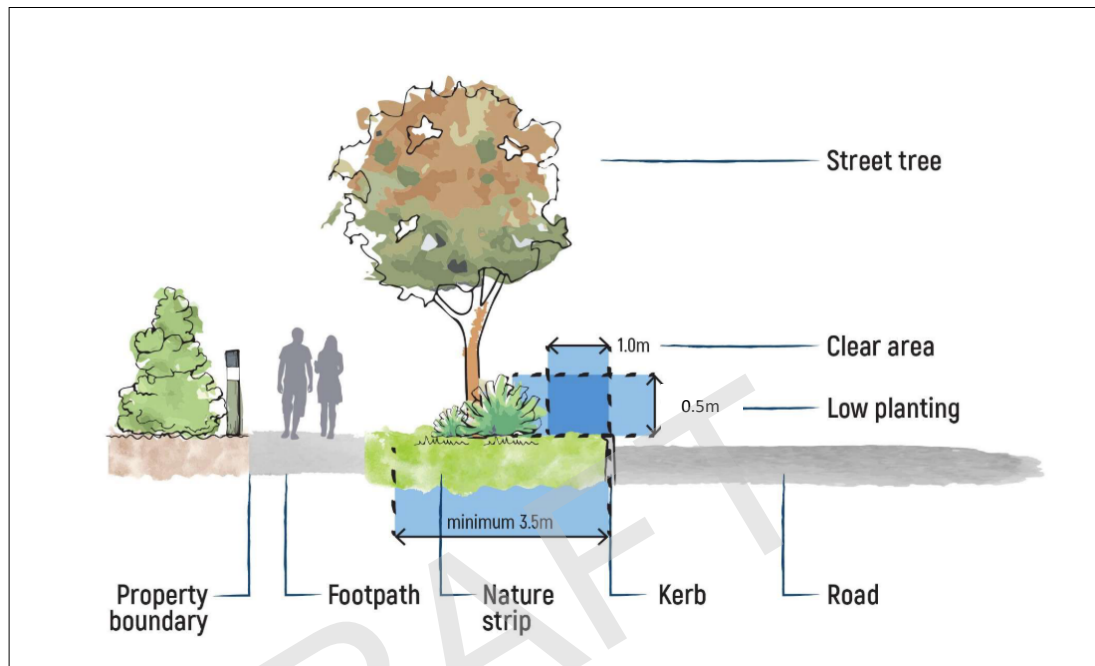


Figure 3: Plant Heights

### 3.5 Edible Planting

Edible and fruit bearing plants are permitted as long as they fit within the planting areas and heights outlined within this document, and the following considerations are noted:

- Surf Coast Shire Council has no responsibility for illness or allergic reactions caused by ingestion or contact with the plants or produce;
- plants are not to be treated with weed killers, pesticides or fertilisers as they can pollute stormwater runoff;
- property owners must maintain the fruit/vegetables to manage and remove produce dropping on the nature strip, insect infestations or rotting items;
- adjoining pathway and kerb must be kept clear of dropped produce; and
- Council and/or service authorities will not replace plants if removed as part of service maintenance or replacement works.

**Explanatory Note:**

*Principle: Nature Strips should be safe and accessible spaces.*

Nature strips should have clearways to allow for pedestrians to safely walk along the nature strip. This may be along a formerly constructed pathway or if no pathway exists, then a clear grassed space with no obstacles should be maintained.

*Principle: Nature Strips perform a role for location of essential services to the community (eg: watermains, gas, power etc).*

Services need to be easily accessed by service authorities. If these are kept clear it means that when undertaking repair works the authorities are less likely to damage any works undertaken on nature strip by residents.

**3.6 Vehicles Crossings / Driveways**

The vehicle crossover is the part of a property's access that is located within the road reserve between the property boundary and the edge of the road. Properties are generally permitted to have one vehicle access and crossover, although a second access may be permitted in some circumstances. Property owners seeking to construct, widen or relocate an access and crossover within the road reserve must obtain Council's permission by applying for and being issued a *Works Within Road Reserve* permit. You can find this form at [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au).

**4. ITEMS AND INSTALLATIONS NOT PERMITTED ON THE NATURE STRIP**

The following is a list of items which are not permitted to be installed on nature strips.

However, some items may be permitted to be installed subject to an approved permit application under specific circumstances:

- a. Hard, impervious surfaces such as concrete, pavers or asphalt. Other than pathways constructed under Council approval, hard paving surfaces are not permitted to be installed without a permit from Council as it restricts access to underground services, increases stormwater runoff and reduces filtering of nutrients;
- b. Shredded plant products such as wood chips and bark, pea straw or similar;
- c. Fine compacted gravel mulches such as washed granitic sand, lilydale toppings or Tuscan toppings;
- d. Uncompacted rock such as scoria, pebbles and larger diameter rocks that may be trip hazards;
- e. Bluestone pitchers, large rocks and boulders or timber sleepers or retaining walls as they may be trip hazards and can restrict access to services;
- f. Framing around the base of street trees;
- g. Build up of material, i.e. soil, mulch, grass clippings, stones etc., as this can harm street trees;
- h. Artificial / synthetic turf is not permitted as it restricts access to services and will be damaged in work activities and garbage collection. If the application for synthetic turf is for a short term activity such as a display home and adheres to the following criteria, it may be permitted, provided that:

- a. The turf is installed by a qualified and insured professional company;
- b. The turf is maintained in a neat and tidy condition; and
- c. The turf is removed and the nature strip reinstated with topsoil and seed at a date agreed to by Council.
- i. Irrigation systems – both below and above ground;
- j. Letterboxes must be located on private property in urban areas;
- k. Permanent structures such as retaining walls, buildings, fences (other than on the property boundary);
- l. Temporary or permanent electrical wiring, including tree lights; and
- m. Metal stakes or star pickets.

