STATE PLANNING COMMISSION

Agenda Report for Decision

Meeting Date: 15 August 2024

Item Name	Design Standard for Residential Driveway Crossovers – approval of Engagement Report for publication
Presenters	Matt Henderson and Tyler Johns
Purpose of Report	Decision
Item Number	5.2
Strategic Plan Reference	2. Enhancing our Planning System
Work Plan Reference	2.3 – Develop Design Standards that facilitate streamlined assessment
Confidentiality	Not Confidential (Release Delayed) to be released following the publication of the Engagement Report, with the exception of the section of this Agenda Report headed 'Role of design standards' and **Appendix A** which is designated as Confidential (Legal Advice).
Related Decisions	• SPC Workshop – 2 March 2023 – Design Standards • Proposal to Initiate - Design Standard for Residential Driveway Crossovers – 16 March 2023 • Proposal to Initiate – Residential Driveway Crossovers Code Amendment – 13 April 2023 • Engagement approval – the draft design standard for residential driveway crossovers and associated Code Amendment – 13 July 2023

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of this item as Not Confidential (Release Delayed) to be released following the publication of the Engagement Report, with the exception of the section of this Agenda Report headed 'Role of design standards' and **Appendix A** which are designated as Confidential (Legal Advice).
2. Approve and authorise the Chair of the Commission to sign the Engagement Report (**Attachment 1**) for furnishing to the Minister for Planning and publication on the PlanSA portal.
3. Approve and authorise the Chair of the Commission to sign the letter at **Attachment 2** to the Housing Infrastructure Planning and Development Unit in the Department for Housing and

Urban Development, asking it to include driveway crossovers in its engineering design standards arising from the Premier's Housing Roadmap.

4. Approve and authorise the Chair of the Commission to sign the Minute to the Minister for Planning at **Attachment 3**, advising him of the outcomes of the public consultation.
5. Approve and authorise the Chair of the Commission to sign the letter at **Attachment 4** to the Minister for Local Government, advising him of the outcomes of the public consultation.
6. Approve and authorise the Chair of the Commission to sign the letter at **Attachment 5** to the stakeholders who made a submission on the draft design standard, advising them of the outcomes of the public consultation.
7. Authorise the Chair of the Commission to make any minor amendments to **Attachments 1 - 5** as required to finalise.

Background

Driveway crossovers are key feature of residential communities and the design standard sought to provide best practice design standards to ensure safety outcomes, as they cross the footpath in the public realm.

On 16 March 2023, the Commission resolved to initiate the preparation of a design standard for residential driveway crossovers. This would be the first design standard under the *Planning, Development and Infrastructure Act 2016* (the PDI Act), pursuant to section 69(1). Following this, on 13 April 2023, the Commission resolved to initiate a complementary Code Amendment to ensure proper integration of the design standard in the planning system. The Commission also resolved that the design standard and Code Amendment be progressed as a joint process pursuant to section 73(13) of the PDI Act.

The Commission approved the Engagement Plan for this project on 13 July 2023. The draft design standard for residential driveway crossovers and associated Code Amendment were placed on public engagement from 23 August to 14 November 2023. 84 submissions were received, showing the high level of interest across stakeholders on the proposed design standard.

While there was general support for the need for the design standard, the engagement also highlighted a number of concerns and potential issues with the design standard. As such, it is not recommended that the Commission seek the Minister's approval to adopt the design standard as drafted. Rather, it is recommended that the Commission inform the Minister, the community and all stakeholders of its desire to undertake further and more detailed investigation into the matters raised.

It is possible that driveway crossovers could be captured in the engineering standards (as flagged in the Premier's Housing Roadmap) being prepared by Housing Infrastructure Planning and Development Unit (HIPDU), which will be delivered as design standards in the planning system. It is recommended the Chair write to HIPDU asking that the investigations include scope for driveway crossovers (and provide all feedback received on the matter to HIPDU).

This agenda report canvasses the:

- legislative complexities associated with design standards and the next steps required to operationalise them in the planning system;
- outcomes of the engagement (including the key issues identified resulting in the recommendation the design standard not be approved in its current form); and
- next steps to finalise the process pertaining to the draft design standard, including writing to HIPDU and the Minister.

Discussion

Legislative Provisions

Section 3 of the PDI Act defines ***Planning Rules*** as:

- the Code; and
- the design standards that apply under Part 5 Division 2 Subdivision 4; and
- any other instrument prescribed by the regulations for the purposes of this definition.

Section 102(1)(a) of the PDI Act provides that, subject to other provisions of the Act, development must be assessed against the relevant provisions of the Planning Rules. Additionally, where the division of land is proposed, design standards are specifically called out as needing to be satisfied in the assessment of land division consent.

Sections 105 and 106 of the PDI Act provide that the Code (being one of three instruments comprising the Planning Rules) will classify development as deemed-to-satisfy (DTS) development and that if development is classified as DTS development, it must be granted planning consent.

Section 107 of the PDI Act provides that development that is not DTS development will be assessed on its merits against the Code (performance assessed).

Section 110 of the PDI Act provides that the Commission must consider the provisions of the Code in an assessment of restricted development but is not bound by those provisions. An assessment of restricted development can have consideration of any relevant document, including a design standard.

Given sections 105, 106, 107 and 110 of the PDI Act all refer to the Code, it was unclear to what extent DTS and performance assessed development are assessed against the instruments comprising the Planning Rules that are not the Code (eg design standards and instruments prescribed by regulations).

To overcome this, Planning and Land Use Services (PLUS) initial view was that in order to implement the residential driveway crossover (and future) design standard, the Code would need to be amended to incorporate reference to the design standard into the DTS criteria. This would then ensure development cannot be classified as DTS development unless it meets the requirements of the design standard. This approach was considered necessary given the Code determines whether development is classified as DTS development (and a significant portion of residential dwelling applications the proposed design standard is intended to apply to are classified as DTS).

However, throughout the public engagement period, the role of design standards within the planning system was called into question. Feedback queried the necessity of linking the design standard with the Code and identified the potential for policy and assessment duplication.

Role of design standards

[redacted]

[redacted]

Outcomes of Public Consultation

An Engagement Report has been prepared at **Attachment 1** outlining the outcomes of the engagement in accordance with the Community Engagement Charter.

A summary of the key themes and feedback received is as follows:

- *Development assessment procedure*

  One of the intentions for the design standard was that it would provide Accredited Professionals with more detail against which to assess a proposed driveway crossover. This was expected to be beneficial in the absence of any existing statutory requirement for them to consult with the council for the area.

  Despite this intention, the feedback received from local government queried whether the design standard would have this result and expressed a strong preference that proposals to alter a road be determined only by local government.

  PLUS received very little evidence supporting the notion that assessments undertaken by Accredited Professionals are routinely resulting in poor public realm outcomes. However, if the draft design standard was implemented and a proposed driveway crossover did not comply with it, the *Local Government Act 1999* (LG Act) would have obliged a relevant authority (other than council) to consult directly with the council. This would create a means by which councils could have input on the assessment process when it is undertaken by Accredited Professionals, which is more than currently occurs.

- *Interaction with Local Government*

  Part of the project to implement the design standard has been co-ordinating with the Office of Local Government for particular changes to the LG Act that relate to the commencement of design standards. These changes include the uncommenced section 234AA of the LG Act, which provides (amongst other things) that:

  > *A person who alters a public road as part of a development authorisation under the Planning, Development and Infrastructure Act 2016 must comply with any design standard or other requirement that applies under the Planning, Development and Infrastructure Act 2016.*

  Section 221(3)(b) of the LG Act provides that a person with the benefit of a development authorisation under the PDI Act that includes a driveway crossover does not need a separate authorisation under the LG Act to install that driveway crossover. The feedback received from local government, particularly the City of Prospect and the City of Norwood, Payneham and St Peters, revealed that this is disputed by some councils.

To manage the perceived disconnect between the design standard and council public realm policies, the Commission intended to implement a works notice in conjunction with the draft design standard. The intention was to avoid the Commission specifying matters of an overly technical nature in the design standard. It is more appropriate for those matters to be tied to a technical document, such as the Institute for Public Works Engineering Australasia's *Infrastructure Guidelines for South Australia*, which is used by many councils as a guideline for driveway works.

However, the feedback indicated this was not the preferred approach, as it is seen to lack enforceability. This is a matter that requires further consideration and exploration to ensure design standards have sufficient weight in the planning system, thus giving local government the certainty it seeks. This is particularly important in light of the associated amendments to the LG Act.

- *Plans for assessment in Development Applications*

  It is expected that an application that is assessed against the draft design standard would be accompanied by plans that comply with Schedule 8 of the *Planning Development and Infrastructure (General) Regulations 2017* (PDI Regulations). An approved development must be constructed in accordance with the plans that have been approved by the relevant authority. This provides a layer of enforceability to any aspect of an application that is shown on the plans, as a driveway crossover that is subject to assessment against a design standard should be. Nonetheless, it is acknowledged that some councils, particularly the City of Prospect, express misgivings regarding the quality of plans required by Schedule 8.

  PLUS will consider this matter further, and will provide advice to the Minister in relation to amending the PDI Regulations for this purpose, as appropriate. It is noted the Expert Panel for the Planning System Implementation Review also made a recommendation related to reviewing the current requirements of Schedule 8 (recommendation 17), and it may be appropriate for this matter to be incorporated into that body of work.

- *Content of the draft design standard*

  The draft design standard contains assessment policies and technical drawings that seek to enable a relevant authority to determine if a development proposal complies with the design standard. It was drafted with the intention that it be recognisable as part of the planning system, with a structure that reflects the Code and builds on the principles of performance-based planning.

  Feedback on this approach was split along industry lines, with the development industry and their representatives (particularly the Urban Development Institute of Australia and Housing Industry Association) arguing for less prescriptive and more performance-based policies, while local government tended to favour more prescriptive DTS-style policy frameworks.

  It is considered the draft design standard requires further consideration and amendment to this point, to ensure it is fit for purpose. In this regard, the feedback provided will be invaluable as the Commission moves forwards to review and improve the draft design standard.

Next Steps

Noting the advice and feedback received, it is apparent that:

- further work is required to the draft design standard to ensure it is fit for purpose; and
- consideration needs to be given to regulatory change (noting this is a matter for the Government rather than the Commission) to ensure design standards are given appropriate status in the planning system.

As identified earlier in this report, in light of the engineering standards being prepared by HIPDU, it is now recommended the Commission request HIPDU incorporate residential driveway crossovers into its engineering standards. This will create an efficiency in resolving this matter, recognising the Commission does not have capacity to independently return to this design standard in 2024/2025. This is because the Commission has been asked to prioritise progressing Government initiatives identified through the Housing Roadmap and Expert Panel recommendations. A draft letter to HIPDU is **Attachment 2**.

Notwithstanding, where a designated entity (being the Commission in this circumstance) seeks to prepare or amend a designated instrument, section 73(7) of the PDI Act requires the designated entity to prepare a report in accordance with a relevant Practice Direction (Practice Direction 2) and furnish a copy to the Minister. A draft Minute to the Minister has been prepared at **Attachment 3** which encloses a copy of the Engagement Report (**Attachment 1**) for this purpose. It is noted that the draft Minute:

- acknowledges the additional work required to the draft design standard and that it will be referred to HIPDU to progress with the engineering standards;
- identifies that further regulatory change may be required (for which PLUS will manage and progress as appropriate); and
- recommends that, for the purposes of section 73(10)(f), the Minister determines that the matter should not proceed.

Following the furnishing of the report to the Minister, the Commission must also ensure that a copy of the Engagement Report is published on the SA Planning Portal (section 73(8)), irrespective of whether it plans to implement the proposed new or amended designated instrument.

Finally, noting the relationship the draft design standard has with the LG Act and given the significant feedback from stakeholders, it is recommended the Commission also approve letters being sent to the Minister for Local Government (**Attachment 4**) and all stakeholders who made a submission to advise them of the outcome of the public consultation (**Attachment 5**).

Attachments:

1. Engagement Report (#20815624)
2. Letter to HIPDU (#22007994)
3. Minute to the Minister for Planning (#21937721)
4. Letter to the Minister for Local Government (#21297390)
5. Letter to Stakeholders (#21297553)

Appendices:

A. Crown Solicitor’s Office - Legal Advice (#21937865)

Prepared by:	Matt Henderson and Tyler Johns
Endorsed by:	Steven Murphy, A/Director, Business Services
Date:	30 July 2024

ENGAGEMENT REPORT

Section 73(7) of the *Planning, Development and Infrastructure Act 2016*

Draft Design Standard for Residential Driveway Crossovers and Associated Code Amendment

By the State Planning Commission

PlanSA

Government of South Australia
Department for Housing and Urban Development

#20815624

	Name / Title	Date	Signature
Engagement report approved by the Designated Entity	Craig Holden / Chair, State Planning Commission	30/08/2024	

Contents

Executive summary 1

1 Purpose 3

2 Introduction 4

3 Engagement approach 5

3.1 Engagement activities 5

3.2 Mandatory requirements 10

3.3 Compliance with the engagement plan 11

4 Evaluation of engagement 13

4.1 Performance indicators for evaluation 13

4.2 Evaluation against the Charter principles 13

5 Summary of submissions 18

5.1 Themes 18

5.2 Local Government submissions 18

5.3 Industry Stakeholder Submissions 30

5.4 State Agency Submissions 30

5.5 Community submissions 31

6 Engagement themes: summary, response, and recommendations 33

6.1 Interaction with Council processes 33

6.2 Technical design and material specifications 34

6.3 Definitions in the draft design standard 36

6.4 Design Principles and Design Requirements 37

6.5 Footpaths 38

6.6 Trees 39

6.7 Heritage and character 40

6.8 Sightlines 40

6.9 Number of crossovers per site 41

6.10 Crossover widths 42

7 Engagement outcome 44

Appendices 45

Appendix A – Communication materials

Appendix B – Email Submissions

Appendix C – Consultation Survey and Responses

Appendix D – What we heard report

Appendix E – Evaluation Survey and Responses

Appendix F – Project Manager Evaluation Form

Executive summary

Across 2022 and 2023, the State Planning Commission prepared the first draft design standard under section 69 of the Planning, Development and Infrastructure Act 2016 (PDI Act). An associated amendment to the Planning and Design Code (Code) was also proposed to ensure that the design standard would integrate with our planning system.

The intent of the draft design standard was to provide detailed guidance on the requirements for vehicular access to and from land adjoining a road (including construction of a crossover or driveway and associated or ancillary works) in association with residential development. In doing so, the draft design standard sought to:

- provide for the safety of all road users
- provide for vehicular access that maximises the provision of on-street carparking
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas
- create driveway crossovers that are durable
- create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

Engagement was undertaken on the draft design standard and associated Code Amendment for a period of twelve weeks from 23 August 2023 to 14 November 2023, giving South Australians and key stakeholders the chance to have their say.

84 unique written submissions were received regarding the draft design standard and associated Code Amendment. The Commission thanks the community at large, councils and the development industry for their deep engagement with the draft design standard and the detailed commentary contained in their submissions. There were:

- 54 submissions from community via YourSAy survey responses, 2 of which were from individual council officers
- 22 submissions from local government
- 5 submissions from industry stakeholders
- 3 submissions from state government agencies.

Broadly speaking, the submissions received recognised the work that has gone into producing the draft design standard for public comment and that the aims of the design standard are worthy aspirations. The key themes of the submissions received included:

Submissions identifying support for the draft design standard and associated Code Amendment -

- support for policies that result in:
    - more space for trees and landscaping
    - footpaths that are suitable for mobility impaired road users
    - improved safety, particularly for pedestrians and cyclists
    - reduced crossover widths
    - avoiding impacts on infrastructure
    - maximising availability of on-street car parking
- simplifying approval processes and removing duplication within the planning system could be beneficial
- the consistency provided by a single state-wide design standard could be beneficial.

Submissions identifying concerns with the draft design standard and associated Code Amendment -

- recommended changes to the assessment provisions, definitions, exclusions/inclusions and interpretations contained in the design standard
- the assessment provisions in the design standard were either considered to lack prescriptiveness or be overly prescriptive, depending on outcomes sought
- queried the role that design standards should play in the planning system and the assessment mechanics of how they will work within the system
- queried the interaction of the draft design standard with the Planning and Design Code
- queried the quality of plans and depth of assessment required at planning consent, with a view that the plans submitted for assessment may not be sufficient for an assessment to be made in some cases
- commented on the interaction of the draft design standard with uncommenced legislative changes and the potential implications for council infrastructure
- raised issues in relation to the practice of relevant authorities other than councils approving alterations to a road, and subsequent compliance matters
- critiqued the length and 'complexity' of the draft design standard
- requested clarity as to whether minor variations to the provisions can be accepted
- sought the involvement of council in assessments that may be carried by other relevant authorities (particularly Accredited Professionals)
- requested deeper consideration of heritage matters, including the preservation of features of roads associated with heritage areas.

A diverse range of other individual issues were also submitted and have been considered in this Engagement Report.

The engagement with community and stakeholders has proven invaluable as several significant matters were raised that require further and more detailed investigation. There will be further opportunities for engagement once the design standard has been refined in light of the feedback received.

As flagged in the Premier's Housing Roadmap, the Housing Infrastructure Planning and Development Unit (HIPDU) will be preparing engineering standards that will be delivered as design standards in the planning system. It is possible that driveway crossovers could be captured in the engineering standards given the strong alignment between the subject matter of driveway crossovers and the scope of engineering standards contemplated by the Housing Roadmap. The Commission has written to HIPDU asking it to incorporate driveway crossovers into this body of work.

1 Purpose

This report has been prepared by the State Planning Commission (the designated entity) in relation to preparation of a design standard for residential driveway crossovers and an associated Code Amendment.

The report details the engagement that has been undertaken and the outcomes of the engagement, including a summary of the feedback made, the response to the feedback and the recommended next steps. In addition, the report evaluates the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved.

2 Introduction

Design standards were introduced via the *Planning, Development and Infrastructure Act 2016* (the PDI Act) and are a planning instrument that forms part of the Planning Rules, alongside the Planning and Design Code (the Code), with a focus on the public realm and infrastructure. Design standards are intended to promote good design in our streets, parks and other public places, assist to manage the interface between the public and private realm and contribute to efficiencies in delivering high-quality infrastructure in conjunction with development.

The Commission formally initiated the preparation of South Australia's first design standard in March 2023, for residential driveway crossovers. This design standard aims to ensure that:

- new driveway crossovers contribute to the amenity and safety of the public realm
- driveway crossovers for new housing are located so that:
    - there is space for a tree out the front, or existing trees are retained
    - there is room to put the bins out
    - there are appropriate separations to roadside infrastructure and costly relocation of infrastructure is avoided
    - the impacts of driveway design on car parking along the street are considered
    - driveway design is aligned with the prevailing character of the surrounding streetscape.

3 Engagement approach

The process for preparing and amending designated instruments, including design standards and the Code is set out in section 73 of the PDI Act. The PDI Act requires community engagement to take place in accordance with the Community Engagement Charter (Charter).

An engagement plan was prepared to apply the principles of the Charter. The purpose of this engagement was to ensure that individuals, businesses, organisations and communities interested in and/or affected by the proposed design standard and associated Code Amendment were engaged in the process and could provide their views and other feedback.

Engagement on this design standard and associated Code Amendment sought to:

- raise awareness of the role design standards play in the South Australian planning system
- raise awareness that a design standard and associated Code Amendment was being prepared
- provide information about what was proposed by the design standard and associated Code Amendment and why
- provide an opportunity for stakeholders and community to submit their feedback and identify additional issues and opportunities early, for consideration in finalising the draft design standard and Code Amendment before they are sent to the Minister for Planning for consideration
- meet statutory requirements as they relate to engagement on a design standard and associated Code Amendment
- maximise the opportunity for the media to be well informed, minimising reporting of inaccuracies
- close the loop with stakeholders and community after the engagement period by informing them of the final version of the draft design standard and associated Code Amendment and its subsequent implementation (if approved).
- The engagement period for this design standard and associated Code Amendment ran for 12 weeks, from 23 August 2023 to 14 November 2023.

3.1 Engagement activities

The engagement activities undertaken are summarised in Table 1 below.

Table 1: Engagement and promotion activities

Activity	Description/objectives	Stakeholder
Pre-engagement with key stakeholders	A Design Standards Reference Group was formed to provide expert advice and guidance on the design standard's form and content, including engineers with urban and regional council experience and the Department for Infrastructure and Transport (DIT). Development industry representatives were informally consulted as part of the project's scoping stage. Local Government Association (LGA) and various council planning staff were briefed on the project.	Key Stakeholders and experts

Activity	Description/objectives	Stakeholder
	A high-level presentation was made to the monthly Planning Policy Forum, involving private, local and state government planning practitioners. Their input and feedback contributed to the draft design standard published for public engagement. Further feedback was sought during the engagement stage.	
Early communications	To raise early awareness of the design standard, an article was published in the May 2023 edition of Planning Ahead as part of the State Planning Commission Chair's column announcing the design standard and the initiation of the associated Code Amendment (refer **Appendix A**).	Key stakeholders and community with an interest in planning
Letters/emails to key government stakeholders	At launch of the engagement, a letter/email was sent electronically to identified key stakeholders who had an interest in the drat design standard and associated Code Amendment providing information and the opportunity to provide feedback (refer **Appendix A**). Councils, the LGA and State agencies were encouraged to promote the engagement across their networks. In total **75 key stakeholders** were sent information.	State government agencies[1], LGA and councils[2], State Government Ministers[3]
Letters/emails to peak bodies	Planning, building and construction associations and disability access and inclusion advocates were also contacted via letter/email (**Appendix A**). In total **7 peak bodies** were sent information.	Planning/construction industry [4], disability access and inclusion advocates[5]
FAQs	A series of frequently asked questions, written in plain-English, were developed and published on the YourSAy and PlanSA websites to help interested community understand the proposed design standard and associated Code Amendment (refer **Appendix A**). The FAQs were **viewed 140** times by **130 visitors** on the YourSAy website during the engagement period.	All audiences, with a focus on interested community

[1] Government agencies engaged via letter comprised Office for Local Government, Commissioner of Highways, South Australian Housing Authority and Department for Human Services.
[2] All South Australian councils were engaged via letter, as listed on the LGA website.
[3] State Government Ministers engaged via letter comprised Minister for Planning, Nick Champion and Minister for Local Government, Geoff Brock.
[4] Planning and construction industry engaged via letter comprised Planning Institute of Australia (PIA), Master Builders Association (MBA), Housing Industry Association (HIA), Urban Development Institute of Australia (UDIA), and Property Council Australia (PCA).
[5] Disability access and inclusion advocates engaged via letter comprised Inclusive SA, LGA's Disability Inclusion Advisory Group.

Activity	Description/objectives	Stakeholder
Media interview	The Commission Chair promoted the proposed design standard and the public engagement through an in-depth **interview on ABC Radio Adelaide** on 21 September 2023. Details of the interview can be viewed at **Appendix A**	All audiences
Online information sessions	**2 online information sessions** were held early in the engagement period on different days and times to enable interested people to attend. They provided interested stakeholders and community the opportunity to find out more and ask questions about the draft design standard and Code Amendment. They were held on Wednesday 30 August, 10 am-11 am and Thursday 31 August, 2 pm-3 pm. A total of 69 people attended.	All audiences
EventBrite	The engagement and information sessions were promoted via the EventBrite website, which included sending email notification to all people following the PlanSA EventBrite profile. The event pages received 392 visits and about 170 people received notification of the engagement and information sessions.	All audiences
YourSAy website	A dedicated page on the YourSAy website was created as the primary location for the community to find easy to understand information and to submit feedback via a simple survey. A summary report on the YourSAy website is at **Appendix B.** The YourSAy page received **2503 visits** during the engagement period. The Draft Residential Driveway Crossovers Design Standard document was **downloaded 881 times** by 664 visitors.	All audiences, primarily community
Online survey	An online survey was linked to the YourSAy website to obtain feedback about the draft design standard and Code Amendment. An analysis of survey responses is in Section 5.3. A report containing the online survey and responses is at **Appendix B.** The survey tool was **visited by 238 people** and a total of **54 unique surveys** were completed.	All audiences
PlanSA website information	Information relevant to the Code Amendment, including the engagement plan, Code Amendment document, FAQs, submission form and how to provide feedback were	All audiences, primarily stakeholders

Activity	Description/objectives	Stakeholder
	available on the PlanSA Portal in both the Code Amendment and design standard sections of the site. A news article and web banner promoting the engagement were also published on the landing page of the PlanSA website, providing greater visibility. The 'Design Standards' PlanSA webpage received **824 views** and was visited by 550 people. The 'Driveway crossovers for residential development' PlanSA webpage received **488 views** and was visited by 274 people. The Plan SA website news story 'New design standard for residential driveway crossovers open for engagement' received **514 views** and was visited by 309 people.	
Newsletter articles	An article introducing the design standard was included in the May 2023 edition of Planning Ahead as part of the State Planning Commission Chair's column announcing initiation, and an article promoting the engagement opportunity was included in the September 2023 edition. Copies of the Planning Ahead newsletter articles are contained in **Appendix A.** YourSAy's monthly e-newsletters in September and October promoted the engagement. The September and October YourSAy articles achieved 70,916 deliveries, **26,806 opens** and **930 link clicks**. September's Planning Ahead had **1231 opens** and **88 link clicks**. The May edition had **1086 opens**.	All audiences
Hard copies of the design standard and associated Code Amendment	A printed hard copy of the draft design standard and Code Amendment was available to view at the PLUS building, Level 9, 83 Pirie Street, Adelaide. The PDF FAQs and summary documents were provided to councils to make available in hard copy.	Community
Social Media posts	PlanSA, State Planning Commission and YourSAy social media channels (Facebook, Twitter and LinkedIn) were used to promote the draft design standard and Code Amendment engagement and encourage feedback. A summary and examples of published posts are contained at **Appendix A**. A total of **13 posts** linking to the engagement (including 5 Facebook, 5 Twitter and 3 LinkedIn posts) were published via these SA Government channels.	All audiences

Activity	Description/objectives	Stakeholder
	Facebook posts had an **organic reach of 8,816** and YourSAy's Facebook **paid campaign reached 7,321** people and achieved 350 landing page views. Twitter achieved **203 impressions** and LinkedIn achieved **2,414 impressions**. Additional social media promotion included posts by PIA, HIA and council staff, Kangaroo Island Council and a Charles Sturt Councillor.	
Monthly Planning User Forum	Information was provided about the draft design standard, associated Code Amendment and opportunity to provide feedback at the September Planning User Forum. Approximately **500 industry stakeholders** are invited to attend the Planning User Forum on a monthly basis.	Councils, state agencies, industry professionals
Local Government Assessment Managers Forum	A special meeting of the Assessment Managers Forum was convened on 16 October 2023 for the project lead to present information and gain feedback on the draft design standard and associated Code Amendment. 31 Assessment Managers attended the meeting.	Local government assessment managers
Phone and email contacts	The PlanSA general enquiries phone number and email address were promoted and the service desk fully briefed to assist people in obtaining further information or to speak with the project team. Submissions could also be submitted via the PlanSA email address. Copies of emailed submissions can be viewed in **Appendix C**. **31 submissions** were sent via PlanSA email. A total of **6 email enquiries** and **3 phone enquiries** were handled during the engagement period.	All audiences
Postal Address	A postal address was promoted as a way that people could provide feedback in hard copy should they not wish or be unable to participate online. **No letters** were received via post.	All audiences
Feedback acknowledgement	An acknowledgement of feedback was sent to all who provided a submission via email or completed an online survey.	Those who provided feedback on draft design standard and Code Amendment
Bi-monthly Policy Forum	A short statement was made at the December 2023 bi-monthly Policy Forum to close the loop on the Engagement and thank those in attendance for their feedback.	Councils, state agencies, industry professionals

Activity	Description/objectives	Stakeholder
	Approximately **250 industry stakeholders** are invited to attend the Policy Forum on a bi-monthly basis. Records indicate that **65 people attended** the December Policy Forum.	
'What we heard' document	A short summary of what we heard during consultation and the next steps was sent via email to all those who provided feedback and registered to attend the online information sessions. This was sent with the evaluation survey. A copy of the 'what we heard' document is at **Appendix D.**	Those who provided feedback on the Code Amendment or registered for an online information session
Evaluation survey link	A link to an engagement evaluation survey was sent via email to those who provided feedback and registered to attend the online information sessions. A copy of the evaluation survey and responses is at **Appendix E.** The evaluation survey was emailed to 154 people and **16 evaluation survey responses were received** in total.	Those who provided feedback on the Code Amendment or registered for an online information session

3.2 Mandatory requirements

The following mandatory engagement requirements have been met:

Notification and engagement with councils

The Charter requires that a council or councils must be directly notified and consulted on a proposed design standard or Code Amendment, where the proposed design standard or Code Amendment is specifically relevant to a particular council or councils (and where the council did not initiate the proposed Code Amendment).

- Councils were engaged in the following ways:
- engineers with urban and regional council experience were involved in the Design Standards Reference Group to provide expert advice and guidance on the design standard's form and content
- prior to engagement, various council planning staff were informally briefed on the project
- prior to engagement, a high-level presentation was made to the monthly Planning Policy Forum, which included council planning practitioners
- at public engagement launch, Mayors and CEOs from all South Australian councils were directly contacted via a letter, sent via email, providing information about the draft design standard and Code Amendment and notifying them of the opportunity to provide feedback
- information was provided about the draft design standard, associated Code Amendment and opportunity to provide feedback at the September 2023 Planning User Forum and Building Forum, which included council staff

- a special meeting of local government assessment managers was arranged and held on 16 October 2023 to present information and gain feedback on the draft design standard and associated Code Amendment.

A total of 24 submissions were received from local government – 21 of which were from council administration (some endorsed by elected members) and one was from the Local Government Assessment Manager's Group.

Notification and engagement with the Local Government Association

The Charter requires that the Local Government Association (LGA) be notified in writing and consulted, where the proposed Code Amendment is generally relevant to councils.

The LGA was engaged in the following ways:

- prior to engagement, LGA staff were briefed on the project and their feedback contributed toward the draft design standard published for public engagement
- at engagement launch, a letter was sent directly via email to the CEO of the LGA providing information about the draft design standard and Code Amendment and notifying them of the opportunity to provide feedback.

No submission was received from the LGA.

Notification and engagement with owners and occupiers of land which is specifically impacted and adjacent land

Under section 73(6)(d) of the Act, where a design standard or Code Amendment will have a specific impact on one or more pieces of land in a particular zone or subzone (rather than more generally), the designated entity must take reasonable steps to provide a notice to owners or occupiers of the land (and each piece of adjacent land) as prescribed by the regulations.

This design standard and associated Code Amendment are targeted at residential development and statewide in scope. It is not practical to directly notify the owners and occupiers of every residential property across the state.

Notice of proposal to include local heritage listing to owner of land

The Community Engagement Charter requires that where a Code Amendment proposes to include a heritage character or preservation policy that is similar in intent or effect to a local heritage listing, the owner of the land on which the places resides must be directly notified in writing of the proposal and consulted for a minimum period of four weeks.

As this design standard and Code Amendment does not include any of these, no engagement to this effect was undertaken.

3.3 Compliance with the engagement plan

Engagement activities were undertaken in accordance with the engagement plan with some exceptions.

The following outlines how engagement was altered from the engagement plan and reasons for the variations:

- rather than issuing a media release, the Chair of the State Planning Comission discussed the design standard and highlighted the opportunity to provide feedback during an indepth interview with ABC Radio Adelaide.
- it was decided that a plain-English frequently asked questions document was a more suitable format than a 'fact sheet' to convey the information needed to help community understand the role of design

standards in the state planning system and details of the draft design standard and associated Code Amendment.

- in addition to the tactics outlined in the engagement plan, to minimise the number of requests for private briefings/information sessions from key stakeholders and to provide the community with an opportunity to ask questions of the project team, two public online information sessions were held during the engagement period.
- an additional ‘what we heard’ document was developed to provide a short overarching summary of feedback received during the engagement and next steps, which was sent to engagement participants with the engagement evaluation survey, given evaluation of the engagement process occurs before the final decision is made and ‘closing the loop’ communciations can be sent.

It is noted that post-engagement activities set out in the engagement plan to close the loop and inform stakeholders and community of the outcome are still in progress, pending final determination of the design standard and Code Amendment.

4 Evaluation of engagement

To ensure the principles of the Community Engagement Charter are met, an evaluation of the engagement process for the Code Amendment has occurred.

4.1 Performance indicators for evaluation

In line with the Charter, the mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

Evaluation of engagement by community members

The following performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

- that the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
- they were given an adequate **opportunity to be heard**.
- they were given **sufficient information** so that they could take an informed view.
- **informed** about why they were being asked for their view, and the way it would be considered.

The evaluation was undertaken through an online survey provided by email to those who lodged a submission or registered to attend an information session. Overall, the link to the survey was distributed to 154 email addresses.

In total, **16 evaluation survey responses** were received and are available at **Appendix E.**

Evaluation of engagement by the designated entity

A further evaluation of the engagement process is required to be undertaken by (or on behalf of) the designated entity. The minimum performance indicators require an evaluation by the designated entity of whether (or to what extent) the engagement:

- **occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme
- **contributed to the substance** of the final draft Code Amendment
- **reached those identified** as communities or stakeholders of interest
- provided feedback to community about outcomes of engagement
- was **reviewed throughout** the process and **improvements put in place**, or recommended for future engagement.

The evaluation of the engagement was undertaken by the PLUS Communications and Engagement Team, on behalf of the designated entity. The completed **Evaluation Form** is presented in **Appendix F.**

4.2 Evaluation against the Charter principles

The following is a summary of the evaluation of the engagement against the five principles of the Charter.

(1) Engagement is genuine

People had faith and confidence in the engagement process

During engagement, a range of methods were used to proactively engage and seek feedback from key stakeholders, including state and local government, industry, disability and inclusion advocates, as well as the broader community.

The 12-week engagement provided an extended period of time for people to learn about the draft design standard and Code Amendment and provide considered feedback.

Participants in the engagement provided feedback covering a wide range of views, topics and technical aspects, which were all acknowledged and have all been considered. Feedback received through this engagement has genuinely influenced the state's first draft design standard.

The State Planning Commission's statement, 'The engagement with community and stakeholders has proven invaluable as several significant matters were raised that require further and more detailed investigation by the Commission', demonstrates the engagement process has genuinely influenced the outcome.

The evaluation survey results demonstrate that the vast majority of respondents felt that the engagement genuinely sought their input to help shape the proposal. This indicates that people had faith and confidence in the engagement process.

Evaluation statement	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I feel the engagement genuinely sought my input to help shape the proposal	0% (0)	12.5% (2)	6.25% (1)	25% (4)	56.25% (9)
I am confident my views were heard during the engagement	0	12.5% (2)	12.5% (2)	37.5% (6)	37.5% (6)

(2) Engagement is inclusive and respectful

Affected and interested people had the opportunity to participate and be heard

The Design Standards Reference Group, industry representatives, councils and the LGA were engaged early and influenced the draft design standard prior to public consultation.

During public engagement, stakeholders and community could provide feedback on the draft design standard and associated Code Amendment in multiple ways, including online (via two websites), through information sessions and in written submissions via email and mail.

Stakeholder mapping was used to identify stakeholders and the most appropriate channels for communication and engagement to meet their needs. All identified stakeholders were directly contacted and invited to participate in the engagement. Stakeholders included disability and inclusion advocates to ensure the voices of the communities they represent were heard.

Given the state-wide nature of the draft design standard, greater focus was placed on digital methods to ensure stakeholders and community across the state were all able to access information and participate in the engagement. Broader communication methods such as websites, social media and media were used to encourage the broader community to participate. Councils were also encouraged to share information and promote the engagement with their local communities.

People were also able to call the PlanSA team to talk one-on-one to gain further information and ask questions if they preferred to speak with a team member directly. One-on-one briefings were offered to a range of stakeholders.

Information sessions were scheduled early in the engagement period at different times of day to ensure interested people could attend.

All feedback received was acknowledged and considered.

The evaluation survey results demonstrate the vast majority of respondents felt they were given and adequate opportunity to be heard. They also felt that their views were heard during engagement. This indicates that affected and interested people felt they had the opportunity to participate and be heard.

Evaluation statement	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I was given an adequate opportunity to be heard	0% (0)	12.5% (2)	0% (0)	62.5% (10)	25% (4)

(3) Engagement is fit for purpose

People were effectively engaged and satisfied with the process

People were clear about the proposed change and how it would affect them

Information made available, including a detailed, plain-English frequently asked questions document and the draft design standard document, clearly outlined how the draft design standard would affect future residential driveway crossovers.

Technology-based engagement was the focus of communication and engagement activities to ensure all stakeholders and interested community across the state could access information and participate in the engagement, and to deliver flexibility for community participation and value for money.

Stakeholders were directly provided with information and invited to attend information sessions to find out more and to participate in the engagement via online survey, online submission form, email or writing. They were also invited to contact the team directly for further information.

Information sessions were scheduled early in the engagement period at different times of day to ensure interested people could learn about the draft design standard and associated Code Amendment and ask questions, with sufficient time to make an informed submission.

The evaluation survey results demonstrate the vast majority of respondents felt they were given sufficient information to take an informed view. They also felt that the engagement genuinely sought their input to help shape the proposal and they were given adequate opportunity to be heard. This indicates that people were effectively engaged and were satisfied with the process. It also indicates that they were able to understand the proposed change.

The number of submissions received with well thought out and constructive feedback that has genuinely influenced the outcome, as well as the evaluation survey results, demonstrate the engagement was fit for purpose.

Evaluation statement	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I was given sufficient information so that I could take an informed view	0% (0)	6.25% (1)	0% (0)	43.75% (7)	50% (8)

(4) Engagement is informed and transparent

All relevant information was made available, and people could access it

People understood how their views were considered, the reasons for the outcomes and the final decision that was made

The detailed draft design standard and Code Amendment documents, plain-English frequently asked questions document and engagement plan were published online throughout the engagement period, providing all relevant information for interested and affected stakeholders and the community to provide informed feedback.

Communication materials and the online survey guided community to understand what the draft design standard aimed to achieve and how, and what their feedback could influence.

All submissions were acknowledged and all engagement participants received a 'what we heard' document providing a high-level summary of feedback received and the next steps, along with the engagement evaluation survey.

A summary of topics raised through the engagement and how that feedback was considered, as well as all submissions received has been included in this engagement report, enabling all engagement participants and interested people to see all ideas and issues raised, how it was considered and the reasons for any actions in response.

Participants were advised that their feedback would be summarised and published at the conclusion of the engagement period.

The evaluation survey results demonstrate the vast majority of respondents felt they were informed about why they were being asked for their view and the way it would be considered. They also felt they were given sufficient information to take an informed view. This indicates that people were able to access all relevant information and they understood how their views would be considered. Note: closing the loop engagement activities are still to be actioned, following a final decision regarding the design standard.

Evaluation statement	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
I felt informed about why I was being asked for my view, and the way it would be considered	0% (0)	0% (0)	6.25% (1)	37.5% (6)	56.25% (9)

(5) Engagement processes are reviewed and improved

The engagement was reviewed, and improvements recommended

During the engagement period, meetings were held to review the engagement process and identify opportunities to improve awareness and understanding of the design standard.

As a result of reviewing the process and to ensure all council assessment managers had a further opportunity to learn about the design standard, a special meeting of local government assessment managers was arranged and held on 16 October 2023 to present information and gain feedback on the draft design standard and associated Code Amendment.

A review of the process also resulted in a 'what we heard' report being developed and sent to all engagement participants to provide an initial overview of feedback received and next steps, sent with the evaluation survey.

Holding additional information sessions and revising frequently asked questions were both considered during the engagement period, but it was decided they were not necessary given the good stakeholder attendance at the initial information sessions and good level of engagement.

5 Summary of submissions

5.1 Themes

84 public submissions were received in response to engagement on the draft design standard and associated Code Amendment. These ranged from one line of text to detailed written submissions covering a range of issues. The key themes are further explained in Section 6 of this report, and are as follows:

- interaction with council processes
- technical design and material specifications
- policy settings within the design standard
- pedestrian safety
- footpaths
- trees
- heritage and character
- sightlines
- number of crossovers per site
- on-street car parking
- crossover widths
- policy duplication
- streamlined development assessment
- permeable pavements / Water Sensitive Urban Design (WSUD) measures.

5.2 Local Government submissions

22 submissions from Local Government were received, ranging from formal submissions endorsed by council to submissions prepared by the administration and a representative group. Many of these submissions were very detailed and reflect a great investment of time and resources. Due to the depth of feedback provided, it is not practical to respond to every individual item of feedback provided, particularly in relation to the assessment provisions. Accordingly, the following section of this report provides a summary of the salient points of these submissions and should be read in conjunction with the full submissions so that they can be wholly understood and considered. All submissions are included in **Attachment 2**.

Local Government Assessment Managers Forum (LGAMF)

The LGAMF is a group of experienced planning professionals with particular expertise in development assessment. The LGAMF considered the draft design standard to be overly complex, recommending that consideration be given to reducing the scope of the design standard to residential development on local streets. It was suggested this would simplify the design standard and reduce the perceived risks associated with the introduction of the first design standard in the South Australian planning system.

The LGAMF contended that the design standard deals with some matters that should not be assessed by people who do not have an engineering qualification. In particular, this contention relates to matters where the assessment is performance based and professional judgement must be exercised. On a related matter, the LGAMF does not support the notion that an assessing officer might have the statutory authority to accept minor variations to the policies of the design standard as, in their view, such dispensations should be assessed by an engineer.

The LGAMF advocates for greater council involvement in decision making on driveway crossovers than the development assessment system would enable if the draft design standard was implemented as proposed. This includes enabling council review of technical construction requirements, seeking evidence of public liability insurance from contractors undertaking works and compliance matters.

City of West Torrens (WTCC)

The WTCC submission highlights existing council processes that they contend deliver good public realm outcomes in relation to driveway crossovers for residential development. Put simply, they do not agree that the Commission needs to improve processes in relation to driveway crossovers and have provided examples of situations where the Council has yielded good outcomes through their current processes.

The submission discusses the potential consequences of the implementation of the draft design standard in accordance with the relevant legislation. In council's view, there are gaps in the system that would limit opportunities to ensure that crossovers are constructed in an appropriate way utilising acceptable construction materials, together with limiting options for compliance action. The submission provides in-depth analysis of the draft design standard, providing detailed feedback on the proposed scope, definitions, and assessment provisions, including:

- querying the rationale for excluding developments involving in excess of 50 dwellings
- support for the exclusion of developments requiring servicing by heavy vehicles
- querying the exclusion of development within the Hazards (Flooding-General) Overlay or Hazards (Flooding) Overlay of the Code
- seeking clarification as to whether a relevant authority has discretion to approve 'minor variations' as with DTS development assessed against the Code
- querying the 'test' for meeting the design standard
- requesting clarification of elements of the definitions
- requesting that the requirement to consult with council be more prominent within the draft design standard and a mechanism be embedded in the Development Assessment Portal
- recommending extending DP 1.4(b) to include consideration of pairing driveways
- including street furniture as a consideration in DP 1.4(d)
- considering means by which a streetscape pattern could be established i.e. varying wide and narrow driveways to create a more attractive streetscape and better pedestrian environment
- recommending various alterations to the separation distances in DR 1.6 and TD-C
- recommending that reference to AS 1428- Design for Access and Mobility be included in DR 3.1
- querying the rationale behind the sight distances proposed
- requesting that council specifications be referenced or that an applicant be referred to the Council to determine the appropriate materials for their crossover
- recommending adopting the City of Port Adelaide Enfield standard detail sheet (SK1010) for definition of crossover width
- undertaking technical review of TD-F & TD-G.

Council also points out that there is a draft AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking standard, which was on consultation at the same time as the draft design standard. The updated standard contemplates increases to the size of design vehicles and changes to the sight distances specified in the current standard. These changes would need to be considered if and when they are implemented.

Council further highlights that the draft design standard would not, in their view, provide sufficient protection for street trees and would be a highly technical document, beyond the expertise of the average planner to utilise. Council concludes that, whilst the Commission's intent is admirable, they are not yet convinced that

the implementation of the draft design standard will yield improved outcomes within the public realm or in development application processing.

City of Norwood, Payneham and St Peters (NP&SP)

The NP&SP submission request that the Council be excluded from the operation of the design standard if implemented in its current form. Council considers that their existing systems, policies and processes are achieving good outcomes in the public realm and stand to achieve better outcomes than the draft design standard.

The submission discusses, in depth, the Council's views on the benefits of their current processes around section 221 of the *Local Government Act 1999* (LG Act) and the interaction of that Act with the PDI Act. They consider that their current system is working well, and that Council is able to achieve good outcomes for the public realm in negotiation with developers by drawing on inputs from multiple disciplines (i.e. planning, engineering and arboriculture). The Council further considers that their current processes are designed to mitigate risk to Council assets as well as the general public, particularly vulnerable road users who rely on footpaths, and that the draft design standard will not be comprehensive enough or have the necessary legislative powers to ensure that good public realm outcomes are achieved. Council is concerned that a situation will develop where they bear the financial burden of rectifying poor quality or non-compliant work.

The submission provides detailed feedback regarding the scope, definitions, and assessment provisions, proposing editorial amendments and additional policies. In particular, the Council references legal advice regarding the interpretation of the draft design standard and how it might be applied in practice.

The council considers that the design standard does not adequately cater for context-sensitive assessments, such as situations where there is a local design guideline (such as in Kent Town) or specific heritage features that the Council seeks to retain (such as bluestone kerbing). They recommend that such areas be excluded from the operation of the design standard.

City of Prospect

The City of Prospect submission includes a comprehensive table of comments that provides Council's views on most parts of the draft design standard. Whilst the Council raises a substantial number of issues with the draft design standard in its current form, they do acknowledge that design standards have the potential to form a valuable part of the planning system.

The Council provides detailed commentary, encompassing amendments that could be made, additional policies that could be added and areas where further clarity is sought about how the policies are intended to operate. Some key elements of Council's submission are (in no particular order):

- the draft design standard should not apply to any property where a heritage overlay (of any sort) is in effect
- the current mandatory application document requirements in Schedule 8 of the *Planning, Development and Infrastructure (General) Regulations 2017*, are not sufficient to enable a driveway crossover to be assessed against the draft design standard
- the technical specifications proposed in the draft design standard are not sufficient to achieve good design outcomes. Council provides a tabulated response addressing approximately 45 separate elements of the draft design standard
- the Council considers it important to have strong compliance structures in place to ensure that driveway crossovers are appropriately designed and constructed. The Council does not consider that the framework articulated in the engagement documents would provide sufficient enforceability of the draft design standard
- the Council points out that the draft design standard does not address how the works to install an approved driveway crossover must be undertaken, approval for road and footpath closures and other ancillary matters. The Council seeks that these matters be addressed

- the Council considers that evidence of public liability insurance should be a requirement for approvals under the draft design standard
- The size of vehicle selected as the design vehicle should be reviewed given trends towards larger vehicles
- Council does not support the methodology applied to assessing driveway widths and seeks more restrictive policy promoting narrower crossover widths
- the definition of street tree should be reviewed to make the distinction between how a Regulated tree (as defined in the PDI Act) should be assessed as opposed to trees that are not Regulated
- an example of a poorly designed and constructed crossover within the Council area was included in support of Council's views that private certifiers are not equipped to undertake crossover assessments.

City of Burnside

The City of Burnside does not support the adoption of the draft design standard and associated Code Amendment in their current form. The Council makes comment on a wide range of issues, including:

- percieved loss of control over Council assets due to the draft design standard and the Code, in combination, not addressing matters that councils currently address via application processes under section 221 of the LG Act
- concern that assessing development applications involving a driveway crossover against the draft design standard may be beyond the technical expertise of an Accredited Professional – Planning that is acting as the Relevant Authority
- the technical drawings being simplistic, inadequate and fail to address a range of matters that should be considered in the assessment of a driveway crossover
- retention of historic infrastructure that may be affected by driveway crossovers, such as bluestone kerbing
- how consultation with a council should occur (when required by legislation) and what powers a council should have when this provision comes into play.

Town of Gawler

The Town of Gawler does not object to the draft design standard and associated Code Amendment. They raise the following key matters:

- the draft design standard should not apply within heritage overlays, particularly where bluestone kerbing is present
- query the civil construction standards that would apply to crossovers assessed against the draft design standard and approved under the PDI Act
- note that rain gardens are not specifically captured and query assessment mechanics in relation to trees
- make comment in relation to the separation distances table in DR 1.6
- query the definition of 'laneway' and the appropriate width of driveways to/from such streets.

City of Tea Tree Gully (CTTG)

The CTTG submission contains 21 items of feedback in table form. The feedback addresses matters including:

- the size of vehicle specified in the draft design standard as a standard vehicle for assessment

- interaction between the design standard and the uncommenced provisions *Statutes Amendment (Local Government Review) Act 2021*
- the desire for Council to be involved in decision making on applications involving driveway crossovers
- tree protection, including the effectiveness of the policies in the draft design standard
- the lack of an enforcement and compliance process in the engagement documents
- the scope, definitions, and assessment provisions in the draft design standard and editorial amendments that could be made / additional policies that could be added / clarity sought about how the policies are intended to operate
- development assessment processing
- driveway design, including:
    - how the draft design standard guides (or does not guide) good design and variations from the Council's existing policies
    - location of crossovers
    - sightlines
- the level of technical assessment to be undertaken by a relevant authority and the level of detail required from an applicant.

Rural City of Murray Bridge (RCMB)

RCMB recognises and supports the intent of the work to facilitate a more uniform response to public safety and enhancement of the streetscape. However, the Council expresses concerns about the interpretation of, and the relationship between, the LG Act and PDI Act. Key points raised include:

- a lack of assessment provisions appropriate to peri-urban areas
- the ability of sites to achieve the sightlines specified and the mechanics of what would happen in such a scenario
- whether minor variations from the policies within the design standard can/should be permitted
- clarification on whether the design standard will apply when no development is proposed, or whether Council's existing LG Act processes and approvals would be retained for this purpose
- whether the referral to the Chief Executive of a council embedded in the uncommenced LG Act provisions can be delegated.

City of Onkaparinga

The City of Onkaparinga offers in-principle support for the draft design standard, albeit tempered with a range of areas for further work and/or clarification. Council raises the following matters in its submission:

- concern about relevant authorities (other than councils) approving driveway crossovers that are sub-standard and/or do not comply with the *Disability Discrimination Act 1992* and the flow on effects for:
    - compliance actions to seek rectification of work
    - costs to councils in rectifying poorly designed and installed crossovers
    - potential for impact on council assets located in the public realm
    - mechanisms to consult with a council regarding a new crossover
- the means by which an agreement would be made with an asset owner as required in DR 1.4(a) and 1.4(d)

- the driveway design in TD-A should be reviewed, particularly in relation to the permitted flaring
- the policies in relation to trees should be strengthened to protect the urban tree canopy
- technical commentary regarding TD-F and TD-G (grade changes for property higher than road and property lower than road)
- editorial comments – alterations to wordings and clarification of definitions.

City of Mitcham

The City of Mitcham acknowledges the efforts of the State Planning Commission, PlanSA, the Design Standards Reference Group and all other contributors. They further acknowledge and support the Government and Commission's ongoing effort to ensure delivery of all four key planning instruments under the *Planning, Development and Infrastructure Act 2016* – namely the State Planning Policies, Regional Plans, Planning and Design Code and design standards.

Council supports the feedback provided by the LGAMF. The Council offers additional feedback on the following:

- it supports the objective of assessing and approving driveway crossovers associated with development at the stage of planning consent, but would like the Commission to consider how other disciplines (such as engineering) could be brought into an assessment
- the Council considers that a design standard that is being utilised by Relevant Authorities other than a council should contain only quantitative, DTS style policies. They identify a number of scenarios where they consider performance assessment by those without a requisite level of professional expertise to be inappropriate
- the Council considers that the appropriate pathway for the majority of crossovers would be a 'performance assessment' by a council engineer through a referral during the Planning Consent assessment, and recommends that the Commission investigate ways to broaden and formalise this.
- the Council sees merit in specifying a set of statewide design requirements for driveway crossovers
- the Council advocates for a performance assessment approach to driveway crossovers, but only when assessed by councils. They recognise the need to balance outcomes within the public realm and that conservative minimum standards may need to be varied from time to time to achieve a balanced outcome
- the Council provides further detailed feedback on 12 points in a table appended to their letter.

Council concludes that formalising the performance assessment of crossovers at the Planning Consent stage has merit, subject to the implementation of mechanisms facilitating referrals to council engineers, associated fees, appropriate conditions and construction details, notification prior to works and provision for compliance matters to be resolved.

Alexandrina Council

The Alexandrina Council supports the key messages in promoting how a development should interact with the public realm and infrastructure, being in the earlier stages of the planning assessment process. Council generally supports the creation of a design standard for crossovers, as it seeks to streamline the development process. Council appreciates the level of detail and the practical design-based scenarios that are depicted, detailing the technical site planning and design standards, and considers they should support existing practices and standards for the construction of residential crossovers servicing private land.

Council provides the following additional commentary:

- the lack of a requirement to gain approval for crossover works via section 221 of the LG Act reduces a council's ability to undertake compliance
- Accredited Professionals acting as relevant authority may lack the necessary technical expertise to assess the technical aspects of driveway crossovers
- the design standard and associated application processing may be overly complex for a lay person to understand.
- whether the matters that the design standard covers could or should be added to the Code rather than requiring the creation of a new planning instrument.
- clarity required regarding the operation of Design Principles and Design Requirements.
- support the use of technical diagrams, but consider they could be more comprehensive and better cover aspects of rural driveway design such as interaction with swales
- the requirements in Schedule 8 of the PDI Regulations may need to be expanded to require better quality plans for assessment.
- additional tabulated feedback addressing 8 separate items was also supplied.

Barossa Council

The Barossa Council acknowledges the significant effort of the Commission in preparing the first design standard under the PDI Act. The submission from the Council mirrors the LGAMF submission. Council indicates that they would like to see improvements to the draft design standard if it was to be implemented.

Copper Coast Council

The submission from the Copper Coast Council provides 13 items of tabulated feedback outlining potential issues and improvements in relation to the draft design standard. In particular, the Council:

- wants clarification regarding the operation of a number of Design Principles and Design Requirements
- recommends more detailed provisions for rural crossovers
- queries whether Relevant Authorities for planning consent have the necessary technical expertise to assess driveway crossovers against the draft design standard
- recommends better diagrams in any final product.

District Council of Mount Barker (DCMB)

The DCMB submission provides detailed commentary on the following matters:

- the Design Requirements within the draft design standard, including recommended amendments
- trees – recommending changes to the policies in the draft design standard
- seeking clarity on the definitions of residential development and alley, lane or right-of-way.

Light Regional Council

The Light Regional Council does not support the draft design standard. They consider it to be an unnecessary intervention into an area for which councils have established, detailed policies and have developed expertise among their staff in applying their policies. They further consider that councils should be involved in the assessment of driveway crossovers and consider that the operation of the draft design standard and related changes to the *Local Government Act 1999* is likely to result in poorer outcomes by

excluding councils from the assessment of driveway crossovers. The Council makes detailed commentary as follows:

- the draft design standard is overly complicated
- there should be no discretion given for minor variations from assessment provisions in a design standard
- people who are not engineers will not be able to make a proper assessment against the draft design standard
- the draft design standard does not include within it or enable a council to impose:
    - technical construction requirements
    - compliance mechanisms
    - requirements for public liability insurance
- the Council provides feedback on a number of assessment provisions, recommending changes to the proposed approach and detail of the provisions
- the Council recommends that the Commission consider embedding the SA Infrastructure Guidelines (assumed to be a reference to the Institute for Public Works Engineering Australasia's Infrastructure Guidelines for South Australia) in any future design standard on this topic and the Planning and Design Code.

Port Pirie Regional Council

The submission from the Port Pirie Regional Council identifies a number of matters for consideration, including:

- the Council would prefer the Code to be a single source of rules relevant to development applications
- The Commission should ensure that training is provided prior to implementation of any design standard
- enhancements should be applied to the tools used in assessment such as the South Australian Property and Planning Atlas (SAPPA) and Development Assessment Portal (DAP)
- a suite of materials should be provided to councils including fact sheets, standardised forms and example plans
- the design standard does not cover all of the matters currently considered by a council in a section 221 LG Act application
- query whether planning conditions could be used to ensure compliance with the design standard
- greater detail of rural crossovers sought
- TDs should be to scale
- query provisions for driveway width and maintenance of longitudinal drainage.

City of Playford

The City of Playford supports the proposed design standard on the understanding that it will provide guidance to developers and home builders which will reduce the need to direct resources into pursuing amendments to crossovers in development applications, therefore improving assessment times for applications. It nonetheless raises the following matters for the Commission's consideration:

- the maximum width of double width crossover in the draft design standard is excessive and should be reduced in line with the *Infrastructure Guidelines (SA) Drawing No SD 225 Retrofit Residential Vehicle*

Crossing Detail. The Council further proposes an increase in the size of property frontage that triggers consideration of a double width crossover from 10m to 14m

- in order to better protect street trees, the Council proposes a more detailed matrix of separation distances based on tree size. They also note the importance of AS 4970:2009 for determining the Structural Root Zone of trees
- the draft design standard should not apply within Masterplanned Zones, nor should it allow an Accredited Professional to approve driveway crossovers for land divisions involving higher allotment yields of up to 50 allotments as this could cause issues with infrastructure co-ordination in new growth areas
- Accredited Professionals should not be able to determine that Design Requirements (DRs) are not relevant to an assessment as they are not always equipped with local knowledge, and do not have any mandated interaction with the council during the assessment process.

City of Port Adelaide Enfield

The City of Port Adelaide Enfield submission contains detailed commentary addressing eight key areas as follows:

- the installation of new driveway crossovers should not contribute to tree loss. Recommend DR 1.4a be amended
- examples provided of situations where a mandated single crossover may not be the best design outcome, recommending more detailed/nuanced policy guidance in the draft design standard
- query the use of the B85 design vehicle from AS/NZS 2890.1:2004 as the design vehicle for the draft design standard, noting that the most popular vehicles sold in Australia are larger and that this may not be a contemporary measure in 2023
- recommend clarity be provided regarding the definition of ‘mature tree’
- clarity requested regarding the intended operation of DTS/DPF 23.4 as proposed in the draft changes to the Code
- clarity sought about the processing of development approvals by council following the issue of Planning Consent by an Accredited Professional
- clarity sought regarding the relationship between the PDI Act and LG Act following commencement of provisions in the LG Act that are relevant to design standards.

City of Charles Sturt

The City of Charles Sturt provides high level comments regarding the operation of the draft design standard in its submission, along with detailed comments on 10 separate Design Principles/Design Requirements (DP/DR). The key points of the submission are:

- recommend review of the relationship between DP and DR in the draft design standard
- recommend review of separation distances in the draft design standard against current Council requirements
- Identify definitions for review and editorial amendments to ensure consistency with other documents, such as the Code or the Australian Standards
- recommend an additional DR for situations where the driveway does not intersect with a footpath
- recommend alterations to the Technical Drawings (TD), including:

  - consistency with the Code
  - kerb ramp locations added to TD-C
  - property boundary level should be 150mm higher than top of kerb at the property boundary in TD-F & TD-G

- queries development application processing, how driveways will be designed and built to Council standards and how/when a check of the eventual contractor's public liability insurance would occur

- recommends other dwelling types be considered within the definition of residential development and queries whether other kinds of building designed for human habitation (such as ancillary accommodation or tourist accommodation) should come within the ambit of the draft design standard

- consider that the application of a note to a development authorisation will be ineffective as it confers no powers upon a relevant authority to ensure compliance.

City of Marion

The City of Marion's planning and engineering teams have provided feedback on the draft design standard and associated Code Amendment. The key points emphasised by the Council include that:

- the draft design standard is, in their view, too complex and not intuitive to use, leading to a likelihood that it will be bypassed for a merit assessment with comments by the Council in most cases

- the lack of technical construction requirements means it cannot replace the Council's existing standard requirements

- no variations (including minor variations as permitted for DTS assessments against the Code) should be permitted in relation to an assessment against the draft design standard

- the draft design standard does not have any associated compliance mechanism, noting that retrospective compliance is financially and time intensive for both councils and the applicant/developer.

Key aspects of the detailed feedback provided includes:

- the draft design may be onerous for assessment of straightforward applications and, conversely, not suitable for assessment of complex applications

- the extent of technical engineering information required is overly onerous at the Planning Consent stage and may lead to onerous requirements on council staff who undertake assessments

- the draft design standard is excessively technical for an applicant/homeowner to understand

- suggested amendments to the interpretation section, including to the definition of *common infrastructure, residential development* and *alley, lane or right-of-way*

- query what form an agreement with a relevant asset owner must take if it forms part of a DR

- query the use of the Australian Standard for Tree Protection, in particular that it is too technical for the average homebuyer and the fact Australian Standards are not publicly available

- difficulty of assessing elements such as sight lines, longitudinal drainage, turning circles and vegetation clearance for fire fighting access, and that these elements are beyond the understanding of the average homebuyer

- clarification sought regarding the Code policies that are intended to be amended, and how the 'either/or' nature of the amendments should be applied

- various technical comments regarding:

  - width of crossovers

- transitions for sloping driveways
- sightlines
- flaring of driveways to the road
- driveway location in respect of property boundaries
- footpath grades
- stormwater outlets.

City of Unley

The City of Unley supports the objectives of the draft design standard. Nonetheless, the Council provides a number of comments on the draft design standard as follows:

- the definition of *common infrastructure* should include landscaping (i.e. green infrastructure)
- recommends the Regulated and Significant tree definitions refer to the PDI Act in the same way as the definition for Traffic Control Device
- recommends notification should be mandatory via the SA Planning Portal and included within notes on Decision Notification Forms
- query the level of detail that will be required on plans for assessment at Planning Consent
- highlights issues being experienced in the Council area with the interaction between the foundations required for sliding gates, associated levels at the boundary and the construction of a compliant crossover that maintains an accessible footpath. Examples are given in the submission
- seeks clarification for the reason behind the 50 dwelling threshold for the draft design standard
- the Council notes that most metropolitan councils have geographic information system data showing where they intend to undertake tree planting, and suggests that this data could be made publicly available (where it is not) to assist applicants to locate their crossover clear of future tree planting
- the Council notes that AS 2890.1 2004 – Off street Car Parking is under review, and that there may be implications for the content of the design standard that is drawn from that standard.

In addition, Council provides tabulated feedback on the assessment provisions and technical drawings within the draft design standard. The key elements of this feedback are:

- DP/DR 1.4 (a) and (d) should be expanded to include green infrastructure such as rain gardens
- DP/DR 1.4 (b) should be reviewed to ensure that it facilitates pairing of crossovers where this outcome is appropriate
- Review DR 1.5 and DP 1.6 to ensure on-street car parking is maximised
- Recommended refinements to DR 1.6 (the separation distances table):
    - Include rain gardens and vegetated islands and significant trees as separate items
    - Stormwater pit should be “side entry pit”
    - Recommend street tree (non-regulated) be a note rather than a prescribed distance with wording proposed as follows:
        - Crossover is to be located at a minimum 2m distance from any street tree, outside of the Structural Root Zone as prescribed by AS4970-2009, unless consent is provided by asset owner
    - Note that Australian Standards are not publicly available and that the relevant tables may need to be reproduced in the design standard for convenience of reference.
    - Suggest additional technical drawings to give clarity to disability access compliant footpaths.
    - Recommend addition of pedestrian sight triangles, which seek to provide a sightline to pedestrians on the foortpath as a vehicle crosses the boundary.

- Recommend review of the sight distances specified, particularly in terms State Maintained Roads vs Council Roads.
- Review DR 6.1 regarding materials, pointing out that councils usually have specific guidelines for what kind of paving should be utilised in the public realm. Council also points out that being consistent with existing treatments may not be enough where movement may be made towards more sustainable materials as opposed to traditional footpath treatments.
- TD-A would benefit from the addition of a matrix that correlates the appropriate minimum width of a driveway to the width of the adjacent road, noting that the City of Port Adelaide Enfield has a suitable matrix that could be adopted.
- The represenation of street trees in TD-C may cause confusion and should be reviewed.
- TD-D should be updated to the recently released Austroads Guide to Road Design Part 4A 2023.

City of Adelaide (CoA)

The CoA supports the Commission's intention to maximise the quality of infill development and ensure that it interacts well with the public realm. They further recognise the potential benefits of the draft design standard in providing consistency across councils but consider there to be a need for comprehensive and detailed spatial analysis and mapping.

The Council considers that the application of the draft design standard, in its current form, may have unintended consequences for the heritage value in the public realm, including elements that influence the 'look and feel' of a place such as original gutters, kerbs and crossovers, extending to the built form along the street. The CoA is unconvinced that there is sufficient detailed policy or flexibility in the draft design standard to achieve good outcomes in the variety of site-specific situations that are likely to be encountered.

The Council concludes that they are of the view that the CoA and other areas within a Historic Area Overlay should be excluded from the operation of the draft design standard as:

- the policies within the draft design standard do not adequately address historic infrastructure
- the draft design standard is not robust enough to deal with the high concentration of public transport routes and competing objectives of active and car-based transport in a complex movement system such as the Adelaide Central Business District
- the draft design standard will not contribute to the cohesive built form edge that contributes to the character of the city streets
- the mechanics of council involvement in decision-making is unclear.

The CoA advises that they have a Movement Code Amendment in development that would build on the City Plan and seek to work with any design standard that may be implemented.

City of Salisbury (CoS)

The CoS acknowledges that the well-considered design standard could be a beneficial instrument within our planning system. It nonetheless outlines key areas that it would like the Commission to consider further:

- the CoS highlights councils' role in managing the public realm and requests consideration of compliance mechanisms that interact with the draft design standard
- how, in circumstances where a departure from the draft design standard is required, the expert views of a professional engineer, or the relevant council, might be sought
- whether the complexity of the draft design standard can be reduced to avoid delays in development application processing.

The CoS submission also contains detailed commentary on the assessment provisions in the draft design standard:

- various DR are identified for linking back to Council standards/specifications

- seeking DTS style assessment provisions in preference to assessment provisions that have elements of performance assessment
- recommend review against the Code (consistency check).

5.3 Industry Stakeholder Submissions

Urban Development Institute of Australia (UDIA)

The UDIA and its members do not support the draft design standard in its current form. They consider it to be overly prescriptive and unlikely to facilitate good development outcomes, particularly where a site-specific solution for the provision of access needs to be negotiated. The UDIA provides feedback on a number of individual policies within the draft design standard, most of which contend that the identified design requirement will inhibit good design outcomes.

Housing Industry Association (HIA)

The HIA considers that the draft design standard should be predicated on facilitating development. To this end, they raise concerns around the policy settings in relation to street trees, the width of driveways and retention of on-street car parking. They argue that assessment processes should be streamlined, and that consultation between a Relevant Authority and a Council should be limited to avoid delays in application processing. The HIA advocates for the design standard to be flexible and performance-based, enabling site-specific solutions to the form and location of driveway crossovers.

Weeks Homes

The submission from Weeks Homes acknowledges the potential benefits of a design standard that achieves streamlined assessment outcomes, while expressing caution that if too narrowly framed, it may have the opposite effect when applications do not conform to the design standard. Weeks Homes comment on the technical detail of a few of the policies, recommending changes or minor exceptions to the policies that would, in their view, improve the outcomes gained from implementation of the design standard.

CIRQA

CIRQA is an urban mobility consultancy based in Adelaide. They provide detailed commentary on key aspects of the draft design standard in their submission, particularly around the interpretation of the design standard and the technical policy settings. In particular, they recommend the adoption of a larger design vehicle to ensure alignment with the relevant Australian Standard, and review of the wording in various definitions and Design Requirements to reduce the likelihood of unintended consequences through misinterpretation. They recommend the adoption of elements of the City of Port Adelaide Enfield's Driveway Standard as it provides, in their view, a simple and robust method for designing residential driveway crossovers.

Telstra

Telstra point out that they have large amounts of infrastructure within the public realm that can be impacted by driveway crossovers. It is their policy (indeed, a national standard) that telecommunications pits are not installed in driveways, and that new driveways be installed clear of existing telecommunications pits.

5.4 State Agency Submissions

Office for Design and Architecture South Australia (ODASA)

ODASA draws attention to sections 12 and 14 of the PDI Act and State Planning Policy (SPP) 2, entitled 'Design Quality', which prioritise high-quality design for buildings and the public realm. ODASA recommends that Planning and Land Use Services (PLUS) within the Department for Housing and Urban Development,

and the Commission further consider how the objects of the PDI Act and SPP 2 can be enhanced by the adoption of the draft design standard.

ODASA also makes a number of editorial recommendations, including rewording particular Design Principles and Design Requirements and including additional/altered definitions within the interpretation section.

