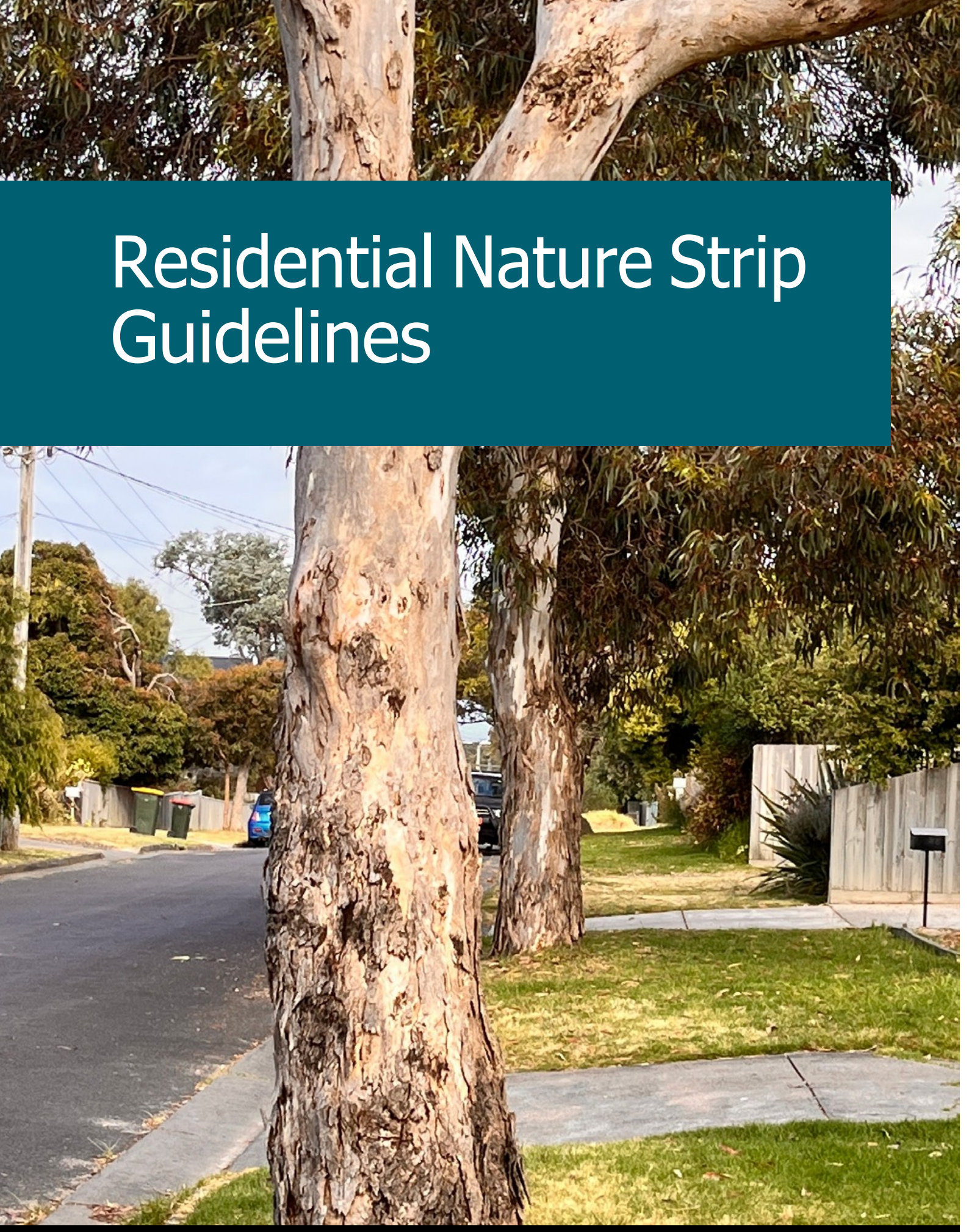
Residential Nature Strip Guidelines



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Surf COAST SHIRE

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Figure 1, 2 and 3 images created by and courtesy of City of Port Phillip.

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 can also be part of defendable space. Defendable space is an area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.

Nature strips are public land that are 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.

Definition of Nature Strip

A nature strip, by its common definition is described generally as being a grassed area that lies between the roadway and footpath or property boundary.

Incorporated into the Local Law

These Guidelines have been incorporated into and form part of Council's Community Amenity Local Law 2021. Pursuant to clause 6.5 of that Local Law, it is an offence for works to be undertaken to a nature strip in contravention of these Guidelines.

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

Council's Policy key principles are 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 including the management of the risk of fire to community and infrastructure, and
- are a location of essential services to the community (eg: water mains, gas, power etc.)

