

Urban Nature Strip Policy

Policy – CP068

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Community Futures Branch	Executive Leadership Team	Council	April 2021	2021/0081
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1. The purpose of this policy is

To provide clear policy direction in regard to the development, use and maintenance of nature strips in urban and residential areas throughout the Mildura Rural City Council.

2. Policy Statement

Urban nature strips contribute to the overall amenity and appeal of adjoining properties, streets and neighbourhoods throughout the municipality. Nature strips perform an important function in providing space for utilities, services, pedestrians, vehicle access, green space and shade. Council recognises the contribution of residents and the important role they play in caring for and maintaining nature strips adjoining their property.

Important Part of the Landscape

Urban nature strips are defined as the area of land between the property boundary and the road kerb in an urban street. The typical treatment is grass with street trees planted at intervals along the strip. In some urban areas there are no nature strips as the footpath goes all the way out to the kerb.

Nature strips accommodate infrastructure for a variety of utilities including telephone, gas, water, drainage and sewerage, as well as power (sometimes above ground on poles, sometimes below ground).

Nature strips are an important part of our urban infrastructure and provide:

- Safe and direct access for service personnel such as postal staff and service maintenance staff.
- A flat and stable location for the placement of refuse and recycling bins
- The location for a footpath and allows safe and unimpeded access along property frontages for the public.
- Space for (amongst other things) the opening of car doors, a child's pusher, pram or wheelchair to move in and out of a car.

- Open space that allows sight lines for vehicle traffic and cyclists at intersections, driveways and curves.

Environmental Benefits

Nature strips provide the opportunity for the development of streetscape character and for the growth of street trees that provide shade, urban amenity, reduction in the urban heat island effect and increased health and wellbeing through improved air quality, walkability and thermal comfort in adjoining buildings.

A nature strip that is an open, unpaved area allows for the penetration of rain water and air into the soil, improving soil health and promoting healthy growth of street trees and other vegetation. The use of Australian plant species enhances urban biodiversity, creating important habitat for urban based fauna.

Unpaved nature strips also reduce the amount of storm water runoff experienced during a rainfall event and reduce the amount of pollution transported by stormwater into the municipality's stormwater system and the Murray River.

3. Principles

Nature strips are a functional space that provide safe access, visual amenity and environmental benefit through shade, biodiversity and reduction in air pollution. Nature strip treatments must be permeable where possible to support the growth of vegetation and infiltration of water.

Nature Strip Treatments/Uses

The following table outlines the treatments/uses of urban nature strips.

Treatment/Uses	Description	Conditions
Landscaping and Gardens	<p>The creation of gardens is permitted. Council encourages the establishment of drought tolerant Australian plants that increase biodiversity and reduce water consumption.</p> <p>Planting of vegetable type plants on nature strips is permitted however the resident should ensure no contamination exists in the soil before proceeding.</p>	<p>Vegetation must not obstruct the footpath or roadway.</p> <p>Clear sight lines for vehicle safety must be maintained.</p> <p>Garden vegetation must not exceed 600 mm in height.</p>

Treatment/ Uses	Description	Conditions
Mulching	Organic mulch material or permeable gravels and stone to a diameter of 20mm is permitted in conjunction with gardens and landscaping.	<p>Mulched areas must be flush with adjoining surfaces including footpath, kerb and driveways.</p> <p>Large rocks, stones, gravel or pebbles that create an uneven, unstable or loose surface or a tripping hazard are prohibited on nature strips.</p> <p>The use of gravel is prohibited in high profile areas including Deakin Avenue (7th St to 15th St), Fifteenth Street (Deakin Avenue to Cowra Avenue) and major townships thoroughfares unless authorised by Council.</p> <p>Mulching may be prohibited in locations where there is a high risk of mulch being displaced during flooding and entering the stormwater system.</p>
Grass	The establishment of grass is permitted. Grass types utilised should be hardy, drought tolerant varieties such as buffalo, kikuyu and couch.	The grassed area must be level and free of any tripping hazards.
Irrigation Systems	<p>The installation of irrigation systems for gardens and turfed areas can be installed by the adjoining resident.</p> <p>Irrigation system maintenance is the responsibility of the adjoining resident.</p>	<p>Overspray onto footpaths and roadways must be minimised. The irrigation system must be connected to the adjoining property supply.</p> <p>Major works and pipelines will require a Road Opening Permit where there is significant risk to Council assets.</p> <p>Council is not responsible for any costs associated with water consumption or supply.</p>

