

 <p>Mackay REGIONAL COUNCIL</p>	COUNCIL POLICY		
	Nature Strip (Footpath)/Road Verge Mowing Policy		
	POLICY NO	004	
	DEPARTMENT	Development Services	
	PROGRAM	Parks, Environment and Sustainability	
ENDORSED BY COUNCIL	22 July 2020 Resolution ORD-2020-188		

1.0 Scope

This policy applies to all Mackay Regional Council (MRC) controlled grassed areas between property boundaries and MRC controlled roads. This policy does not apply to Department of Transport and Main Roads (DTMR) controlled verges, as these areas are maintained under a RMPC Agreement between MRC and DTMR.

2.0 Purpose

To provide direction to officers when determining the limit of service of MRC's maintenance activities with respect to nature strip/roadside verge mowing:

- Establish a clear policy position with respect to level of service;
- Clarify the criteria for determining eligibility to receive MRC service;
- Ensure equitable delivery of service.

3.0 Definitions

To assist in interpretation the following definitions shall apply:

Council shall mean the Mayor and Councillors of Mackay Regional Council.

DTMR shall mean Department of Transport and Main Roads.

Human Rights Complaint shall mean a complaint about an alleged contravention of section 58-1 by a public entity in relation to an act or decision of the public entity.

MRC shall mean Mackay Regional Council.

Roads Maintenance Performance Contract (RMPC) Agreement shall mean a documented agreement between DTMR and MRC as to the provision and levels of mowing services to DTMR road assets and associated fees.

Urban Nature Strip/Roadside Verge shall mean the area of land between a property boundaries private frontage and the edge of a roadway. The primary purpose of this land is to facilitate pedestrian movement alongside the roadway and provide an area for infrastructure provision.

4.0 Background

MRC's grass maintenance crews mow 18,000,000m² of grass per month which includes parks, reserves, easements, medians, DTMR road verges and visual corridors.

The mowing level of service in the peak growing season is from weekly to monthly depending on the priority and use of the area.

MRC does not have the resources to maintain the area of land between the property boundaries private frontage and the edge of a roadway. Property owners and occupiers are encouraged to mow the grassed footpaths and nature strips in front of private, commercial or industrial property.

MRC relies on the goodwill of residents to maintain their footpaths, as this means ratepayer funds can be better directed to other community services.

5.0 Policy Statement

MRC does not mow grassed footpaths and nature strips in front of private, commercial or industrial property on the basis that owners/residents with civic pride undertake this activity as a contribution to the amenity of the city which allows MRC to direct its resources to other services.

Upon receiving a complaint regarding an overgrown footpath or nature strip, or a request to mow a footpath or nature strip, MRC will inspect the site to undertake a risk assessment.

5.1 The risk assessment will determine whether further action is necessary, based on the following criteria:

- The grass on the footpath or nature strip is generally higher than 500mm;
- The footpath or nature strip is overgrown to the extent that it potentially obstructs traffic visibility;
- The footpath or nature strip is overgrown to the extent that it hinders the safe passage of pedestrians along the footpath or nature strip;
- The footpath or nature strip is overgrown to the extent that it is detrimental to the amenity of the neighbourhood.

5.2 If the public risk is assessed as being unacceptable, then MRC will make appropriate arrangements to undertake a "rough cut" of the area to eliminate the risk.

5.3 The property owner or occupier will then be contacted to ascertain their intentions regarding the regular mowing of the footpath or nature strip.

5.4 MRC will only mow footpath verges on a regular basis under the following conditions:

- The location is an integral part of an adjacent park or reserve;
- The location is the frontage for MRC owned land for which MRC provides mowing (e.g. MRC's Administration Centre);
- On an 'as' needs basis if road and pedestrian safety and/or negotiation is an issue, or where a sight restriction has been created at an urban intersection by vegetation growth;

Nature strips are proportionally larger than is reasonably expected (i.e. the location is larger than the private property it abuts), deeming it impractical for owners/occupiers to mow.

5.5 Urban Roadside Mowing/Slashing

MRC will slash or mow urban road verges on a regular basis as follows:

- The road shoulder of bitumen sealed roads is to be serviced by a tractor/slasher combination where the terrain permits;
- Slashing is to be restricted to the immediate shoulder adjacent to the bitumen edge. The typical width of slashing will be 1.0 – 2.0 metres in width. MRC does not require slashing of the road reserve to the fenced boundary at level areas or over the top of cuttings.

The following exception will apply:

- Intersections – will be mowed to ensure adequate sight distance for motorists and pedestrians for safety;
- Where a section of road reserve functions as a park;
- Where facilities are provided within road reserves that require a higher standard of maintenance e.g. horse trails, car parks.

5.6 Applications for Assistance

MRC has the discretion to offer assistance in cases where extreme hardship can be demonstrated. Applications for assistance for the nature strip/road verge mowing are to be made in writing and supported by documented evidence of hardship to the Parks Maintenance Coordinator.

5.7 Complaints

Any complaints in relation to this service will be assessed and managed in accordance with MRC's Administrative Action Complaints Policy, a copy of which can be found on MRC's website.

Complaints may be made as following:

In writing to

Chief Executive Officer
Mackay Regional Council
PO Box 41
MACKAY QLD 4740

Via Email - complaints@mackay.qld.gov.au

In person at

Mackay Regional Council
Civic Centre Precinct
73 Gordon Street
MACKAY QLD 4740

5.8 Human Rights Complaints

When an individual feels that they are the subject of MRC's failure to act compatibly with human rights, they can make a complaint directly to MRC. These complaints will be assessed against the Human Rights Act 2019.

6.0 Review of Policy

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
1	New Policy		Council	28.06.17
2	Policy Review	Updated version	Council	22.07.20