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| Policy Title: | Maintenance of Footpaths and Nature Strips in Urban Areas |
| Policy No: | 216 |
| Policy Subject: | Maintenance |
| Directorate: | Technical Services |
| Department: | Transport |
| Responsible Officer: | Director Technical Services |
| Authorised by: | North Burnett Regional Council |
| Adopted Date: | Technical Services Meeting – 02/04/2013 |
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| Authorities: | |

DEFINITIONS:

For the purpose of this policy, the following definitions apply:

Walkway: A walkway is the formed or constructed facility that is provided and maintained, principally for the movement of pedestrians along a street or road, usually in residential areas.

Nature Strip: A nature strip is that tract of land within a road reserve that is located between the property boundary and the roadway. Walkways are usually located within this area.

Roadway: A roadway is the constructed section of carriageway between the backs of kerbs in streets and roads, or that area between the inverts of surface drainage swales where kerbing has not been provided in streets or roads.

INTRODUCTION:

In accordance with Chapter Three (3) Part Three (3) Division One (1) on page fifty-seven (57) of the Local Government Act 2009, the Control of Roads in this area (other than State controlled roads) is vested in the North Burnett Regional Council.

Traditionally Council has not watered or mowed grassed nature strips in front of residential, commercial or industrial properties. This activity has normally been carried out by the property owner or the tenant (if required by the lease conditions).

The majority of property owners (and tenants) have accepted this responsibility, in keeping with their preference to maintain a neat and tidy appearance of the frontage of their property. However, it should be noted that there is no statutory requirement for the property owner to comply.

OBJECTIVES:

The objective of this policy is to set out the respective responsibilities of both Council and property owners (and tenants) in relation to the maintenance and mowing of nature strips, in order to provide a safe, functional and aesthetically pleasing streetscape. This policy applies to all Council controlled lands between property boundaries and Council controlled roads in the residential areas.

The policy encourages residents to maintain the road reserve area that adjoins their property in a tidy condition, however property owners are urged to plan and undertake such work in consultation with Council to ensure safe pedestrian access and the protection of community assets.

PRINCIPLES:

Nature Strip:

The primary purpose of this land is to provide a safe buffer zone between property boundaries and traffic using the road, as well as providing an area for the provision of necessary services infrastructure. It is used primarily to facilitate safe pedestrian movement alongside the roadway, while providing an area for the provision of infrastructure.

Nature Strips - Acceptable Condition:

Nature strips should be maintained to a reasonable level of appearance. This usually translates to the regular maintenance and mowing of grass throughout the year, in order to keep the nature strip:

- safe for the movement of pedestrians on any walkways incorporated into nature strips,
- aesthetically pleasing, and
- conforming to the overall streetscape of residential areas.

POLICY:

1. Nature Strips - Council's Responsibility

Council will maintain nature strips adjoining or within:

- Public reserve areas such as, bushland, parks or gardens;
- Council facilities such as public buildings, recreation grounds or swimming pools, and
- Central Business Districts.

2. Nature Strips - The Role of Property Owners (and tenants)

Traditionally, property owners (and tenants) have maintained nature strips adjoining their properties.

Council lacks the necessary resources to effectively maintain these extensive areas, which together constitute a large and sparsely spread area of land. As such, the efforts of property owners (and tenants) are required to maintain nature strips throughout Council's developed residential areas in a reasonable condition. Maintenance of nature strips not only benefits owners of the adjoining property, it also enhances the utility, attractiveness and value of the community as a whole.

Where roadworks result in the reduction of road width, with a corresponding increase in the nature strip area, owners (and tenants) of the fronting property are expected to maintain this extended frontage. Such reduction in formation is normally associated with pavement reconstruction, sealing (including shoulders) and/or installation of kerb and gutter. The benefits of such works to the property owner in improved amenity and property marketability are considered by Council to offset any increased inconvenience or cost due to additional maintenance of the nature strip.

3. Street Trees

Street trees are managed in accordance with Councils Policy on **Public Space Tree Policy**. Council periodically checks and carries out any necessary pruning, removal and replacement of trees and shrubs located in nature strips and public places. Property owners may apply to Council to remove or maintain trees or shrubs planted in nature strips adjacent to their property, however they cannot undertake such work without written approval from the Director Technical Services.

4. Landscaping Nature Strips

Property owners require written permission from the Director Technical Services to landscape (other than grow grass) on Council's nature strip in front of their property. Nature strips usually contain essential services such as sewer pipes, water pipes, telephone, power and gas. Any change such as tree planting or landscaping requires consultation with and written authorisation from Council. Landscape developments may include the following features (provided they remain less than 500mm above the road edge and do not create a public hazard): suitably planted (e.g.: no roses or cacti) garden beds with "soft" borders only, shrubs, ground cover plants, bark or similar materials. When assessing requests (including plans of the proposed works) to landscape the nature strip Council will consider:

- Impact on the streetscape
- Access to and safety of pedestrians
- Risk of impacting on street drainage
- Shadow and shade effects
- Likely ability of the property owner (and future property owners) to maintain the landscaped area

5. Prohibited Activities

The following list of activities that are prohibited on nature strips is not exhaustive and the omission of any particular activity from the list should not be taken that a specific activity is acceptable:

- Develop the nature strip (other than growing grass) without written approval from the Director Technical Services.
- Store or place any substance, material or object on the nature strip without written approval from the Director Technical Services.
- Install pavers, concrete, erect stone or brick walls, or similar structures or materials, on Council's nature strip.
- Allow any foliage to overhang a walkway or other pedestrian access to a height of less than 2.2 metres, for the full width of the nature strip, and not within 1.2 metres of the edge of any constructed walkway or other pedestrian access facility.
- Park or store any type of vehicle or trailer on Council's nature strip (registered or unregistered) or parts thereof.

6. Neglected Areas, Causing Safety Hazards or Unsatisfactory Amenity.

In cases where nature strips become overgrown, littered or generally not maintained to an acceptable condition, Council will write to the property owner and advise them of this policy. In exceptional circumstances Council will undertake the maintenance necessary to achieve the "Acceptable Condition of Nature Strips" outlined above.