



Footpath Construction Policy

Policy Classification	Council Policy
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Version Number:	1
Applicable Legislation:	<i>Local Government Act 1999</i> <i>Road Traffic Act 1961</i>
Related Policies or Documents:	Austroads Guide to Road Design Infrastructure Guidelines SA
Associated Forms:	NA
Responsible Manager:	Director Works and Infrastructure
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Footpath Construction Policy

1. Preamble

- 1.1. The Council requires clear policy to ensure consistency and efficiency when undertaking its footpath capital works program. Likewise, clarity is required for property owners and contractors intending to make modifications to Council footpaths, including the construction of new driveway crossovers.
- 1.2. In accordance with Section 221 of the *Local Government Act 1999* (LG Act), a person must not make an alteration to a public road unless authorised to do so by the Council. Requests for the construction of a Driveway Crossovers is made via the Council form *Application for Permission to Construct Property Access*. This Policy will assist in assessing the applications for permits pursuant to Section 221.
- 1.3. Section 218 of the LG Act also enables the Council to recover the whole or an agreed contribution to the cost of specified works and if the Council carries out roadworks to repair damage, the Council may recover the cost of carrying out the work, as a debt, from the person who caused the damage. This Policy will also assist in determining the circumstances where the Council will seek recovery of costs.

2. Purpose

- 2.1. This policy provides clear direction for the construction and reconstruction of footpaths and driveway crossovers and is important to ensure consistency and efficiency in the delivery of those works. Footpaths are a key aspect of streetscapes throughout the townships and an important component of the Council's civil infrastructure, footpaths play an important part in creating a quality place to live, work and visit.

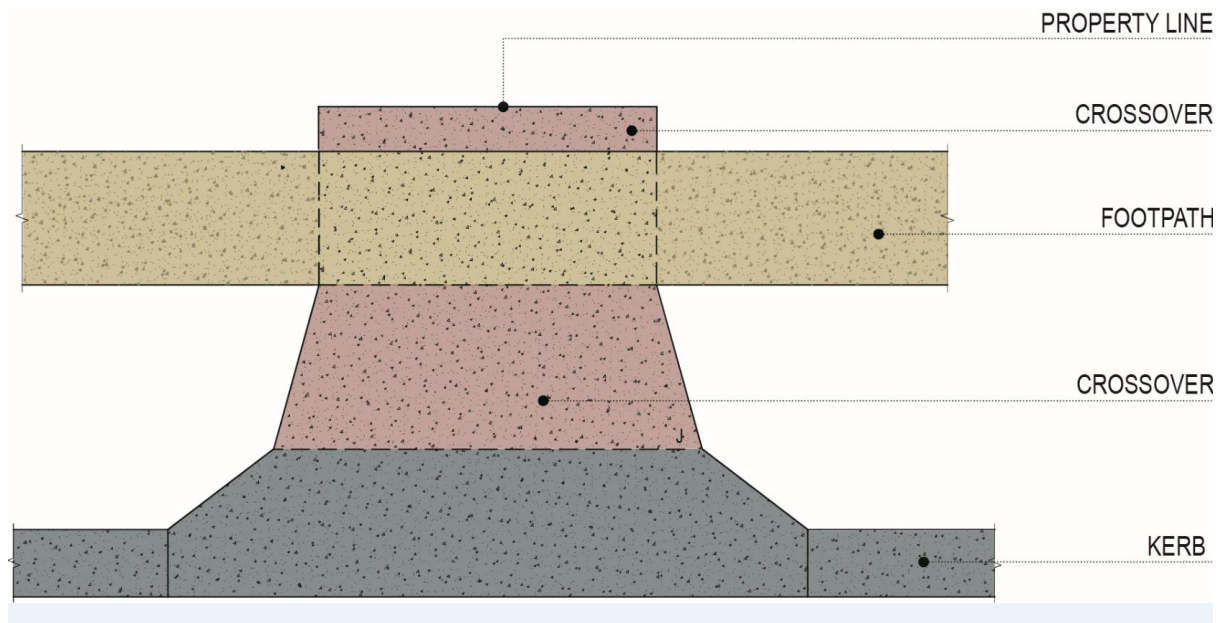
3. Scope

- 3.1. This Policy is designed to help guide general direction with regard to the construction of footpaths.
- 3.2. This Policy does not deal with detailed design and construction specifications for footpaths or driveway crossovers as that detail is provided in separate specification documents (Infrastructure Guidelines SA). Those documents take into account the need and desirability of designing for access and mobility.
- 3.3. This Policy does not deal with the use and occupation of footpaths. Separate policies and by-laws deal with uses such as outdoor dining, outdoor trading, display of moveable signs and busking on footpaths.
- 3.4. This Policy also does not deal with the maintenance of footpaths, such as sweeping programs or similar.

4. Definitions

- 4.1. **CEO** means the Chief Executive Officer of the Kangaroo Island Council.
- 4.2. **Council** means the Elected Body.
- 4.3. **Driveway crossover** means the continuation of a private driveway onto the Council verge to the street.

