

Beautification of Nature Strips Policy

Adopted by Wyndham City
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1. INTRODUCTION

Recognising the impacts of climate change and drought on traditional approaches to gardening and landscaping, this Policy allows residents to have an alternative approach to nature strips. The Policy has been developed to provide clear direction to residents about what they can do on the nature strips abutting their properties. Where a modification to the nature strip complies with the requirements of this Policy and any additional Guidelines that are prescribed in this Policy, a person will not be required to apply for a permit under Wyndham City's Community Amenity Local Law (2015). If the proposed modification does not comply with this Policy, a permit is required.

The objective of the Policy is to ensure that if nature strips are modified, they are landscaped and maintained appropriately. At the same time, Wyndham City needs to minimise the risk to the community that could arise from the activity and provide for the unobstructed and safe flow of pedestrian traffic, access for postal deliveries, the safety of vehicles using the road, kerbside parking of vehicles and safe and practical conditions for emptying rubbish and recycling bins.

2. SCOPE OF THIS POLICY

This Policy must be read in conjunction with the requirements applying to a particular use or activity in Wyndham City's Community Amenity Local Law (2015). If the Local Law specifically applies the requirements of this Policy or any Guidelines referred to in this Policy, a failure to comply with those requirements may be an offence and may incur a penalty under the Local Law.

This Policy does not apply to nature strips which incorporate the principles of water sensitive urban design such as swales or rain gardens which are required to be maintained in accordance with the design intent. No additional planting or works may be undertaken in these areas.

The following Guidelines are to be used in conjunction with this Policy:

- Establishment of Grassed Nature Strips
- Establishment of Granitic Sand Nature Strips
- List of Species suitable for Use in Landscaping Nature Strips

3. DEFINITION OF A NATURE STRIP

A nature strip is an area of public land between the property boundary and the back of kerb, excluding any public pavement. In most cases a nature strip is grassed, but in the circumstances provided for in this Policy, it can be modified by an alternative landscape treatment.

4. PURPOSE AND BENEFITS OF A NATURE STRIP

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

Nature strips are an integral part of Wyndham's urban environment because they:

- accommodate power poles, light poles and a range of underground services such as water and gas supply pipes, storm water, sewage, telephone and, sometimes, electrical cables;
- allow for pedestrian access along the street where there is no footpath;
- provide a flat space for the kerbside collection and emptying of rubbish and recycling bins;
- allow vehicles to park safely at the kerbside and for door opening space between the road and footpath;
- provide for pedestrian, pram, pusher and wheelchair traffic between the road and footpath;
- can act as additional footpath space when two or more people walk together;
- allow for visibility of and for motorists, cyclists and pedestrians at intersections, curves in the road and near driveways;
- provide space for street tree planting;
- can absorb rainwater and reduce storm water run off; and
- can visually soften the effect of hard streetscape elements such as roads, footpaths, driveways, fences and buildings.

The Policy is also intended to achieve a balance between the benefits that well maintained nature strips provide to Wyndham’s urban environment while recognising that any risks that could arise as a result of landscaping are managed to minimise loss and damage.

5. MAINTENANCE OF NATURE STRIPS

Generally Wyndham City does not carry out maintenance of nature strips, except for street trees which are cared for and maintained by Wyndham City.

The usual practice is for residents of abutting properties to maintain nature strips by regular mowing, edging turf, weeding and picking up litter.

6. REQUIREMENTS APPLYING WHEN LANDSCAPING NATURE STRIPS

6.1 Is a permit required?

Modifying nature strips by appropriate landscaping is permitted, provided the modifications comply with this Policy. If any proposed landscaping treatment does not comply with this Policy and any accompanying Guidelines, a permit is required under the Local Law.

An application for a permit should be made to Wyndham City’s Urban Spaces & Civil Works Unit (Phone: 9742 0777).

6.2 Grassed Nature Strips

Traditionally most nature strips have been turfed or grassed. Guidelines on how to establish a grassed nature strip and information on suitable grass varieties are available on request (see contact details in Section 12).

6.3 Planting Nature Strips

Residents can plant nature strips abutting their property with a range of ground cover plants and low growing shrubs. A preferred species list is available on request (see contact details in Section 12).

Plants other than those identified in the preferred species list may be planted, but Wyndham City will not permit the use of plants that are:

- woody, prickly or spiky plants; or
- shrubs which grow to more than 500mm in height and/or obscure a driver’s line of sight; or

- species considered to be environmental weeds within Wyndham.

6.4 Conditions applying to planting

- Ground covers and grasses may be planted on the nature strip on the following conditions:
- adequate space from the back of kerb is kept clear of plantings to allow for people to enter and exit their vehicles and properties safely;
- plantings on corner blocks are limited to ground cover plants to ensure a good line of sight for motorists and pedestrians;
- adequate space is left for placing rubbish and recycling bins for collection; and
- 1.2 metres from the property line is kept clear to allow for pedestrian access, mail, paper and other deliveries.

6.5 Street Trees

If a resident requires a street tree in the nature strip, a request can be made to Wyndham City's Tree Planting Unit (Phone: 8734 2702). The planting of street trees is subject to the requirements of Wyndham City's Street Tree Strategy.

