



14 September 2023

WEST COAST COUNCIL NATURE STRIP POLICY

FEEDBACK SUMMARY

ENQUIRES TO:

Growth & Change Department,
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WESTCOAST.TAS.GOV.AU

WEST COAST

TAS

WEST COAST COUNCIL NATURE STRIP POLICY

REQUEST FOR COMMUNITY FEEDBACK AND COMMENTS

Following the release of the concept design, an opportunity for the community to provide feedback was provided and is presented below in a summarized form.

The proposal was released for public comment for a period of 3 weeks, from 21 August to 8 September 2023. The comment period was advertised via social media, Council website, local radio and LinkedIn. Feedback was received via email and post to Council office.

There were 14 feedback submissions received in total in relation to the proposal.

Name: Samantha Farr

It is indeed quite unusual that you as a council mow and maintain our nature strips, I do think it is in fact somewhat of a blessing as your staff's invaluable work help to maintain the visual appearance of our towns, both for the wellbeing of most members of the community and also potential new residents, business and tourist visitors alike.

Given we are in some ways somewhat located in the back side of Tasmania many a visitor would expect this region to be full of towns that are in a rather unkempt and unmaintained status, a little bit 'hill billy' to some extent this is true given the state of some vacant premises both residential and commercial. Therefore, your invaluable work to maintain some form of well-kept visual presentation of our towns is so important.

On the contrary, I can fully understand that the many council workers across the region that spend so much time on maintaining nature strips even if it is only 3 or 4 times a year could of course be deployed elsewhere.

So in terms of services, time management and best value from the councils point of view I fully understand whilst you may wish to convert to what is generally the norm and have residents maintain their nature strips.

Perhaps as a compromise council could see fit to at least do regular nature strip maintenance of the main thoroughfares into/through our towns eg Main Street Zeehan, Esplanade and main entryways into Strahan and Queenstown etc.

My biggest concern for residents such as myself who take pride in maintaining their property is all our towns will be let down by those that couldn't give a damn.

Other than that, I would be quite happy to see council staff no longer whipper snip along fence lines. As on many occasions I have been in my house, which is clad in Colorbond I have literally heard stones and chippings fly off from the council operated whipper snipper and ping against the side of my house and along the front.

If any of your members of staff while carrying out this work ever break a window, you'll be hearing about it!! Therefore, I would be quite happy if whipper snipping ceased and perhaps the ride-on mowing of the grassed areas continued in some form.

Thanks for your attention.

Name: Guy Lorenz

I don't own the nature strip. Why should I have to spend time and money on it? ALSO, some are much bigger than others. Some are on steep slopes. Some people have none at all. Where is the fairness? Try to look away from the town centre for once. If you send me a couple of litres of poison, I will gladly poison it at your expense.

Name: Thomas Menzie

In regards to the draft policy of us having to now mow and maintain land that isn't ours will the WCC cover workplace injuries and public liability for maintaining their land. And a email address for invoicing at the casual rate and minimum of 2hrs as a casual for every time I have to maintain your land. If this too complicated for you to email reply my number is 0402693572 if a phone call would be easier.

Name: Paul Frisby

If I sent a half complete email on this matter previously I apologise. Finger trouble I think.

Oops - I know I'm getting obsessive again but the drafting of this policy leaves much to be desired. I used to do this stuff and it should be done properly.

Before getting to that I believe there is relevant legislation to be referred to - Traffic Act.

Now as to drafting.

Syntax is appalling in places.

This is a Council policy so it should describe everything from Council's point of view. Council should be the subject in every area.

Without going right through every paragraph I would use the following as examples para by para:

3.1. Council is not a plural body. The second sentence should read: Council (or It) installs...

3.2 Would be better phrased positively rather than negatively eg: Council will maintain nature strips only at the service levels...

3.3 in the absence of a by-law this paragraph is unsupported as written and is probably redundant to para 3.2 anyway.