South Australian Housing Authority (now SA Housing Trust)

The SA Housing Trust (the Trust) acts in a land development capacity delivering both public housing and affordable housing under various programs. Whilst the Trust appreciates the Commission's intent in developing the draft design standard, they raise concerns regarding the interaction of the draft design standard with the Code, particularly in relation to the Housing Renewal General Development Policies in Part 4 of the Code, which are only applicable to development undertaken by the Trust. The Trust further queries the intended operation of DR 1.0(a) and requests that it be reviewed.

Department for Environment and Water (DEW)

The submission from DEW addresses the interaction of the draft design standard with matters under its purview, namely heritage and urban greening.

DEW highlights the importance of detailed and targeted design principles that are tailored to the individual State Heritage Area. DEW advises that the draft design standard does not, in its view, contain enough policy protection for State Heritage areas, nor is it flexible enough to accommodate the different character of various State Heritage Areas around the State. Accordingly, DEW recommends that the design standard not apply within the State Heritage Area Overlay of the Code.

In addition, DEW asks the Commission to consider whether WSUD solutions for the public realm (such as rain gardens and TREENET inlets) require identification, definition and/or any specific policy within the draft design standard.

5.5 Community submissions

A total of **52 unique community responses** were received from the community via the YourSAy online survey. A further two (2) community responses were received via email.

Online Survey

The online survey responses were varied in their depth and subject matter, and in their disposition towards the draft design standard and associated Code Amendment. Of the survey responses, 46 indicated support for the draft design standard, while one appeared relatively impartial and 7 were opposed to the implementation of the draft design standard and associated Code Amendment.

Of those that indicated support, 15 did not provide any additional commentary. Many of the submissions indicating support for the draft design standard and associated Code Amendment nonetheless identified areas for improvement or additional focus, such as pedestrian safety, better outcomes for street trees, improved policy on sightlines and more control over materials.

Those that did not support the draft design standard and associated Code Amendment raised a variety of issues. These included opposing the policy of one driveway per site, policy duplication, insufficient focus on footpaths and pedestrian safety and considering the draft design standard to be a one-size-fits all approach lacking in nuance.

Email submissions

The two community email submissions were from the Prospect Residents Association (PRA) and a qualified engineer. The PRA submission focussed on driveway widths and sought that the draft design standard impose limits on the width of driveways to maximise space for trees and on-street car parking. It also advises that the PRA supports the City of Prospect's submission and shares their views on the draft design standard

and associated Code Amendment. The qualified engineer’s submission focussed on pedestrian safety, particularly safety for children, and encouraged a stronger policy focus on pedestrian safety within the draft design standard.

6 Engagement themes: summary, response, and recommendations

Given the number and depth of submissions received on the draft design standard and associated Code Amendment, engagement has been analysed thematically. Those that were most frequently noted in feedback have been summarised and a response provided below.

6.1 Interaction with Council processes

Approval processes under the Planning, Development and Infrastructure Act 2016 and Local Government Act 1999

There was a significant amount of feedback received from local government about the potential impacts of the implementation of the draft design standard and simultaneous enlivenment of as yet uncommenced provisions within the *Local Government Act 1999* (LG Act), which would alter the way development applications involving a new or altered driveway crossover are processed.

At the outset, it is important to acknowledge that there are differing opinions across the planning community about how the provisions of section 221(3)(b) of the LG Act should be applied in development application processing. Some councils have advised that they require a section 221 application to be lodged following issue of development approval when the developer wishes to construct the driveway that has been approved in the development application. Other councils advise that they do not take this approach, and consider that no further approvals are required following development approval. These councils nonetheless advise that they have requirements that they make applicants aware of through the development application process, and that they generally refer applications internally to their engineering section to ensure that the proposed crossover will be suitable.

Local government feedback has outlined, in great detail, what councils consider to be the strengths of their existing section 221 processes and policies. They consider that the lens applied by council staff is invaluable, being they:

- are familiar with the local area
- have intimate knowledge of the infrastructure requirements of council
- have access to cross-disciplinary staff (planners, arborists and engineers working together); and
- are cognisant of the current and future aspirations of councils for their public realm.

There is concern this may be diluted or lost under the potential development application processing system outlined in conjunction with the draft design standard and uncommenced LG Act changes.

Enforcement/compliance

A recurring theme in council submissions was the need for strong and effective compliance structures to protect councils from the costs associated with rectifying non-compliant and/or substandard work. This is particularly because councils consider non-compliant and/or substandard work is more likely to occur if their involvement in assessment of crossovers is minimised.

Development Applications – Relevant Authority other than Council

Feedback from local government revealed that councils, as the owner of land used for local roads, and the authority that undertakes care, control and management of most roads in their council area (the exception generally being State Maintained Roads under the care, control and management of the Commissioner of Highways), hold a strong view that they are best placed to consider any proposals to alter roads, such as by installing a new driveway crossover and undertaking any associated ancillary works for that purpose. Councils consider that the combination of their local knowledge and the professional expertise they can call upon will tend to yield better outcomes than other Relevant Authorities under the PDI Act.

To this end, the majority of local government submissions advocated for increased council involvement in decision-making where applications involving a driveway crossover are being considered by a relevant authority other than a council. The submissions also considered that the mechanism provided within the as yet uncommenced provisions of the LG Act for a relevant authority to *consult* with the chief executive of a council does not go far enough, as it implies a kind of referral that does not confer any directive powers on the council.

Response:

The Commission recognises (and holds in high regard) the dedication and commitment to good design outcomes in the public realm evidenced by the local government submissions.

It is clear that local government hold differing views to the Commission as to the interpretation of the legislative measures within the PDI Act and LG Act, and how the uncommenced changes to the LG Act may flow through to development application processing. The Commission will take further advice on this aspect of the project as it moves to further consider how design standards should operate within the planning system.

The Commission acknowledges that councils have responsibilities to undertake enforcement and compliance, both in relation to the PDI Act and LG Act. The Commission notes the compliance and enforcement powers contained in the relevant Acts are the powers that Parliament saw fit to confer and that only Parliament can change them.

Part of the challenge in the compliance and enforcement space lies in the status of design standards within the PDI Act. In short, the effect of the PDI Act is that a relevant design standard must be considered in an assessment of Planning Consent, but does not carry sufficient weight to make a development proposal fail if a relevant design standard is not met (i.e. non-compliance with a design standard cannot be grounds for refusal of planning consent).

Other potential means of enforceability, such as the as yet uncommenced section 234AA of the LG Act, do not afford an opportunity for enforcement action as design standards are implemented under the PDI Act and can only have effect as provided for within the same. No provision within any other Act can alter its effect. Despite this, an approved development must be undertaken in accordance with the approved plans, which, if the proposed design standard were implemented, should show a compliant crossover.

In a similar vein, the objections and complaints of councils in regard to relevant authorities other than councils approving works within the public realm are noted, but are the result of enabling legislation. The power to change this situation rests with Parliament and not the Commission. Notwithstanding under the development application processing methodology proposed in conjunction with the draft design standard, if a relevant authority other than a council was to determine that a proposed driveway crossover does not comply with a relevant design standard, they would need to consult with the relevant council. In the case of Accredited Professionals considering a Planning Consent, this would be an improvement on the current situation, which places no obligation on them to consult with a council at all.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.2 Technical design and material specifications

Council specifications

Many local government submissions queried how detailed technical specifications (colloquially referred to as "Council Standards") would be communicated to applicants following the implementation of a design

standard for residential driveway crossovers, noting the draft design standard does not propose to cover that territory. They consider the communication of these standards essential for maintaining a safe and attractive public realm. In addition, as indicated in Section 6.1 of this report, councils consider the ability to enforce those requirements a key aspect of successfully undertaking their business.

Plans for assessment in Development Applications

An application that is assessed against the draft design standard should be accompanied by plans that comply with Schedule 8 of the Planning Development and Infrastructure (General) Regulations 2017 (PDI Regulations). Some councils, particularly the City of Prospect, have expressed misgivings regarding the quality of plans required by Schedule 8. For clarity, the relevant provisions are reproduced below:

Schedule 8, clause2(1)(a)(xii)

- if a new or modified driveway or access point is proposed, the width of the vehicle crossover, the driveway width at the front boundary, the minimum and maximum driveway widths and the location of any street furniture, infrastructure or tree within the road reserve abutting the property

Schedule 8, clause 2(1)(a)(vii)

- if a proposed building is to be or incorporate a garage or carport—the location and finished ground level at each end of any driveway or proposed driveway and, if relevant, its location in relation to an existing or proposed vehicle access point under section 221 of the Local Government Act 1999, including a driveway or access point for which consent under the Act has been granted as part of an application for the division of land

Response:

Council specifications

To manage the perceived disconnect between the design standard and council public realm policies, the Commission identified the potential to implement a works notice in conjunction with the draft design standard. The intention was to avoid the need for the Commission to specify matters of an overly technical nature in the design standard (such as the type of concrete required, reinforcement specifications, depth of paving bricks, quality, and depth for subsurface preparation).

It was considered more appropriate that these matters would be tied to a technical document such as the Institute for Public Works Engineering Australasia's *Infrastructure Guidelines for South Australia*, which is used by many councils as a guideline for driveway works. In this regard, it was anticipated a works notice would enable the relevant technical information to be provided to the local council in a reviewable form.

However, the feedback indicated this was not the preferred approach, as it is seen to lack enforceability. This is particularly given that the relevant legislation does not make any provision for penalties for non-compliance with a design standard, and Practice Direction 12 (Conditions) prohibits the imposition of conditions that require an applicant to enter into an agreement with a third party or seek a further approval under other legislation.

This is a matter that requires further consideration and exploration to ensure design standards have sufficient weight in the planning system, thus giving local government the certainty it seeks. This is particularly important in light of the associated amendments to the LG Act.

Plans for assessment in Development Applications

An approved development must be constructed in accordance with the plans that have been approved by the relevant authority. This provides a layer of enforceability to any aspect of an application that is shown on the plans. A driveway crossover that is subject to assessment against a design standard should be shown on the approved plans.

It is acknowledged that these provisions do not explicitly require plans to show all of the matters that an assessment against the draft design standard would encompass (such as the level of the site at the property boundary, level at the top of kerb or gradient of crossover). In this regard, it may be appropriate for the PDI Regulations to be amended to more firmly guide applicants and assessing officers as to the level of documentation that should be submitted for assessment (if and when a residential driveway crossover design standard is approved).

PLUS will consider this matter further, and will provide advice to the Minister in relation to amending the PDI Regulations for this purpose, as appropriate. It is noted the Expert Panel for the Planning System Implementation Review also made a recommendation related to reviewing the current requirements of Schedule 8 (recommendation 17), and it may be appropriate for this matter to be incorporated into that body of work.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.3 Definitions in the draft design standard

Many submissions identified definitions within the draft design standard that they sought clarification on, or recommended alterations to. They also queried the interpretation of particular terms and sought additional information regarding the scope of the draft design standard, particularly in relation to the proposed exclusions.

Response:

The draft design standard references the B85 design vehicle specified in AS/NZS 2890.1-2004. Feedback on this point included that the trend is towards larger vehicles than the B85 and that an updated version of the AS/NZS is currently in development, which is likely to increase the dimensions of the 85th percentile design vehicle (the B85). The Commission is aware of the review of AS/NZS 2890.1 and will consider the relevant changes be adopted into the design standard if/when they are published. In the interim, as part of the further investigations forecast into the draft design standard, the Commission will consider whether to adopt the larger B99 design vehicle.

Some submissions identified a gap in the definition of *common infrastructure* and recommended that green infrastructure including rain gardens and landscaped protuberances be captured in the definition. The Commission agrees in-principle with this. Other feedback in relation to the definition of *common infrastructure* identified the use of terms interchangeably, such as ‘stormwater pit’ or ‘side entry pit’. The Commission acknowledges the confusion this may cause and will ensure that interchangeable terms are aligned and defined across any final version of the document.

The Commission sought to balance the competing objectives that the design standard be a broad-based comprehensive assessment tool for residential driveway crossovers with recognition of the need for technical expertise to be applied in the assessment of crossovers, particularly those that are proposed in association with larger scale or complex development. The exclusions from the draft design standard are, in part, framed around this understanding.

For example, the exclusion of developments involving in excess of 50 dwellings is based on the understanding that the traffic generation of such a development is likely to require an assessment of traffic impacts beyond that which the draft design standard provides for. In a similar vein, the Commission has excluded mixed-use developments and developments that are required to be serviced by a Medium Rigid Vehicle or larger as the draft design standard does not provide access designs for commercial vehicles.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.4 Design Principles and Design Requirements

As highlighted in the detailed review of responses, there was considered engagement with the detail of the Design Principles (DP) and Design Requirements (DR) proposed in the draft design standard. The feedback ranged from high level commentary around the nature of the DR and DP to detailed commentary about the particular content of the provisions. The high-level comments addressed matters such as:

- Should the DP and DR be prescriptive, quantitative policies or could they have an element of performance assessment?
- How should a Relevant Authority determine that the DP or DR is satisfied?
- Should a Relevant Authority be able to determine that a DP or DR is not relevant to an assessment, and on what grounds?
- Should a Relevant Authority be able to accept a minor variation from the relevant DP or DR, similar to how the provision for minor variations operates in relation to DTS assessments against the Code?

There were in excess of 100 individual items of detailed feedback received regarding the content of the DP and DR in the draft design standard across the engagement period. The feedback was extremely varied. Most DP and DR were subject to some kind of feedback, whether indicating support for the provision, recommending amendments to the provision, or querying the interpretation of the provision.

Response:

The assessment policies and technical drawings within the draft design standard seek to enable a relevant authority to determine if a development proposal complies with the design standard. It was drafted with the intention that it be recognisable as part of the South Australian planning system, with a structure that reflects the Code and builds on the principles of performance-based planning. Feedback on this point was split along industry lines, with the development industry and their representatives (the UDIA and HIA) arguing for less prescriptive and more performance-based policies, while local government tended to favour more prescriptive DTS-style policy frameworks.

The feedback received from local government highlighted the importance of local policy in promoting good design within the public realm. Whilst the benefits of local policy are not in dispute, the Commission sought to provide sufficient flexibility and nuance within the draft design standard that an appropriate outcome could be reached for any locality to which it applies, while seeking to minimise the complexity of the resulting instrument.

At a high level, the Commission's intent was that DPs and DRs reflect the construction of Code. In other words, a DP can be understood as performing a similar role to a performance outcome in the Code, outlining the outcome that the design standard is seeking in relation to a particular matter. A DR within the design standard can be understood as performing a similar role to a DTS/DPF provision in the Code. As outlined in the draft design standard, a relevant DR must be satisfied in an assessment against the draft design standard.

The Commission considers that most DRs, which contain either a quantitative or qualitative measure, lend themselves to determining whether a proposed crossover does or does not comply. Some feedback received queried the level of technical expertise required to undertake an assessment against the draft

design standard. The Commission's intent is that a professional planner equipped with a reasonable set of plans should be able to make a determination as to the compliance of a proposed crossover with the relevant provisions of the design standard.

A number of local government submissions addressed the concept of *minor variations*. The Commission notes and acknowledges this feedback and will seek to clarify this matter prior to the implementation of any design standards in our planning system.

The feedback received also included detailed commentary regarding the content of individual DP and DR, encompassing amendments that could be made, additional policies that could be added and areas where further clarity is sought about how the policies are intended to operate. This feedback will be invaluable as the Commission moves forwards to review and improve the draft design standard.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.5 Footpaths

The matter of footpaths was addressed in submissions from three main perspectives – promoting pedestrian safety, maintaining accessibility for people with a disability and the technical requirements for interactions between driveways and footpaths.

Response:

Pedestrian Safety

The intersection between footpaths and driveways is a potential conflict point that, if not appropriately designed, can reduce pedestrian safety. The Commission has sought to maximise pedestrian safety by including policies in the draft design standard that seek to minimise the width of crossovers and ensure space between crossovers. As mentioned in Section 6.8 below, the Commission notes that the pedestrian sight triangles from AS/NZS 2890.1:2004, which seek to provide sightlines to pedestrians on the footpath for vehicles exiting a property, are included in the Code in relation to State Maintained Roads. The Commission will consider whether this diagram should be added to the draft design standard, and whether it should apply to all urban roads.

Accessibility

The Commission recognises the importance of accessibility for people with a disability and the critical role that the design of the public realm plays in facilitating equity of access. The Commission nonetheless recognises that existing footpaths are not necessarily compliant with best practice for accessibility, and that improving this situation requires capital investment , usually driven by local government. Accordingly, the draft design standard seeks to ensure that existing footpaths will be no worse for the installation of a new crossover that is assessed against the draft design standard by including a policy that seeks to minimise alteration to footpaths and that the slope across a footpath be no greater than 1:20.

Technical Requirements

The draft design standard does not contain technical requirements for footpaths, except to the extent required to manage the interaction between footpaths and driveway crossovers.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.6 Trees

There is a strong community interest in maintaining and increasing our urban tree canopy. There were numerous submissions received that indicated support for the Commission's stated objective that the draft design standard assist to preserve existing street trees by encouraging applicants to consider the location of their driveway early in the planning process.

Nonetheless, it is acknowledged that many local government submissions questioned the ability of the proposed draft design standard to achieve this objective. In particular, they raise the lack of enforceable outcomes from the draft design standard (as discussed in Section 6.1 of this report). They also query the policy settings and how the policies are intended to operate.

Response:

There are multiple relevant policies on the topic of trees in the draft design standard. In particular, DR 1.4(a) requires that '*driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, removed or replaced'*. In practice, a relevant authority is likely to request a written agreement from an applicant to demonstrate that the relevant council has agreed for an affected tree to be removed. If an applicant cannot or will not supply such an agreement, but insists on removal of the tree, then the relevant authority should determine that the application does not comply with the draft design standard and consult with the council pursuant to the as yet uncommenced provisions of the LG Act. This system is consistent with the relevant legislation and should, in the majority of cases, ensure that a relevant authority does not approve a tree removal that is not supported by the relevant council.

A second layer of trees policy is provided in DP and DR 1.6, which details the acceptable separation distances to existing trees that are not proposed to be removed. In this policy, a street tree that is not a Regulated or Significant tree within the meaning of the PDI Act is subject to a blanket 2.0 metres separation. This is consistent with the Code.

A Regulated or Significant tree is considered to be worthy of a higher level of protection. In the draft design standard, these trees are subject to the Tree Protection Zone (TPZ) in AS 4970:2009. Alternatively, the Commission could consider adopting, as some councils do, the Structural Root Zone (SRZ) as an appropriate measure. The Commission consider this matter further prior to the implementation of any driveway crossover design standard in our planning system.

It is acknowledged that Standards Australia does not make their publications freely available. Nonetheless, section 71 of the PDI Act enables the incorporation and subsequent updating of excerpts from such standards into Designated Instruments such as design standards. It is anticipated that the final version of any design standard that is implemented will take this approach.

The Commission has provided a response on the matter of compliance action and enforceability in Section 6.1 of this report.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.7 Heritage and character

Councils with existing heritage areas, together with the State Heritage branch of the Department for Environment and Water, expressed the view that the draft design standard does not go far enough in protecting heritage infrastructure, such as bluestone kerbing, or enhancing heritage streetscapes, such as those characteristics found in areas like Colonel Light Gardens, parts of Prospect and Norwood or Church Hill (Gawler). To remedy this concern, these submissions generally recommended excluding areas identified in the heritage and character area overlays of the Code (such as the State Heritage Area Overlay) from the application of the design standard.

Response:

The Commission acknowledges the importance of preserving our built heritage and does not intend for the draft design standard to inadvertently enable the destruction of heritage infrastructure or dilution of coherent heritage streetscapes that have been subject to careful planning and preservation over many years. The Commission will consider and seek to clarify this matter prior to the implementation of any driveway crossover design standard in our planning system.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.8 Sightlines

Many submissions raised the matter of sightlines. There were five main contexts in which the matter was raised:

- Recognition of the importance of sight distances for the safe access to roads
- Seeking pedestrian sightlines be included in the draft design standard
- The complexity of assessing sight distances and the technical expertise required to make a proper assessment
- The sight distance tables included in the draft design standard
- The sight distances technical drawing

Response:

Seeking pedestrian sightlines be included in the draft design standard

Some submissions identified that the pedestrian sight triangles contained in AS/NZS 2890.1:2004 have not been included in the draft design standard. The pedestrian sight triangles were not included in the draft design standard as they are focussed on the movement of vehicles from private land into the public realm, and in that context are better aligned with the purpose of the Code. To this end, the pedestrian sight triangles diagram is included in DTS/DPF 5.1 of the Urban Transport Routes Overlay and Major Urban Transport Routes Overlay, which apply across the majority of urban State Maintained Roads.

The complexity of assessing sight distances and the technical expertise required to make a proper assessment

The Commission acknowledges that the calculation and assessment of sight distances is, on face value, a highly technical exercise. It is recognised that not every Accredited Professional – Planning will have this level of expertise in transport assessment. Accordingly, the Commission will consider options for applying this policy in a way that responds to risk.

It must be remembered that an Accredited Professional – Planning (excluding a level 1 Assessment Manager) can only consider an application for planning consent if it is a DTS development. This limits the likelihood, for example, that they will be required to assess a new driveway crossover on a State Maintained Road as there is no provision for referrals under Schedule 9 of the PDI Regulations to be undertaken in respect of DTS development.

Increasing the level of nuance in the draft design standard in order to link the requirement to assess sightlines to State Maintained Roads or high-speed roads is technically feasible but may increase the complexity of the resultant instrument. The Commission will investigate this matter further.

The sight distance tables included in the draft design standard

The Commission sought to tailor the sight distances proposed in the draft design standard to the broad risk profile of State Maintained Roads, which generally have higher posted speed limits and higher traffic volumes as opposed to council roads, which generally have lower posted speed limits and lower traffic volumes. This approach led to the adoption of the more conservative sight distances from the Austroads Guide to Road Design for State Maintained Roads as opposed to the less conservative sight distances specified in AS/NZS 2890.1:2004, which were selected for council roads. It is recognised that there are imperfections to this methodology and that there are council roads that carry higher volumes of traffic than some State Maintained Roads and vice-versa. Accordingly, the Commission will review the approach as part of the detailed investigations flagged in moving forwards with the draft design standard.

The sight distances technical drawing

Some local government submissions identified that the sight distances technical drawing may be out-of-date. The Commission will ensure that the most up-to-date version is included in any design standard that is finalised and uploaded to the Portal.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.9 Number of crossovers per site

Some submissions queried the Commission's intent with regard to DR 1.0 (a), which specifies that not more than one driveway crossover is provided per site, including where multiple dwellings are proposed upon a site. This included feedback from members of the community who were concerned that the implementation of the policy might lead to a situation where they are required to close an existing additional crossover serving their property and feedback from the then SAHA (now SA Housing Trust) that particular interpretations of the policy might result in restrictions on how they undertake infill development.

Response:

The implementation of a design standard for residential driveway crossovers will not result in a situation whereby properties with more than one driveway will be required to close those driveways. The design

standard will be applied in connection with future development, which may include limiting the number of crossovers that serve future development of a site.

The submission from the SA Housing Trust (the Trust) pointed out that they have particular requirements in terms of how they undertake redevelopment of their land that may prove problematic if the policy in DR 1.0 (a) was rigidly applied. For example, the Trust sometimes retains ownership of constructed dwellings and does not undertake a land division process to issue separate titles for each dwelling. This could be interpreted as resulting in multiple crossovers serving a single site, thus not meeting DR 1.0 (a). The Trust seeks that the provision be more nuanced and take into account circumstances where different forms of future ownership might be pursued.

The Commission will review the structure of the DR, noting that the overall principle of minimising the number of driveway crossovers is sound. An element of performance assessment may be appropriate in this instance to provide a relevant authority with the flexibility to approve multiple driveway crossovers in relation to a single development site. Such circumstances could include when all other technical requirements for the driveway location are able to be met, or different ownership models are proposed.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

6.10 Crossover widths

The matter of crossover widths was raised in a number of submissions. Whilst many submissions related to crossover widths were, in principle, supportive of the Commission's intent to minimise the width of crossovers, there was discussion around:

- Circumstances where a double crossover on a narrow block might be appropriate
- The existing council policies, and how well they align with the policies proposed in the draft design standard
- The existing Code policies, and how well they align with the policies proposed in the draft design standard
- The interpretation of policy in the draft design standard
- The methodology for determining appropriate driveway widths
- The design guidance in TD-A and TD-B and how it could be improved

Response:

The Commission sought to provide appropriate design guidance in relation to driveway crossover widths, while retaining sufficient flexibility to facilitate design responses tailored to specific sites. This approach led to the inclusion of a sliding scale drawing based on the:

- IPWEA Infrastructure Guidelines SA drawing number SD 225 Rev D; and
- City of Port Adelaide Enfield's (PAE) driveway crossover detail.

The Commission considered implementing the matrix for road width contained in the PAE crossover detail. However, this was not utilised due to a perception it may be too complex for a lay person to interpret. There were a number of submissions that identified the PAE crossover detail (and particularly the road width matrix) as something that would improve the draft design standard. The Commission will consider adopting this in future versions.

Other submissions raised the notion that wider driveways may be more readily justified in the case of dwellings with short front setbacks due to the limited manoeuvring space forwards of the dwelling. The Commission acknowledges that such circumstances can occur where access is gained from a laneway and/or the garage or carport is located on the property boundary. However, the Commission considers that circumstances where there is a need to depart from the guidance provided by the draft design standard are best accommodated via consultation with the relevant council. This is provided for in the development assessment process and enables consideration of the potential impacts on the streetscape when multiple driveways of excessive width are approved adjacent to one another.

The Commission acknowledges that some of the quantitative measurements utilised in the draft design standard differ from those in the Code – particularly DTS/DPF 23.3 in the Design in Urban Areas module. Whilst it is agreed that it would be preferable that the Code and the draft design standard align, there may be circumstances where departures are acceptable or necessary due to the differing nature of the respective instruments. The Commission will nonetheless review the alignment of assessment provisions in the Code and design standard as part of its further work.

Actions:

Further detailed investigations will be undertaken prior to progressing with the draft design standard. Any changes that result from the further investigations will be subject to further engagement with local government, industry stakeholders and the community.

7 Engagement outcome

Having reviewed the outcomes of the engagement, particularly the detailed submissions from local government and industry stakeholders, the Commission has determined that further and more detailed investigation is required before proceeding to implement the first design standard in the South Australian planning system. This further work may include (but is not limited to):

- further clarifying the legislative status of design standards
- considering whether design standards need to be linked to the Planning and Design Code or are better conceived of as a standalone planning instrument
- reviewing the structure of the draft design standard to enhance the user experience of assessing officers and the community
- reviewing the geographic scope of the design standard
- reviewing the assessment provisions, including:
    - determining the right balance of quantitative and qualitative policy
    - reviewing quantitative elements of assessment provisions
    - strengthening the provisions around built heritage within the public realm
    - seeking additional technical expertise to assist in the formulation of assessment provisions that reflect best practice driveway design.

The Commission's review of the draft design standard will retain the Commission's aspirations for the draft design standard at its core. The Commission seeks that the design standard ensures that:

- new driveway crossovers contribute to the amenity and safety of the public realm
- driveway crossovers for new housing are located so that:
    - there is space for a tree out the front, or existing trees are retained
    - there is room to put the bins out
    - there are appropriate separations to roadside infrastructure and costly relocation of infrastructure is avoided
    - the impacts of driveway design on car parking along the street are considered
    - driveway design is aligned with the prevailing character of the surrounding streetscape.

In view of the above, the Commission has determined not to progress the draft design standard or associated Code Amendment at this time. Noting the matters to be considered and further revised, the Commission has asked HIPDU to consider incorporating driveway crossovers into the scope of the residential land division engineering standards being prepared in accordance with the Premier's Housing Roadmap. It has also requested PLUS support HIPDU and provide it with all the relevant information it holds pertaining to driveway crossovers.

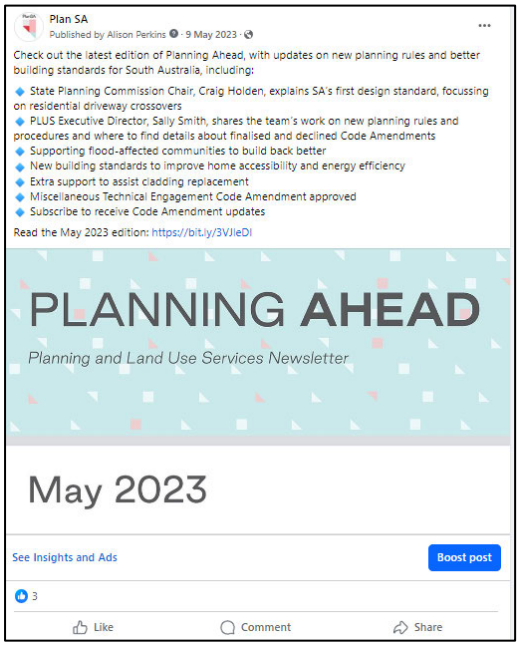
Any future amendments to the draft design standard arising from the further investigations will be subject to further engagement in accordance with the Charter.

Appendices

Appendix A – Communication materials

- Early communications
- Media coverage
- Frequently asked questions
- Stakeholder letters
- Newsletter articles
- Social media

Early Communications



Media coverage

ABC Radio Adelaide

21 September, 7:12 am-7:26 am

Interview with Craig Holden, Chair, State Planning Commission [& Caller Jodie] regarding draft changes to residential driveway laws in South Australia

Frequently asked questions

Frequently Asked Questions

PlanSA

Draft design standard for residential driveway crossovers

Q – What are design standards?

A – Design standards are a new planning instrument that set rules for how a development should interact with the public realm and infrastructure.

They complement the planning rules outlined in the Planning and Design Code.

For example, you might lodge a development application for a house and, as part of that application, apply to construct a driveway connecting to the road. The house will be assessed against the Code, while the driveway works within the public realm will be assessed against the design standard.

Design standards promote good design in streets, parks and other public places, help manage the interface between the public and private realm and contribute to delivering high-quality infrastructure as part of development.

Q – What is the Planning and Design Code?

A – The Planning and Design Code sets out the rules that apply to a particular parcel of land and determines what landowners can do on their land.

Q – What are the objectives of the draft design standard?

A – The draft Residential Driveway Crossover Design Standard aims to:

- provide for the safety of all road users
- provide for vehicular access that maximises the provision of on-street carparking
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas
- create driveway crossovers that are durable
- create driveway crossovers that are located to minimise the need to relocate or remove of street infrastructure.

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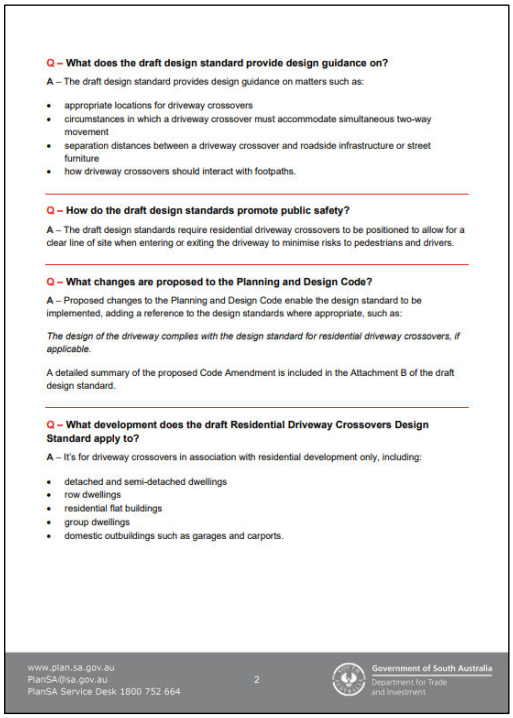
Department for Trade and Investment



Q – What does the draft design standard provide design guidance on?

A – The draft design standard provides design guidance on matters such as:

- appropriate locations for driveway crossovers
- circumstances in which a driveway crossover must accommodate simultaneous two-way movement
- separation distances between a driveway crossover and roadside infrastructure or street furniture
- how driveway crossovers should interact with footpaths.

Q – How do the draft design standards promote public safety?

A – The draft design standards require residential driveway crossovers to be positioned to allow for a clear line of site when entering or exiting the driveway to minimise risks to pedestrians and drivers.

Q – What changes are proposed to the Planning and Design Code?

A – Proposed changes to the Planning and Design Code enable the design standard to be implemented, adding a reference to the design standards where appropriate, such as:

The design of the driveway complies with the design standard for residential driveway crossovers, if applicable.

A detailed summary of the proposed Code Amendment is included in the Attachment B of the draft design standard.

Q – What development does the draft Residential Driveway Crossovers Design Standard apply to?

A – It's for driveway crossovers in association with residential development only, including:

- detached and semi-detached dwellings
- row dwellings
- residential flat buildings
- group dwellings
- domestic outbuildings such as garages and carports.

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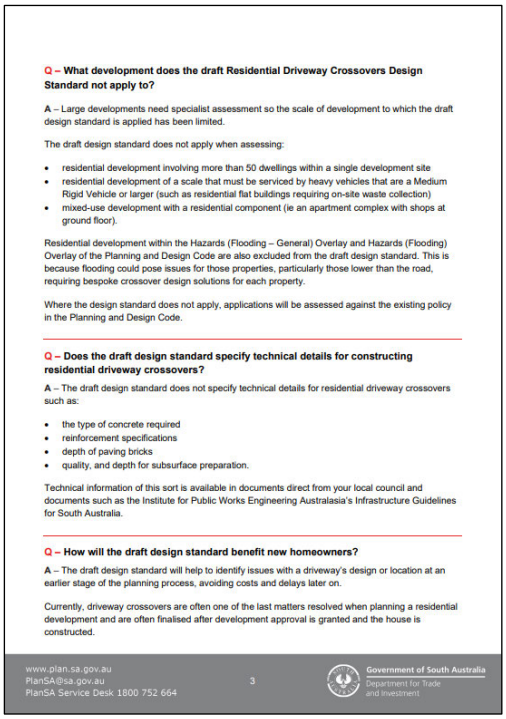

Q – What development does the draft Residential Driveway Crossovers Design Standard not apply to?

A – Large developments need specialist assessment so the scale of development to which the draft design standard is applied has been limited.

The draft design standard does not apply when assessing:

- residential development involving more than 50 dwellings within a single development site
- residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection)
- mixed-use development with a residential component (ie an apartment complex with shops at ground floor).

Residential development within the Hazards (Flooding – General) Overlay and Hazards (Flooding) Overlay of the Planning and Design Code are also excluded from the draft design standard. This is because flooding could pose issues for those properties, particularly those lower than the road, requiring bespoke crossover design solutions for each property.

Where the design standard does not apply, applications will be assessed against the existing policy in the Planning and Design Code.

Q – Does the draft design standard specify technical details for constructing residential driveway crossovers?

A – The draft design standard does not specify technical details for residential driveway crossovers such as:

- the type of concrete required
- reinforcement specifications
- depth of paving bricks
- quality, and depth for subsurface preparation.

Technical information of this sort is available in documents direct from your local council and documents such as the Institute for Public Works Engineering Australasia's Infrastructure Guidelines for South Australia.

Q – How will the draft design standard benefit new homeowners?

A – The draft design standard will help to identify issues with a driveway's design or location at an earlier stage of the planning process, avoiding costs and delays later on.

Currently, driveway crossovers are often one of the last matters resolved when planning a residential development and are often finalised after development approval is granted and the house is constructed.

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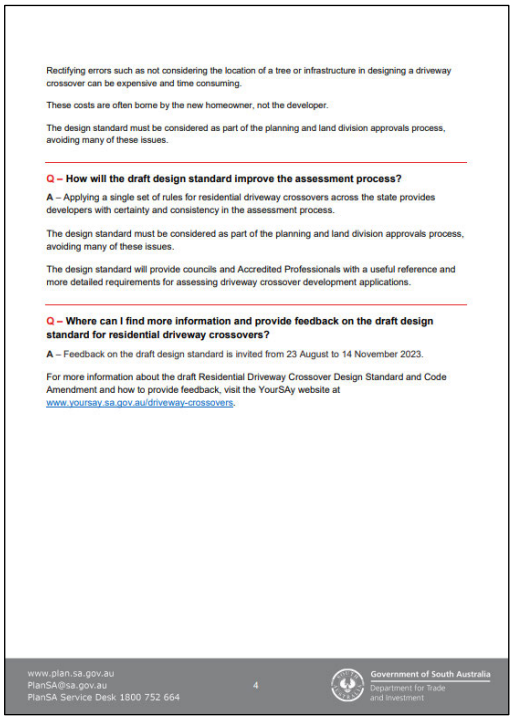

Rectifying errors such as not considering the location of a tree or infrastructure in designing a driveway crossover can be expensive and time consuming.

These costs are often borne by the new homeowner, not the developer.

The design standard must be considered as part of the planning and land division approvals process, avoiding many of these issues.

Q – How will the draft design standard improve the assessment process?

A – Applying a single set of rules for residential driveway crossovers across the state provides developers with certainty and consistency in the assessment process.

The design standard must be considered as part of the planning and land division approvals process, avoiding many of these issues.

The design standard will provide councils and Accredited Professionals with a useful reference and more detailed requirements for assessing driveway crossover development applications.

Q – Where can I find more information and provide feedback on the draft design standard for residential driveway crossovers?

A – Feedback on the draft design standard is invited from 23 August to 14 November 2023.

For more information about the draft Residential Driveway Crossover Design Standard and Code Amendment and how to provide feedback, visit the YourSAy website at www.yoursay.sa.gov.au/driveway-crossovers.

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4

Government of South Australia
Department for Trade and Investment

Stakeholder letters

STATE PLANNING COMMISSION

Level 10
83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

1800 752 664
saplanningcommission@sa.gov.au

D0130371

23 August 2023

[redacted]
[redacted]Council

By email: [redacted]

Dear[redacted]

Release on public consultation of the Design Standard for Residential Driveway Crossovers

Design standards are a new planning instrument that will complement the Planning and Design Code, with a focus on the public realm and infrastructure. Design standards will promote good design in our streets, parks and other public places, assist to manage the interface between the public and private realm and contribute to efficiencies in the delivery of high-quality infrastructure in conjunction with development.

The State Planning Commission (the Commission) recently initiated the preparation of a design standard for residential driveway crossovers pursuant to sections 69(1) and 73(1)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act). Alongside this, the Commission has also initiated the Residential Driveway Crossovers Code Amendment pursuant to section 73(2)(a) of the Act to ensure proper integration of the design standard in the planning system. The Commission will be the Designated Entity responsible for undertaking the preparation of design standards and the associated Code Amendment.

The design standard for residential driveway crossovers will apply across the State and will ensure that new driveway crossovers better contribute to the amenity and safety of the public realm. It will drive an integrated approach to the design, assessment and approval of driveway crossovers proposed in conjunction with residential development, providing certainty and consistency within the development application process, thereby securing superior design outcomes to benefit the community, as well as faster approvals for home builders.

A new house that is assessed against the design standard will have a driveway located that ensures there is space for a tree at the front of the property, sufficient space for garbage bins to be put out and avoids costly relocation of roadside infrastructure. The design standard will also make sure home builders are considering the impacts of driveway design on car parking along the street, maintaining a safe and clear footpath and aligning the design of their driveway with the prevailing character of the surrounding streetscape. In doing so, this design standard will respond to some of the challenges posed by infill development.

Section 73(13) enables the processes outlined in section 73 of the Act to be undertaken as a joint process that relates to two or more instruments. Accordingly, the public and stakeholder engagements for the preparation of the design standard for residential driveway crossovers and the associated Code Amendment will be undertaken as a single process commencing on 23 August 2023 and concluding on 14 November 2023.

The Engagement Plan for the Design Standard for Residential Driveway Crossovers and the associated Code Amendment is available on the PlanSA Portal via the following link: https://plan.sa.gov.au/our_planning_system/instruments/planning_instruments/design_standards.

The Commission is committed to working collaboratively with key stakeholders and Local Government throughout the implementation of design standards to refine the details, drafting of policy (where appropriate), and instructions for implementation of design standards and the associated Code Amendment.

Should you require further information, please contact Mr Jason Bailey, Manager – Planning and Design Code, Planning and Land Use Services, on [redacted] or via email at: [redacted]

Yours sincerely

Craig Holden
Chair

Cc [redacted] Chief Executive Officer, [redacted] Council

Planning Ahead newsletter articles

PLANNING AHEAD

Planning and Land Use Services

May 2023

Message from the Chair of the State Planning Commission

I'm pleased to share that the State Planning Commission has initiated South Australia's first design standard, which aims to ensure new driveway crossovers contribute to safety and amenity in our communities.

Design standards are a new planning instrument that focus on infrastructure and the public realm, supporting the Planning and Design Code by promoting high-quality infrastructure as part of developments and good design in our streets, parks and other public places.

The Design Standard for Residential Driveway Crossovers will outline requirements for new driveways, such as setting a safe distance from existing infrastructure and ensuring there is space for a street tree and to put bins out in front of the property. Impacts on on-street carparking and maintaining the character of the surrounding streetscape will also be considered.

This design standard will not only provide developers with greater certainty about development application requirements but also provide councils with a useful reference for assessing driveway crossover development applications.

The commission is excited to be leading this work and, with input from councils, developers and state government agencies, is preparing a draft design standard for consultation.

I look forward to working with councils, planning industry professionals and the South Australian community throughout the process of preparing and implementing these new design standards in the coming months.

I'm also pleased to share that work to prepare our country regional plans is well underway and I look forward to hearing feedback from our community on the draft plans later this year.

The Greater Adelaide Regional Plan Discussion Paper is also progressing well and set for release mid-year, marking the first step in an ongoing discussion about how we strengthen the sustainability, liveability and prosperity of a growing Greater Adelaide region to 2030.

Craig Holden
Chair, State Planning Commission

September 2023 Edition

New design standard for driveway crossovers open for consultation

A new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia is now open for community feedback.

The draft design standard outlines how new residential driveways should connect from private property to the street. It is the first design standard initiated under the new South Australian planning system.

Under the draft Residential Driveway Crossover Design Standard, new driveways should be positioned to allow:

- space for a street tree in front of the home
- room to put bins out
- a suitable distance from roadside infrastructure, such as Stobie poles.

The design standard will also make sure home builders consider the impacts of driveway design on car parking along the street, maintaining a safe and clear footpath and aligning with the street's character.

The design standard must be considered as part of the planning and land division approvals process, helping to identify issues with a driveway's design or location at an earlier stage of the planning process and avoiding costs and delays later on.

Design standards are a new planning instrument that complement the planning rules outlined in the Planning and Design Code, with a focus on the public realm and infrastructure.

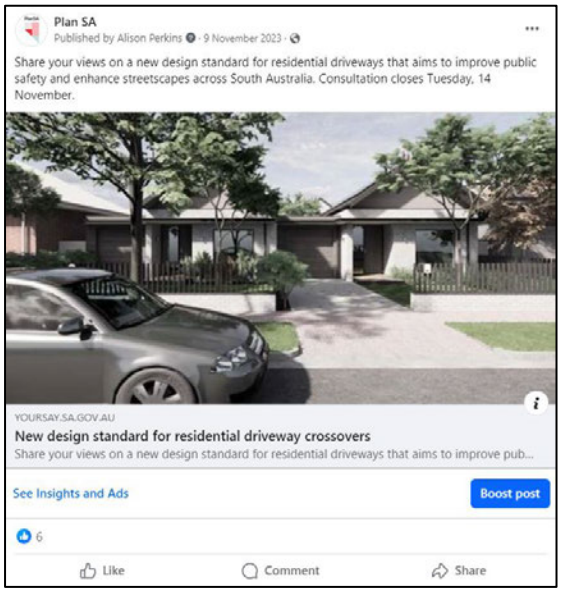
They promote good design in streets, parks and other public places, help manage the interface between the public and private realm and contribute to delivering high-quality infrastructure as part of development.

The State Planning Commission prepared the draft design standard, with input from local councils, developers and state government agencies.

Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery, and are open for consultation as part of this process.

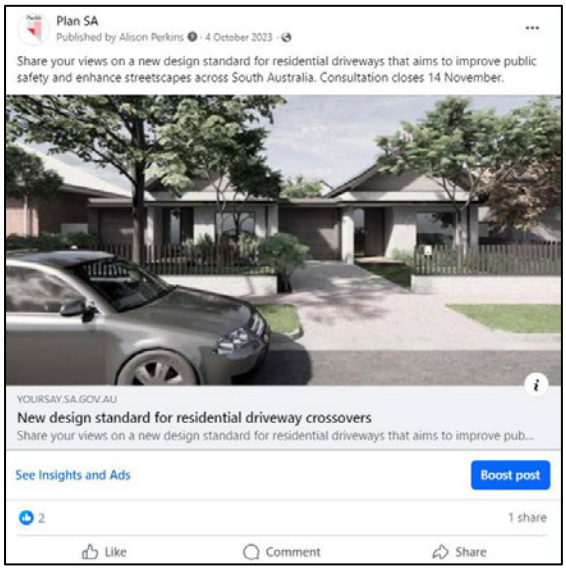
Social media posts

PlanSA Facebook



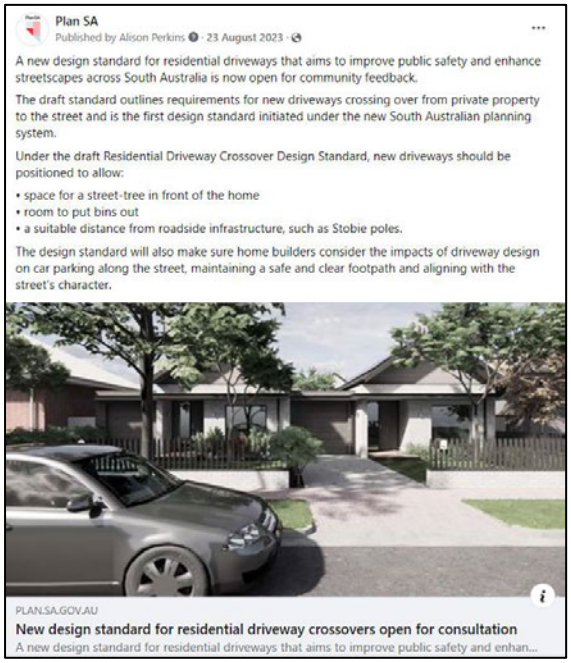
9 November post statistics:

- 325 impressions
- 312 post reach
- 28 engagements
- 22 total clicks



4 October post statistics

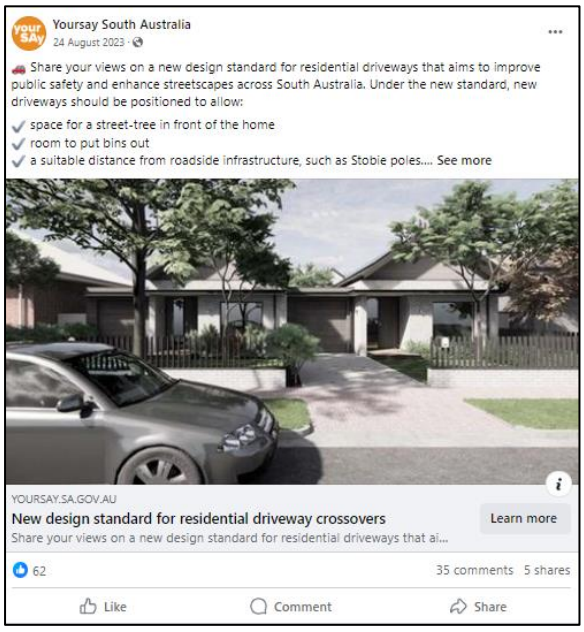
- 724 impressions
- 689 post reach
- 5 engagements (1 share – KI Council)
- 18 total clicks

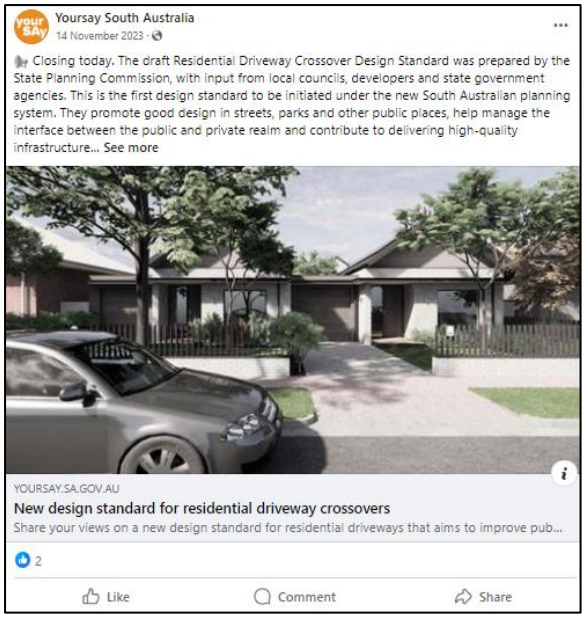


23 August post statistics:

- 928 impressions
- 926 reach
- 27 engagements
- 99 total clicks

YourSAy Facebook




Yoursay South Australia
14 November 2023 ·
Closing today. The draft Residential Driveway Crossover Design Standard was prepared by the State Planning Commission, with input from local councils, developers and state government agencies. This is the first design standard to be initiated under the new South Australian planning system. They promote good design in streets, parks and other public places, help manage the interface between the public and private realm and contribute to delivering high-quality infrastructure... See more
YOURSAY.SA.GOV.AU
New design standard for residential driveway crossovers
Share your views on a new design standard for residential driveways that aims to improve pub...
2
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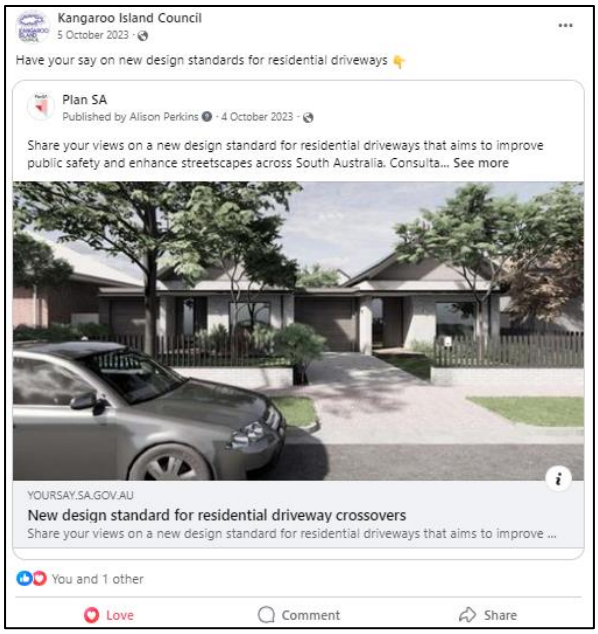
Other posts:


Kangaroo Island Council
5 October 2023 ·
Have your say on new design standards for residential driveways
Plan SA
Published by Alison Perkins · 4 October 2023 ·
Share your views on a new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia. Consulta... See more
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New design standard for residential driveway crossovers
Share your views on a new design standard for residential driveways that aims to improve ...
You and 1 other
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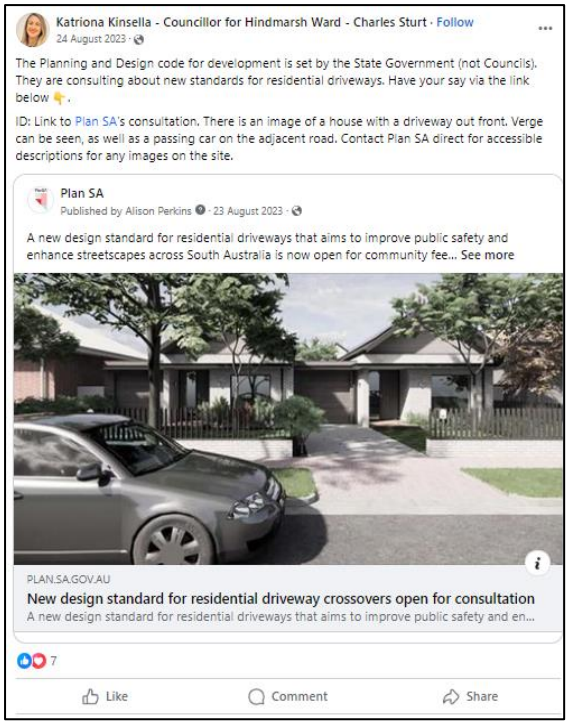
Katriona Kinsella - Councillor for Hindmarsh Ward - Charles Sturt · Follow
24 August 2023 ·
The Planning and Design code for development is set by the State Government (not Councils). They are consulting about new standards for residential driveways. Have your say via the link below 👇.
ID: Link to Plan SA's consultation. There is an image of a house with a driveway out front. Verge can be seen, as well as a passing car on the adjacent road. Contact Plan SA direct for accessible descriptions for any images on the site.
Plan SA
Published by Alison Perkins · 23 August 2023 ·
A new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia is now open for community fee... See more
PLAN.SA.GOV.AU
New design standard for residential driveway crossovers open for consultation
A new design standard for residential driveways that aims to improve public safety and en...
7
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PlanSA @PlanSAgov · Nov 1, 2023
Share your views on a new design standard for residential driveways that aims to improve public safety and enhance streetscapes across SA. Consultation closes 14 November. yoursay.sa.gov.au/driveway-cross...
16
PlanSA @PlanSAgov · Oct 4, 2023
We are seeking feedback on a draft design standard outlining how new residential driveways should connect from private property to the street. The #designstandard aims to improve #publicsafety and enhance #streetscapes across #southaustralia.
Learn more: shorturl.at/jDY57
23

PlanSA @PlanSAgov · Aug 23, 2023

A new design standard for residential driveways to improve safety & enhance streetscapes is open for feedback. It's SA's 1st design standard, ensuring driveway design considers room for a tree, bins, existing infrastructure, parking & street character:

plan.sa.gov.au
New design standard for residential driveway crossovers open for consultation

21

YourSAy @YourFutureSA · Aug 24, 2023

🚗 Share your views on a new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia.
Find out more bit.ly/45d7FQZ

97

YourSAy @YourFutureSA · Nov 14, 2023

bit.ly/409Z8fX
📢 Closing today. The draft Residential Driveway Crossover Design Standard was prepared by the State Planning Commission, with input from councils, developers and state government agencies. They promote good design in streets, parks and public places.

yoursay.sa.gov.au
New design standard for residential driveway crosso
Share your views on a new design standard for residential driveways that aims to improve public ...

56

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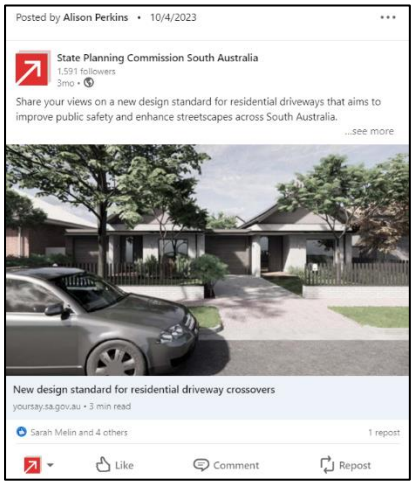

Post statistics:

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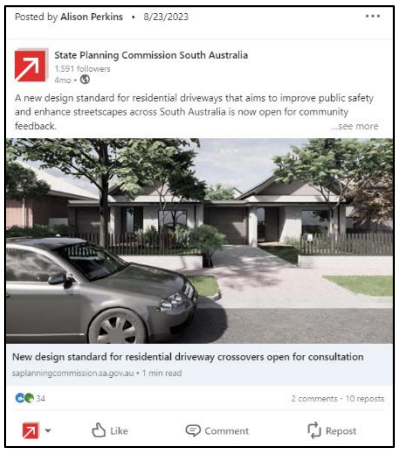

Post statistics:

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Nathan Wicker • 3rd+
Senior Land Development Engineer at City of...
Reposted from State Planning Commission South Australia • 4mo •
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Lucky to have been involved in the development of this standard. It aims to simplify the design of residential driveway crossovers across the state, whilst taking into account important learnings from scenarios such as new lar ...see more
New design standard for residential driveway crossovers open for consultation
saplanningcommission.sa.gov.au • 1 min read
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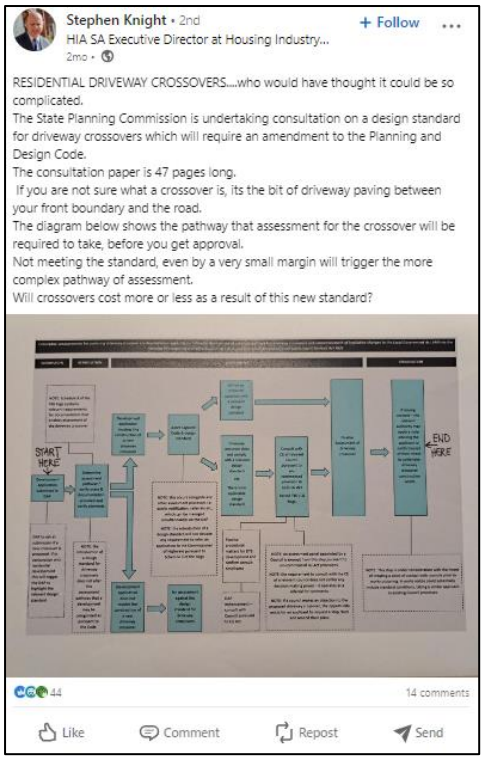
Stephen Knight • 2nd
HIA SA Executive Director at Housing Industry...
2mo •
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RESIDENTIAL DRIVEWAY CROSSOVERS....who would have thought it could be so complicated.
The State Planning Commission is undertaking consultation on a design standard for driveway crossovers which will require an amendment to the Planning and Design Code.
The consultation paper is 47 pages long.
If you are not sure what a crossover is, its the bit of driveway paving between your front boundary and the road.
The diagram below shows the pathway that assessment for the crossover will be required to take, before you get approval.
Not meeting the standard, even by a very small margin will trigger the more complex pathway of assessment.
Will crossovers cost more or less as a result of this new standard?
START HERE
END HERE
44
14 comments
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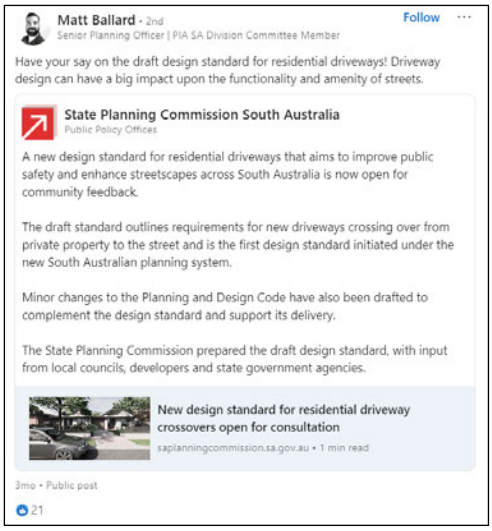
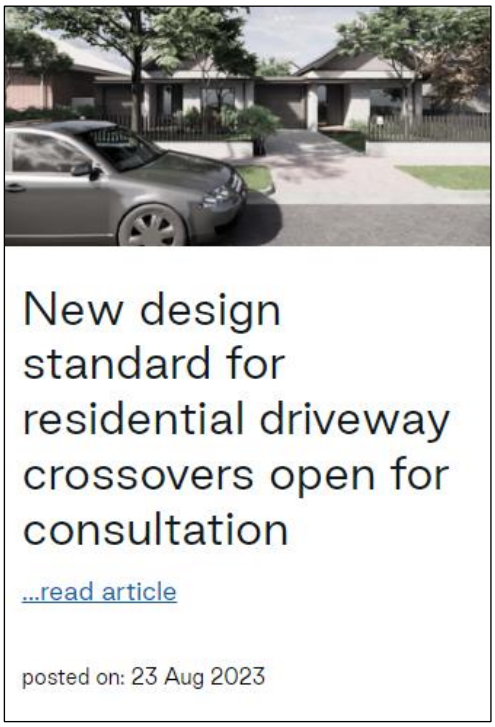

Matt Ballard • 2nd
Senior Planning Officer | PIA SA Division Committee Member
Follow
Have your say on the draft design standard for residential driveways! Driveway design can have a big impact upon the functionality and amenity of streets.
State Planning Commission South Australia
Public Policy Offices
A new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia is now open for community feedback.
The draft standard outlines requirements for new driveways crossing over from private property to the street and is the first design standard initiated under the new South Australian planning system.
Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery.
The State Planning Commission prepared the draft design standard, with input from local councils, developers and state government agencies.
New design standard for residential driveway crossovers open for consultation
saplanningcommission.sa.gov.au • 1 min read
3mo • Public post
21

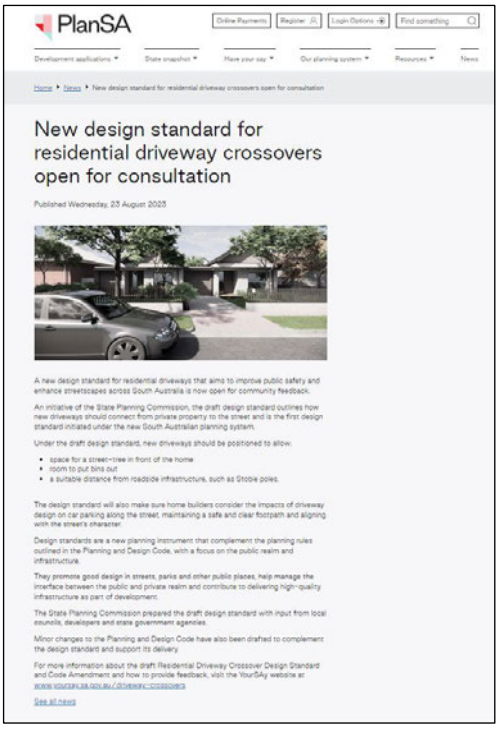
PlanSA and YourSAy websites



New design standard for residential driveway crossovers open for consultation

...read article

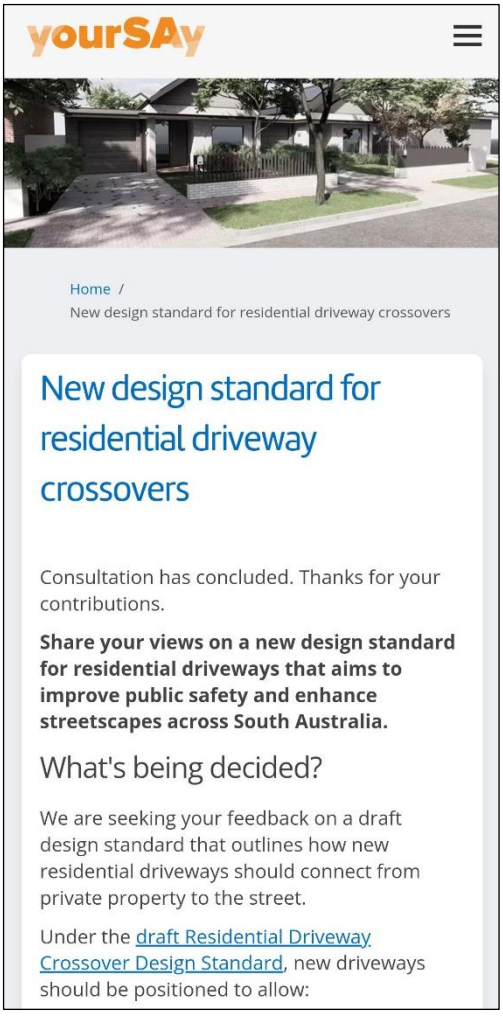
posted on: 23 Aug 2023



23 Aug 2023

New design standard for residential driveway crossovers

Share your views on a new design standard for residential driveways that aims to improve public safety and enhance streetscapes across South Australia.What's being decided?We are seeking your feedback on a d...



Appendix B – Email Submissions

- Email submissions

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel: 08 8416 6333
Email: csu@wtcc.sa.gov.au
SMS: 0429 205 943
Web: westtorrens.sa.gov.au

City of **West Torrens**
Between the **City and the Sea**

31 October 2023

Attention: Matthew Henderson
Senior Planning Officer
Residential Driveway Crossovers Design Standard and Code Amendment
Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Via email: plansasubmissions@sa.gov.au

Dear Mr Henderson

Residential Driveway Crossovers Design Standard and Code Amendment

Please find enclosed Council's submission on the proposed Residential Driveway Crossovers Design Standard and Code Amendment.

Council considered this matter at its meeting of Tuesday, 17 October 2023. A number of recommendations were discussed resulting in Council resolving to submit the enclosed feedback as Council's formal submission to the proposed Code Amendment.

For your reference, we have also included a copy of the Administration's report presented at the Council Meeting.

If you would like to discuss this matter further, please contact Gordon Andersen, [redacted]

Yours sincerely

Terry Buss

Terry Buss PSM
Chief Executive Officer

Attachments:

- *City of West Torrens submission on the Residential Driveway Crossovers Design Standard and Code Amendment*
- *Council report regarding the Residential Driveway Crossovers Design Standard and Code Amendment from 17 October 2023*

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City of West Torrens
Between the City and the Sea

Residential Driveway Crossovers Design Standard and Code Amendment

West Torrens Council Submission

Introduction

The *Planning, Development and Infrastructure Act 2016* (PDI Act) places greater emphasis on high-quality design. One of the ways it seeks to do this is by creating more opportunities to provide early input into development, including through the implementation of Design Standards.

Discussion

The draft *Residential Driveway Crossover Design Standard* (the draft Design Standard) outlines how new residential driveways should connect from private property to the street. The draft Design Standard, aims to ensure new driveways:

- provide for the safety of all road users.
- provide for vehicular access that maximises the provision of on-street car parking.
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas.
- create driveway crossovers that are durable.
- create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

Minor changes to the Code have also been drafted to complement the Design Standard and support its delivery. The Designated Entity for the draft Design Standard and Code Amendment is the State Planning Commission (the Commission).

The draft Design Standard must be considered as part of the planning and land division approvals process. It is thought that the draft Design Standard will help to identify issues with a driveway's design or location at an earlier stage of the planning process in an attempt to avoid costs and delays later on. Frequently Asked Questions prepared by the Department for Trade and Investment (DTI) state:

> *Currently, driveway crossovers are often one of the last matters resolved when planning a residential development and are often finalised after development approval is granted and the house is constructed.*

This statement is not an accurate reflection of West Torrens' current and long standing assessment processes. An application requiring a driveway crossover considers this in the assessment and when there is potential conflict with trees, infrastructure, other assets and maintenance programs internal referrals to specialists within council are triggered.

Scenarios where it was critical for Council to actively engage with the developer to achieve an appropriate streetscape interface, allowing provision for on-street parking and street tree placement can be seen in the following two examples:

1. Crossley and Long Street, Plympton

   Discussion with developer during the assessment stage meant that the 9 dwellings with frontage to Crossley Street, Plympton were able to be reconfigured to be rear loaded from a shared access point off of Long Street, Plympton (image 1).

   This was incredibly important in the location that these were developed due to the inhospitable nature 9 driveways along this stretch of road would have created for pedestrians (image 2).

Of note, this development is in a school zone, traffic demands associated with a school are evident, and street amenity including safe and cool environments are needed. This engagement meant that tree planting and street parking could be maximised.

This was possible due to the consideration of access at the planning stage.

Image 1: Aerial of development at Long and Crossley Street, Plympton

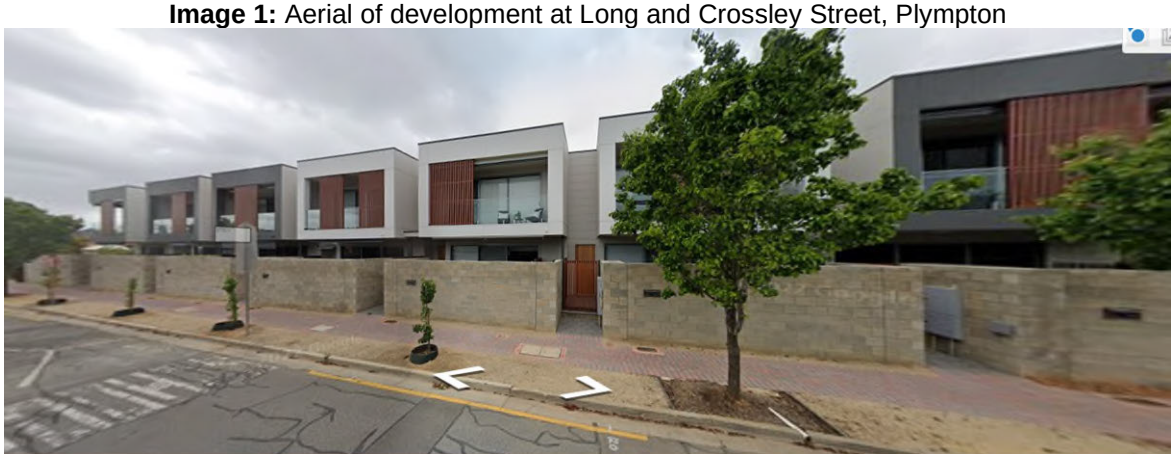


Image 2: Street view of development at Long and Crossley Street, Plympton

2. <u>Norma Street, Mile End</u>

Each of the 16 allotments comprising this development has a 6.8m frontage width. The ability to engage with the developer resulted in 8 on-street parking spaces being preserved adjacent to the new allotments.