Council recognises that the character and role of nature strips and residential road reserves differ across the municipality. The Policy and Guidelines aim to allow for those differences.

2. Policy Application

IMPLEMENTATION OF THE POLICY AND GUIDELINES

Prior to the adoption of the Policy and these Guidelines, Council recognises that there has been no clarity or consistency in terms of the types of works (if any) Council was prepared to allow to be undertaken to nature strips. This has resulted in wide range of diverse uses and development of nature strips. With the Policy and these Guidelines, Council aims limit any inappropriate uses and deliver more positive outcomes in line with the Policy Principles.

Council recognises that there are many nature strips through the Shire where residents have undertaken works which do not comply with these Guidelines. It is not Council's intention to require residents to retrospectively comply with the Guidelines however Council retains the right to direct any resident to remove any structure or planting which Council deems to be a safety risk.

> Residents are not required to make changes to their existing nature strips to adhere to these Guidelines

These guidelines apply to Council managed nature strips.

BUSHFIRE MANAGEMENT OVERLAY

The Bushfire Management Overlay (BMO) has a major influence on these Guidelines. The BMO applies to land in Victoria that may be at risk from bushfire.

Surf Coast Shire is recognised as one of the highest risk areas within Australia for bushfire. A map of the Shire showing the areas within the BMO is included in Appendix A (see also https://mapshare.vic.gov.au/vicplan/).

In response to the BMO sections 4 and 5 of these Guidelines are split into properties under the BMO and properties not under the BMO.



3. Objectives

These Guidelines are intended to provide clear guidance for property owners and residents by outlining what are acceptable works, standard treatments and installations which residents may carry out on nature strips within the Shire.

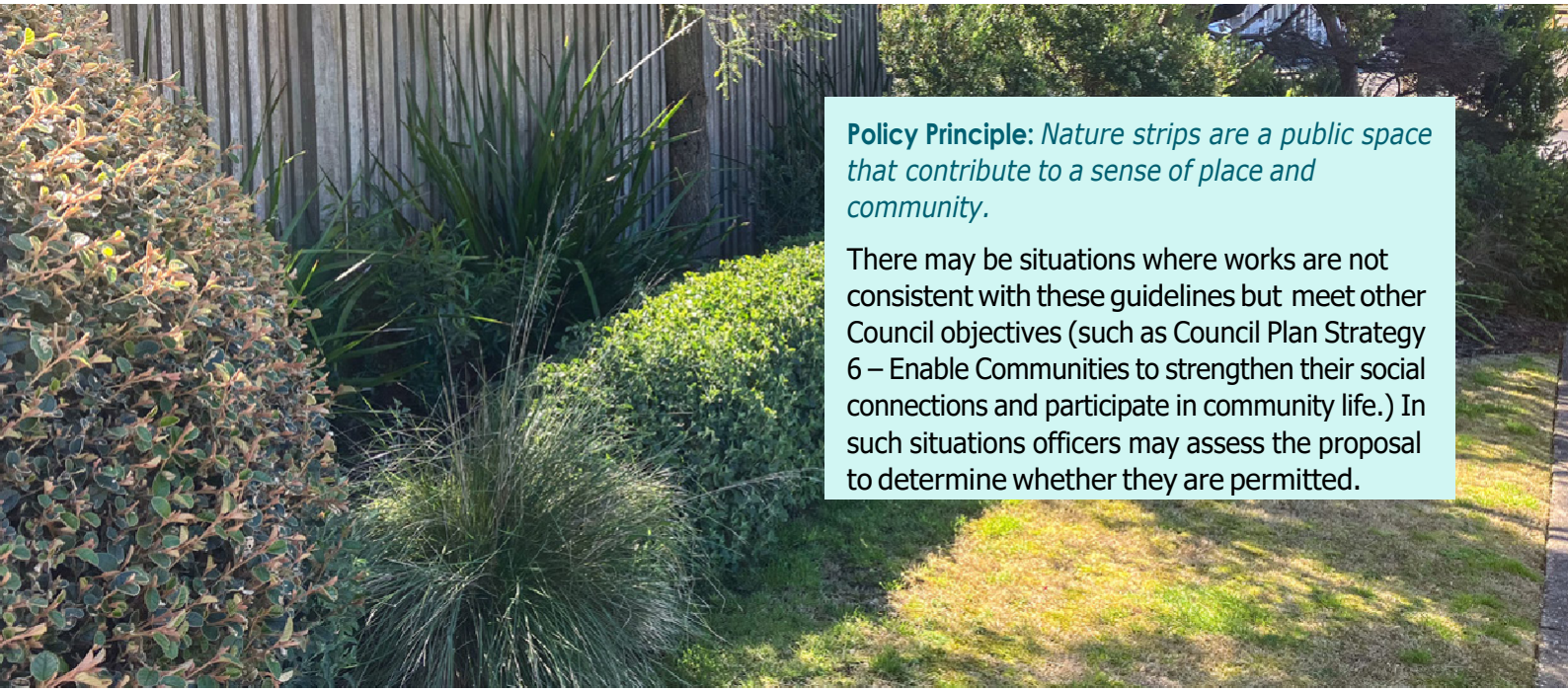
If a property owner or resident is adhering to these works and/or treatments, they will not be required to obtain a permit from Council.