3.5 Syntax is appalling. Since when did the word 'please' appear in a policy document.

5.1 Informal language inappropriate for a government policy document.

6.1 Verbose.

7.1 Council should be the subject of the policy so this should be written as "Council will accept requests....".

8.1 Again, Council should be the subject. "Council will consider issuing permits..."

8.1 Procedural material should not be in policy documents.

9.1 Title is somewhat informal. Try something like "Private plantings on nature strips."

9.1 The language is all over the place. I don't think "below conditions" is actually English.

9.1 Again, without a relevant bylaw some of this is contentious as worded.

9.1 The personalisation using the word "your" is inappropriate.

10.3 Either your list of plants is going to be complete or it's not. I would make it complete with one addition "another species of plant approved by Council". There is great deal of choice there already and anyone wanting something else would surely make the effort to apply.

Please review the above, and the rest of the document in light of the above.

Name: Susanna Baudoeuf

Dear Council, with respect to the proposal for the nature strips, I think this is a great initiative. The council sprayed the drain on our nature strip earlier this year and the spray drifted into my garden and several plants died. It even killed my Hibis along my fence line. Thus, I am all for a no spray choice. I am also keen to plant bee attracting plants (low flowers and shrubs) and am more than happy to maintain the strip myself. I think this initiative will make the townships more attractive and perhaps our poor little frogs will have a chance of survival.

Name: Julie Jones

In regards to rate payer's being responsible for caring for the street verge I would like to ask: are the council going to make the areas level so that they can be mowed? In the 20 odd years that I have lived in this house, the area in front of my place has only been done by the council twice that I know of.

Last year, I cut most of the scrub off area because you could not see the road when you are coming out of the driveway. The area is very uneven with large lumps of concrete and rocks etc. There's no way it can be mowed. Many areas in Strahan do not have nature strips that can be cared for easily.

Does the council intend to level and clear the areas to make it possible for mowing? I also have concerns as to how the elderly are going to manage their verges? Many elderly and disabled people in Strahan pay to have their grass cut. Will this be an added cost for them? Will this mean that we get a reduction on our rates? Are we going to get more services?

Name: Ryan Gunton

With all the talk that council will not maintain the nature strips on the west coast and the property owner has to then the property owner should be able to fence that land and use it as they please. On the west coast we pay a high amount off rates which should cover the maintenance off this land like really what else do the council workers do around town

I myself will not be maintaining the nature strips as it is not my problem on another note what is going to be done with Meredith St to the golf club the road is an absolute disaster with large puddles covering the road most off the year and large pot holes. The road is nowhere near wide enough having to drive on the grass when there is a car coming in the opposite direction also when is something going to be done with the drainage ditch along that road is the west coast council waiting for another person to drown before something is going to be done about it with the amount of water that sits in it most off the time if that was in someone's back yard it would be illegal not to have a fence around it lift your game WCC.

Name: Grant Hodge

I can remember when Renison Bell mine gave back the responsibility of maintaining the nature strips and parks to the W.C.C they also gave tractor and slasher and other grass cutting equipment. Now they want to renege on their responsibilities and pass it on to us rate payers. I would have thought that after the resent eleven and a half percent rates increase that the W.C.C would have been able to employ more personnel to carry on with not only the maintenance of their nature strips and not ours but do more. It's about time us rate payers were given a break and were given more value for money.

Name: Carl Collins

This is public land and unless you are going to give us the land free of charge no rates no bills please do your job and maintain the nature strip like we pay you to do.

Name: Anonymous

I have a couple of points in relation to this "policy". As it is listed as one I am working under the assumption this is not "law"

6 Parking 6.1 Residents may park on the nature strip adjacent to their property. This must only occur where it will not impact pedestrian or driver safety and will not impact Council or other service provider infrastructure.

To which I counter with the actual law, which trump any "policy" (which is not law)

197. Stopping on a path, dividing strip, nature strip, painted island or traffic island

(1) A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless –

(a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Road Rules; or

(b) the driver is permitted to stop under another law of this jurisdiction.

- Road Rules 2019

Unless this policy is enacted in Tasmanian law, you are giving incorrect instruction which could lead to losses (fines) for those who follow it.

Lastly, the wording is terrible. I won't give specific examples as I may need some of these loopholes in the future, especially when you take into account that "common use" definitions are required of wording.