There was a possibility that if all the dwellings were to establish their access arrangements on the same side, that no on-street parking would have been preserved adjacent to the developments.

A critical element was being able to connect the adjacent single width driveway to provide improved manoeuvrability access to the crossing places and hence reduce necessary widening to the kerb alignment.

The Design Standard documents currently under consultation discourage the positive outcome achieved (Images 3 and 4), through a requirement to separate adjacent property driveways. This would have resulted in individual isolated driveways requiring more flaring and hence not leaving sufficient room between driveways for on-street parking.

Image 3: Aerial of development at Norma Street, Mile End

Image 4: Street view of development at Norma Street, Mile End

The draft Design Standard will interact with legislative changes that have parliamentary assent via the Act and the Statutes Amendment (Local Government Review) Act 2021. These changes affect how driveway crossovers are approved when they are proposed in conjunction with development.

Should these legislative changes be commenced, the introduction of the draft Design Standard is promoted as streamlining the development assessment processes by enabling the State Planning Commission (the Commission) and Accredited Professionals to assess and approve a driveway crossover that is part of a development proposal without the requirement to consult with a Council, so long as it complies with the draft Design Standard. This design standard applies to all applications for planning consent and/or land division consent involving residential development, with a number of exceptions (discussed later).

To reiterate, once adopted, the draft Design Standard will form part of the planning rules under the PDI Act. It will also be a relevant consideration in the context of a development application for land division consent under s102(1)(c) or (d) of the PDI Act, or an encroachment consent under s102(1)(e).

The draft Design Standard will further give effect to the (yet to be commenced) amendments to the *Local Government Act 1999* (SA), including section 221 and new (and as yet un-commenced) section 234AA.

Local Government Act 1999 implications

The intent is that changes to the *LG* Act will commence operation at the same time as the Design Standard. The legal effect of these changes would seem to be that:

1. A proposal that complies with the Design Standard will not require an authorisation under section 221 of the LG Act.

2. A proposal that does not comply with the Design Standard must involve consultation with the council's CEO. However, the CEO's advice is not binding and, therefore, a non-compliant proposal may still be approved by a relevant authority under the PDI Act.

3. The effect of new section 234AA(1) seems to be that a person who proposes to alter a road **must** comply with a Design Standard. As such, it would seem that a non-compliant proposal approved under the PDI Act cannot be implemented without breaching the LG Act (where the obvious remedy would seem to be a direction under section 262 of the LG Act to stop work and to take action to remedy the contravention).

4. Under clause 5 of the Design Standard, a person with the benefit of a development approval involving modification of a council road **must** notify the council at least 10 business days in advance of intended commencements of works. Failure to comply with this notification requirement would also seem to be a breach of s 234AA of the LG Act.

5. Because a s221 authorisation is not required on approval of a development that complies with the Design Standard, council will have no ability to impose requirements as to construction materials or methodology, public liability insurance and so on. This appears to be a gap in the scheme as presently formulated.

6. The flowcharts attached to the Design Standard (see **Attachment 1 - under separate cover**) seem to suggest that the relevant authority may apply a note advising the applicant to notify the council, at which point the council 'would ensure technical elements are to an appropriate standard and matters such as insurance, appropriate contractor to construct etc. are covered off'. This would appear to be aspirational at best

because the council would have no leverage to impose any requirements and, further, there are no consequences for a failure to observe such requirements.

Recommendation

Points 1 to 6 above highlight foreseeable shortcomings with the implementation of the draft Design Standard, which will likely cause ongoing issues for Council. It is recommended that these issues are raised in Council's submission:

- Council CEO advice on a non-compliance with the Design Standard not being binding.
- Confusion around non-compliance with the Design Standard and ability for a relevant authority to approve a minor variation.
- Mandatory notification of driveway crossovers are captured in the portal in the same way other mandatory notifications are captured.
- Inclusion of a condition on the decision notification form.
- Mechanism to impose requirements on:
    - construction materials (acknowledging Councils have established character and catalogue of materials to reflect the character including documents such as West Torrens Public Realm Design Manual)
    - construction method
    - other technical details for construction (kerb options, reinforcement for pave or concrete construction, tree protection measures when excavating near its roots); and
    - Public liability insurance.

Draft Design Standard Overview

The draft Design Standard sets out to prescribe the minimum requirements for driveway crossovers in relation to 'residential development'. '*Residential development*' is defined as including development '*involving*':

- detached and semi-detached dwellings
- row dwellings
- residential flat buildings
- group dwellings
- the division of land to accommodate new housing, and
- domestic outbuildings.

Pursuant to **clause 6**, the requirements of the Design Standard are applicable to **all** development applications for planning consent and/or land division consent involving '*residential development'*, except for:

- residential development involving more than 50 dwellings within a single development site;

- residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection);

- mixed-use development with a residential component; and

- Development within the Hazards (Flooding – General) Overlay or Hazards (Flooding) Overlay of the Planning and Design Code).

It appears the intention is that any 'residential development' that is "accepted development" (requiring building consent only) will not be subject to the Design Standard.

Recommendation

Highlighted in the investigations was a scoping study, it is requested that this study be made available. Other points for clarification include:

- The rationale for 50 dwellings or more to preclude from this Design Standard;

- Support that development that requires servicing by heavy vehicles that are a medium rigid vehicle or larger are excluded from this Design Standard; and

- Query the exclusion of development within the Hazards (Flooding-General) Overlay or Hazards (Flooding) Overlay of the Code. It is identified that any street carries water and that anything on the low side of the street should be excluded for this Design Standard.

Key Provisions of the Design Standard

Norman Waterhouse has put forward some points for further consideration, these are as follows:

*The Design Standard adopts a similar format to the assessment provisions of the Planning and Design Code, with key qualitative '**Design Principles**' informed by quantitative '**Design Requirements**'. There are also '**Technical Drawings**' that provide additional context to the Design Principles and/or the associated Design Requirements.*

*Under proposed **clause 5** of the Design Standard, for a development proposal to comply with the Design Standard, the relevant authority must be satisfied that '**all relevant** Design Requirements and Design Principles are met', but 'the relevant authority **may determine** that one or more of the Design Requirements and/or Design Principles policies are **not relevant** to a particular development'.*

It would seem that a relevant authority does not have discretion to approve so-called 'minor variations' to the Design Standard, or to make a subjective judgment as to whether a particular Design Requirement or Design Principle is, or is not, relevant in a given case. It is suggested that there may be a benefit if this was made clearer.

*It would also be of benefit if the 'Interpretation' section in **clause 7** made it clearer how Design Requirements and their corresponding Design Principles interrelate. Clause 7 says that Design Requirements **must** be met to satisfy the Design Standard, whereas it does not say the same for Design Principles. This raises a number of questions as to the legal status of Design Principles: Are they non-mandatory? Does satisfaction of a Design Requirement automatically result in satisfaction of the corresponding Design Principle? Or is it possible that one could meet a Design Requirement but nevertheless fail to meet the corresponding Design Principle?*

Given the stated object of the Design Standard is to prescribe standards, one may query the purpose of including qualitative requirements which, by their very nature, are not prescriptive.

In any case, the Design Principles and Design Requirements address a multitude of technical and design issues including, streetscape amenity, retention of street trees as well as regulated trees, avoidance of damage to 'common infrastructure', 'safe and convenient' access and egress requirements for specific types of vehicle, and intersections with footpaths.

These provisions will require a relevant authority to undertake a thorough and detailed process of assessment at the planning and/or land division consent stage, including technical assessment of engineering and infrastructure-related matters.

Following the Administration's review of a technical nature, an overview of the technical comments for submission are identified below.

Part 1 - Preliminary - 4.0 Interpretation:

- Definition of alley, lane, or right-of-way. Does this mean fence to fence width or a sealed width?

- Definition of Common infrastructure should capture landscaping, including protuberances with landscaping.

- Road width, on kerbed roads. Confirmation is sought on which part of the kerb this relates to.

- Alternative street tree definition suggested to reflect that trees can occur in the road reserve including in the road and that they can be both a street tree and regulated or significant. Street tree means a tree planted in the road reserve between the road edge and property boundary and can include Regulated and Significant Trees as specified under the Act and Regulations.

- Significant tree definition could refer to the Act it is captured in and presented in the same format as Traffic control device.

- Suggest an inclusion of a definition for traffic calm/control device be included.

Part 2 - Compliance - 5.0 Compliance:

Paragraph 2 states: *For the avoidance of doubt, the relevant authority may determine that one or more of the Design Requirements and/or Design Principles policies are not relevant to a particular development.*

- It is sought that clarity needs to be provided around why the Design Requirements (DR) and/or Design Principle (DP) is not relevant e.g. DP 1.2 relates to obsolete driveway crossovers and there won't be an obsolete driveway crossover. This also speaks to the item raised by Norman Waterhouse where additional clarity is sought.

- Paragraph 3: the need for notification is quite hidden within the draft Design Standard, it is sought that this be a mandatory notification within the Portal, included in any notes on the decision notification form and that education and training with industry is undertaken by the Department.

Part 3 - Design Standard - 6.0 Scope of this design standard

- Query the rationale for 50 dwellings being the threshold as opposed to another threshold.

- Support that the draft Design Standard not be applied to residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection).

- Query the exclusion of residential development within the Hazards (Flooding-General) Overlay and Hazards (Flooding) Overlay of the Code. It is identified that any street carries water and suggest the exclusion needs to apply to any property on the low side of the road.

Part 3 - Design Standard - 7.0 Assessment Provisions

- *Design Requirement (DR) 1.0:*

    - No definition exists for indented car parking bay. This would benefit from having a definition given the multitude of indented parking bays that exist.

    - Definition of land owner, generally this will be council and people using this document need to be informed on who to contact. Alternate suggestion would be council land and definition to capture roads, footpaths, verge areas and reserves.

- *Design Principle (DP) 1.1 and DR 1.1* are missing.

- *DP 1.2:* seek inclusion of a mandatory condition to enable the enforcement of the closure of obsolete driveway crossovers.

- *DR 1.2(b):* amend as follows:

    - Obsolete driveways are returned to vegetated street **or rubble** verges and footpaths (or both) consistent with the pattern and form of the existing streetscape.

- *DP 1.4(b):* Pairing of driveways isn't considered, which can enable preservation of on-street parking, however, stormwater connection to road needs to be considered.

- *DP 1.4(d):* Missing a principle around street furniture, amenity. DP 1.4 partially considers the role of streets and the impact of crossovers on attaining a multitude of functions that the street serves.

- *DR 1.4(a):* Inclusion of not only street trees but also raingardens, feature landscaping.

- *DR 1.4(b):* Unsure what this is trying to achieve, the wording is unclear.

- *DR 1.4(d):* Landscape island, and rain gardens need to be captured.

- *DR 1.5(a):* Does not seek to maximise on street parking.

- *DR 1.5(b):* drawings TD-A, TD-C and DR 1.0 do not set a maximum width e.g., double adjacent a double or single. This can create a harsh environment for pedestrians.

- *DR 1.6*: Table 1:
    - Additional inclusions:
        - Property boundary - 0.5 metres.
        - Rain gardens, vegetated islands, and significant trees.
    - Confirmation that distance refers to being measured at the road kerb alignment.
    - Query implications of a proposed double crossover adjacent and existing double crossover.
    - Stormwater pit is referred to as a side entry pit in diagram TD-C.
    - Stobie pole, light pole increase from 0.5m to 1.0m.
    - Suggest note 2 referenced incorrectly and that this is note 1.
    - Stormwater outlet increase from 0.3m to 0.5m.
    - Telecommunications or electrical pit (non-trafficable) need to check with service owner or increase from 0.5m to 2.0m without verification from owner.
    - Pedestrian invert/kerb ramp increase from 0.5m to 1.0m.
    - Traffic control device seeks 6.0m, does this include parking signs?
    - Pedestrian activated crossing indicates clear of marked lines. What about other types of crossings e.g. koala crossings.
- *DR 1.6:* Notes:
    - Note 1: will AS 4970:2009 be publically available?
    - Note 2: why replicate definition of traffic control devices, this should be captured in definitions.
    - Seek an additional note capturing kerb road alignment.
- *DR 1.7:* Seek a DR 1.7(c) to capture inclusion of transition grade. Reference to relevant diagrams (TDF, TDG) needed in the DR.
- *DR 1.8:* This should reflect TD-A and DR 1.8 excludes single width driveways crossovers and should be subject to the same requirements based on width of road, setback to garage.
- *DR 2.1*: Draft for off street parking AS/NZS 2890.1.2023: Parking Facilities Part 1: Off street carparking. The draft AS/NZS 28.90.1:2023 is on consultation until November 2023, it proposes to increase the length of the B85 vehicle and will have impacts on car park dimensions.
- *DR 3.1:* Recommend that reference to AS 1428- Design for Access and Mobility is included.

- *DR 4.1:* seek capacity to refer applicant to contact council to attain specific design/construction details.

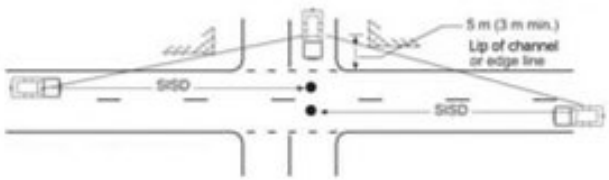
- *DP 5.2 and DR 5.2:* See comments relation to diagram TD-D and spelling error in DR 5.2, should refer to sightlines not site lines.

  Further to DP 5.2 and DR5.2, Council's consulting Traffic Engineer has identified the following:

  - There is a Table under ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** (see excerpt on the next page), which details the sight distance requirement for all developments, including dwelling developments.
  - In Column 2 (47m to 195m), there is a 'concession' in the form of a lesser sight distance requirement for lower traffic generating land uses (1-6 dwellings) compared to higher traffic generating land uses (all other developments).

(b) drivers approaching or exiting an access point have an unobstructed line of sight in accordance with the following (measured at a height of 1.1m above the surface of the road):

Speed Limit	Access point serving 1–6 dwellings	Access point serving all other development
40 km/h or less	47m	73m
50 km/h	63m	97m
60 km/h	81m	123m
70 km/h	100m	151m
80 km/h	121m	181m
90 km/h	144m	226m
100 km/h	169m	262m
110km/h	195m	300m



  - To understand the reasoning behind allowing a lesser sight distance requirement above, reference is made to the Austroads *Guide to Road Design Part 4A.* In this design guidelines, the **Normal Design Domain** (NDD) approach provides the desirable values to use in the calculation of sight distance requirements. Under

certain circumstances, the guidelines permit the **Extended Design Domain** (EDD) approach to be used, where less conservative values are used for the sight distance assessment. This does not imply that the EDD approach does not comply with the sight distance requirement. On the contrary, if the sight distance under EDD is met, it can be said that the sight distance has met the Austroads guidelines. In my experience, some of the circumstances that EDD could be considered for the assessment include the development of a very small number of dwellings (1 or several dwellings only) and where significant site constraints exist on the roadway (e.g. presence of significant/regulated trees on the verge, severe horizontal or vertical alignment of the roadway etc.).

- For the current Planning and Design Code Table above, Column 2 (47m to 195m) is based on the EDD sight distance requirements from the Austroads *Guide to Road Design Part 4A* and Column 3 (73m to 300m) is based on the NDD sight distance requirements from the Austroads *Guide to Road Design Part 4A.*
- Note that the Table on the previous page adopts less conservative sight distance requirements for low traffic generating land uses but does not distinguish between a State Maintained Road and a Local (Council) road.

It is understood from reading of the Draft standard, '*Design Standard for Residential Driveway Crossover*' *Attachment B* that the changes to the Planning and Design Code would only apply to *Part 4 – General Development Policies* in sub-sections: *Design, Design in Urban Areas, Housing Renewal* and *Transport Access and Parking*.

This raises the following concerns:

- **Consistency issue** - the sight distance requirements listed in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d) are not consistent with the sight distance requirements in ***DTS/DPF 5.1*** of the ***Urban Transport Routes Overlay***. In the context of the City of West Torrens, this inconsistency would be most apparent for residential developments on say Henley Beach Road (60 km/hr speed limit) as an example. In this instance, the applicant for a single dwelling would need to satisfy the sight distance of the ***Urban Transport Routes Overlay***, which is stated as 81m. On further assessing the application against *Part 4 – General Development Policies*, which would refer to the '*Design Standard for Residential Driveway Crossover*', the applicant would then note that the sight distance requirement listed under 5.2 (c) on a State Maintained Road is 123m.

  While I understand that the Overlay would take precedence over the General Development Policies, as a matter of principle, the sight distance requirements should be consistent across the Planning and Design Code.

- **Why the difference in sight distance requirements between a State Maintained Road and other roads** – The sight distances in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d) show that on State Maintained Roads, the sight distance requirement would be much greater. It is unclear why this is so, other than perhaps to account for risk factors where a State Maintained Road would typically carry much higher traffic volumes. I note that the sight distance assessment in the Austroads design guidelines does not have a distinction between roads maintained by the road authority or local roads maintained by Council.

The differences can be seen from an example of say where a single dwelling development on Holbrooks Road (State Maintained Road) would require a sight distance of 123m. A similar single dwelling development on say Morphett Road (Council road), with similar characteristics to Holbrooks Road, would require a sight distance of 65m, which is approximately half that on Holbrooks Road. This seems to be a very inconsistent approach of assessment for roads with similar conditions, but which happens to fall under the responsibilities of different road authorities.

- **Which guidelines should be referenced for the sight distance assessment** – I note that the sight distance requirements in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) are derived from Table 3.2 of the Austroads *Guide to Road Design Part 4A* guidelines under the NDD conditions. However, the sight distance requirements in 5.2 (d) are derived from Figure 3.2 of AS/NZS 2890.1:2004 under the column of 'Minimum Stopping Sight Distance Requirement'. That is, two different guidelines have been adopted.

  I note that the guidelines AS/NZS 2890.1:2004 is proposed to be revised in the near future and from my review of the initial draft revisions, it would appear that the Figure 3.2 (which Section 5.2 (d) proposes to adopt) would likely be significantly changed. Given the anticipated revision of AS/NZS 2890.1:2004, this reference may not be relevant for much longer. At least in the ***Urban Transport Routes Overlay***, the sight distance requirements are referenced from a single guideline, i.e. the Austroads *Guide to Road Design Part 4A* and any future revisions would be more easily tracked.

In summary, there are concerns with the inconsistency aspects of the sight distance assessment, having regard to ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** and the sight distance requirements proposed in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d). There is also concern with the potentially wide differences arising from setting different sight distance requirements between State Maintained Roads and Council roads. The adoption of sight distances from AS/NZS 2890.1:2004 for 5.2 (d) is also of concern, given the likely changes to these guidelines in the near future and also the approach of referencing two different guidelines for the same sight distance assessment.

It is recommended that a consistent approach be considered and that a wider assessment of the Planning and Design Code be undertaken for the critical sight distance aspects rather than focussed solely on *Part 4 – General Development Policies.*

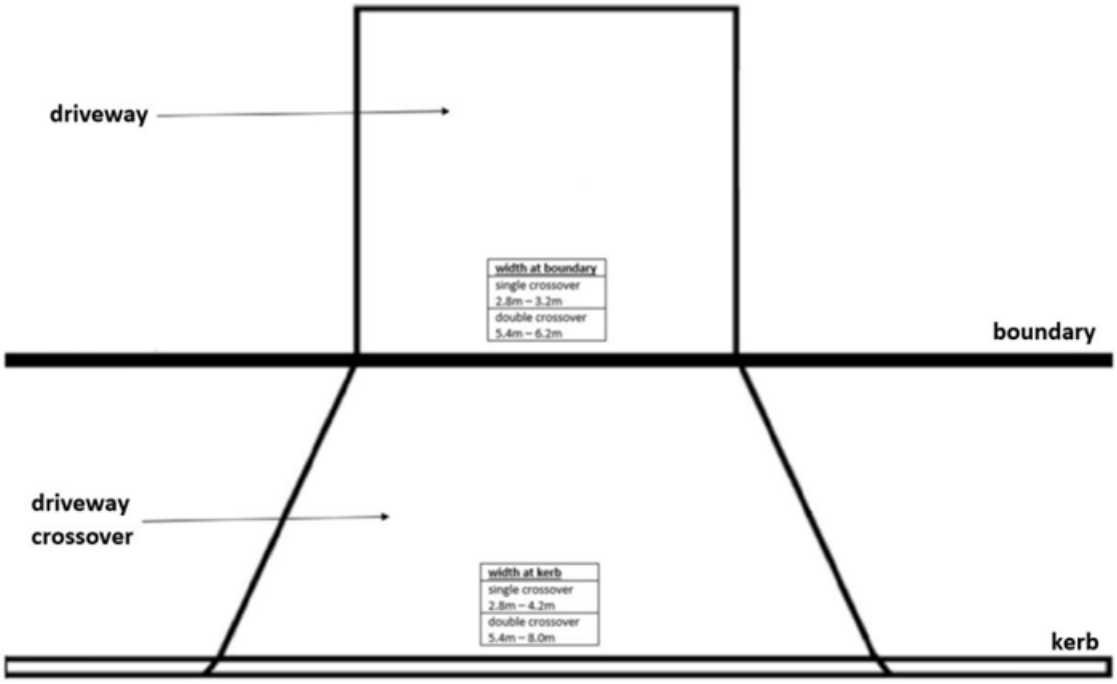
- *DP 6.1 and DR 6.1:* the DR and DP are too simplistic, particularly in cases where an adjoining neighbour may not have constructed the crossover in accordance or to Council's specifications suggest alternatives:

  - DP 6.1: Driveway crossover materials and colours match that used in the immediate streetscape.

  - DR 6.1: The colour and materials used in driveway crossover construction matches councils established design for the subject street.

Part 3 - Design Standard - 8.0 Technical Drawings

TD-A Urban driveway crossover widths- servicing one dwelling



- TD-A appears to have a sliding scale for the width at boundary and width at kerb which is not understood why. Key to this diagram is linking it to the road width to enable identification of appropriate width at kerb and boundary.

- The absolutely critical inclusion must be consideration of the width of road (which can include road verge on the subject property side) which is available adjacent to the driveway to enable appropriate turning manoeuvrability to enter and exit a driveway.

  If width consideration is not included, particularly in association with single vehicle width driveways, the crossing place can become completely inaccessible when other vehicles are legally parked on the road adjacent to the crossing place.

  The City of Port Adelaide Enfield standard detail sheet (SK1010), refer below extract, reflects an appropriate manner to determine the dimensionality requirements for driveway crossovers with consideration of road width. While there may be latitude for minor refinement of the widths which this detail, the scale of dimensionality and pattern of varying width as the adjacent road narrows is considered critical.

- This diagram also requires inclusion of access requirements for a laneway.

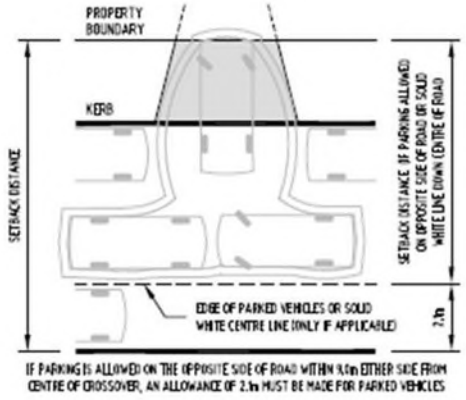
CALCULATING CROSSOVER DIMENSION:

TO DETERMINE CROSSOVER DIMENSIONS THE MAXIMUM SETBACK DISTANCE A VEHICLE HAS TO TURN INTO A SITE MUST BE DETERMINED. THIS IS SHOWN AS THE SETBACK DISTANCE IN THE DIAGRAMS BELOW.

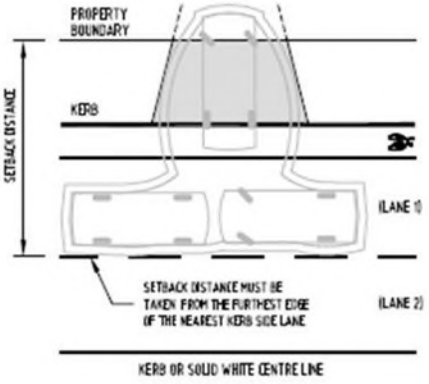
THE FOLLOWING STEPS MUST BE TAKEN TO DETERMINE CROSSOVER DIMENSIONS:

1. DETERMINE IF THE ROAD IS A LOCAL ROAD OR MULTI-LANE ROAD AND REFER TO THE RELEVANT DIAGRAM.
2. IF DEVELOPMENT IS ON A LOCAL ROAD, CONFIRM IF PARKING IS AVAILABLE ON OPPOSITE SIDE OF ROAD.
3. REFERRING TO THE RELEVANT DIAGRAM, TAKE MEASUREMENT FROM SITE AND CONFIRM THE APPLICABLE SETBACK DISTANCE.
3. CONFIRM WHETHER THE DRIVEWAY AND CROSSOVER IS TO ALLOW FOR ONE OR TWO VEHICLES (SINGLE OR DOUBLE).
4. WITH THE SETBACK DISTANCE AND NUMBER OF VEHICLES CONFIRMED, DETERMINE THE REQUIRED CROSSOVER DIMENSIONS FROM THE TABLE BELOW.

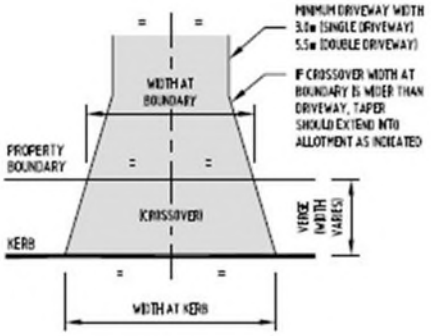
CROSSOVER DIMENSIONS PROVIDED IN THE TABLE BELOW ARE ONLY APPLICABLE TO DRIVEWAYS THAT ARE STRAIGHT WITHOUT BENDS AND ARE MIRROR IMAGE ABOUT THE CENTER LINE. DRIVEWAYS THAT ARE CURVED (E.G. TO AVOID OBSTRUCTIONS) WILL NEED AN INDIVIDUAL ASSESSMENT CARRIED OUT BY A QUALIFIED TRAFFIC ENGINEER TO DETERMINE THE REQUIRED DRIVEWAY AND CROSSOVER DIMENSIONS. SHOULD ALTERNATE CROSSOVER DIMENSIONS BE PROPOSED BY AN APPLICANT, THEY MUST BE VERIFIED BY A QUALFIED TRAFFIC ENGINEER. CROSSOVERS PROVIDING ACCESS TO INDUSTRIAL OR COMMERCIAL PROPERTIES SHOULD BE ASSESSED INDIVIDUALLY.



LOCAL ROAD



MULTI-LANE ROAD

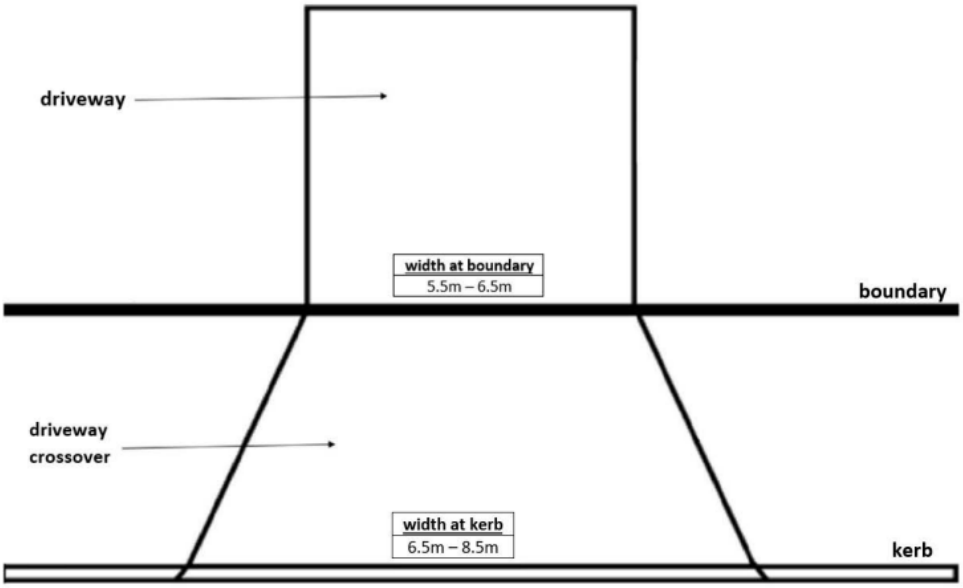


CROSSOVER SETOUT

RECOMMENDED CROSSOVER DIMENSIONS		
SETBACK DISTANCE	SINGLE DRIVEWAY	DOUBLE DRIVEWAY
WIDTH AT KERB		
ALL	5.0m	8.0m
WIDTH AT BOUNDARY		
3.00m - 3.49m	5.0m	8.0m
3.50m - 3.99m	5.0m	7.0m
4.00m - 4.49m	5.0m	6.6m
4.50m - 4.99m	5.0m	6.2m
5.00m - 5.49m	4.9m	6.0m
5.50m - 5.99m	4.8m	5.8m
6.00m - 6.49m	4.6m	5.7m
6.50m - 6.99m	4.3m	5.6m
7.00m - 7.49m	4.0m	5.5m
7.50m - 7.99m	3.5m	5.5m
8.00m >	3.0m	5.5m

The City of Port Adelaide Enfield standard detail sheet (SK1010)

TD-B Urban driveway crossover widths- servicing three (3) or more dwellings



- TD-B appears to have a sliding scale for the width at boundary and width at kerb which is not understood why. Key to this diagram is linking it to the road width to enable identification of appropriate width at kerb and boundary.

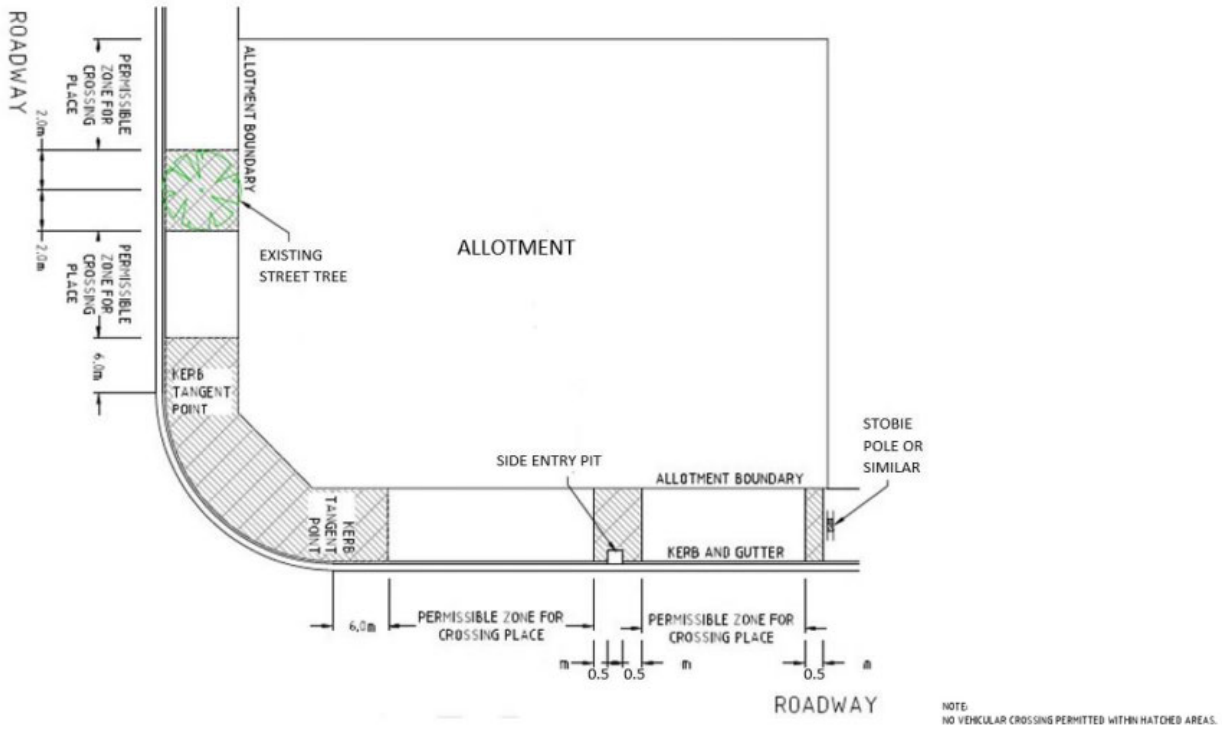
- The absolutely critical inclusion must be consideration of the width of road (which can include road verge on the subject property side) which is available adjacent to the driveway to enable appropriate turning manoeuvrability to enter and exit a driveway.

  If width consideration is not included, particularly in association with single vehicle width driveways, the crossing place can become completely inaccessible when other vehicles are legally parked on the road adjacent to the crossing place.

  The City of Port Adelaide Enfield standard detail sheet (SK1010) reflects an appropriate manner to determine the dimensionality requirements for driveway crossovers with consideration of road width. While there may be latitude for minor refinement of the widths which this detail, the scale of dimensionality and pattern of varying width as the adjacent road narrows is considered critical.

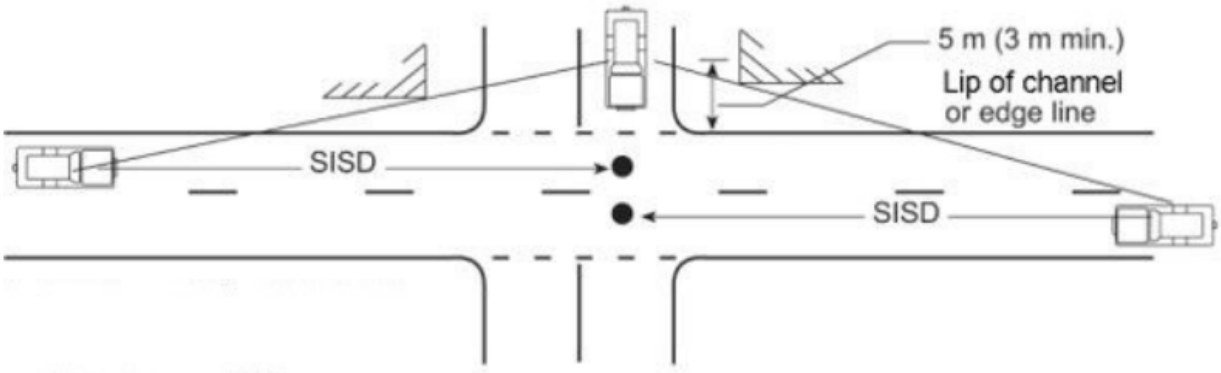
- This diagram also requires inclusion of access requirements for a laneway.

TD-C Urban Driveway Crossover Locations



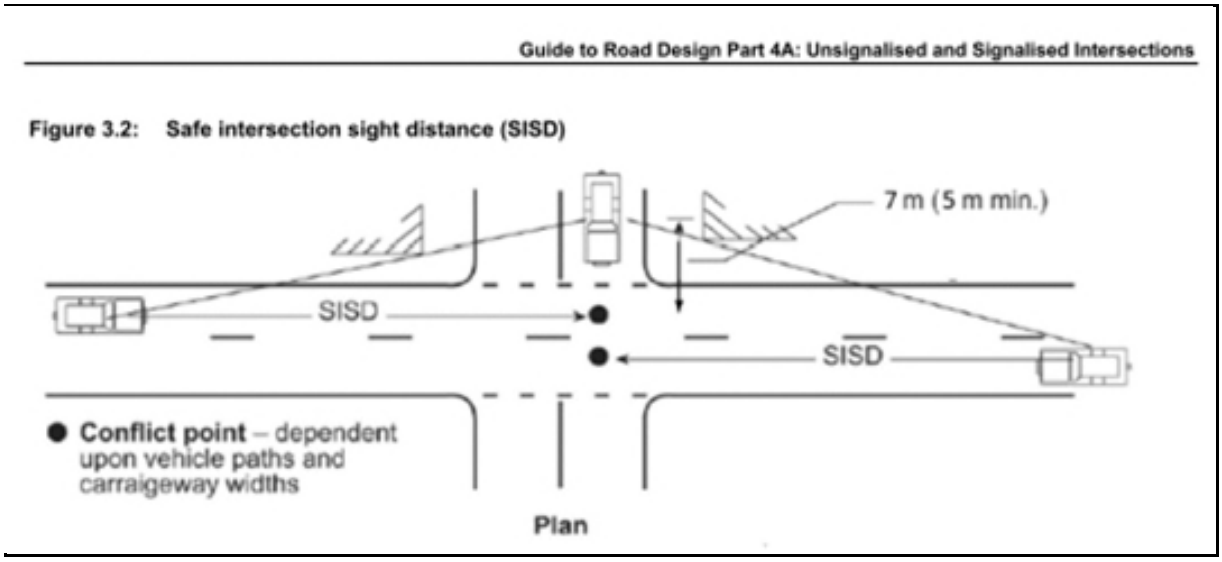
- On review of TD-C a number items are put forward for consideration and that also seek alignment with suggestions put forward for DR 1.6 Table:
    - 1.0m shown either side of the side entry pit
    - Ensure consistency between DR 1.6 Table

TD-D Sightlines

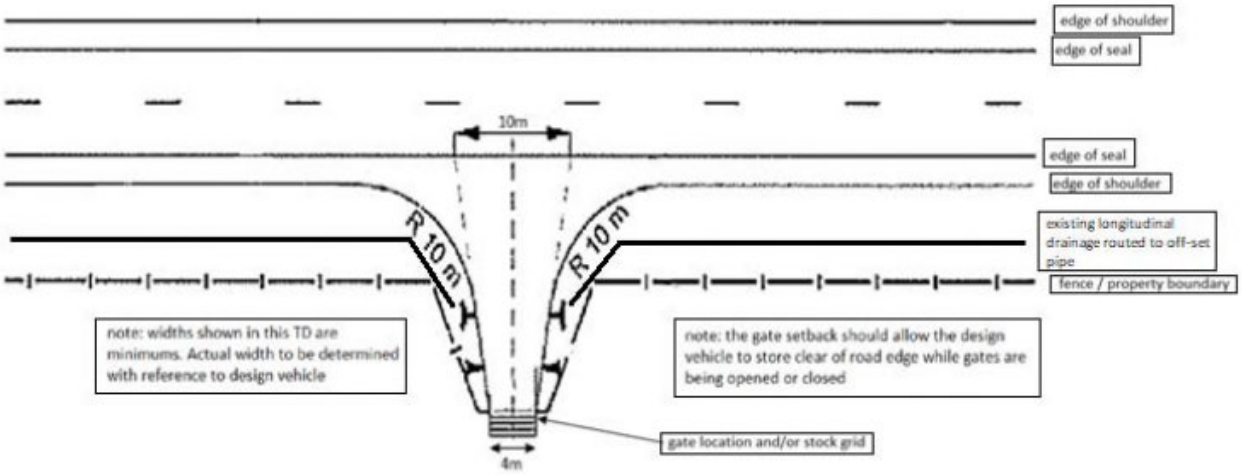


- The **TD-D diagram** above for the draft Design Standard was originally adopted from the Austroads *Guide to Road Design Part 4A* guidelines. This sight line figure has recently been updated in the Austroads *Guide to Road Design Part 4A 2023*, with a subtle change to the positioning of the exit vehicle for the assessment.
  Previously the setback distance was measured from the alignment of the kerb. The setback distance in the 2023 revised guidelines is now measured from the centre of the left-hand side lane (see below).

- The **TD-D diagram** should be updated to reflect the figure in the Austroads *Guide to Road Design Part 4A 2023* to achieve consistency. Updated diagram in Austroads guidelines below:

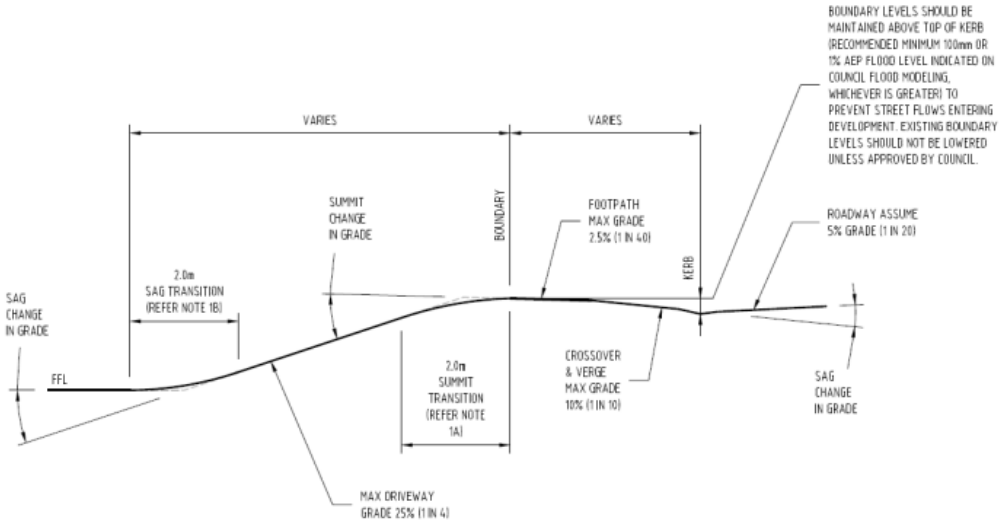


TD-E Rural Property Access- un-kerbed road >80km/h



- No comment to be made on TD-E due to its lack of relevance to West Torrens.

TD-F Driveway crossover grades- allotment lower than the road

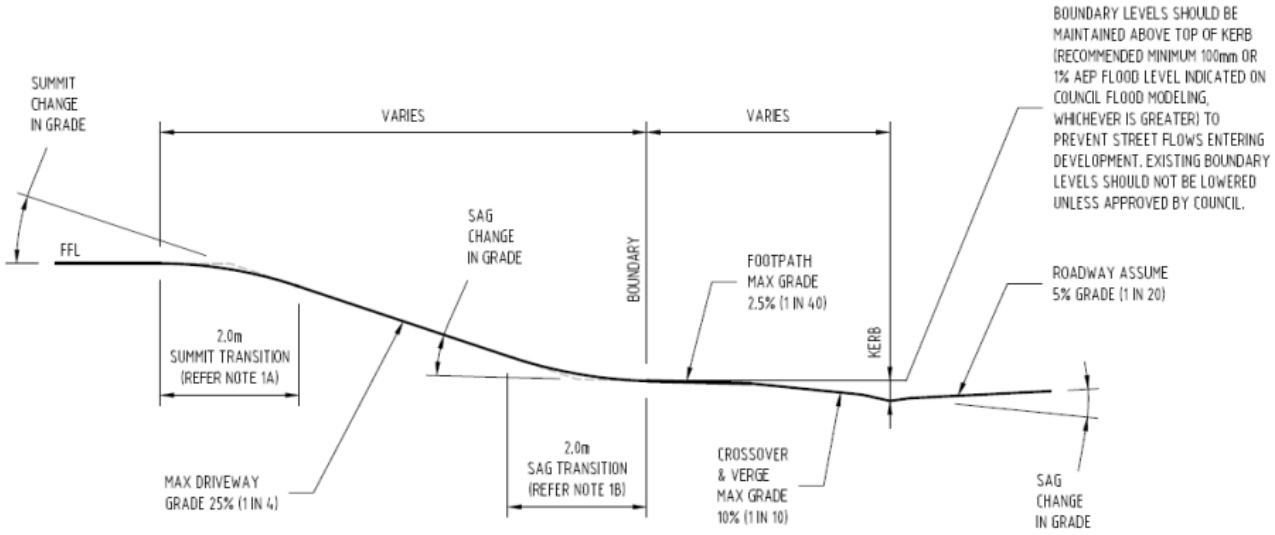


TECHNICAL DRAWING TD3: MAXIMUM CROSSOVER & DRIVEWAY GRADES
(ALLOTMENT LOWER THAN ROAD)

NOTES:
1. WHERE A PROPOSED DRIVEWAY AND CROSSOVER CANNOT MEET THE ABOVE REQUIREMENTS, OR ALTERATIONS TO THE VERGE ARE REQUIRED THAT DO NOT COMPLY WITH THE REQUIREMENT OUTLINED ABOVE, THE DESIGN STANDARD APPROACH CANNOT BE USED.
2. 2.0m TRANSITIONS SHALL BE PROVIDED WHERE INSTANTANEOUS CHANGES IN GRADE EXCEED:
   (A) AT SUMMIT LOCATIONS: 15% (1 IN 6.7).
   (B) AT SAG LOCATIONS: 12.5% (1 IN 8).
   EXAMPLE CHANGE IN GRADE CALCULATION:
   25% (DRIVEWAY GRADE) SUBTRACT 2.5% (FOOTPATH GRADE) = INSTANTANEOUS CHANGE IN GRADE 17.5% THEREFORE TRANSITIONS REQUIRED.
3. DRIVEWAY GRADES ABOVE HAVE BEEN DEFINED IN ACCORDANCE WITH AS2890.1:2004.

- Reference to TD3, when it has been put forward as TD-F Driveway crossover grades- allotment lower than the road.
- Incorrect assignment to note for 2.0m SAG transition.
- Incorrect assignment to note for 2.0m Summit transition.

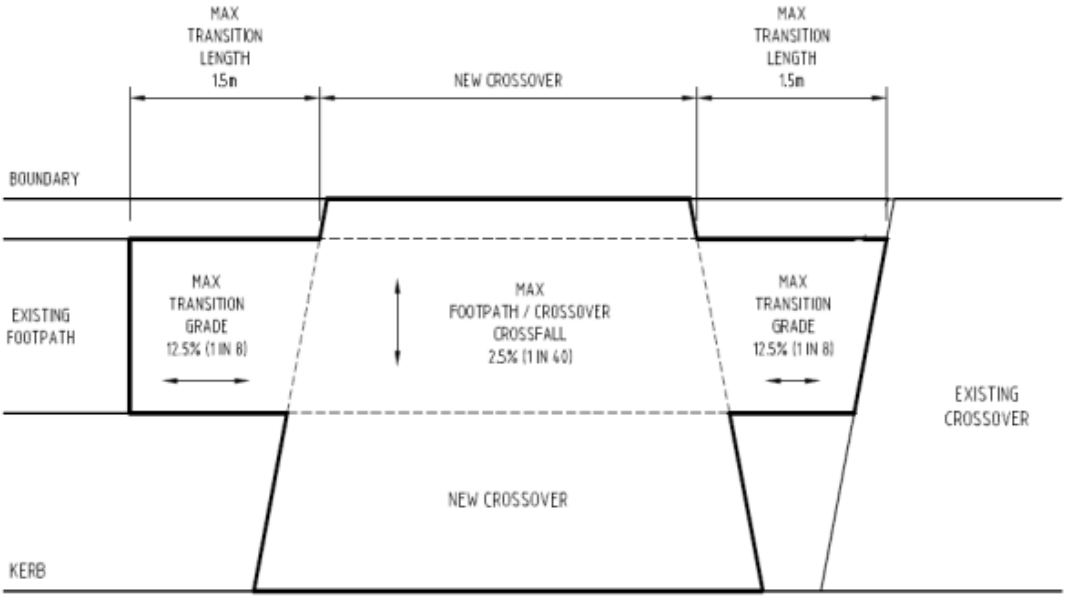
TD-G Driveway crossover grades- allotment higher than the road



TECHNICAL DRAWING TD2: MAXIMUM CROSSOVER & DRIVEWAY GRADES (ALLOTMENT HIGHER THAN ROAD)

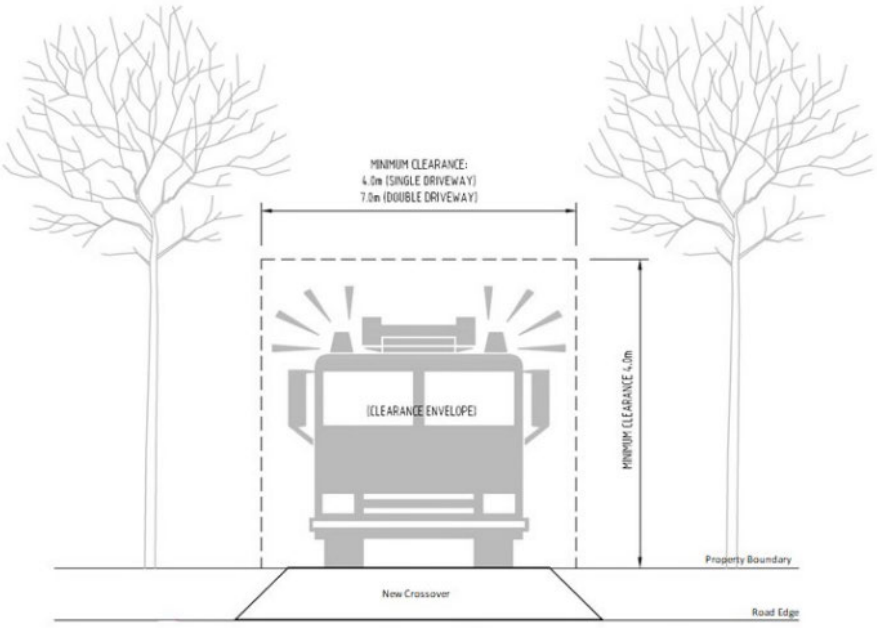
- Reference to TD2, when it has been put forward as TD-G Driveway crossover grades- allotment higher than the road.
- No notes provided, although diagram refers to notes.

TD-H Footpath transitions and crossfalls



- Two-way arrow shown for max footpath/crossover crossfall. This should be a one way (down) arrow.
- Recommend that reference to AS 1428- Design for Access and Mobility is included.

TD-I Requirements for crossovers in high bushfire risk areas



- No comment to be made on TD-I due to its lack of relevance to West Torrens.

Recommendation

It is recommended that the items identified by Norman Waterhouse and Administration as highlighted above be included in Council's submission to help provide appropriate understanding of the Design Standard and its process.

These comments and queries are intended to assist in fine tuning and ensuring that there is limited scope for misinterpretation of the draft Design Standard if it is to be adopted.

Further suggestion would be to Invite DTI and the Commission to undertake a site visit of examples within West Torrens where negotiation with applicants has seen improved outcomes for the street.

Code Amendment

The Code Amendment seeks to modify existing provisions under the General Development Policies to take into account the operation of the Design Standard (if adopted).

Those policies affected include the 'Design' and 'Design in Urban Areas' policies, the 'Housing Renewal' policy and the 'Transport, Access and Parking Policy', where those policies already address matters relating to driveway crossovers. Existing DTS/DPF policies will be modified to include reference to the Design Standard, such that compliance with the Design Standard will result in compliance with the relevant DTS/DPF provision/s.

An obvious difficulty arises in circumstances where a relevant authority grants a planning consent that is at variance with the Design Standard. In this scenario, there would seem to be a legislative disconnect between s221 of the LG Act on the one hand, which says that no further permission under the LG Act is required and s234AA on the other hand, which says that the Design Standard **must** be complied with. In these circumstances, to avoid administrative confusion, it would seem that the Design Standard is missing an important mechanism that may allow variances from the Design Standard to occur where there is concurrence from the Council or the CEO.

Recommendation

It is recommended that a mechanism be implemented to allow variance from the Design Standard where there is concurrence from the Council or the CEO.

The Code Amendment appears to be quite a simple Code Amendment, it inserts text to enable the Design Standard to be considered in assessment. On review of the draft Design Standard there were some components that would benefit being expanded into Code policy more broadly to achieve a consistent and improved outcome on what the Code currently delivers.

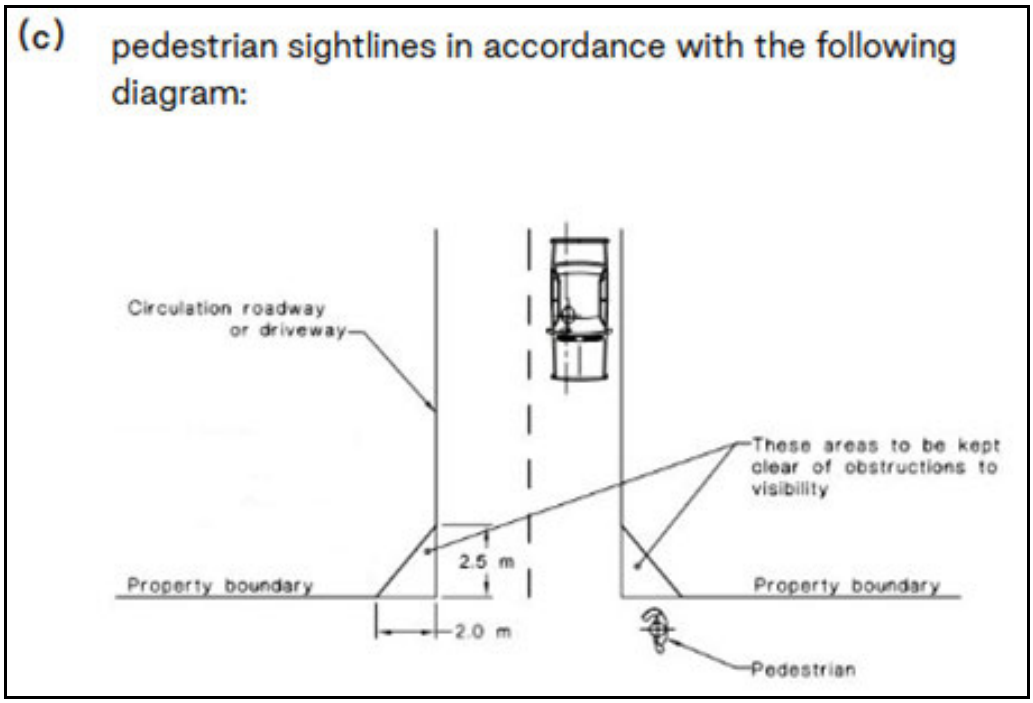
Other Considerations

- *Pedestrian Sightlines*

  Council's consulting Traffic Engineer has identified the following:

  Pedestrian sight line is a critical requirement when we assess multiple dwelling developments, particularly for group dwellings and residential flat buildings. We normally require the pedestrian sight triangle to be met for vehicles exiting the site. As a consequence of this, the car park driveways for these larger developments would typically be required to be set back at least 2m from the adjoining boundary to satisfy the pedestrian sight triangle. This requirement is reflected in ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** (see excerpt below).

  We have many large residential developments that are not on State Maintained Roads and therefore the ***Urban Transport Routes Overlay*** would not be relevant.
  One example is Walsh Street, Thebarton. Similar to vehicular sight distance requirements, it is recommended that the pedestrian sight line requirement should also be included in the standard.



As a separate comment, the above figure in the Planning and Design Code for the pedestrian sight line is a derivation from Figure 3.3 of AS/NZS 2890.1:2004 (see below). I believe that the Planning and Design Code diagram is incorrect. The Figure from AS/NZS 2890.1:2004 states that if it is a two-way driveway, the pedestrian sight triangle on the right-hand side of the exit driver is not required, because the entry lane already provides the 'clearance distance' to view the approaching pedestrian, which is a logical observation.

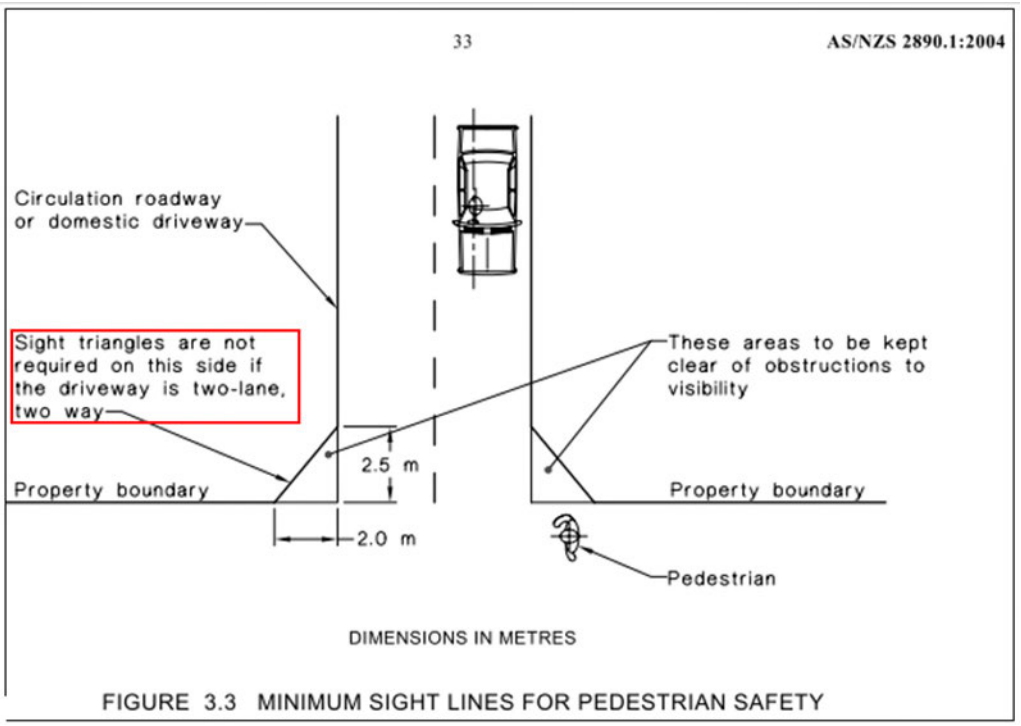


FIGURE 3.3 MINIMUM SIGHT LINES FOR PEDESTRIAN SAFETY

- *AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking*

  Currently there is a draft AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking. This is to replace AS/NZS 2890.1:2004 is noted as pending revision. Draft AS/NZS 2890.1:2023 contemplates the following:

  B99

  - overall length has increased by 200mm (from 5.2m to 5.4m).
  - overall width has increased by 160mm (from 1.94m to 2.1m).
  - The minimum turn radius remains the same (6.35m).

  B85

  - The overall length remain the same (4.91m to 4.9m).
  - overall width has increased by 30mm (from 1.87m to 1.9m).
  - The minimum turn radius remains the same (5.8m).

With the above proposed changes, the following have also been observed in the draft standard:

- Parking space envelope has been lengthened to 5.6m (from 5.4m). This change is also applicable to all angled parking and parallel parking (with parking length increased by 100mm to 200mm).
- Space width remains the same as current standard (no change).
- Aisle width remains the same as current standard (no change).
- Single width garage door width increased by 100mm (from 2.4m to 2.5m).
- For enclosed garage/carport, the minimum length should be:
  - 5.8m where pedestrian access **is not** required from one side of the space to the other (currently best practise requested for 5.8m for pedestrian access - calculated from 5.4m + 200mm on both ends).
  - 6.2m where pedestrian access **is** required from one side of the space to the other.

The changes highlighted above will need to be considered in the conjunction with the draft Design Standard and how the both the Code and the Design Standard currently reflect parking dimensions. If the draft AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking is adopted there will be conflict between the planning assessment and compliance with best practice.

- *Technical Expertise*

The draft Design Standard is highly technical and refers to a number of specialist fields, for which this document is not intended to be used by e.g. traffic engineer, arborist with cross reference to AS 4970:2009. It is fair to say, the expertise required to undertake the assessment required for driveway crossovers may be beyond the competency of many accredited planning professionals. There is a risk that the implementation of the draft Design Standard will see some unusual decisions made at the detriment of the streetscape and function of the street.

- *Impact to Street Trees*

There is concern that there will be unnecessary loss of street trees due to the blanket 2.0 metre offset from driveway crossovers. In actuality, the offset from driveway crossovers varies based on a number of considerations including age, species, site conditions that impact on trees which the draft Design Standard does not factor in the offset.

Another key consideration is the impact on a trees structural root zone (SRZ), which when impacted on from excavation (as needed in the construction of driveway crossovers) can be detrimental to the health or fatal to trees. Tree roots should be treated with the same level of care as any other underground service to ensure canopy cover targets, liveability are met and to retain as many trees as possible.

Of note, street trees are increasingly under pressure to not interfere with overhead powerlines, not impact on underground services and provide enough clearance for pedestrians, post office buggies and bin collection. These pressures mean street trees

don't grow to their full height and can inhibit their ability to achieve great canopy cover. Such limitations on growing characteristics will also act to reduce the biodiversity of trees and the life forms they help sustain through limiting the species that may be appropriate in suburban environments.

Recommendation

It is recommended that the above points form part of Council's submission to flag other investigations that are underway that will likely impact on the draft Design Standard and Code Amendment.

Acknowledgement of the demand on the public realm to achieve multiple outcomes such as pedestrian accessibility and amenity, bin collection, traffic management, on-street parking, amongst other aims is well understood. The draft Design Standard and the Code Amendment has the potential to unintentionally work against the attainment of increased tree canopy and urban cooling.

Conclusion

Based on the information available to Administration it is *considered that the draft Residential Driveway Crossovers Design Standard and Code Amendment* has some fundamental issues to the implementation of the Design Standard at a high level as highlighted in this report. On the whole, the implementation of this Design Standard needs to more clearly demonstrate that it:

- achieves a better outcome for all stakeholders;
- delivers a process that is more refined than the current process;
- will not create costly outcome at later stage e.g. through rectification of works undertaken, loss of tree canopy and car parking or misinterpretation of policy of a highly specialised and technical nature; and
- will not result in increased tension and conflict on the street.

At a low level, the intent of the draft Design Standard is admirable, but the designated instrument needs some further considerations to help reduce misinterpretation.

16.4 Residential Driveway Crossovers Design Standard and Code Amendment

Brief

This report presents feedback on the Residential Driveway Crossovers Design Standard and supporting Code Amendment that is currently on community consultation.

RECOMMENDATION

It is recommended to Council that commentary contained in the body of the Agenda report be submitted to PlanSA as its formal response to the *Residential Driveway Crossovers Design Standard and Code Amendment.*

Introduction

The *Planning, Development and Infrastructure Act 2016* (PDI Act) places greater emphasis on high-quality design. One of the ways it seeks to do this is by creating more opportunities to provide early input into development, including through the implementation of Design Standards.

Design Standards are a new planning instrument that can be used to deliver coordinated design outcomes for infrastructure and integrate the design of development across the public and private realm. The draft *Residential Driveway Crossovers Design Standard* **(Attachment 1 - under separate cover)** is the first Design Standard under the planning system.

Design Standards support the Planning and Design Code (the Code) by providing design guidance for the public realm or infrastructure. The Design Standard for residential driveway crossovers aims to improve public safety and enhance streetscapes across South Australia.

Complementary changes to the Code are also proposed to support delivery of the Design Standard as there are implications to the PDI Act and *Local Government Act 1999* (LG Act).

The Design Standard and Code Amendment are on consultation from Wednesday 23 August 2023 to Tuesday 14 November 2023 (a period of twelve weeks) and is open to anyone and everyone to provide a response. A copy of the Engagement Plan can be found at **Attachment 2 - under separate cover**.

Discussion

The draft *Residential Driveway Crossover Design Standard* (the draft Design Standard) outlines how new residential driveways should connect from private property to the street. The draft Design Standard, aims to ensure new driveways:

- provide for the safety of all road users.
- provide for vehicular access that maximises the provision of on-street car parking.
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas.
- create driveway crossovers that are durable.
- create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

The Commission prepared the draft Design Standard with input from local councils, developers, and state government agencies. The Administration has not been a party to the Design Standards Reference Group.

Minor changes to the Code have also been drafted to complement the Design Standard and support its delivery. The Designated Entity for the draft Design Standard and Code Amendment is the State Planning Commission (the Commission).

The draft Design Standard must be considered as part of the planning and land division approvals process. It is thought that the draft Design Standard will help to identify issues with a driveway's design or location at an earlier stage of the planning process in an attempt to avoid costs and delays later on. Frequently Asked Questions **(Attachment 3 - under separate cover)** prepared by the Department for Trade and Investment (DTI) state:

> *Currently, driveway crossovers are often one of the last matters resolved when planning a residential development and are often finalised after development approval is granted and the house is constructed.*

This statement is not an accurate reflection of West Torrens' current and long standing assessment processes. An application requiring a driveway crossover considers this in the assessment and when there is potential conflict with trees, infrastructure, other assets and maintenance programs internal referrals to specialists within council are triggered.

Scenarios where it was critical for Council to actively engage with the developer to achieve an appropriate streetscape interface, allowing provision for on-street parking and street tree placement can be seen in the following two examples:

1. Crossley and Long Street, Plympton

   Discussion with developer during the assessment stage meant that the 9 dwellings with frontage to Crossley Street, Plympton were able to be reconfigured to be rear loaded from a shared access point off of Long Street, Plympton (image 1).

   This was incredibly important in the location that these were developed due to the inhospitable nature 9 driveways along this stretch of road would have created for pedestrians (image 2).

   Of note, this development is in a school zone, traffic demands associated with a school are evident, and street amenity including safe and cool environments are needed. This engagement meant that tree planting and street parking could be maximised.

   This was possible due to the consideration of access at the planning stage.

Image 1: Aerial of development at Long and Crossley Street, Plympton

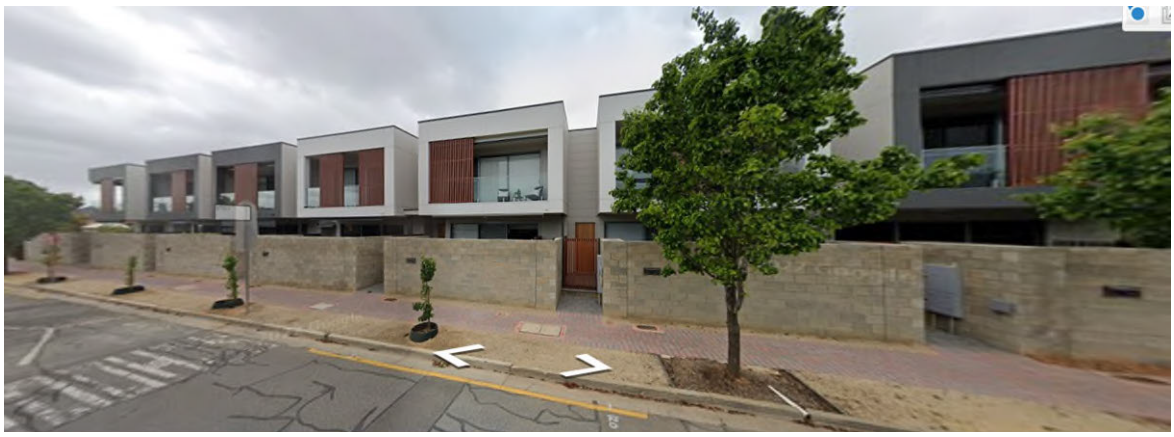


Image 2: Street view of development at Long and Crossley Street, Plympton

2. Norma Street, Mile End

Each of the 16 allotments comprising this development has a 6.8m frontage width. The ability to engage with the developer resulted in 8 on-street parking spaces being preserved adjacent to the new allotments.

There was a possibility that if all the dwellings were to establish their access arrangements on the same side, that no on-street parking would have been preserved adjacent to the developments.

A critical element was being able to connect the adjacent single width driveway to provide improved manoeuvrability access to the crossing places and hence reduce necessary widening to the kerb alignment.

The Design Standard documents currently under consultation discourage the positive outcome achieved (Images 3 and 4), through a requirement to separate adjacent property driveways. This would have resulted in individual isolated driveways requiring more flaring and hence not leaving sufficient room between driveways for on-street parking.

Image 3: Aerial of development at Norma Street, Mile End

Image 4: Street view of development at Norma Street, Mile End

The draft Design Standard will interact with legislative changes that have parliamentary assent via the Act and the Statutes Amendment (Local Government Review) Act 2021. These changes affect how driveway crossovers are approved when they are proposed in conjunction with development.

Should these legislative changes be commenced, the introduction of the draft Design Standard is promoted as streamlining the development assessment processes by enabling the State Planning Commission (the Commission) and Accredited Professionals to assess and approve a driveway crossover that is part of a development proposal without the requirement to consult with a Council, so long as it complies with the draft Design Standard. This design standard applies to all applications for planning consent and/or land division consent involving residential development, with a number of exceptions (discussed later).

To reiterate, once adopted, the draft Design Standard will form part of the planning rules under the PDI Act. It will also be a relevant consideration in the context of a development application for land division consent under s102(1)(c) or (d) of the PDI Act, or an encroachment consent under s102(1)(e).

