

Footpath Policy

Classification:	Council Policy
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Next Review:	September 2025
ECM Tracking No.:	987581
Responsible Officer:	Director Environment and Place, B Cant
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Civil Liabilities Act 1936</i> <i>Disability Discrimination Act 1992</i> <i>Disability Discrimination Regulations 2019</i> <i>Public Health Act 2011</i> <i>Landscape South Australia Act 2019</i> <i>Eastern Health Authority Regional Public Health Plan</i> <i>Disability Access and Inclusion Plan</i>
Related Policies:	Road and Traffic Management Vegetation Encroachment Use of Road Reserve for Commercial Purposes Water Sensitive Urban Design Bluestone Kerbing Streetscape Asset Management Urban Tree Management Climate Change

1 Introduction

- 1.1 The purpose of this Policy is to ensure provision and maintenance of footpaths is undertaken in a manner that is equitable, sustainable, practical, accessible, inclusive and safe and supports environmental management principles, health and wellbeing, and greener transport options.
- 1.2 The Policy will aim to ensure that footpaths provided are fit for purpose, viable and constructed where practically possible given the limitations of the City's topography and the needs and desires of the community.
- 1.3 The Policy will aim to ensure footpaths are constructed and maintained in order to provide a safe environment and reinforce the sense of place and character of the area.

2 Strategic Plan Desired Outcomes

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- Principles:* 1. Service Sustainability
- Theme:* Spans all Strategic Plan Themes
- Goals:* Spans all Strategic Plan Goals
- Priorities:*
- 1.1 Flexible, fit-for-purpose facilities and places
 - 1.2 Resilience, wellbeing and recreation
 - 1.4 Facilities, services and programs that meet our community's needs
 - 2.1 Adapt and mitigate for climate change
 - 2.3 Use natural resources efficiently and minimise waste
 - 3.1 Master planning our City
 - 3.3 Attractive streets and neighbourhoods with easy access and movement and encouragement of greener transport
 - 3.4 Character and heritage protected, cherished and celebrated

3 Our Approach

- 3.1 Monitor and maintain the network of footpaths across the city.
- 3.2 Plan, upgrade and maintain streetscape appearance.
- 3.3 Provide paths (where viable) which help to connect people to places, aid in encouraging health, wellbeing and greener travel options, and support inclusivity and accessibility.

4 Legislative Requirements and Corporate Policy Context

- 4.1 Related legislation relevant to this Policy includes:
 - 4.1.1 *Local Government Act 1999*
 - 4.1.2 *Civil Liabilities Act 1936*
 - 4.1.3 *Disability Discrimination Act 1992*
 - 4.1.4 *Disability Discrimination Regulations 2019*
 - 4.1.5 *Public Health Act 2011*
 - 4.1.6 *Landscape South Australia Act 2019*
 - 4.1.7 Eastern Health Authority Regional Public Health Plan
 - 4.1.8 Disability Access and Inclusion Plan
- 4.2 Corporate Policies relevant to this Policy include:
 - 4.2.1 Road and Traffic Management
 - 4.2.2 Vegetation Encroachment
 - 4.2.3 Use of Road Reserve for Commercial Purposes
 - 4.2.4 Water Sensitive Urban Design

- 4.2.5 Bluestone Kerbing
- 4.2.6 Streetscape
- 4.2.7 Asset Management
- 4.2.8 Urban Tree Management
- 4.2.9 Climate Change