Finally I will take this opportunity to state that should I be expected to maintain Council property at my expense I will claim such property under adverse possession. (this is my formal notice that I am taking adverse possession of all nature strips as defined as 'my responsibility' within this policy if and when it comes into effect)

The expectation that I maintain property I have no ownership over is laughable especially given that council has made no consideration for those who may be unable to do so for a variety of reason including but not limited to chronic infirmity and poverty (The West Coast's 2 biggest imports IMO) I suggest you have a discrimination lawyer look at this policy to avoid being litigated against. I note there is no mention of who is responsible for the Public Liability Insurance/liability relating to maintenance activities (if WCC are expecting this, what PPE is being provided and how is WCC ensuring that all residents are following the correct 'WorkSafe' practices, this extends to the safety and suitability and provision of tooling used and finally to any damages that result as a complication of "shoddy work" that may or may not still be compliant within the framework of this "policy".

Finally, clean your own darn property, its what Rates are for, if you think this is unreasonable my front lawn needs a mow if you feel up to it this afternoon?

Small addendum as well, nowhere in the policy is there any mention of what a fit standard is. I know that some heights are given however Council have demonstrated that these are just that, guidelines.

In specific instances where WCC has failed in its duty for some very considerable time to maintain footpaths/nature strips (see attached image) will the resident be expected to 'foot the bill' of completing the work for which WCC has been collecting rates and demonstrably failing at least a number of WCC residents?

Can this level of 'maintenance' show within the supplied image be considered 'good enough' from Council standards, as obviously those trees in the footpath there (yes there is smashed path under all that debris) have been there for some years and as such are not an issue for WCC especially given their failure to clear them after having such issue (this spot specifically actually) brought to WCC's attention.

Name: David Sproule

In relation to the above I make the following points:

- 1) Draft Policy Section 1- "expensive activity for council"-without actually quantifying the expense this is a meaningless statement. Council wishes to transfer an ongoing, unknown liability in dollar terms to ratepayers, as well as collecting ever increasing rate income.
- 2) When is this policy likely to be enacted? Ratepayers have either paid their rates in full or at least the first instalment for the 2023-2024 period. This means they have contributed

to the cost of this activity which would have been accounted for by Council when determining rate levels.

Is a refund of these rates to be received by ratepayers? Is a reduction in rates for the next period (2024-2025) to be implemented if this policy is adopted? What will that reduction be? In either case there is no transparency as actual dollar expense has been recorded in the draft document.

3) Draft Policy -Definition and Application- "nature strips are an area of public land". Why am I/or would I want to be responsible for the maintenance and upkeep of property that isn't mine? Further, why would I incur the expense of buying plants etc (should I be so inclined) for something which isn't mine? The draft document also states that Council can arbitrarily seek removal any "improvement" if not to Council's liking.

4) If I mow the nature strip and cause damage to another's property e.g. flicking up a rock, are costs indemnified by Council or would responsibility for any costs/reparation be mine solely?

All I can see is additional costs to me as a ratepayer without any tangible benefit. No dollar figures have been quoted. Any refund in rates or proposed reduction in rate increases leave me reliant on the good will of the Council in determining these amounts. That is if either of these is offered.

This is poor policy needs to be withdrawn.

Name: Andrew Somerville

To be honest I have been a resident of Rosebery since January 2020 and have always mowed the nature strip in front of my unit on Beech Drive.

I have never seen Council mow this area. So as it stands it would not be change for me, although I would expect a change in my rates to reflect that I was maintaining the grass area?

Name: Tullah Progress Association

This is the Tullah Progress Association feedback submission to West Coast Council in response to its draft policy regarding West Coast Nature Strips and we are opposed to the introduction of this policy for reasons detailed below.

Summary statement of reasons why we are opposed to the draft policy:

We believe this policy is ill conceived and it will result in an unfair financial imposition on rate payers given the years of neglect by Council in relation to the maintenance of nature strips. These are areas of lane where, in some areas, land slips occur, noxious weeds grow and, associated with poor drainage.

We note that curb and guttering outside most residential homes within the townships does not exist so as to define exact boundaries where the nature strip areas are. This work need to be prioritised before the introduction of this policy so that maintenance works may occur in such areas.

We note that this policy does not refer to insurance risks or how and who is to be responsible in this matter.