The draft Design Standard will further give effect to the (yet to be commenced) amendments to the *Local Government Act 1999* (SA), including section 221 and new (and as yet un-commenced) section 234AA.

Local Government Act 1999 implications

The intent is that changes to the *LG* Act will commence operation at the same time as the Design Standard. The legal effect of these changes would seem to be that:

1. A proposal that complies with the Design Standard will not require an authorisation under section 221 of the LG Act.

2. A proposal that does not comply with the Design Standard must involve consultation with the council's CEO. However, the CEO's advice is not binding and, therefore, a non-compliant proposal may still be approved by a relevant authority under the PDI Act.

3. The effect of new section 234AA(1) seems to be that a person who proposes to alter a road **must** comply with a Design Standard. As such, it would seem that a non-compliant proposal approved under the PDI Act cannot be implemented without breaching the LG Act (where the obvious remedy would seem to be a direction under section 262 of the LG Act to stop work and to take action to remedy the contravention).

4. Under clause 5 of the Design Standard, a person with the benefit of a development approval involving modification of a council road **must** notify the council at least 10 business days in advance of intended commencements of works. Failure to comply with this notification requirement would also seem to be a breach of s 234AA of the LG Act.

5. Because a s221 authorisation is not required on approval of a development that complies with the Design Standard, council will have no ability to impose requirements as to construction materials or methodology, public liability insurance and so on. This appears to be a gap in the scheme as presently formulated.

6. The flowcharts attached to the Design Standard (see **Attachment 1 - under separate cover**) seem to suggest that the relevant authority may apply a note advising the applicant to notify the council, at which point the council 'would ensure technical elements are to an appropriate standard and matters such as insurance, appropriate contractor to construct etc. are covered off'. This would appear to be aspirational at best because the council would have no leverage to impose any requirements and, further, there are no consequences for a failure to observe such requirements.

Recommendation

Points 1 to 6 above highlight foreseeable shortcomings with the implementation of the draft Design Standard, which will likely cause ongoing issues for Council. It is recommended that these issues are raised in Council's submission:

- Council CEO advice on a non-compliance with the Design Standard not being binding.
- Confusion around non-compliance with the Design Standard and ability for a relevant authority to approve a minor variation.
- Mandatory notification of driveway crossovers are captured in the portal in the same way other mandatory notifications are captured.
- Inclusion of a condition on the decision notification form.
- Mechanism to impose requirements on:
    - construction materials (acknowledging Councils have established character and catalogue of materials to reflect the character including documents such as West Torrens Public Realm Design Manual)
    - construction method
    - other technical details for construction (kerb options, reinforcement for pave or concrete construction, tree protection measures when excavating near its roots); and
    - Public liability insurance.

Draft Design Standard Overview

The draft Design Standard sets out to prescribe the minimum requirements for driveway crossovers in relation to 'residential development'. '*Residential development*' is defined as including development '*involving*':

- detached and semi-detached dwellings
- row dwellings
- residential flat buildings
- group dwellings
- the division of land to accommodate new housing, and
- domestic outbuildings.

Pursuant to **clause 6**, the requirements of the Design Standard are applicable to **all** development applications for planning consent and/or land division consent involving '*residential development'*, except for:

- residential development involving more than 50 dwellings within a single development site;
- residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection);
- mixed-use development with a residential component; and
- Development within the Hazards (Flooding – General) Overlay or Hazards (Flooding) Overlay of the Planning and Design Code).

It appears the intention is that any 'residential development' that is "accepted development" (requiring building consent only) will not be subject to the Design Standard.

Recommendation

Highlighted in the investigations was a scoping study, it is requested that this study be made available. Other points for clarification include:

- The rationale for 50 dwellings or more to preclude from this Design Standard;
- Support that development that requires servicing by heavy vehicles that are a medium rigid vehicle or larger are excluded from this Design Standard; and
- Query the exclusion of development within the Hazards (Flooding-General) Overlay or Hazards (Flooding) Overlay of the Code. It is identified that any street carries water and that anything on the low side of the street should be excluded for this Design Standard.

Key Provisions of the Design Standard

Norman Waterhouse has put forward some points for further consideration, these are as follows:

*The Design Standard adopts a similar format to the assessment provisions of the Planning and Design Code, with key qualitative '**Design Principles**' informed by quantitative '**Design Requirements**'. There are also '**Technical Drawings**' that provide additional context to the Design Principles and/or the associated Design Requirements.*

*Under proposed **clause 5** of the Design Standard, for a development proposal to comply with the Design Standard, the relevant authority must be satisfied that '**all relevant** Design Requirements and Design Principles are met', but 'the relevant authority **may determine** that one or more of the Design Requirements and/or Design Principles policies are **not relevant** to a particular development'.*

It would seem that a relevant authority does not have discretion to approve so-called 'minor variations' to the Design Standard, or to make a subjective judgment as to whether a particular Design Requirement or Design Principle is, or is not, relevant in a given case. It is suggested that there may be a benefit if this was made clearer.

*It would also be of benefit if the 'Interpretation' section in **clause 7** made it clearer how Design Requirements and their corresponding Design Principles interrelate. Clause 7 says that Design Requirements **must** be met to satisfy the Design Standard, whereas it does not say the same for Design Principles. This raises a number of questions as to the legal status of Design Principles: Are they non-mandatory? Does satisfaction of a Design Requirement automatically result in satisfaction of the corresponding Design Principle? Or is it possible that one could meet a Design Requirement but nevertheless fail to meet the corresponding Design Principle?*

Given the stated object of the Design Standard is to prescribe standards, one may query the purpose of including qualitative requirements which, by their very nature, are not prescriptive.

In any case, the Design Principles and Design Requirements address a multitude of technical and design issues including, streetscape amenity, retention of street trees as well as regulated trees, avoidance of damage to 'common infrastructure', 'safe and convenient' access and egress requirements for specific types of vehicle, and intersections with footpaths.

These provisions will require a relevant authority to undertake a thorough and detailed process of assessment at the planning and/or land division consent stage, including technical assessment of engineering and infrastructure-related matters.

Following the Administration's review of a technical nature, an overview of the technical comments for submission are identified below.

Part 1 - Preliminary - 4.0 Interpretation:

- Definition of alley, lane, or right-of-way. Does this mean fence to fence width or a sealed width?

- Definition of Common infrastructure should capture landscaping, including protuberances with landscaping.

- Road width, on kerbed roads. Confirmation is sought on which part of the kerb this relates to.

- Alternative street tree definition suggested to reflect that trees can occur in the road reserve including in the road and that they can be both a street tree and regulated or significant. Street tree means a tree planted in the road reserve between the road edge and property boundary and can include Regulated and Significant Trees as specified under the Act and Regulations.

- Significant tree definition could refer to the Act it is captured in and presented in the same format as Traffic control device.

- Suggest an inclusion of a definition for traffic calm/control device be included.

Part 2 - Compliance - 5.0 Compliance:

Paragraph 2 states: *For the avoidance of doubt, the relevant authority may determine that one or more of the Design Requirements and/or Design Principles policies are not relevant to a particular development.*

- It is sought that clarity needs to be provided around why the Design Requirements (DR) and/or Design Principle (DP) is not relevant e.g. DP 1.2 relates to obsolete driveway crossovers and there won't be an obsolete driveway crossover. This also speaks to the item raised by Norman Waterhouse where additional clarity is sought.

- Paragraph 3: the need for notification is quite hidden within the draft Design Standard, it is sought that this be a mandatory notification within the Portal, included in any notes on the decision notification form and that education and training with industry is undertaken by the Department.

Part 3 - Design Standard - 6.0 Scope of this design standard

- Query the rationale for 50 dwellings being the threshold as opposed to another threshold.

- Support that the draft Design Standard not be applied to residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection).

- Query the exclusion of residential development within the Hazards (Flooding-General) Overlay and Hazards (Flooding) Overlay of the Code. It is identified that any street carries water and suggest the exclusion needs to apply to any property on the low side of the road.

Part 3 - Design Standard - 7.0 Assessment Provisions

- *Design Requirement (DR) 1.0:*
    - No definition exists for indented car parking bay. This would benefit from having a definition given the multitude of indented parking bays that exist.
    - Definition of land owner, generally this will be council and people using this document need to be informed on who to contact. Alternate suggestion would be council land and definition to capture roads, footpaths, verge areas and reserves.
- *Design Principle (DP) 1.1 and DR 1.1* are missing.
- *DP 1.2:* seek inclusion of a mandatory condition to enable the enforcement of the closure of obsolete driveway crossovers.
- *DR 1.2(b):* amend as follows:
    - Obsolete driveways are returned to vegetated street **or rubble** verges and footpaths (or both) consistent with the pattern and form of the existing streetscape.
- *DP 1.4(b):* Pairing of driveways isn't considered, which can enable preservation of on-street parking, however, stormwater connection to road needs to be considered.
- *DP 1.4(d):* Missing a principle around street furniture, amenity. DP 1.4 partially considers the role of streets and the impact of crossovers on attaining a multitude of functions that the street serves.
- *DR 1.4(a):* Inclusion of not only street trees but also raingardens, feature landscaping.
- *DR 1.4(b):* Unsure what this is trying to achieve, the wording is unclear.
- *DR 1.4(d):* Landscape island, and rain gardens need to be captured.
- *DR 1.5(a):* Does not seek to maximise on street parking.
- *DR 1.5(b):* drawings TD-A, TD-C and DR 1.0 do not set a maximum width e.g., double adjacent a double or single. This can create a harsh environment for pedestrians.
- *DR 1.6***:** Table 1:
    - Additional inclusions:
        - Property boundary - 0.5 metres.
        - Rain gardens, vegetated islands, and significant trees.
    - Confirmation that distance refers to being measured at the road kerb alignment.
    - Query implications of a proposed double crossover adjacent and existing double crossover.
    - Stormwater pit is referred to as a side entry pit in diagram TD-C.

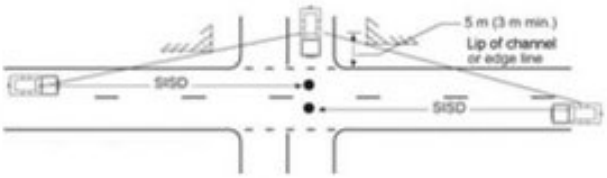
- Stobie pole, light pole increase from 0.5m to 1.0m.
- Suggest note 2 referenced incorrectly and that this is note 1.
- Stormwater outlet increase from 0.3m to 0.5m.
- Telecommunications or electrical pit (non-trafficable) need to check with service owner or increase from 0.5m to 2.0m without verification from owner.
- Pedestrian invert/kerb ramp increase from 0.5m to 1.0m.
- Traffic control device seeks 6.0m, does this include parking signs?
- Pedestrian activated crossing indicates clear of marked lines. What about other types of crossings e.g. koala crossings.

- *DR 1.6:* Notes:
  - Note 1: will AS 4970:2009 be publically available?
  - Note 2: why replicate definition of traffic control devices, this should be captured in definitions.
  - Seek an additional note capturing kerb road alignment.
- *DR 1.7:* Seek a DR 1.7(c) to capture inclusion of transition grade. Reference to relevant diagrams (TDF, TDG) needed in the DR.
- *DR 1.8:* This should reflect TD-A and DR 1.8 excludes single width driveways crossovers and should be subject to the same requirements based on width of road, setback to garage.
- *DR 2.1*: Draft for off street parking AS/NZS 2890.1.2023: Parking Facilities Part 1: Off street carparking. The draft AS/NZS 28.90.1:2023 is on consultation until November 2023, it proposes to increase the length of the B85 vehicle and will have impacts on car park dimensions.
- *DR 3.1:* Recommend that reference to AS 1428- Design for Access and Mobility is included.
- *DR 4.1:* seek capacity to refer applicant to contact council to attain specific design/construction details.
- *DP 5.2 and DR 5.2:* See comments relation to diagram TD-D and spelling error in DR 5.2, should refer to sightlines not site lines.

  Further to DP 5.2 and DR5.2, Council's consulting Traffic Engineer has identified the following:
  - There is a Table under ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** (see excerpt on the next page), which details the sight distance requirement for all developments, including dwelling developments.
  - In Column 2 (47m to 195m), there is a ‘concession’ in the form of a lesser sight distance requirement for lower traffic generating land uses (1-6 dwellings) compared to higher traffic generating land uses (all other developments).

(b) drivers approaching or exiting an access point have an unobstructed line of sight in accordance with the following (measured at a height of 1.1m above the surface of the road):

Speed Limit	Access point serving 1–6 dwellings	Access point serving all other development
40 km/h or less	47m	73m
50 km/h	63m	97m
60 km/h	81m	123m
70 km/h	100m	151m
80 km/h	121m	181m
90 km/h	144m	226m
100 km/h	169m	262m
110km/h	195m	300m



- To understand the reasoning behind allowing a lesser sight distance requirement above, reference is made to the Austroads *Guide to Road Design Part 4A.* In this design guidelines, the **Normal Design Domain** (NDD) approach provides the desirable values to use in the calculation of sight distance requirements. Under certain circumstances, the guidelines permit the **Extended Design Domain** (EDD) approach to be used, where less conservative values are used for the sight distance assessment. This does not imply that the EDD approach does not comply with the sight distance requirement. On the contrary, if the sight distance under EDD is met, it can be said that the sight distance has met the Austroads guidelines. In my experience, some of the circumstances that EDD could be considered for the assessment include the development of a very small number of dwellings (1 or several dwellings only) and where significant site constraints exist on the roadway (e.g. presence of significant/regulated trees on the verge, severe horizontal or vertical alignment of the roadway etc.).

- For the current Planning and Design Code Table above, Column 2 (47m to 195m) is based on the EDD sight distance requirements from the Austroads *Guide to Road Design Part 4A* and Column 3 (73m to 300m) is based on the NDD sight distance requirements from the Austroads *Guide to Road Design Part 4A.*

- Note that the Table on the previous page adopts less conservative sight distance requirements for low traffic generating land uses but does not distinguish between a State Maintained Road and a Local (Council) road.

It is understood from reading of the Draft standard, '*Design Standard for Residential Driveway Crossover*' *Attachment B* that the changes to the Planning and Design Code would only apply to *Part 4 – General Development Policies* in sub-sections: *Design, Design in Urban Areas, Housing Renewal* and *Transport Access and Parking*.

This raises the following concerns:

- **Consistency issue** - the sight distance requirements listed in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d) are not consistent with the sight distance requirements in ***DTS/DPF 5.1*** of the ***Urban Transport Routes Overlay***. In the context of the City of West Torrens, this inconsistency would be most apparent for residential developments on say Henley Beach Road (60 km/hr speed limit) as an example. In this instance, the applicant for a single dwelling would need to satisfy the sight distance of the ***Urban Transport Routes Overlay***, which is stated as 81m. On further assessing the application against *Part 4 – General Development Policies*, which would refer to the '*Design Standard for Residential Driveway Crossover*', the applicant would then note that the sight distance requirement listed under 5.2 (c) on a State Maintained Road is 123m.

  While I understand that the Overlay would take precedence over the General Development Policies, as a matter of principle, the sight distance requirements should be consistent across the Planning and Design Code.

- **Why the difference in sight distance requirements between a State Maintained Road and other roads** – The sight distances in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d) show that on State Maintained Roads, the sight distance requirement would be much greater. It is unclear why this is so, other than perhaps to account for risk factors where a State Maintained Road would typically carry much higher traffic volumes. I note that the sight distance assessment in the Austroads design guidelines does not have a distinction between roads maintained by the road authority or local roads maintained by Council.

  The differences can be seen from an example of say where a single dwelling development on Holbrooks Road (State Maintained Road) would require a sight distance of 123m. A similar single dwelling development on say Morphett Road (Council road), with similar characteristics to Holbrooks Road, would require a sight distance of 65m, which is approximately half that on Holbrooks Road. This seems to be a very inconsistent approach of assessment for roads with similar conditions, but which happens to fall under the responsibilities of different road authorities.

- **Which guidelines should be referenced for the sight distance assessment** – I note that the sight distance requirements in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) are derived from Table 3.2 of the Austroads *Guide to Road Design Part 4A* guidelines under the NDD conditions. However, the sight distance requirements in 5.2 (d) are derived from Figure 3.2 of AS/NZS 2890.1:2004 under the column of 'Minimum Stopping Sight Distance Requirement'. That is, two different guidelines have been adopted.

  I note that the guidelines AS/NZS 2890.1:2004 is proposed to be revised in the near future and from my review of the initial draft revisions, it would appear that the Figure 3.2 (which Section 5.2 (d) proposes to adopt) would likely be significantly changed. Given the anticipated revision of AS/NZS 2890.1:2004, this reference may not be relevant for much longer. At least in the ***Urban Transport Routes Overlay***, the sight distance requirements are referenced from a single guideline, i.e. the Austroads *Guide to Road Design Part 4A* and any future revisions would be more easily tracked.

In summary, there are concerns with the inconsistency aspects of the sight distance assessment, having regard to ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** and the sight distance requirements proposed in the '*Design Standard for Residential Driveway Crossover*' 5.2 (c) and 5.2 (d). There is also concern with the potentially wide differences arising from setting different sight distance requirements between State Maintained Roads and Council roads. The adoption of sight distances from AS/NZS 2890.1:2004 for 5.2 (d) is also of concern, given the likely changes to these guidelines in the near future and also the approach of referencing two different guidelines for the same sight distance assessment.

It is recommended that a consistent approach be considered and that a wider assessment of the Planning and Design Code be undertaken for the critical sight distance aspects rather than focussed solely on *Part 4 – General Development Policies.*

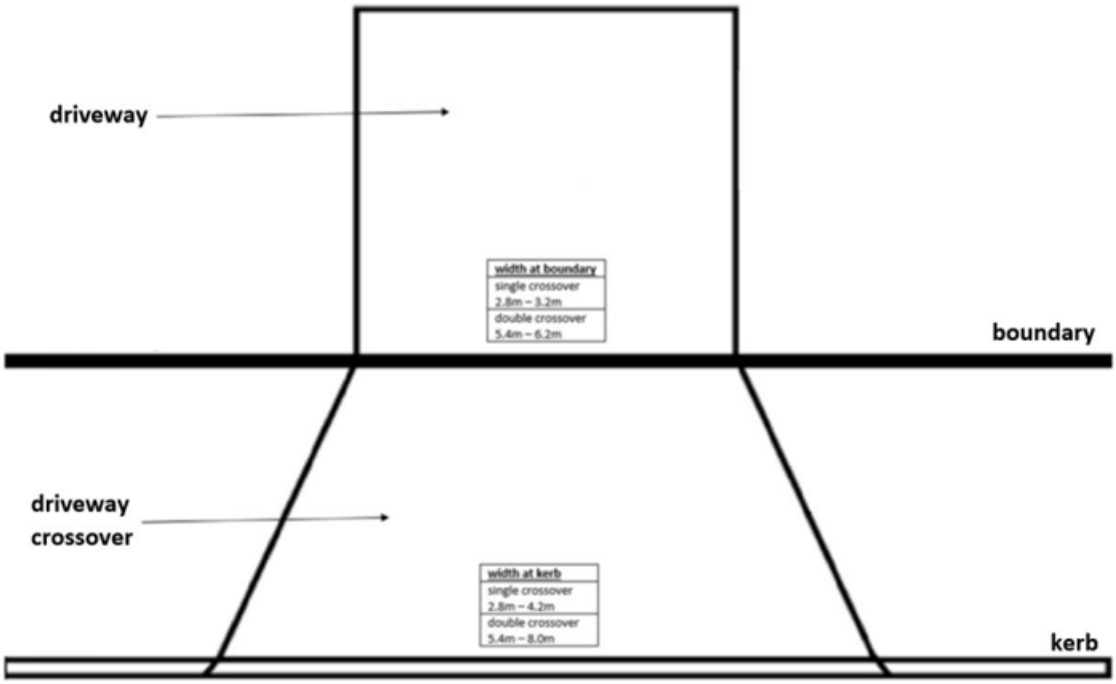
- *DP 6.1 and DR 6.1:* the DR and DP are too simplistic, particularly in cases where an adjoining neighbour may not have constructed the crossover in accordance or to Council's specifications suggest alternatives:

  - DP 6.1: Driveway crossover materials and colours match that used in the immediate streetscape.

  - DR 6.1: The colour and materials used in driveway crossover construction matches councils established design for the subject street.

Part 3 - Design Standard - 8.0 Technical Drawings

TD-A Urban driveway crossover widths- servicing one dwelling



- TD-A appears to have a sliding scale for the width at boundary and width at kerb which is not understood why. Key to this diagram is linking it to the road width to enable identification of appropriate width at kerb and boundary.

- The absolutely critical inclusion must be consideration of the width of road (which can include road verge on the subject property side) which is available adjacent to the driveway to enable appropriate turning manoeuvrability to enter and exit a driveway.

If width consideration is not included, particularly in association with single vehicle width driveways, the crossing place can become completely inaccessible when other vehicles are legally parked on the road adjacent to the crossing place.

The City of Port Adelaide Enfield standard detail sheet (SK1010), refer below extract, reflects an appropriate manner to determine the dimensionality requirements for driveway crossovers with consideration of road width. While there may be latitude for minor refinement of the widths which this detail, the scale of dimensionality and pattern of varying width as the adjacent road narrows is considered critical.

- This diagram also requires inclusion of access requirements for a laneway.

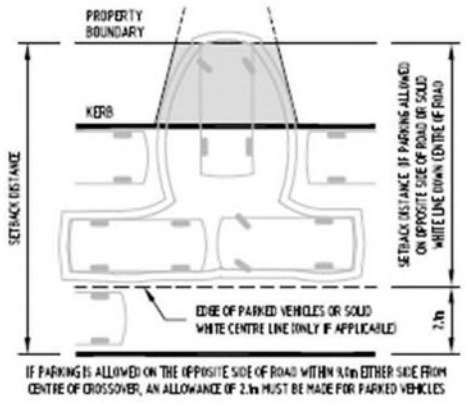
CALCULATING CROSSOVER DIMENSION:

TO DETERMINE CROSSOVER DIMENSIONS THE MAXIMUM SETBACK DISTANCE A VEHICLE HAS TO TURN INTO A SITE MUST BE DETERMINED. THIS IS SHOWN AS THE SETBACK DISTANCE IN THE DIAGRAMS BELOW.

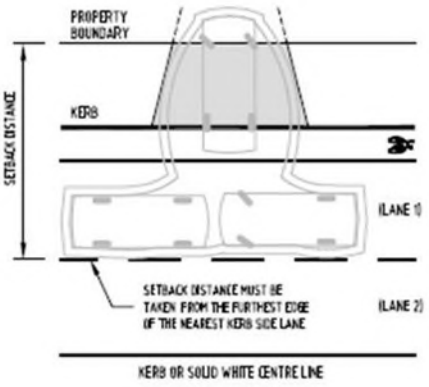
THE FOLLOWING STEPS MUST BE TAKEN TO DETERMINE CROSSOVER DIMENSIONS:

1. DETERMINE IF THE ROAD IS A LOCAL ROAD OR MULTI-LANE ROAD AND REFER TO THE RELEVANT DIAGRAM.
2. IF DEVELOPMENT IS ON A LOCAL ROAD, CONFIRM IF PARKING IS AVAILABLE ON OPPOSITE SIDE OF ROAD.
3. REFERRING TO THE RELEVANT DIAGRAM, TAKE MEASUREMENT FROM SITE AND CONFIRM THE APPLICABLE SETBACK DISTANCE.
3. CONFIRM WHETHER THE DRIVEWAY AND CROSSOVER IS TO ALLOW FOR ONE OR TWO VEHICLES (SINGLE OR DOUBLE).
4. WITH THE SETBACK DISTANCE AND NUMBER OF VEHICLES CONFIRMED, DETERMINE THE REQUIRED CROSSOVER DIMENSIONS FROM THE TABLE BELOW.

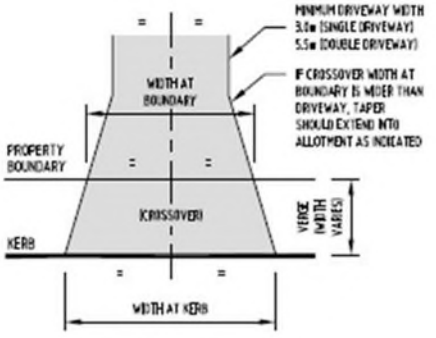
CROSSOVER DIMENSIONS PROVIDED IN THE TABLE BELOW ARE ONLY APPLICABLE TO DRIVEWAYS THAT ARE STRAIGHT WITHOUT BENDS AND ARE MIRROR IMAGE ABOUT THE CENTER LINE. DRIVEWAYS THAT ARE CURVED (E.G. TO AVOID OBSTRUCTIONS) WILL NEED AN INDIVIDUAL ASSESSMENT CARRIED OUT BY A QUALIFIED TRAFFIC ENGINEER TO DETERMINE THE REQUIRED DRIVEWAY AND CROSSOVER DIMENSIONS. SHOULD ALTERNATE CROSSOVER DIMENSIONS BE PROPOSED BY AN APPLICANT, THEY MUST BE VERIFED BY A QUALFIED TRAFFIC ENGINEER. CROSSOVERS PROVIDING ACCESS TO INDUSTRIAL OR COMMERCIAL PROPERTIES SHOULD BE ASSESSED INDIVIDUALLY.



LOCAL ROAD



MULTI-LANE ROAD

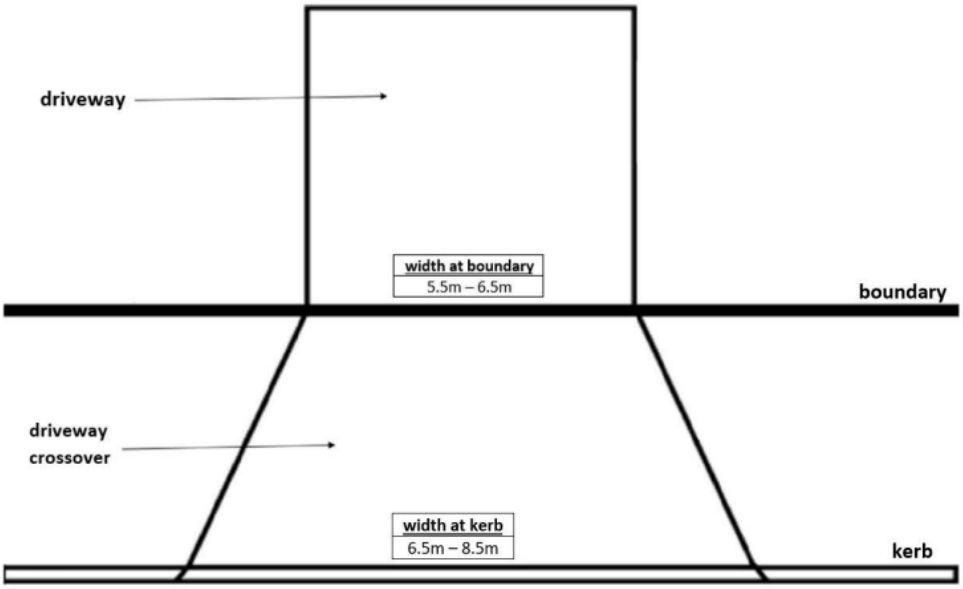


CROSSOVER SETOUT

RECOMMENDED CROSSOVER DIMENSIONS		
SETBACK DISTANCE	SINGLE DRIVEWAY	DOUBLE DRIVEWAY
WIDTH AT KERB		
ALL	5.0m	8.0m
WIDTH AT BOUNDARY		
3.00m - 3.49m	5.0m	8.0m
3.50m - 3.99m	5.0m	7.0m
4.00m - 4.49m	5.0m	6.6m
4.50m - 4.99m	5.0m	6.2m
5.00m - 5.49m	4.9m	6.0m
5.50m - 5.99m	4.8m	5.8m
6.00m - 6.49m	4.6m	5.7m
6.50m - 6.99m	4.3m	5.6m
7.00m - 7.49m	4.0m	5.5m
7.50m - 7.99m	3.5m	5.5m
8.00m >	3.0m	5.5m

The City of Port Adelaide Enfield standard detail sheet (SK1010)

TD-B Urban driveway crossover widths- servicing three (3) or more dwellings



- TD-B appears to have a sliding scale for the width at boundary and width at kerb which is not understood why. Key to this diagram is linking it to the road width to enable identification of appropriate width at kerb and boundary.

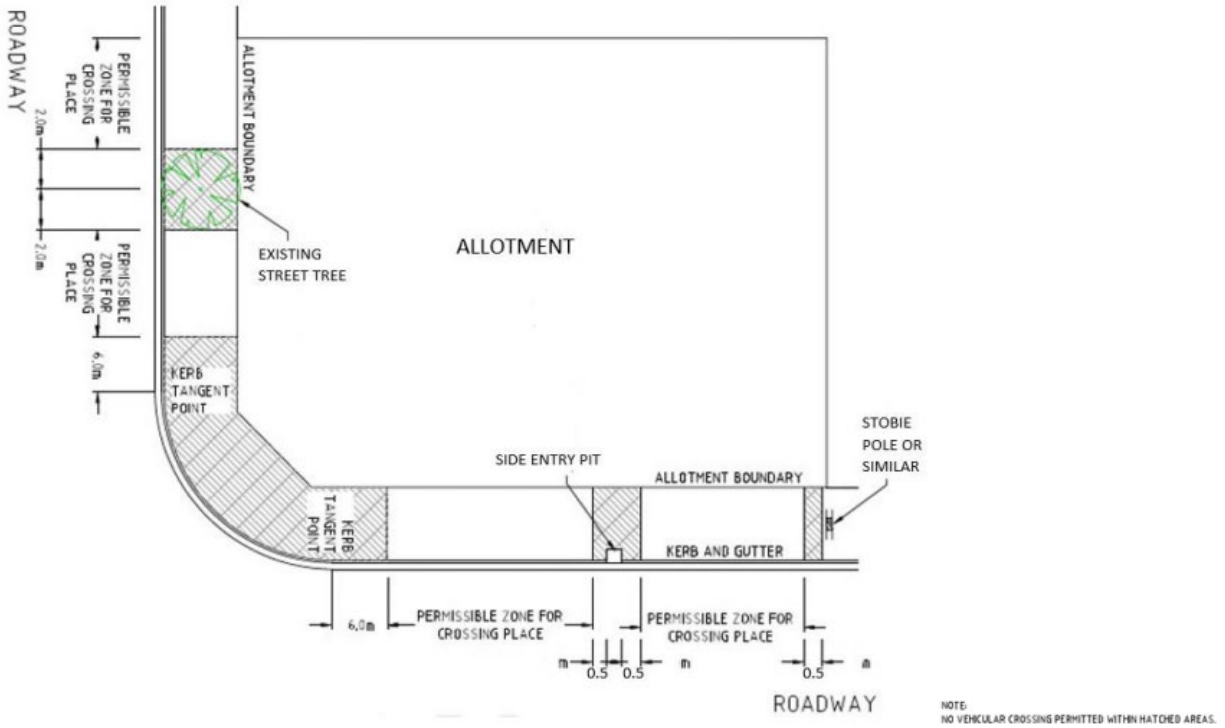
- The absolutely critical inclusion must be consideration of the width of road (which can include road verge on the subject property side) which is available adjacent to the driveway to enable appropriate turning manoeuvrability to enter and exit a driveway.

  If width consideration is not included, particularly in association with single vehicle width driveways, the crossing place can become completely inaccessible when other vehicles are legally parked on the road adjacent to the crossing place.

  The City of Port Adelaide Enfield standard detail sheet (SK1010) reflects an appropriate manner to determine the dimensionality requirements for driveway crossovers with consideration of road width. While there may be latitude for minor refinement of the widths which this detail, the scale of dimensionality and pattern of varying width as the adjacent road narrows is considered critical.

- This diagram also requires inclusion of access requirements for a laneway.

TD-C Urban Driveway Crossover Locations

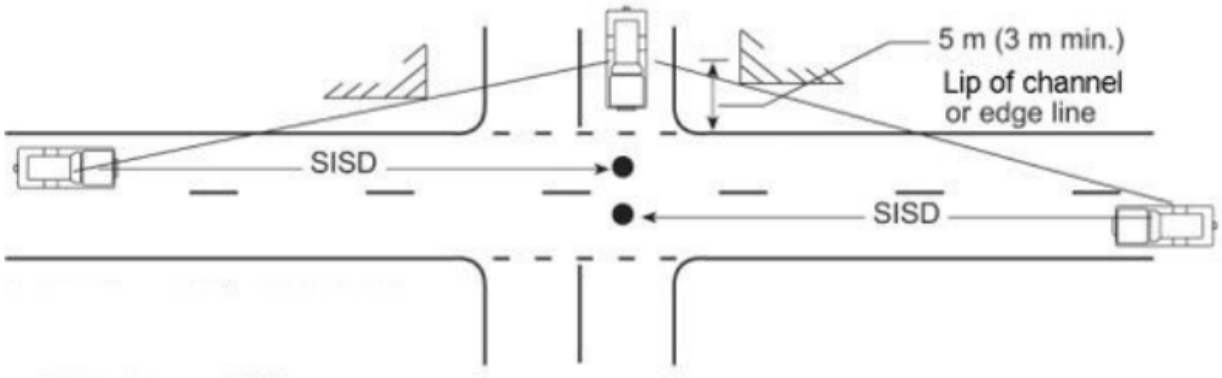


- On review of TD-C a number items are put forward for consideration and that also seek alignment with suggestions put forward for DR 1.6 Table:

  - 1.0m shown either side of the side entry pit

  - Ensure consistency between DR 1.6 Table

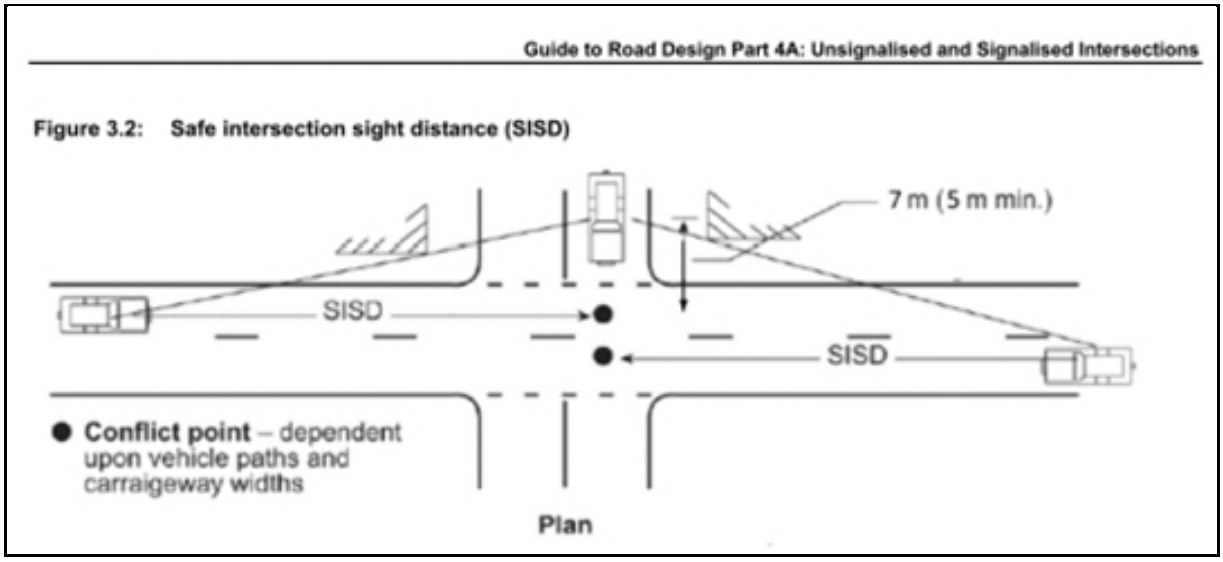
TD-D Sightlines



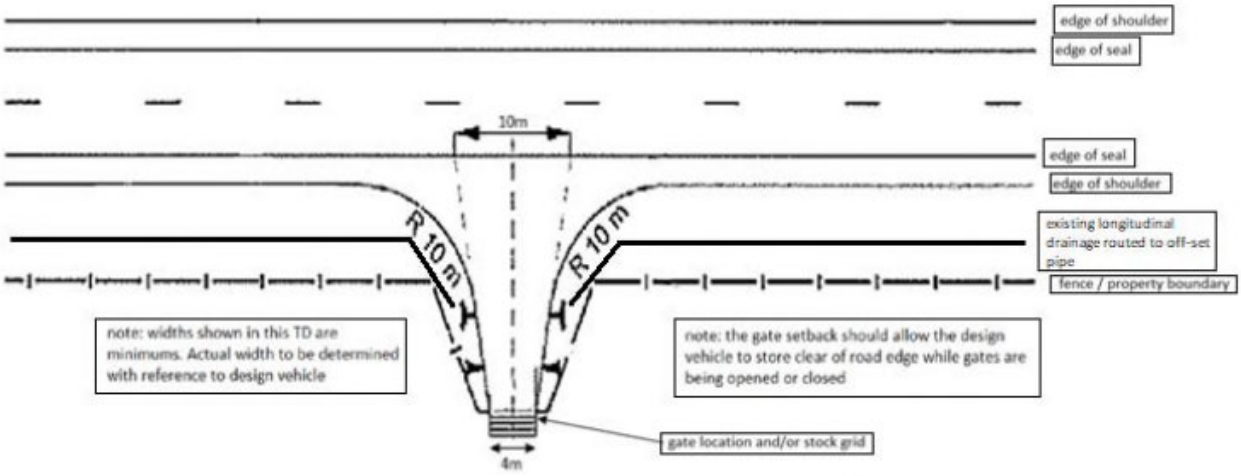
- The **TD-D diagram** above for the draft Design Standard was originally adopted from the Austroads *Guide to Road Design Part 4A* guidelines. This sight line figure has recently been updated in the Austroads *Guide to Road Design Part 4A 2023*, with a subtle change to the positioning of the exit vehicle for the assessment.
  Previously the setback distance was measured from the alignment of the kerb. The setback distance in the 2023 revised guidelines is now measured from the centre of the left-hand side lane (see below).

- The **TD-D diagram** should be updated to reflect the figure in the Austroads *Guide to Road Design Part 4A 2023* to achieve consistency.

Updated diagram in Austroads guidelines below:

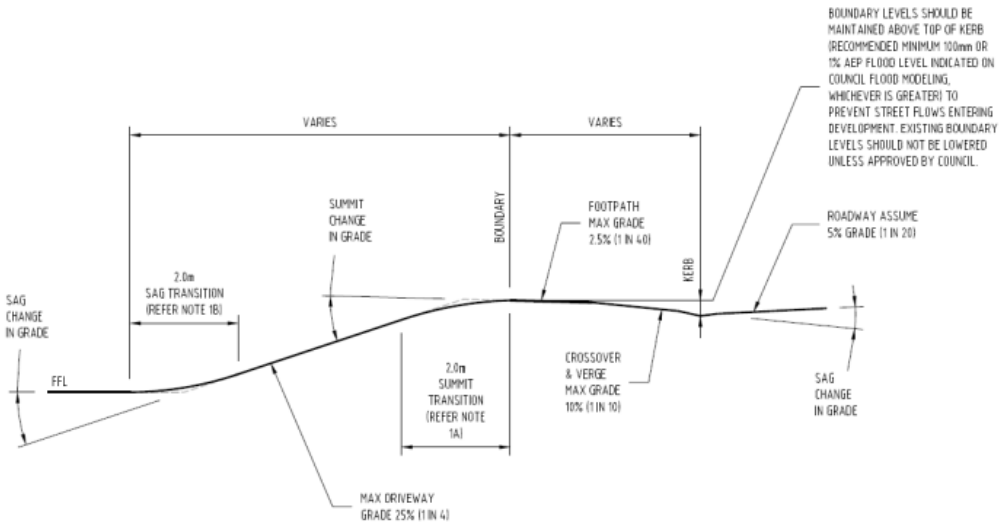


TD-E Rural Property Access- un-kerbed road >80km/h



- No comment to be made on TD-E due to its lack of relevance to West Torrens.

TD-F Driveway crossover grades- allotment lower than the road

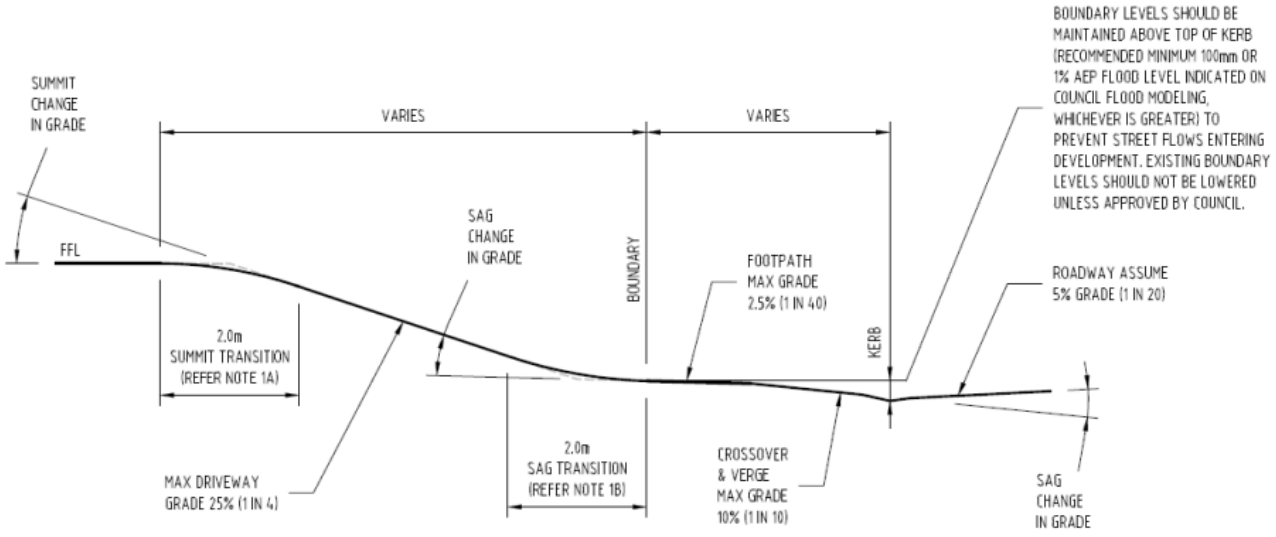


TECHNICAL DRAWING TD3: MAXIMUM CROSSOVER & DRIVEWAY GRADES
(ALLOTMENT LOWER THAN ROAD)

NOTES:
1. WHERE A PROPOSED DRIVEWAY AND CROSSOVER CANNOT MEET THE ABOVE REQUIREMENTS, OR ALTERATIONS TO THE VERGE ARE REQUIRED THAT DO NOT COMPLY WITH THE REQUIREMENT OUTLINED ABOVE, THE DESIGN STANDARD APPROACH CANNOT BE USED.
2. 2.0m TRANSITIONS SHALL BE PROVIDED WHERE INSTANTANEOUS CHANGES IN GRADE EXCEED:
   (A) AT SUMMIT LOCATIONS: 15% (1 IN 6.7).
   (B) AT SAG LOCATIONS: 12.5% (1 IN 8).
   EXAMPLE CHANGE IN GRADE CALCULATION:
   25% (DRIVEWAY GRADE) SUBTRACT 2.5% (FOOTPATH GRADE) = INSTANTANEOUS CHANGE IN GRADE 17.5% THEREFORE TRANSITIONS REQUIRED.
3. DRIVEWAY GRADES ABOVE HAVE BEEN DEFINED IN ACCORDANCE WITH AS2890.1:2004.

- Reference to TD3, when it has been put forward as TD-F Driveway crossover grades- allotment lower than the road.
- Incorrect assignment to note for 2.0m SAG transition.
- Incorrect assignment to note for 2.0m Summit transition.

TD-G Driveway crossover grades- allotment higher than the road

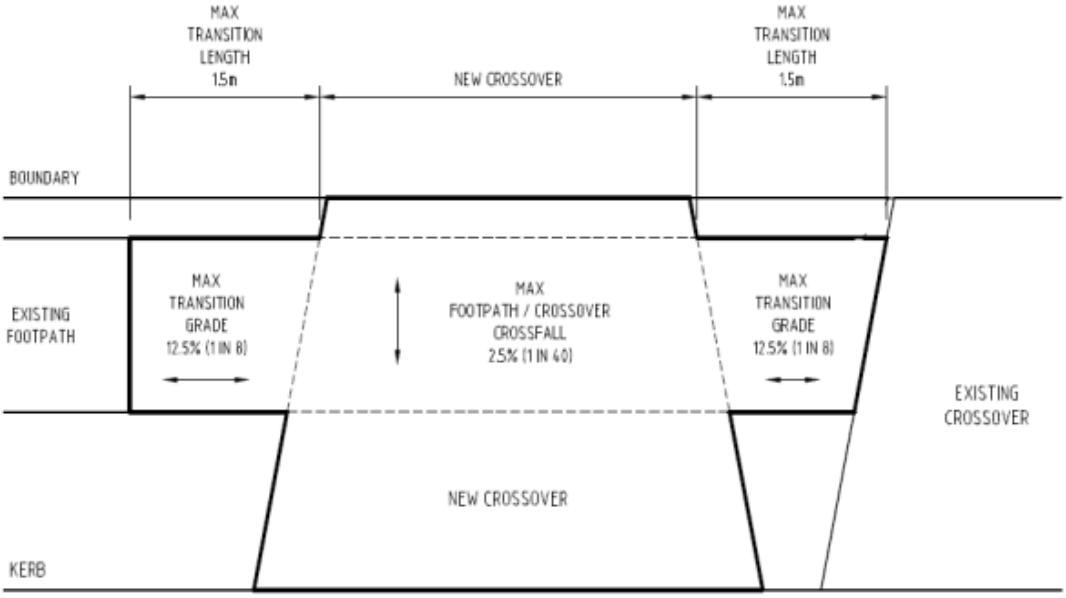


TECHNICAL DRAWING TD2: MAXIMUM CROSSOVER & DRIVEWAY GRADES
(ALLOTMENT HIGHER THAN ROAD)

- Reference to TD2, when it has been put forward as TD-G Driveway crossover grades- allotment higher than the road.

- No notes provided, although diagram refers to notes.

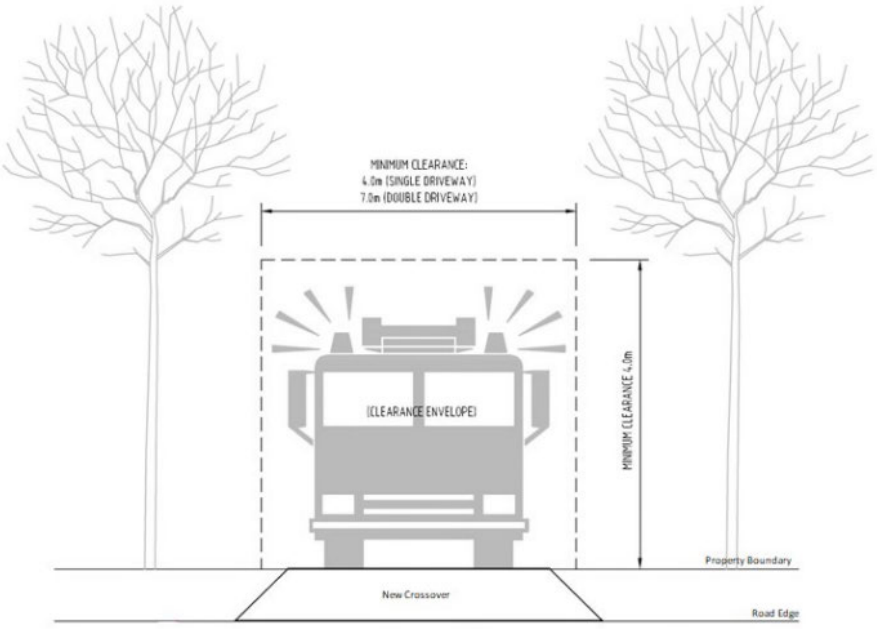
TD-H Footpath transitions and crossfalls



- Two-way arrow shown for max footpath/crossover crossfall. This should be a one way (down) arrow.

- Recommend that reference to AS 1428- Design for Access and Mobility is included.

TD-I Requirements for crossovers in high bushfire risk areas



- No comment to be made on TD-I due to its lack of relevance to West Torrens.

Recommendation

It is recommended that the items identified by Norman Waterhouse and Administration as highlighted above be included in Council's submission to help provide appropriate understanding of the Design Standard and its process.

These comments and queries are intended to assist in fine tuning and ensuring that there is limited scope for misinterpretation of the draft Design Standard if it is to be adopted.

Further suggestion would be to Invite DTI and the Commission to undertake a site visit of examples within West Torrens where negotiation with applicants has seen improved outcomes for the street.

Code Amendment

The Code Amendment seeks to modify existing provisions under the General Development Policies to take into account the operation of the Design Standard (if adopted).

Those policies affected include the 'Design' and 'Design in Urban Areas' policies, the 'Housing Renewal' policy and the 'Transport, Access and Parking Policy', where those policies already address matters relating to driveway crossovers. Existing DTS/DPF policies will be modified to include reference to the Design Standard, such that compliance with the Design Standard will result in compliance with the relevant DTS/DPF provision/s.

An obvious difficulty arises in circumstances where a relevant authority grants a planning consent that is at variance with the Design Standard. In this scenario, there would seem to be a legislative disconnect between s221 of the LG Act on the one hand, which says that no further permission under the LG Act is required and s234AA on the other hand, which says that the Design Standard **must** be complied with. In these circumstances, to avoid administrative confusion, it would seem that the Design Standard is missing an important mechanism that may allow variances from the Design Standard to occur where there is concurrence from the Council or the CEO.

Recommendation

It is recommended that a mechanism be implemented to allow variance from the Design Standard where there is concurrence from the Council or the CEO.

The Code Amendment appears to be quite a simple Code Amendment, it inserts text to enable the Design Standard to be considered in assessment. On review of the draft Design Standard there were some components that would benefit being expanded into Code policy more broadly to achieve a consistent and improved outcome on what the Code currently delivers.

Other Considerations

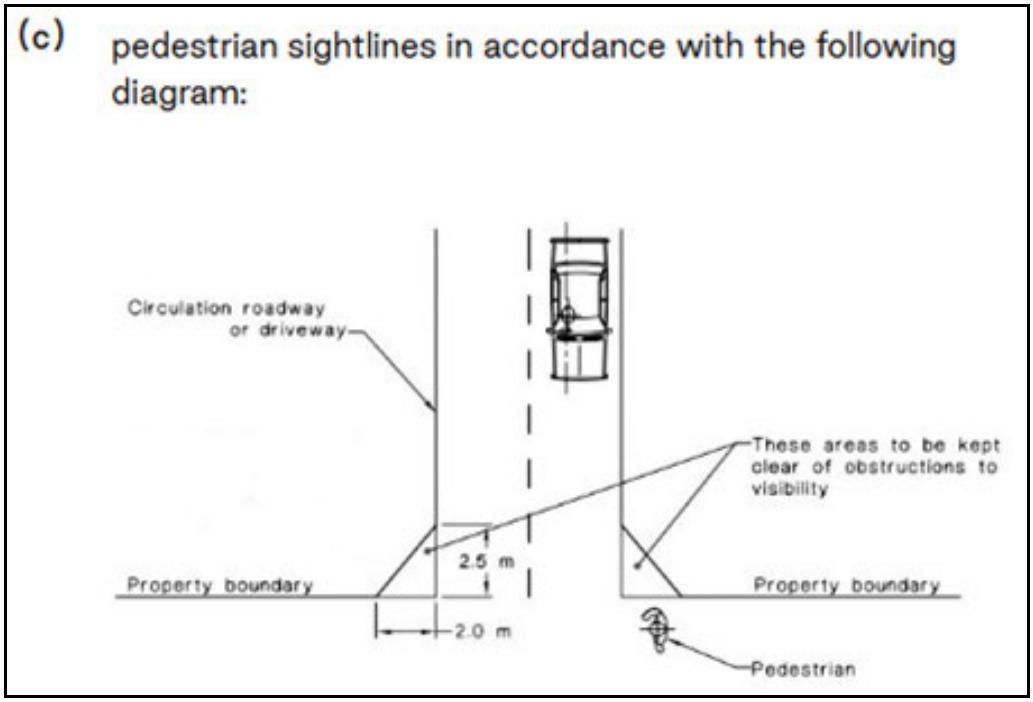
- *Pedestrian Sightlines*

  Council's consulting Traffic Engineer has identified the following:

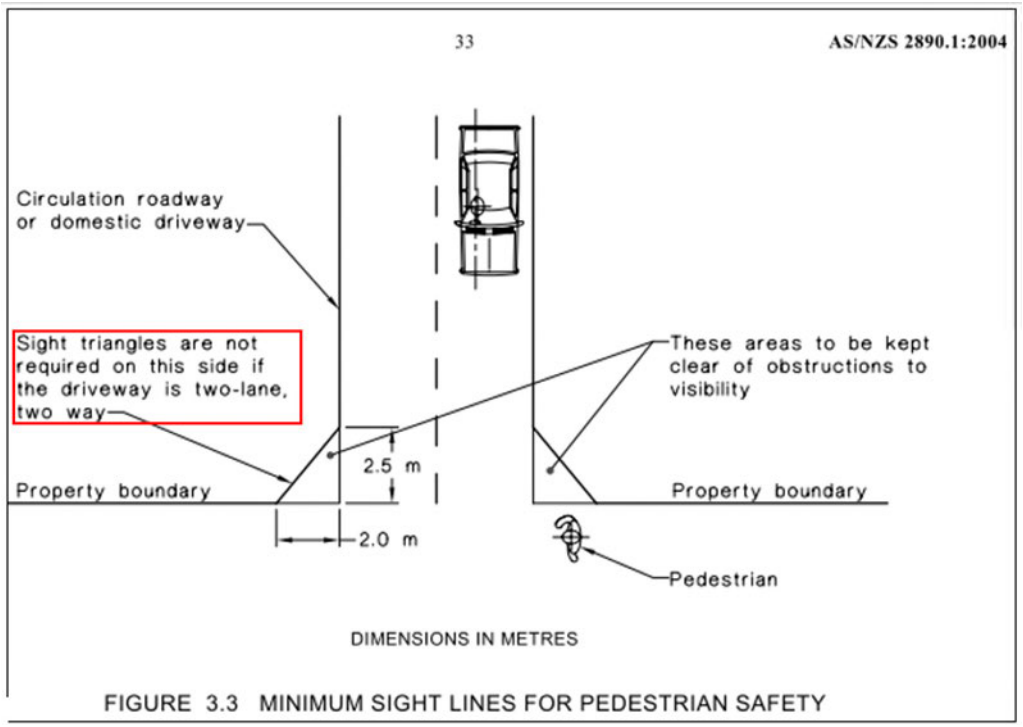
  Pedestrian sight line is a critical requirement when we assess multiple dwelling developments, particularly for group dwellings and residential flat buildings. We normally require the pedestrian sight triangle to be met for vehicles exiting the site. As a consequence of this, the car park driveways for these larger developments would typically be required to be set back at least 2m from the adjoining boundary to satisfy the pedestrian sight triangle. This requirement is reflected in ***PO 5.1, DTS/DPF 5.1*** in the ***Urban Transport Routes Overlay*** (see excerpt below).

  We have many large residential developments that are not on State Maintained Roads and therefore the ***Urban Transport Routes Overlay*** would not be relevant.

One example is Walsh Street, Thebarton. Similar to vehicular sight distance requirements, it is recommended that the pedestrian sight line requirement should also be included in the standard.



As a separate comment, the above figure in the Planning and Design Code for the pedestrian sight line is a derivation from Figure 3.3 of AS/NZS 2890.1:2004 (see below). I believe that the Planning and Design Code diagram is incorrect. The Figure from AS/NZS 2890.1:2004 states that if it is a two-way driveway, the pedestrian sight triangle on the right-hand side of the exit driver is not required, because the entry lane already provides the 'clearance distance' to view the approaching pedestrian, which is a logical observation.



- *AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking*

  Currently there is a draft AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking. This is to replace AS/NZS 2890.1:2004 is noted as pending revision. Draft AS/NZS 2890.1:2023 contemplates the following:

  B99

  - overall length has increased by 200mm (from 5.2m to 5.4m).
  - overall width has increased by 160mm (from 1.94m to 2.1m).
  - The minimum turn radius remains the same (6.35m).

  B85

  - The overall length remain the same (4.91m to 4.9m).
  - overall width has increased by 30mm (from 1.87m to 1.9m).
  - The minimum turn radius remains the same (5.8m).

  With the above proposed changes, the following have also been observed in the draft standard:

  - Parking space envelope has been lengthened to 5.6m (from 5.4m). This change is also applicable to all angled parking and parallel parking (with parking length increased by 100mm to 200mm).
  - Space width remains the same as current standard (no change).
  - Aisle width remains the same as current standard (no change).
  - Single width garage door width increased by 100mm (from 2.4m to 2.5m).
  - For enclosed garage/carport, the minimum length should be:
    - 5.8m where pedestrian access **is not** required from one side of the space to the other (currently best practise requested for 5.8m for pedestrian access - calculated from 5.4m + 200mm on both ends).
    - 6.2m where pedestrian access **is** required from one side of the space to the other.

  The changes highlighted above will need to be considered in the conjunction with the draft Design Standard and how the both the Code and the Design Standard currently reflect parking dimensions. If the draft AS/NZS 2890.1:2023 Parking facilities, Part 1: off-street car parking is adopted there will be conflict between the planning assessment and compliance with best practice.

- *Technical Expertise*

  The draft Design Standard is highly technical and refers to a number of specialist fields, for which this document is not intended to be used by e.g. traffic engineer, arborist with cross reference to AS 4970:2009. It is fair to say, the expertise required to undertake the assessment required for driveway crossovers may be beyond the competency of many accredited planning professionals. There is a risk that the implementation of the draft Design Standard will see some unusual decisions made at the detriment of the streetscape and function of the street.

- *Impact to Street Trees*

  There is concern that there will be unnecessary loss of street trees due to the blanket 2.0 metre offset from driveway crossovers. In actuality, the offset from driveway crossovers varies based on a number of considerations including age, species, site conditions that impact on trees which the draft Design Standard does not factor in the offset.

  Another key consideration is the impact on a trees structural root zone (SRZ), which when impacted on from excavation (as needed in the construction of driveway crossovers) can be detrimental to the health or fatal to trees. Tree roots should be treated with the same level of care as any other underground service to ensure canopy cover targets, liveability are met and to retain as many trees as possible.

  Of note, street trees are increasingly under pressure to not interfere with overhead powerlines, not impact on underground services and provide enough clearance for pedestrians, post office buggies and bin collection. These pressures mean street trees don't grow to their full height and can inhibit their ability to achieve great canopy cover. Such limitations on growing characteristics will also act to reduce the biodiversity of trees and the life forms they help sustain through limiting the species that may be appropriate in suburban environments.

Recommendation

It is recommended that the above points form part of Council's submission to flag other investigations that are underway that will likely impact on the draft Design Standard and Code Amendment.

Acknowledgement of the demand on the public realm to achieve multiple outcomes such as pedestrian accessibility and amenity, bin collection, traffic management, on-street parking, amongst other aims is well understood. The draft Design Standard and the Code Amendment has the potential to unintentionally work against the attainment of increased tree canopy and urban cooling.

Climate Impact Considerations

(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)

Appropriate policy implementation has the ability to promote a climate resilient built form.

Conclusion

Based on the information available to Administration it is *considered that the draft Residential Driveway Crossovers Design Standard and Code Amendment* has some fundamental issues to the implementation of the Design Standard at a high level as highlighted in this report. On the whole, the implementation of this Design Standard needs to more clearly demonstrate that it:

- achieves a better outcome for all stakeholders;
- delivers a process that is more refined than the current process;
- will not create costly outcome at later stage e.g. through rectification of works undertaken, loss of tree canopy and car parking or misinterpretation of policy of a highly specialised and technical nature; and
- will not result in increased tension and conflict on the street.

At a low level, the intent of the draft Design Standard is admirable, but the designated instrument needs some further considerations to help reduce misinterpretation.

This report presents items for further clarification and consideration from the Designated Entity on the draft *Residential Driveway Crossovers Design Standard and Code Amendment*. It is recommended that the content of this report be provided as feedback to PlanSA as Council's feedback on this consultation.

Attachments

1. **Preparation of a Design Standard - Amendment to the Planning and Design Code (under separate cover)**
2. **Engagement Plan - Design Standard for Residential Driveway Crossovers (under separate cover)**
3. **Frequently Asked Questions - Draft Design Standards for Residential Driveway Crossovers (under separate cover)**

14 November 2023
Our ref: 6068087

CITY OF ONKAPARINGA

Matthew Henderson
Senior Planning Officer
Planning and Land Use Services
Department for Trade and Investment

via email PlanSA@sa.gov.au

Dear Matthew

Thank you for the opportunity to provide comment on the draft Residential Driveways Design Standard and Code Amendment.

We have reviewed the draft design standard for residential crossovers and offer our in-principle support. However, we have identified several areas of concern as outlined below, which we would like addressed:

- minor variations and impact to council assets
- notification of works and right of council to object
- agreement of street tree / traffic control owner prior to consent / approval
- standard for driveway crossover / invert widths and loss of on-street carparking
- minimum separation distance to street trees (non-regulated and regulated), and
- driveway crossover gradients in sloping land.

Please find attached to this letter our more detailed comments.

We welcome further opportunities to work with Planning and Land Use Services to prepare the design standard for residential crossovers.

Should you have any questions, please contact Craig Jones, Senior Development Policy Planner on [redacted] or [redacted]

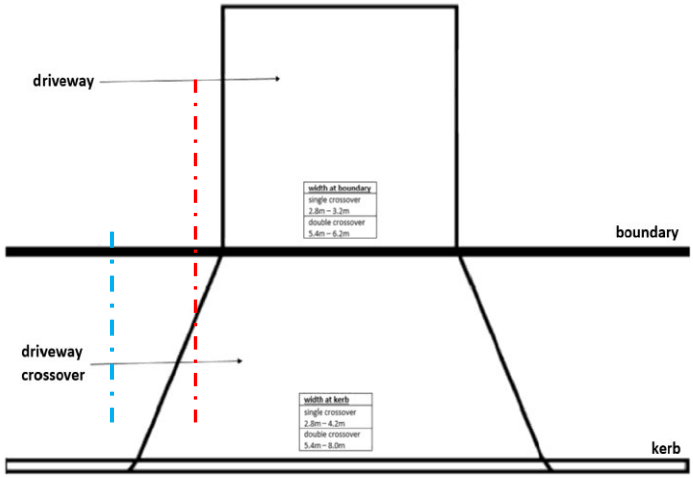
Yours sincerely

Renée Mitchell
Director Planning & Regulatory Services

Inc City of Onkaparinga submission: Design Standard for Residential Driveway Crossovers

CITY OF ONKAPARINGA SUBMISSION TO THE DESIGN STANDARD FOR RESIDENTIAL DRIVEWAY CROSSOVERS	
Design Standard	
Issue	Comment
Application of Design Standard by Accredited Professionals **Design Standard** **Part 2 – Compliance** In order for a development proposal to have complied with a Design Standard, the Relevant Authority must be satisfied that all relevant Design Requirements and Design Principles are met. For the avoidance of doubt, the relevant authority may determine that one or more of the Design Requirements and/or Design Principles policies are not relevant to a particular development. Notwithstanding that a development proposal may be taken to comply with this design standard, a person having the benefit of a development authorisation that involves construction works on land owned by a Council must notify the Council at least 10 business days in advance that they intend to undertake the proposed works.	Through the Accredited Professionals Scheme, an accredited professional can be engaged as the relevant decision-maker for certain applications during the assessment process. Once accredited, they can assess 'deemed-to-satisfy' developments, this includes the assessment of one or more minor variations to the deemed-to-satisfy criteria. Whilst they 'must' comply with the Accredited Professionals Code of Conduct, we see and experience the issues and impacts of where 'minor' variations have been allowed. We have significant concerns that accredited professionals may elect to consider a matter a minor variation to the Design Standard where council would not. Likewise, an accredited professional is not likely to have access to the same level of information and expertise that local government has, which then can result in decisions with adverse impacts to the public realm. For example, a variation to **Footpaths Design Requirement 3.1** and **Technical Drawing-H** could result in non-compliance with the Disability Discrimination Act. Council would receive and respond to any complaint, however as an approved development by an accredited professional, councils have no real avenue to take legal proceedings. Councils would therefore be expected by the community to action remedial works at its cost. A council should have the ability to recover cost as a result of poor decision making by an accredited professional. Similarly, as invert / crossover locations can severely impact council assets, council should have the right to object and ideally overrule any decision on driveway invert locations where they impact a council asset. We note that notification to council is required at least 10 business days prior to any works. No information has been provided as to how an applicant must notify council and in what form. It is

	also unclear whether the work affecting a council asset can or cannot be undertaken until Development Approval is granted. We request that these issues be addressed, clarified and resolved with local government input prior to the operation of the Design Standard.
Assessment Provisions	
Issue	Comment
Design Requirement 1.4 (a) / (d) Driveway crossovers satisfy the following: (a) driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, removed or replaced. (d) driveway crossovers do not result in the removal or alteration of traffic control devices unless an agreement is made with the owner of the traffic control device for it to be relocated, removed or replaced.	We note in both (a) and (d) reference is made to 'an agreement is made with the owner' in relation to the removal of street trees and traffic control devices. We request that the Design Standard includes the obligation on the accredited professional and/or applicant that any agreement must be reached before a planning consent and design standard is granted. No information has been provided as to how an applicant must obtain the owner's agreement and in what form and how this is recorded against the property. We request that these issues be addressed, clarified and resolved with local government input prior to the operation of the Design Standard.
Design Requirement 1.5 and Technical Drawing-A and Technical Drawing-C Driveway crossovers satisfy the following: (a) sites with a frontage to a public road of 10m or less, have a single-width driveway crossover that complies with **TD-A** and is no more than 3.2 metres in width at the property boundary (b) sites with a frontage to a public road of greater than 10m may have a double-width driveway provided that the driveway crossover complies with **TD-A**, **TD-C** and **DR 1.0**	Within the City of Onkaparinga, the General Neighbourhood Zone is our largest residential area. Site Dimensions and Land Division DTS/DPF 2.1 prescribes a minimum site frontage of 9m. Onstreet parking is an ongoing issue with the City of Onkaparinga, in particular in areas where infill or medium density housing is envisaged. We regularly receive complaints from our community about parked vehicles obstructing access to their properties. Noting that a single driveway of 3.2m is Deemed to Satisfy and the Design Standard prescribes a single driveway crossover width of 4.2m at the kerb; taking half of the 4.2m crossover 'flare' sees an additional 0.5m width at the kerb, meaning the driveway width plus the driveway crossover flare takes up 3.7m - assuming the driveway is sited on the side boundary, which totals only 5.3m. Of note, where there is an up-right kerb, an invert taper of 0.45m is also needed. **The Australian Standard for onstreet parking for vehicles requires a minimum 5.4m.**

	The Australian Road Rules under the *Road Traffic Act 1961* in section 198—Obstructing access to and from a footpath, driveway etc prescribes that a 'driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land'. A driver is considered to have stopped on or across a driveway, if any part of the vehicle is on or across the driveway. We have received legal advice that the definition of 'driveway' is taken from the red dashed line shown below. Based on this legal advice, a vehicle parked passed the blue line but not the red line has not infringed the Australian Road Rules. However, from our experience, the community expectation is there should be no parking past the invert and/or flare of the driveway crossover.  We have substantial concerns with the permitted 'flare' of the crossover at the kerb and note this will result in the likely loss of onstreet parking or ongoing complaints to council on vehicles obstructing access to the driveway. A similar situation occurs with double driveways on sites that are close to the 10m (or more) frontage mark. On this basis, the driveway crossover for **any site less than 15m frontage** should not be flared.
Design Requirement 1.5 Driveway crossovers satisfy the following: (b) sites with a frontage to a public road of greater than 10m may have a double-width driveway provided	In Part 4 of the Code, Design in Urban Areas DTS/DPF 23.3 Driveways and access points satisfy (a) or (b): (b) sites with a frontage to a public road greater than 10m:

that the driveway crossover complies with TD-A, TD-C and DR 1.0	have a maximum width of 5m measured at the property boundary and are the only access point provided on the site: We note in Attachment B – Summary of Affected Code Policy, it retains reference to 5m, on this basis Design Requirements 1.5 (b) should be amended to reflect the Code.
Design Principle 1.6 Driveway crossovers are designed and located to minimise impacts on, and potential for damage to, common infrastructure and street trees, including Regulated trees.	We accept that wording such as 'minimise impacts' and 'potential for damage' is appropriate terminology for common infrastructure, however, we consider that using terminology as 'designed and located to ensure preservation of street trees' is more appropriate for a living organism. On this basis, we suggest the wording be amended as '*Driveway crossovers are designed and located to preserve street trees, including Regulated trees, within the landscape and minimise impacts on, and potential for damage to, common infrastructure'.*
Design Requirement 1.6 Driveway crossovers are located in accordance with **Table 1** and **TD-C** Street tree (non-regulated) 2.0m Street tree (regulated) Note 2* Notes: 1 Tree protection radius in accordance with AS 4970:2009 * the designation of the notes is incorrect.	The proposed separation distances for street trees particularly for unregulated trees raises concern. Given the number of exemptions, non-regulated trees can in fact be larger than Regulated trees and require a larger area of protection (eg a 3.0m circumference 'Oak tree' within 10.0m of a dwelling is exempt and therefore non-regulated however to ensure its health it requires a greater area of protection than a 2.0m circumference 'Willow Myrtle' (Regulated)). The Structural Root Zone is essential when it comes to stability; if the tree experiences loss of any roots in the Structural Root Zone its overall stability will be compromised, and it can become unstable to the point of collapse - it is imperative that the tree's structural root zone integrity isn't compromised due to the proposed works. Any trafficable area across the root zone should require alternative construction method to avoid permanently compacting the soil, which removes air and the ability of water to seep into the soil, ultimately compromising the health of the tree. As previously noted, where 'minor variations' are allowed in relation to street trees, having a driveway crossover less than 2.0m will impact the health of that tree. We request that the Design Standard adopt a requirement that trees with a trunk circumference of

	1.0m at 1.0m above natural ground level have a minimum 2.0m, and further support our position that any variation to the 2.0m minimum separation can only be approved by the street tree owner. Another concern relates to pruning - protecting a tree's crown from excessive pruning is missed within the distance of separation. Based on our experience, a tree in close proximity to a driveway is regularly subjected to pruning, either through a request to council or without our consent. Given the urgent need to increase our urban tree canopy, in many areas where infill and smaller housing lots are permitted, it is only street trees that contribute to the urban tree canopy. We request that additional Design Principle wording be included to prescribe that the driveway crossover design and location must consider the pruning requirements. This can be supported with an addition to the notes that '*Pruning of any tree that cannot be undertaken in accord with the Australian Standards 4373-2007 'Pruning of amenity trees' will require additional separation*'. In addition, sites with narrow frontages should be constructed with paired crossovers to minimise conflict and retain verge space for street trees (and other matters such as lighting, overhead power and onstreet parking).
Design Principle 1.7 Driveway crossovers on sloping land are designed and constructed to allow safe and convenient access and egress to the corresponding development site. **Design Requirement 1.7** Driveway crossovers on land with a gradient exceeding 1 in 8 satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway crossover	**TD-A** and **TD-B Urban driveway Crossover Widths** correctly notes that the 'driveway crossover' is between the kerb and property boundary, and a 'driveway' is internal to the site. In **TD-F Driveway Crossover Grades – allotment lower than the road** and **TD-G Driveway Crossover Grades – allotment higher than the road**, both drawings indicate that between the 'kerb and boundary' i.e. the 'driveway crossover', the crossover and verge should be a maximum grade of 10 percent (1 in 10). Whereas **Design Requirement 1.7**, states Driveway crossovers on land with a gradient exceeding 1 in 8 satisfy (a) and (b): do not have a gradient exceeding 25% (1-in-4) at any point along the driveway crossover. AS 2890.1 Sections 2.6 and 3.3 indicate a maximum crossover gradient of 5 percent unless it crosses a footpath in which case 2.5 percent is indicated. Any

	crossover grades outside of what is indicated in AS 2890.1 needs appropriate assessment. As such this Requirement should be amended to refer to only the '**driveway**' or alternatively part (a) is amended to: do not have a gradient exceeding 10 percent* (1-in-10) at any point along the driveway crossover. * the drawing indicates a max grade in the verge of 10 percent (outside of the footpath) this is not in accordance with AS2890.1 which indicates **5 percent**.
Technical Drawing-D	We note this is not the latest version of this diagram from Austroads Guide to Road Design 4A. The latest version should be applied.
Technical Drawing-F & Technical Drawing-G	Given the site specific / individual driveway profile for any property access, we are somewhat concerned that a technical drawing has been added to the design standard. Crossover profiles are impacted by: • existing property, verge and road gradients • width of the verge • position and level of the existing footpath • proposed level difference and distance between the existing road and proposed vehicle parking location. Where existing allotment falls are 1 in 8 or greater (i.e. either side to side or front to back), we strongly believe that the design should undergo an assessment by a qualified and appropriately experienced professional. We also note that in TD-F, the summit / sag grade changes indicated in note 2 are around the wrong way (i.e. summit should be 12.5 percent, sag 15 percent). Likewise, the example given to calculate the grade change is incorrect. As the driveway and the crossover / verge fall in different directions the change in grade is +25 percent minus -2.5 percent, resulting in 27.5 percent not 17.5 percent. The drawing indicates a max grade in the verge of 10 percent (outside of the footpath) this is not in accordance with AS2890.1 which indicates 5 percent. The drawing appears to show the level of the boundary being level with the top of kerb, whereas it

	should be shown slightly higher than the top of the kerb (as stated in associated boundary level note).
Technical Drawing-H	We support this drawing being included in the design standards.