6.6 Mulching

Fine gravel mulches to a depth of 75mm such as compacted washed granitic sand, lilydale toppings, or tuscan toppings may be used instead of planting.

Pine bark 6mm to 15mm in size, or pine wood or hardwood chips 12mm to 25mm in size, to a depth of 75mm and natural in colour may also be used instead of planting, except where a nature strip is also used as a bus stop.

Where a fine gravel or wood chip mulch is used on the nature strip:

- it is not allowed onto the footpath, driveways or in the kerb and channel;
- the level of the mulch must not extend above the level of the footpath or kerb; and
- the mulch on the nature strip must be maintained in a reasonably level and weed free condition.

6.7 Paving

Other than the footpath, hard paving such as concrete or asphalt is not permitted without a permit from the Wyndham City, as it inhibits access to underground services. It also increases storm water runoff and reduces the recharge of ground moisture which occurs with a permeable surface such as grass or fine gravel mulches.

Stepping stones are permitted, but must have a non-slip surface. Materials that could create a tripping hazard are not permitted. All paving levels must be flush with the finished level of adjoining surfaces at the time of construction or installation, and maintained at that level at all times.

6.8 Fire Hydrant Visibility

Any modifications to the nature strip must not cover, obscure or hide any fire hydrant or their marker posts.

6.9 Excavation & Cultivation

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

Prior to carrying out any excavation or cultivation on the nature strip, the resident or their contractor

should contact 'Dial Before You Dig' (Telephone 1100) to establish the location of underground services. Damage caused to underground services may result in severe fines and repair costs, but can also result in serious injury or death.

The resident or their contractor is responsible for repairing any damage to Wyndham City assets caused by any landscape works.

Any excavation works on the nature strip that do not comply with this Policy, or that interferes with the road or with a vehicle crossing requires a permit under the Local Law.

6.10 Parking on nature strips

Parking is not permitted on nature strips irrespective of the surface used. Where residents wish to construct a parking bay on the nature strip, an application must be made to Wyndham City for a permit.

7. ITEMS NOT PERMITTED ON THE NATURE STRIP

In addition to any item which an Authorised Officer of the Wyndham City considers may constitute a risk, items that must not be installed or which are not permitted as part of landscaping the nature strip include:

- shredded plant products such as wood chips and bark, other than that specified in Section 6.6 of this policy, or pea straw or similar;
- rocks or pebbles greater than 7mm diameter;
- bluestone pithers, railway sleepers or retaining walls;
- scoria;
- artificial turf;
- irrigation systems;
- letterboxes, which must be on private property;
- temporary or permanent electrical wiring, including tree lights; and
- metal stakes or star pickets.

8. SAFETY MEASURES

During landscaping works, the resident or their contractor is responsible for erecting high visibility safety fencing, signage and other public protection to ensure site safety. This fencing, signage or public protection must not interfere with the footpath or be a hazard in itself. Wooden stakes must be used for safety fencing. Metal star pickets must not be used on nature strips because of the potential risks of electrocution if any power cable is inadvertently damaged.

When the modification is completed, the landscaping on the nature strip must be maintained in a safe condition at all times.

9. UTILITIES AND MAINTENANCE WORK

Wyndham City and utility companies that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to do maintenance work. The utility companies are required to reinstate the nature strip following maintenance work, but are not required to reinstate residential nature strips that have been modified and landscaped other than in grass.

Wyndham City cannot guarantee that utility companies or maintenance contractors will reinstate or replace plants, mulch, or any other modifications made to the nature strip, to the condition existing prior to maintenance work.

Wyndham City will not be responsible for replacing plants or landscaping as a result of such works.

10. FAILURE TO MAINTAIN NATURE STRIPS

10.1 How nature strips are maintained

Nature strips modified in accordance with this Policy 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 plants other than street trees pruned to a height of no more than 500mm at all times; and
- keeping the nature strip free of weeds and rubbish, any tripping hazards and any protruding objects.

10.2 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 Local Law.

10.3 Maintenance and reinstatement

If the resident fails to comply with the requirements of a Notice to Comply, the Wyndham City will arrange for maintenance or reinstatement of the nature strip. The cost of maintenance or reinstatement will be charged to the resident.

11. ENFORCEMENT

11.1 Notice to Comply

If a nature strip has been landscaped in contravention of the Local Law or this Policy, the resident will be issued with a Notice to Comply to reinstate the nature strip. A Notice to Comply may require that the specific problem be fixed by a date which is usually 14 days from the date on the notice.

11.2 Failure to Comply

Failure to comply with the Notice to Comply may result in the resident being subject to Court proceedings.

11.3 Removal

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

11.4 Reinstatement

If the Wyndham City has to reinstate the nature strip, the cost of the reinstatement will be charged to the resident who did the landscaping.

12. ENQUIRIES AND ADDITIONAL INFORMATION

For further information regarding this policy contact Wyndham City's Urban Spaces & Civil Works Unit on 9742 0777.

For information on landscaping treatments or to obtain copies of:

- The guidelines for establishment of grassed nature strips; or
- The guidelines for establishment of granitic sand nature strips; or
- The list of species suitable for use in landscaping nature strips;

Contact Wyndham City's Urban Spaces & Civil Works Unit on 9742 0777. These guidelines are also available on the Wyndham City's Web Site at www.wyndham.vic.gov.au.