This policy does not refer to any related legislation or regulations even though there is a number of them that relate to the management of nature strips.

1. Regarding the Background information statement of the draft policy

The statement in the introduction paragraph of this policy states ‘...most other LGA’s where residents have the primary responsibility’, which we believe to be highly in accurate. Of the 29 Local Councils we could not find any policy related to nature strips on 14 of the official websites for these councils (almost 50% of the LGA’s) and we have outlined which ones they are in the following table:

Burnie City Council	Circular Head Council	George Town Council
Central Coast Council	Dorset Council	Huon Valley Council
Central Highlands Council	Flinders Council	Latrobe Council
Meander Valley Council	Sorell Council	Tasman Council
Northern Midlands Council	Southern Midlands Council	

Additionally the following Local Councils take some or all responsibility for the maintenance of nature strips according to their policy positions and we have included some of the substantive statements related to that responsibility:

City of Hobart

The City of Hobart will maintain nature strips or road verges that meet any of the following criteria:

- Adjacent to the Council's community facilities.
- Adjacent to parks and reserves.
- Nature strips in the centre median of roads
- Nature strips that have been identified by Council as being too steep to be safely maintained by the adjacent resident
- Adjacent to State Roads, where Council is required to under section 11 of the Roads and Jetties Act
- Nature strips where the adjacent resident of the property meets the eligibility criteria for the Special Circumstance Nature strip Mowing Service. Grass cutting of nature strips will be undertaken at the same time as mowing of adjoining property. The

mowing of road verges and median strips may be undertaken using a brush cutter which provides a much coarser cut. The Council will clean grass clippings from the footpath, driveway and gutter that results from works carried out in the maintenance of the nature strips.

City of Launceston

The City of Launceston policy provides that:

Maintenance of Nature Strips by City of Launceston The City of Launceston will maintain nature strips or road verges that meet any or all of the following:

- Adjacent to the Council's community facilities.
- Adjacent to parks and reserves.
- Nature strips on state roads where the adjoining properties back onto the state road.
- Nature strips where the resident or owner of the property is unable to physically and financially undertake the work themselves, has made application to the Council, fits the eligibility criteria and has had the application approved by the Council. The City of Launceston provides a special needs nature strip mowing service for eligible people with disabilities or injuries. If they do not have someone living with them who is capable of mowing the nature strip and financially cannot afford someone on their behalf to perform the works, they may be eligible for this service.

The eligibility criteria includes.

- A permanent resident of the City of Launceston, who occupies the property which is the subject of the nature strip mowing service application;
- Does not have anyone capable to perform the task on their behalf;
- Is unable to manage or causes pain to operate a lawnmower
- ; • Is totally dependent on others for mobility;
- Has sensory disability or vision impairment;
- The terrain is beyond their physical capability to mow; and
- Other discretionary reasons preventing mowing of the nature strip

City of Clarence Council

City of Clarence Council website states:

It is the residents responsibility for the maintenance of their nature strips, other than trees.

We will maintain trees on nature strips, handle removal of hazards, and residents can request removal of unsafe trees from nature strips

Brighton Council

The Council's policy position includes:

The nature strip or road verge is public land within the road reservation. Council maintains vegetation in nature strips to avoid fire hazard only

Derwent Valley Council

Derwent Valley Council website states:

Council's Works Department is responsible for grass cutting of sports areas, parks and reserves, walkways, swimming pools and cemeteries.

From time to time council will create a new nature strip or excavate through existing nature strips to install or maintain infrastructure such as sewer, stormwater or domestic water. In such cases council will insure that the nature strip is reinstated to a maintainable condition

Wynyard-Waratah Council

Our Neighbouring Local Council has a nature strip policy and it states the following:

This policy applies to all Council controlled lands between property boundaries and Council controlled roads in the urban areas of the Wynyard and Somerset townships.

Council's Responsibility Regarding Nature Strips

4.1.1 Council will maintain nature strips adjoining or within: (a) Public reserve areas such as beaches, foreshores, bushland, parks or gardens; (b) Council facilities such as public buildings, recreation grounds or swimming pools; (c) Central Business Districts; and (d) Areas of neglect, where nature strips create an eyesore or safety hazard.