File:
Doc:

14 November 2023

State Planning Commission
Planning and Land Use Services
Department for Trade and Investment
GPO BOX 1815
ADELAIDE SA 5001

By e-mail: PlanSA@sa.gov.au

Dear Sir/Madam

Re: Design Standard for Residential Crossovers Consultation Response – Alexandrina Council

We wish to thank you for the opportunity to provide feedback in relation to the proposed new Residential Driveway Crossover Design Standard (Design Standard) for residential driveway crossovers.

We support the key messages in promoting how a development should interact with the public realm and infrastructure, in the earlier stages of the planning assessment process, and which also complements planning policy within the Planning and Design Code. Council generally supports the creation of a Design Standard for crossovers, as this will seek to streamline the development process. We welcome the level of detail and the practical design-based scenarios that are depicted, detailing the technical site planning and design standards which can only better support existing practices and standards for the construction of residential cross-overs servicing private land.

Alexandrina Council staff have reviewed the proposed Design Standards and provide feedback and recommendations for consideration in the finalisation and adoption of the Design Standard. Please note that these comments have been prepared after coordination with feedback from Council's Assets, Traffic and Planning Teams. This feedback has not been endorsed by the Elected Members of Council however, it is cognisant of current standards frequently implemented and utilised by council.

However, we wish to provide the following comments, which are also supported by the attached table commenting on specific sections of the Design Standard:

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- By removing the requirement to obtain a Section 221 permit under the *Local Government Act, 1999*, concerns are held regarding the omission of the requirement to consult with council on the nature of proposed works on Council's road verge and the loss of control or ability to impose requirements on their preferences and public liability insurance. This will potentially increase the level of non-compliance in driveway construction. This is further compounded by the inability to manage private certifier's decisions which affect a council owned asset.

- Technical skills required to make the assessment against the design standard may extend beyond the expertise of private certifiers acting as the relevant authority for granting planning consent due to a lack of awareness of Council's objectives and preferences. Council is also unable to stipulate their preferences for materials used, measures of construction and insurances required.

  In addition, council will still be required to undertake a detailed assessment early in the planning process including review of the technical engineering and infrastructure matters. Internal referrals to Council's technical staff and specialist teams will still be necessary to determine such compliance. Knowledge and understanding around the use of vehicle turning path standards (B85 templates) and achievement of appropriate sight distances, for example, would typically require further consideration by other internal staff members qualified in the area of traffic management and engineering. These internal referral processes are not mandatory and will still need to be undertaken during the relatively short assessment time frames which council must adhere to.

- We note that the design standards will help to identify issues with a driveway's design or location at an earlier stage of the planning process which will assist in minimising costs and delays later on. However, by the very nature of the process and level of detail required to be considered and assessed, this appears to have developed into an extremely complex process in order to make an informed assessment. This will also prove even more difficult for the lay person to negotiate. Addition within the body of the Planning and Design Code as a Performance Outcome with associated Designated Performance Features would be beneficial, in lieu of an additional document source that must be used during assessment.

- Council seeks further clarity in the event that a development proposal fails to satisfy the Design Requirement. It appears that the Design Standard has been developed utilising a similar structure to the Planning and Design Code whereby the corresponding DPF to a Performance Outcome provides a guide to the relevant authority as to what is generally considered to satisfy the corresponding performance outcome. A DPF does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.

  Given this system of assessment, it appears that the Design Requirements are not mandatory requirements either, which creates less certainty for the assessing authority and/or developer/applicant.

- We support the use of diagrammatic and explanatory details to support the overall intent of residential driveway construction. However, the technical drawings do not address some of Council's fundamental design measures to support provision of appropriate driveway design, particularly within a regional/rural area. Areas of concern are highlighted in the accompanying summary table, in particular driveway

gradients and consideration of ‘swales’ as an alternative for access to sites within a rural area.

- To provide greater clarity for applicants, and to ensure consistency across the state, it is recommended that the fundamental details surrounding cross-over and driveway requirements be listed as part of the mandatory requirements within Schedule 8 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

- Council staff already experience difficulties in undertaking compliance of driveway crossovers given the significant number of developments and new dwellings requiring driveway cross-overs throughout the council area. Given the level of detail required to assess these proposals in the future, it is highly likely that more resources would need to be allocated to assess and inspect them on completion, creating additional cost implications for Council.

We hope that the above comments can be considered in any further review of the residential driveway and crossover standards and thank you for the opportunity to provide comment on the draft Design. If you wish to discuss this matter further, please do not hesitate to me at the council offices on 8555 7000.

Yours sincerely

Matt Atkinson

Group Manager Regional Development

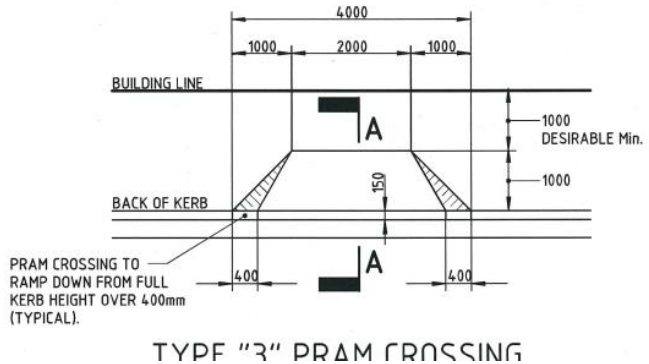
Alexandrina Council

2. Draft Design Standard Overview

The following feedback is provided in respect to the draft Design Standard:

Section of Design Standard	Recommendation
Part 1, Item 4 – Interpretation	It is requested that the term 'swale' be included either as a standalone item, or as part of the definition provided for 'common infrastructure' as this form of infrastructure is regularly encountered both in regional towns and along most rural sealed and unsealed roads that are typically Council managed.
Part 2, Item 5 – Compliance	The 10 day notification requirements of a person whom has the benefit of an authorisation under the Design Standard should be reinforced with either a condition of planning approval to be included and made clear on the Decision Notification Form.
Part 3, Item 7 – Assessment Provisions	
Design Requirement 1.6 (Table 1)	Existing crossover – no on-street parking provided The proposed 1.0 metre separation distance from an existing crossover where there is no on-street parking should be removed. It is considered that a better outcome would be to have the two (2) crossovers connected without a 1.0m separation, as it is would provide for better manoeuvrability for users, as well as maximise space for on-street parking. Existing crossover – on-street parking provided

	It is our preference that a minimum of a 6.0 metre separation for on street parking be provided. The nominated 5.4m separation is considered relatively narrow which would not provide enough tolerance resulting in vehicles overhanging driveways. Street trees Along Council's road verges there is a high representation of large mature street trees. A 2.0 metre setback from a new crossover is not always achievable due to potential impacts on the tree protection and root zones of these large trees. With the overall intent to preserve and maintain tree canopy within our suburbs, it is therefore recommended that this be increased from 2.0m to 3.0m.
Design Requirement 1.7	After Design Requirement 1.7 we suggest the following amendment to include: Driveway crossovers on land with a gradient exceeding 1 in 8 satisfy (a), (b) and (c): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway crossover (b) are constructed with an all-weather trafficable surface (c) driveways have transitions of no more than 12.5% for summit grade changes and no more than 15% for sag grade changes We suggest this to ensure that vehicles 'bottoming out' is avoided. Drawing TD-F depicts this, however, it should also be written here. Sudden or inappropriate transition changes often result in difficult access arrangements for vehicles with lower clearance.
Part 3, Item 8 – Technical Drawings	
Technical Drawings	Technical Drawing–A (TD-A) Council has preference for the minimum driveway width for single crossover should be 3m not 2.8m as indicated in the document.

	In addition, we question the need for the flaring of a driveway as indicated. The allowable width at the kerb and at the boundary should be the same. As frequently experienced, this is generally more typical of how they will be constructed. <u>Technical Drawing–F (TD-F)</u> We note that in the accompanying Note 2, the percentages appear to be incorrect. This should be worded as follows: (A) AT SUMMIT LOCATIONS: 12.5% (1 in 6.7). (B) AT SAG LOCATIONS: 15% (1 in 8)
Clarity	Concerns are held regarding where measurements should be taken from. We would suggest the inclusion of a comprehensive diagram that includes all infrastructure and associated setbacks, including some clarification as the where said setback distances are to be measured from (i.e. the flare of a driveway to the edge of a pram ramp or similar). Refer to the following example: GLE DOUBLE  TYPE "3" PRAM CROSSING

	Clarity is also sought whether the measurement should be taken from the edge of the pram ramp at the full height of the kerb or from the street level where the ramp begins to function? Similarly, the same principle can be applied for driveways as they have similar flared designs which may affect the measuring points.
Attachment B Part 4 – General Development Policies; Design'	The Planning & Design Code reference of 'or' in DTS/DPF 19.4 as well as the format of all the other code provisions should be removed and reworded in a manner that streamlines the assessment. It is recommended that this only consider the Design Standard rather than it being duplicated within both the Code and the Design Standard. This avoids the chance where changes to the Design Standard vary from the quantitative provisions in the Code. Suggested amendment could be as follows: DTS/DPF 19.4 The design of the driveway complies with the design standard for residential driveway crossovers, if applicable Or Vehicle access to designated car parking spaces satisfy is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land. It is considered imperative that consistency between both the Code and the Design Standard be assured. Where applicable, the P&D code policies should be a reflection of the design standard policies as performance features.
Other Matters	'Swales' – Council staff have deliberated on whether the scope of this design standard should incorporate provisions that relate to driveway design standards where proposing to cross a roadside swale. Through deliberation regarding how to standardise interfacing with a swale, a conclusion was reached that due to the inconsistency of swale drain sizes, dimensions, flow rates, capacity etc.,

	there is no reasonable way to implement a design standard for areas where swales exist. This should then allow for Council staff consideration or the submission of a 221 prior to lodgement of a development application as no design standard applies and the driveway will require a performance assessment. This should be recognised or noted within the document as these cannot be applied in all instances. Typically this occurs within the rural and regional Council areas which vary quite distinctly from the metropolitan area. Application of the standards technical requirements are not warranted in this case.

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3 November 2023

Mr Craig Holden
Chair
State Planning Commission
GPO Box 1815

By e-mail: PlanSA@sa.gov.au

Dear Mr Holden

Design Standard – Residential Driveway Crossovers – For consultation

This submission is made on behalf of the City of Burnside (**Council**).

In principle, Council supports any proposal for statewide regulations for new residential building driveways to ensure consistency in footpath accessibility provided Councils maintain control over their infrastructure, and in particular, the retention of the capacity for street tree plantings.

In specific response to the consultation request regarding the preparation of a Design Standard for residential driveway crossovers (**Design Standard**) by the State Planning Commission, I note that this is a joint process pursuant to Section 73(13) of the *Planning, Development and Infrastructure Act 2016* (**PDI Act**) involving an associated proposal to amend the Planning & Design Code so as to reference the Design Standard in various DTS/DPF provisions.

1. Executive summary

1.1. The Council is extremely concerned about the loss of control over its assets where this scheme has not addressed critical matters presently dealt with in a Local Government Act authorisation.

1.2. The relationship in the Design Standard between "Design Principles" and "Design Requirements" is unclear.

1.3. Assessment of many technical matters in the Design Requirements may be beyond the expertise of most private accredited planning professionals.

1.4. The Technical Drawings are simplistic and inadequate and fail to address a range of matters, including driveway gradient.

1.5. The Design Standard and limited consultation requirement appears inconsistent with s234AA(1) of the Local Government Act.

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1.6. Notifying the Council of the intended commencement of works appears meaningless when Council cannot impose requirements relating to, among other things, materials, construction methodology, and insurances.

2. Draft Design Standard - Overview

Section 69 of the PDI Act enables the Commission to prepare Design Standards relating to the public realm or infrastructure. The proposed Design Standard is intended to supplement the Planning & Design Code by applying across the State.

Assessment of proposed development against the Planning Rules under Section 102(1)(a) mandates an assessment against relevant Design Standards prior to the grant of planning consent. The joint process specifically contemplates an amendment to General Development Policies within the Code as set out in Attachment B of the Consultation document. Those policies are within the Design; Design in Urban Areas; Housing Renewal; and Transport Access and Parking sections of the Code. Significantly, these would state in DTS/DPF provisions associated with certain Performance Outcomes relating to driveway location, design, and vehicle access, that compliance with the Design Standard represents satisfaction of the associated Performance Outcomes.

Additionally, Sections 102(1)(c)(ii) & 102(1)(d)(ii) call for a relevant authority, when assessing an application for land division consent, to determine that the relevant requirements of any Design Standard have been satisfied, or otherwise can be satisfied by the imposition of a condition. This assessment is specifically in addition to an assessment against the Planning & Design Code.

The Design Standard seeks to prescribe certain minimum requirements for driveway crossovers in relation to "residential development." The Interpretation provisions in Clause 4 define "residential development" in a manner that would seem to exclude undefined dwelling types. It is unclear as to whether this is intentional or an omission.

It appears that the intention of the scope of the Design Standard is that any "residential development" that is "accepted development" (requiring building consent only) will not be subject to the Design Standard.

Once adopted, the Design Standard will form part of the Planning Rules under the PDI Act. As mentioned earlier, it will also be a relevant consideration in the context of a development application for land division consent under Section 102(1)(c) or (d) of the PDI Act, or encroachment consent under Section 102(1)(e).

The principal purpose of the Design Standard appears to be to provide a mechanism for the approval of driveways and crossovers within council road reserves without needing to obtain separate authorisation under Section 221 of the *Local Government Act 1999* (**LG Act**) (as proposed to be varied by the *Statues Amendment* (*Local Government Review) Act 2021* which also prescribes that an alteration to a public road that complies with any relevant Design Standard under the PDI Act will not need to be subject to consultation with the Chief Executive Officer of the Council.

The Design Standard will give effect to the further yet to be commenced amendments to the LG Act, including Section 221 and the new Section 234AA. Aspects of the Design Standard would appear to be at odds and inconsistent with the un-commenced Section 234AA of the LG Act, which requires compliance with a relevant Design Standard that applies under the PDI Act.

Insofar as the Design Standard will work in conjunction with amendments to the LG Act, the Design Standard will have wide ranging and significant implications in the management of Council roads, road access, and street trees.

3. Key provisions & concerns

The Design Standard adopts a similar format to the assessment provisions of the Planning & Design Code, with key qualitative "Design Principles" informed by quantitative "Design Requirements" as contained in the assessment provisions in Clause 7. Technical Drawings provide additional context to the Design Principles and/or the associated Design Requirements.

Under proposed Clause 5, for a development proposal to comply with the Design Standard, the relevant authority must be satisfied that "all relevant Design Requirements and Design Principles are met," but "the relevant authority may determine that one or more of the Design Requirements and/or Design Principles are not relevant to a particular development."

It would appear that a relevant authority does not have the discretion to approve so-called "minor variations" to the Design Standard, or to make a subjective judgment as to whether a particular Design Requirement or Design Principle is, or is not, relevant in a given case. It would be of benefit if this was made clearer.

It would also be of benefit if the "Interpretation" section in Clause 7 made it clearer as to how Design Requirements and their corresponding Design Principles interrelate. Clause 7 suggests the Design Requirements must be met to satisfy the Design Standard, whereas it does not state the same for Design Principles. This raises a number of questions as to the legal status of Design Principles:

- Are they non-mandatory?
- Does satisfaction of the Design Requirement automatically result in satisfaction of the corresponding Design Principle? or
- Is it possible that one could meet a Design Requirement but nevertheless fail to meet the corresponding Design Principle?

Given the stated object of the Design Standard is to "prescribe standards," it is unclear as to the purpose of including qualitative requirements, which are not prescriptive by their very nature.

Further, the Design Principles and Design Requirements address a multitude of technical and design issues, including, among other things, streetscape amenity, retention of street trees as well as regulated trees, avoidance of damage to "common infrastructure," "safe and convenient" access and egress requirements for specific types of vehicles, and intersections with footpaths. These provisions will require a relevant authority to undertake a thorough and detailed process of assessment at the planning and/or land division consent stage, including technical assessment of engineering and infrastructure-related matters. The Council is extremely concerned as to the ability of private accredited planning professionals at Levels 3 or 4 to meaningfully undertake an informed and genuine professional assessment of such technical matters.

Examples include Design Requirements 2.1 (design to accommodate a B85 Design Vehicle) and 5.2 (satisfaction of sight distance requirements) insofar as they would seem to require traffic engineering expertise, which may well be beyond the competency of many accredited planning professionals. Further, Table 1 in Design Requirement 1.6 would appear to omit some common infrastructure items such as bins, post boxes, telephone boxes, fire hydrants, and so on. Insofar as the relevant setback from a regulated tree appears to cross reference AS4970:2009 surely this would require expert arboricultural input. While Design Requirement 1.7 seeks to deal with a crossover gradient, it fails to reference Disability Access Standard AS 1428.1 – 2009.

The Council seeks to ensure that wherever practicable, footpaths do not exceed a cross-fall of 1 in 40. This is consistent with general advice from the Human Rights Commission. The current design standard does not seek to ensure any particular maximum cross fall of a footpath component of a driveway and, therefore, does not adequately provide for a continuous footpath that is able to be used safely by a broad cross-section of pedestrians.

4. Local Government Act 1999 implications

It is presumed that changes to the LGA Act will commence operation at the same time as the Design Standard.

A proposal that complies with the Design Standard will not require an authorisation under Section 221 of the LG Act.

A proposal that does not comply with the Design Standard must involve consultation with the Council's CEO where the relevant authority is not an assessment panel appointed by the Council. However, the CEO's advice is not binding, and therefore, a non-compliant proposal may still be approved by a relevant authority under the PDI Act.

Somewhat inconsistently, the effect of the new Section 234AA(1) is that a person who proposes to alter a road must comply with a Design Standard. As such, it would seem that a non-compliant proposal approved under the PDI Act cannot be implemented without breaching the LG Act (with the obvious remedy being a direction under Section 262 of the LG Act to stop work and to take action to remedy the contravention).

Under Clause 5 of the Design Standard, a person with the benefit of a development approval involving modification of a Council road must notify the Council at least ten business days in advance of the intended commencement of works. Failure to comply with this notification requirement would also seem to be a breach of Section 234AA of the LG Act.

Because a Section 221 authorisation would not be required on approval of a development that complies with the Design Standard, the Council will have no ability to impose requirements as to construction materials or methodology, public liability insurance, and so on. This is a significant and concerning gap in the scheme as presently formulated.

In relation to the flowcharts forming Attachments D & E to the Design Standard, these seem to suggest that the relevant authority may apply a "note" advising an applicant to notify the Council, at which point the Council "would ensure technical elements…to an appropriate standard and matters such as insurance, appropriate contractor to construct etc are covered off". This appears to be aspirational at best because the Council would have no leverage whatsoever to impose any requirements and, further, there are no consequences for a failure to observe such requirements. This is a major flaw in the scheme which needs to be rectified.

5. Code Amendment

The Code Amendment seeks to modify existing provisions under the General Development policies to take into account the operation of the Design Standard primarily that it has been adopted.

Those policies affected include the "Design" and "Design in Urban Areas" policies, the "Housing Renewal" policy, and the "Transport, Access and Parking" policy, where those policies already address matters relating to driveway crossovers. Existing DTS/DPF policies will be modified to include reference to the Design Standard, such that compliance with the Design Standard will result in compliance with the relevant DTS/DPF provision and associated Performance Outcome.

However, an obvious difficulty arises in circumstances where a relevant authority grants a planning consent that is at variance with the Design Standard. In this scenario, there would seem to be a legislative and scheme disconnect between Section 221 of the LG Act on the one hand (which says that no further permission under the LG Act is required) and Section 234AA on the other hand, which says the Design Standard must be complied with. In these circumstances, to avoid complete administrative confusion and uncertainty, it would seem that the Design Standard is missing an important mechanism that may allow variances from the Design Standard to occur where there is concurrence from the Council or its Chief Executive Officer.

6. Trees

In general and critically, the Design Standard is in conflict with the State Government's '30 Year plan for Greater Adelaide', and the currently under review 'Greater Adelaide Regional Plan'. Both Plans address the need to protect existing trees and increase canopy cover throughout greater Adelaide, with public land a vital key to achieving these outcomes. With the acknowledgment that Urbanisation must and will occur, the loss of canopy cover on private land through enlarged building footprints has increased the need to protect canopy cover and Local Government assets that sit within the public realm. The future development application process for residential properties proposed in the Driveway Design Standard will include a decrease in the Council's abilities and power to intervene and effectively protect and manage trees that sit within Council land. The proposed application process provides private accredited planning professionals with powers to make decisions on community-owned assets, which are otherwise under the care of the Council, including decisions that may impact risk management. Council often identifies street trees that are not included within a development application's plan, which, without Council input, can be approved by privately accredited planning professionals and may result in trees being inappropriately removed or impacted. There are no mechanisms within the Driveway Design Standard to address these issues where Council owned trees are left off plans, and the application is Deemed to Satisfy. This further reduces Council's ability to protect the Urban Forest and meet State Governments Canopy cover targets.

More specifically, Table 1 in Design Requirements 1.5 refers to setbacks from Common Infrastructure, including both 'regulated' and 'non-regulated' street trees. 'Non-regulated' street trees require a minimum separation distance of 2.0m; however, the Council has concerns with the inability to incorporate standard tree protection measures through the development conditions due to the Council's diminished powers and points of intervention. Council is likely to become aware of these issues at the point of 'notification of the intended commencement of works' and will have no ability to impose requirements to prevent damage

to our Canopy Cover. Street trees (regulated) are referred to in Table 1 – Note 2, which is an incorrect reference and should refer to Note 1 (given Note 1 states *Tree protection radius in accordance with AS 4970:2009 (Attachment X)*. The terminology 'Tree protection radius' is not used within AS 4970:2009, and how Note 1 is to be interpreted and delivered remains ambiguous. Setback requirements from 'regulated' street trees are also not clear and can be open to interpretation. This lack of definition and clarity will allow private accredited planning professionals to make decisions on technical aspects of Arboriculture, which could allow driveways to be constructed within the same setback requirements as non-regulated street trees. Note 1 also references Attachment X, which is not available within the document. It is unclear what Attachment X relates to.

7. Historical Infrastructure

In addition to the above, Council seeks to consider the issue of removed bluestone kerbing and other historical infrastructure and its return to Council as an asset in the review of the Design Standard. Further, the Council asserts that the Design Standard should require the retention of the bluestone gutters.

It is submitted that until these critical areas of inconsistency and efficiency are addressed the Design Standard should not be adopted.

Yours sincerely

Chris Cowley
Chief Executive Officer

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14 November 2023

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To whom this may concern,

RE: Residential Driveway Crossovers Design Standard and Code Amendment – Copper Coast Council

Copper Coast Council (CCC) welcomes the opportunity to provide a submission on the Residential Driveway Crossovers Design Standard and Code Amendment.

Please find attached Council's submission which outlines potential issues and improvements with the Residential Driveway Crossovers Design Standard and Code Amendment and ways in which they could be amended.

Should you wish to discuss this further, please do not hesitate to contact Council on 8828 1200 (extension 3).

Yours sincerely

Müller Mentz
Director Development Services

Preparation of a design standard - Amendment to the Planning and Design Code - Residential Driveway Crossovers Copper Coast Council's comments	
Design Requirement (DR) 1.0	DR 1 (a) seeks for not more than one driveway crossover is provided per site, including multiple dwellings proposed upon a site. This does not take into consideration corner allotments, rear lane access, dual street frontages etc. This would mean two driveways on these types of allotments would not meet the requirements of the Design Standard. There should be provisions for two driveways for corner allotments or allotments that have rear/ laneway access/ dual street frontages etc. It is unclear in the wording of the above DR as to whether multiple dwellings can only have one driveway or they can have a driveway for each 'site'. The provision should be amended to remove 'including multiple dwellings proposed upon a site' and only state 'seeks for not more than one driveway crossover is provided per site'.
Design Principle (DP)/ Design Requirement 1.2	DP 1.2 seeks for obsolete driveway crossovers to be removed and made good having regard to the context of the streetscape. How do we determine whether something is obsolete? If someone proposes new driveway, does that make an existing driveway obsolete or is there a timeframe for a period of non-use? An 'and' or 'or' should be inserted at the end of DR1.2(a). Does this DR relate to roller over kerbs as well? It is thought this DR could be more generic in nature and remove the specific reference to upright kerb. Better clarity is required for DR 1.2.
Design Requirements 1.3	How does DR 1.3 relate to DR 1.1, where only one driveway is allowable? Here it is an 'or' situation. What if it meets (a) but there is more than 1 driveway?
Design Requirement 1.4	DR 1.4 (b) states where a development site includes more than two (2) dwellings a single shared driveway crossover arrangement is utilized. This does not work for more than two dwellings that share the same street frontage such as units, row dwellings etc as a single crossover will not be able to service each dwelling if the block is not wide enough. This would only work if the site had depth to facilitate this. Each dwelling 'site' part of a development should be allowed to have a driveway crossover if it has a frontage to a public road noting it will still need to be compliant with the other provisions.

Design Requirement 1.5	DR 1.5 (b) states sites with a frontage to a public road of greater than 10m may have a double-width driveway provided that the driveway crossover complies with TD-A, TD-C and DR 1.0. If it meets DR(b) it may not always meet DP(b). There may be instances where we want to reduce the width of the crossover to ensure that there is adequate space for on-street parking to meet DP (b). It is felt there is no mechanism to enable us to enforce this with the current wording of the DR as it does not include provisions for this. Is the word 'may' used in DR(b) to say they may have a double width crossover permitting it still meets DP 1.5. 'May' is a permissive word 'used to indicate possibility or probability'. It is felt there should be better wording within this provision and in the DR and to include provisions regarding the on-street parking as well.
Design Principle 4.1	DP 4.1 states that 'any invert installed in the kerbing for a driveway crossover is trafficable for the design vehicle'. Clarification is required as to what 'invert' includes. We are not engineers. This is a technical assessment in which you are requiring Relevant Authorities to undertake. It is felt that this is out of the scope of a planner's expertise. It is noted that this DP does not have a corresponding DR. Therefore, does the proposed crossover need to meet the DP 4.1, as all other DP's have corresponding DR's which need to be met to satisfy the DP.
Design Requirement 5.2	DR 5.2 does not include an (a) and goes straight to (b). DR 5.2 (c) has a note which refers Relevant Authority's to TD-D for information on calculating sightlines. TD-D diagram is a diagram of a cross intersection and not a driveway. The diagram should be a driveway as that is what we are assessing/ being referred to in the policy/ design standard. In addition, the diagram is not clear, it uses abbreviations assuming people know what is being referred to and does not detail how sightlines are calculated. A better diagram is required to be provided for this. Is determining the sightlines something that should be assessed by a Relevant Authority?

Design Requirement 5.6	It is suggested that an additional diagram should be incorporated into DR 5.6 showing a swale drain or culvert driveway construction for rural areas or un-kerbed areas. The diagrams currently provided are metrocentric and don't take into rural areas. DR 5.6 (c) seeks for a planner to determine whether a driveway is designed to not restrict or prevent the flow of stormwater to an existing drainage point and system. How is a Relevant Authority suitably qualified to be able to make an accurate assessment of this and determine whether it has been achieved? This is something an engineer should be assessing to be able to determine the pipe size, flow rates etc and as we believe this is outside the scope of expertise of a planner. In addition, this will require builders to provide more detailed plans and information at the planning consent stage to enable Relevant Authorities to assess stormwater flow. Most plans currently show the location of the driveway, any infrastructure in the street/ allotment, grade and note as per council specifications.
Affected Code Policy – DTS/DPF 19.4	DTS/DPF 19.4 states 'the design of the driveway complies with the design standard for residential driveway crossovers, if applicable or ….'. Is the 'or' for anything other than a residential driveway?
How will this Design Standard work in practice with the Planning and Design Code. PO vs DPF	It is noted that General Development Policies within the Planning and Design Code (the Code) will be amended to include new policies which requires compliance with the design standard for residential driveway crossovers. It is important to note that all these policies have been included as DPF/DTS's. Part 1 – Rules of Interpretation of the Code states *'A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies'.* This therefore, means that the Design Standard will not be enforceable if someone can demonstrate they still meet the corresponding PO. If an applicant can demonstrate they meet the PO, Relevant Authorities will not be able force them to change their proposal. There has been recent case law to this effect.

Relevant Authorities deeming to be minor	Section 106(2) allows for a Relevant Authority to proceed with a development as a deemed-to-satisfy development with one or more variations. If a Relevant Authority is assessing a Deemed-to-Satisfy development which involves the creation of a new driveway, they should not be able to deem any of the Design Requirements or Design Standards to be minor if applicable to the assessment of the development.
Technical Assessment of Engineering Plans and infrastructure	The design standard is requiring Relevant Authorities to undertaken a technical assessment of engineering and infrastructure related matters that are beyond the scope of what is generally required of a Relevant Authority. Relevant Authorities are not trained in some of these areas such as reviewing sightlines, flow rates etc. and generally refer these to suitably qualified person (i.e. engineer) to undertake this assessment. It is concerning that this assessment is being expected to be made by Relevant Authorities.
Diagrams TD-A – TD-I (inclusive)	All the diagrams that have been created are of a poor quality and very blurry. The standard of the diagrams needs to be dramatically improved.

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Reference: ACC2023/111516

16 November 2023

Mr Craig Holden
Chair - State Planning Commission
GPO Box 1815
ADELAIDE SA 5000

Via email: saplanningcommission@sa.gov.au

Dear Mr Holden

Design Standard for Residential Driveway Crossovers

Thank you for the opportunity to provide a response on the draft Design Standard for Residential Driveway Crossovers and the associated Code Amendment (the Design Standard).

The City of Adelaide is committed to the role of good planning in shaping a vibrant, sustainable, and liveable capital city and is supportive of the State Planning Commission's intention that infill development appropriately address amenity of the public realm and streetscape.

It is recognised that the draft Design Standard will provide some efficiency gain and consistency in the assessment of driveway crossovers for some local government areas, however, it is unlikely to provide meaningful benefit to the city without comprehensive and detailed spatial analysis and mapping.

The Adelaide Park Lands and City Layout was inscribed on the National Heritage List in 2008. The city is characterised by a complex footprint, mix and intensity of land uses and built form character dating back to first settlement.

The city does have established areas with infill opportunities, where each site is uniquely different. It is important that planning policies such as the Design Standard reflect this and are adapted for specific circumstances. Vehicle access to and from land adjoining a road requires careful consideration of broad ranging factors and these are often simplified in the contexts of Central Business Districts, significant mainstreets and boulevards and the Terraces interfacing with the Adelaide Park Lands.

The application of the draft Design Standard to the city has potential to result in some unintended consequences that could potentially affect:

- Heritage Value of the public realm in North Adelaide and parts of South Adelaide.

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- Historic elements, including original kerbs, gutters and crossovers that contribute to, and influence the "look and feel" and "sense of place" of an area, noting that within the concentrated footprint of the City of Adelaide there are 14 Historic Areas.
- The complex movement system including the flow of vehicles, the public transport network and the movement of pedestrians and cyclists which could impact on how the city functions.
- Pattern of built form along street frontages.

These issues require careful consideration and would be challenging to deliver the uniform planning approval approach proposed via the Design Standard.

We seek that the Design Standard exclude the City of Adelaide and areas within the Historic Area Overlay on the following basis:

- The Design Standard does not adequately address historic infrastructure elements that exist within and outside the Historic Area Overlay.
- The Design Standard does not factor in the implications of new driveway crossovers along high concentration public transport routes and along main pedestrian routes as well as in Core and Primary Pedestrian Areas and how this impacts the movement system of the city.
- Further analysis is required to protect the uninterrupted cohesive built form edge that contributes to the character of the city streets and plays an important part of the National Heritage Values and listing of the city.
- It is unclear what pathway exists if Council objects to the driveway crossover as asset owner and is not the decision-making authority.
- The Planning and Design Code does not have spatial layers to preclude the Design Standard from applying to more complex areas such as along high concentration public transport routes, important pedestrian routes and where existing historic infrastructure elements exist.

City of Adelaide's Code Amendment Program has a movement focused code amendment schedule for 2024/25. The Movement Code Amendment will build on the objectives of the Design Standard with mapping embedded into the City Plan.

City of Adelaide has prepared a comprehensive analysis of the design principles and implications of the Design Standard Code Amendment which we would be pleased to discuss with Planning and Land Use Services.

Please contact Amanda McConnell, Senior Policy Planner on [redacted] to arrange a meeting.

Yours sincerely

Ilia Houridis
DIRECTOR CITY SHAPING
16 November 2023

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10 November 2023

Matthew Henderson
Senior Planning Officer, Planning and Land Use Services
Department for Trade and Investment
Via email: PlanSA@sa.gov.au

Dear Mr Henderson,

Draft Residential Driveway Crossovers Design Standard and Code Amendment
City of Prospect Submission

Thank you for the opportunity to provide feedback on the implementation of the first design standard associated with the new planning system. City of Prospect sees that design standards could play a valuable role in the successful operation of the planning system.

In this particular case though, City of Prospect considers that there are significant issues with the draft Residential Driveway Crossovers Design Standard, the related Code Amendment, and their relationship with the as yet uncommenced changes to the *Local Government Act 1999*. In broad terms these issues can be characterised as follows:

1. Policy content
2. Missing policy content
3. Unresolved tension between the Design Standard, Planning and Design Code and Local Government Act

A summary of key issues is provided below, while a table of comments providing further details on each of these matters attached:

1. Policy Content

- Council does not support the proposed **minimum and maximum driveway widths** shown within the technical drawings, including particularly the 6.2 metres minimum width and 8 metre maximum width allowable for properties greater than 10 metres in frontage width. The proposed minimum and maximum driveway widths are considered to be excessive, and give rise to significant car parking and street tree impacts (including a possible 50% reduction in on-street car parking capacity in City of Prospect).

- Council considers that the draft **Code Amendment** is fundamentally flawed in the way that it seeks to introduce the Design Standard as an assessment tool, creating a loophole that would allow the systemic construction of sub-standard crossovers. An alternative approach is recommended to resolve this issue.

- Council does not support Design Principles and notifications from being excluded as **mandatory requirements** that must be achieved in order to comply with the Design Standard.

- Several of the **proposed definitions** create significant policy gaps through unintended consequences, including particular 27% of Council's street network being potentially assessed as being an alley, lane or right of way under the Design Standard.

- In several places it appears that an applicant is required to obtain a **Section 221 permit** under the Local Government Act 1999 before they can demonstrate compliance with the Design Standard (for example obtaining agreement from Council to remove a street tree). This seems to suggest that the Design Standard is not fit for purpose as a replacement to the current Section 221 permit assessment process.

- The Design Standard and/or consultation documents appear to be **factually incorrect** in some areas; including references in the Design Standard to the operation of Section 234AA of the Local Government Act 1999, and references in Attachment D to the current development authorisation / permit process. Reference is drawn to the case of Adelaide Views Two Pty Ltd v City of Burnside [2006] SAERDC 21, in which the ERD Court expresses a view that the flowchart shown in Attachment D is incorrect (in that a Section 221 permit is currently still required in the vast majority of cases we receive here at City of Prospect even if a driveway crossover is shown in a development authorisation).

2. Missing Policy Content

- There are no provisions of the Design Standard which oblige the contractor undertaking the works to obtain **public liability insurance**. Council expresses in the strongest possible terms the important of ensuring that this insurance in place, noting the frequency of damage to Council infrastructure and pedestrian hazards created during the construction of driveway crossovers.

- As acknowledged in Attachment E, there are a range of **technical specifications** necessary to the construction of a satisfactory driveway crossover that are not included within the Design Standard. While there is reference in Attachment E to Council providing advice to a contractor following receipt of a notification, this advisory process means that Council's standards are unable to enforced which is a wholly unsatisfactory outcome. If the Design Standard is to replace a Section 221 permit assessment it should resolve these issues.

- No changes are proposed to the **mandatory application document requirements** contained within Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, though it is evident that the current requirements would not allow a driveway crossover to be assessed against the Design Standard.

3. Unresolved Tensions between Parts of the Planning System

- The existing **Deemed to Satisfy criteria in the Planning and Design Code,** that are proposed to remain available to private certifiers for assessing driveway crossovers, are not fit for purpose and should be 'deactivated' in circumstances where the Design Standard applies.

A key issue arises where compliance with these criteria is likely to achieve compliance with Section 234AA of the Local Government Act, which would mean Councils have no enforcement power to manage driveway crossovers constructed following an assessment of the very limited technical design detail contained in the Deemed to Satisfy criteria.

- There is no consideration given in the Design Standard or Code Amendment to the impacts that driveway crossovers, including their placement, width and materiality, can have on the **heritage values** of a Heritage Area of Heritage Place. Council considers that the Design Standard should not apply to any property where a heritage overlay (of any sort) is in effect.

I trust that the above and attached constructive feedback is of assistance. Should you have any queries, or for your direct response, please contact Council's Manager Development and Regulatory Services, Scott McLuskey [redacted]

Yours sincerely

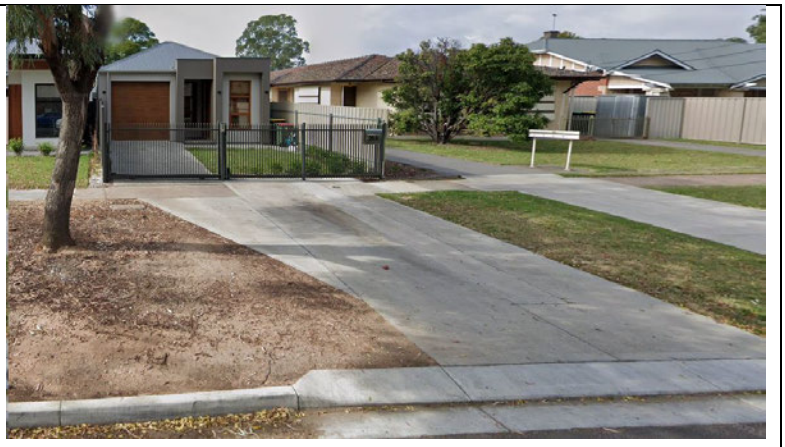
John Pearce
Director City Growth and Development

Residential Driveway Crossovers Design Standard – Table of Comments

Attachment A – Proposed Design Standard	✓ ✗ ?	**Comments**
Introduction		
Design standards must be considered in relation to certain applications.	?	Is it intended that this list be read (a) *and* (b) *and* (c) ***or*** (d), or should it be read (a) *and* (b) *and* (c) ***and*** (d)? The absence of grammar between points (c) and (d) is confusing, and makes it difficult to understand the purpose of the list.
(d) involving an alteration to a public road for vehicular access as part of a development authorisation under s 221(3)(b) and s 234AA of the Local Government Act 1999.	?	This purpose of this clause is entirely unclear. It is not possible to grant a development authorisation under s 221(3)(b) or s 234AA of the Local Government Act. The types of development authorisations that are envisaged in those sections of the Local Government Act are already referenced in clauses (a) and/or (b), so clause (d) does not appear to have any work to do. If this clause is not purposeful, it would be helpful it it could be removed. If it is intended to be purposeful, it would be helpful if it could be reworded such that its purpose is evident.
How this design standard applies in relation to public roads - Reference to uncommenced s 234AA of the Local Government Act 1999	✗	The description of s 234AA of the Local Government Act provided here is incorrect. That section (once enacted) will read *must comply with any design standard* ***or other requirement*** *that applies under the Planning, Development and Infrastructure Act 2016.* This will allow an authorisation approved in accordance with a DTS to prevail over a Council policy or the Design Standard. Further commentary on this issue is provided later in relation to the Code Amendment. While the Design Standard includes a paragraph commencing with 'to avoid doubt…' – that paragraph does not appear to actually be correct.
Part 1 - Preliminary		
Objects of the Design Standard	?	Agree with these objects in principle, however observe that the policy settings as proposed do not achieve b. and c. in all examples, and there are insufficient policies to achieve the aspiration of d.
Adjoining site	✗	There is no obvious need for giving these terms a meaning that contradicts their common or ordinary meaning. This term is used in one place in the Design Standard, and the same outcome could be used by inserting the words 'within the same road, street, alley or lane'. Defining this term in a way that does not accord with the ordinary meaning of the term introduces confusion where none is necessary.
Alley, Lane or Right-of-way	✗	It is assumed that a reference to a narrow (6 metres wide or less) road under this definition is a reference to the distance from kerb to kerb (noting the later definition of *Road width* in this section).

		This will inadvertently see a range of Prospect's ordinary local streets potentially classified as an alley or lane, given that 118 out of 433 (27%) of our street network is 6m kerb to kerb or less.
Design Vehicle	✗	In the context of the increased prevalence of large utility and sports utility vehicles being purchased in the Australian market, reliance on the B85 vehicle in the 2004 standard is not necessarily supported. Some media outlets have estimated that the average new car size in Australia is now 4.9m in length and 1.94m in width, drawing reference from the dimensions and popularity of new vehicles in the market. Consideration should be given to encouraging a review of the rather aged Australian Standard, or to selecting the B99 design vehicle.
Street Tree	✗	The exclusion of regulated and significant trees from the definition of street tree is not supported, and does not make sense when considering the provisions of the Design Standard (for example Design Principle 1.4 then does not protect a regulated street tree located within the verge). The fundamental inappropriateness of this exclusion is evident in Design Principle and Design Requirement 1.6; which seek to include regulated trees as a type of street tree worthy of protection.
Part 2 - Compliance		
Determination of relevant Design Requirements and/or Design Principles	?	While the need for a clause of this type is recognised, it creates a very awkward relationship with the 'or' Deemed to Satisfy criteria proposed as part of the related Code Amendment. This will allow a relevant authority to 'pick and choose' which DTS criteria and which Design Standard criteria a proposal will be assessed against. I think defining what 'relevant' means for the purpose of this clause will assist in preventing unintended consequences.
10 Day Notification Requirement	✓ ✗	Support in principle this reasonably long notice period, although observe that contractors are likely to struggle to achieve this and practise and it likely to be a frequent area of non-compliance. To confirm; this means that a person who does not give Council a 10 day notification period can still comply with the Design Standard, so the driveway would comply with s 234AA of the Local Government Act and Council has no powers to undertake any enforcement action for failure to notify? Section 234AA appears to be the only compliance / enforcement mechanism that could apply in relation to notifications. If some other enforcement mechanism was intended in relation to this notification component of the Design Standard it would be helpful to understand the intended related changes to the Planning, Development and Infrastructure (General) Regulations and/or Practice

		Direction(s). If no other mechanism was intended, changes are required to the Design Standard in order for Section 234AA to be useful in enforcement of this issue.
Part 3 – Design Standard		
6. Scope of this design standard	✗	So the design standard applies to applications that do not propose a new or altered driveway crossover? In what way is the design standard applied to an application for planning consent where no new crossover is proposed/required?
7. Assessment Provisions - Design Principles vs Design Requirements	✗	The structure and title of the Design Standard suggests that Design Principles have a role to play in the assessment process. It is evident that this is not true, as Design Requirements are defined as the 'requirement that must be met to satisfy the design standard'. The Design Standard would not function differently if the entire column of Design Principles was to be removed. Recommend re-structuring the Design Standard, and re-titling this so that it is clear that the Design Principle does no more than offer background as to the purpose and intent of each related Design Requirement.
7. Assessment Provisions - Design Requirement 1.0 (b)	✓ ?	Support the substantive policy position of one driveway crossover per site, although note that 'site' does not mean the same thing as 'allotment'. Note with some curiosity that the method through which Council would agree to the removal of a street tree is via Section 221 permit. This would mean that a Section 221 is required prior to the Design Standard being achieved. It is unclear how this process is any simpler/clearer than the current process.
7. Assessment Provisions - Design Requirement 1.2	✓	Support this provision, including the clear reference to returning vegetation and footpaths to the standard of the balance of the verge area following the removal of the obsolete crossover.
7. Assessment Provisions - Design Principle and Requirement 1.3	✗	Support the intent of Design Principle 1.3, but note that Design Requirement 1.3 does not achieve the Principle in its entirety. An image is provided below of a driveway / crossover relationship approved by a private certifier under the Residential Code (Development Regulations 2008):

		 Council has received regular complaints that the angles involved in this driveway / crossover relationship are not functional, irrespective of whether they may achieve the relevant Australian Standard or not. Design Requirement 1.3 ought to resolve issues of this nature by having clearer guidance around appropriate angles etc, rather than simply indicate that it must 'connect' the driveway to the crossover – as a very modest connection would achieve this requirement without actually being functional, or indeed the angle or method of connection itself may not be functional.
7. Assessment Provisions - Design Principle and Requirement 1.4	?	DP 1.4 (a)-(d): Support the intent of these provisions, although do not consider that Design Requirements as drafted achieve them sufficient.
	✕	DP 1.4 (d): The principle should include consideration of the potential damage to vehicles from 'bottoming out' in the event that a driveway is placed adjacent to a traffic control device. The current DP (and related DR) would still allow a crossover to occur adjacent to a traffic control device with resultant damage to a vehicle because the provisions don't address the core issue that leads to the conflict between this infrastructure.
	✕	DR 1.4 (a) This sub-clause is confusing due to its circular nature. The method of a Council agreeing to the removal of a street tree is via the grant of a Section 221 permit. Once a Section 221 permit has been granted, there is no work for the Design Standard to do, as the crossover has already been approved. What utility is proposed to exist in relation to DR 1.4(a)? Also note that the removal of a regulated tree in a verge is not protected under this Design Requirement due to the poor definition of 'street tree' in the Design Standard.
	?	DR 1.4 (b) Support the intent of the Design Requirement, but note that no guidance is provided in the Design Standard about an acceptable width of a shared driveway providing access to two dwellings. This obvious gap between TD-A and TD-B needs

	⊗ ⊗	to be addressed, particularly since the Design Standard is seeking to encourage this outcome. DR 1.4 (c) The minimum and maximum driveway widths shown within Technical Drawing B (TD-B) are excessive, including particularly the extent of flaring to the kerb shown in the diagram. Particularly noting the 40km/h speed limit in the majority of streets within Prospect this extent of flaring is simply not necessary, impacting upon the parking and street capacity of streets without benefit to dwelling occupants. DR 1.4 (d) Consider that this sub-clause is circular in nature for the reasons described above in DR 1.4 (a), and does not address the primary issue at hand as described in DP 1.4 (d).
7. Assessment Provisions - Design Principle and Requirement 1.5	⊗ ⊗ ⊗	DP 1.5 (b): Support the intent of this principle, but for the reasons noted below observe that the related Design Requirements do not achieve this principle. DR 1.5 (a): The descriptions in TD-A of maximum width for single crossovers, and minimum and maximum width for double crossovers, is excessive, and represent a significant change from Council's current policy position (which is that a crossover should not be wider than 4.5m). Council does not consider that there is any justification for a single crossover to flare to a 4.2m width at the kerb, particularly where providing access from a 40 km/hr speed limited street. DR 1.5 (b): The minimum and maximum widths described in TD-A for properties greater than 10 metres in width are so excessive as to prejudice the ability for the Design Standard to achieve its Object. If taken up by property owners, this would reduce car parking supply in Council's streets by more than half when compared to current policy settings (average Prospect allotment would move from having typically two parking spaces available in front of each property to having one parking space in front of each property as a result of this Technical Drawing). Both the allowable width at property boundary and width at kerb of double crossovers are considered to be unreasonably excessive, such that they potentially prevent on-street car parking (for example subdivisions of 12m wide properties would have no available on-street parking) and greatly impact available areas for planting of street trees which are competing with adjacent above and below ground infrastructure. Council urges in the strongest possible terms that these widths be revisited with a view to substantially reducing them. If the State Planning Commission is not open to this, it is recommended that these widths only apply in cases where they are equal to or less than an existing Council policy position

	✗	(could be expressed similarly to a Technical and Numeric Variation in the Planning and Design Code). DR 1.5 (c): Council does not support the minimum and maximum widths described in TD-B for the reasons provided above in relation to TD-A.
7. Assessment Provisions - Design Principle and Requirement 1.6	✓ ?	Council is supportive of the intent and numerical provisions of this Design Principle and Requirement generally, although observes that the definition of street tree is described here as including a regulated tree where the definitions in the Design Standard say that regulated trees are not street trees.
7. Assessment Provisions - Design Principle and Requirement 1.8	✗	Particularly in the context of the concerning extent to which Prospect's side streets are defined to be an alley, lane or right of way under the Design Standard's definitions, the minimum 6.2m width is not supported. Given the number of variables involved in assessing the appropriate width of a crossover to an alley, lane or right of way, it is recommended that the scope of the Design Standard should be decreased so as to exclude crossovers to streets of this kind (after amending the definition) from being assessed against the Design Standard, such that an appropriate assessment of the property and carriageway can occur.
7. Assessment Provisions - Design Principle and Requirement 2.1	✗	Noting the age of the relevant Australian Standard and the increased trend towards the purchase of larger vehicles in Australia, Council considers that a B90 Design Vehicle should be selected as a minimum for this Design Requirement (and Council would support a larger Design Vehicle being selected).
7. Assessment Provisions - Design Principle and Requirement 3.1	✓ ?	Broadly support the Technical Drawings and grades indicated in relation to this Design Requirement, although note that TD-F and TD-G contain typographical errors whereby the drawing refers to annotations 1A and 1B (which do not exist).
7. Assessment Provisions - Design Principle and Requirement 4.1	✗	Since Design Principles play no role in the assessment of an application against the Design Standard, this provision has no real effect. There is value in specifying the trafficability of inverts, however a Design Requirement must be identified or Design Principles must be assigned some role in the assessment process in order for this provision to have effect.
7. Assessment Provisions - Design Principle and Requirement 5.1	✓	Support the separation distance described in TD-C in relation to road intersections.
7. Assessment Provisions - Design Principle and Requirement 5.2	✓ ?	Support inclusion of sightline as a feature of driveway crossovers that should be assessed, and generally support numeric standards of this Design Requirement. Note that the Design Principle includes a typographical error: 'site lines'.
7. Assessment Provisions - Design Principle and Requirement 5.6	?	Support the intent of this Design Requirement, though query how private accredited professionals will assess DR 5.6 (b) and DR 5.6 (c) without civil engineering advice.

8. Technical Drawings		Comments are provided in relation to Technical Drawings above, as they are referenced through Design Requirements.
Omissions from draft Design Standard		
Public Liability Insurance	✕	Every Section 221 permit in City of Prospect is granted conditionally upon a Certificate of Currency being provided to Council demonstrating that public liability insurance to a value of $20 million is in place at the time of the works being undertaken. Damage to road and footpath infrastructure surrounding driveway crossover road alterations is common, and gives rise to hazards including pedestrian routing on road carriageways, trip hazards, and the like. Further, it is relatively common that contractors undertaking such work place little identifying signage adjacent the work site, with exposed excavations on the footpath of edge of road carriageway giving rise to hazards. In this context Council considers that it is an imperative that the Design Standard oblige persons undertaking road alterations to have suitable ($20 million) Public Liability Insurance in place at the time of the works being undertaken.
Technical Specifications beyond those matters addressed in the Design Standard	✕	There are a range of technical aspects of road alteration assessment that are not included within the design standard. This is acknowledged in the consultation materials, however Attachment E anticipates that this gap is addressed by Council being notified of the intended commencement of the works such that Council can provide to the contractor its standard technical requirements. Council expresses in the strongest possible terms that this approach is entirely unsatisfactory and will lead to the construction of sub-standard driveway crossovers. The following issues with this proposed process are highlighted below: - There is no obligation upon the contractor to actually undertake the construction of the crossover in accordance with Council's technical standards; - There are no compliance powers available to Council before, during or after the construction of the crossover to require a contractor to rectify non-conformance with Council's technical standards (due to the operation of Section 234AA of the Local Government Act and the absence of these details in the Design Standard); - It is likely to be relatively common that Councils are not notified of the commencement of the works (and there are no obvious consequences that a contractor would face for not notifying Council, since the obligation to notify is not a requirement to complying with the Design Standard (refer Part 2 of draft Design Standard)

		and so no Local Government Act enforcement tools are able to be used if Council is not notified); and - Council does not have technical standards addressing all circumstances that may exist in our city, and the assessment of the context of a proposed driveway crossover through the Section 221 permit process is essential to ensuring an appropriate outcome is achieved. Council expresses in the strongest possible terms that the Design Standard must expressly reference compliance with any relevant technical standards of each Council, or must establish a common position in relation to these standards, in order for it to avoid creating a system where sub-standard driveway crossovers are commonplace.
Occupation / Partial Closure of a Road of Footpath to undertake construction of driveway crossover		It is uncontroversial to observe that the construction of a driveway crossover requires the partial closure of the adjacent footpath and road carriageway, including a set out area surrounding the driveway crossover itself. As it stands, the incoming alterations to Section 221 of the Local Government Act provide that these partial closures would not require a separate permit from Council if approved as part of a development authorisation. Despite this, there are no evident Design Requirements in place relating to ancillary aspects relating to the construction of the driveway crossover (such as temporary fencing or bunting, signage, set out areas, partial road closures for work, temporary storage of pavers or other materials, and so forth). As a result, these aspects of the works may be approved by a private certifier without assessment against any standard – including in relation to the extent of time that the footpath of road carriageway may be affected by the works. Alternatively, a separate Section 221 permit would still be required from Council in relation to these ancillary matters notwithstanding the existence of the development authorisation. The Design Standard will not achieve its Object without addressing these matters, and thus Council recommends that the scope of the Design Standard should be increased to incorporate these matters (even if this is achieved by reference to a standard Council technical standard or condition).
Required changes to Mandatory Document requirements in Schedule 8 of the *Planning, Development and Infrastructure*		It is evident that a full and proper assessment against the Design Standard could not occur if a relevant authority is provided with proposal plans that accord with the current requirements of Schedule 8 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

(General) Regulation 2017		For example, a site plan will achieve the requirements of Schedule 8 if it identifies the finished ground level at each of the driveway. This is clearly insufficient to assess a proposed driveway crossover against TD-F. Allied changes should be made to Schedule 8 of the Regulations such that the required minimum mandatory documents allow for a full and proper assessment against the Design Standard.

Residential Driveway Crossovers Code Amendment – Table of Comments

Attachment B – Summary of Affected Code Policy	✓ ✗ ?	**Comments**
General Development Policies, Design PO and DTS/DPF 19.3	?	In the absence of grammar in DTS/DPF 19.3, it is unclear whether subclauses (a)-(c) should be read as being separated by an 'and' or an 'or'. Elsewhere in this module it appears that no grammar is treated as meaning 'and', however this would conflict with the way that the Design Standard has been embedded into the Planning and Design Code for all other DTS/DPFs.
	✗	Do not consider that achieving the Design Standard results in PO 19.3 being achieved, for the reasons provided in the previous table of comments.
General Development Policies, Design in Urban Areas PO and DTS/DPF 23.3	✗	Do not consider that achieving the Design Standard results in PO 23.3 being achieved, for the reasons provided in the previous table of comments.
General Development Policies, Design in Urban Areas PO and DTS/DPF 23.4	✗	Do not consider that achieving the Design Standard results in PO 23.4 being achieved, for the reasons provided in the previous table of comments.
General Development Policies, Transport, Access and Parking PO and DTS/DPF 3.5	✗	Do not consider that achieving the Design Standard results in PO 3.5 being achieved, for the reasons provided in the previous table of comments.
General Commentary	✗	The way in which the Design Standard has been introduced into the Planning and Design Code results in a capacity for a relevant authority to pick and choose which DTS criteria are achieved via assessment against the Design Standard and which are achieved via assessment against the existing numerical DTS criteria. In many cases the existing numerical DTS criteria are not consistent with the draft Design Standard. It is apparent that loopholes will be available to be exploited such that development which achieves neither the Design Standard nor the existing DTS criteria in their totality can (and should) be approved. Fundamentally the proposed way in which the Design Standard would be introduced into the Planning and Design Code is incompatible with the amendments to the

		Local Government Act and the Object of the Design Standard. It is recommended that the most appropriate way to amend the Planning and Design Code is such that the identified provisions are excluded from being considered in the assessment of an application where a proposal achieves the entirety of the Design Standard. This could be done by inserting additional Classes of Development into Table 3 of each Zone (i.e. Dwelling and Dwelling with crossover in accordance with Design Standard are separate items in Table 3 with different Applicable Policies). Following the approach in this recommendation will also assist in resolving the earlier described issue in the relationship between DTS criteria and Section 234AA of the Local Government Act.
Omissions from draft Code Amendment		
Appropriate DTS criteria to guide the assessment of a driveway crossover application by a private certifier (when not undertaken against the Design Standard)	✕	There is an obvious and significant issue with the existing DTS criteria in the General Development Policies being unchanged from their current form following the introduction of the gazetted changes to Section 221 of the Local Government Act. The issue arises because: - A private certifier can simply ignore any feedback provided to them by the chief executive of a Council under Section 221(7) of the LG Act; - The drafting of the Code Amendment allows a private certifier to assess a driveway crossover without any reference to the Design Standard (due to the use of the word 'or' in each criteria); and - The DTS criteria contain very little technical design detail and are entirely unfit for purpose to be used instead of the Design Standard in assessing an application for a driveway crossover. The proposed Code Amendment is thus likely to result in a large number of driveway

		crossovers being approved that do not comply with Council's design standards and in relation to which Councils will have no effective control. If the State Planning Commission considers that the technical details of the Design Standard are necessary to ensure the appropriate design of a driveway crossover, all of the same technical details must be embedded into the DTS criteria of the Planning and Design Code to ensure that private certifiers don't simply bypass the Design Standard and assess driveway crossovers against the DTS criteria.

Response to the Residential Driveway Crossovers Design Standard and Code Amendment

Introduction

The City of Unley is pleased to be engaged in the development of the proposed Residential Driveway Crossovers Design Standard and Code Amendment.

The intention to provide a Design Standard is supported in order to prescribe a consistent approach to allow the assessment of planning applications to proceed where relevant standards are achieved. The aims of the Design Standard are:

- provide for the safety of all road users
- provide for vehicular access that maximises the provision of on-street car parking
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas
- create driveway crossovers that are durable
- create driveway crossovers that are located to minimise the need to relocate or remove on-street infrastructure

These objectives are fully supported by the City of Unley, noting that the following comments are provided to highlight the concerns that should be addressed before implementation, along with comments on the elements that are supported in the draft for consultation.

Part 1 - Preliminary

- Definition of Common Infrastructure should include landscaping and similar to ensure it is captured clearly to uses of the Design Standard.

- Regulated and Significant tree definitions should refer to the *Planning, Development and Infrastructure Act 2016* (the Act) in the same way as the definition for Traffic Control Device.

Part 2 – Compliance

- Notification should be mandatory via the Portal and included within notes on Decision Notification Forms.

- As the technical drawings in this document are correct and will form part of the new standard, there is no requirement to have these items noted as a mandatory requirement on development application plans, leaving in most cases the property owner and council to address these matters after handover and in some cases a very costly exercise to the property owner.

- The proposed new planning design code should stipulate that all relevant information relating to a development, however minor, should be included as part of the development application documents and drawings, a driveway should be considered as part of the dwelling as it is the connection between the dwelling and council roads. The

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finished floor level of driveways at the boundary are as important to council as the location and dimensions of a crossover in the street.

If the purpose of this document is to omit council from these planning decisions minimising the opportunity for council to highlight council specific matters, there needs to be some responsibility to the administrator of future development applications to ensure all the relevant site-specific information is passed onto the property owner, via the developer and so on.

- The above comments should also relate to new front fences being constructed, especially for electric sliding gates as the footings have to be dead level for the sliding gate mechanism to work, in many cases this leaves a very large level adjustment between the property boundary and footpath level depending on the natural gradient of the footpath. Refer to below examples:

Part 3 – Design Standards

- Reason for 50 dwelling threshold is not provided and should be clearly articulated.

Part 4 – General Development Policies

Assessment Provisions

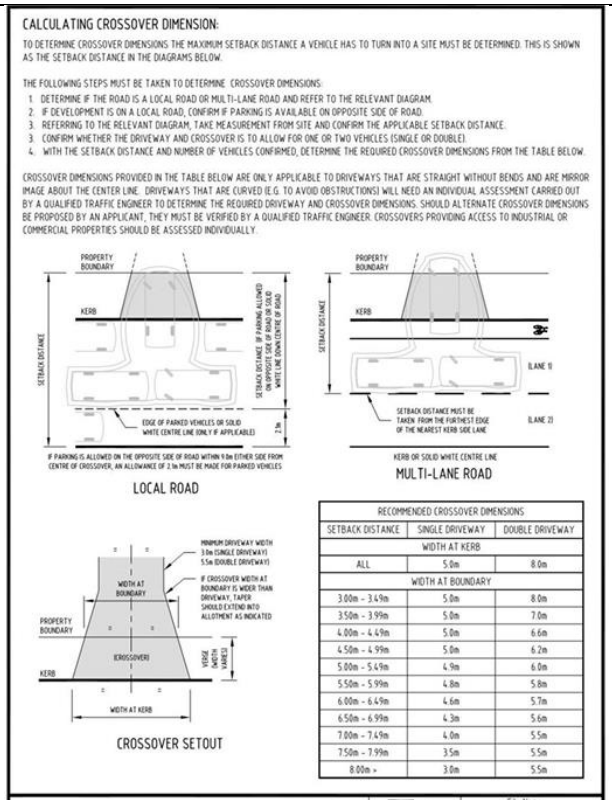
Design Principle 1.0	Generally supported as it encourages the minimisation of the number of crossovers ensuring more on-street parking and better safety and amenity of the locality.
Design Requirement 1.0	(b) – Land owner is somewhat vague when this should state "…and agreement with the Council or relevant land owner…" as the Council will be the land owner in the majority of instances.
Design Principle 1.1	Does not exist
Design Requirement 1.1	Does not exist
Design Principle 1.2	Condition should be mandatory as a condition of approval ensuring this occurs
Design Requirement 1.2	(b) include "to the satisfaction of Council"

Design Principle 1.3	Supported
Design Requirement 1.3	Supported
Design Principle 1.4	Should include reference to other forms of street furniture such as benches, bins, bus stops and signage (non-traffic control)
Design Requirement 1.4	(a) – should include other forms of landscaping such as verge plantings and raingardens (b) Whilst it seems to be aimed at either reducing crossovers or pairing crossovers, this is not clear. Combined widths should also be included otherwise the result may be paired 6m wide crossovers at a total of 12m. (c) No comment (d) This should also include landscape islands and raingardens
Design Principle 1.5	Supported
Design Requirement 1.5	(b) Contradicts with Design in Urban Areas **DTS/DPF 23.3** which seek sites with a frontage 10m or greater to have a maximum of 5m wide crossovers. For a 10m wide site a 5m wide crossover just allows one on-street park (B85), wider and on-street parking will not be possible. The requirement should include a requirement for a minimum on-street parking space in line with the Australian Standards B85 vehicle length.
Design Principle 1.6	DR refers to on-street parking, but the DP does not. The DP should be expanded to state: “Driveway crossovers are designed and located to minimise impacts on, and potential for damage to, on-street parking, common infrastructure and street trees, including Regulated trees”
Design Requirement 1.6	• Table 1 should include rain gardens and vegetated islands and significant trees as these have been defined separately in Part 1. • Stormwater pit should be “side entry pit” • Street tree (non-regulated) should include this as a note rather than a prescribed distance. “Crossover is to be located at a minimum 2m distance from any street tree, outside of the Structural Root Zone as prescribed by AS4970-2009, unless consent is provided by asset owner”. • Street tree (regulated) refers to note 2 but should be note 1. Is the standard going to be made available to the public or included in the standard?