In all other circumstances a permit will need to be obtained so that officers can individually assess any proposed works to ensure that they are consistent with Council's requirements.

If in doubt, property owners and residents must contact Council's Development Engineering team to discuss their proposals before commencing any work.

When considering an application to undertake works that are not permitted by these Guidelines (being works r for which a permit is required), Council will consider the following (in addition to any specific statutory or other requirements that may apply in a particular case):

- Is the proposed installation permitted in accordance with applicable statutory requirements?
- Is there an unacceptable risk to health and safety and the broader community?
- 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?
- Will access be maintained for postal deliveries?
- Will access be maintained to fire hydrants for emergency services and other service utility installations such as power, sewer and telecommunication pits?
- Will it impede the visibility for motorists, cyclists and pedestrians at intersections, curves in the road and at driveways?
- Will it absorb and filter storm water runoff?
- Will there be an area to place bins for collection?
- Will it complement the existing streetscape?
- 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?
- Will there be space for a street tree?
- Are the proposed works consistent with the BMO and relevant Surf Coast Shire Planning Scheme objectives?



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

There may be situations where works are not consistent with these guidelines but meet other Council objectives (such as Council Plan Strategy 6 – Enable Communities to strengthen their social connections and participate in community life.) In such situations officers may assess the proposal to determine whether they are permitted.

4. Council approved treatments - for properties not within the bushfire management overlay

The following are standard nature strip treatments, works and installations which may be undertaken without requiring a permit from Council.

GRASSED NATURE STRIPS

Grassed nature strips remain the most common and preferred finish on nature strips within the 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.

Policy Principle: *Nature strips play an active role in supporting Council's Climate Change Response including the management of the risk of fire to community and infrastructure.*

More trees and vegetation in urban streetscapes will create cooler and greener public spaces, addressing the following three challenges:

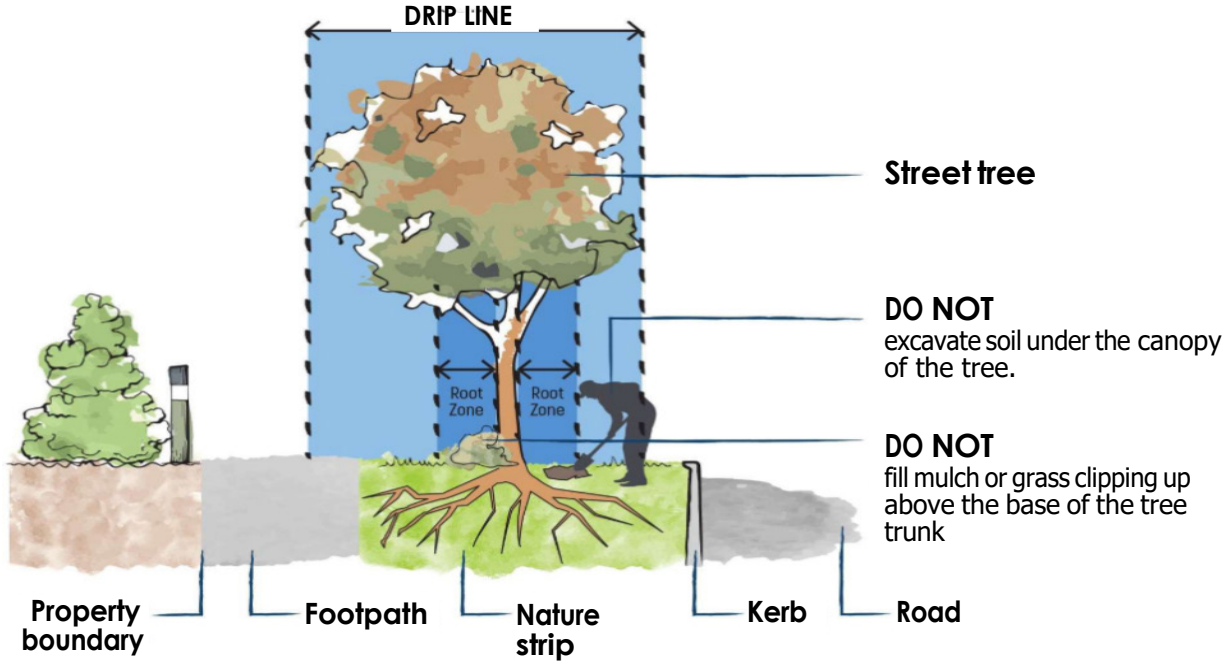
- The exacerbation of the urban heat island effect: where paved areas (including aphalt, concrete and gravel) store heat that increases local temperatures and intensifies the impacts of heat waves;
- The creation of urban stormwater runoff: where impermeable paved areas prevent rainwater from infiltrating into the ground, and instead shed water and pollution into waterways; and
- The lack of natural features and ecosystems: where the absence of trees and vegetation severely impacts both human health (physical and mental) and ecological health in an urban environment.

