
7.3. Policy 10.15 - Nature Strip and Median Maintenance Review

Summary

At the Ordinary Meeting of Council held 28 April 2025, the following motion was passed by the Council:

25 -104 RESOLVED

THAT Council:

1. Note the information provided on the status of regular median mowing of the Great Western Highway.
2. Write to the Hon. Jenny Aitchison MP, Minister for Roads and Regional Transport, requesting her intervention and assistance in finding a financial solution to the matter of Council's maintenance of the Great Western Highway median within the bounds of the urban 70km/h zone.
3. Undertake immediate maintenance works in the area of the Great Western Highway median outlined above.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Fredericks

CARRIED

During debate, Councillor Ticehurst correctly noted that Council did have a policy position on the maintenance of the Great Western Highway median, contained within Policy 10.15 - Nature Strip and Median Maintenance.

The Administration have amended this policy to offer clarity on that matter but also suggest several other suggestions for improvements to the document.

Commentary

The suggested amendments to the abovementioned policy of Council are as follows:

1. An expanded set of Policy definitions.
2. Removal of the requirement for Council to maintain vacant blocks in the event the owner does not or is unable to regularly mow their land.
3. Re-wording of the position wherein Council maintains nature strips for elderly or disabled owners. Removal of this requirement was considered, but eliminating such a goodwill gesture may be accompanied by significant reputational harm.
4. A change to recognise that Council will only maintain the Great Western Highway if it is paid by Transport for NSW to do so.
5. Inclusion of details of landscaping treatments for nature strips that are pre-approved.
6. Inclusion of details of alternative landscaping treatments for nature strips that Council may consider on merit.
7. Inclusion of details of landscaping treatments that Council will not consider.
8. Inclusion of details of repair requirements in the event any party damages a nature strip or footpath reservation.

Should Committee members have any other proposed changes to the policy, with guidance the administration will give effect to these for the consideration of Council at their Ordinary Meeting tabled for June 2025.

Perceived Legal and Risk Implications

In most areas, Council relies on the goodwill of residents to maintain their verges and nature strips. However, in the eyes of the law, these verges are public lands and lie within the public road reserve.

Ultimately, a resident may refuse to maintain their verge which may result in the responsibility for upkeep to fall to the Council. This may become difficult if the verge has been embellished or decorated in a way that is more significant than the planting of street trees. Council has very limited resources to maintain a road verge in any way other than simple mowing. To do otherwise would result in reduced levels of service elsewhere across the LGA.

Additionally, particularly in areas where no concrete footpath has been installed, grassed verges are used for pedestrian access. It is the Council's responsibility to ensure these areas are accessible and free from trip hazards and the like.

For these reasons, it is critical that footpaths remain clear from trip hazards to the extent that is considered reasonably practicable.

Attachments

1. (Current) Policy-10 15- Nature Strip Median Maintenance [7.3.1 - 2 pages]
2. Draft Policy 10 15 NatureStripMedianMaintenance (2) [7.3.2 - 5 pages]

Recommendation

THAT the Committee note the report and suggest any additional amendments they wish be made to the draft Policy 10.15 - Nature Strip and Median Maintenance.



10. PROPERTY MANAGEMENT

Policy 10.15

NATURE STRIP AND MEDIAN STRIP MAINTENANCE

Version 3

10. PROPERTY MANAGEMENT

10.15 NATURE STRIP AND MEDIAN STRIP MAINTENANCE

OBJECTIVE:

This policy sets out the responsibilities of Council and acknowledges the efforts of property owners or tenants in relation to the maintenance of nature strips in urban areas to provide a safe, functional and aesthetically pleasing streetscape.

DEFINITIONS:

Nature strip is the area of land between a property boundary and the edge of the roadway.

Centre Median: This is the area in the centre of the road reserve that is either constructed of concrete or is landscaped with grass and or trees.

