Port Pirie Regional Council

FOOTPATH DEVELOPMENT & MAINTENANCE POLICY	
Type	Governance
Category	Infrastructure
Responsible Officer	Director Infrastructure
First Issued / Adopted	28 January 2015
Review Period	4 Years
Last Reviewed	25 March 2026, 27 May 2020, 29 November 2017
Minutes Reference	OM057/26, OM160/20, OM352/17, OM25/15
Next Review Date	March 2030
Applicable Legislation	Civil Liability Act 1936 - *liability of road authority* Disability Inclusion Act (SA) 2018 Disability Discrimination Act (Federal) 1992 Local Government Act 1999 Local Government (General) Regulations 2013 – *Regulation 24: telecommunication subscriber connection* Native Vegetation Act 1991 Road Traffic Act 1961
Related Documents	Australian Standards Austroads By-Law 1 Permits and Penalties By-Law 3 Local Government Land By-Law 4 Roads Tree Policy Infrastructure Guidelines SA
Public Consultation Required	No
File Reference	2024.1273 working documents 2025.0805 MASTER document

1. PURPOSE

To ensure that a safe and accessible integrated network of footpaths is maintained throughout the Council area.

2. SCOPE

The entirety of the area of Port Pirie Regional Council.

3. DEFINITIONS

see **Appendix 1**

4. POLICY STATEMENT

4.1 Service Levels

A hierarchy of footpaths has been established based on pedestrian needs, traffic volume, speed and potential conflict, to enable the qualitative selection of priority streets for the construction or renewal of a footpath. This hierarchy of footpath provision shall be in accordance with Infrastructure Guidelines SA with the exception of the special use areas listed in the table below:

Location	Criteria	Service Level
CBD	High volume and frequency of pedestrian traffic.	Full width hard surface preferably segmental block pavers.
Special Use Areas	High volume of pedestrian traffic at peak times.	Full width hard surface footpath.
Sub Arterial	Typically higher volumes of vehicles. Due to roads being of high risk to pedestrians, considerations will be focused on safe pedestrian access along these roads via footpaths.	1.5m wide hard surface footpath on both sides of the road.
Alternative Paths	Alternative paths include footpaths and bicycle trails that are away from vehicular traffic flow.	1.2m to 1.5m

The Director Infrastructure may waive the provision of a hard surface footpath where the footpath does not form an essential link in the nominated footpath network.

Where no hard surface footpath is provided or warranted, Council will provide and maintain a footpath constructed using crusher sand, earth colour to Department for Infrastructure and Transport (DIT) standards. Blue metal type gravel should not be used as it does not allow for ease of access of wheelchairs etc.

4.2 Construction Priority

The footpath construction program for renewing existing footpaths will be determined by Council each year in accordance with the Infrastructure Asset

Management Plan for Transport Assets incorporating footpaths. The selection of existing footpaths for renewal will be based on:

a) Priority Level as per the road hierarchy;
b) Safety aspects, being a combination of its condition and pedestrian volume and composition;
c) The footpaths which have or appear to have more use;
d) The footpath's importance in the network (linking to other footpaths or reserves in particular), and;
e) The footpath's routine maintenance requirements.

The construction of new footpaths in existing streets will be determined in consideration of the following criteria:

a) Pedestrian use and access to community facilities;
b) Continuity of, and linkage to, the existing footpath network;
c) The road hierarchy;
d) Ease of construction;
e) Resident requests.

Provision of paths shall be in accordance with Infrastructure Guidelines SA (Institute of Public Works, Engineering Australia) or the specifications contained therein.

4.3 Maintenance Priority

Existing footpaths will be maintained in a ~~good~~ condition satisfactory to Council. Priority shall be given to matters relating to public safety and accessibility, particularly in special use areas.

A quantitative system of condition evaluation will be adopted for the assessment of the existing footpath network.

4.4 Commercial Premises

Paved footpaths in front of commercial premises will be provided at no charge to the relevant premises provided the paving is incorporated into an overall construction program budgeted for by Council.

Where requests for paving of footpaths in front of commercial premises are received, which are not programmed works, a 50% charge will be levied and the following conditions must apply:

a) Paving will not be carried out on footpaths where adequate provision of a footpath already exists.
b) Premises have the choice of either concrete or paved as a footpath pavement type unless the Director Infrastructure deems a specific selection to be out of character with the surrounding area.

4.5 Ramps

That kerb crossover ramps will progressively be built into all intersections across Council's road network wherever kerb and water table exists, subject to available

funds. Priority will be given in accordance with Council's road hierarchy and where the footpath is part of the nominated footpath network.
Tactile ground surface indicators shall be installed on new kerb ramps and median island crossings in accordance with the relevant Australian Standards.
Retrospective installations will occur where requests are received from the community subject to available funds.

4.6 Use of Footpaths for Business Purposes

Refer to Council's By-Law 1 Permits and Penalties, By-Law 3 Local Government Land, and By-Law 4 Roads.

4.7 Works on Footpath

Where the property owner requires to undertake works on the footpath related to the adjoining property a permit is required.