Policy 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.

See section 6 for further information regarding street trees.

Figure 1: Street Trees



ADDITIONAL PLANTINGS ON THE NATURE STRIP

A person may plant the following types of plants on the nature strip outside of their property boundary without requiring a permit to be issued by Council.

Those plants include: lower level plants, shrubs and edible plantings subject to the following conditions:

1. The type of vegetation is on Council's preferred species list. A list of preferred and banned species is available on Council's website.
2. Council will not permit the use of plants that are:
    - prickly or spiky;
    - shrubs which grow more than 0.5m in height that can obstruct a drivers line of sight; and/or
    - species considered to be environmental weeds within the municipality.
3. Safety and accessibility must always be maintained. Clearances are required from the back of kerb, the building line and driveways to ensure that:
    - people can travel safely on the pathway
    - people can see other people walking and cycling
    - people can get out of a car parked on the street
    - service authorities can access their infrastructure (clearances are required from any planting to service pits and other utility installations)
    - there is space for bins, and
    - a safe street environment that maintains good surveillance, light and access is maintained.
4. The minimum clearance distances are as follows (see Figure 2 below):
    - 1.0 from back of kerb
    - 0.5m from the edge of a pit
    - 0.5m around service pits (power, telecommunications, etc.)
    - 0.5m from the edge of a driveway, and
5. 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.

   Shrubs which exceed 0.5m in height must be pruned or lopped so that they comply with this height restriction.