Maintenance: Maintenance includes, but is not limited to, activities such as mowing, slashing, weed control, and rubbish and waste removal.

POLICY:

1. Council is responsible for the maintenance of the following nature strips:
 - a. Public reserve areas such as parks, gardens, or bushland.
 - b. Council facilities such as public buildings, recreation grounds or swimming pools.
 - c. Central Business Districts
 - d. Vacant blocks where the owner does not or is unable to regularly mow their land.

2. Traditionally, property owners (and tenants) have maintained nature strips adjoining their properties as Council lacks sufficient resources to effectively maintain all of the urban nature strips. Council acknowledges and appreciates the efforts of property owners/tenants for the maintenance of nature strips adjoining their properties. Council understands, however, that elderly and/or disabled owners may require assistance from Council to maintain the nature strip adjacent to their properties.

3. Council will mow and/or maintain centre medians, including those on the Great Western Highway within the 70kph zone.

4. The General Manager may cause to prepare and amend from time to time a Standard Working Procedure detailing service levels in relation to this policy.

Maintained by Department:	Operations	Approved by:	Council		
Reference:	Policy Register	Council Policy No:	10.15	Effective Date:	
Min No:	V1 - P08-62 V2 - 09-189 V3 - 14-244	Version No:	3	Reviewed Date:	Mar 2009 Jul 2013 June 2014
Attachments:					



10. PROPERTY MANAGEMENT

DRAFT Policy 10.15

Footpath Reservation and Nature Strip Maintenance

Version 2

10. PROPERTY MANAGEMENT

10.15 – FOOTPATH RESERVATION AND NATURE STRIP MAINTENANCE

INTRODUCTION:

Nature strips play an important role in the aesthetic, environmental and social health of Lithgow. Nature strips complement and enhance the streetscape by providing a "green" zone between the carriageway, pedestrian footpath and the adjacent property. They provide a buffer between pedestrian and vehicular traffic and an opportunity for the establishment of street trees which fulfil a significant role in streetscape character. This document provides guidance for residents regarding the development and maintenance of nature strips throughout the wider Lithgow area as well as any modification of a standard grassed nature strip. Property owners are required to adhere to the guidelines when undertaking any nature strip construction, landscaping or alternative treatment other than mown grass.

DEFINITIONS:

Nature strip: The area of land between a property boundary and the edge of the roadway, excluding private accesses.

Central Business Districts: Areas of highest urban density, typified by a concentration of retail and/or office buildings.

Centre Median: This is the area in the centre of the road reserve that is either constructed of concrete or is landscaped with grass and or trees.

Disabled: A resident having a physical / mental condition that limits movement, senses, or activities.

Maintenance: Maintenance includes, but is not limited to, activities such as mowing, slashing, weed control, and rubbish and waste removal.

POLICY:

Nature Strip Maintenance

1. Council is responsible for the maintenance of the following nature strips:
 - a. Public reserve areas such as parks, gardens, or bushland;
 - b. Council facilities such as public buildings, recreation grounds or swimming pools; and
 - c. Central Business Districts
2. Property owners (and tenants) are required to maintain nature strips adjoining their properties as Council lacks sufficient resources to effectively maintain all of the urban nature strips. Council acknowledges and appreciates the efforts of property owners/tenants for the maintenance of nature strips adjoining their properties.
3. Unless a cost-recovery mechanism is agreed between Council and Transport for NSW, Council will not mow and/or maintain centre medians of the Great Western

Highway, including those on the Great Western Highway between Main Street and Magpie Hollow Road.

4. Nature strips can be landscaped to achieve the following:
 - a. Grassed nature strip
 - b. Permeable surface treatment using a fine gravel mulch or organic mulch that is stable.

With prior approval from Council, should a resident install any alternative landscaping measures, responsibility for all maintenance will remain with the property owner.