West Tamar Council

West Tamar Council has nature strips referred to under the title of 'Road Reserves' and states:

Road Reserves

A road reserve is the public land outside your property boundary and generally includes the nature strip or verge, roadside drains or kerbing, footpath and roadway.

Nature strips provide a space for underground and overhead services such as drainage, water, sewage, gas, phone and electricity. While a property owner does not own their nature strip they are encouraged to maintain the surface such as mowing the grass.

Council regularly mows roadsides at intersections and high traffic areas to improve safety for pedestrians, cyclists and drivers. We also mow some roadsides around towns, shopping areas and tourist destinations. Council also manages an annual roadside slashing program to reduce fire fuel and hazards on rural roads throughout the municipality.

Kentish Council

Kentish Council's Policy states:

Council's responsibility regarding nature strips Council will maintain nature strips adjoining or within:

- Public reserve areas such as parks & reserves
- Council facilities such as public buildings & recreation grounds.
- Central business district
- Areas of neglect, where nature strips create an eyesore or safety hazard.

It also states the following:

All other unkempt nature strips will be mown once or twice per year depending on the location and terrain.

In reality, very few of the Local Councils in Tasmania have nature strip policies that transfer maintenance of those areas to the extent proposed by this West Coast Nature Strip policy and we believe in it is disingenuous to have it stated otherwise.

2. Regarding the responsibilities section of the draft policy

As stated above very few Councils in Tasmania make substantive maintenance the responsibility of the private residence and this policy is to oppose an extremely unfair burden of responsibility on to the property owner. And there are situations where it is not clear who is to responsible for maintenance of areas shared by private residential properties either? For example, what happens if noxious weeds exist on areas with boundaries to adjacent private properties who is responsible? All the draft policy states is the following:

3.3 Property owners are responsible to maintain the nature strip adjacent to their property in a neat and tidy condition.

3.4 Residents should ensure that vegetation within the nature strip must not obstruct line of sight for vehicles, pedestrians, or cyclists. Other than street trees installed and managed by Council, all vegetation within the nature strip must be maintained to a maximum height of 900mm. Additionally, any foliage on a resident's property that overhangs the nature strip and footpath must be pruned to maintain a minimum clearance of 2m above the nature strip and footpath.

As stated above this imposition of responsibility on private residence also does not account for legacy issues of Council where Council has allowed neglect of nature strip areas previous to the introduction of this policy.

3. Regarding the service levels section of the draft policy

Many of the 15 Councils have included a level of service where Council itself acknowledges maintenance responsibilities for nature strip areas as outlined above in this submission.

However this draft policy states:

West Coast Council will not regularly maintain nature strips within town boundaries.

We submit that this is a clear illustration of Council's display of ignorance, unintentional or otherwise, of what other local governments policy position to be responsible for the wellbeing of its citizens in a time of increasing cost of living pressures and is a further reasons why we believe the Council needs to dismiss this policy and prioritise fixing the curb and guttering within township areas instead.

4. Regarding the support for residents section of the draft policy

Even in circumstances where residents needing help are encouraged to apply for support to maintain their nature strip areas the following statement offers no guarantee of support by Council:

'We will consider requests for assistance and may provide up to two mowing services per annum.'

We believe this is yet another reason why this draft policy is contrary to upholding any benefit to the local community as allows Council the option of not providing any service to residents in needy situations even if they make an adequate application request to Council.

Legislation and insurance matters not covered.

We note that the Council's draft seems to lack any appropriate reference to legislation or insurance related matters which would otherwise cover certain aspects of nature strip areas. For example the City of Devonport website clearly recognises nature strips of areas within road reserves and it states on its website the following:

Under Section 46 of the Local Government (Highways) Act 1982, a permit is required to undertake any work in the road reserve or in a Council Car Park. We believe, this indicates that the West Coast Council has not demonstrated its understanding of such requirements when creating this policy.