For example:

(a) To lay underground pipeline or electrical service (across Council's roadway/ footpath);

(b) To lay underground stormwater pipe from property to kerb (across Council's footpath).

(c) To construct a concrete/ paved/ sealed driveway (driveway continuation section from kerb to boundary);

4. 8 Driveway Continuation and Crossovers

Property Owners are responsible for the construction and ongoing maintenance of a driveway continuation between the kerb and property boundary and the crossover as in accordance with Council specifications.

A driveway continuation should be constructed of a hard surface and where possible match the construction of the driveway on the private property. NOTE: blue metal type gravel is not permitted to be used for a driveway continuation as it does not allow for ease of access along a verge or footpath for wheelchairs etc.

The creation or construction of a driveway continuation and a kerb crossover is effectively an alteration to a public road whereby the person alters the construction or arrangement of the road to permit or facilitate access from an adjacent property – section 221(2)(a) Local Government Act 1999.

a) All driveway continuations (from the property boundary to the road) and crossovers as part of a subdivision are to be borne by the property developer;

b) All crossovers which are approved as part of a property development authorisation are the responsibility of the development applicant;

c) **A crossover which is not part of a subdivision or a development application** must be applied for using Council's online process.

(i) In an **urban location**, Council may pay up to $1,500- for one crossover per ratable property where high-back kerb and

water table have been constructed and there is no access to that property. Any additional crossovers are the ratepayer's responsibility. The crossover application is subject to a Section 221 permit.

NOTE: where there is a roll-over kerb, no crossover is required.

(ii) In a **rural location**, Council may pay up to $1,500- for a standard crossover per where there is no access to the residential property. Council's consideration of the rural crossover is subject to the approval of a Section 221 permit application and the results of an inspection from the Construction and Maintenance Surveyor.

d) Where there is no kerb and water table the property owner is responsible for the provision of the driveway continuation.

NOTE: The Property Owner is required to engage a suitably qualified contractor to carry out any works in accordance with Council's specifications and shall be responsible for all costs associated with such works;

Nominated Council Officers are authorised to assess applications for new crossover places and for variations to existing crossover places under delegation. In doing so officers will have regard to matters of obstruction, interference and road safety, (as required by Section 221 (4) of the Local Government Act 1999) and in addition will also consider stormwater drainage and footpath interface relationships prior to application determination.

Applications for additional crossovers will be considered taking into account the width of road, allotment width, proximity to other crossovers and the effect on existing on-street parking spaces.

Kerb crossovers must be a minimum of distance of at least six (6) metres from an intersection of two or more roads unless otherwise approved by Council.

Failure to construct works fully or satisfactorily, or rectify any damage caused on Council Land will result in Council ordering the Property Owner, at the Land Owner's cost, to remove, construct, or re-construct as deemed appropriate by Council.

Where the crossover abuts a road under the care, control and maintenance of the Department of Infrastructure and Transport (DIT), written approval must be granted by the relevant DIT representative or delegate.

No crossing places shall be constructed over any footpath until after the work is approved by Council.

Where an existing crossover is damaged or falls into disrepair Council will consider remediating, as part of its annual maintenance programs.

4.9 Landscaping by Council

Street trees will be provided in accordance with Council's Tree Policy, where possible. In some instances streetscaping of street trees with understory planting and mulching, will be included as part of full width verge development including a constructed footpath.

The location of a footpath within the verge shall be in accordance with Infrastructure Guidelines SA unless otherwise approved by Council.

An assessment of existing street trees will be undertaken prior to a footpath being constructed to determine the suitability of location within the verge and the compatibility of the species or individual tree.

4.10 Landscaping by Resident

Council may permit the landscaping of the verge provided that there is an existing hard surface footpath on the opposite side of the road; Council has no plans to construct a footpath in that area within the near future; and a section of the landscaped area is kept clear for pedestrian movement to a minimum width of 1.5m:

a) Prior to the commencement of any work the owner of the adjoining land must submit an application to Council via the on-line application process for approval to carry out works on the footpath, such application must include:

(i) Plan detailing the area where the landscaping is to be installed, location of any trees, shrubs or other landscaping elements proposed to be installed and the location and details of any drains or irrigation proposed to be installed.

(ii) The following verge treatments are PERMITTED, providing they are permeable to water and are suitable for safe pedestrian access;

- Low plants (maximum 500 mm height)
- Street trees
- Mulch in planted garden bed
- Permeable paving (to be constructed to Council's standards and manufacturers specifications)
- Synthetic turf (to manufacturer's specifications and Council approval)
- Turf (irrigated and unirrigated)
- Species of lawn to be installed and species of any trees or other plants proposed to be installed.

(iii) An undertaking that the owner of the adjoining land will ensure that the lawn area and/ or landscaped area will be regularly watered and mown and maintained to the reasonable satisfaction of Council including (i) a neat, tidy condition, and (ii) a safe height to ensure that it can easily used by pedestrians.

b) Written approval must be obtained from Council for the proposed work to be carried out prior to the commencement of the work.

c) Under no circumstances will Council grant approval for the installation or erection of retaining walls or other landscaping features or plants, which obstruct or hinder pedestrian traffic along a footpath.