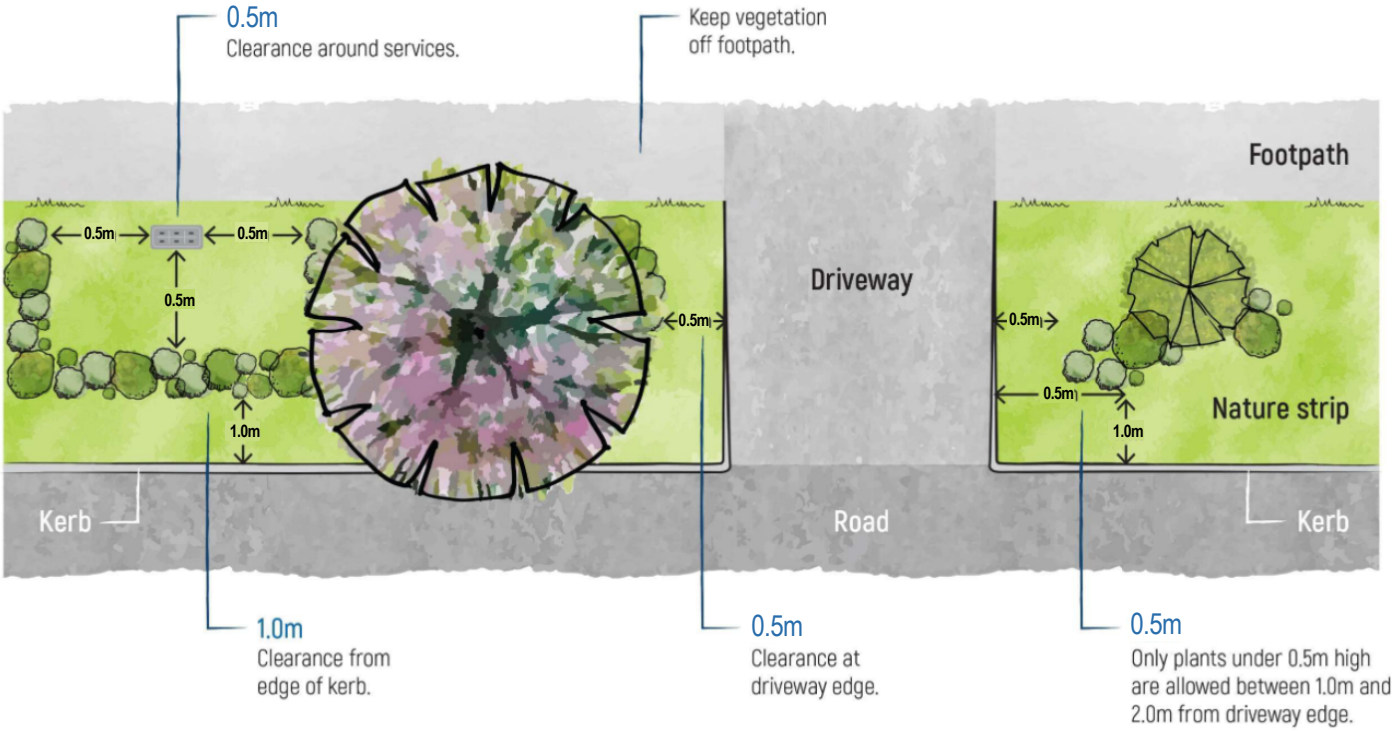


Figure 2: Clearances

MULCH

Mulch is permitted under and around plantings but should not take up the entire nature strip. Mulch should not be placed in areas such as the clearance zone behind kerbs or pedestrian zones. Mulch should not extend up above the base of any tree as this can facilitate rot in the tree.

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, including removable planter boxes, may be placed around other introduced vegetation within the nature strips, subject to the following conditions:

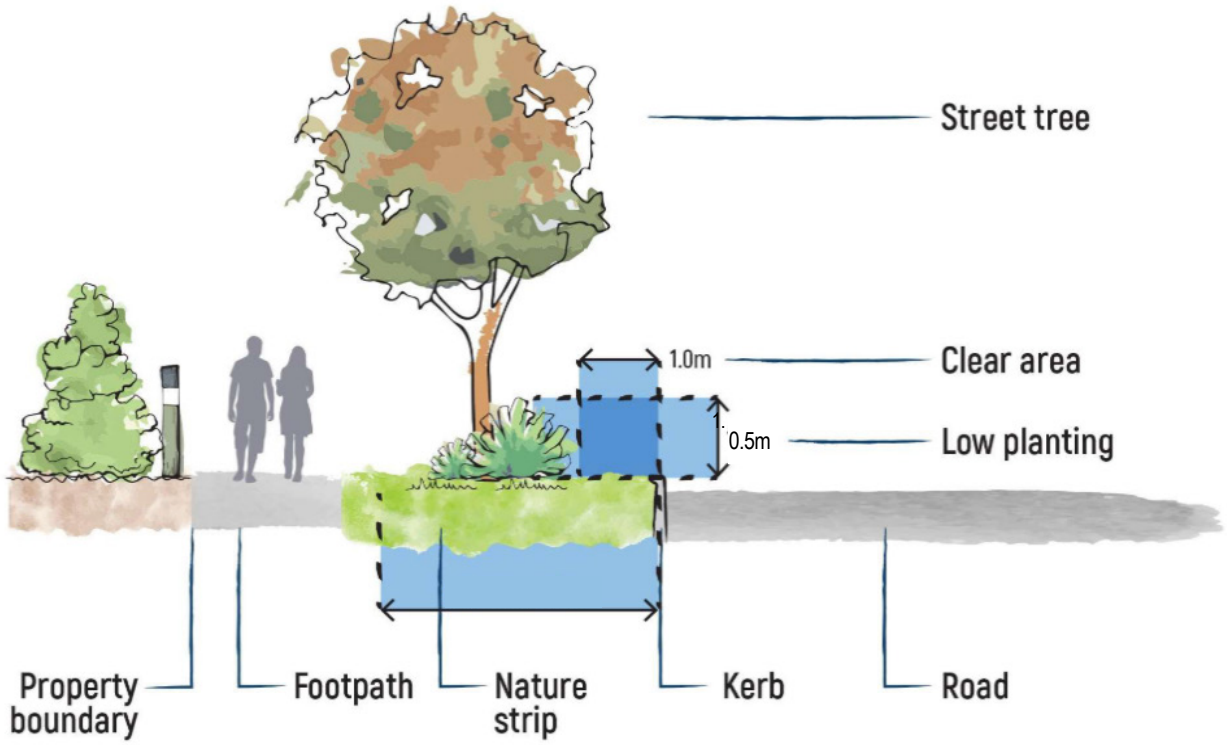
- it complies with the offset and height parameters outlined within this document
- planter boxes are not affixed to the nature strip, or any infrastructure in and around the nature strip
- planter boxes are constructed in a way to prevent soil and debris from escaping the planter box.