In relation insurance type issues some other Councils have taken account of this issue, for example, Glenorchy City Council covers the issue of liabilities and insurance as part of its nature strip policy. Below is a illustration of a clear example of a Local Council taking account and consideration of these matters:

Glamorgan Spring Bay Council

Glamorgan Spring Bay Council's website highlights the insurance risks associated with maintaining nature strips and further states the below:

Nature Strips

Many residents were already mowing nature strips in between council mowing programs. All residents may now undertake the maintenance of their nature strips, other than trees. There is a level of risk with mowing nature strips as a property owner's home insurance may not cover the public liability risks in the event of an incident and council's insurance may also not cover the incident. Thrown stones are the most likely incident to occur. Residents may like to consult their insurer about their cover.

Council will continue to mow nature strips when they become a hazard and for fire abatement if left untended.

Where a resident is unable to maintain their nature strip due to age, disability, or illness, or need help maintaining their nature strip, they may be eligible for assistance.

People who need assistance may be covered through My Aged Care, NDIS, and other aged care providers under help at home services.

Collection of nature strip clippings is not recommended as council practice has been to leave the clippings in place. This accords with current recommended horticultural practice for a healthy lawn.

We believe the Council is putting at risk the health and safety of the community by putting this draft policy forward without informing residents of such matters within its draft policy content. This is a further example of a lack of genuine information research and knowledge sharing as part of the consultation process prior to the introduction of this draft policy.

Name: Matthew Ryan-Sykes

To The West Coast Council,

This is my feedback submission to West Coast Council in response to its draft policy on Nature Strips for the West Coast.

I am opposed to the introduction of this policy for reasons detailed below:

- a. This policy will result in an unfair financial imposition on rate payers given the years of neglect of the Council having provided little or no maintenance of the existing nature strips within the township areas on the West Coast. For example, in some cases where nature strips would be defined under this policy, land slips occur, noxious weeds grow to the height of an average sized tree and, there is extremely poor drainage. Also curb and guttering outside most residential homes within several townships on the West Coast does not even exist.
- b. The exact boundaries where the nature strip areas are not clearly undefined outside many properties on the West Coast. This survey work would need to be prioritised before the introduction of this policy so that maintenance works may occur in such areas.
- c. This policy does not refer to any related legislation or regulations even though there are some laws that would relate to the management of nature strips on the West Coast. For example, the City of Hobart makes reference to section 11 of the Roads and Jetties Act 1935 (Tas) in its policy statement and this provision is do with who is responsible for maintenance and reconstruction in areas where a nature strip may exist. Another example is the City of Devonport, where its policy statement refers to Section 46 of the Local Government (Highways) Act 1982 (Tas) and this provision is to with permissions to carry out various works in areas where a nature strip may exist.
- d. The statement in the introduction paragraph of this policy states ‘...most other LGA’s where residents have the primary responsibility’, and this is not accurate. Of the 29 Local Councils almost 50% of them do not display any policy related to nature strips on their official websites and those are ones listed in the following table.

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- e. Many of the remaining Councils not referred to in the above list take a policy position so as to take some or all responsibility for the maintenance of nature strips and I have made reference to relevant sections of those statements from various Local Council websites below:

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- Nature strips in the centre median of roads
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City of Launceston

Maintenance of Nature Strips by City of Launceston

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The eligibility criteria includes.

- A permanent resident of the City of Launceston, who occupies the property which is the subject of the nature strip mowing service application;
- Does not have anyone capable to perform the task on their behalf;
- Is unable to manage or causes pain to operate a lawnmower
- Is totally dependent on others for mobility;
- Has sensory disability or vision impairment;
- The terrain is beyond their physical capability to mow; and
- Other discretionary reasons preventing mowing of the nature strip

City of Clarence Council

It is the residents responsibility for the maintenance of their nature strips, other than trees. We will maintain trees on nature strips, handle removal of hazards, and residents can request removal of unsafe trees from nature strips

Brighton Council

The nature strip or road verge is public land within the road reservation. Council maintains vegetation in nature strips to avoid fire hazard only.

Derwent Valley Council

Council's Works Department is responsible for grass cutting of sports areas, parks and reserves, walkways, swimming pools and cemeteries. From time to time council will create a new nature strip or excavate through existing nature strips to install or maintain infrastructure such as sewer, stormwater or domestic water. In such cases council will ensure that the nature strip is reinstated to a maintainable condition.

