

Footpath Policy

1. PURPOSE

Council supports walking, cycling and independent mobility to benefit the health and well-being of our residents and to minimise the impact of vehicular traffic on the environment. To assist in meeting this aim, Council provides new sealed footpaths in viable locations throughout the City.

2. POLICY

This policy applies to new sealed footpaths in public spaces (roads and reserves) that are constructed by Council.

Council's footpath policy provides guidelines for the location of new footpaths and the construction materials used, to enable a sustainable, practical and safe network of footpaths.

2.1 Footpath Hierarchy

A hierarchy has been established to enable the qualitative selection of locations for the construction of new footpaths based on pedestrian needs. Consideration is given to vehicular traffic volumes, land use and proximity to facilities (e.g. education, sporting, shopping etc.), bus routes and linkages to existing footpaths.

2.1.1 Footpath construction on one side of a public road

Consideration will be given to constructing a footpath on one side of a public road where;

- a) The Annual Average Daily Vehicular Traffic volume is greater than 100 vehicles per day (vpd) and less than 3,000 vpd, or
- b) The footpath provides a well patronised link to the existing footpath network.

2.1.2 Footpath construction on both sides of a public road

Consideration will be given to constructing a footpath on both sides of a public road where;

- a) The Annual Average Daily Vehicular Traffic volume is greater than 3,000 vpd, or
- b) The road is a public transport route, or
- c) The footpath is adjacent a significant pedestrian generator such as, a sporting area, regional or district reserve, education facility, aged care facility or shopping precinct.

2.1.3 No footpath construction

Consideration will be given to not constructing a footpath where one or more of the following factors apply;

- a) There are no existing connecting footpaths or possible future connecting footpaths.
- b) The Annual Average Daily Vehicular Traffic volume is less than 100 vpd.
- c) The road verge has significant obstructions such as public infrastructure or regulated and significant trees.
- d) The gradient or cross fall on the verge is significantly steep and the construction would have a significant impact on the adjacent land owner's property and the construction cost is high.

2.2 Footpath construction for new land developments

Refer to the Land Division Infrastructure and Open Space Management Policy.

2.3 Technical Specifications

Footpaths on a residential verge will be generally constructed to a width of 1500 mm. This width may be reduced to a minimum of 900mm where there are physical constraints or it is otherwise impractical to provide the full width.

New sealed footpaths shall be constructed of concrete, asphaltic concrete, exposed aggregate concrete, coloured (oxidised) concrete, block pavers or a suitable permeable alternative.

Footpaths shall be designed and constructed to facilitate ease of use by the users with impaired mobility or vision. Footpaths will incorporate Tactile Ground Surface Indicators (TGSI), handrails and kerb ramps.

The alignment of new footpaths on a residential verge will be, wherever possible, adjacent to the back of kerb to minimise impact on landscaped/turf areas. A site assessment will be undertaken to select the required footpath alignment prior to construction to allow for factors such as stobie poles, trees, existing constructed footpaths and pedestrian safety.

The alignment of new footpath on a main road will be, wherever possible, adjacent to the back of kerb and extend the width to the property boundary unless the width is greater than 2.0m. Appropriate design solutions will be applied for placement of tree plantings, where relevant.

Footpath and Cycle Ways shall be designed with consideration to the requirements of the relevant Australian Standards and Austroads guidelines.

2.4 Public Notification

Property owners will be informed in writing of the proposed footpath construction and provided the opportunity to remove irrigation systems or landscaped areas that encroach onto the road reserve. If these are not removed by the property owner, Council's contractor will remove and reinstate irrigation systems but not landscaped areas.

2.5 Site Works

The location of a new footpath is determined by Council staff in consultation with the Footpath Contractor, if required. Consideration is given to the impact and costs of relocating or altering existing or future infrastructure and street trees, or the slope of the land, the location and connection to existing footpaths and crossing points.

Council may construct or reconstruct an existing driveway crossing place to a maximum depth of 4m, at no cost to the property owner, in the event the existing crossing place does not provide a safe thoroughfare for pedestrians.

2.6 Protection of Trees

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.