5 Interpretation

5.1 For the purpose of this Policy:

- 5.1.1 *Street Footpath* means an improved area of the verge parallel to the road aimed at providing a safe travel path for pedestrians and other users away from vehicles on the nearby road. This includes hard-surfaced footpaths, but does not include natural surface footpaths or trails.
- 5.1.2 *Reserve Footpath* means an improved area of reserve aimed at providing a safe, accessible travel path for pedestrians and other users.
- 5.1.3 *Hard-Surfaced Footpath* means a primarily concrete, asphalt concrete, permeable rubberised soft-fall or block paved footpath but does not include cement stabilised gravel.
- 5.1.4 *Viable Street Footpath* means a footpath that is able to be constructed in a particular street segment (along the side of a street between two intersections), which has sufficient width, would not result in detrimental impact to existing street trees, the grade of the road is not too steep and the footpath is not limited by other topographical obstructions.
- 5.1.5 *WSUD* means Water Sensitive Urban Design, defined as 'an approach to urban planning and design that integrates the management of the total water cycle into the land use and development process' (Stormwater Strategy, Government of South Australia, 2011)

6 Policy

General

- 6.1 Council will effectively maintain existing footpaths throughout the Council area, with renewal prioritised based on condition, safety, relative importance within the footpath network (linkage to key destinations), routine maintenance requirements and potential alignment with other capital works.
- 6.2 Council will implement a program to ensure accessible paths are provided to key facilities and premises, in line with the requirements of the Disability Discrimination Act.
- 6.3 The nominal specifications for a hard surfaced footpath are:
 - 6.3.1 Footpaths will generally be approximately 1500mm-1800mm wide. This width may be reduced to a minimum of 900 mm where there are physical constraints or it is otherwise impractical to provide the full width.

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- 6.3.2 Street Footpath width may be from the kerb to the property line in commercial areas, or areas with limited space.
 - 6.3.3 Footpath material shall be fit for purpose and typically be block pavers in keeping with Council's Streetscape Guide. Permeable paving or other treatments will be used near trees, or in areas with known localised flooding issues, as appropriate, per para 6.21.
 - 6.3.4 New Reserve Footpaths will be constructed in a material specifically chosen for the location that is sustainable, convenient, safe and fit for purpose, and in line with Disability Discrimination Act (DDA) requirements.
 - 6.3.5 All works will be constructed according to standard industry practice and with consideration of streetscape and the local environment.

New Footpaths (Street)

- 6.4 A new Street Footpath shall be provided where requested and supported by the local community and determined to be viable.
- 6.5 Where there is no Street Footpath in a particular location, and resident(s) living in or near that street would like a new footpath to be installed, a request can be made to Council Administration.
- 6.6 On receipt of the request, Council Administration will assess the viability of the footpath in that location. This will include ensuring:
 - 6.6.1 there is sufficient verge width,
 - 6.6.2 installation would not have a detrimental impact on existing street trees,
 - 6.6.3 the grade is not too steep,
 - 6.6.4 no retaining is required, and
 - 6.6.5 the footpath is not limited by other topographical obstructions.
- 6.7 If the footpath is considered viable, and community consultation for a new footpath in the location has not been undertaken within the past 5 years, a consultation process will be undertaken which will seek feedback from residents on both sides of the street segment in which the new footpath is proposed, to gauge their support or opposition to a new footpath in that location.
- 6.8 Feedback from residents on the same side of the road as the new footpath proposed to be installed will be given a weighting of 2, with feedback received from those on the opposite side of the road given a weighting of 1.
- 6.9 Should greater than 50 per cent not wish to have a footpath, works will not proceed. Additionally, the Director Environment and Place may, at his or her discretion, nominate to cease installation of a new footpath in instances where a reasonable proportion of residents on the affected side of the road are opposed to its installation, and where those residents have put in effort to landscape verges.