Treatment/ Uses	Description	Conditions
Garden Edging	Edging constructed from timber, brick, steel or similar is permitted to delineate /separate landscape treatments such as garden and lawn.	<p>All edging must be installed at ground level and must not protrude or create any tripping or other hazard.</p> <p>Any edging deemed non-complaint or hazardous must be removed as directed by Council.</p>
Street Trees	Street trees form an important part of the urban landscape providing a range of benefits including shade, biodiversity, amenity and habitat.	<p>Council is responsible for street trees and any enquiries regarding the care, establishment, maintenance and removal of street trees must be referred to Council.</p> <p>Residents must not trim, damage, harm or remove street trees.</p> <p>Street tree establishment must not be prevented or inhibited by any improvement works undertaken by the adjoining resident.</p>
Artificial Turf	Installation of artificial turf or similar is not encouraged and will only be permitted if permeability is maintained.	Must be authorised by Council.
Concrete and Paving	Concrete and paving is not permitted in urban residential areas.	<p>Concreting and paving may be authorised by Council in Commercial and CBD areas. Permeable tree planting locations with a diameter of 2m (where practical) must be identified and preserved in CBD areas in accordance with Council requirements.</p> <p>Council reserves the right to retrofit tree planting locations in existing concrete or paved areas.</p>

Treatment/ Uses	Description	Conditions
Driveways	Additional driveway crossover in urban areas are restricted to preserve urban amenity. Additional driveways reduce non-permeable surfaces and the opportunity for street tree establishment.	Additional driveway crossover or property access points must be authorised by Council.
Footpaths	Appropriate vegetation clearances must be maintained for safety and access.	<p>Vegetation must not impede pedestrian access along footpaths or paths of travel.</p> <p>A minimum 1.5 metre clear pedestrian access must be maintained along all urban nature strips where a formal footpath is not provided. A minimum 600 mm clear access must be maintained behind the kerb for vehicle access.</p> <p>Footpath maintenance is the responsibility of Council.</p>
Retaining Walls and Batters	Retaining walls and non-grassed batters may be permitted in circumstances where there is a demonstrated need.	Must be authorised by Council.

Obtaining appropriate authorisation from Council will assist in protecting the interests of Council and residents while ensuring any proposed activities do not adversely affect any future infrastructure requirements.

The resident is responsible for any damage to infrastructure caused during the undertaking of any works by the resident on the nature strip. Residents are responsible for determining the location of any underground services prior to undertaking any works likely to disturb the surface of the nature strip by contacting Dial Before You Dig.

The following treatments/uses of urban nature strips are **NOT** permitted:

Treatment/ Uses Not Permitted	Description
Compacted Surfaces	Compacted surfaces such as crusher dust, road base or any material that is compacted and reduces infiltration of water
Gravel surfacing for parking or driveway crossover	Gravel is not permitted where the primary purpose is for a driveway crossover or parking on the nature strip.
Structure or Construction	Permanent structures are not permitted to be installed by residents.
Parking and Storage	Vehicles, trailers or any other items must not be parked or stored on any urban nature strip.
Placement of Waste Items	Placement of waste items is not permitted other than MRCC issued mobile garbage, organic and recycling bins

Residents are required to obtain Land Managers Consent (authorisation) from Council when undertaking the installation of any for the following treatments/uses of nature strips:

- Installation of concrete or similar surfaces (in commercial and CBD areas only, not permitted in other areas).
- Installation of artificial turf.
- Installation of a domestic, commercial or Australia Post letter box.
- Installation of gravel surfaces in high profile areas.
- Installation of retaining wall or batter.
- Planting of street trees.

Residents are required to obtain written permission for the installation of an additional driveway crossover or access point from Council's Works and Engineering Services Branch. Residents may be directed to obtain a Road Opening Permit if required in accordance with this separate process.