	• Despite the code (Design in Urban Areas PO 23.3 and 23.4) requiring land to be maximised for tree planting, it is unclear if this assessment considers legislative restriction that may affect land suitability for planting such as underground or overhead services. Any crossover location should consider legislative constraints that may impact land to maximise tree planting as space for trees becomes more contested. • Most councils in metro Adelaide now have GIS data on where they plan to plant trees. This data could be made publicly available and provided as part of the assessment process so that crossovers are not located where future tree planting are planned, unless prior consent is granted by the relevant council.
Design Principle 1.7	Supported
Design Requirement 1.7	Supported
Design Principle 1.8	Supported
Design Requirement 1.8	See comments for TD-A and TD-B
Design Principle 2.1	Support
Design Requirement 2.1	Current Australian Standards are in review, and this may have an impact on vehicle dimensions of a B85 vehicle.
Design Principle 3.1	Supported
Design Requirement 3.1	Reference to the relevant Australian Standards for Access and Mobility should be included or demonstrated by additional drawings
Design Principle 4.1	Supported
Design Requirement 4.1	Need to provide requirement for applicant to contact Council to seek required design details.
Design Principle 5.1	Support
Design Requirement 5.1	See comments regarding TD-C
Design Principle 5.2	DP and DR has not considered the pedestrian sight distance triangle that is covered in the standard. The issue of drivers emerging from driveways without being able to see if someone (child/wheelchair user/gopher/cyclist) is travelling

	along the footpath is a common one, with hedges, walls and fencing located on private land blocking sight lines, particularly as drivers commonly reverse out.
Design Requirement 5.2	There is no (a) in the list of items required to be satisfied. Requirement to satisfy 5.2 (c) and (d) is inconsistent with the Urban Transport Routes Overlay DTS/DPF 5.1. It is unclear why State Maintained Roads are required to have greater site line distances given all other variables may be the same. Inconsistency in documents referenced for site lines. DR 5.2 (c) refers to Austroads Guide to Road Design Part 4A whereas DR 5.2 (d) refers to Australian Standards AS 2890, noting that the latter is in the process of being reviewed. As single source should be referenced. A more consistent approach should be considered or clarity provided over the reasons for the differences.
Design Principle 5.3	Support
Design Requirement 5.3	Support
Design Principle 5.4	Support
Design Requirement 5.4	Support
Design Principle 5.5	Support
Design Requirement 5.5	Support
Design Principle 5.6	Support
Design Requirement 5.6	Support
Design Principle 5.7	Support
Design Requirement 5.7	Support
Design Principle 6.1	Being consistent is not sufficient in areas with specific material requirements such as paving materials. See DR 6.1 for comments.
Design Requirement 6.1	The design standard does not allow council to prescribe materials it may wish to use in future to meet sustainability targets and or take into consideration any future streetscape or asset (footpath/tree) renewal program or cost-effective maintenance requirements.

	This definition may be open to interpretation and thereby limit Councils ability to maintain streetscape cost effectively. For example, it may be possible for a developer to argue that a type of paver is consistent or the same as Councils where it may not be. Ambiguity risks the introduction of more materials type into the public realm that may in future require Council to source these materials when needing to maintain its footpaths fit for purpose. The standard also does not consider any renewal program it may have planned to replace streetscape/footpaths/trees etc and or upgrade these to more environmentally sustainable or durable materials.
Diagrams	
TD-A	Diagram indicates a minimum single crossover width of 2.8m, which is below the AS minimum of 3.0m. This should be updated to 3.0m minimum at kerb and boundary. Inconsistent with Code Design in Urban Areas **DTS/DPF 23.3** See comments for DR 1.5 Concern with the standard proposed is that the width of the driveway and crossover is directly related to the width of the verge and road (available space to manoeuvre, there seems to be no consideration of this critical dimensions that can affect the safe ingress/egress of a property. The below diagram development by the City pf Port Adelaide Enfield provides for consideration of road width.

	
TD-B	Inconsistent with Code Design in Urban Areas **DTS/DPF 23.3** See comments for DR 1.5 See comments for TD-A
TD-C	Measurement to tree is measured from the centre of the tree, this is in contrast with Design in Urban Areas DTS/DPF 23.4 (b) (ii) which states "*2m or more distance from the <u>base</u> of the trunk unless consent is provided from asset owner*." The illustration on page 29 and the distances prescribed within the code need to be consistent. If there is any ambiguity disputes will arise. What if the tree is a sapling or a fully mature tree, should the distance vary based on species type to ensure adequate space? Regulated tree should not be defined and treated differently to other street trees (p20). The Australian standard AS4970-2009 considers all trees as equal unless a monocot (palm tree) and is a recognised measure to assess development impacts like these on the long term viability of trees.
TD-D	Diagram used is now out of date and should reflect the Guide to Road Design Part 4A 2023.

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CITY OF TEA TREE GULLY
Naturally Better

Mr Craig Holden
Chair
State Planning Commission
GPO Box 1815
Adelaide SA 5001

1 November 2023
Our ref: D23/90040

Via email: plansasubmissions@sa.gov.au

Dear Mr Holden

Residential Driveway Crossovers Code Amendment and Design Standard - City of Tea Tree Gully submission

Thank you for the opportunity to provide feedback on the Residential Driveway Crossovers Code Amendment and Design Standard released for public consultation from 23 August 2023 to 14 November 2023.

At its meeting on 24 October 2023, Council considered the Design Standard and associated Code Amendment and its effects on the City of Tea Tree Gully. At that meeting Council endorsed the attached submission which outlines recommendations for further consideration and investigation prior to the approval and implementation of the Design Standard and Code Amendment.

Council commends the State Planning Commission on the preparation and release of the first design standard, acknowledging the large body of work which has been undertaken to date. Council looks forward to working with the Commission as they prepare future design standards for other public realm elements.

Should you have any questions regarding the content of Council's submission, please do not hesitate to contact Jessica Lewig, Strategic Urban Planner, on [redacted] or via email [redacted]

Yours sincerely

Ryan McMahon
Chief Executive Officer

CTTG Residential Driveway Crossovers Design Standard and Code Amendment - Submission			
Ref #	**Item**	**Comments**	**Recommendations**
	Use of B85 vehicles in creating the design standard	The design standard references B85 vehicles. As raised in previous submissions on the Planning and Design Code including the Miscellaneous and Technical Enhancements Code Amendment and the Expert Panel Review of Planning Reform Implementation, this is not an adequate reflection of the majority of vehicles that are being used by the public. The standard needs to be updated to reflect longer cars which have different design requirements to accommodate their length, turning circles, manoeuvrability etc	Consideration needs to be given to designing for longer vehicles as a B85 is not an adequate representation of the length of cars that are becoming increasingly common. The design standard and Planning and Design Code need to accommodate longer vehicles.
	Report by Masterplan	The scope and format of the Design Standard is stated to be underpinned by a report prepared by Masterplan. This report and background investigations have not been provided as part of the consultation on the draft design standard.	Background report by Masterplan to be made available to stakeholders
	Interaction with Section 234AA of the *Local Government Act 1999*	There are concerns regarding the interaction between the design standard and Section 234AA of the Local Government Act. A proposal that complies with the Design Standard will not require an authorisation under section 221 of the LG Act. Further, the effect of new section 234AA(1) seems to be that a person who proposes to alter a road must comply with a Design Standard. A proposal that does not comply with the Design Standard must involve consultation with the Council's CEO. However, the CEO's advice is not binding and, therefore, a non-compliant proposal may still be approved by a relevant authority under the PDI Act. As such, it would seem that a non-compliant proposal approved under the PDI Act cannot be implemented without breaching the LG Act	Further investigations and analysis of how the proposed design standard, the requirements of the Local Government Act and the PDI Act interact are required. In particular it is necessary to review whether a crossover that may be approved in certain circumstances that does not satisfy the design standard will trigger a non compliance under the Local Government Act. Further the timing of the new design standard and new section 234AA of the Local Government Act coming into effect is unclear. Clarification required.

		Having said this, (where the obvious remedy would seem to be a direction under section 262 of the LG Act to stop work and to take action to remedy the contravention).	
	Notification vs Consultation vs approval from Council as the land owner	As mentioned above, a proposal that does not comply with the Design Standard must involve consultation with the Council's CEO. However, the CEO's advice is not binding and, therefore, a non-compliant proposal may still be approved by a relevant authority under the PDI Act. This is of concern as it does not appear to give any weight to the requirement of an applicant to satisfy the requirements of the design standard. It is also unclear how notification of Council at the end of the process will be undertaken. It is unclear how applicants will be made aware that they need to notify Council. Further, this process needs to be more than notifying council, appropriate insurances and designs as required per the current 221 process as the design standard appears to only address location and design, not the construction detail. Consideration should also be given to penalties for non notification as per requirements for building work under the PDI Act. Further regarding tree protection, there should be a notification trigger for council to be are aware of when the works are to take place so we can monitor these works as they are happening to ensure appropriate setback and excavation methods have been used. If not the roots of the council tree could be damaged by the installer accidently or deliberately causing the tree health to decline.	The proposed flowchart which outlines how consultation is undertaken with Council in the event of a non-compliance with the design standard is unclear. Further, this requirement should be for seeking approval from Council, rather than simply consultation. There are liability concerns regarding when insurances will be provided, as well as the construction detail of what will be works over Council land. There should be more specific triggers for notification of Council when works are to commence for the purposes of inspections, particularly relating to the protection of Council street trees. The design standard should not come into effect until such point that these items have been satisfactorily addressed.
	Object of the design standard – *"create driveway crossovers that are durable"*	Currently Council provides the detail of how driveways should be constructed. This are no construction details, minimum requirements for design or materials contained within the design standard. It is unclear how the design standard will ensure durability when there are no technical specifications for construction eg materials, reinforcement, etc	As above, there either needs to be a technical drawing within the design standard regarding minimum construction standards for driveway crossovers, or the applicant needs to seek consent from Council to construct in accordance with Council's standard.

	Definition of driveway	Clarification regarding the definition of driveway, and whether this includes the handle for battleaxe/hammerhead developments. The Planning and Design Code currently allows different widths based for these allotment configurations, which does not seem to be captured by the design standard.	Definition of driveway to be provided which addresses battleaxe/hammerhead developments
	Compliance	It is unclear how Council would undertake compliance against a non compliant driveway crossover, not reinstating a redundant crossover or a crossover that has not been constructed in accordance with the approved plans. Whether this enforcement would be under the PDI Act or the Local Government Act is unclear	Clarification to be provided regarding compliance and enforcement process and whether this should be undertaken under the PDI Act or Local Government Act
	Potential liability for Council	Any construction of a driveway under this design standard or reinstatement of a footpath or redundant crossover would occur on Council land. Further, the footpath would continue to be as council asset. Because a s221 authorisation is not required on approval of a development that complies with the Design Standard, the Council will have no ability to impose requirements as to construction materials or methodology, public liability insurance and so on. This would seem to be a gap in the scheme. The flowcharts attached to the Design Standard seem to suggest that the relevant authority may apply a note advising the applicant to notify the Council, at which point the Council 'would ensure technical elements…are to an appropriate standard and matters such as insurance, appropriate contractor to construct etc are covered off'. This note would have limited power as the Council would have no leverage to impose any requirements and, further, there are no consequences for a failure to observe such requirements.	As above, address the gap in the scheme regarding construction materials or methodology, public liability insurance etc per current 221 processes. It is noted in the draft design standard that the final process is still under review regarding notification of Council. The design standard should not come into effect until such time that this has been resolved and relevant stakeholders have been engaged with to review the final proposed process.
	Role of Design Principles and Design Requirements	It is unclear how Design Requirements and their corresponding Design Principles interrelate. Clause 7 says that Design Requirements must be met to satisfy the design standard, whereas it does not say the same for Design Principles. This raises a number of questions as to the legal status of Design Principles: Are they non-mandatory? Does satisfaction of a	'Interpretation' section in clause 7 to be amended to make it clearer how Design Requirements and their corresponding Design Principles interrelate.

		Design Requirement automatically result in satisfaction of the corresponding Design Principle? Or is it possible that one could meet a Design Requirement but nevertheless fail to meet the corresponding Design Principle? Does this imply a level of performance assessment of the design standard, in which case the Assessment Manager should be the relevant authority for performance assessed development (which is not publicly notified). Of note, Design Principle 4.1 does not have an associated Design Requirement. If there is no Design Requirement, how can the Design Principle be satisfied and this how can the proposal achieve compliance with the design standard?	Clarification required as to whether an accredited professional (specifically a private certifier) has the ability to undertake a merits or performance based assessment against the design standard (including scope of minor variation, ability to determine the relevance of each design requirement, and consideration/assessment of alternative solutions to satisfying the design solutions that do not necessarily satisfy the design requirement).
	Consideration of existing unsafe crossovers	Consideration needs to be given to the reinstatement or change in location of any unsafe existing crossovers eg in slip lanes, within 6m of tangent point etc This includes crossovers that are proposed to be re-used to assess whether they are safe for access under the current standards. This has a key link to safety objective of the design standard	Additional policy require regarding the reinstatement of existing, unsafe vehicle crossovers in locations that do not satisfy the design standard.
	Timeframes for completion	No timeframe for construction or reinstatement of crossover are proposed. This can cause issues with development being undertaken which hasn't been proved with adequate vehicle access, or utilising a crossover that was required to be reinstated.	Timeframes for construction of driveway crossovers and reinstatements of existing crossovers need to be included in the design standard to allow for enforcement and to ensure the development is provided with a suitable access point,
	Driveway design	The Code and proposed design standard allow wider double driveways, however consideration should be given to retaining single driveway crossover which tapers up to double garage as required internal to site. There are inconsistencies between the Code requirements and the proposed design standard relating to the range of driveway width. The Code allows a maximum 5m driveway width for a double crossover (Design in Urban Areas DTS/DPF 23.3) where as this is increased in the	There is a disconnect between the driveway widths proposed in the design standard and the current policy within the Code. This will likely cause confusion for applicants and relevant authorities alike. In the instance of a variation, the lesser amount is preferred. There are concerns that terminology is inconsistent across the design standard and

		design standard to 6.2m. Further a minimum crossover widths of 3m is specified in the Code compared with 3.2m within the design standard. Terminology in the design standard is different to that within the Code eg flare, overall width. The terminology needs to be consistent across these provisions The driveway crossover width range does not take into consideration the road width. A narrow road width would require wider crossover for safe access and egress Council's current policy is 0.5m flare each side, only at invert, not across length of verge. Under this standard, the maximum driveway width including flare should only be 7.2m not 8m. Additionally this flare should only occur at the kerb, not across entirety verge as shown in the technical drawings. There are concerns that under the design standard, a 10.1m frontage could result in up to 8m or almost 80% of frontage as crossover Council currently stipulates that gradient of crossover to not exceed 1:40 (2.5%). Design Standard states 25%.	inconsistent between the design standard and the Code. Driveway crossovers width needs to take into consideration road width as this can affect the safety of access and egress. The proposed flare design is considered inappropriate as it will result in greater driveway presence in the verge, reducing the space for tree planting etc. The flare should only occur at the kerb, not across the entire verge as shown. There are concerns that under the design standard, a 10.1m frontage could result in up to 8m or almost 80% of frontage as crossover . This seems contrary to the intent of the design standard. Concerns regarding 25% gradient across the verge in relation to safety for pedestrians.
	Location of driveway crossovers	Consideration needs to be given to separation distances from Post boxes, street signs, and other infrastructure that is not captured in DR 1.6 A 1m separation between existing crossovers is shown as being required, however is there a reason why they cant be collocated or built next to each other to allow the additional 1m to be located on the larger side and enhance the available space for onstreet parking. The design standard needs to take into account changes in road geometry – eg assumes straight road. Additionally minimum separation distance between crossover and pedestrian activated crossing (or any type of	There appears to be a missed opportunity for colocation of driveway crossovers o location of these driveways in closer proximity to each other in order to maximise the potential area for onstreet parking. This should be reviewed. Location of driveway crossovers to consider road geometry, the design standard assumes a flat, straight road which is not always the case. Reference numbers for DR 1.6 are not in the correct order.

		pedestrian crossings) should be subject to Council review, as it driven by primarily road geometry.	The Definition of Traffic Control Device should refer to Road Traffic Act 1961 – Sections 5 and 6A, as per DR 1.4 The grouping of design requirements under DR 1.4 relating to the siting of a driveway is confusing. Whether all of the requirements must be satisfied or only one specific requirements is unclear. It is recommended that these be split out as they are very different considerations for different site-specific situations
	Impacts on street trees	If an applicant has received approval for the removal of a street tree, it is unclear how this process is documented in an assessment against the design standard. Does the applicant need to supply this agreement to the relevant authority for them to ensure compliance with design standard? Does it form part of a stamped approval? There are concerns as to whether a relevant authority, and in particular a private certified is going to know if a street tree is regulated. Council currently does not set a minimum 2m setback for a driveway from a street tree. This depends on case-by-case basis for each specific tree as each individual tree has specific requirements, specific root structures and some can tolerate TPZ disturbance more than others. It is noted however that current DTS requirements in the Planning and Design Code specify 2m. It is unclear whether a relevant authority, in particular a private certified, will be able to confirm that proposed Tree Protection Zone is accurate? Will a certified measure the tree and determine the TPZ in accordance	There are concerns regarding the potential impacts on street trees under the proposed design standard. In particular, the arboricultural assessment required of the impact of a driveway on a street tree is considered too technical for a relevant authority to consider on their own without seeking advice from a subject matter expert. In particular, accurate determination of tree protection zones for regulated and significant trees, as well as ensuring driveways are located outside of structural root zones for all trees. Design Requirement 1.4 states the following: *Design Requirement 1.4 Driveway crossovers satisfy the following:* *(a) driveway crossovers do not result in the removal of street trees unless an agreement*

		with the Australian Standard? Will they have arboriculture expertise to assess this? The relevant setback from a regulated tree appears to cross-reference AS 4970:2009 which may require expert arboricultural input	*is made with the owner of the street tree for it to be relocated, removed or replaced* It is therefore understood that in the instance where a street tree is proposed to be removed, the proposal would not be compliant with this Design Requirement and thus not compliant with the Design Standard (i.e. the Design Standard would not apply). However there are some concerns that this could be contested given the ambiguity of the relationship between the Design Standard, the PDI Act and the Local Government Act outlined above. It is recommended that the implementation of any design standard be delayed until such point as this is rectified.
	Level of technical assessment required	There are concerns regarding the level of technical assessment required to consider compliance with the design standard, in particular: • Vehicle swept paths etc for driveway which have curves/bends/turning requirement (DR 2.1) • transition grades which require a whole of site assessment eg FFL may dictate driveway grades and transition grades, this is more than an assessment of just the driveway grades (DR 3.1) • Consideration of drainage capacity, flow rates of existing swales and the impact of a new driveway (DR 5.6) • Sightlines (DR 5.2) • Impacts on trees including determining Tree Protection Zones (DR 1.6) Some of these require a technical assessment from a subject matter expert. Council planners frequently seek advice from a subject matter expert in assisting the assessment of these applications.	There are concerns regarding the level of technical assessment required to consider compliance with the design standard, in particular: • Vehicle swept paths etc for driveway which have curves/bends/turning requirement (DR 2.1) • transition grades which require a whole of site assessment eg FFL may dictate driveway grades and transition grades, this is more than an assessment of just the driveway grades (DR 3.1) • Consideration of drainage capacity, flow rates of existing swales and the impact of a new driveway (DR 5.6) • Sightlines (DR 5.2)

		Additionally given the scope of the design standard to apply for access servicing upt to 50 dwellings, the design standard provisions will require a relevant authority to undertake a thorough and detailed process of assessment at the planning and/or land division consent stage, including technical assessment of engineering and infrastructure-related matters.	• Impacts on trees including determining Tree Protection Zones (DR 1.6) • undertaking a thorough and detailed process of assessment at the planning and/or land division consent stage for applications where up to 50 dwellings are proposed, including technical assessment of engineering and infrastructure-related matters.
	Sightlines	Consideration of fences – whilst fences are generally not considered to be development under the PDI Act, they can impact sightlines	Consideration of fences in relation to sightlines
	Design where the road has no kerb and gutter	Limited criteria for roads with no kerb and gutter. The design standard only makes mentioned to rural and high speed roads, however for example the top of Grand Junction Road and other suburban roads are un kerbed. These are neither rural nor high speed roads. The proposed swale design not really a considered solution and further as identified above requires a technical assessment of impacts	Design standard needs further consideration for roads where there is not kerb and gutter . The proposed swale design is not considered to adequately address this, and further requires a technical assessment on the impacts of stormwater flows and capacity.
	Level of detail required to be provided by applicant	The relevant authority can only assess what is provided to them by the applicant. The proposed design standard places additional requirements on what needs to be provided by the applicant in order for an accurate assessment to be undertaken. For example location of redundant vehicle crossovers, and the detail required in DR 6.1 regarding colour and materials of driveway crossover is rarely provided freely.	Clarification on whether additional information can be requested in relation to the assessment of a proposal against a design standard.
	Inconsistent use of terminology	Use of and/or required for clarity – frequently unclear whether all of the design requirements need to be satisfied, or only one. There is an inconsistent use of terminology relating to number of dwellings, “more than 2” or “3 or more” are used interchangeably and could cause confusion.	Review of terminology, in particular: Inclusion of and/or where there are grouped design requirements Consistent use of terminology across the design standard and between the design standard and the Code

		Definitions for technical terms such as SISD, “lip of channel”, “edge line” are required	Additional definitions required as identified.
	Missing information	No technical drawing are provided for: • Reinstating driveway either rollover or upright • Construction of SW outlet (or reinstatement) • Construction details including reinforcement etc • Footpath reinstatement In Technical Drawing-G, it can only be assumed that notes from Technical Drawing-F be carried across, but this should be made clear	Consider technical drawing for: • Reinstating driveway either rollover or upright • Construction of SW outlet (or reinstatement) • Construction details including reinforcement etc • Footpath reinstatement Ensure consistency of notes across all technical drawings
	Missed opportunities	Opportunity have been missed to consider different construction methods and materiality eg permeable pavement or similar to reduce amount of hardstand, creative stormwater management, improving design outcomes, urban greening, and Water Sensitive Urban Design Colocation of driveways to maximise space in front of site should be more strongly encouraged b the design standard. Council generally doesn’t allow the removal of council trees to allow double driveways to be installed. Rather, the standard driveway width is required to allow retention of the council tree or to plant a new one after development is complete. It also gives more parking space on the road for the residents. This approach is not encouraged by the design standard.	It is considered that the following opportunities have been missed: • consider different construction methods and materiality eg permeable pavement or similar to reduce amount of hardstand, creative stormwater management, improving design outcomes, urban greening, and Water Sensitive Urban Design • Colocation of driveways to maximise space in front of site should be more strongly encouraged by the design standard. • A standard single driveway width at the crossover should be required for double garage widths to allow retention of the council tree or to plant a new one after development is complete. It also gives

			more parking space on the road for the residents.

Reference: TRIM

14 November 2023

Mr M Henderson
Senior Planning Officer
Planning and Land Use Services

PlanSA@sa.gov.au

Dear Mr Henderson,

Submission – Residential Driveways Design Standard

Thank you for the opportunity to provide a submission in respect to the draft Residential Driveway Crossovers Design Standard.

The Barossa Council acknowledges the significant effort of the department in preparing the first Design Standard under the *Planning, Development and Infrastructure Act 2016*.

We would like to provide the following comments in respect to the draft Design Standard:

1. **The Design Standard is complicated**, containing some 19 principles / 38 requirements / 9 technical drawings. It is recommended that the Design Standard undergo road testing to determine its workability and practical application.

   In addition, the interface between the Design Standard and the Planning and Design Code is confusing. There are provisions that will remain in the Code and will have work to do when a proposal is not able to be assessed against the Design Standard. This includes undefined dwellings for example. It is also not clear why other exemptions are provided, such as where the development involves more than 50 dwellings.

   The structure between Design Principles and Design Requirements is also confusing. Design requirements must be met to satisfy the design standard in Clause 7, but it does not say the same for Design Principles. What is therefore the legal status of the Design Principles? Noting also that Design Principle 4.1 has no correlating Design Requirement? If the Design Standard is to 'prescribe standards', why does the Design Standard contain qualitative statements which are not prescriptive, and in the example of Design Principle 4.1 has no correlating Design Requirement.

   It is recommended that consideration could be given to a reduced scope for the Design Standard, such as applying to residential development on local urban streets, given that this is the first Design Standard to be released. This will make the Design Standard simpler, while also capturing most residential developments.

2. **There should be no variations permitted to the requirements of the Design Standard for DTS applications**. While the stated intent in the Design Standard is that there is no discretion for minor variations in the

assessment process, there would be some scope for minor variation where a requirement in the Design Standard is linked to a DTS application type in the Planning & Design Code. Variations are not supported, given that these matters are of a technical nature and affect public areas. Typically, the expertise of a civil engineer is employed for any such dispensations and this should only be permitted for performance assessed developments where such advice is sought.

3. **Some Engineering considerations cannot be adequately assessed by non-engineers.** There are some aspects of the assessment that do not fit adequately within a DTS (quantifiable) assessment process, such as Design Requirement 5.6 and TD-F (flood protection elements).

4. **The Practice Direction does not address technical construction requirements.** There are detailed construction requirements for driveways and footpaths that are not included in the Design Standard. This is a significant omission. Councils should be provided the opportunity to add these requirements to any development approval to ensure the construction materials of footpath or driveway and stormwater connections are all appropriate with what is established within the street and durable for the public realm. The Design Standard and the DAP currently prohibit this.

5. **Compliance should be considered together with public liability matters.** The information released does not discuss or provide guidance on ensuring compliance. The Design Standard should prevent the practice of accredited professionals imposing a condition that the owner/builder build to the standard, instead of properly assessing the driveway eg. A practice for some current aspects of assessment matters is to include a note or condition such as *build in accordance with nominated standard or technical data sheet.* How can the Commission ensure an appropriate assessment is undertaken of the Design Standard? This is critically important as the Design Standard should consider the process up to and including construction, as retroactively fixing errors is costly for both Councils and the home owners.

   Because a Section 221 application is not required on approval of a development that complies with the Design Standard, the Council will have no ability to impose requirements as to public liability insurance. This appears to be a gap in the scheme as presently formulated.

We thank you for the opportunity to provide comment in respect to the draft Design Standard. We trust the above feedback will inform improvements to the draft Design Standard.

Yours sincerely,

Martin McCarthy
Chief Executive Officer

09 November 2023

Attention: Matthew Henderson,
Senior Planning Officer,
Planning and Land Use Services,
Department for Trade and Investment,
GPO Box 1815, ADELAIDE SA 5001

Dear Planning and Land Use Services,

Draft Residential Driveway Crossover Design Standard for consultation

Thank you for the opportunity to provide comment regarding the draft Residential Driveway Crossover Design Standard. Overall, we support the proposed changes as the Design Standard will provide guidance to developers and home builders which will reduce the need to direct resources into pursuing amendments to crossovers in development applications and therefore improving assessment times for their applications.

Whilst we support the proposed changes for the proposal, we request a small number of changes to support road safety and protect streetscapes, street trees as well as reduce risk of interference with the co-ordination of infrastructure in our growth areas.

Please see Councils comments and recommendations and further discussion below.
Our requested changes relate to:

1. The proposed maximum flare width of double crossovers.

2. Protection of street trees (Council assets).

3. The threshold of fifty dwellings that can be included in an application that is to be assessed using the design standard by a relevant authority other than the Council. This has the potential to adversely impact on the co-ordination and orderly integration of residential land divisions within growth areas.

4. The flexibility to consider policies and requirements as inconsistent or irrelevant with design standards.

Summary Table			
Issue	**Current or proposed policy**	**Risk**	**Recommendation**
1. Maximum width of crossovers			
TD-A Urban driveway Crossover Widths – servicing one dwelling. The proposed flare width for a double cross over at kerb at 8 metres is too wide	City of Playford has variable policies based on the nature of stormwater drainage as in some areas crossovers transverse swales. The City uses, the *Infrastructure Guidelines (SA) Drawing No SD 225 Retrofit Residential Vehicle Crossing Detail.* This requires a 3.6 metre driveway as a minimum width (single driveway) and 6.6 metre maximum width (double driveway). Each of these have a 450 millimetre flare at each side. **Proposed** ***Design Requirement 1.5 Driveway crossovers satisfy the following:*** *(a) sites with a frontage to a public road of* ***10m or less****, have a single-width driveway crossover that*	• Visually dominate streetscapes. • Encourage residents retrospectively redesign driveways for wider access adversely impacting on streetscapes. • Encourage driveways to occupy larger areas of front yards and thereby reducing space for soft landscaping at the front of dwellings. • Reduce the area available for street trees, particularly large trees with sizable canopies. • Result in large amounts of land in residential areas occupied by open paved areas contributing to urban heat. • Undermine walkability of suburbs due to the nuisance of increased vehicle presence over footpaths. • Undermine walkability of suburbs due to increase of urban heat and absence of street amenity. • Decrease safety for pedestrians and cyclists as wide crossovers encourage vehicles to enter properties at speed.	Premised on TD-A Urban driveway Crossover Widths – servicing one dwelling being amended so the double driveway no wider than **7 metres** at the kerb (requiring entering vehicles to enter at a safe speed) and cross overs in most cases being less than 50% allotment width to reduce impact to character. Design Requirement 1.5 should be amended to the following: **Recommended** ***Design Requirement 1.5 Driveway crossovers satisfy the following:*** *(a) sites with a frontage to a public road of* ***14m or less****, have a single-width driveway* *crossover that complies with TD-A and is no more than 3.2 metres in width at the property boundary.*

	complies with TD-A and is no more than 3.2 metres in width at the property boundary. *(b) sites with a frontage to a public road of* ***greater than 10m*** *may have a double-width driveway provided that the driveway crossover complies with TD-A, TD-C and DR 1.0* *(c) where a driveway crossover is to serve more than: i) two (2) dwellings on a State Maintained Road, or ii) three (3) dwellings on other roads, the crossover design must accommodate simultaneous traffic movement of the design vehicle as shown in TD-B*		• Reduce area for infrastructure.	*(b) sites with a frontage to a public road of* ***greater than 14m*** *may have a double-width driveway provided that the driveway crossover complies with TD-A, TD-C and DR 1.0.*

2. Street Trees

Design Requirement 1.6 Driveway crossovers are located in accordance with Table 1 and TD-C
A two metre setback or more from the base of the trunk of a street tree unless consent is provided from the tree owner.
Design Requirement 1.6 Driveway crossovers are located in accordance with Table 1 and TD-C

The 2 metre setback to street trees does not consider street trees that are species exempt from the definition of regulated or

Design Requirement 1.6
Driveway crossovers are located in accordance with Table 1 and TD-C

Proposed change in Code

Table 1 – separation distances for Common Infrastructure	
Common Infrastructure	Minimum Separation Distance
Existing crossover - no on-street parking provided	1.0m
Existing crossover – onstreet parking provided	5.4m
Stormwater pit	1.0m
Stobie pole, light pole	0.5m
Street tree (non-regulated)	**2.0m**
Street tree (regulated)[2]	**See Note 2**
Kerb tangent point	6.0m
Stormwater outlet	0.3m
Telecommunications or electrical pit (non trafficable)	0.5m
Pedestrian invert / kerb ramp	0.5m
Pedestrian activated crossing	Clear of marked lines

- It is not a requirement in the Code or proposed Practice Direction for a private certifier to seek Council advice regarding street trees located more than 2 metres from crossovers.
- Permission is required under Section 221 of the Local Government Act from the relevant Council to damage any street tree.
- Follow up compliance for damaged street trees risks requiring retrospective applications for variation to planning consent, effectively applying for the crossover twice and adding cost and slowing applications.
- Potential for trees to be removed due to damage.
- Damage to street trees less than but approaching a 2 metre circumference that are protected under section 221 of the Local Government Act.

Subject to further professional investigation to inform policy in the Code, the distance between crossover and tree should be subject to the circumference of the tree, tabled as envisaged below.

A hypothetical table as example

Table X – separation distances for Street Trees	
Circumference of tree	**Minimum Separation Distance**
0.25 metres	2 metres
0.5 metres	3 metres
1 metre	4 metres
1.5 metres	Consult with Council

- Crossovers should be referred to the Council where crossovers are proposed within 10 metres of a street tree with larger than a 1.5 metres circumference.
- Proposed Design Requirement 1.6 Table 1 requires tree protection radius in accordance with AS 4970:2009 should be extended to street trees that are less than but are approaching 2 metre circumferences, such as a

significant within 10 metres of a dwelling or swimming pool or are exempt as a declared species but are maintained for amenity.	Bus stop[4] | 10.0m (approach side) / 2.0m (departure side) **Notes:** **1. Tree protection radius in accordance with AS 4970:2009 (Attachment X)** 2. Traffic control devices can include speed humps, speed limit signs, parking control signs, traffic signals. A lesser distance may be negotiated with the relevant asset owner. 3. DIT Master Specification Proposed Design Requirement 1.6 Table 1 requires tree protection radius in accordance with AS 4970:2009		street tree with larger than a 1.5 metres circumference. • Crossovers should be referred to the Council where AS 4970:2009 should be conditioned for advice and in some circumstances works will need to be supervised.

3. Maximum threshold of dwellings (50)			
Private Certifiers will be able to assess crossovers for a maximum of 50 dwellings. Our concerns do not include Community Land divisions which will have limited impacts to Council assets	**Part 3 – Design Standard Residential Driveway Crossovers** **6. Scope of this design standard** This design standard applies to all applications for planning consent and/or land division consent involving residential development, except: **a. residential development involving more than 50 dwellings within a single development site** b. residential development of a scale that must be serviced by heavy vehicles	• In growth areas, principally the masterplanned zones, driveway locations are considered within the civil construction process, and these are coordinated with numerous land divisions undertaken by a diversity of developers. • The masterplanned zones are strategically and coordinated by Council Development Teams with overview to manage traffic, infrastructure, tree canopy, open space and streetscapes over large areas. Private certifiers do not have this overview, and this has the potential for some decisions to disrupt to coordination of growth areas, (e.g. having to relocate irrigation for landscaping and street tree or stormwater). • In the masterplanned zones decisions outside of Council and developer	• These standards should not be applied in masterplanned zones, as driveway locations are considered within the civil construction process and relates to location of infrastructure, services and street trees.

	that are a Medium Rigid Vehicle or larger (such as residential flat buildings requiring on-site waste collection) c. mixed-use development with a residential component d. Within the Hazards (Flooding – General) Overlay or Hazards (Flooding) Overlay of the Planning and Design Code	coordination are likely to inadvertently interfere with the process especially at estate boundaries where provisions to extend infrastructure into the neighbouring future development are required. • In the masterplanned zones, multiple relevant authorities authorising crossovers risks inconsistent streetscapes across multiple developments. • Potential to impact consistency in staged development.	
4. Compliance with the Design Code			
Private certifiers have the flexibility to determine Design Principles policies are not relevant.		• Scope is not defined and open to interpretation. • Private certifiers do not have local context or access to professional advice as to the true relevance of a policy.	• Any flexibility for a Relevant Authority should be restricted to councils or relevant State Agencies as they are making decisions affecting public assets.

Further Discussion

1. Maximum width of crossovers

The TD-A Urban driveway Crossover Widths – servicing one dwelling proposes a flared width for a double cross over at kerb 8 metres wide. This is too wide where 8 metres is less than 50% of allotment width for the following reasons:

- Visually dominate streetscapes.
- Encourage residents retrospectively redesign driveways under the Local Government Act for wider access at the boundary in order to park multiple vehicles or store caravans, trailers, boats and trade equipment infront of dwellings, adversely impacting on streetscapes.
- Encourage driveways to occupy larger areas of front yards and thereby reducing space for soft landscaping at the front of dwellings.
- Reduce the area available for street trees, particularly large trees with sizable canopies.
- Result in large amounts of land in residential areas occupied by open paved areas contributing to urban heat.
- Undermine walkability of suburbs due to the nuisance of increased vehicle presence over footpaths.
- Undermine walkability of suburbs due to increase of urban heat and absence of street amenity.
- Decrease safety for pedestrians and cyclists as wide crossovers encourage vehicles to enter properties at speed diagonally over crossovers whereas a sharp turn from the street will require a motorist to almost stop before entering.
- Reduce area for infrastructure. (Note: Due to high maintenance and maintenance costs, Council does not support trafficable side entry pits (SEPs). Double SEPs are required in low lying growth areas. Double SEPs cannot be trafficable. The adoption of 5G in the next few years will likely result in additional above ground infrastructure. Due to the adoption of 5G, the implementation of automated delivery vehicles is likely to increase footpath traffic and crossover design should accommodate this).

Whilst Design Requirement 1.5 requires allotments with a width of 10 metres or less should only be able to have a single driveway, double driveways will have similar impacts to allotments between 10 metres and 16 metres wide. Crossovers 8 metres wide at the curb will not achieve the objectives of good urban design and be counterproductive to liveable cities.

Our recommendation
Premised on TD-A Urban driveway Crossover Widths – servicing one dwelling being amended so the double driveway no wider than **7 metres** at the gutter (requiring entering vehicles to enter at a safe speed) and cross overs in most cases being less than 50% allotment width to reduce impact to character, Design Requirement 1.5 should be amended to the following:

Design Requirement 1.5
Driveway crossovers satisfy the following:
(a) sites with a frontage to a public road of **14m or less***, have a single-width driveway crossover that complies with TD-A and is no more than 3.2 metres in width at the property boundary.*
(b) sites with a frontage to a public road of
greater than 14m *may have a double-width driveway provided that the driveway crossover complies with TD-A, TD-C and DR 1.0.*

2. Street Trees

The Planning and Design Code requires crossovers set back 2 metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner.

Currently the process within Council is if staff identify a potential conflict between street trees and development, including crossovers and driveways, Council staff will seek advice from the team that manages street trees. This sometimes involves street trees that are more than 2 metres from crossovers. Setbacks to street trees should be reconsidered for the following reasons:

- This process is premised by Section 221 (2)(e) of the Local Government Act 1999 which prohibits, without permission from the Council, any activity, including construction of crossovers, that interferes with or damages street trees. Damage to street trees includes damage to critical roots at construction of crossovers. Without this consideration, a decision can result in the landowner in breach of the Act when the crossover is constructed.

  It should be noted that these inhouse referrals are not necessarily fatal to crossovers since with professional guidance engineering solutions will often allow crossovers and trees to coexist.

- A private certifier is unlikely to identify potential damage to street trees where they are not regulated trees as it is not a requirement of the Code or proposed Practice Direction to seek Council advice regarding street trees where necessary to protect trees.

- In circumstances where street trees are compromised and setbacks between tree and crossover are compliant with the Planning and Design Code, it is unlikely private certifiers will consult the Council even though the crossover may breach the Local Government Act.

- The 2 metre setback to street trees does not consider street trees that are species exempt from the definition of regulated or significant. These may be large trees within 10 metres of a dwelling or swimming pool or are exempt as a declared species but are maintained for amenity. Notwithstanding the status of these trees under the PDI Act, these will be Council assets and should be protected.

- Informed tree protection zones will be critical for species measuring less than but approaching a 2 metre circumference and are protected under sections 221 of the Local Government Act.

- Large trees will typically have rootzones larger than two metres and if not defined as regulated trees, poorly controlled excavation to install crossovers and, in some cases, driveways can damage critical root structure and cause trees to decline. This will result in further loss to tree canopy.

- In relation to the commencement of changes to sections 221 and 234 of the Local Government Act, private certifiers will be constrained from appropriate considerations by Design Requirement 1.6 Table 1 - Street tree (regulated) to large street trees that are not defined as regulated.

To reduce risk, Crossovers should be referred to Councils where crossovers are proposed within 10 metres of a street tree with larger than a 1.5 metres circumference.

We propose the setback between crossover and tree is formulated with a science based approach and pending professional investigation to balance risk to prescribe setback distances based on the circumference of trees. In the absence of investigation, we have provided a hypothetical example using arbitrary distances based on circumference (please see Table above).

3. Maximum threshold of dwellings (50)

The proposed design standards should not be applied in masterplanned zones, as these Zones are the location of large and numerous land divisions where driveway location is considered as part of the civil construction process and relates to location of infrastructure, services and street trees.

This is normally tightly controlled by the developer, and it is the interest of developers and Council that this is considered as part of the civil design, or as part of a building envelope approval- both of which are allowed under the masterplanned zone. With building envelope plans and provisions of Sch6A, ample provision is made to ‘fast track approvals in these zones, and crossover standards are counter to this.

- In growth areas, principally the masterplanned zones, driveway locations are considered within the civil construction process, and these are coordinated with numerous land divisions undertaken by a diversity of developers.

- The masterplanned zones are strategically and coordinated by Council Development Teams with oversight to manage traffic, infrastructure, tree canopy, open space and streetscapes over large areas. Private certifiers do not have this strategic view over developments, and this has the potential for some decisions to disrupt to coordination of growth.

- In growth areas, principally the masterplanned zones, driveway locations are considered within the civil construction process, and these are coordinated with numerous land divisions undertaken by a diversity of developers.

- In the masterplanned zones decisions by private certifiers have the potential to inadvertently interfere with the process especially at estate boundaries where provisions to extend infrastructure into the neighbouring future development are required.

- In the masterplanned zones, multiple relevant authorities authorising crossovers risks inconsistent consideration of what inconsistent with the design standards due to a lack of awareness or requirement to consider the surrounding context.

- Potential to impact consistency in staged development.

Our Recommendation: The proposed design standards should not be applied in masterplanned zones.

4. Compliance with the Design Code

Part 2 – Compliance - 5. Compliance *"In order for a development proposal to have complied with a Design Standard, the Relevant Authority must be satisfied that all relevant Design Requirements and Design Principles are met.*

For the avoidance of doubt, the relevant authority may determine that one or more of the Design Requirements and/or Design Principles policies are not relevant to a particular development".

It is unclear what the purpose of a determination Design Requirements and/or Design Principles policies are not relevant to a particular development is trying to achieve. The nature of assessment will not consider missing elements that are self-evidently absent. An example of this is if there is no street infrastructure close to a development site then setback requirements will not be relevant is self-evident.

This suggests the ability to determine that policies are not relevant is to allow flexibility in decision making, however if this is the case, this risks disregard to inconvenient requirements, with policies as justification for the decision.

It is especially vital that the general application of this is restricted to the Councils and State agencies when making decisions regarding their own assets and given inhouse professional advice is available to staff.

The City of Playford looks forward to these matters being addressed in the final version of the Design Standard for Residential Driveways.

If you have any queries, please contact Jamie Hanlon, Development Officer Planning, on ([redacted]r via[redacted]

Regards,

Greg Pattinson
Executive Strategic Advisor

Design Standard - Residential Driveway Crossover and Code Amendment

Thank you for an opportunity to provide a submission on the Design Standard and Code amendments in relation to 'Residential Driveway Crossovers'. The following is a response provided by Light Regional Council.

The draft driveway crossover standard is not considered necessary and will apply what will be generic standards to situations that are not generic and like for like across the state. The lack of technical detail in the draft driveway standards is of concern as most councils have created their own detailed crossover drawings/technical designs that comply with their specific requirements.

The practice direction does not address technical construction requirements. There are detailed construction requirements for driveways & footpaths that are not included in the DS. This is a significant omission. Councils should be provided the opportunity to add these requirements to any development approval to ensure the construction materials of footpath or driveway and stormwater connections are all appropriate with what is established within the street, and durable for the public realm. The Design Standard and DAP currently prohibits this.

Most councils provide a copy of the driveway crossover technical specifications to the developer/landowner so as to ensure that applicants and landowners are aware of the required standard of the driveway crossover as part of a development application.

The specific standards provided by individual councils is for a valid reason. These standards have not been devised as a "nice to have' but generally out of a need to rectify past scenarios that have occurred.

There should be no variations permitted to the requirements of the Design Standard for DTS applications. While the stated intent in the DS is that there is no discretion for minor variations in the assessment process, there would be some scope for minor variation where a requirement in the DS is linked to a DTS application type in the Planning & Design Code. Variations are not supported, given these matters are of a technical nature and affect public areas. Typically, the expertise of a civil engineer is employed for any such dispensation, and this should only be permitted for performance assessed developments where such advice is sought.

While Council is not supportive of the proposed design standards, we have taken the opportunity to provide commentary regarding what has been proposed.

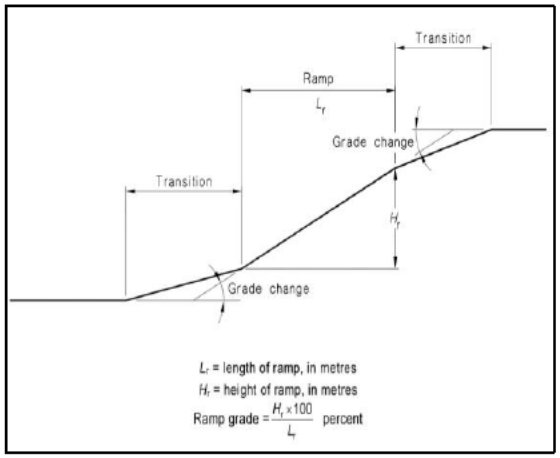
Discussion/Topic	Comments/Solutions
The proposed design standard is over complicated	With 19 Design Principles, 38 Design Requirements and 9 Technical Drawings the design standards should be road tested in an urban and rural environment to ensure their workability. The interface between the Design Standard and the Code is unclear, with provisions remaining within the Code and will have work to do when it can't be assessed against the Design Standard e.g., undefined dwellings. Other exemptions are provided, including where development involves more than 50 dwellings. How the Design Principles and Design Requirements interact are unclear. Within Clause 7 Design requirements must be met to satisfy the Design Standards, however the same cannot be said for Design Principles, leading to legality being questioned. Consideration should be given for a reduced scope for the design standards. Recommendation around limiting the design standards to urban roadways only given this is the first release of the standard. This will make the design standard simpler, while capturing the majority of residential development within the state.
No variation permitted to the Design Standards for DTS applications.	The stated intent of the Design Standard is that there is no discretion for minor variations in the assessment process – there would be some scope for minor variations where a requirement in the design standard is linked to a DTS in the Planning and Design Code.

	Given these requirements are of a technical nature and affect public space/areas, any variation is not supported. In general, the expertise of a suitably qualified civil engineer is employed to consider/assess these dispensations.
Engineering consideration cannot be adequately assessed by non-engineers	Some aspects of the assessment that do not fit adequately within a DTS (quantifiable) assessment process. An example of this is Design Requirement 5.6 and technical drawing (TD-F). Additional example is Technical Drawing (TD-E) Rural Property Access. In many instances culverts are required and this will vary from property to property - Within rural areas roadway distances to boundaries, swale widths, depths vary making an assessment by suitably qualified engineer critical for management of stormwater. In many instances culverts are required and this will vary from property to property. The Design Standards should not apply to crossovers in rural areas such as Rural and Rural Living Zones. Consideration must be given to what ability a council, or the applicant has to pursue a relevant authority that is not council when they approve a variance to the standards that cannot function in the environment it relates to.
The practice direction does not address technical construction requirements.	Detailed construction requirements for driveways & footpaths that are not included in the Design Standard. This omission is significant. Councils should be provided the opportunity to add these requirements to any development approval to ensure the construction materials of footpath or driveway is appropriate with what is established and the standard within streets, ensuring it is durable for the public realm. The Design Standard currently prohibits this from being a consideration or influencing factor.
Compliance should be considered together with public liability matters	The information released does not discuss or provide guidance on ensuring compliance with these matters. The Design Standard should prevent the practice of accredited professional imposing a condition that the owner / builder build to the standard, rather than a proper assessment take place of the driveway's practicality within the public space. An Example provided is some current aspects of assessment matters is to include a note or condition which reads as *…build in accordance with nominated standard*.

	This does not allow for an appropriate assessment to be undertaken of the Design Standard. By allowing this the Commission would tolerate the responsibility to move from the accredited professional to the owner/builder or critically the local Council. This is critically important as the Design Standard should consider the process up to and including construction, as retroactively fixing errors becomes costly for the landowner and/or Council.
Assessment Provisions	See below for additional comments

Changes to Planning and Design Code	Response from Council	Opportunities for improvement
All Residential development		
Car parking, access and manoeuvrability		
PO19.3 Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking. **DTS/DPF 19.3** Driveways ~~and access points~~ on sites with a frontage to a public road of 10m or less: (a) have a width between 3.0 and 3.2 metres measured at the property boundary (b) are the only access point provided on the site (c) comply with the design standard for residential driveway crossovers.	Council have reviewed the changes proposed and raise concern with DTS/DPF19.3(b) and (c) – The DTS/DPF does not take into consideration sites with larger frontages and the following recommended changes should be considered.	a) No additional comments provided Additionally (a) Driveways and access points on sites with a frontage to a public road of 10m to 20m, can have a driveway width of **maximum** 5.5 metres, providing minimum 5.4m on-street parking space availability along the allotment frontage. (b) Driveways and access points on sites with a frontage to a public road of 20m or more can have no more than two driveways to the public road (I) of widths between 3.0m and 5.5 metres measured at the property boundary, (ii) the minimum spacing between these access points should be 6.0 metres to accommodate on-street parking.

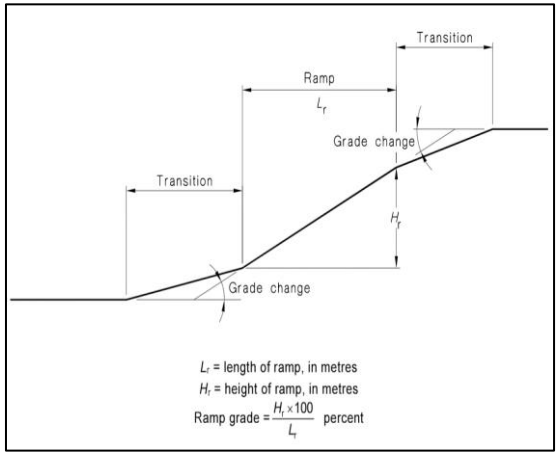
PO19.4 Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees. **DTS/DPF 19.4** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable Or Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land or (b) where newly proposed, : (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.	Council have reviewed the changes proposed to DTS/DPF19.4	Council recognises the changes listed to DTS/DPF19.4 and provide no further comment,
PO19.5 Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces. **DTS/DPF 19.5**	Council have reviewed the changes proposed and raise concern with DTS/DPF19.5 in that improved design standards and Technical Drawings should be considered taking into consideration the changes in modern vehicles. Also, the suggested changes provided much clear guidance to assessor for assessment.	a) Adopt 1 in 40 (2.5%) or less across footpaths, max 1 in 10 (10%) in the verge area and max 1 in 4 (25%) inside the property boundary. b) Change of grade - To prevent vehicles

The design of the driveway complies with the design standard for residential driveway crossovers, if applicable Or Driveway crossovers satisfy the following: (a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is not steeper than 1:4 on average (b) they are aligned relative to the street boundary so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the street boundary (c) if located to provide access from an alley, lane or right of way - the alley, land or right or way is at least 6.2m wide along the boundary of the allotment / site		scraping or bottoming, change in excess of - i) 12.5 percent algebraically (1 in 8) for summit grade changes; or ii) 15 percent algebraically (1 in 6.7) for sag grade changes; requires the introduction of a grade transition between the main grade lines as illustrated in the below figure.  C) No additional comments provided
Design in Urban Areas		
All residential development		
Car parking, access and manoeuvrability		
PO23.3 Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, domestic waste collection, landscaped street frontages and on-street parking.	Council have reviewed the changes proposed and raise concern with DTS/DPF23.3(b) the inclusion of additional requirements regarding distance between driveways.	a) No additional comments provided b) Site with frontage greater than 10 metres i) The width of access can be maximum of 5.5m but actual width provided should be determined by on-street parking space availability of minimum 6 metres in front of the allotment.

DTS/DPF 23.3 The design of the driveway complies with the design standard for residential driveway crossovers, if applicable Or Driveways and access points satisfy (a) or (b): (a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site or (b) sites with a frontage to a public road greater than 10m: (i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site; (ii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.		ii) If allotment frontage allows two access points, then the spacing between the accesses must be minimum of 6m to facilitate on-street parking. The width of each access can vary between 3m to 5.5m depending on the total allotment width available.
PO23.4 Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees. **DTS/DPF 23.4** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable Or	Council have reviewed the changes proposed and raise concern with DTS/DPF23.4(b) the inclusion of additional requirements regarding distance between assets etc should be reflective of the SA Infrastructure Guidelines	a) No additional comments provided b) where a newly proposed driveway complies with the design standard for residential driveway crossovers; I) The minimum offset required for any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner should be 1 metre.

Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land or (b) where newly proposed complies with the design standard for residential driveway crossovers is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.		
Housing Renewal		
Vehicle Access		
PO17.1 Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages and on-street parking.	Council have reviewed the changes proposed to DTS/DPF17.1	Council recognises the changes listed to DTS/DPF17.1 and provide no further comment,

DTS/DPF 17.1 ~~None are applicable.~~ The design of the driveway complies with the design standard for residential driveway crossovers, if applicable		
PO17.2 Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees. **DTS/DPF17.2** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable **Or** Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land or (b) where newly proposed, is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance	Council have reviewed the changes proposed and raise concern with DTS/DPF17.2 (b) the inclusion of additional requirements regarding distance between assets etc should be reflective of the SA Infrastructure Guidelines	A) No additional comments provided or, B) Where newly proposed, I) The minimum offset required for any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner should be 1 metre.

(iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.		
PO17.3 Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces. **DTS/DPF 17.3** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable **Or** Driveways are designed and sited so that: (a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is not more than 1-in-4 on average (b) they are aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the road boundary. (c) if located so as to provide access from an alley, lane or right of way - the alley, lane or right or way is at least 6.2m wide along the boundary of the allotment / site.	Council have reviewed the changes proposed and raise concern with DTS/DPF17.3(a) and (b) reference to previous comments taking into consideration the changes in modern vehicles. Also, the suggested changes provide clear guidance to assessor for assessment.	a) Adopt 1 in 40 (2.5%) or less across footpaths, max 1 in 10 (10%) in the verge area and max 1 in 4 (25%) inside the property boundary. b) Change of grade - To prevent vehicles scraping or bottoming, change in excess of - i) 12.5 percent algebraically (1 in 8) for summit grade changes; or ii) 15 percent algebraically (1 in 6.7) for sag grade changes; requires the introduction of a grade transition between the main grade lines as illustrated in the below figure.  C) No additional comments provided

PO17.5 Residential driveways that service more than one dwelling of a dimension to allow safe and convenient movement. **DTS/DPF 17.5** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable **Or** Driveways that service more than 1 dwelling or a dwelling on a battle-axe site: (a) have a minimum width of 3m (b) for driveways servicing more than 3 dwellings: (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.	Council have reviewed the changes proposed to DTS/DPF17.5	Council recognises the changes listed to DTS/DPF17.5 and provide no further comment,
Transport, Access and Parking		
Vehicle Access		
PO3.1 Safe and convenient access minimises impact or interruption on the operation of public roads. DTS/DPF 3.1	Council have reviewed the changes proposed to DTS/DPF3.1	Council recognises the changes listed to DTS/DPF3.1 and provide no further comment,

The design of the driveway complies with the design standard for residential driveway crossovers, if applicable **Or** The access is: (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.		
PO3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets. **DTS/DPF 3.5** The design of the driveway complies with the design standard for residential driveway crossovers, if applicable **Or** Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land or	Council have reviewed the changes proposed and raise concern with DTS/DPF3.5 (b) the inclusion of additional requirements regarding distance between assets etc should be reflective of the SA Infrastructure Guidelines	b) No additional comments provided c) i) The minimum offset required for any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner should be 1 metre. (residential and car parking)

(b) where newly proposed, is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.		
General Comments		
	Council encourages the Commission to consider introducing the SA Infrastructure Guidelines into the Design Standards and Planning and Design Code.	• As a minimum reference point when seeking standards to residential Driveway Standards in relation to distance from other infrastructure and assets. Such as trees, SEP, Pits, Poles etc. • Rural driveways and Urban driveways should be 2 separate standards based on zoning, the P&D code can extract the relevant Guidelines based on zone – Rural, Rural Living, Productive Rural Landscape, Deferred Urban as examples of rural driveway standards to be implemented as opposed to Urban driveway standards. • Rural (I)Unsealed roadway access/egress points should seek a minimum 6m x 6m wide crossover/driveway to allow appropriate movement of traffic. (ii) Design Standards for Rural areas should ensure a minimum concrete box culvert, drainage swales as well as

		minimum distances from boundary/fence lines (iii) driveways can be compacted gravel (iiii) In existing urban areas, where the other properties do not have a sealed driveway, only a crossover is required to suit the kerbline.

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24 October 2023

Mr Craig Holden
Chair
State Planning Commission

Via email: PlanSA@sa.gov.au

Dear Mr Holden

Submission by the City of Charles Sturt – State Planning Commission Draft Design Standard for Residential Driveway Crossovers and Code Amendment - for Consultation

Council wishes to thank the State Planning Commission for the opportunity to comment on the Draft Design Standard for Residential Driveway Crossovers and Code Amendment.

It is acknowledged that the draft Code Amendment proposes a series of technical amendments through a draft Design Standard to prescribe a general standard for vehicular access to and from land adjoining a road for residential development.

The City of Charles Sturt has taken the opportunity to consider the proposed policy amendments and the draft Design Standard. A table of Council's review of the draft Code Amendment and draft Design Standard is in Appendix A. The following are key matters taken from Appendix A:

Assessment Provisions – Design Principles

- Clause 7 indicates that design Requirements must be met to satisfy the design standard but is not worded the same for the Design Principles. This can provide confusion as to the worth of the Design Principles and should be reviewed.
- Amendments are required to address some inconsistencies for minimum separation distance between Council's existing standards. The notes in Table 1 require to be reviewed as they refer to 'note 4', which does not appear in the Table and note 2 for street tree(regulated) is for traffic control devices.
- The definitions used for traffic controls require a review to ensure they match with the requirements within the Department of Infrastructure (DIT) code of requirements and ensure the Planning and Design Code is consistent with Austroads and DIT's code of requirements for traffic control devices (TCD's). A definition should also be included for clearances.
- For consistency references to grade requirements should be in accordance with Australian Standards.
- The draft Design Standards should show design requirements for when there is no footpath on a street that a driveway is proposed to intersect with.

Drawings

- Crossover widths for TD-A and TD-B are not consistent with current code requirements.
- TD-C amendments sought to provide consistency in wording throughout the document.
- Kerb ramp locations should be shown or a separate drawing for distance to kerb ramps.
- TD-F & TD-G – the property boundary level should be 150mm higher than top of kerb at the property boundary.

Other matters

- It is noted that the intent of this document is to replace individual council standard details for driveway crossovers. While developers/builders/owners do not currently require a separate approval for a crossover under Section 221 of the Local Government Act if a planning approval already exists, the requirement for driveway crossovers to be to Council standard often directs them to Council. In seeking Council Standard Details, a developer/builder/owner would be directed to apply for a permit to install a driveway crossover, or to work on public land and Council could ensure they have adequate public liability insurance and it is done to Council's standards. This new Code amendment would reduce permit applications to Council, which may have insurance implications.
- The objects of the Design Standard can already be achieved through the Planning and Design Code, under Part 4 General Development Policies – Design in Urban Areas.
- The Standard has listed dwelling types that are included, but what consideration should also be made for ancillary accommodation, tourist accommodation, detached dwelling in a terrace arrangement?
- The flowchart attached to the Design Standard seem to suggest that the relevant authority may apply a note advising the applicant to notify the Council of their intent to undertake the driveway crossover construction works. As a note, there are no statutory requirements or consequences for failing to adhere to the intention of the note.
- The Design Standards should provide guidance when a relevant authority can make a decision based on a minor variation to the Standard or are the requirements absolute in any circumstance?
- The Planning and Design Code has proposed amendments where policies address matters relating to driveway crossovers. The Design Standards requires some ability to address where a relevant authority grants a planning consent that is at variance with the Design Standard.
- There are some conflicting changes to the code – e,g, Design in Urban Areas PO23.3 and PO23.4 which need to be reviewed for consistency.

Should you have any questions, please contact Jim Gronthos, Senior Policy Planner on [redacted] or by email at [redacted]

Yours sincerely

Bruce Williams
General Manager City Services

Appendix A – State Planning Commission Draft Design Standard for Residential Driveway Crossovers and Code Amendment

No.	Reference	Council feedback
		Assessment Provision – Design Principles
1.	Design Principle 1.6	Suggested amendments to Table 1: - Kerb ramp – 1.0m - Stormwater outlet – 0.5m - On-street parking – 6.0m
		Notes for table 1 need to be reviewed as the numbering is missing or not matching what is noted in the Table. It is recommended that the definition of traffic controls and clearances need to be reviewed as they do not match requirements within the DIT code of requirements and the planning code should be consistent with Austroads and the DIT code of requirements for TCD's. There is no information on what the DIT master specification needs to refer to and recommend its removal.
		Table 1 lists several potential common infrastructures to which the design of a driveway crossovers should have regard for in its design and specific distance requirements. Several other common type of infrastructure seem to be missing from Table 1 including but not limited to bins, post boxes, telephone boxes, fire hydrants, etc. These are other relevant common infrastructure should be considered in the Design Standard in direct consultation with the owners of this infrastructure. Offset for the service pits should have a 1.0m offset as minimum.
2.	Design Principle 1.7	The Design requirement does not mention requirements for grade transitions as per AS2890 and this should be included for consistency. It is recommended that notation be included in the design requirement that ensures gradients are be sloped toward the roadway for all development.
3.	Design Principle 1.8	A crossover within a laneway being specified at 6.2m is excessive and should depend on the width of the lane. Suggest Design requirement 1.8 should be the same as Design requirement 2.1 as entrance widths to properties on a laneway or alley way is dependent on design vehicle turning movements.
4.	Design Principle 3.1	There is no information regarding design requirements for when there is no footpath on a street that a driveway crossover is intersecting with. Councils current design drawings show a footpath still needs to be included within the driveway for future connectivity to the path

		network. This design requirement should provide a provision for a new path or footpath in the future.
5.	Design Principle 4.1	It is recommended that this design requirement should have the same wording as Design requirement 2.1. Access is subject to design of a B85 vehicle as a minimum for vertical clearance.

6.	Design Principle 5.2	It is recommended that the spelling is corrected - "site" lines are changed to "sight" lines.
		
		Requirement (a) is missing from the list. Unclear if this is an error or is there a requirement missing.
		
		For (b) it is recommended that the wording should be changed to "the centreline of the driveway within property boundary" as design standard should remain clear that all driveways should be perpendicular to roadway. This provision in the code is for angles of driveways applies to driveways within the property boundary and not a crossover between the road edge and property boundary.
		
		For (c) and (d) reference is not made in the design requirement to consider items of smaller diameter (for example a tree with maximum trunk diameter of 200mm) and vehicles parked on street that are noted in AUSTROADS guide to road design part 4A. It is also noted that sight distances for State roads is much larger than AUSTROADS requirements and seems excessive and suggestion is that sight distances are consistent with requirements under part 4A for all roads as the requirement for state roads does not seem practical.

7.	Design Principle 5.7	It is recommended that a disclaimer is included in the Design requirement to note that the provision does not preclude access to the site.
8.	Design Principle 6.1	It is suggested only include a Design principle only with no design requirement. If a design requirement is to be included then suggest that requirement is to match adjoining footpath treatment.
Drawings		
9.	TD-A and TD-B – crossover widths	Width of crossover at boundary is not consistent with current code and could result in confusion. It is recommended that: - single minimum is 3m - double is just 6.2m maximum. Width of crossover at kerb for double is 7.2m. It is recommended that crossover drawings show maximum 0.5m splay either side of crossover to reduce excessive splays that would otherwise be allowed under the current drawing. Include 0.45m transition between upright kerb and invert on plans. (Refer to City of Charles Sturt driveway standard) for reference)

10.	TD-C	Permissible zone for “crossing place” should be changed to permissible place for “driveway crossover” so terminology is consistent throughout the document. Recommended to show kerb ramp locations or include a separate drawing for distance to kerb ramps, indicating whether the clearance is to the edge of the ramp, or to the edge of the wing (where a wing is provided).
11.	TD-F & TD-G	The property boundary level to be 150mm higher than top of kerb at property boundary.

14 November 2023

Mr Craig Holden
Chair
State Planning Commission
c/o Planning and Land Use Services
Attn Matthew Henderson

CITY OF MITCHAM

Dear Mr Holden,

Thank you for the opportunity to provide feedback on the Draft Design Standard – Driveway Crossover for residential development. We wish to acknowledge the efforts of the State Planning Commission, PlanSA, the Design Standards Reference Group and all other contributors. We acknowledge and support the Government and Commission's ongoing effort to ensure delivery of all four key planning instruments under the Planning, Development and Infrastructure Act 2016 – namely the State Planning Policies, Regional Plans, Planning and Design Code and Design Standards. We are pleased to contribute to and participate in the discussion on these topics, as we have over recent years through submissions and policy adaptation in our city.

We support the feedback provided by the Council Assessment Managers Forum, which outlines a number of important matters. The comments below build upon those discussion points provided by the collective Assessment Managers. We request the Commission engages with Councils further on the matters outlined in the Assessment Managers response, along with this submission, prior to finalisation of the Standards and associated processes.

Object of the Design Standard

We support the objective of assessing and approving driveway crossovers associated with development at the stage of planning consent. However, it is suggested there should be appropriate involvement of key professions, including engineering in such assessments, given the potential impacts on public safety, amenity and assets.

Application of the Design Standard

It is suggested that there are limited circumstances in which a quantitative Design Standard for driveway crossovers would be appropriate for assessment by the State Planning Commission (the Commission) or Accredited Professionals without referral to the relevant council. The current draft standard, which combines qualitative principles with quantitative standards, is not considered to be suitable for assessment without a council referral in many circumstances where a new driveway crossover is required.

However, it may be appropriate to apply a quantitative only "Deemed to Satisfy" (DTS) Crossover Design Standard to limited circumstances without necessitating assessment input from technical experts. In these cases, the Design Standard should contain relatively conservative quantitative measures that can be clearly determined. The inclusion of qualitative principles or criteria in such a 'DTS style Design Standard' should be avoided, as arguably these aspects should only be assessed by the technical experts of a relevant council.

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For example, a constrained road such as a laneway is not a suitable street for application of a fixed design standard, as it requires a technical understanding of historical laneway functions and vehicle turning path correct application. Similarly, we consider contexts with steep sloping road reserves and/or development sites not to be appropriate circumstances for such a DTS style design standard.

It is suggested that any such DTS crossover design standard should also require the mandatory lodgement of accurate plans of the wider street context to demonstrate compliance with the Standard, including accurate vehicle lanes and parking dimensions, opposite crossovers, sightlines and intersection distance analysis. Applications lodged without the requisite information should transition to a different assessment pathway (i.e., Performance Assessment) that would enable assessment by a council engineer.

We also suggest it is important that consideration be given to how risks and liability are managed where an Accredited Professional might inadvertently approve a new crossover that is inconsistent with a DTS style Design Standard.

Based on all of the above we consider the more appropriate pathway for the majority of crossovers would be a 'performance assessment' by a Council engineer through a referral during the Planning Consent assessment. This is often the current practice within councils, but it is suggested that there is merit in formalising this process.

Alternative State Wide Design Requirements

A formal 'design requirements' document that is the basis of a crossover performance assessment should include qualitative principles and criteria, supported by quantitative standards. A consistent statewide document of this nature has merit and could be similar to a refined version of the current consultation draft with its combination of principles, requirements and diagrams. Further refinement and consultation is recommended prior to such a document being formally adopted.

A Performance Assessment Approach

A performance assessment approach would reflect the existing common practice where driveway crossover designs are negotiated between councils and applicants in response to site specific circumstances, to ensure appropriate safety, amenity, character and asset outcomes. This extends to heritage areas such as Colonel Light Gardens having specific standards for the public realm.

A formalised performance assessment approach could also assist applicants where a conservative numerical design standard may be restrictive, for example in some circumstances proximity to a street tree trunk might be negotiated after suitable technical evaluation. In addition, evaluation of specific circumstances, rather conservative sight lines distance minimums are often more practical and allows engineers to balance on-street parking, driver view lines in the context of street specific vehicle volumes and other considerations. For example, the risk of conservative sight line minimums is there almost no space left for any street parking. Whereas performance assessment, may identify a smaller distance is suitable in a specific circumstance and also allow councils to balance the competing roles and uses of public streets.

It is important to work through any changes and unintended consequences of interactions between PDI Act and Local Government Act, particularly section 211 prior to enacting new provisions. For example, determining legal responsibility for the crossover during construction works, processes for managing public safety, traffic, public liability during works, dilapidation management, compliance enforcement for new driveway assets.

Subject to mechanisms facilitating referrals to Council engineers, associated fees, appropriate conditions and construction details, notification prior to works and compliance matters, we suggest formalising performance assessment of crossovers at the planning consent stage has merit. We request that further details on these aspects be developed and discussed prior to finalising any associated standards or new processes.