EDIBLE PLANTING

Edible and fruit bearing plants (low profile/not trees) are permitted provided they fit within the planting areas and heights outlined within this document, and the following considerations are noted:

- plantings that are toxic or poisonous to humans prohibited,
- Council does not accept responsibility for illness or allergic reactions caused by ingestion or contact with the plants or produce planted by a property owner or resident on a Council nature strip,
- plants are not to be treated with weed killers, pesticides or fertilisers as they can pollute stormwater runoff,
- property owners or residents must maintain the fruit/vegetables to manage and remove produce dropping on the nature strip, insect infestations or rotting items,
- adjoining pathways and kerbs 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.

Figure 3: Plant Heights





Policy Principle: *Nature strips should be safe and accessible spaces.*

Nature strips must 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 must be available.

Policy Principle: *Nature strips perform a role in housing essential services to the community.*

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

5. Council approved treatments - for properties within the bushfire management overlay

The following are standard nature strip treatments and installations that are approved by Council for properties within the bushfire management overlay. These treatments do not require a permit from Council.

GRASSED NATURE STRIPS

Grassed nature strips remain the most common and preferred finish on nature strips within the 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.

Policy Principle: *Nature strips play an active role in supporting Council's Climate Change Response including the management of the risk of fire to community and infrastructure.*

Properties that are within the Bushfire Management Overlay are within a high bushfire risk area. All properties/lands within the Bushfire Management Overlay should work towards reducing fire risk and managing their defendable space.

Relevant clauses within the Surf Planning Scheme include, but not limited to, Clause 44.06 Bushfire Management Overlay, Clause 52.17 Native Vegetation, Clause 53.02 Bushfire Planning entitle residents to create defendable space under the 10/50 rule. Thus allowing the removal of any vegetation within 10 meters of the house and understory vegetation within 50 meters of the house. The nature strip is included in the 10/50 rule.

Further detail is provided here **cfa.vic.gov.au/plan-prepare/how-to-prepare-your-property/clearing-trees-and-vegetation**



6. Street trees

Planting and maintaining street trees is solely Council's responsibility. . Property owners and residents 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 and residents 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.

Residents can call Council on **5261 0600** or lodge an online request at **surfcoast.vic.gov.au/request** to ask for a street tree be planted in the nature strip. The request will be added to the Street Tree Planting Register and Council will arrange for an appropriate tree species to be planted.



7. Items and installations not permitted on the nature strip

In addition to any item which an authorised officer considers may constitute a risk to health or safety, the following items and works are not allowed without a permit:

- hard, impervious surfaces such as concrete, pavers or asphalt (other than pathways constructed under Council approval) as it restricts access to underground services, increases stormwater runoff and reduces filtering of nutrients,
- fine compacted gravel mulches such as washed granitic sand, Lilydale toppings or Tuscan toppings,
- uncompacted rock such as scoria, pebbles and larger diameter rocks that may be trip hazards,
- bluestone pitchers, large rocks and boulders, timber sleepers or retaining wallsas they may be trip hazards and can restrict access to services,
- framing around the base of street trees,
- artificial / synthetic turf 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 the turf is:
    1. installed by a qualified and insured professional company;
    2. maintained in a neat and tidy condition; and
    3. removed and the nature strip reinstated with topsoil and seed at a date agreed to by Council.
- irrigation systems – both below and above ground,
- letterboxes, as these must be located on private property in urban areas,
- permanent structures such as retaining walls, buildings, fences (other than on the property boundary),
- temporary or permanent electrical wiring, including tree lights, and
- metal stakes or star pickets.

Policy Principle: *All*

Items listed within section 7 are not permitted due to health, safety or environmental factors. Council will consider applications to do any of these things referred to in section 7 on a case by case basis.



8. Additional considerations

VEHICLES CROSSINGS / DRIVEWAYS

The vehicle crossover is the part of a property's access (or driveway) 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 **surfcoast.vic.gov.au**.

EXCAVATION AND CULTIVATION

All excavation and cultivation should be done by hand. 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 property owner, 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 property owner, resident or their contractor must repair any damage that they cause to Council assets at their own cost.

SAFETY MEASURES

During any nature strip works, the property owner, resident or their contractor is responsible for always ensuring public safety, which may include erecting high visibility safety/temporary fencing, signage and any other occupational health and safety 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.

SERVICE AUTHORITY AND COUNCIL MAINTENANCE WORK

Existing Council or other service authority assets located in, on or under the nature strip must not be removed or interfered with. Damage to, or interference with, such assets may be an offence.

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 nature strip landscaping.

REMOVING NATIVE VEGETATION

Native vegetation within the nature strip may be protected and a Planning permit may be required to remove it.