**Explanatory Note:**

*Principle: All*

Items listed within section 4.1 are generally referred to throughout other parts of this document and are not permitted due to either safety or environmental factors. Specific circumstances may allow for some of these items, but these would require individual assessment and approval through a permit process.

**5. ADDITIONAL CONSIDERATIONS FOR WORKS ON NATURE STRIPS**

**5.1 Excavation and cultivation**

As far as possible, all excavation and cultivation should be done by hand as mechanical excavation (bobcat or dingo) or cultivation (rotary hoe) may cause damage to underground services and infrastructure. Care needs to be taken when excavating near street trees to ensure no damage is caused to the root system.

Prior to carrying out any required cultivation or excavation on the nature strip, the resident or contractor must contact Dial Before You Dig (Phone 1100) to establish the location of any underground services. **Damage caused to underground services may result in serious injury or death** as well as severe fines and repair costs.

The resident or their contractor must repair any damage that they cause to Council assets at their own cost.

**5.2 Safety Measures**

During any nature strip works, the resident or their contractor is responsible for ensuring public safety at all times, which may include erecting high visibility safety/temporary fencing, signage and any other WHS measures required. Any temporary fencing must not interfere with the pathway if possible, and must not be a hazard itself. Wooden stakes must be used instead of steel to eliminate the risk of electrocution if a power cable is inadvertently damaged.

**5.3 Service Authority and Council Maintenance Work**

Surf Coast Shire Council and service authorities that supply gas, water, electricity and telecommunications may from time to time require access to the nature strip to undertake maintenance work. The service authorities are required to reinstate the nature strip following maintenance work, but will not reinstate modified or landscaped residential nature strips in any treatment other than grass. The impact of such works should be considered when deciding on how you are landscaping your nature strip.

#### **5.4 Heritage Overlays**

Alterations to nature strips are not permitted in areas covered by a heritage planning overlay.

### **6. NATURE STRIP MAINTENANCE**

#### **6.1 Nature Strip Maintenance Responsibilities**

Council does not carry out maintenance or renovation of nature strips. Property owners or occupiers of abutting properties are required to maintain the grass and any plants (excluding street trees) on the nature strip. This includes regular mowing, weeding, edging and collecting litter.

#### **6.2 Failure to Maintain a Nature Strip**

Where a property owner fails to maintain a nature strip that has been modified in accordance with the Nature Strip Policy and these guidelines, an Authorised Officer may enforce the requirements of the Nature Strip Policy under the Council's Community Amenity Local Law by issuing a Notice to Comply (See Section 7 of these Guidelines). Council would first write to the property owner and given them a direction to undertake remedial work by a certain date.

If the property owner fails to comply with both the initial direction from Council and any requirements of the Notice to Comply, Council will arrange for the required maintenance or reinstatement of the nature strip to be undertaken and the cost of these works will be charged to the property owner.

#### **6.3 Damaged Nature Strip**

If a nature strip is damaged as a result of building work, the property owner or builder is responsible for the repair.

If a service authority damages the nature strip undertaking maintenance works, that authority is required to reinstate the nature strip to a basic standard which is topsoil and seed. The authority is not required to reinstate any gravel or similar surface treatments.

### **7. ENFORCEMENT**

#### **7.1 Notice to Comply**

If a nature strip has been landscaped in contravention of Council's Community Amenity Local Law or the Nature Strip Policy and guidelines, the property owner will be directed by Council to undertake what it considers to be appropriate remedial works by a certain date, normally four weeks. If the property owner does not undertake the remedial works by the required date, they will be issued with a Notice to Comply by Council to reinstate the nature strip to an acceptable condition.

A Notice to Comply will specify a date by which time the works must be completed, which is usually 14 days from the date on the Notice.

#### **7.2 Failure to Comply**

Failure to Comply with a Notice to Comply may result in the property owner being subject to court proceedings.



### **7.3 Removal of non approved Installations**

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

### **7.4 Parking on Nature Strips**

It should be noted that these guidelines do not refer to the issue of parking on nature strips or the storage of vehicles on nature strips. Parking on nature strips is illegal under the Road Rules and can result in enforcement by Council or other Authorised Officer.

## **8. RELEVANT POLICY - REGULATIONS OR LEGISLATION**

- **Road Safety Act 1986 (Victoria)**
- **Road Management Act 2004**
- **Local Government Act 2020**
- **SCS-059 Surf Coast Shire Residential Nature Strip Policy**
- **Surf Coast Shire Road Management Plan**
- **Surf Coast Shire Community Amenity Local Law 2021**

DRAFT