3. DEFINITIONS

For the purposes of this policy the following definitions apply:

Sealed Footpath

A footpath constructed of concrete, asphalt concrete, block pavers or a suitable permeable alternative.

Network Link

Is where a footpath is required to enable a pedestrian link between two footpaths.

Regulated tree

According to the Planning Development and Infrastructure Act 2016 this means trees within a designated area as prescribed within Regulation 3F and that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point one(1) metre above natural ground level, but does not apply to those trees listed within Regulation 3F(4) of the Development Regulations.

Significant tree

Planning, Development and Infrastructure Act 2016 Part 1, clause 3(1) definition of Significant Tree:
significant tree means—

- a. a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, under the Planning and Design Code (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or
- b. a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

Crossing Place

The section of land that connects a private driveway (from the property boundary) to the public carriageway.

4. LEGISLATIVE FRAMEWORK

The following legislation applies to this Policy:

Local Government Act 1999

Section 212 provides Council with the power to construct and maintain footpaths within the City

Civil Liability Act 1936

Division -5 – Liability of road authorities

1. A road authority is not liable in tort for a failure –
 - a. To maintain, repair or renew a road; or
 - b. To take other action to avoid or reduce the risk to harm that result from a failure to maintain, repair or renew a road.
 - l. In this section –

Road means a street, road or thoroughfare to which the public access is available to vehicles or pedestrians (or both) and includes –

 - a. A bridge, viaduct, busway (including the O-Bahn) or subway;
 - b. An alley, laneway or walkway;
 - c. A carpark;
 - d. A footpath;
 - e. A structure associated with a road

Disability Inclusion Act 2018

Section 16 of this Act relates to disability access and inclusion plans and references at section 16(3)(d)(i) about access to built environs, events and facilities. The term ‘built environs’ includes public footpaths and walkways.

Federal - Disability Discrimination Act 1992

Section 23 of this Act requires non-discriminatory access to premises which the public or a section of the public is entitled to use. The term ‘premises’ includes public footpaths and walkways.

Road Traffic Act 1961

This Act is relevant in relation to Council’s powers to install traffic control devices.

4.1 Other references

Council’s documents including:

- a. [Fees and Charges Register](#)
- b. Councils Local Area Bike Plan
- c. [Tree Management Policy](#)
- d. [Disability Access and Inclusion Plan](#)

External documents including:

- a. Australian Standards Code 1428 ‘Design for Access and Mobility’ prescribes the access requirements in the planning, development and construction of pedestrian facilities for access to and within buildings.
- b. Australian Standards Code 1742.10 ‘Manual of Uniform Traffic Control Devices in South Australia’ specifies the use of signs and devices.
- c. Austroads Guide to Traffic Engineering Practices Part 13 Pedestrians and Part 14 Bicycles
- d. Austroads Guide to Traffic Engineering Practices Part 6A Pedestrians and Cyclist Paths.

5. STRATEGIC PLAN/POLICY

5.1 Strategic Plan

The following strategic objectives in Council’s Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Community	
<i>People can have a say in decisions that affect them and the key decisions of the Council</i>	Consultation via the Annual Business Plan process as well as further contact notifying of impending works encouraging contact with staff

	to address specific needs or concerns.
Places	
<i>Streets, paths, open spaces and parks are appealing, safe and accessible</i>	Footpaths separate pedestrians and cyclists from vehicular traffic. Footpaths also provide an appealing frontage for residential houses and businesses.
<i>Neighbourhoods are easy to move around and are well connected with pedestrian and cycle paths that offer an alternative to cars</i>	Footpaths provide connection to facilities, services and public spaces and reduce the reliance on cars.

5.2 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of organisational excellence. The themes most relevant to this report are: Customer Care; Learning & Growth; Future Capability; Sustainable Operations.

6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.

Record number	D23/74770
Responsible Manager	Manager Technical & Engineering Services
Other key internal stakeholders	General Manager City Operations Manager Field Services Manager City Development
Last reviewed	28 November 2023
Adoption reference	Council
Resolution number	322
Previous review dates	20/10/21, 26/02/2019
Legal requirement	NA
Due date next review	2027
Delegations	No