HERITAGE OVERLAYS

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

9. Nature strip maintenance

NATURE STRIP MAINTENANCE RESPONSIBILITIES

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

FAILURE TO MAINTAIN A NATURE STRIP

Where a person carries out works to a nature strip in accordance with these guidelines, or obtains a permit to carry out works outside of the scope of these guidelines, that person is required to maintain that area or those works to Council's satisfaction.

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 permitted to reinstate any elements that are inconsistent with the Residential Nature Strip Policy or Guidelines.



10. Enforcement

NOTICE TO COMPLY

If a nature strip has been altered or landscaped, or not maintained, in contravention of these Guidelines an offence under the Local Law will have been committed.

Council may proceed to direct the person responsible for carrying out the unpermitted works with a Notice to Comply requiring that they undertake what is considered to be appropriate remedial works within a defined period.

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.

FAILURE TO COMPLY

Failure to Comply with a Notice to Comply is an offence which may result in enforcement action being instituted such as the issuing of an infringement notice or prosecution proceedings.

REMOVAL OF UNSAFE, HIGH RISK OR OBSTRUCTIVE NON APPROVED INSTALLATIONS

If an authorised officer considers that the treatment or condition of a nature strip is:

- unsafe or 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,

an authorised officer may take immediate action to address or remove the treatment and reinstate the nature strip to a compliant condition.

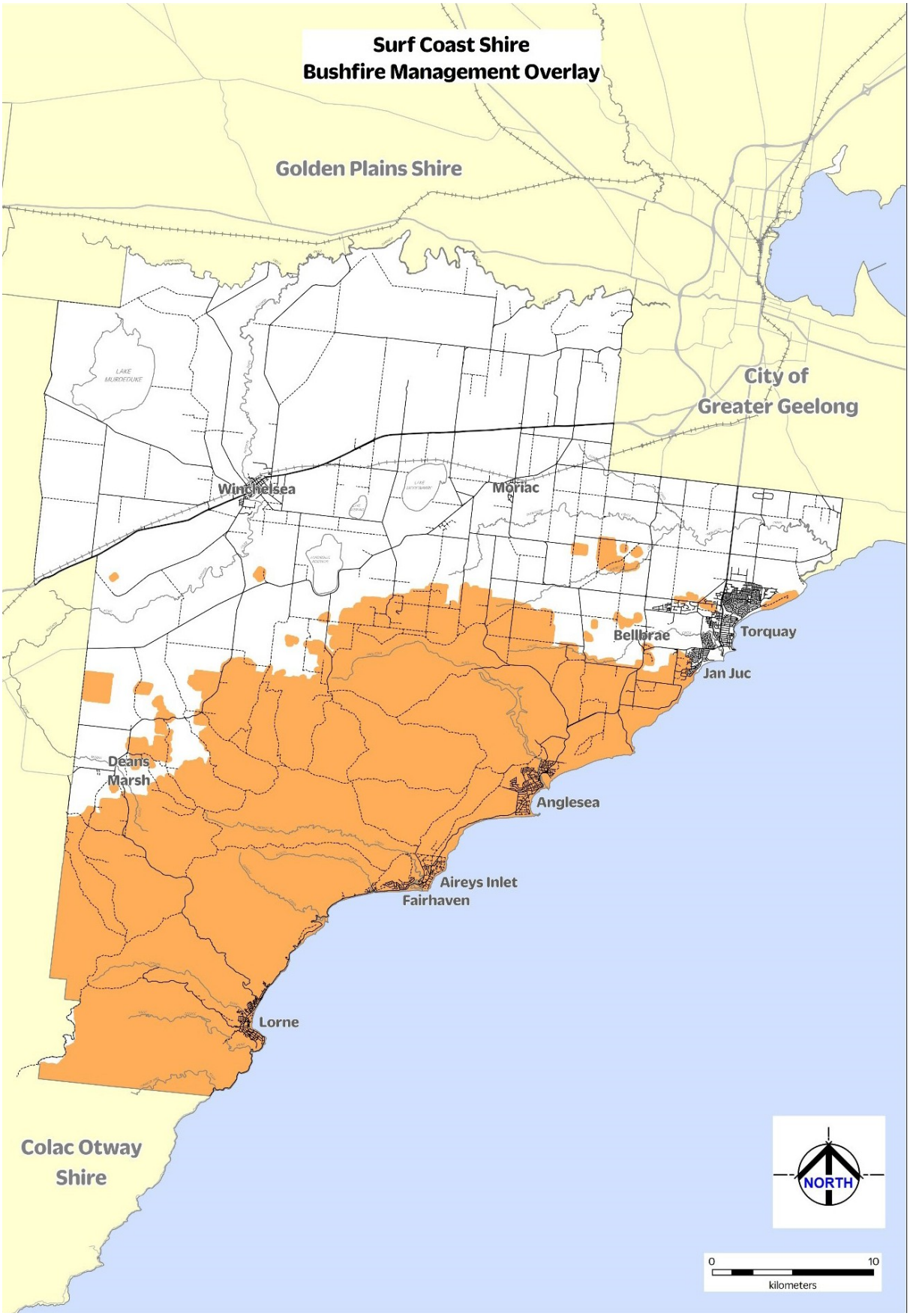
PARKING ON NATURE STRIPS

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 officers.