- 4.4. **Kangaroo Island Council Administration (KIC)** means the administration.
- 4.5. **LG Act** means the Local Government Act 1999.
- 4.6. **Pedestrian access walkway** means any additional walkway surface on Council verge.
- 4.7. **Diagram of components**



5. Policy Statement

- 5.1. The following key principles inform and underpin the Footpaths and Driveway Crossovers Policy:
- 5.1.1. Materials used for Footpaths and Driveway crossovers should be consistent. Consistency in materials contributes to a visually appealing and higher quality character streetscape.
 - 5.1.2. Where a footpath crosses a driveway crossover, the footpath crossfall and material should be maintained in preference to the driveway crossover construction.
 - 5.1.3. Unless in a shared street or mall site, the footpath paving materials should generally be a different material to roadway paving.

Due to the *Road Traffic Act 1961 determination*, that drivers must give way to pedestrians when entering/exiting a road; pedestrian infrastructure should be provided in a continuous manner across all residential driveway crossovers, maintaining footpath crossfall and material in preference to the driveway construction.

- 5.1.4. Driveway crossovers should be of consistent materials which are complementary to the footpath. Decorative driveway paving materials should not extend beyond the property boundary.
- 5.1.5. Concrete or brick paving are the preferred materials for commercial or residential area footpaths. The existing dominant footpath materials (i.e. in-situ concrete and concrete unit pavers) work well on their own but are also visually compatible when used side-by-side.
- 5.1.6. Bitumen Spray Seal should only be considered for longer sections pathway such as walking trails or bike/shared usage pathways. Or long sections of footpath within a more rural setting (greater than 100m gaps in driveway crossovers or properties).
- 5.1.7. The number and width of driveway crossovers should be minimised where practicable. Driveway crossovers have the potential to have a negative impact on a streetscape reducing available space for street trees, parking capacity and interrupting otherwise continuous footpaths.
- 5.1.8. Provide and manage clear, safe and unobstructed footpath access where achievable for pedestrians of all abilities.

5.2. Capital Works Footpath Construction and Reconstruction

- 5.2.1. Other than in precincts where a different paving treatment has been specified in a Council endorsed document, all footpaths are required to be constructed and reconstructed using either a rectangular interlocking concrete block paver or in standard concrete. Refer to Infrastructure Guidelines SA.
- 5.2.2. In residential streets, the width of footpaths constructed shall be 1.5 metres where possible, commencing 300mm from the property boundary in general.
- 5.2.3. In locations of heavy pedestrian usage such as major shopping areas, the minimum width of footpaths constructed shall where possible be 2 metres.
- 5.2.4. Driveway crossovers are the responsibility of the adjacent landowner.
- 5.2.5. When reconstruction or construction of a footpaths is undertaken by Council, all existing driveway crossovers within the works, constructed from standard in-situ concrete or standard block paving, and which are in good condition, will be retained.
- 5.2.6. When the reconstruction or construction of footpaths is undertaken by Council, all existing driveway crossovers within the works that are constructed from bitumen, non-standard in-situ concrete and non-standard block paving, regardless of condition, as well as those constructed of standard in-situ concrete and standard block paving which are not in good condition, will be replaced with standard block paving or in-situ concrete.
- 5.2.7. Council will fund driveway crossover construction to a width of 0.5m or less between the footpath alignment to the kerb and to a width of 0.5m or less to a hard driveway surface on private property. The cost for driveway widths greater than this will be invoiced back to the property owner.

- 5.2.8. Notification by Council of programed footpath works by letter or email to landowners will occur advising of footpath works.

Although it is the land owners responsibility to construct their own Driveway Crossover Council will cover the cost for filling small gaps (<0.5m) between the driveway kerbing and footpath or existing hard surface driveway and footpath when installing footpaths through driveway crossovers.

If a greater width (<0.5m) is required to be constructed to complete the driveway crossover the Landowners will be informed that they are required to pay for the additional construction to match in with new works.

Landowner notification will also confirm that in the instance where driveway crossovers do not currently meet Australian Standards or current policy, Council will, during works, reconstruct crossovers to meet current standards and landowners will be invoiced for these costs.

Council will invoice the landowner 'at cost' e.g. no profit, on installation, in accordance with Council's Fees & Charges Schedule. Council may determine to make payment options available for land-owners and any amounts payable will be subject to the payment assistance and financial hardship provisions within Council if necessary

- 5.2.9. When reconstruction of footpaths is undertaken by the Council, all existing "pedestrian access walkways" located within the verge will be removed and not reconstructed.

5.3. Double and Second Driveway Crossovers

- 5.3.1. Where physically and legally possible, every property is entitled to at least a single driveway crossover.

- 5.3.2. Other than where required to provide access to an approved development, double crossover and/or second crossover units, will only be permitted where there is sufficient space preserved for two on-street car parking spaces along each relevant street frontage adjacent the property and all necessary clearances can be achieved from corners, fire plugs, street trees, bus shelters and stops, side entry pits, other traffic control devices, etc, as set out below:

- a. an on-street car parking space is 6.0m in length;
- b. the minimum distance from a corner to a driveway crossover shall be 6.0 metres, taken from the kerb line at the point where the kerb straightens
- c. the minimum distance from a stobie pole or side entry pit shall be 1.0 metre; and
- d. the minimum distance from a bus stop or shelter shall comply with Austroads Guide to Road Design.

6. Procedure

- 6.1. The Asset Department is responsible for the delivery of the footpath renewal and construction.

SIGNED:



Chief Executive Officer

Date: 22 July 2021

HISTORY

Date Reviewed:	Version:	Reason for Amendment:
22 July 2021	1	New Policy