We have also included in an attachment, brief comments on the specific technical content in the current draft document.

Please note the above feedback is provided by our Administration and have not been endorsed by the Council.

The City of Mitcham's approach to planning reform and change has been a collaborative one with various Ministers, Government Agencies and the State Planning Commission over an extended period. As such, we look forward to continuing this positive relationship and welcome the opportunity to participate in further dialogue and engagement as the new design standards takes shape.

We would be pleased to discuss our feedback further with you or answer any queries that you may have arising from our feedback. Please don't hesitate to contact me on [redacted] or by email to [redacted]

Yours sincerely

ALEX MACKENZIE
MANAGER DEVELOPMENT SERVICES

Enc: Technical Commentary on draft Design Standard for Residential Driveway Crossovers

Mitcham Council Administration

Comments on technical details draft Design Standard for Residential Driveway Crossovers

Part	**Feedback**
Part 1 3 Object of the design standard Page 19	Add wording to Object e. to specifically mention minimising need to remove existing street trees.
Part 2 – Compliance page 21	Consider a streamlined process for notifying Councils of intent to start works? Rather than individual Council systems? Similar to building rules form processes?
Part 3 6. d page 21	D excluding Flooding Overlays. Please note Council would still refer driveways internally to Engineering team during assessment to work through any Flooding issues. Given this, can a performance assessment be given for driveways in these Overlays?
Part 7 Design Standard	Recommend a specific subheading the standard for Street Trees in recognition of this being a key issue
DP 1.1 and 1.4 page 22	These principles & requirements are highly supported as there is increasing pressure to approve additional – second crossovers/access to existing properties which ends up in conflict with street trees
DP 1.5	Driveway invert and crossover minimum width – current CoM minimum width is 5m to allow sufficient room for egress and ingress. If the invert is reduced down to 2.8m this could result in accessibility issues. Under the current Australian Road Rules, motorists can park right up to the driveway invert.
DP 1.6 page 23	Street Tree minimum separation distance. 2 metre clearance from trees to crossovers is a good outcome in most cases. Do need to clarify that the 2m is measured from the outer side of the trunk, rather than the centre of the trunk. Show this clearly on the diagram. Do need a clear Performance Assessment option in the standard for Council arborists to use as in some cases it is difficult to achieve a 2m clearance therefore we need flexibility to allow a closer crossover depending on specific circumstances. In some other cases it may need to be more and in line with AS 4970-2009 Protection of Trees on Development Sites if it is a specifically large specimen.
DP 1.7 page 24	This draft proposed 25% (1 in 4) as the maximum gradient. Concern about proposing to apply max gradient of 25% to the public road reserve crossover section. Council's position is that the maximum driveway grade within property is 20% (1:5), and 25% may be considered where appropriate engineering design is provided. Council also has specific detailed requirements to deter water entering property where topography has the property sitting below the road level. For example, a positive gradient for a minimum distance of 1.5m (preference 2m) from the back of the existing kerb to assist in keeping stormwater flows within the street and not inundating the private property.

	Council's position is that the maximum crossover grade in the public road reserve from back of kerb to the property boundary is 5% (1:20). Where a crossover crosses the verge the maximum crossfall shall be 5% (1:20). Council will not alter the footpath level to match new driveway levels and footpath levels shall not be altered as this impacts on universal accessibility objectives. Term 'all-weather trafficable surface' considered too vague. Recommend 'sealed bound material'. Any driveway gradient in excess of 12.5% is required to be constructed with bound material being either concrete, bitumen or pavers.
DP 1.8 page 24	Driveway crossovers on constrained roads are likely to only be considered where there is no alternative location for a primary access point. Secondary crossover requests on constrained roads, even for 'intermittent use' are typically not supportable where an alternative primary crossover already exists from another street. Rather than state a minimum of 6.2m it is better to refer to B85 Turning Circles as depending on specific circumstances 6.2m may not be sufficient in constrained context.
DP 4.1 page 24	Add 'any invert to match existing street kerb design'. This is to reflect that while most kerbs are 150mm, some are 100mm and also heritage areas differ
Safety & Accessibility Page 25	Need a clear mechanism for requiring new dwellings to void any unsafe existing crossovers that no longer meet standards. E.g., some existing driveways very close to intersections. Need clear policy that provides ability to require applicant to propose a new safer location rather than attempt to keep pre existing crossover for new dwelling.
DP 5.1 & 5.2 page 25	Improvement sight lines is supported from a safety perspective. It is important to clarify that 6m minimum distance from the kerb tangent point for intersections is indeed a minimum. Often needs to be performance assessed due to specific conditions. It is important to clarify the legalities around setting standard for 35m site line distance in standard. For example, if the 35m distance is not achieved, who might be liable if an accident occurs? In certain circumstances there is tension between sight line distances and on street parking demand. Often Traffic Engineers will consider the specifics of a crossover, volume of traffic, nature of road design etc in determining sight lines, rather than a prescriptive distance only.

14 November 2023

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Mr Craig Holden
Chair
State Planning Commission
GPO Box 1815, Adelaide SA 5001
Sent via email: PlanSA@sa.gov.au

Dear Mr Holden

Residential Driveway Crossover Design Standard and Code Amendment

Thank you for providing the City of Marion (CoM) with an opportunity to review the draft Residential Driveway Crossover Design Standard and accompanying Code Amendment.

The City of Marion's Engineering and Planning teams have reviewed the draft document (dated July 2023) and prepared detailed comments for the Commission's consideration.

Council's comments have been provided in three sections;

Part 1:	Generalised discussion on the proposed Design Standard and Code Amendment
Part 2:	Planning comments
Appendix 1:	Technical Planning & Engineering Comments (specific to the proposed Design Standard and Code Amendment)

Part 1: Generalised discussion on the proposed Design Standard and Code Amendment

1. **The Design Standard is complicated –** The draft standard itself is some 18 pages and includes 19 separate Design Principles, each with additional Design Requirements. Part 2 of the Standard suggests '*In order for a development proposal to have complied with a Design Standard, the Relevant Authority must be satisfied that all relevant Design Requirements and Design Principles are met*'**.** In CoM's opinion it is unlikely a proposal will satisfy all relevant Design Standards and therefore it is questioned how these standards will be applied in practice (i.e. if it does not meet the Standard will the assessment simply revert to a 'merit' based assessment?).

   It is suggested the Design Standard be simplified through a reduction in Design Principles and Requirements. Given the volume of requirements, many applicants may choose not to design crossovers in accordance with the Standard and simply seek an on-merit assessment – thereby not using it for its intended purpose. Alternatively, the number requirements may result in an applicant ignoring or placing less weight on particular provisions.
2. **The standard lacks technical construction requirements -** At present the Design Standard does not provide any formal link or acknowledgement to the relevant council's technical requirements. The crossover design and construction methodology should be standardised across the metropolitan area. If not, the standard should be

amended to include each individual council's crossover design and construction methodology, in addition to relevant footpath design and construction methodologies. This to ensure that each established crossover is fit for purpose.

3. **Variations to the requirements should not be permitted –** CoM is strongly of the view that variations (no matter how minor) should be permitted to the Design Principles and corresponding Design Requirements. The inclusion or ability for 'variations' to the prescribed standards raises the potential for misapplication or a design variance that may not be supported by the relevant asset owner (for which the asset owner may not get consulted on).

   In our view a proposal should either satisfy all requirements (and be able to be signed off) or, if not, be assessed on its overall merits.

4. **No compliance opportunities are considered within the standard** - The Design Standard does not make mention on the potential compliance aspects associated with implementation of the crossover. We have concerns that an Accredited Professional may impose a condition stating the owner / builder must build to a particular standard, instead of ensuring the driveway has been designed to satisfy the relevant Design Standard and Council requirements.

   Many councils do not have the resourcing available to review proposal to ensure their compliance and, in addition, retrospective compliance is financially and time onerous (for both the Council and applicant).

Part 2: Generalised Planning Comments

The following comments are provided by CoM Planning staff in the context of contemplating the aspirational intent of the Design Standard and Code Amendment.

Planning considerations

1. There are concerns that the Design Standard is attempting to provide a solution in all circumstances, but in doing so may be impractical in most circumstances. Much less information is required for most standard sites on standard streets. If the land is steep or the circumstances complex, then the application should not be DTS, and a traffic engineering plan may be required.

2. Staff have major concerns in relation to the extent of technical engineering information required and are of the opinion this should not be necessary in the consideration of Planning Consent. The provision of this information is overly onerous for many applicants and would be considered overly onerous for many relevant authorities (including councils and private certifiers) during the verification stage, who are tasked with determining the assessment pathway and relevant authority.

   Additionally, this would be overly onerous for Council administration staff who may be tasked with 'compliance checks' of privately approved applications.

   This information should be limited to driveway locations, widths, and distances from street assets.

3. The proposed design standard includes a number of potentially misleading terms and requirements, which are outside the scope of understanding for the average homebuyer or developer. A number of the Design Requirements are fairly technically worded, potentially misleading in definition and will require the applicant to have access to (and ability to measure) the Australian Standards.

The enclosed appendix contains the rest of CoM's technical feedback.

We appreciate of the opportunity to provide feedback on the Draft Design Standard and Code Amendment and look forward to the Commission's response on how the comments raised will be addressed.

Yours faithfully,

Warwick Deller-Coombs
Manager – Development & Regulatory Services

Enclosed:
1. Appendix 1: Technical Planning & Engineering Comments (specific to the proposed Design Standard and Code Amendment)

Appendix 1 – Technical Planning & Engineering Comments (specific to the proposed Design Standard and Code Amendment)

Design Standard Comments

Part 4 – Interpretation

Common Infrastructure – This term is described as being used to refer to infrastructure within the road/street reserve. The term which may be more apt as *Public or Street Infrastructure*. (Common infrastructure would likely be generally understood to relate to common property on group and strata sites).

Residential Development - The definition is exceedingly lengthy, and could be replaced with "*Residential development"* means development involving *any land/site used for residential purposes".*

Alley, Lane or Right-of-way **–** this term is overly long and potentially inaccurate. Alleys, lanes and rights-of-way are sometimes wider than 6 m. Also, streets and roads are sometimes narrower. "Narrow road" would be a better term, defined as meaning a road 6 metres wide or less, or don't use a defined term and just say "a road less than 6 metres wide".

Part 7 - Assessment Provision:

Design Requirement 1.0 (b) – Driveway crossovers are not located within an indented car parking bay unless an agreement is made with the owner for alteration of the car parking bay.

- Should the car parking bay be privately vested to a third party, is council able to deem this minor?
- Should the indented car parking space be held by a third party, are council able to issue consent without knowing what amenity impacts this may have on a third party?

Design Requirement 1.2 –

- There is no end bracket at the end of (a).
- At the end of (b), instead of "*the existing streetscape*", a more appropriate phrase may be "*adjoining sites*", to be "Obsolete driveways are returned to vegetated street verges and footpaths (or both) consistent with the pattern and form of adjoining sites.

Design Requirement 1.3 –

- Connect (a) and (b), as the design requirements drafted don't necessarily require the proposal to align the driveway with the crossover. (a) could be redrafted to be "*connect to a driveway within a development site, and*"

Design Requirement 1.4 –

- Does (a) require an agreement be made in writing and provided to the assessing officer?
- Does this agreement need to be provided to the assessing officer on lodgement to confirm this? And would it need to be made an application requirement?
- Would this agreement require create a requirement for applicant to provide monetary compensation or a bond to Council to ensure that the asset is relocated or offset?

Design Requirement 1.6 –

- A number of minimum separation distances have been included on the plans, would these need to be annotated on an engineering or site plan?
- Of the minimum separation distances to public utility infrastructure were not met, would this require the assessing officer to refer/notify the relevant stakeholder (infrastructure owner)?
- The notes in this requirement reference the Australian Standard for Tree Protection. Would planning be required to consider the Australian standards and conduct a review of them during verification?
    - Does this note now make Australian standard an incorporated document under the PDI act/code?
    - This will be too technical for the average homebuyer and the Australian Standards are not publicly available.
    - Would this note be updated as the Australian standards are? It may be worth adding "or any superseding legislation/standard" to the end of this note, to future proof this note.

Design Requirement 2.1 –

- The average homebuyer will not be aware of or have access to the B85 turning vehicle diagrams, nor the ability to modify plans to confirm a proposed crossover's design can accommodate the turning movements required.

Design Requirement 5.2 -

- Applications for proposed crossovers to State Maintained Roads automatically trigger a referral to DiT. Are DiT comfortable with Council's having the scope to elect to not refer and application to them?
- To confirm unobstructed viewlines, the applicant/council would require up to date information regarding street infrastructure or vegetation which would obstruct viewlines. Would the applicant be required to determine/provide confirmation that the crossovers meet this requirement?

Design Requirement 5.4 –

- This requirement applies in high bushfire areas, and requires vegetation be cleared to meet firefighting requirements. How would this be regulated, enforced and demonstrated by the applicant?
    - Would landscaping maintenance requirements become conditioned as part of the consent?
    - Are firefighting authorities comfortable with council not referring applications should an officer determine the referral not required? Would council be liable if the applicant does not maintain their access?

Design Requirement 5.6 –

- Is the applicant require to provide confirmation that the roadside drainage maintains the longitudinal angle?
- How would the average homeowner/developer be able to determine this?
- How is the applicant able to determine the pre & post- rates of flow to ensure that the crossover does not restrict or prevent the flow of water?

<u>Planning & Design Code Comments</u>

Part 4 – General Development Policies

- Design

- PO & DTS/DPF 19.3 – The DTS/DPF could be amended to require a design meet the Design Standard or to meet the PO's or DTS/DPF's of 19.3, 19.4 & 19.5.
- PO & DTS/DPF 19.3 – Additional clarification in the wording of the DTS standard would assist in clarifying how the standard is met. Do (a), (b) and/or (c) need to be met? Is it an all or nothing approach, or does the design just need to meet one.

- Design in Urban Areas
  - PO & DTS/DPF 23.3 – The DTS/DPF could be amended to require a design meet the Design Standard or to meet the PO's or DTS/DPF's of 23.3 & 23.4.

- Housing Renewal
  - PO & DTS/DPF 17.1 – The DTS/DPF could be amended to require a design meet the Design Standard or to meet the PO's or DTS/DPF's of 17.1 - 17.5.
  - PO & DTS/DPF 17.3 – The DTS/DPF could be amended to require a design meet the Design Standard or to meet td-f &/or td-g.

Engineering comments

Comments from Coordinator Survey & Design

- Design Requirement 1.6: Table 1 quotes a separation distance of 0.5m to a stormwater pit. However, this is inconsistent with the diagram page 29 and DTS/DPF 23.4 (b) (i).

- Design Requirement 1.7: Assuming this relates to Council verges that are steep. These notes need to be further clarified so that the developer does not interpret this info as permission to start a 25% grade from the road without transitions. There should be some reference to ensure that if a Council footpath is located in the verge, the footpath crossfall must be maintained.

- Design Requirement 5.2 (b): The 20° leeway in alignment from the perpendicular may cause issues with encroachment to neighbouring frontage. It may also cause issues with entry and exit to the property as a parked vehicle may lie in the line of attack for a vehicle entering/exiting the property.

- Diagram TD-A: The quoted width at kerb is ambiguous and it is assumed this relates to the crossover width and not the driveway invert width. It is Council's opinion that the level of ambiguity is enough for a developer incorrectly interpret and apply the sought requirements. The diagram does not show the separate components of a driveway access, which includes the crossover and the invert.

  The City of Marion Engineering Unit has a standard minimum width for a single driveway invert set at 3.65m which represents the effective width (i.e., the trafficable width). In addition there are transitions either side that are approximately 500mm each, which means the cut kerb removal width is at least 4.6m. This diagram does not clearly indicate what the dimensions are in reference too.

  The single crossover width (whether it be effective width or even worse the cut width including transitions) is impractical and far too narrow to be safely used by anything other than a motorcycle. Vehicle turning movements would easily verify this. If the dimension refers to the width of the crossover, then this width should be equivalent to the minimum effective width of the invert.

- TD-F (TD3?): Note 2A states a 15% maximum transition for crest. This appears to be incorrect if referring to AS 2890.1 which this figure should apply to SAGS. Hence drawing would be technically incorrect and would require 2 transitions at the crest to get through the 27.5% grade change without exceeding the maximum of 12.5% in 2 metre incremental grade changes. On the diagram, there are references to notes 1A and 1B, when I think they should be referring to 2A and 2B.

- TD-G (TD2?): In my opinion, the 10% maximum crossover grade is too severe and will result in a B85 car bottoming out (as this change of grade must also consider the road crossfall, crossover grade and level drop in the driveway invert. AutoTURN profile assessment would verify this. Same issues apply as per above note with sage and crest grade changes and note numbers incorrectly quoted.

- There are many references to minimum widths of driveways at the boundary. Apart from the diagram TD-B (refer my Note 4 above for concerns with that), there appears to be NO reference to driveway width for a single dwelling at the kerb. In DTS/DTF 17.5, there is a minimum quoted width of driveway at the kerb for a multiple dwelling access. A minimum width at the kerb should be identified for each driveway size, regardless if it is for a single, double or multiple dwelling.

- DTS/DPF 19.5: (a) calls for the gradient between the boundary and the garage/carport floor to be no greater than 1:4 (25%) on average. Someone would read this as 25% all the way from the boundary to the garage/carport. That would be 1:4 <u>average</u>. But that is not trafficable as the car could not negotiate the 25% abrupt change in grade at the bottom. This should identify the transition required at the bottom. Once you incorporate a transition, the average of 25% cannot be achieved.

- DTS/DPF 17.3: As above. Unless you allow the grade in the driveway to exceed 25%, you cannot mathematically get an average of 25 because you must have a grade transition at the carport/garage.

- The overbearing flowcharts (Appendix D & E) would be a lot simpler to follow, even in their current form, if they had the statements framed as a question to answer a simple YES/NO that then direct the reader's path more easily.

Comments from Development Engineer

- The crossover plan should illustrate/note that "minimum sight lines for pedestrian safety" should be maintained in accordance with Fig 3.3 As 2890.1:2004. This requirement may affect the location of the crossover to provide sight clearance at boundary.

Comments from Coordinator Infrastructure Audit Unit

Drawing TD-A

- Should the Design Standard be adopted without change, it is preferable that the driveway crossover width drawing to be separated into 2 drawings, one single and one double width.

- The double width flaring out to 8.0m max at the kerb is excessive and may result in on the loss of on-street parking opportunities.
- The drawing should include the transition from the invert, back to kerb generally around 500mm each side which would impact on parking kerb widths.

- The kerb transition should be noted in the drawing with the required transition length say approx. 500mm.

- The drawing does not take into account the property side boundaries, flared wings could overlap into neighbouring frontages by approximately 1.4m when the kerb transition are taken into account and even more with the 70-110 degree to roadway rule. Our conditions state the a driveway crossover must be situated wholly within the property frontage to save disputes with neighbours.

- The drawing does not show the invert and water table being poured as one piece or note the all invert water table works should be poured to Council standards. I would prefer this being included within the drawing.

- The notations do not state that any damage to the roadway (asphalt) or surrounding infrastructure should be cut square and replaced with the same type of asphalt ie hot mix for hot mix.

Design requirement 5.2

- 70 – 110 degree crossover alignment may cause issues with car parking as cars may clip parked cars as they exit on angles, our specs require the <u>90 degree to roadway</u> unless otherwise approved by council.

TD-G TD-F tec drawing TD2

- Could the invert and watertable levels be clarified on these drawings

- Our roadway cambers are commonly steeper than 5% grade due to edge plane reseals over years with the invert and watertable grades bottoming out cars are common in this design.

- The footpath max grade does not take into account new footpath preferred widths for when we renew, preferred path widths are now 1.5 which should be at 2.5% crossfall. Our policy is footpath levels must remain unchanged unless otherwise approved by council.

TD-H

- The max transitions 1 in 8 footpath transition is inappropriate as the slope is similar to a kerb ramp. It is Council's preference that a notation be included which states footpath levels can not be altered unless approved by council or no steeper than 1 in 12.

<u>General</u>

- A notation should be included stating all works within the council roadway should adhere to the Council specific local government engineering standards.
- There does not appear to be any notes on stormwater outlet installs which are commonly installed in the kerb or transition with little concrete cover causing future kerb damage issues may be noted that stormwater outlets should be 300mm from finished edge of the kerb transition.
- If approval is given for the crossover via a development authorisation a Local Government Act 221 permit should still be submitted prior to works occurring within the verge. This permit would allow the applicant to work within the Council verge and ensure compliance with relevant standards and WHS.

Henderson, Matthew (DHUD)

From: DTI:Plan SA
Sent: Tuesday, 14 November 2023 4:16 PM
To: Henderson, Matthew (DTI)
Subject: FW: Submission – Residential Driveways Design Standard

OFFICIAL

Hi Matthew,

Please see email below from Andrew as requested.

Please let us know if there is anything further we can assist with.

Your reference number is 77185

[redacted] PlanSA Service Desk
Planning & Land Use Services | Department for Trade and Investment
E PlanSA@sa.gov.au |W plan.sa.gov.au
P 1800 752 664

From: Andrew Houlihan [redacted]
Sent: Wednesday, November 8, 2023 1:55 PM
To: DTI:Plan SA <PlanSA@sa.gov.au>
Cc: Martin Waddington <[redacted] Chris Lawry [redacted];
George Kyros <[redacted]
Subject: Submission – Residential Driveways Design Standard

Dear Sir/Madam,

Please find below comments on the proposed Driveway crossover standards.

The driveway profile replicates to a large degree what is already provided in the IPWEA Infrastructure Guidelines SA. There are a number of inconsistencies between guidelines.

Design Requirements

Design Requirement 1.2 (a) should have the words "to match the profile and materials of the existing adjacent upright kerb" added to "….are replaced with an upright kerb and gutter"

Design requirement 1.4 (a) should be augmented with a mention that some Councils (like MBDC) have a 6 for 1 tree replacement policy which needs to be adhered to when contemplating a removal of a tree.

Design requirement 5.7 is restrictive where allotments are located adjacent railway corridors

- The current proposal doesn't include/ address technical construction requirements (e.g. materials such as concrete strength/ thickness/ mesh etc., same for asphalt & paving).
  Council should have the ability/ process to add these requirements to any development/ Section 221 approvals to ensure the construction materials of footpaths and driveways are appropriate with what is established within the street/ and or encumbrance requirements etc.

- **Design requirement 1.0;** Mount Barker currently allow (depending on criteria/ circumstances i.e. garage/ rear access due to initial access limitations or easements etc.) a second property access on an allotment/ property with a second frontage. We currently have (although not ideal) property access in indented parking bays; does this mean in the future, an allotment with a current access will not be given access to the property should they consider a new dwelling or a subdivision? How will this impact similar situations in existing/ new estates with such allotments/

- **Design requirement 1.2**; removal of obsolete crossovers to upright kerbing. This is vague and needs to address mountable/ semi mountable kerbing and the reinstatement should be within keeping to Council's current standards/ requirements;

- **Design requirement 1.4**; User shared driveway for two or more dwellings, no further information is provided (i.e. width etc.), how would this impact on street parking;

- **Design requirement 1.5;** Could this amendment create sisd concerns for narrow access allotments/ historic areas/ hammerhead blocks?

- **Design requirement 1.6**; separation distances with other service providers infrastructure should include their input to ensure consistency (does not mention post boxes/ fire hydrants etc.), tree separation distances are subjective at best;

- **Design requirement 1.7**; Gradient requirements, in my opinion, should be in keeping with AS/NZS 2890.1.2004, Mount Barker has, and may continue to still have short setbacks from front property boundaries to the dwelling/ garage/ carport. This section also mentions all weather trafficable surface treatment. It is vague, can one assume that the treatment method will be left to the relevant Council to decide?

- **Design requirement 5.2;** Sight line assessment seems more convoluted/ complicated; no mention regarding sight line assessment for allotments that are situated on bends;

- **Design requirement 5.3;** This section needs to clarify what an added lane is;

- **Design requirement 5.5;** Crossovers located on rural high speed roads, can this design be in keeping/ referenced to Austroads Guide, part 4;

- **Design requirement 5.6;** How will the proposed qualified professional make this determination regarding roadside drainage of water without consultation with a relevant Council engineer? Council's engineer/s would make reference with historic/ current information on their data base;

- **Design requirement 6.1;** Given differing Council requirements/ estate encumbrances, Colour & material used in crossovers should be nominated/ addressed by the relevant Council.

Trees

The designs seeks a minimum of 2m from street trees, and if a regulated tree a tree protection radius in accordance with AS 4970:2009 (Attachment X)

For new trees and driveways in new sub divisions ideally we are always seeking **2.5 metres** or greater distance from crossovers to street trees to limit future crossover displacement potential and to maintain reasonable spatial parameters for use of the crossover as the tree as it develops above it. Noting that when faced with no options we have allowed an absolute minimum of 1.5 metres at times when there is no opportunity to do any better, this is not ideal and should be avoided and sometimes results in the loss of the tree at 1.5 metres. The closer the crossover to the tree sub 1.5 metres increases the likelihood of the tree being removed at some point.

For new crossovers adjacent to mature trees we consider sight lines and root damage and therefore take the AS4970:2009 route and traffic engineering safety assessment. In both these considerations the distance varies and should be no less than **2.5 metres** and is usually greater to avoid structural root severance and created traffic safety issues.

The design standards seek 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance.

'**2.5 metres** or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance' fits with the way we deal with some crossover applications / DA land use assessments being approved 1.5 metres away from the tree.

Definitions

The definition of residential development should be expanded to include a dwelling

Clarity on the definition of Alley, Lane or Right-of-way means a narrow (6 metres wide or less) road, which provides access to the side or rear of lots for servicing adjoining land uses. **Could this include wording road width**

We would be pleased to discuss any of the above.

Yours Sincerely

Andrew Houlihan
Team Leader Planning
[redacted]

Andrew Houlihan
Team Leader Planning

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Enquiries :
Adina Teaha
[redacted]

Ref: 40.012.006.001

14/11/2023

Attention: Matthew Henderson, Senior Planning Officer
Planning and Land Use Services
Department for Trade and Investment
GPO Box 1815
ADELAIDE SA 5001

Dear Mr Henderson,

RE: SUBMISSION – RESIDENTIAL DRIVEWAYS DESIGN STANDARD

I am writing on behalf of the Port Pirie Regional Council to provide our feedback and concerns regarding the proposed draft Design Standard for Residential Driveway Crossovers (the standard), which aims to establish specific regulations for vehicular access to and from land adjoining a road.

Firstly, we appreciate the opportunity to review this draft standard and participate in the process of shaping the policies that will impact our community. However, we have identified several points that require further clarification and consideration:

1. Resource Implications: Implementing new standards often demands the council to invest additional resources, both in terms of personnel and budget allocations. This investment is essential for the successful integration of these standards into our operations. To ensure a seamless transition, we propose the department allocates resources for the following key areas:
   a. Comprehensive training programs to ensure that the council staff can fully comprehend and effectively apply the new standards. Further, our staff needs to be adequately trained not only in utilising the standards but also in understanding the application of the Local Government Act in relation to this standard being exempt.
   b. Developing tools to facilitate the assessment and approval process, such as an online register, mapping applications that undergo assessment against the design standards or the implementation of a layer within the South Australian Property and Planning Atlas which includes indicating various speed limits for the application of Design Requirement 5.2, 5.5 and 5.7. These tools will streamline decision-making and improve efficiency in our processes.

2. Community Engagement: Introducing a new standard outside the Planning and Design Code requires a proactive approach to community engagement by the council to garner public support and ensure that the community is well-informed about the application of the standard. To achieve this, we propose the following actions:
   a. Providing fact sheets that explain the new standards in a simple and concise manner will be invaluable. These fact sheets can be made available to the public, ensuring that they have access to the necessary information.
   b. Creating standardised forms for works notices and other relevant documents is essential for clarity and consistency. These forms will simplify the process for both the council and the public, ensuring that all stakeholders are following a consistent approach.
   c. Providing a set of example plans which include all the information necessary to assess an application against the new standard in a range of residential scenarios. This will enable the relevant authorities to better facilitate the submission of appropriate plans by the community and would be a helpful tool in requesting documentation when appropriate information is not submitted.

3. Limitations of Applicability: We require clarification regarding the limitations of the design standard's applicability. For instance, the standard does not cover surface treatments, such as slippery surfaces, which are essential considerations for the council. Would surface treatment/materials require a s221 permit, given that the driveway construction standards are not captured under the assessment of design standards? This is a critical point that needs addressing.

4. Planning Consent Conditions: Given the challenges faced in obtaining the minimum level of information for a planning assessment, could the standard be satisfied as planning consent conditions? This approach might streamline the planning process and ensure compliance.

5. Regional Focus: We have concerns that the proposed standard is worded to be primarily focused on metropolitan areas and may not adequately consider regional circumstances. For example, the application of Design Requirement 1.0(a), limiting driveways to no more than one, appears inconsistent with our local street patterns, particularly in residential or rural living type allotments with wider frontages.

   Given these standards, the council wishes to emphasise the importance of flexibility in this standard, allowing the council to waive certain standards that do not align with its intended approach.

6. Scaling of Technical Drawings: The Technical Drawings are not drawn to scale; therefore, we request that, wherever possible, drawings be provided to scale to accurately depict the visual appearance. This is especially important since scaled drawings are also expected for any future development application submitted. More specifically, please amend TD-A, TD-B, TD-C, TD-D, and TD-E to be to scale.

7. Double Crossover Kerb Width in TD-A and TD-B: In TD-A and TD-B, the double crossover with widths of up to 8 meters and 8.5 meters at the kerb, respectively, is deemed excessive and may counteract the Design Principles, which aim to maximise available land for street trees and on-street parking. This is particularly noteworthy

because it is considered that double driveways with a similar kerb width can still accommodate safe vehicle manoeuvring. Therefore, please provide information regarding the rationale behind this standard. Additionally, is this width intended to accommodate two-way traffic within a property?

8. Conflict in TD-E with Design Requirement 5.6: TD-E seems to conflict with Design Requirement 5.6, which requests that driveway crossovers maintain longitudinal drainage along roadsides. Please identify the purpose and reference relevant standards pertaining to the management of longitudinal drainage within private land.

   Furthermore, based on the above Design Requirement, it is recommended that TD-E be revised to ensure that longitudinal drainage continues in a straight line and does not encroach upon private land. This could impact the council's ability to maintain infrastructure in the event that stormwater accumulates and affects the road.

   Additionally, please outline the party responsible for such infrastructure within private land in the event that it causes stormwater from council land to accumulate and collect on private land, potentially causing damage within the private property.

9. Inconsistent Measurement in TD-C and TD-D: TD-C and TD-D appear to present inconsistent measurements in terms of the distance to the tangent point. Please provide further clarification on the purpose behind these measurements.

While the council favours the integration of standard requirements into the Planning and Design Code to establish a unified source of relevant information, eliminating the necessity to refer to separate rules outside of the policies, it is important to highlight that the council is dedicated to engaging in a collaborative effort to shape these standards in a manner that effectively serves the best interests of our community.

Thank you for your time and consideration.

Yours sincerely

Adina Teaha

Adina Teaha
Planning Officer
Development & Regulation
Port Pirie Regional Council

In response please quote cg
14 November 2023

Matthew Henderson,
Senior Planning Officer, Planning and Land Use Services
Dept for Trade and Investment
GPO Box 1815, Adelaide SA 5001

Dear Matthew,

RE: SUBMISSION TO DESIGN STANDARDS FOR RESIDENTIAL DESIGN CROSSOVERS

The Rural City of Murray Bridge thanks PLUS for the opportunity to comment on the Design Standard for Residential Driveway Crossovers and commends them on the work undertaken in preparing this document. We recognise and support the intent of the work to facilitate a more uniform response to public safety and enhancement of the streetscape. However we have concerns about the 'metro-centric' approach of these Design Guidelines, interpretation of certain elements and the relationship between the Local Government Act (1999) and the Planning Development and Infrastructure Act (2016).

It should be noted that the feedback provided within this submission is not an endorsed Council view but rather includes comments provided by Council Planning, Engineering and Assets staff.

- Noting that the guidelines are set to apply across the State they appear to have missed the nuances between development located within the metropolitan area and the outer metropolitan/ regional areas. There are for example, significant areas of Suburban Neighbourhood zoned land within Murray Bridge which is sealed but un-kerbed. Being established residential localities these areas are predominated by speed limits of 60kms or less, however there does not appear to be a design standard that applies to these roads. TD-E provides guidance for un-kerbed roads with a speed limit greater than 80kms but speed limits less than this appear to have been missed. As such it is unclear what, if any, Design Guidelines are applicable in these areas.

- Would it have been easier to utilise existing Australian Standards as a means of identifying appropriate standards. There appears to be a lack of detail in a number of the Technical Drawings and Council does not have the ability to impose conditions relating to materials, or identify requirements relating to public liability insurance.

- Design Requirement 1.0 identifies that Driveway Crossovers should satisfy the following:
    - Not more than one driveway crossover is provided per site, including where multiple dwellings are proposed upon a site.

  In a number of larger rural/ semi-rural allotments it is not considered unreasonable to have more than one crossover and access point. Is there

capacity within the guidelines to apply an alternative solution for larger allotments?

- Design Requirement 5.2 identifies the need for unobstructed sight lines and whilst this appears reasonable for many high speed roads, the requirement for a distance of 285m on roads with 100km speed limit may be difficult to achieve for some sites. How is this going to be managed? This Design Requirement also requires considerable additional assessment and may necessitate a technical engineering assessment. Has this been considered and factored in?

- The Design Standard does not allow for minor variations so there is no ability to make a subjective judgement as to the relevance of a Design Standard. Perhaps this needs to be reviewed particularly in light of the previous two points.

- It is noted that the flow diagram provided for "conceptual arrangement for assessing driveway crossovers" identifies when an application is lodged for a new crossover in conjunction with residential development the DAP will provide the relevant design standard. Should an applicant lodge for a dwelling on a rural property which already has a crossover does this mean this is a new crossover or an existing crossover?

- The relationship between the Local Government Act (1999) and the PDI Act (2016) needs to be further examined. The ability to lodge for a 221 permit under the Local Government Act without being associated with residential development still remains. What is the process should this not align to the Design Standards? Additionally noting that Section 234AA of the Local Government Act identifies the need for compliance with a design standard, what role does the PDI Act play should there be a non-compliance, given that the decision is made under the PDI Act yet the power for enforcement lies within the Local Government Act, it seems to make enforcement overly and unnecessarily complex.

- The process requires that when a proposal does not comply with the Design Standard there must be consultation with the CEO. This appears excessively onerous, particularly given that the CEO's advice is not binding. At a minimum consideration should be given to providing powers of delegation from the CEO in this instance.

Once again thank you for the opportunity to comment and we would be more than happy to discuss any element identified above.

Kind regards,

Cherry Getsom
SENIOR STRATEGIC POLICY PLANNER

13 November 2023

Mr M Henderson
Senior Planning Officer
Planning and Land Use Services

PlanSA@sa.gov.au

Dear Mr Henderson

Submission - Residential Driveways Design Standard

Thank you for the opportunity to provide a submission on the draft Residential Driveway Crossovers Design Standard. The Forum would also like to thank you for the information session that you provided to Forum members on 16 October 2023.

This submission is made by the Local Government Assessment Manager Forum (LGAMF). The LGAMF represents Accredited Professionals (Level 1) employed in the Local Government sector who perform the duties of an Assessment Manager and has a strong interest in facilitating the delivery of a system that serves the diverse needs of the community.

The LGAMF acknowledges the significant effort of the department in preparing the first Design Standard under the *Planning, Development and Infrastructure Act 2016*. The forum considered the following matters for submission to the State Planning Commission.

1. **The Design Standard is complicated,** containing some 19 principles / 38 Requirements / 9 technical drawings. It is recommended that the Design Standard (DS) undergo *road testing* to determine its workability and practical application.

   In addition, the interface between the DS and Code is confusing. There are provisions that will remain in the Code and will have work to do when a proposal is not able to be assessed against the DS. This includes undefined dwellings for example. It is also not clear why other exemptions are provided, such as where the development involves more than 50 dwellings.

   The structure between Design Principles and Design Requirements is also confusing. Design requirements must be met to satisfy the design standard in Clause 7, but it does not say the same for Design Principles. What is therefore the legal status of the Design Principles? Noting also that Design Principle 4.1 has no correlating Design Requirement? If the Design Standard is to 'prescribe standards', why does the DS contain qualitative statements which are not prescriptive, and in the example of DP 4.1 has no correlating DR ?

   It is recommended that consideration could be given to a reduced scope for the Design Standard, such as applying to residential development on local urban streets, given this is the first Design Standard to be released. This will make the Design Standard simpler, while also capturing most residential developments.

2. **There should be no variations permitted to the requirements of the Design Standard for DTS applications.** While the stated intent in the DS is that there is no discretion for minor variations in the assessment process, there would be some scope for minor variation where a requirement in the DS is linked to a DTS application type in the Planning & Design Code. Variations are not supported, given these matters are of a technical nature and affect public areas. Typically, the expertise of a civil engineer is employed for any such dispensations and this should only be permitted for performance assessed developments where such advice is sought.

3. **Some Engineering considerations cannot be adequately assessed by non-engineers**. There are some aspects of the assessment that do not fit adequately within a DTS (quantifiable) assessment process, such as DR 5.6 and TD-F (flood protection elements).

4. **The practice direction does not address technical construction requirements.** There are detailed construction requirements for driveways & footpaths that are not included in the DS. This is a significant omission. Councils should be provided the opportunity to add these requirements to any development approval to ensure the construction materials of footpath or driveway and stormwater connections are all appropriate with what is established within the street, and durable for the public realm. The DS & DAP currently prohibits this.

5. **Compliance should be considered together with public liability matters.** The information released does not discuss or provide guidance on ensuring compliance. The DS should prevent the practice of accredited professional imposing a condition that the owner / builder build to the standard, instead of properly assessing the driveway. E.g. a practice for some current aspects of assessment matters is to include a note or condition such as …*build in accordance with nominated standard or technical data sheet*. How can the Commission ensure an appropriate assessment is undertaken of the DS? This is critically important as the DS should consider the process up to and including construction, as retroactively fixing errors is costly for both councils and the home owners.

There are also various technical and editorial amendments recommended and these comments have been submitted separately via council submissions for consideration.

Local Government Assessment Manager Forum

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30 November 2023

Contact: Chris Zafiropoulos
Telephone: [redacted]

Mr M Henderson
Senior Planning Officer
Planning and Land Use Services

PlanSA@sa.gov.au

Dear Mr Henderson

Re: Submission - Residential Driveways Design Standard

Thank you for the opportunity to provide a submission on the draft Residential Driveway Crossovers Design Standard.

It is acknowledged that Council staff participated in a working group that informed the development of the draft Design Standard. A well-considered Design Standard could be a beneficial instrument in providing a consistent set of requirements for driveways.

A review of the Design Standard has revealed that a number of Council's key requirements for driveways are included in the document. There are however some additional key considerations that are currently omitted and the Commission is requested to give further consideration to these matters. These matters are discussed below, together with a number of technical and editorial amendments provided in Attachment A.

Council's ability to manage the public realm

The Design Standard does not address technical construction requirements (for example pavement material). These are detailed construction requirements for driveways and footpaths that Council currently includes in the development approval process that ensures continuity in the public realm. This is a significant omission. Councils should be provided the opportunity to add these requirements to any development approval to ensure the construction materials of footpaths and driveways are appropriate with what is established within the street for continuity, and that it is also durable for the public realm.

The information released with the Design Standard does not discuss or provide guidance on ensuring the works are completed in accordance with the standard. This is critically important as the Design Standard should consider the process up to and including construction, as retroactively fixing errors is costly for both councils and the home owners. It is also unclear how public liability insurance will be addressed in this new process.

Role of Accredited Professionals / Deemed to Satisfy Development Applications

Some engineering considerations cannot be adequately assessed by non-engineers. There are some aspects of the assessment that do not fit adequately within this Design Standard – which is intended to be a quantifiable (tick the box) assessment process. The specific clauses that this concern relates to are Design Requirement 5.6 (drainage requirements) and TD-F (flood protection elements).

There should be no variations permitted to the requirements of the Design Standard for Deemed-to-Satisfy (tick the box assessment) development applications. While the stated intent in the Design Standard is that there is no discretion for minor variations in the assessment process, there would be some scope for minor variation where an assessment is linked to the Planning & Design Code. Variations are not supported, given the Design Standard is technical in nature and directly affects public areas. Typically, the expertise of a civil engineer is employed for any such dispensations and this should only be permitted for performance assessed developments (which cannot be assessed by private certifiers) where such advice is required.

The Design Standard proposes that where a proposal does not comply with the Design Standard, the CEO of Council will be consulted. It is not apparent however that the Accredited Professional is compelled to apply the advice from the CEO. As discussed above, variations are not supported for Deemed-to-Satisfy (tick the box assessment) development applications.

Relative Complexity of Design Standard

The Design Standard is complicated, containing some 19 principles / 38 Requirements / 9 technical drawings. It is recommended that the Design Standard undergo road testing to determine its workability. While this is largely an issue for practitioners, a complicated standard increases the risk of errors and therefore the role of Council in compliance, as well as additional costs and delays to future home owners.

Yours faithfully

John Harry
Chief Executive Officer
[redacted]

ENC: Attachment A

Attachment A - Detailed comments on Assessment Provisions

1. Design Requirement 1.0 (b) – *owner* should be replaced with *Council or Commissioner of Highways.*
2. Design Principle 1.2 – delete second part of the statement as it is subjective and open to interpretation. Furthermore, obsoleted crossovers should simply be removed.

   Obsolete driveway crossovers are removed. ~~and made good having regard to the context of the streetscape.~~

3. Design Requirement 1.2(a) – Refers to 'replacement of upright kerb and gutter', should this be less specific so as to include 'rollover' kerb and gutter and any others.
4. Design Requirement 1.2 (b) – second part is too vague, should be to nominated council standard.

Obsolete driveways are returned to Council's nominated verge standard. ~~vegetated street verges and footpaths (or both) consistent with the pattern and form of the existing streetscape~~

5. Design Requirement 1.4 (b) - seeks to promote *shared driveway cross over*, however this potentially conflicts with a design solution that seeks to separate driveways so that on street parking can be provided in front of the development.
6. Design Requirement 1.5 (a) – does not account for hammerhead allotments that have wider driveway handle requirements.
7. Design Requirement 1.5 (b) – why does this clause not include reference to TD-C, same as in clause (a)?
8. Design Requirements 1.6 – minimum separation distances are inconsistent & notations are incorrect. Furthermore, referencing Australian Standard for regulated trees is very subjective. Not considered to be suitable for Design Standard. This should include advice provided by Council, the manager of the street tree asset.
9. Design Requirement 1.6 – common infrastructure items are not included such as bins, post-boxes, telephone boxes, fire hydrants etc.
10. Design Requirement 2.1 – how is this demonstrated in a DTS assessment? Too subjective
11. Design Principle & Requirement 4.1 – how is this demonstrated in a DTS assessment? Too subjective.
12. Design Principle & Requirement 5.2 – complicated assessment that cannot be completed as DTS desktop assessment.
13. Design Requirement 5.3 – this is not clear – what is an *added lane*?
14. Design Requirement 5.6 – how does an accredited professional make this determination without the advice of a suitably qualified engineer?
15. Design Principle & Requirement 6.1 - Too vague, should be to nominated council standard.
16. *DTS/DPF 19.4(b) retains reference to 'mature' street trees – however, what constitutes 'mature' is subjective and open to interpretation.*
17. All Technical Drawings should be reviewed to ensure consistency with dimensions and requirements contained within the Code. For example:

    a. TD-A – references crossover widths at boundary of 2.8m – 3.2m (single); or 5.4m – 6.2m (double) – while the Code (Design in Urban Areas DTS/DPF 23.3

suggests widths of 3.0-3.2m (single) and maximum width of 5m (double) at the property boundary

b. TD -F Driveway Crossover Grades – allotment lower than the road - the drawing includes a note for boundary levels. This will confuse assessment of site levels that is undertaken under the Code. Furthermore, some councils have adopted a reference to boundary level height above road channel invert, as kerb heights vary. Note that Salisbury Council has adopted 250mm above invert. Furthermore, caution should be exercised with the use of 1% AEP flood level, as it does not allow for free board or bow wave surge depths associated with vehicle movements when the roadway is at its stormwater capacity.

Henderson, Matthew (DHUD)

From: DTI:Plan SA
Sent: Friday, 29 September 2023 4:41 PM
To: Henderson, Matthew (DTI)
Subject: FW: Submission – Residential Driveways Design Standard

OFFICIAL

Hi Matthew,

Are you please able to assist with the below enquiry?

Please let us know if we can be of any assistance in the meantime.

Your reference number is: 74693

Kind regards,

[redacted]| PlanSA Service Desk
Planning & Land Use Services | Department for Trade and Investment
E PlanSA@sa.gov.au |W plan.sa.gov.au
P 1800 752 664

We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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From: Gary Jutzen [redacted]
Sent: Friday, September 29, 2023 3:45 PM
To: DTI:Plan SA <PlanSA@sa.gov.au>
Subject: Submission – Residential Driveways Design Standard

Good Afternoon

I have previously provided feedback during the formulation of this draft and one particular area I had concerns about was the adoption of the AS Standard for sightlines at the driveways instead of the Austroads Guidelines. Austroads is an updated modern approach that takes into account the road environment and the latest research in driver behaviour.

I note in the draft that the Austroads Guidelines Normal Design Domain (NDD) (level surface) appears to have been adopted for Department roads, but Council roads remain with the Australian Standard – image extract provided below:

Design Principle 5.2	Design Requirement 5.2
To maximise road safety, driveway crossovers should be located and aligned, to accommodate unobstructed site lines.	Driveway crossovers satisfy the following: (b) the centreline of the driveway crossover has an angle of no less than 70 degrees and no more than 110 degrees from the road edge to which it takes its access (c) on State Maintained Roads, lines of sight to and from a new access point for drivers approaching and exiting the site of the development (measured at a height of 1.1m above the surface of the road) are unobstructed in accordance with the following distances: i) 110 km/h road - 285m ii) 100 km/h road - 248m iii) 90 km/h road - 214m iv) 80 km/h road - 181m v) 70 km/h road - 151m vi) 60 km/h road - 123m vii) 50km/h road - 97m viii) 40km/h or less road - 73m Note: see **TD-D** for information on calculating sightlines (d) on all other roads, lines of sight to and from a new access point for drivers approaching and exiting the site of the development (measured at a height of 1.1m above the surface of the road) are unobstructed in accordance with the following distances: i) 110 km/h road - 190m ii) 100 km/h road - 160m iii) 90 km/h road - 130m iv) 80 km/h road - 105m v) 70 km/h road - 85m vi) 60 km/h road - 65m vii) 50km/h road - 45m viii) 40km/h or less road – 35m Note: see **TD-D** for information on calculating sightlines

I believe this is wrong. Local council roads in our small regional areas present a higher risk than perhaps in a metropolitan areas and even Department roads for the following reasons:

1. No law enforcement
2. Due to less traffic volumes and lack of law enforcement, drivers generally drive faster and are less observant due to quieter roads.
3. We have grades of sometimes as high as 15 to 20 percent which impact on stopping distances considerably.

For this reason, using the AS Standard can be highly dangerous and often unsuitable. The AS Standard falls way below even the Austroads Extended Design Domain (EDD) which is the absolute minimum in the guideline. If the goal is to allow a planner doing a desktop assessment of sightline requirements assessing driveways, then in the very least, the Austroads Guideline (NND) should be adopted for Council Roads with onsite assessments determining whether this could be reduced.

I note that a similar exercise in the Planning Code that deals with watercourses presents many issues in our part of the world. As the code is based on a 1 in 50k (old) topographical map, minor water courses are not picked up and we are often presented with drainage issues with a developer creating allotments in unsuitable areas. The planning assessors say they can't do anything about this, because the code allows it.

The question must be asked as to who takes responsibility in these situations or in situations where an unsafe driveway has been approved – the planning body?

I thank you for the opportunity to provide input into the draft code.

Kind Regards

Gary Jutzen
Works Manager

Lower Eyre Council
PO Box 411 Cummins SA 5631
P [redacted]
Website: www.lowereyrepeninsula.sa.gov.au

"Working with our Rural and Coastal Communities"

CITY OF
Port Adelaide Enfield

14 November 2023

State Planning Commission
c/ Planning and Land Use Services
GPO Box 1815
ADELAIDE SA 5000

Attention: Matthew Henderson, Senior Planning Officer, Planning and Land Use Services

Dear State Planning Commission

Submission - Residential Driveways Design Standard

I refer to the abovenamed Design Standard (and accompanying Code Amendment) that was released for consultation. A review of the applicable documentation has been undertaken, with technical comments provided in the enclosed submission.

Thank you for the opportunity to make a submission. If you require further information or would like to discuss this matter, please contact me on telephone [redacted]

Yours sincerely

Steve Hooper
Development Services Manager

Enc Technical submission

TECHNICAL SUBMISSION

Excerpt (reference/page number)	Comment
Driveway crossovers satisfy the following: Driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, removed or replaced. - Design Requirement 1.4a (p. 22)	As it stands, the policy allows for the removal of a street tree (without necessarily requiring a replacement tree each time). This option is not supported. Put another way, the requirement should be that new driveways do not contribute to tree loss. The Design Requirement should therefore delete the word 'removed'.
Driveway crossovers satisfy the following: (a) sites with a frontage to a public road of 10m or less, have a single-width driveway crossover that complies with TD-A and is no more than 3.2 metres in width at the property boundary. - Design Requirement 1.5a (p. 23)	The requirement for a maximum 3.2m crossover (for sites with a frontage less than 10m) may be unrealistic for certain residential developments. This can be demonstrated through the following examples shown on Google Street View: • 15 Condon Drive, Northgate and 26 Lightsview Avenue, Lightsview: both sites have a 10-metre allotment width, a double garage, and a double-width driveway. Given the upper-floor balcony protruding over part of the driveway, the balcony's column placement could make it difficult to reverse onto a single-width crossover. • 47 Lightsview Drive, Lightsview: this site has a 10-metre allotment width, a double garage, and a double-width crossover. Given the short front setback (about 4.5m), it may be physically impossible for cars to access both 'halves' of this driveway from a single-width crossover - especially if one car is already parked on one half of the double driveway. The Design Requirement should therefore give clearer policy guidance in these situations, or delete an explicit limit on crossover widths altogether.
Driveway crossovers for residential development are designed to accommodate a minimum of a B85 Design Vehicle and	It is noted that the B85 Design Vehicle dimensions are defined by AS/NZS 2890.1:2004, which adopts a vehicle length of 4910 mm and a width of 1870 mm.

Excerpt (reference/page number)	Comment
Any invert installed in the kerbing for a driveway crossover is trafficable for the design vehicle. - Design Requirement 2.1 (p. 24) and 4.1 (p. 24)	However, as noted by Council in its past submissions on the P&D Code, consumer purchasing preferences (since 2004) have shifted towards larger vehicles. According to Canstar Blue, four of the 10 most popular vehicles sold in Australia during August 2023 were: • Toyota Hilux (ranked 1) • Ford Ranger (ranked 2) • Isuzu UTE D-Max (ranked 4) • Toyota Prado (ranked 10) Depending on the year or exact model of these vehicles, an internet search reveals that each model exceeds at least one dimension of a B85 design vehicle e.g.: • Hilux – length of 5.265 m • Ranger – length of 5.389 m • UTE D-Max – length of 5.265 m • Prado – width of 1.885 m The Design Requirement should therefore accommodate the larger dimensions of popular vehicles (from 2023), rather than the smaller dimensions of the Australian Standard (from 2004).
Vehicle access to designated car parking spaces satisfy (a) or (b): … (b) where newly proposed … (iii) does not involve the removal, relocation or damage to of [sic] mature street trees, street furniture or utility infrastructure services." - DTS/DPF 19.4(b)(iii) (p. 37)	Historically, Council has generally allowed the removal of trees of up to 3 years of age in this scenario. As a result, Council would generally disallow the removal of trees that are 4+ years old – even if they are not biologically mature. This practice may conflict with the Practice Direction. The DTS/DPF should therefore refer to the age of the street tree(s) in question, to avoid disputes over the term 'mature' at the application stage.
As a 1st general comment, it is not clear if the Code's Deemed-to-Satisfy provisions are entirely consistent with those of the Design Standard. As an	Although there may be cases where it is obvious which of the 3 options is relevant (for the purposes of assessment), there may be cases where it is

Excerpt (reference/page number)	Comment
example, the proposed DTS/DPF 23.4 allows compliance with one of three options: • The Design Standard for Residential Crossovers itself; or • An 'option A' or 'option B'	unclear. On the face of it, this provision potentially allows the applicant to decide which of the 3 options should be complied with. In addition, if there is a contradiction between the Design Standard and the aforementioned options 'A' or 'B', it is unclear if that undermines the intent of the Design Standard. The policy should therefore confirm if it is appropriate for the applicant to potentially choose which of the 3 options should be complied with (if the individual options conflict with one another).
As a 2nd general comment, it is unclear if Councils will be able to add advisory notes (or similar) to their Decision Notification Forms e.g. those that relate to consistency checks, or any other procedural matters associated with a private certifier	The Design Standard should therefore provide clearer guidance for Council Decision Notification Forms that involve private certification.
As a 3rd general comment, during a practitioner's information session (held via Teams in October 2023) it was noted that case law has established the need for both a development approval (under planning legislation) and Section 221 clearance (under the Local Government Act). In contrast, the Design Standard is suggesting that only development approval (under the Design Standard) will be required.	The Design Standard should therefore confirm that the procedural relationship between (1) planning approvals, (2) conventional Local Government Act authorisations, and (3) the yet-to-be-commenced Section 234AA of the *Local Government Act 1999* do not contravene the legal precedent set by *Adelaide Views Two Pty Ltd v City of Burnside [2006] SAERDC 21*.

Contact: David Bielatowicz

Ref: CR23/85198

14 November 2023

Town of Gawler Administration Centre
43 High Street
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Gawler East SA 5118
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Mr Matthew Henderson
Senior Planning Officer
Planning and Land Use Services, Department for Trade and Investment,
GPO Box 1815
Adelaide SA 5001

Dear Mr Henderson

Re: Public Consultation on Residential Driveway Crossovers: - Submission from the Town of Gawler

Thank you for providing the opportunity to provide feedback on proposed Outline Consents and furthermore, additional time to submit Council's feedback.

Upon review of the documentation available during the consultation period, the Town of Gawler does not object to the proposed Amendment to the Planning and Design Code with regards to residential Crossovers however provides the following feedback and concerns for consideration:

1. **Exclusion of Certain Development Types**
   The design standard for driveway crossovers should be extended to exclude group dwelling developments where waste servicing is to be conducted by waste pick up internally. Such servicing arrangements require design and construction suitable to cope with large heavy vehicles. This relates to more than residential developments over 50 dwellings and residential flat buildings. This must be made clear in the Code.

2. **Historic Overlays**
   The design standard should be excluded from areas within Historic Overlays, especially areas like the Church Hill Area where bluestone kerbing is used. The current reviews of Sate Heritage Areas being undertaken by the Department of Environment and Water (DEW) should take precedence over the proposed design standards to ensure that incongruous driveway designs not in keeping with heritage character are avoided (See link to the Department of Environment and Water here: Design standards | PlanSA).

3. Design Principle 1.0 and Design Requirement 1.0

Design Principle 1.0	Design Requirement 1.0
Driveway crossovers are limited in number to create attractive streetscapes, promote pedestrian safety and amenity and maximise the provision of on-street parking.	(a) not more than one driveway crossover is provided per site, including where multiple dwellings are proposed upon a site (b) are not located within an indented car parking bay unless an agreement is made with the owner for alteration of the car parking bay

- Crossovers can be within indented bays where there is sufficient length to accommodate vehicles and driveway access is not limited.

4. Design Principle 1.2 and Design Requirement 1.2

Design Principle 1.2	Design Requirement 1.2
Obsolete driveway crossovers are removed and made good having regard to the context of the streetscape.	Removal of obsolete driveway crossovers (including kerb inverts) achieves the following: (a) where the road has an existing upright kerb and gutter, any obsolete driveway crossovers (i.e., driveway crossovers that are being removed to comply with **DR 1.0(a)** are replaced with an upright kerb and gutter (b) obsolete driveways are returned to vegetated street verges and footpaths (or both) consistent with the pattern and form of the existing streetscape

- When must the obsolete driveways and verges be returned and replaced?
- To what civil design standard will the crossover be designed? Councils have specific civil standards that should be met - i.e. concrete thickness, strength etc. These typically need to be inspected to ensure they meet standard.

5. Design Principle 1.4 and Design Requirement 1.4

Design Principle 1.4	**Design Requirement 1.4**
Driveway crossovers are located to: (a) maximise land available for street tree preservation and planting and landscaped street frontages (b) maximise separation to existing or planned driveways to preserve opportunities for on-street car parking (c) minimise the impact on serviceability of the street/road (e.g., on-street bin collection) (d) avoid alteration to traffic control devices such as slow points or speed humps	Driveway crossovers satisfy the following: (a) driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, removed or replaced (b) where a development site includes more than two (2) dwellings a single shared driveway crossover arrangement is utilised (c) driveway crossovers meet the requirements specified in **TD-C** (d) driveway crossovers do not result in the removal or alteration of traffic control devices unless an agreement is made with the owner of the traffic control device for it to be relocated, removed or replaced

- What about other landscaping elements not specifically trees i.e. rain gardens etc that are becoming more common?
- What if the street trees have been approved but not yet planted by developer in areas such as a master planned neighbourhood zone? Which approval prevails?
- What happens if the street tree is planted by developer just before dwelling commences construction?
- In such instances where driveways conflict with tree planting, car parking, etc, the relevant authority must have the final authority to seek variation/departure from the standard.

6. Design Principle 1.6 and Design Requirement 1.6

Design Principle 1.6	**Design Requirement 1.6**
Driveway crossovers are designed and located to minimise impacts on, and potential for damage to, common infrastructure and street trees, including Regulated trees.	Driveway crossovers are located in accordance with **Table 1 and TD-C**

	Table 1 – separation distances for Common Infrastructure

Common Infrastructure	Minimum Separation Distance
Existing crossover - no on-street parking provided	1.0m
Existing crossover – on-street parking provided	5.4m
Stormwater pit	1.0m
Stobie pole, light pole	0.5m
Street tree (non-regulated)	2.0m
Street tree (regulated)[2]	See Note 2
Kerb tangent point	6.0m
Stormwater outlet	0.3m
Telecommunications or electrical pit (non-trafficable)	0.5m
Pedestrian invert / kerb ramp	0.5m
Traffic control device[3]	6.0m
Pedestrian activated crossing	Clear of marked lines
Bus stop[4]	10.0m (approach side) / 2.0m (departure side)

- Ensure that setback distances include features not listed including:
  - Other signs that are not traffic control devices (e.g. directional signs, signs for community services, etc).
  - Rain gardens, other landscaping
  - Fire hydrants or markers
- On street parking should be defined as dedicated line marked parking.
- The two (2) metre setback distance from street trees may be difficult to achieve in dense urban development settings.
- Clearances in general shall be 1m from general infrastructure (eg. Stobie pole, light pole)

7. Design Principle 1.7 and Design Requirement 1.7

Design Principle 1.7	Design Requirement 1.7
Driveway crossovers on sloping land are designed and constructed to allow safe and convenient access and egress to the corresponding development site.	Driveway crossovers on land with a gradient exceeding 1 in 8 satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in4) at any point along the driveway crossover (b) are constructed with an all-weather trafficable surface

- 1 in 4 grades should specifically include the need for transition grades and lengths as per Australian Standards. This is often overlooked.
- Drawing TD (F) and (G) should be referenced.
- All grades within the road verge need to be satisfied.

8. Design Principle 1.8 and Design Requirement 1.8

Design Principle 1.8	Design Requirement 1.8
The driveway crossover is of sufficient width to permit convenient access from constrained roads such as laneways.	If the driveway crossover is located on an alley, lane or right of way - the crossover is a minimum of 6.2 metres wide along the boundary of the allotment / site.

- What are the assumptions underlying this provision?
  - Does it envisage a narrow laneway?
  - Does it envisage garage setbacks with little or no setback?
  - Does it assume a single car width?
- The above variables all play a part in determining what is the recommended driveway width suitable for enabling safe transit.
- Should the standard be maximum 6.2m?

9. Design Principle 3.1 and Design Requirement 3.1

Design Principle 3.1	Design Requirement 3.1
Footpath and driveway crossover gradients: (a) allow vehicles to access and egress the corresponding development site without bottoming out or scraping (b) maintain safe pedestrian movement along public footpaths.	Footpath and driveway crossovers achieve the following: (a) driveway crossover grades and transitions meet the requirements specified in **TD-F** or **TD-G** (whichever is relevant). (b) where there is a public footpath adjacent to a driveway crossover, the footpath is maintained as continuous legible footpath with no changes to levels or camber at the footpath's intersection with the driveway crossover. (c) the footpath transition grades and crossfalls in **TD-H** are achieved.

- What if the footpath has been approved (i.e., within a new master planned neighbourhood zone) however not yet constructed by developer?
- Existing footpath and existing crossovers will still dictate the levels for the transition grade for footpaths.

10. Design Principle 4.1 and Design Requirement 4.1

Design Principle 4.1	Design Requirement 4.1
Any invert installed in the kerbing for a driveway crossover is trafficable for the design vehicle.	None specified.

- Inverts should be constructed to council civil specifications. The relevant authority must have the final authority in specifying construction specifications.

11. Design Principle 5.6 and Design Requirement 5.6

Design Principle 5.6	Design Requirement 5.6
Driveway crossovers are designed to minimise negative impact on roadside drainage of water.	The design of driveway crossovers: (a) maintains longitudinal drainage along roadsides such as swales (b) does not result in any decrease in the capacity of an existing drainage point (c) does not restrict or prevent the flow of stormwater to an existing drainage point and system.

- The Council should have authority to specify it required construction standards ie. pipe and culvert.

12. Design Principle 6.1 and Design Requirement 6.1

Design Principle 6.1	Design Requirement 6.1
Driveway crossover materials and colours are consistent with that used in the immediate streetscape, particularly in areas of historical or character importance.	The colour and materials used in driveway crossover construction aligns with that of driveway crossovers on adjoining sites

- Specifications should be provided stating minimum concrete thickness, strength and design standard. A council's requirements must be adhered to where directed by the authority.

13. Technical Drawings (TD)

Council does not support the adoption of design standards that do not satisfy Council's own authorised minimum design requirements as well as the Australian Standards. The following below outlines the minimum requirements of Council for the technical requirements proposed.

TD-(A): Urban Driveway Crossover Widths – Servicing one Dwelling

- Driveways shall be parallel with crossovers. For single driveways, widths to be 3.0m to 4.5m. For double driveways, 6.0m at a minimum where possible.

TD-(C): Urban Driveway Crossover Locations

- Driveway shall have 1m clearance from side entry pits in line with Design Requirement 1.6. In addition, 1m clearance from stobie poles or similar.

TD-(E): Rural Property Access - uncurbed

- Road reflectors required for rural property access as per our Council Standards.

TD-(F): Driveway Crossover Grades – allotment lower than the road

- Maximum gradient of the associated access driveway across a property line or building alignment shall be 5% (1 in 20).

TD-(G): Driveway Crossover Grades – allotment higher than the road

- FFL's to be 300mm above the top of kerb or 300mm above 1% AEP, whichever is greater.

- Maximum gradient of the associated access driveway across a property line or building alignment shall be 5% (1 in 20).

TD-(H): Footpath transitions and crossfalls

- Existing footpath and existing crossovers will still dictate the levels for the transition grade for footpaths.

14. Amendments to General Development Provisions

The proposed changes to the General Development Policies in the Planning and Design Code relate typically to driveway provisions within allotment boundaries.

Adding DTS/DPF provisions stating that if *The design of the driveway complies with the design standard for residential driveway crossovers* or ……

is considered to contradictory to what the Performance Outcome is trying to achieve in many cases.

Council requests that the Department further considers the interaction of the documents with the Code.

If you have any questions that require further clarification, please do not hesitate to contact David Bielatowicz – Manager of Development Services and Assessment on (08) [redacted] or via e-mail at [redacted]

Yours faithfully

Andrew Goodsell
Acting Chief Executive Officer

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14 November 2023

Matthew Henderson
Planning and Land Use Services
GPO Box 1815,
Adelaide SA 5001

Dear Mr Henderson,

Re: Submission – Residential Driveways Design Standard

We refer to the 'Preparation of a design standard, Amended to the Planning and Design Code, Residential Driveway Crossovers July 2023' ("**DC Standard**").

As set out in **grow.reform.build** the UDIA's 2022 state election priorities document, the UDIA strongly supports the focus by the government (and developers) in maximising South Australia's land opportunities to make SA an even more attractive place to live and work.

The objects of the DC Standard are set out as being:

"…

- *provide for the safety of all road uses*
- *provide for vehicle access that maximises the provision of on-street carparking*
- *create attractive streetscapes through the retention of street trees and limiting the amount of hardstands areas*
- *create driveway crossovers that are durable*
- *create driveway crossovers that are located to minimise the need to relocate or remove of street infrastructure…"*

and while it is agreed that a design guideline for driveway cross overs could be prepared (though it not unanimously supported), UDIA and its members **do not support** the proposed DC Standard in its current form.

This DC Standard will affect most residential developments and its implications are far-reaching.

In its current form, the overly prescriptive nature of the draft DC Standard would at best limit, and at worst, prevent, a significant number of lot dwellings (and other development outcomes) and does not support the intention of the *Planning and Design Code*, that '*…a design standard contain assessment provisions and technical drawings that provide guidance on good design*…'

For example, the Hampton Cottage, which is a UDIA State and National award winner for affordable housing, would not meet these prescriptive requirements and in an affordability crisis, the focus should be on supporting innovation, not implementing prescriptive standards which stifle innovation and potentially prevent acceptable housing outcomes (because, for example, the driveway is the wrong colour).

Given that this is the first, of what we anticipate should be many, design guidelines to support innovative and good design in South Australia, we are concerned particularly that the prescriptive form, repetitive nature of content already covered by the *Planning and Design Code*, and risk of the 'guideline' being applied as the benchmark rule (without consideration of the unique features of a site or benefit of any built form outcomes) rather than as a direction or guide will form the default approach in future design standards.

We are not proposing that the preservation of space for street trees, verges, critical service separation other matters are not important, but the approach outlined in the proposed DC Standard does away with sensible, performance-based assessment by defaulting to prescription and millimetres. And in this form, it is without consideration or reference to a review of the unique attributes of a proposed development and/or good design outcomes.

While raised previously, and accepting that it was not necessarily the intention of the *Planning and Design Code*, there is a default approach of deferring to the DTS/DFP as a measure of whether something "works" or not in the implementation of the *Planning and Design Code.*

To reiterate the point, there is considerable concern that the design principle ("**DP**") may (or will) be glossed over in favour of a design requirement ("**DR**') which gives more technical detail without, in our opinion, any actual or real correlation to the that DP or the objects of the DC Standard.

The reference at the commencement of the assessment provisions that "***…Design Requirement (DR)*** *This requirement* ***must*** *be met to satisfy the design standard…"* and the application of 'must' at law only compounds the concern.

We consider that the reality of some assessment, particularly in local government, which is framed by a risk adverse culture, will provide a greater opportunity to say 'no' without reflection of the design, the uniqueness and/or desirability to develop a site and give greater opportunity to delay assessments even where the proposal should be straightforward.

Review of Assessment Provisions

Specific examples of these concerns include:

1. DP and DR 1.0

While **DP 1.0** provides that "*Driveway crossovers are limited in number to create attractive streetscapes, promote pedestrian safety and amenity and maximise the provision of on-street parking"*, **DR 1.0** provides that "*Driveway crossovers satisfy the following:… (a) not more than one driveway crossover is provided per site, including where multiple dwellings are proposed upon a site…"*

As with many of the DP and DR's, there appears to be no reference or correlation in the DR to the objects of the DC Standard, the DP or the nature of the site being reviewed.

For example, a corner allotment lends itself to multiple access and such access is not inconsistent with providing '*…for the safety of all road uses', 'durability'* or any other objective.

We would go as far as to say that people often buy these corner lots for the sole purpose of having a secondary access for a shed, caravan and/or boat etc and such intention should not be rejected outright.

In addition, idented car parking bays may not be avoidable, (as historic or planned – such as Heysen Boulevard at Mount Barker).

The comment "….*unless an agreement is made with the owner*" is repeated (often) through the DC Standard but provides no direction as to how this should be reviewed . Typically, the owner is council and will potentially add another layer of red tape, time and money to an assessment.