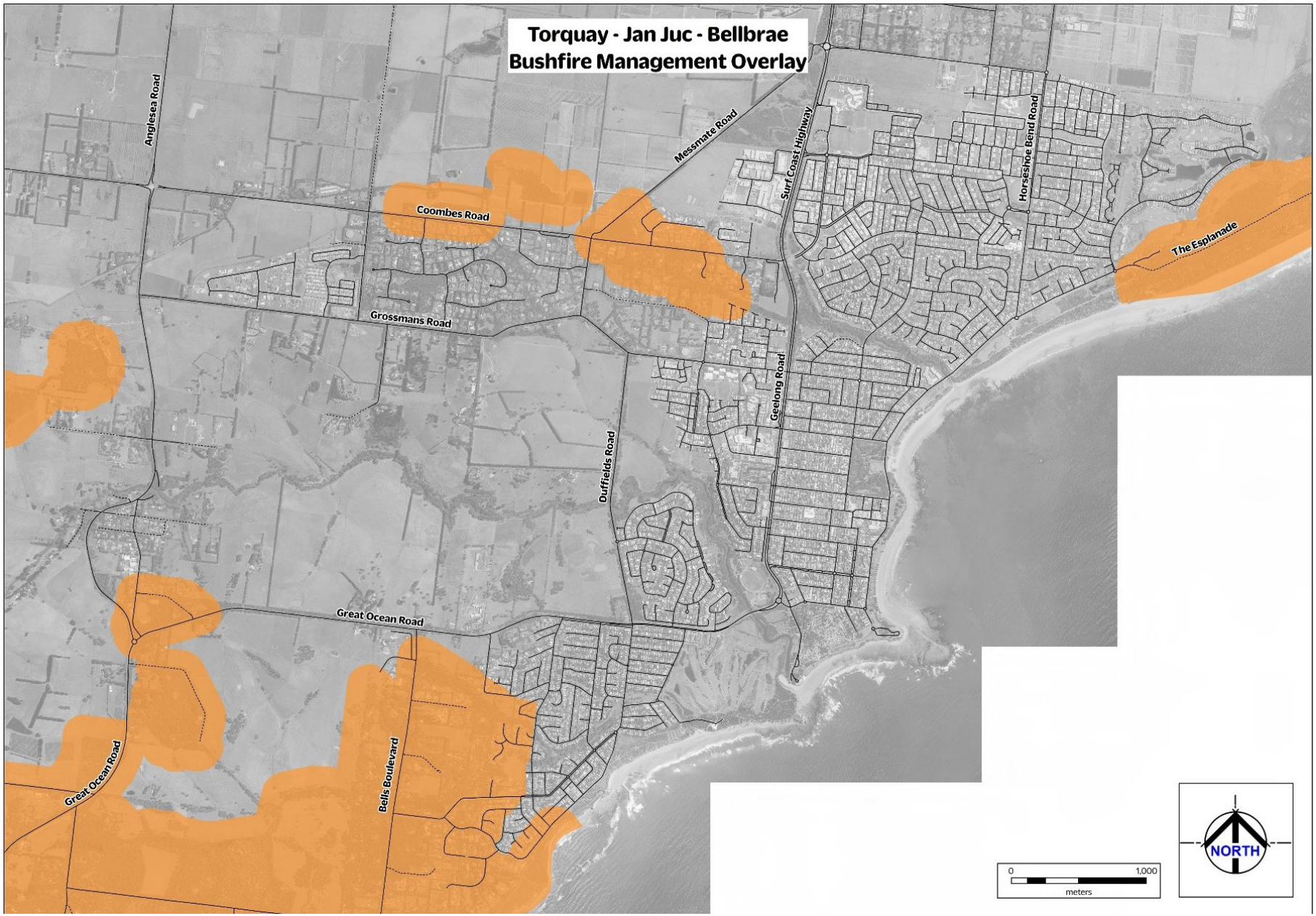
11. Relevant Policy - Regulations or Legislation

- Road Safety Act 1986
- 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
- Surf Coast Shire Planning Scheme

Appendix A – Bushfire Management Overlay



*Orange shading indicates overlay



*Orange shading indicates overlay