5. Should a resident be unable to maintain a grassed nature strip or suffer financial hardship such that they cannot arrange for contract maintenance, an alternative to grass is a permeable surface treatment such as synthetic grass or granitic gravel or similar graded material, with approval from Council, may be considered. While this treatment assists to retain soil moisture and does not require mowing or watering, it will require periodic weeding and maintenance. Two mulch types can be used:
 - a. Fine gravel mulches (75mm depth) such as granitic gravel or Lilydale toppings; or
 - b. Organic mulch (75mm depth) such as graded bark or vegetative mulch.

Materials such as straw, underfelt, stones, scoria, blue metal, pebbles or other loose stones are not permitted.

6. Alternative footpath reservation / nature strip treatments will only be considered where the resident is unable to maintain the nature strip as a result of disability and can demonstrate proven financial hardship that prevents the use of contract labour.
7. To comply with this policy, Council will not permit the following on a nature strip:
 - a. Plants that are prickly or spiky,
 - b. Woody shrubs,
 - c. Shrubs that grow greater than 500mm high
 - d. Weed species
 - e. Residents to plant or remove any trees within a nature strip or footpath reservation
 - f. Works that create a fire or health hazard
 - g. Irrigation systems within a nature strip
 - h. Temporary or permanent electrical wiring on a nature strip
 - i. Herbicide application to permanently retain a nature strip devoid of grass
 - j. Alteration of nature strip levels.
 - k. Any alterations which may constitute a trip hazard, or otherwise impact on the ability of a vehicle to park adjacent to the kerb.

Unless otherwise approved by Council. Council holds a list of approved species for certain precincts throughout the LGA. An application must be made to the Council in writing prior to a tree installation to ensure the species selected is suitable.

8. Council reserves the right to issue a compliance or improvement order to any resident who has affected modifications to their nature strip which do not comply with this policy.
9. The General Manager may cause to prepare and amend from time to time a Standard Working Procedure detailing service levels in relation to this policy.
10. Noting the resource constraints of the Council and the significant size of the Lithgow LGA, Council maintenance of a nature strip will only be considered if the land is directly adjacent a privately owned residence, if the resident is disabled, and other options such as contract maintenance or alternative treatments are not possible. Such maintenance will occur only as resources permit.

Repair of Nature Strip / Footpath Reservation Damage

1. Council and utility/service authorities that supply water, gas, electricity and telecommunications, may from time to time require access to the nature strip or footpath to perform maintenance work. Council and utility/service authorities are responsible for repair and reinstatement of the nature strip upon work completion.
2. Councils and utility authorities are not required to reinstate nature strips with landscape materials, irrigation systems and plants other than grass. However both Council and utility authorities are required to reinstate any footpath disturbance to a standard in accordance with Council's engineering guidelines. Councils and utility authorities are not responsible for replacing plants, landscape materials or irrigation systems as a result of such works.
3. Upon notification, Council will document and register the pre-condition of assets prior to any utility authority disturbance within the footpath reservation to ensure adequate restoration of assets.
4. No compensation will be provided to residents by Council should any infrastructure maintenance or street tree pruning work have a negative impact on unapproved nature strip landscaping.
5. If the nature strip or footpath is damaged as a result of building works on private property, the builder or property owner is responsible for repair and reinstatement of the nature strip or footpath. Council is not responsible for replacing plants or landscape materials as a result of such works.
6. Council will attend to nature strips identified as a risk to public safety.
7. Council reserves the right to install a footpath at any time. Council will not reimburse for loss of plants/damage to landscaping where a footpath is installed.

Maintained by Department:	Infrastructure and Economy	Approved by:	Council		
Reference:	Policy Register	Council Policy No:	10.15	Effective Date:	
Min No:	V1 - P08-62 V2 – 09-189 V3 - 14-244 V4 -	Version No:	4	Reviewed Date:	Mar 2009 Jul 2013 June 2014 Jan 2015 Oct 2017 April 2024 May 2025
Attachments:					