New Footpaths (Reserve)

- 6.10 Council will implement a program to ensure accessible paths are provided to key facilities and premises within Reserves, in line with the requirements of the Disability Discrimination Act.
- 6.11 Any other new Reserve Footpaths shall be provided where requested and supported by the local community and determined to be viable.
- 6.12 A request for a new footpath within a Reserve can be made to Council Administration.
- 6.13 On receipt of the request, Council Administration will assess the viability of the footpath in that location. This will include ensuring:
- 6.13.1 there is sufficient area,
 - 6.13.2 installation would not have a detrimental impact on existing trees,
 - 6.13.3 the grade is not too steep,
 - 6.13.4 provision of a footpath is not contrary to the Community Land Management Plan or any Management Plans in place for the Reserve,
 - 6.13.5 no retaining is required, and
 - 6.13.6 the footpath is not limited by other topographical obstructions.
- 6.14 If the footpath is considered viable, and community consultation for a new footpath in the location has not been undertaken within the past 5 years, a consultation process will be undertaken which will seek feedback from nearby residents and users of the Reserve, to gauge their support or opposition to a new footpath in that location.
- 6.15 Should greater than 50 per cent not wish to have a footpath, works will not proceed.

Existing Footpaths:

- 6.16 The renewal of existing footpaths will be prioritised based on:
- 6.16.1 Safety aspects, being a combination of condition, pedestrian volume and composition;
 - 6.16.2 The footpath's importance in the network (linking to other footpaths or reserves in particular), and;
 - 6.16.3 The footpath's routine maintenance requirements.
 - 6.16.4 Potential alignment with other capital works, such that the construction forms part of an overall streetscape upgrade.

Miscellaneous

Footpath Location

- 6.17 A new Street Footpath's location is dictated by on-site conditions but will normally be located approximately 300 mm from any private property fence line parallel to the road, to avoid any impacts upon private property vegetation and to ensure a clear carriage way.
- 6.18 The area between the Street Footpath and the fence line will be backfilled with suitable gravel (typically dolomite) or loam. Should a property owner wish the section to be filled in with another material, this will be approved by the Group Manager, Environment and Infrastructure, and will generally be at the property owner's cost.
- 6.19 Any new Reserve Footpath locations will be selected seeking to minimise impact on trees and vegetation and disruption to vistas, while still meeting any legislative requirements.

Treatments near Trees

- 6.20 There are a number of footpath treatments that can be used near trees to improve the health of the trees, as well as preventing or reducing lifting of footpath pavers. This includes WSUD treatments such as permeable paving, permeable rubberised soft-fall, tree pits, and tree inlets. Council will install these treatments where practical, taking into account the cost, practicality and benefits of doing so.

Protection of Trees

- 6.21 Excavation work and digging around and adjacent to trees can damage their root systems and threaten the health of the tree. All footpath construction will be undertaken with care to protect the root zone of council trees, including care during excavation and reinstating with appropriate material as defined within Council's Footpath Construction Specification and in line with *AS4970-2009 Protection of trees on development sites*. Council arborists will be consulted in relation to nearby trees as required.

Driveways and Gutter Crossings

- 6.22 Asphalt and gravel driveways shall be replaced as part of the footpath renewal program in block paving at Council's cost, unless the property owner wishes to retain their existing driveway as is.
- 6.23 Driveways constructed in another material may be replaced with block paving to match the footpath, if requested by the property owner through the consultation process for the footpath renewal project.
- 6.24 A new or renewed Council footpath will abut any existing driveways that are not being replaced in line with the sections listed above.

Footpath Inspections

- 6.25 Council will inspect footpaths for defects and overall condition in line with service levels as defined in Asset Management Plans.

7 Review and Authority

- 7.1 The Policy will be reviewed every four years at maximum in line with Council's Policies and Protocols Framework.

8 Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council's website www.burnside.sa.gov.au

- 8.2 The Policy will be available for inspection, free of charge, at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

8.2.1 City of Burnside Civic Centre; 401 Greenhill Road, Tusmore SA 5065
Telephone; 8366 4200; Email; burnside@burnside.sa.gov.au
Office hours: Monday to Friday, 8:30am to 5:00pm (except public holidays)

9 Further Information

- 9.1 For further information about this policy please contact:

City of Burnside Civic Centre; 401 Greenhill Road, Tusmore SA 5065
Telephone; 8366 4200; Email; burnside@burnside.sa.gov.au