Any approval issued for works on Council property shall be subject to the following condition, “In granting approval for the installation of lawn on the footpath area in front of (insert address of property) (hereafter referred to as the said land) Council does not forfeit any of its rights, powers or responsibilities in relation to the said land and Council, or any of its employees or agents may enter upon the said land and carry out such work as Council may from time

to time deem necessary. This work may include, but is not limited to, the removal of lawn or other infrastructure installed on the said land, the laying of footpaths or the planting of street trees.

If Council deems it necessary to undertake work on the said land, Council, its employees or agents will not be held responsible for damage that may occur to private property or infrastructure that may be installed on the said land.”

a) The total cost of the work shall be borne entirely by the applicant seeking approval.

b) Should the landowner decide to remove or change any of the landscaping or work, approval shall be sought from Council using Council’s online process. All removal and reinstatement costs will be borne by the present owner/s.

c) Should a landowner decide to remove existing lawn or landscaping from the footpath, approval shall be sought from Council using Council’s online process. All removal costs associated with the removal of the lawn to be borne by the present owner/s, with Council to provide crusher dust to reinstate the footpath area.

Council can direct the property owner to remove unauthorised landscaping, or carry out remedial work to bring the area in line with Council’s requirements. Failure to comply with the direction gives Council the option to carry out the work and recover the cost from the property owner (under section 218 of Local Government Act 1999).

5. DOCUMENT REVIEW

This Policy will be reviewed every four years, or earlier if required by changes in legislation, related documents, WHS requirements, Council intent, delegated authorities, or by CEO/Director determination.

6. FURTHER INFORMATION

This policy will be is available for inspection at the Council offices listed below during ordinary business hours at the:

- Port Pirie Regional Council Principal Administration Office, 115 Ellen Street, Port Pirie
- Crystal Brook Office and Library, 21 Bowman Street, Crystal Brook

It can be downloaded, free of charge, from Council’s internet site: www.pirie.sa.gov.au

Copies will be provided to interested parties upon request, and are available upon request (payment of a fees may apply in line with accordance with Council's Schedule of Fees and Charges).

7. DOCUMENT HISTORY

Version No.	Date Approved	Minute Reference	Notes/ changes
V1.0	28/01/2015	OM25/15	New document
V1.1	29/11/2017	OM352/17	Unknown additions/ changes
V2.0	25/03/2026	OM057/26	Added: Civil Liability Act, Disability Inclusion Act, Disability Discrimination Act (Federal), LG General Regulations, Native Vegetation Act, and Road Traffic Act to Applicable Legislation; By-Law 1 Permits & Penalties, By-Law 3 Local Government Land and By-Law 4 – Roads to related Documents; reference to Department for Infrastructure and Transport (DIT) and information regarding use of blue metal (Section 4.1 – Service Levels); reference to Institute of Public Works, Engineering Australia (Section 4.2 Construction Priority); Driveway Continuation information (Section 4.8 Driveway Continuation & Crossovers including Uran crossover and Rural crossover cost); Document Review (Section 5); Document History (Section 7; and Kerb, Kerb Crossover, Pedestrian Access Walkway, Pram Ramp/ Access ramp, Rural Crossover, Specifications, and Water-table (Appendix 1 – Definitions); Updated: Driveway Continuation, Footpath, Hard Surface, Road Reserve, and Verge (Section 3 – Definitions); Landscape by Resident (Section 4.10)

APPENDIX 1 – Definitions

Driveway Continuation
Means the continuation of a private roadway from the private property across the Council verge to the edge of the road seal or water-table.

Footpath
Means a path designed for pedestrian use, which may be unpaved or constructed of a hard surface. Footpaths may run alongside the road within the improved area of the verge or through parks and other open spaces.

Hard Surface
When referring to footpaths means a path constructed using segmented block pavers, concrete, compacted crusher dust, asphalt or sprayed bituminous surfacing.

Kerb
Means the upright component of the concrete road edge

Kerb Crossover
Means the section of kerbing which is flat to allow access into the property.

Park Reserve
Means a park used by the public for recreational activities.

Pedestrian Access Walkway
Means any additional walkway surface on the Council verge.

Pram Ramp/ Access Ramp
Means a solid (usually concrete) ramp graded down from the top surface of a footpath to the surface of an adjoining road. The ramp sometimes includes tactile paving.

Road Reserve
Means land invested in the Council that is set aside for the purposes of a public road from property boundary to property boundary, irrespective of whether or not it is being used as a public road. This includes unmade road reserves (paper roads).

Rural Crossover
Means the section of an access driveway located within the road reserve, between the property boundary and the edge of the road that enables vehicles to enter a property.

Specifications
Means those specifications contained within Council's construction standards that apply from time to time. Refer Council website: www.pirie.sa.gov.au

Verge
Means the area between the property boundary to the kerb and the water table, or the edge of seal, if no kerb or water-table is constructed. A verge may include an area for vegetation including a tree and/ or a constructed footpath.

Water-table
Means the sloping flat component adjacent to the kerb and matched into the level of the adjacent road.