Water Sensitive Urban Design

Water sensitive urban design is used in urban landscapes to improve, retain and treat urban stormwater runoff. Water sensitive urban design treatments located in nature strips must not be changed or altered by the adjoining resident without permission from Council. Swales and other flood mitigation and drainage structures located on nature strips must not be removed or modified without Council permission. Council is responsible for the maintenance of drainage infrastructure associated with water sensitive urban design located on nature strips. The adjoining resident is responsible for the maintenance of the nature strip including the landscaping and plantings associated with the water sensitive urban design.

Low Water Use Nature Strip Program

Council commenced the Low Water Use Nature Strip Program in 1996 to provide a low water use landscape alternative to traditional grass nature strips. The program provides support to residents in urban areas through the provision of Australian drought tolerant plant species and mulch at no cost to the resident. The resident is required to prepare the site and undertake the mulching, planting and ongoing maintenance.

The program is available to residents in urban residential areas and is limited to 20 nature strips per year.

Nature Strip Maintenance

Council relies on the good will and established community expectation that the residents of the adjacent properties will mow and/or otherwise maintain the nature strip, including any irrigation system within the nature strip.

Community Local Law 2 states each owner and occupier of land must not allow or permit the land or any nature strip or grassed area of a road abutting the land to be kept in a manner which is unsightly or detrimental to the general amenity of the surrounding area.

The resident that directly adjoins the nature strip is responsible for the maintenance and care of any turf, landscaping, irrigation systems, planting, mulches, garden edging, landscape improvements including removal of weeds and prickles. This contributes to a neat and tidy street frontage for the adjoining resident and the neighbourhood.

Council is responsible for the maintenance and care of trees located on urban nature strips and certain infrastructure including footpaths, kerb and channel.

Council plants trees in nature strips to provide shade, reduce the urban heat island effect and provide beautification to the streetscape. Whilst Council undertakes street tree watering, Council encourages residents to adopt their trees and provide watering to young trees where possible.

Where the nature strip is disturbed or damaged by a utility, authority or Council, they will be required to re-instate the nature strip to a suitable standard ensuring the site is level and safe for public use including provision and levelling of suitable soil or mulch and re-instatement of irrigation systems. This does not include replacement of any plants, shrubs or landscape improvements that may have been removed during the process.

4. Who is responsible for implementing this policy?

Councillors, Chief Executive Officer, General Managers, Managers, Team Leaders and staff will be responsible for the implementation of this policy.

The following table outlines the Council branch responsible for administration of the various components of the policy.

Description	Administration Branch / Team
Street trees, gardens and landscaping, irrigation systems, weeds, nature strip treatments (mulch, gravel, artificial turf, hard surfacing, concrete), Lower Water Use Nature Strip Program.	Parks and Waste Services – Parks
Driveway crossovers, footpaths, water sensitive urban design, retaining walls, batters, letter boxes, road opening permits.	Works and Engineering Services - Engineering
Waste management and illegal dumping.	Parks and Waste Services – Waste Management
Enforcement including parking and storage on nature strips.	Development Services - Civic Compliance
Land Managers Consent process	Corporate Administration - Governance and Risk

5. Definitions

Urban Nature Strip	An urban nature strip is the land between the kerb or road edge and the property boundary in urban residential areas and townships.
Driveway Crossover	Section of a driveway that crosses over the nature strip.

6. Legislation and other references

6.1 Legislation

- This Policy aligns with the Mildura Rural City Council Community Local Law No. 2 (2017).
- *Road Safety Act 1986*
- *Road Management Act 2004*
- *Disability Act 2006 (Vic)*
- *Disability Discrimination Act 1992 (Cth)*

6.2 Documents

This Policy is implemented in conjunction with the following documents:

- Land Managers Consent Policy CP061
- Street Tree and Roadside Vegetation Policy CP027
- Mildura Rural City Council Community Local Law No. 2 (2017)

6.3 Risk Assessment Reference

Please tick the corporate risk(s) that this policy is addressing.

Risk Category	✓	Risk Category	✓
Asset Management	✓	Financial Sustainability	
Committees	✓	Human Resource Management	
Compliance – Legal & Regulatory		Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