Wynyard-Waratah Council

This policy applies to all Council controlled lands between property boundaries and Council controlled roads in the urban areas of the Wynyard and Somerset townships. Council's Responsibility Regarding Nature Strips:

4.1.1 Council will maintain nature strips adjoining or within:

- (a) Public reserve areas such as beaches, foreshores, bushland, parks or gardens;
- (b) Council facilities such as public buildings, recreation grounds or swimming pools;
- (c) Central Business Districts; and
- (d) Areas of neglect, where nature strips create an eyesore or safety hazard.

West Tamar Council

Road Reserves

A road reserve is the public land outside your property boundary and generally includes the nature strip or verge, roadside drains or kerbing, footpath and roadway.

Nature strips provide a space for underground and overhead services such as drainage, water, sewage, gas, phone and electricity. While a property owner does not own their nature strip they are encouraged to maintain the surface such as mowing the grass.

Council regularly mows roadsides at intersections and high traffic areas to improve safety for pedestrians, cyclists and drivers. We also mow some roadsides around towns, shopping areas and tourist destinations. Council also manages an annual roadside slashing program to reduce fire fuel and hazards on rural roads throughout the municipality.

Kentish Council

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- Public reserve areas such as parks & reserves
- Council facilities such as public buildings & recreation grounds.
- Central business district
- Areas of neglect, where nature strips create an eyesore or safety hazard.

The policy statement also states the following:

All other unkempt nature strips will be mowed once or twice per year depending on the location and terrain.

- f. Very few of the Local Councils in Tasmania have nature strip policies that transfer maintenance of those areas to the extent proposed by this Policy on Nature Strips for the West Coast and it is not correct to have it stated otherwise within the policy.
- g. This policy will impose an extremely unfair burden of responsibility on to the property owner to be responsible for maintenance of areas where it is not clear who ought to be considered responsible especially property boundary locations. For example, what happens if noxious weeds exist on areas with boundaries to adjacent private properties and who is responsible in that situation?
- h. Even though Councils have included a level of service where Council itself acknowledges maintenance responsibilities for nature strip areas, this draft policy states 'West Coast Council will not regularly maintain nature strips within town boundaries', and this is not acceptable. Local governments policy positions need to reflect the responsibility for the wellbeing of its citizens has been taken into consideration when forming a policy position and yet this policy lacks such a consideration in a time of increasing cost of living pressures for people living on the West Coast.
- i. Even in circumstances where residents needing help are encouraged to apply for support to maintain their nature strip areas the policy statement offers no guarantee of support by Council. The policy only states that Council '...may provide up to two mowing services per annum', in such circumstances of a successful application for assistance and this is not acceptable.
- j. This policy does not refer to insurance risks or how and who is to be responsible within nature strip areas and other Councils have considered such matters when formulating their policy positions. For example, Glenorchy City Council covers the issue of liabilities and insurance as part of its nature strip policy and has stated the following on its website:

Many residents were already mowing nature strips in between council mowing programs. All residents may now undertake the maintenance of their nature strips, other than trees. There is a level of risk with mowing nature strips as a property owner's home insurance may not cover the public liability risks in the event of an incident and council's insurance may also not cover the incident. Thrown stones are the most likely incident to occur. Residents may like to consult their insurer about their cover.

Council will continue to mow nature strips when they become a hazard and for fire abatement if left untended. Where a resident is unable to maintain their nature strip due to age, disability, or illness, or need help maintaining their nature strip, they may be eligible for assistance.

People who need assistance may be covered through My Aged Care, NDIS, and other aged care providers under help at home services.

Collection of nature strip clippings is not recommended as council practice has been to leave the clippings in place. This accords with current recommended horticultural practice for a healthy lawn.

3. The Council is putting at risk the health and safety of the community by putting this policy forward without dealing with legacy issues and informing residents of such matters outlined in paragraph 2. The Council has also failed to proper consideration to what other Councils have done prior to formalising their policy in relation to nature strips while also acknowledging that almost 50% Councils have not settled a policy position regarding nature strips within their municipalities. For these reasons the draft policy ought not be proceeded with, and instead Council ought to spend time and resources on matters that provide a benefit to the community.