COUNCIL POLICY

Maintenance and Construction of Footpaths Policy

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Approval Date: July 2018
Approved By: Council
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Responsible Officer: Director Physical Services
External References: Proposed Local Government Act 2018 (Special Purpose Charge)
Authorising Officer: Chief Executive Officer

1. PURPOSE
The purpose of this policy is to guide Council decision making in relation to the maintenance and construction of footpaths.

2. INTRODUCTION
This policy details considerations and processes for Council when considering the maintenance and renewal of existing footpaths or pedestrian tracks or the construction of new footpaths or pedestrian tracks.

Council operates on a general principle of renew before new and the annual Council budget provides an amount to assist with the maintenance and renewal of existing township footpaths and pedestrian tracks.

A range of options are available to Council when considering how to fund the construction of new footpaths or pedestrian tracks

3. SCOPE
This policy applies to existing footpaths in Moyne Shire and new footpaths or pedestrian tracks proposed for construction within Moyne Shire.

4. DEFINITIONS
Footpath: A path with a sealed surface such as concrete or asphalt generally within an urban street

Pedestrian Track – A pathway in a rural setting that is generally unsealed and constructed using gravel or granitic sand.

Maximum total levy: Levy is determined by the frontage or length of footpath in front of each property and is proportioned accordingly.
5. TRAINING REQUIREMENTS
Nil

6. QUALITY RECORDS

<table>
<thead>
<tr>
<th>Record</th>
<th>Retention/Disposal Responsibility</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Management Plan for footpaths</td>
<td>Manager of Assets and Contracts</td>
<td>Magiq</td>
</tr>
<tr>
<td>Infrastructure Design Manual</td>
<td>Manager of Assets and Contracts</td>
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<tr>
<td>Footpath Development Plan</td>
<td>Manager of Assets and Contracts</td>
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<tr>
<td>Local Government Act</td>
<td>Victorian Government</td>
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7. POLICY DETAIL

Maintenance and Renewal

Funding priority is to be given to maintaining and reconstructing existing footpaths and pedestrian tracks before extending the network by constructing new footpaths or pedestrian tracks. This strategy assists in:
   a. good risk management practice
   b. maintaining a high level of service on the existing network
   c. minimising overall life cycle cost of the pathway network

Annual programs shall be developed to replace existing paths that are reaching the end of their economical lives with the most suitable surface type. Concrete paths are often preferred in an urban setting because they:
   a. are easier to maintain;
   b. have longer life;
   c. have a lower life cycle cost

The final decision regarding the footpath replacement surface is made on a case by case basis, depending on existing footpath material, location and cost. In some rural locations gravel or granitic sand pedestrian tracks are preferred (eg Purnim) while in other locations asphalt surfaces are preferred due to amenity and community preferences.

New Footpaths

Standard construction to be in accordance with Council's Infrastructure Design manual (where possible) and be concrete, at least 1.5 metres wide. Shared pathways will be 2.5 metres wide as per the Infrastructure Design Manual wherever possible.

Many footpaths are constructed at 2 metres wide as they can be reasonably accommodated in the road reserve and there is a lot of footpath traffic.

Footpaths are to be 75mm thick at the property line and 125mm for driveways including F72 mesh.
Variations to the standard type of construction eg. coloured concrete, asphalt, chip seal, or pavers, may be approved according to circumstances.

**Funding for New Footpaths**

Where Council considers that a new footpath provides similar benefit levels for property owners in the street, and the general community, funding for a new path can be provided via a Special Charge Scheme pursuant to the Local Government Act, in accordance with the following proportions:

- 50% Council
- 25% property owners abutting the footpath
- 25% property owners on the opposite side of the street

**Determination of 'Community Benefit' versus 'Local Benefit'**

Where Council considers that a new footpath provides significantly greater benefits for the general community compared to the local benefits gained by property owners in the street, Council may consider increasing its contribution beyond 50%.

A footpath shall be considered to have a high community benefit if one or more of the following circumstances exist:

- the footpath is on the main route to a facility used by a cross-section of the community; eg. beach, swimming pool, recreation reserve, tourist venue, shopping centre, multi-use sporting facility, school, kindergarten or aged care facility;

- the footpath is the only safe access to a facility utilised extensively by all persons including those with special needs; eg. aged persons, or disabled persons;

- Council will determine its level of contribution in consideration of the above factors up to a potential 100%.

**Special Purpose Charge Process**

1. A Footpath Development Program has been endorsed by Council and is used to guide decisions regarding any new footpaths to be constructed separate to the renewal program. In such instances, Council would also confirm the appropriate allocation of costs as detailed above.
2. A preliminary survey is then sent to affected property owners notifying them of the proposal. The preliminary survey will determine whether there is initial support for the proposal and indicate whether Council should proceed with preparing detailed designs, costings and amounts to be contributed. At this stage, Council provides an estimate of what the works are likely to cost.
3. The Special Purpose Charge will not proceed unless 50% or more of the property owners who will be required to pay the special rate or charge, support the scheme.
4. If the majority of property owners approve, Council will then proceed with detailed designs and costings.
5. Council confirms works and determines the Maximum Total Levy for each benefitting property. This is proportioned by property frontage to the footpath.
6. A Public Notice of Proposed Declaration is published in local newspapers and a letter of notice is sent to property owners. All Scheme documents, plans, costs and schedules will be made available at relevant offices or footpaths within the affected community.

7. Once a public notice is issued, there is a 28 day period within which any person can make a written submission to Council regarding the proposal.

8. Once the 28 day period ends, a report outlining the Special Purpose Charge goes to Council for consideration and final approval, along with any submissions made.

9. Once approved by Council, a prescribed notice is sent out to all those liable to pay. Property owners will have the option of paying in full or by quarterly instalments (interest is charged). Property owners who receive the notice may lodge an appeal with the Victorian Civil Appeals Tribunal (VCAT) within 30 days.

d. ATTACHMENTS

Nil