2. DP and DR 1.3

While **DP 1.3** provides that "*Driveway crossovers have a functional relationship with associated driveways"* is reasonable, the duplication in the **DR** to reference "…*obsolete driveway crossovers are removed in accordance with DR 1.2"* is unnecessary.

3. DP and DR 1.4

While **DP 1.4** provides that:

> "*Driveway crossovers are located to:*
>
> *(a) maximise land available for street tree preservation and planting and landscaped street frontages*
> *(b) maximise separate to existing or planned driveways top preserve opportunities for on-street car parking*
> *(c) minimise the impact on serviceability of the street/road (e.g., on-street bin collection)*
> *(d) avoid alteration to traffic control devices such as slow points or speed humps"*

DR 1.4 limits this (among other things) to require no removal of street trees "*…unless an agreement is made with the owner…*" and "*where a development site includes more than two (2) dwellings a single shared driveway crossover arrangement is utilised*".

The arbitrary application of a limitation to the removal and/or relocation of street trees and the requirement for shared driveways is another example that the DR does not reflect the DP or the objectives of the DC Standard.

For example, in duplexes, a shared single driveway is often impractical and inappropriate and does not support good design.

4. DP and DR 1.5

While **DP 1.5** provides that "*The width of driveway crossovers: (a) facilitates safe access and egress for vehicles that are expected to commonly access the site as well as anticipated vehicle movement numbers (b) is minimised to promote the retention of on-street car parking along residential streets*" the corresponding **DR** directly contradicts this.

There are many examples (existing and approved) where two storey homes are being built on sites with 10m frontages or less with a double garage (supporting the retention of on-street parking for non-residents and a DR, which is a 'must' requirement, limiting a plan to a single storey crossover is inappropriate (and shortsighted).

5. DP and DR 1.6

The **DR** related to **DP 1.6** which provides that "*Driveway crossovers are designed and located to minimise impacts on, and potential for damage to, common infrastructure and street trees, including Regulated trees"* is overly prescriptive in most parts and vague in others (such as the requirement to clear of marked lines for a pedestrian activated crossing).

Many existing driveway crossways would not meet these requirements.

The application of this table (and the diagrams, which will be addressed later) complicates the simple concept of a driveway crossover and interaction of the distances where a site has more than one piece of common infrastructure which cause further red tape, time and money.

6. DP and DR 1.7

The requirement in **DP 1.7** that "*Driveway crossovers on sloping land are designed and constructed to allow safe and convenient access and egress to the corresponding development site*" be addressed in accordance with the corresponding **DR** and "*…are constructed with an all-weather trafficable surface*" adds a layer of complexity which is not addressed at the initial application. Such details are provided at civil design stage and should not hold up land division stage.

7. DP and DR 1.8

On the currently wording, **DP 1.8** that "*The driveway crossover is of sufficient width to permit convenient access from constrained roads such as laneways*" requires a minimum of 6.2 m wide crossover (irrelevant of dwelling and/or site size).

In an already constrained land availability market, and where affordable housing is already an issue discussed almost daily, the implementation of a policy which does not support the construction of a single garage/carport driveways on certain lots in laneways cannot be a good design outcome.

8. DP and DR 5 (generally)

The amount of prescription at the land division stage does not provide for any meaningful assessment of the site with reference to specific and unique characteristics of that site.

9. DP and DR 6.1

In addition to the fact that decisions regarding material and/or colour of the driveway is not something made at land division stage, **DR 6.1** which provides that "*…The colour and materials used in driveway crossover construction aligns with that of driveway crossovers on adjoining sites"* is simply opening a planner up for criticism and unnecessary discussion (delay and cost) about whether a crossover is consistent or not with adjoining sites.

Technical Drawings

While technical drawings are probably best left to traffic experts and noting that they are likely to provide valuable input to limit overly prescriptive requirements to sites which justify such restrictions, the current diagrams imply that every crossover should not be built at 90 degrees to the kerb, rather they should flare out as per the diagrams.

This is completely at odds with current driveways and many (if not nearly all) existing driveway crossways would not meet these requirements.

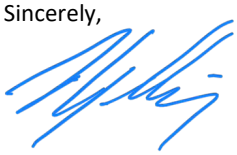
Summary

While the implementation of good design principles to support the development sector is supported, the sentiment remains that this DC Standard, in its current form, simply does not support the objectives proposed in the DC Standard or provide for good design outcomes.

As UDIA is committed to working with PlanSA to implement a design guideline which does address the objectives, as a starting point we have drafted and attach amended Assessment Provisions which we consider remove the ambiguity created by the interaction of the DP and DR requirements and which support good design without inhibiting development.

UDIA would welcome the opportunity to sit down with PlanSA and work through an amended design guideline.

Sincerely,



Liam Golding
Chief Executive

Assessment Provisions

Design Standard 1: Driveway Crossovers for Residential Development	
Interpretation	
Design Principle (DP) A design principle is the qualitative element of a design standard. ~~**Design Requirement (DR)** This requirement must be met to satisfy the design standard.~~ **Technical Drawing (TD)** Provides context to the design principle and/or details the associated design requirement.	
Driveway Crossover	
Design Principle 1.0 Driveway crossovers are limited in number to create attractive streetscapes, promote pedestrian safety and amenity and maximise the provision of on-street parking.	~~**Design Requirement 1.0**~~ ~~Driveway crossovers satisfy the following:~~ ~~(a) not more than one driveway crossover is provided per site, including where multiple dwellings are proposed upon a site~~ (b) ~~are not located within an indented car parking bay unless an agreement is made with the owner for alteration of the car parking bay~~
Design Principle 1.2 Obsolete driveway crossovers (including kerb inverts) are removed and made good having regard to the context of the streetscape including: (a) where the road has an existing upright kerb and gutter, any obsolete driveway crossovers (i.e., driveway crossovers that are being removed) are replaced with an upright kerb and gutter; and (b) obsolete driveways are returned to vegetated street verges and/or footpaths (or both) consistent with the pattern and form of the existing streetscape.	~~**Design Requirement 1.2**~~ ~~Removal of obsolete driveway crossovers (including kerb inverts) achieves the following:~~ ~~(c) where the road has an existing upright kerb and gutter, any obsolete driveway crossovers (i.e., driveway crossovers that are being removed to comply with **DR 1.0(a)** are replaced with an upright kerb and gutter~~ (d) ~~obsolete driveways are returned to vegetated street verges and footpaths (or both) consistent with the pattern and form of the existing streetscape~~
Design Principle 1.3 Driveway crossovers have a functional relationship with associated driveways and connect to a driveway within a development site.	~~**Design Requirement 1.3**~~ ~~Driveway crossovers:~~ ~~(a) connect to a driveway within a development site, or~~ (b) ~~obsolete driveway crossovers are removed in accordance with **DR 1.2**~~
Design Principle 1.4 Driveway crossovers are located to: (a) maximise land available for street tree preservation and planting and landscaped street frontages (b) maximise separation to existing or planned driveways to preserve opportunities for on-street car parking	~~**Design Requirement 1.4**~~ ~~Driveway crossovers satisfy the following:~~ ~~(a) driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, removed or replaced~~ (b) ~~where a development site includes more than two (2) dwellings a single shared driveway crossover arrangement is utilised~~

(c) minimise the impact on serviceability of the street/road (e.g., on-street bin collection) (d) avoid alteration to traffic control devices such as slow points or speed humps	~~(c) driveway crossovers meet the requirements specified in **TD-C**~~ (d) ~~driveway crossovers do not result in the removal or alteration of traffic control devices unless an agreement is made with the owner of the traffic control device for it to be relocated, removed or replaced~~
Design Principle 1.5 The width of driveway crossovers: (a) facilitates safe access and egress for vehicles that are expected to commonly access the site as well as anticipated vehicle movement numbers (b) is minimised to promote the retention of on-street car parking along residential streets; and (c) where a driveway crossover is to serve more than: i) two (2) dwellings on a State Maintained Road, or ii) three (3) dwellings on other roads, then the crossover design must accommodate simultaneous traffic movement.	~~**Design Requirement 1.5**~~ ~~Driveway crossovers satisfy the following:~~ ~~(a) sites with a frontage to a public road of 10m or less, have a single-width driveway crossover that complies with **TD-A** and is no more than 3.2 metres in width at the property boundary~~ ~~(b) sites with a frontage to a public road of greater than 10m may have a double-width driveway provided that the driveway crossover complies with **TD-A, TD-C** and **DR 1.0**~~ ~~(c) where a driveway crossover is to serve more than:~~ ~~i) two (2) dwellings on a State Maintained Road, or~~ ii) ~~three (3) dwellings on other roads, the crossover design must accommodate simultaneous traffic movement of the design vehicle as shown in **TD-B**~~
Design Principle 1.6 Driveway crossovers are designed and located to minimise impacts on, and potential for damage to, common infrastructure and street trees, including Regulated trees. Table 1 is a recommendation only and each site must be assessed on its own merits.	~~**Design Requirement 1.6**~~ ~~Driveway crossovers are located in accordance with **Table 1 and TD-C**~~

Table 1 – separation distances for Common Infrastructure

Common Infrastructure	Minimum Separation Distance
Existing crossover - no on-street parking provided	1.0m
Existing crossover – on-street parking provided	5.4m
Stormwater pit	1.0m
Stobie pole, light pole	0.5m
Street tree (non-regulated)	2.0m
Street tree (regulated)[2]	See Note 2
Kerb tangent point	6.0m
Stormwater outlet	0.3m
Telecommunications or electrical pit (non-trafficable)	0.5m
Pedestrian invert / kerb ramp	0.5m
Traffic control device[3]	6.0m
Pedestrian activated crossing	Clear of marked lines
Bus stop[4]	10.0m (approach side) / 2.0m (departure side)

	Notes: 1. Tree protection radius in accordance with AS 4970:2009 **(Attachment X)** 2. Traffic control devices can include speed humps, speed limit signs, parking control signs, traffic signals. A lesser distance may be negotiated with the relevant asset owner. 3. DIT Master Specification
Design Principle 1.7 Driveway crossovers on sloping land are designed and constructed to allow safe and convenient access and egress to the corresponding development site.	~~**Design Requirement 1.7**~~ ~~Driveway crossovers on land with a gradient exceeding 1 in 8 satisfy (a) and (b):~~ ~~(a) do not have a gradient exceeding 25% (1 in 4) at any point along the driveway crossover~~ (b) ~~are constructed with an all-weather trafficable surface~~
Design Principle 1.8 The driveway crossover is of sufficient width to permit convenient access from constrained roads such as laneways.	~~**Design Requirement 1.8**~~ ~~If the driveway crossover is located on an alley, lane or right of way the crossover is a minimum of 6.2 metres wide along the boundary of the allotment / site~~
Vehicle Dimensions	
Design Principle 2.1 Driveway crossovers are designed to accommodate vehicles that are expected to commonly access the corresponding development site.	~~**Design Requirement 2.1**~~ ~~Driveway crossovers for residential development are designed to accommodate a minimum of a B85 Design Vehicle~~
Footpaths	
Design Principle 3.1 Footpath and driveway crossover gradients: (a) allow vehicles to access and egress the corresponding development site without bottoming out or scraping (b) maintain safe pedestrian movement along public footpaths and where there is a public footpath adjacent to a driveway crossover, the footpath is maintained as continuous legible footpath with no significant changes to levels or camber at the footpath's intersection with the driveway crossover.	~~**Design Requirement 3.1**~~ ~~Footpath and driveway crossovers achieve the following:~~ ~~(a) driveway crossover grades and transitions meet the requirements specified in **TD-F** or **TD-G** (whichever is relevant)~~ ~~(b) where there is a public footpath adjacent to a driveway crossover, the footpath is maintained as continuous legible footpath with no changes to levels or camber at the footpath's intersection with the driveway crossover~~ (c) ~~The footpath transition grades and crossfalls in **TD-H** are achieved~~
Kerb Crossover (Invert)	
Design Principle 4.1 Any invert installed in the kerbing for a driveway crossover is trafficable for the design vehicle.	**Design Requirement 4.1** None specified

Safety and Accessibility	
Design Principle 5.1 Driveway crossovers are located as far as practical from road intersections to minimise points of vehicle, bicycle and pedestrian conflict.	~~**Design Requirement 5.1**~~ ~~Driveway crossovers are located in accordance with **TD-C**~~
Design Principle 5.2 To maximise road safety, driveway crossovers should be located and aligned, to accommodate unobstructed site lines.	~~**Design Requirement 5.2**~~ ~~Driveway crossovers satisfy the following:~~ ~~(b) the centreline of the driveway crossover has an angle of no less than 70 degrees and no more than 110 degrees from the road edge to which it takes its access~~ ~~(c) on State Maintained Roads, lines of sight to and from a new access point for drivers approaching and exiting the site of the development (measured at a height of 1.1m above the surface of the road) are unobstructed in accordance with the following distances:~~ ~~i) 110 km/h road 285m~~ ~~ii) 100 km/h road 248m~~ ~~iii) 90 km/h road 214m~~ ~~iv) 80 km/h road 181m~~ ~~v) 70 km/h road 151m~~ ~~vi) 60 km/h road 123m~~ ~~vii) 50km/h road 97m~~ ~~viii) 40km/h or less road 73m~~ ~~Note: see **TD-D** for information on calculating sightlines~~ ~~(d) on all other roads, lines of sight to and from a new access point for drivers approaching and exiting the site of the development (measured at a height of 1.1m above the surface of the road) are unobstructed in accordance with the following distances:~~ ~~i) 110 km/h road 190m~~ ~~ii) 100 km/h road 160m~~ ~~iii) 90 km/h road 130m~~ ~~iv) 80 km/h road 105m~~ ~~v) 70 km/h road 85m~~ ~~vi) 60 km/h road 65m~~ ~~vii) 50km/h road 45m~~ viii) ~~40km/h or less road 35m~~ ~~Note: see **TD-D** for information on calculating sightlines~~
Design Principle 5.3 Site access does not interfere or impact on the safe operation of road acceleration / deceleration lanes.	~~**Design Requirement 5.3**~~ ~~A driveway crossover is not located within road acceleration / deceleration lanes or, if the acceleration lane is in the form of an 'added' lane, not within the first 50 metres of the added lane measured from the property boundary~~

Design Principle 5.4 Driveway crossovers in areas of high bushfire risk are designed to be accessible by firefighting vehicles in areas of high bushfire risk.	~~**Design Requirement 5.4**~~ ~~Driveway crossovers and vehicle clearance from vegetation in areas of high bushfire risk meet the requirements specified in **TD-I**~~
Design Principle 5.5 Driveway crossovers located on rural high- speed road (speed limit >80km/h) are designed to maximise safety and provide access for larger vehicles.	~~**Design Requirement 5.5**~~ ~~Driveway crossovers located on rural high- speed roads (speed limit >80km/h) meet the requirements of **TD-E**~~
Design Principle 5.6 Driveway crossovers are designed to minimise negative impact on roadside drainage of water and the design of driveway crossovers: (a) maintains drainage along roadsides such as swales (b) does not restrict, prevent or result in any decrease in the flow or capacity of an existing drainage point.	~~**Design Requirement 5.6**~~ ~~The design of driveway crossovers:~~ ~~(c) maintains longitudinal drainage along roadsides such as swales~~ ~~(d) does not result in any decrease in the capacity of an existing drainage point~~ (e) ~~does not restrict or prevent the flow of stormwater to an existing drainage point and system.~~
Design Principle 5.7 Site access does not interfere or impact on the safe operation of a railway crossing.	~~**Design Requirement 5.7**~~ ~~Development does not involve a new or modified access that is located within the following distance from a railway crossing:~~ ~~(a) 80 km/h road – 110m~~ ~~(b) 70 km/h road – 90m~~ ~~(c) 60 km/h road – 70m~~ (d) ~~50km/h or less road – 50m~~
~~**Form and Materials**~~	
~~**Design Principle 6.1**~~ ~~Driveway crossover materials and colours are consistent with that used in the immediate streetscape, particularly in areas of historical or character importance.~~	~~**Design Requirement 6.1**~~ ~~The colour and materials used in driveway crossover construction aligns with that of driveway crossovers on adjoining sites.~~

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13 November 2023

Matthew Henderson
PLUS – Department for Trade and Investment
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ADELAIDE SA 5001

Dear Sir/Madam

Residential Driveway Crossovers – Design Standard consultation paper

The Housing Industry Association (HIA) appreciates the opportunity to provide feedback on the Residential Driveway Crossover Design Standard (herein referred to as the Design Standard) and acknowledges the extensive work undertaken by the State Planning Commission in preparing the discussion paper for public consultation.

Good standards can produce quality outcomes and are an integral part of building compliance. HIA policy *Australian Standards* (see appendix) supports relevant government agencies creating industry managed solutions that provide clear guidance on the interpretation of standards.

Any change within legislation ought to be based of verifiable evidence that demonstrates a net benefit to society, accomplishing sensible planning provisions in line with consumer affordability. A fully considered system is one that is reasonable for users to comply with and manageable for regulators to enforce, recognising a balance between economic and environmental factors.

It is important the Design Standard allows planning authorities to take a holistic approach when enforcing planning objectives and has enough flexibility to cater for unique situations. Many circumstances are presented during construction work that requires site-specific solutions. Such instances must not be hindered during the assessment process, nor after, by unjustified regulatory barriers.

Our industry is currently facing many challenges including a constrained labour market and broader "cost of living" issues, such as rising interest rates. It is therefore imperative the building industry is presented with a standard that creates solutions through practical means and does not cause

unnecessary delays. Time that is wasted through double handling and inefficient procedures ultimately has a detrimental impact on construction and affordability of housing.

As stated in HIA Policy *Building Resilience* (see appendix), the core goal of a standard is to ensure occupant safety. Asset conservation must not compromise this imperative.

To HIA's knowledge, no incident or event has triggered the need for a new Design Standard. Rather, the content within it is based on changes that occurred during the planning reform and to the Act. With this in mind, we would encourage guidance material within the Design Standard does not vary from common practices that have worked well in the past that are familiar to our members.

Of most concern are the clearance distances nominated under Attachment A – Design Requirement 1.6, specifically those stated for existing trees. What has not been taken into consideration is the different species nor the height of the subject tree. As an example, a 2 metres clearance for certain varieties of 'Dodonaea' is excessive and would be an unjustified inhibitor during the assessment process.

HIA questions why 2 metres is the benchmark clearance; local jurisdictions such as Port Adelaide Enfield require a 1.5 metre distance. Although we do not endorse prescriptive measures that are not fully considered, **we suggest any clearance nominated in the Design Standard shall be no greater than that used by Port Adelaide Enfield measured from the tree centre. Furthermore, any reference to trees should be supported by a comprehensive list of varieties outlining separation distances pertinent to that species.**

The Design Standard advises us flora may need to be replaced if removed as part of a negotiated position between council and applicant. Although this may fall into line with the draft content of the Greater Adelaide Regional Plan, in particular the urban greening strategy, dialogue on the subject matter is often skewed without full comprehension of the effects restoration/planting activities have on surrounding buildings.

Not every situation can justify the replenishment of trees, reasons for this include the following.

- **Conflict of objectives**. The General Development Policies "Design in Urban Areas – Performance Outcome (PO 4.1)" and "Design – Performance Outcome (PO 4.1)" implores housing proposals maximise sunlight into buildings. The Design Standard does not recognise this, or the potential conflict that may exist if the immediate surrounding space is restricted.
- **'Tree effect' and proximity to buildings**. It is recognised that trees negatively impact on housing, altering the soil conditions as well as undermining footings due to root invasion. The clearance distance between replacement trees and buildings is not considered under the Design Standard. This has the potential to adversely affect surround land and property if managed incorrectly. Guidance provisions should be developed on this matter.

If locations cannot cater for tree replenishment activities, the assessment process should not be halted. It is important that the regulatory authorities have the power to emit replanting in circumstances that don't allow for it without needing to negotiate with the applicant.

Clearance distances also effect on-street carparking, and the ability for developers to meet these provisions. We are fearful that negotiations between the relevant authority and the applicant will be left at a stalemate should the Design Standard not provide enough flexibility.

HIA recommends the relevant authority be afforded the opportunity to pass judgement without the need to condition mandatory replantation, nor consult on an agreed alternate position, if the applicant chooses to remove an existing tree.

Clearances are not HIA's only concern. Crossover widths are provided which are unworkable for certain developments. Design Requirement 1.5(a) stipulates the following.

> *"sites with a frontage to a public road of 10m or less, have a single-width driveway crossover that complies with TD-A and is no more than 3.2 metres in width at the property boundary"*

Pending the location, deemed-to-satisfy (DTS) development allows for 2-storey residential construction on allotments with frontages under 10 metres containing double garages set back 5.5 metres from the primary boundary. This presents a situation where the manoeuvring of cars on site is impractical if a crossover is restricted to 3.2 metres in width**; a double width driveway should be permissible if double garages are provided under a DTS pathway, or where sites have limited space.**

The Design Standard is limited in scope, with some development types exempt from the instructions listed within. Where Development Applications have no applicable standard as a reference point, Attachment E advises the applicant must consult the CE of the relevant council.

Not only is it unclear what position the CE holds i.e. Chief Executive or Chief Engineer, the time associated with this action is not defined (TBC).

HIA has major reservations about this on the following grounds:

1) Any process not bound to a time limit can be subject to abuse.
2) This process discounts the ability of the relevant authority to make their own determination.
3) The ability of council to deal with the matter; designated resources differ between each jurisdiction.

We believe that any relevant authority that is an expert in the field, or is able to consult with an expert outside of council, should be allowed to use their judgement and make a decision that is final. Although we do not endorse consultation with the CE as being the only option, we suggest that any time nominated for such referral be limited to a maximum of 10 business days total.

The Design Standard is an opportunity for Government to simplify a process that need not be complicated. Even though provisions within this standard must fall into line with multiple Acts, its premise is easy to understand.

a) Provide for the safety of all road users.
b) Provide for vehicular access that maximises the provision of on-street carparking.

c) Create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas.
d) Create driveway crossovers that are durable.
e) Create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

If a conflict exists, the order in which these objectives are presented within the Design Standard ought to take precedence. A situation that involves the provision of on-street carparking should not be hindered by infrastructure/tree clearance distances, and that the associated development can still proceed. Establishing a hierarchy must be clearly stated within the objectives.

Thank you once again for the opportunity to lodge a written submission on the Design Standard. Should you require anything further, please do not hesitate to contact myself on [redacted] or alternatively [redacted]

Please note HIA would appreciate being kept informed of any follow-up stages as they come out for public comment.

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED

Stephen Knight
HIA Executive Director
South Australia

Australian Standards

HIA's Position Statement

1. All standards to be referenced in the National Construction Code (NCC) must undergo a comprehensive regulatory impact assessment by the Australian Building Codes Board to prove a demonstrable need for the standard and a positive cost benefit to building owners.
2. New standards should be developed according to the COAG principles for good regulatory practice.
3. The decision to develop a standard should be made at arm's length from Standards Australia, reflecting a strong demonstrable need and industry-wide consensus.
4. Standards Australia must accept greater accountability for standards, ensuring appropriate cost/benefit analysis and public consultation, as part of their development.
5. The separation of the public good and commercial operations of Standards Australia and SAI Global must be effective. Standards Australia should not be driven by commercial returns.
6. Government funding for the development of any 'public good' standards should be provided to ensure that all interests are appropriately considered.
7. Australian Standards should be accessible at no cost or at no more than marginal cost, as has been general practice with all other Australian legislation.
8. Compliance with a referenced standard should be a defence in court or tribunal proceedings. Reliance on standards that are not referenced in regulation or not agreed to as part of the building contract should not carry weight in building disputes.
9. The Australian Building Codes Board should provide direction to all state administrations and local government, on the position of unreferenced standards in building regulation.
10. That relevant government agencies for building administration should support an industry managed solution to provide clear guidance on the interpretation and application of Australian Standards called up by the NCC, and to assist in removing inconsistent interpretations.

Background

- Standards Australia have developed several thousand Australian Standards, which have been published by SAI Global, with many standards now relied on as black letter regulation and de facto regulation.
- The National Construction Code (NCC) calls up over 1,400 standards through primary, secondary and tertiary references.
- Businesses are obliged to comply with all these standards. The flood of standards places a heavy compliance burden on builders and contractors. With the average cost of individual standards being well over a $100 each the ongoing costs of purchasing standards is a significant impost on the building industry, particular given that standards are continually updated and new versions becomes the new regulations that must be adhered to. Standards should be readily available to the small businesses which need them.

- State and local government planning and building regulations reference Australian Standards not called up by the NCC in an ad hoc manner and without regulatory impact assessment in accordance with COAG principles for good regulation.
- There has been a trend towards using unreferenced standards as de facto regulation. Courts and building tribunals appear to be increasingly relying on failure to comply with standards as a cause of action, despite the standard not being referenced in the NCC.
- For many years, Australian Standards provided cost effective technical guidance for industry, reflecting industry practice.
- Recently standards have become de-facto building regulations, aimed at driving ‘best practice’ outcomes, with little regard for the cost impact on housing affordability.
- With the creation of Standards Australia as a private company, its public good role appears to have been overshadowed by the commercial pressure to recover costs, leading to more and more standards being produced.
- The enthusiasm for ‘best practice’ standards sits uneasily with minimum effective regulation. It is contrary to Standards Australia's obligations under its Memorandum of Understanding (MOU) with the Commonwealth which requires the company to develop minimum effective solutions. It conflicts with the objective of the NCC to set minimum acceptable technical requirements for ensuring the health, safety, amenity and sustainability of new buildings.
- The status of draft standards and standards published out of sequence with the NCC is causing confusion in the industry. HIA is firmly of the view that only standards referenced in the NCC should be legally enforceable. It is unreasonable to expect builders and contractors to be aware of unreferenced or draft standards.
- The ability for the building industry to get advice on the application of referenced Australian Standards is currently lacking which adds to inconsistent interpretations across jurisdictions and local government areas.

HIA Policy

Building Resilience

HIA's Position Statement

1. The zoning of specific land as being deemed unsuitable for future housing, should only occur where it can be appropriately validated, based off verifiable evidence that the subject land has a high potential to suffer significant & costly damage, that couldn't have otherwise be addressed through cost effective mitigation measures in the design, siting and construction of the building.
2. The 'moving' of zones or boundaries on climatic maps for specific hazard areas shall be based off verifiable evidence and coordinated at a national or state level and supported by regulatory impact assessment and broad industry consultation to gauge the full impacts of the change.
3. The core goal of the National Construction Code (NCC) and relevant Australian Standards should remain focused on life safety of occupants as opposed to asset or property protection. These core goals should not be undermined by state or local planning requirements that may seek to impose additional provisions on the design, siting and construction of buildings.
4. Revisions or amendments to building and planning codes in respect to building resilience or mitigation measures, be based off verifiable evidence from post incident assessments and preparation of a regulatory impact assessment that demonstrates net benefits to society.
5. The NCC and associated referenced Australian Standards are the wrong tool to be addressing resilience in isolation and resilience and mitigation needs to be considered holistically.
6. HIA is supportive of Governments voluntary 'buy back' programs for home owners who have had their homes significantly impacted by natural disaster and where that home is likely to be subjected to future natural disasters.
7. Home owners should be able to obtain home insurance at an affordable rate, and HIA is supportive of Government backed re-insurance pools for homes in higher risk areas, to overcome issues of people not being insured or under insured and enable policies to be provided at an affordable rate.
8. The insurance sector should investigate measures to limit significant price fluctuations (labour and materials) post natural disasters and from insurance repair work that draws on trades availability.
9. Governments should acknowledge and promote that homes built since 2010 are substantially more resilient to natural disasters and that current building standards contain contemporary solutions that have been subject to robust and detailed consideration over many years, and reject calls from relevant inquiries for further review of adequacy of current standards.
10. The majority of homes and other structures impacted by natural disasters are generally built well before our current robust building and planning laws, therefore the notion of 'building back better' for impacted homes should be based on current rules and not seek to be set a more stringent level of requirements.
11. HIA is supportive of Governments working with the housing industry on an upgrading (mitigation) program to improve the performance of existing homes to natural hazards.

12. Governments in collaboration with HIA should establish a central repository ‘single source of truth’ for relevant guidelines, tools, etc. for measures home owners and builders can use to make homes more resilient to natural hazards and post incident clean up and re-builds and repair work.
13. HIA is supportive of maintaining a central (federal) Government coordination agency that is adequately resourced to focus on building resilience and recovery of post natural hazards.
14. Governments should develop simple and clear information to homeowners, insurance agencies and assessors and building inspectors, what is and isn’t within limits of expected buildings design actions for buildings to natural disasters and that builders are not liable for weather damage to structures where they had built accordance with relevant building code and standards requirements.

Background

The issue of building resilience and the role of property protection in building codes and standards continues to emerge as a key issue for all levels of government.

Ongoing natural disaster incidents arising from extreme weather conditions are leading governments to question whether homes are located in ‘safe’ places and if not, what actions should be taken.

This issue is starting to receive more and more attention and discussion on potentially strengthening of building codes and standards to address resilience and/or on whether housing should be excluded from certain areas or blocks of land that have the potential to be subject to natural disasters/extreme weather.

The costs of remedial actions to repair homes, mitigation actions to prevent future damage and consideration of new planning and building standards to limit future risks and costs are now top of mind.

The most common events include, bushfires, high rainfall, coastal and inland flooding, heatwaves, sea level rise, cyclones and other high wind events and hail storms.

Many of these major events are followed by inquiries or post incident analysis which leads to recommendations for reforms.

While new land and housing can be seemingly well managed to address these events, the majority of Australia’s existing housing stock already exists. These homes are built to past building code standards and located in areas that may today be considered not appropriate.

Moving forward, these issues need to be considered in light of both new homes and existing housing stock. This points to the need for mitigation and recovery to be the more prominent topics for government attention, rather than new planning and building standards.

Henderson, Matthew (DHUD)

From: Perriton, Kevin <[redacted]>
Sent: Wednesday, 30 August 2023 9:16 AM
To: Henderson, Matthew (DTI)
Cc: Povazan, David
Subject: RE: Telecommunication infrastructure - New design standard for residential driveway crossovers

You don't often get email from kevin.perriton@team.telstra.com. Learn why this is important

OFFICIAL

Matthew,

It would be greatly appreciated if DIT would accept this as a submitting from Telstra (Network Integrity SA). I have reached out to other within the Telstra land access are to also review the community consultation for Driveway Crossovers for Residential Development.

Kind regards.

Kevin Perriton
Field Representative: **SA**, VIC, TAS
Design & Construct / InfraCo Operations / Network Integrity
[redacted] **W**, www.Telstra.com

Network Integrity

- Network Integrity online request form - https://www.telstra.com.au/forms/request-asset-relocation-or-commercial-works
- Report damaged network – SNAP SEND & SOLVE https://www.snapsendsolve.com or Report damages to Telstra equipment - Telstra

(Up and coming leave: 18th of Dec 23 to the 15th of Jan 24)

Zero Damage – Zero Harm

This email may contain confidential information. If I've sent it to you by accident, please delete it immediately

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General

From: Henderson, Matthew (DTI) <[redacted]
Sent: Tuesday, August 29, 2023 5:37 PM
To: Perriton, Kevin <[redacted]
Cc: Povazan, David <[redacted]
Subject: RE: Telecommunication infrastructure - New design standard for residential driveway crossovers

[External Email] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

OFFICIAL

Dear Kevin

Thank you for your email

Could you please confirm that you'd like this email treated as a submission in relation to the community consultation that is currently open for the first design standard in our planning system – Driveway Crossovers for Residential Development?

If you'd like to know more about the draft design standard or the associated Code Amendment, please visit the website and/or register for an information session.

Kind regards

Matthew Henderson
Senior Planning Officer – Strategic Projects

Growth Management
Planning and Land Use Services
Department for Trade and Investment

[redacted]
W plan.sa.gov.au
W dti.sa.gov.au

We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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General

From: Perriton, Kevin <[redacted]
Sent: Monday, August 28, 2023 2:05 PM
To: DTI:Plan SA <PlanSA@sa.gov.au>
Cc: Povazan, David [redacted]
Subject: Telecommunication infrastructure - New design standard for residential driveway crossovers

To PlanSA,

I am a Field Operative for Telstra Network Integrity in SA, I have grave concerns that existing Telstra infrastructure had been overlooked in the past and in this new design standards.
Like other utilities, Telstra (PMG/Telecom) has a large volume of underground infrastructure within the street scape and at the time of its original installation had not been placed within a crossover/access point/driveway, but over time the telecommunication infrastructure had been impacted by commercial and private land developments. It is some month before it comes to the carrier's attention, and it becomes difficult to have the matter rectified by the original disturber (developer) and the site can become a concern for Telstra and the local government until it been rectified.

As a national communication carrier like Telstra are required to work within standards and advise by written notification to landowner or state authorities before installing new infrastructure in new location. We are also required to notify landowner & state authorities in many cases when altering existing plant.

It has been Telstra policy for many years not to install pits within driveway and other vehicle use location due to the safety for their staff and the public, but it is a comms standard that can be found on the Communication Alliance web site and within their G645/2017 Fibre-Ready pit & pipe specification for real estate development projects.

Extracted from the G645-2017

> 4.9.12 A Pit shall not be installed in a:
> (a) driveway;
> (b) roadway area;
> (c) hazardous area; or
> (d) trafficable area;
> (e) unmade section of a future carriageway;
> (f) vehicular access way; or
> (g) on a median strip or traffic island.

Due to the age of the Telstra communication network and the increase of high-density living and the development of, Telstra understands that it become difficult and costly to meet all described standards that are advised in the G645/2017 onto existing infrastructure. Telstra would greatly appreciate that any driveway development application that may impact Telstra infrastructure that the requester has engaged with Telstra and that they have received in written endorsement from Telstra that they are satisfied that their infrastructure is correctly address (suitable to remain or requires to be relocated) within the area of the proposed driveway.
Prior to giving written endorsement by Telstra would review the impacted plant and determine the best outcome for the asset owner and the requester (developer), as the requester may be able to alter their proposed design as their first option.
If on the review it found to be a.

- Single lidded pit – it may be relocated out of the driveway or to be changed with B class load rated comms pit. Note, a B class lid does not indicate that the pit is a B class.
  If the driveway is for a development of greater than three living units, the pit will need to be relocated out of the impacted area.
- Double & triple lidded pits will not be approved to remain within the proposed driveway.
- Manholes (underground chamber) will not be approved to remain in a proposed driveway.

It is worth noting that its not just the impact to the pit/manhole to be considered its also the cable network that may be within the pit/manhole. All impacted Telstra infrastructure that requires to be relocated is chargeable to the land developer and that these works must be carried out by Telstra and their processes.

I have attached the current Duty of Care and Fact sheet that is commonly sent to requesters that contact Telstra Network Integrity.

Please feel free to reach out to myself or David Povazan if you would like to discuss further as we would be happy to provide further information where we can.

David Povazan
Network Integrity | Design & Construction | InfraCo Operations | Region Manager : VIC/TAS/SA
P: [redacted]

Kind regards,

Kevin Perriton
Field Representative: **SA**, VIC, TAS
Design & Construct / InfraCo Operations / Network Integrity
[redacted] | **W**, www.Telstra.com

Network Integrity

- Network Integrity online request form - https://www.telstra.com.au/forms/request-asset-relocation-or-commercial-works
- Report damaged network – SNAP SEND & SOLVE https://www.snapsendsolve.com or Report damages to Telstra equipment - Telstra

(Up and coming leave: 18th of Dec 23 to the 15th of Jan 24)

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General

Ref: Admin|BNW/TAW

14 November 2023

Mr Matthew Henderson
Planning and Land Use Services
Department of Trade and Investment
By Email: PlanSA@sa.gov.au

Dear Matthew,

DRAFT RESIDENTIAL DRIVEWAY DESIGN STANDARD CONSULTATION PHASE SUBMISSION

Thank you for the opportunity to provide feedback in relation to the *Draft Residential Driveway Crossover Standard.* On behalf of CIRQA Pty Ltd (CIRQA), we wish to provide the following comments in relation to draft Design Standard.

By way of background, CIRQA is an urban mobility consultancy specialising in the provision of traffic engineering and transport planning services. The focus of CIRQA's expertise lies in the assessment of traffic and parking aspects associated with a wide variety of development projects. The majority of our work is undertaken for private developers (albeit we also provide advice to Local and State Government authorities). Provision of design and assessment advice for infill and greenfield development forms a significant portion of our projects. Accordingly, we are regularly involved in the design of residential driveway crossovers and associated traffic safety considerations and feel we are well placed to provide technical commentary in respect to the draft Design Standard.

We congratulate Planning and Land Use Services (PLUS) on the preparation of the first (draft) Design Standard and acknowledge it seeks to address a number of issues raised through previous processes (such as the Planning System Implementation Review). However, we have numerous concerns with the technical contents of the draft Design Standard and the resulting implications for residential development (should it be adopted in its current form).

We have summarised our concerns in the following dot points and would appreciate consideration of the issues raised as the Design Standard is refined:

- The introductory comments within Section of 1 of the consultation document refer to the Design Standard with a variety of terms and phrases, such as *'providing guidance'*, *'guidelines'* and *'rules'*. In our view, the terminology is inconsistent and there is a lack of clarity as to whether the Design Standard provides 'guidance' around good design outcomes or are mandatory rules. We would suggest that the terminology adopted is reviewed and a consistent approach is undertaken to provide clarity in respect to nature of the criteria outlined in the Design Standard.
- The Design Standard notes that anticipated *"...changes section 234AA Local Government Act 1999 will require that a person who alters a public road vehicular access as part of a development authorisation complies with an applicable design standard"* (our emphasis). This suggests that the provisions of the Design Standard are mandatory. This is of particular concern given the number of technical concerns and constraints of the Design Standard that we have detailed further below. If implemented in its current form, we would anticipate non-compliance of driveway crossover designs would be common (even for justifiable and safe/appropriate designs). Accordingly, there is potential for significant 'frustration' to the development industry with drawn out assessment times over relatively minor matters.
- The draft Design Standard notes that the "B85 vehicle" (from the Australian/New Zealand Standards for *"Parking Facilities – Part 1: Off-Street Car Parking"*, AS/NZS 2890.1:2004) is the relevant design vehicle. This is contrary to the requirements of AS/NZS 2890.1 which states that:

  > *"Design dimensions based on the B99 vehicle are required at all locations where failure of a vehicle to be able to physically fit into the facility would occasion intolerable congestion and possible hazard. Such locations shall include access driveways... unless there are special circumstances of severe space limitation coupled with relatively low traffic volumes in which case the B85 vehicle dimensions may be used."* (our emphasis)

  It is acknowledged that the residential driveways considered by the draft Design Standard would be associated with low traffic volumes, however, *"severe"* space limitations would not be a likely constraint in most circumstances. Further clarity (and possibly legal advice) should be sought as to whether compliance with the Australian Standard is mandatory for the design and installation of driveway crossovers (noting it is invoked in the Department for Infrastructure and Transport's *"Code of Technical Requirements"*). It could eventuate that the two documents (the Design Standard and the Australian Standard) are contradictory with no indication of which document takes precedence.
- I also note that a draft version of an update to the above Australian Standard (AS/NZS 2890.1) has recently been release for consultation (which closed on 9 November 2023). Was the Design Standard Control Group aware that this Standard was in the process of review? Has the draft update to AS/NZS 2890.1 been considered in the preparation of the draft Design Standard? It would be pertinent to

review the draft Australian Standard and consider whether there are any implications for the draft Design Standard.

- The draft Design Standard notes that *"The design standard is not to be used in the assessment of … residential development within the Hazards (Flooding – General) Overlay and Hazards (Flooding) Overlay of the Planning and Design Code"*. These Overlays apply to a significant portion of Greater Metropolitan Adelaide. It is unclear why these areas would be excluded and, with such a significant proportion of area excluded, the value of the Design Standard is rather limited.
- The draft Design Standard also notes that it does not apply to the assessment of *"residential development of a scale that must be serviced by heavy vehicles that are a Medium Rigid Vehicle or larger"*. Arguably, this excludes all forms of residential development given Council (or Council contractor) refuse collection vehicles are typically larger than Medium Rigid Vehicles. The draft Design Standard makes no reference to servicing *on-site* (off-street) and therefore *on-street* refuse collection would still be classified as form of *"servicing"* residential development. It is suggested that the wording of the above exclusion be reconsidered, otherwise the draft Design Standard would be redundant.
- Design Requirement 1.0 limits developments to one driveway crossover per site including multiple dwelling sites. This has the potential to significantly limit (or at least frustrate the assessment process for) the development of medium density residential development (such as townhouses, group dwellings etc.). The desire to minimise impacts on considerations such as the provision of on-street parking and street trees could be addressed with other quantified measures than strict limitation on use of multiple access points. Design Requirement 1.4 also has similar implications for multiple dwelling development.
- Design Requirement 1.5 and the associated diagrams TD-A and TD-B specify widths for single and dual driveway crossovers. However, there are no identified relationships to verge widths nor road or lane widths (nor the presence of on-street parking). This is a critical omission from the draft Design Standard. For instance, TD-A permits very narrow driveways of 2.8 m width which could be adopted regardless of available verge and road width. If such a width was adopted on a narrow road, the 2.8 m width may be insufficient to accommodate B85 design vehicle movements. The draft Design Standard (if implemented in its current form) could therefore result in approval of driveways which are physically inaccessible. We draw PLUS' attention to Figure 2 of the City of Port Adelaide Enfield's "Driveway Crossover Specifications" which provides a more robust approach to the design of driveway crossovers (including consideration of verge and road/lane widths). In our view, consideration of the available road/lane width is imperative when designing the width and layout of a driveway crossover.
- We also note that Design Requirement 1.5 limits the use of dual width crossovers for dwellings with frontages less than 10 m. Such arrangements are relatively common and, depending on broader street layout considerations, can be achieved

without notable impact on the ability to provide sufficient on-street parking, street trees etc. DR 1.5 also does not permit the design solution of a dual car garage/internal driveway flaring to a single width at the kerb invert (i.e. wider at the boundary than at the kerb) which is another relatively common access treatment.

- Design Requirement 1.6 identifies varying separation distances to common infrastructure. While the general intent to maintain suitable separation from infrastructure is considered appropriate, we note the following comments in respect to these provisions:
  - Table 1 (DR 1.6) identifies a separation of 1.0 m from a stormwater pit, however the diagram following TD-B (anticipated to be TD-C but not labelled) identifies a permissible separation of 0.5 m between a stormwater pit and a driveway. The two requirements contradict one another;
  - Consideration should be given to the prescribed separation distances already identified within the Planning and Design Code such as to not create contradictory separations (i.e. the Planning and Design Code identifies a minimum separation distance of 0.5 m between a stormwater pit and a driveway);
  - Table 1 identifies a required separation of 6.0 m from a traffic control device. In our opinion, this is imprecise and would result in non-compliance of driveways in many instances. Specifically, the *Road Traffic Act 1961* defines a 'traffic control device' as "*...a sign, signal, marking, structure or other device or thing, to direct or warn traffic on, entering or leaving a road...*". The presence of linemarking (such as a centre line on a road) could result in no conforming locations being available for an allotment. Arguably, noting the 'loose' definition of what constitutes a traffic control device, this could even be taken by some to include a requirement for a crossover to be separated 6 m from itself which is clearly nonsensical (while we would not typically consider a crossover to be a traffic control device, we have had the opposing view posed by Council representatives in the past). While it is noted that there are avenues to negotiate non-conforming arrangements, given the potential extensive number of driveways impacted by the above requirement, it would be preferable that the requirements and definitions be refined (with more specific devices noted with different separation distances or be excluded) to minimise excessive assessment tasks and industry frustration;
  - The notes included in Table 1 (particularly Notes 3 and 4) appear incomplete or erroneous. Note 3 which is identified for 'traffic control devices' simply refers to the DIT Master Specification but that document does not mention traffic control devices. Note 4 is listed against the 'bus stop' provisions but no further detail is provided.
- Design Requirement 1.8 identifies that driveway crossovers located within laneways shall be 6.2 m. This is a relatively wide crossover and would have implications for the design of rear-serviced allotments which are often narrower in width than more standard lots. Such a requirement is onerous in our opinion. We also note that DR 1.8 contradicts DR 1.5 for site's with allotment widths of 10 m or less. As with the above comments for DR 1.5, there is no correlation of this crossover width to the available

laneway width. In comparison, the relevant Australian Standard (AS/NZS 2890.1) identifies a variety of garage door opening widths for varying apron widths (equivalent to laneway width) such as a 3.0 m opening width for a 5.6 m lane. This is vastly different to the 6.2 m suggested by the draft Design Standard. We would suggest that the inclusion of DR 1.8 be reconsidered (or at least its wording/content).

- Design Requirement 5.2 specifies sight distance provisions for access points. Noting that the Planning and Design Code, the Australian Standards and the Austroads' "Guide to Road Design" documents all detail sight distance provisions, it is unclear why a fourth assessment methodology is required. Importantly, we are of the view that the sight distance provisions in the Residential Driveway Design Standard need further refinement to avoid undesired outcomes. Specifically, the DR 5.2 does not specify what is sought by 'unobstructed' sight distance provisions – does this refer to all obstructions or are transitory/temporary obstructions permitted (such as parked vehicles). It is also unclear whether the direct line between drivers must be clear or the 'triangle' created by including the SISD line (as is more commonly adopted). If it is intended that the sight line 'triangle' is wholly clear of visual obstructions at all times, this has significant implications for the accommodation of on-street parking, street trees and other street infrastructure. Figure 1 provides an example of the 45 m sight distance requirement (triangle) for a 50 km/h applied along one side of a residential street. The example indicates that there would be no effective opportunity for on-street parking nor street trees along a typical residential street. Again, this provision would effectively render the vast majority of driveways as non-conformant with the Design Standard and we would suggest further refinement of the sight distance requirements is warranted.

Figure 1 - Overlay of 45m sight line triangles for each crossover on just one-side of a road

In addition to the above technical comments, we have concern that the Design Standard will simply be adopted by as mandatory requirements by referral agencies and planning authorities (including their engineering advisors) with resistance to accept deviance from the Design Requirements identified. It is common for authorities to focus on 'ticking a box' from a standard or guideline, rather than 'engineering' a practical yet safe solution to a specific situation. We raised similar concerns in respect to the treatment of Deemed-to-Satisfy/Designated Performance Feature (DTS/DPF) provisions within the Planning and Design Code (in our submission during the consultation phase). Notably, our 'fears' have been realised as we are still regularly advised by local government officers as well as representatives of DIT's Land Use Coordination Unit that DTS/DPF criteria must be met to achieve support for a development. The Design Standard in its current form has significant potential to create further frustration and delay the development assessment process.

Noting the above concerns, we are of the opinion that rework of the draft Design Standard is required to ensure that driveway crossovers are not only safe and appropriate but that the document optimises the efficiency of the design and assessment of residential development.

As referenced above, we encourage PLUS to further consider the driveway design and assessment methodology detailed in the City of Port Adelaide Enfield's *"Driveway Standard"*. In our opinion, the PAE document is well considered design standard. It is brief, technically robust and clear in its requirements (albeit we would raise similar comments regarding its provisions around separation from 'traffic control devices' as we have above). In our view, adoption of a Design Standard of similar content to the Port Adelaide Enfield document would be a preferable outcome to the current form of the draft Design Standard.

Thank you again for the opportunity to provide feedback on the draft Design Standard. We would welcome the opportunity to discuss the above comments further.

Please feel free to contact us on [redacted] should you have any queries or wish to discuss further.

Yours sincerely,

BEN WILSON
Managing Director | CIRQA Pty Ltd

THOMAS WILSON
Associate Director | CIRQA Pty Ltd

November 13th 2023

Matthew Henderson,
Senior Planning Officer,
Planning and Land Use Services, Department for Trade and Investment
Via email: PlanSA@sa.gov.au

Subject: Consultation on new design standard for residential driveway crossovers

Dear Matthew,

Thank you for the opportunity to make comment on the proposed design standard for residential driveway crossovers.

In theory, we believe the adoption of a *'design standard'* to support fast, streamlined approvals has great merit, however, we know that simple compliance with the *'design requirements'* is difficult to achieve within infill locations.

To achieve a usable design standard we recognise that a set of quantitative measures must be agreed upon which are simple and easily assessable. However, in doing this, we believe that the standard should be careful in not swaying assessment of applications which are at variance, and that a clear path to achieve approval in these instances developed like that of the standard. If this is not developed, we foresee that in developing a process to speed up assessment, we will go the other way with applications where access is non-conforming to the standard.

Our views on the specific quantitative measures of the proposed standard are as follows:

Design Requirement 1.6 : Table 1 — separation distances for Common Infrastructure

1. Whilst we understand the need to have adequate separation (1m) between crossovers, we are unclear on the intention of the second line item of 5.4m separation. In many cases new crossovers will result in sections of kerb previously suitable to an on-street parking space being reduced below that of 5.4m. This the only suitable option to locate a driveway to a new development. Is the intention of this to prevent crossover locations should they disturb access to on-street parking?

WEEKS HOMES
45 Richmond Road, Keswick SA 5035
Lic.No. | G10238
HIA No. | 407437

Table 1 – separation distances for Common Infrastructure	
Common Infrastructure	**Minimum Separation Distance**
Existing crossover - no on-street parking provided	1.0m
Existing crossover – on-street parking provided	5.4m

2. Street tree separation – In the example of infill development, balancing the impact of driveway access with street trees and other infrastructure is becoming increasingly difficult. There is no questioning that tree lined streets offer a high-quality public realm, whilst having other positive outcomes on the environment, however when considering the scattering of telecommunications pits and stobie poles in Council verges and the typical planting pattern of street trees it is inevitable that allotments will be impacted.

   For context, the removal, relocation or installation of a trafficable lid to telecommunications pit in our experience starts from $2000. This is often unaffordable to clients, thus a push to investigate the removal of street trees or reduction in separation to trees as an alternative access point. As a general rule of thumb, we look at all alternatives before going down a path to remove street trees.

   The 2m separation from street trees (non-regulated) we believe could be modified to 1.5m to allow for greater flexibility of driveway crossovers in brownfield development and in many cases avoid a path for removal or negotiation with internal council departments for reduced setbacks.

3. Traffic control devices – We believe the setback of 6m to parking control signs is excessive. Speed limit and traffic signal signage understood to have greater impact on road users, therefore we agree with the 6m distance to these signs. If a lesser distance required in such examples, negotiation with relevant asset owner seen to be an appropriate alternative.

Overall, we believe the intention of the design standard has good merit, and the minor abovementioned changes could be beneficial to a more streamlined assessment.

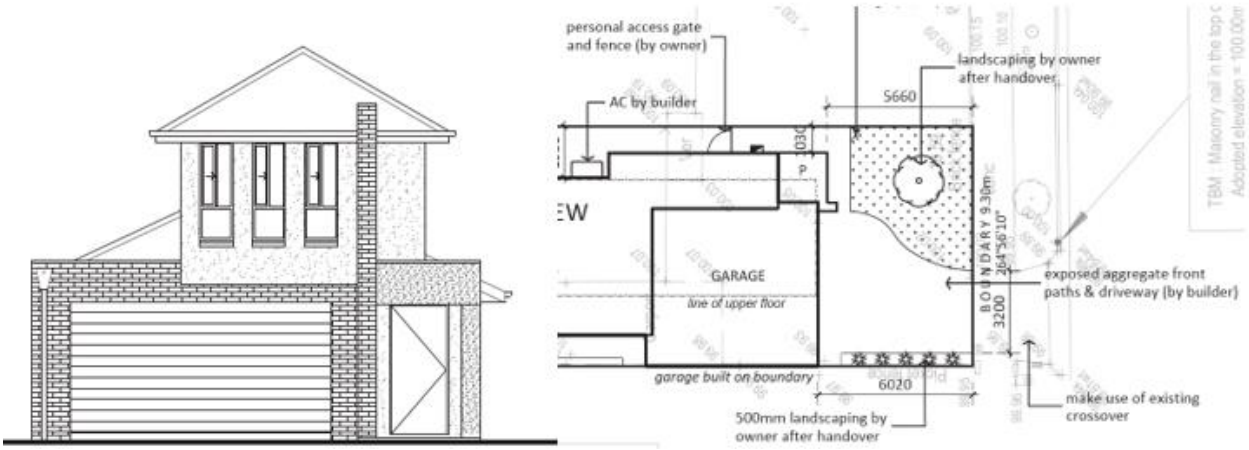
Further to this we provide the following observations in a hope that development that does not comply with the design standard are not rigidly assessed when falling back into a Council assessment.

Since the inception of the Planning and Design Code, we have had apprehension with the strict assessment of DTS provision for allotments less than 10m in width and the requirement for an access point of between 3.0 and 3.2 metres measured at the property boundary. This provision in some examples presents a worse performance outcome with the most common example below.

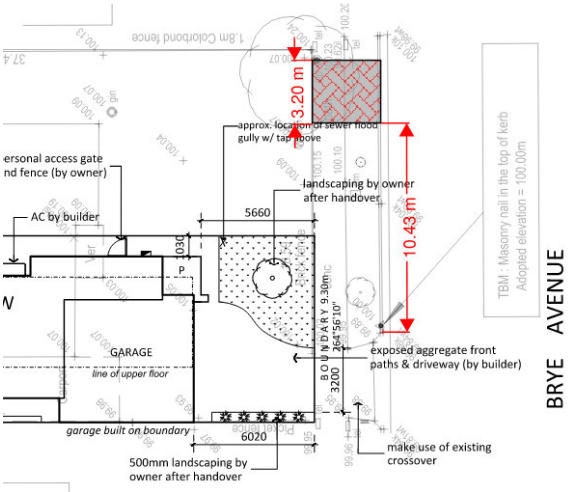
WEEKS HOMES
45 Richmond Road, Keswick SA 5035
Lic.No. | G10238
HIA No. | 407437

Allotment <10m – Two Storey dwelling with Double Garage

As can be seen in the below example of a two storey dwelling with double garage located at 68 Byre Ave, Somerton Park, a crossover width is prescribed to be max of 3.2m at the property boundary as per the planning and design code. In doing so this proposal results in off-street car parking availability of three vehicles *(2 x garage and 1 x forward of garage)*. If the driveway width at property boundary was able to achieve a 5m width at property boundary, there would be availability of four off-street parking spaces *(2 x garage and 2 x forward of garage).*



This example of a 5m wide crossover on an allotment <10m also achieved without limiting the on-street parking access when considering DTS/DPF 23.6. As seen in the markup below, the separation of the single crossover point and the single crossover point of the single storey dwelling at 68A Byre Ave is less than the prescribed measurement to achieve two on-street vehicle parks.



WEEKS HOMES
45 Richmond Road, Keswick SA 5035
Lic.No. | G10238
HIA No. | 407437

In this example, by following a prescriptive provision for 3.2m crossover point at the property boundary we have limited the potential for an additional off-street vehicle park should we have widened the driveway to 5m. This additional off-street park could have assisted the greater locality with having availability to on-street parking and still result in a positive development outcome whilst not adhering to the design standard.

Our concern with the adoption of a design standard is that assessment of proposals at variance with this standard will be rigidly assessed without having pragmatic view on the development as a whole (like the example above). We understand balancing the views of applicants and the wider community is difficult, and community voices need be heard, however when it comes to infill development and driveway access, we need to have an open mind.

In closing, developing a design standard to assist with the streamlining of development has great merit in theory, however a process for non-conforming development needs to be made clearer and be publicly accessible from relevant authorities to ensure all development has a pathway which promotes efficient development assessment.

Yours sincerely,

Stuart Coles | Compliance Manager
BUrb&RegPlan(Hons)
Weeks Homes

WEEKS HOMES
45 Richmond Road, Keswick SA 5035
Lic.No. | G10238
HIA No. | 407437

Prospect Residents Association Inc.

ABN 18600859844.
Registered No. 12864M

PO Box 287, Prospect,
South Australia 5082
prospect.residents.assoc@gmail.com
Facebook: https://bit.ly/2Lt8jjl
https://www.prospectresidentsassoc.org/

11 November 2023

Matthew Henderson
Senior Planning Officer,
Planning and Land Use Services
Department for Trade and Investment
Via email: PlanSA@sa.gov.au

Dear Mr Henderson,

Draft Residential Driveway Crossovers Design Standard and Code Amendment

Prospect Residents Association Submission

The Prospect Residents Association are pleased to have the opportunity to provide feedback on the draft Residential Driveway Crossovers Design Standard and Code Amendment.

Although we do not have the technical expertise to comment on the finer aspects of the design standard and code amendment, we do have lived experience with the problems associated with double crossovers for double garages and the associated loss of street trees and parking spaces. With infill development in narrow streets these losses are becoming a serious problem and creating significant community conflict in neighbourhoods as people fight for spaces to park in streets.

We **do not support** the proposed minimum and maximum driveway widths that are detailed in the technical drawings. We consider that the 8-metre maximum width and the 6.2 minimum width to be extreme on properties with a frontage greater than 10 metres. We only support the Councils current policy position that crossovers should not be wider than 4.5m. This should apply to both single garages and double garaging. It is quite possible to access double garages from a single cross over thus saving street parking spaces and street trees.

The loss of car parking spaces and trees in Prospect from excessive infill and double garages is already very problematic

As such **we fully support** the submission by the City of Prospect Council on this matter and are in agreement with their views, questions, technical assessments and opinions.

Yours sincerely

Elizabeth Crisp
President
Prospect Resident's Association
C/- Box 287
Prospect
SA 5082
prospect.residents.assoc@gmail.com
Facebook: https://bit.ly/2Lt8jjl
[redacted]

Henderson, Matthew (DHUD)

From: DTI:Plan SA
Sent: Wednesday, 15 November 2023 9:33 AM
To: Henderson, Matthew (DTI)
Subject: FW: New design standard for residential driveway crossovers

OFFICIAL

Hi Matthew,

Please see email below from a community member providing feedback on the new design standard for residential driveway crossovers.

Please let us know if there is anything further we can assist with.

Your reference number is 77575

[redacted]PlanSA Service Desk
Planning & Land Use Services | Department for Trade and Investment
E PlanSA@sa.gov.au |W plan.sa.gov.au
P 1800 752 664

From: Pen Bennett [redacted]
Sent: Tuesday, November 14, 2023 9:52 PM
To: DTI:Plan SA <PlanSA@sa.gov.au>
Subject: New design standard for residential driveway crossovers

> You don't often get email from joyfulstreets@gmail.com. Learn why this is important

Dear Matthew,
As a mother who has children and is car free (so with children walking/cycling on the footpath), I know that driveways are a constant concern, and that this concern is shared by other parents and is a barrier to parents allowing children to walk/wheel and cycling to school and other places independently.
There is mention of pedestrians but there seems to be more concern about intervisibility between drivers, than visibility and design features (of fencing, set backs, splays etc) for drivers to see and stop for footpath users?
Queensland (TMR) has released some detailed guidance, which you have probably seen but just in case: https://www.tmr.qld.gov.au/-/media/busind/techstdpubs/Cycling/Guideline-Path-users-and-driveways.pdf?la=en

--

Penelope Bennett MIEAust CPEng NER BSc BE (Hons) MUP

Appendix C – Consultation Survey and Responses

- YourSAy project summary
- Individual survey responses

Summary Report

22 August 2023 - 15 November 2023

YourSAy

PROJECTS SELECTED: 1

New design standard for residential driveway crossovers

FULL LIST AT THE END OF THE REPORT

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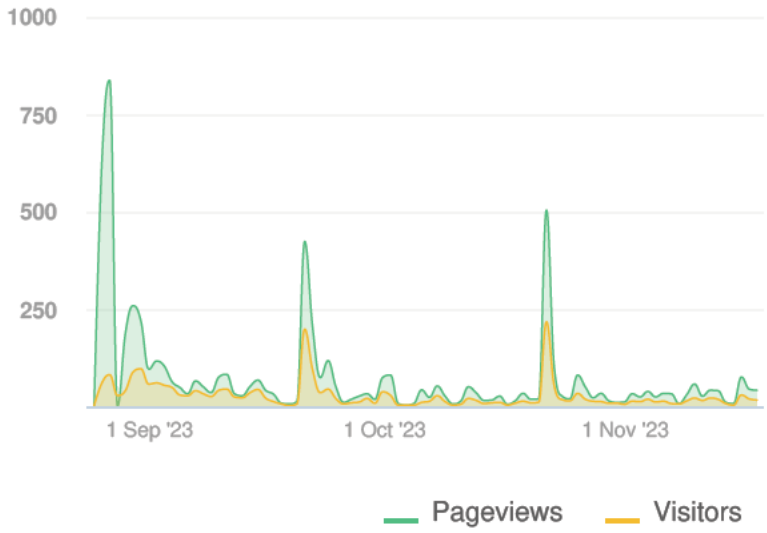
Visitors Summary



Highlights

TOTAL VISITS	MAX VISITORS PER DAY
2.5 k	216

NEW REGISTRATIONS
1

ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
54	868	2 k

PARTICIPANT SUMMARY

ENGAGED
INFORMED
AWARE

54 ENGAGED PARTICIPANTS

	Registered	Unverified	Anonymous
Contributed on Forums	0	0	0
Participated in Surveys	36	18	0
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Places	0	0	0
Contributed to Ideas	0	0	0

** A single engaged participant can perform multiple actions*

(%)

New design standard for res...	54 (2.7%)

** Calculated as a percentage of total visits to the Project*

ENGAGED
INFORMED
AWARE

868 INFORMED PARTICIPANTS

	Participants
Viewed a video	0
Viewed a photo	0
Downloaded a document	664
Visited the Key Dates page	17
Visited an FAQ list Page	130
Visited Instagram Page	0
Visited Multiple Project Pages	724
Contributed to a tool (engaged)	54

** A single informed participant can perform multiple actions*

(%)

New design standard for res...	868 (42.6%)

** Calculated as a percentage of total visits to the Project*

ENGAGED
INFORMED
AWARE

2,036 AWARE PARTICIPANTS

	Participants
Visited at least one Page	2,036

** Aware user could have also performed an Informed or Engaged Action*

New design standard for res...	2,036

** Total list of unique visitors to the project*

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ENGAGEMENT TOOLS SUMMARY

0	1	0	0	0	0	1	0
FORUM TOPICS	SURVEYS	NEWS FEEDS	QUICK POLLS	GUESTBOOKS	STORIES	Q&A'S	PLACES

0

SURVEYS SUMMARY

1	Surveys
54	Contributors
55	Submissions

TOP 3 SURVEYS BASED ON CONTRIBUTORS

54
Contributors to

Survey: draft design standard for residential driveway crossovers

Q & A SUMMARY

1	Q&As
0	Contributors
0	Questions

TOP 3 Q & A BASED ON CONTRIBUTORS

0
Contributors to

Questions: draft design standard for residential driveway crossovers

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INFORMATION WIDGET SUMMARY

1	0	0	1	1
DOCUMENTS	PHOTOS	VIDEOS	FAQS	KEY DATES

DOCUMENTS

1	Documents
664	Visitors
881	Downloads

TOP 3 DOCUMENTS BASED ON DOWNLOADS

881
Downloads

Draft Residential Driveway Crossovers Design Standard

FAQS

1	Faqs
130	Visitors
140	Views

TOP 3 FAQS BASED ON VIEWS

140
Views

New design standard for residential driveway crossovers

KEY DATES

1	Key Dates
17	Visitors
17	Views

TOP 3 KEY DATES BASED ON VIEWS

17
Views

New design standard for residential driveway crossovers

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TRAFFIC SOURCES OVERVIEW

REFERRER URL	Visits
m.facebook.com	518
www.google.com	134
l.facebook.com	123
plan.sa.gov.au	62
android-app	51
lm.facebook.com	33
www.google.com.au	30
www.lga.sa.gov.au	18
statics.teams.cdn.office.net	16
www.bing.com	9
www.linkedin.com	8
email.telstra.com	4
t.co	4
l.instagram.com	3
vwebmail.iinet.net.au	3

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SELECTED PROJECTS - FULL LIST

PROJECT TITLE	AWARE	INFORMED	ENGAGED
New design standard for residential driveway crossovers	2036	868	54

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Survey Responses

22 August 2023 - 15 November 2023

Survey: draft design standard for residential driveway crossovers

YourSAy

Project: New design standard for residential driveway crossovers

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VISITORS					
238					
CONTRIBUTORS			**RESPONSES**		
54			55		
36 Registered	18 Unverified	0 Anonymous	37 Registered	18 Unverified	0 Anonymous

Respondent No: 1
Login: [redacted]
Email: [redacted]

Responded At: Aug 23, 2023 14:02:28 pm
Last Seen: Aug 23, 2023 04:02:30 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I am concerned with the standard not applying to developments with 50 plus houses. The standards should be consistent and assesed on a house by house basis not a large scale. I fear the risk of emergency service access and reduced visual aesthetic in the case the standards are not followed on a large scale. Can these concerns be addressed?

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

none at this time

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 2
Login: [redacted]
Email: [redacted]

Responded At: Aug 23, 2023 16:29:48 pm
Last Seen: Oct 16, 2023 23:52:45 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Driveways and pavements should be permeable. Stormwater should sink into the ground not overflow causing potential flooding. With Climate change conditions have changed. We are seeing heavier and quicker downpours of rain and here in Adelaide have already experienced street and home flooding as a consequence. Permeable driveways are available and should be mandatory.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 3
Login: [redacted]
Email: [redacted]

Responded At: Aug 23, 2023 19:06:07 pm
Last Seen: Nov 28, 2023 02:43:47 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

There should be a visibility requirement such that pedestrians or cyclists are seen by vehicles entering the crossover from private property from a safe distance or angle.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

No

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 4
Login: [redacted]
Email: [redacted]

Responded At: Aug 23, 2023 23:57:23 pm
Last Seen: Aug 23, 2023 23:57:23 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I do not support the design standard

Q3. **Do you support the associated Code Amendment?** I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I do not support that the design standard emphasises a single crossover for dwellings. I do not support Design Requirement 1.0 and Design Requirement 1.4 I support Design Requirement 1.2 and 1.3, that unused crossovers can be removed and re vegetated.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

I strongly disagree that one crossover should be enforced per property. Making ever more restrictive development codes entrenches disadvantage. The number of people forced to house share in the next 30 years will vastly increase (partially because of the SA Govt's restrictive development codes.) Many of the development codes are arbitrary, offer marginal benefit to the community other than making development of new homes more expensive and complicated. Set against rapidly rising homelessness, this looks to be driven more as a way of locking people out of building multiple occupant housing than any real pressing need for safety. Why should people forced to share-house because of housing shortages also be restricted to only one driveway exit when several residents may require vehicles for work who come and go at different times? On street parking is frequently not an option because of security issues, profiteering by councils or parking restrictions.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 5
Login: [redacted]
Email: [redacted]

Responded At: Aug 24, 2023 10:16:00 am
Last Seen: Aug 24, 2023 10:16:00 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

No

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

No

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 6
Login: [redacted]
Email: [redacted]

Responded At: Aug 24, 2023 17:11:17 pm
Last Seen: Aug 24, 2023 17:11:17 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?**	Interested community member
Q2. **Do you support the draft design standard?**	I do not support the design standard
Q3. **Do you support the associated Code Amendment?**	I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I struggle to walk along footpaths riddled with multiple steep driveways (eg Cambridge & Walter Sts, North Adelaide), and often find it easier to walk on the road instead

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

Your code & standard seems primarily designed for vehicular traffic & trees, rather than people trying to use what little footpath remains after it is honeycombed with driveways

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.**	https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/35e40a9747d67d90bac05a1b5624fb611d95a05f/original/1692860955/a21be9b2d5f879b141d9a448a0b1ec2c_Driveways_to_Walter_St.pdf?1692860955

Respondent No: 7
Login: [redacted]
Email: [redacted]

Responded At: Aug 27, 2023 17:42:41 pm
Last Seen: Aug 27, 2023 17:42:41 pm
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard with some concerns
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Still needs to ensure space is long enough to be able to allow visitor parking in the street. As long as people are able to see clearly when reversing out of driveways on to the road the proposal is reasonable. Garages in new homes need to be wide enough to accommodate owners vehicle so that they are not taking up all the on street parking.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 8
Login: [redacted]
Email: [redacted]

Responded At: Aug 28, 2023 10:43:38 am
Last Seen: Nov 11, 2023 06:07:14 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I think driveways should be long enough to park a car in my street Nilpena ave Morphettville at the River end there are townhouses where the driveway is part of the footpath. There is also no room for street bins to be put away and definitely no room for a street tree. There is not much of a gap from front of house to street so not much in the way of a green area. A lot more congestion in the streets as people have to park on the road.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

The planning codes are pretty bad now or builders aren't following them. Whose job is it to make sure the code is followed? Amendment of the Code is badly needed and to make sure that it is done properly.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 9
Login: [redacted]
Email: [redacted]

Responded At: Aug 28, 2023 15:40:36 pm
Last Seen: Aug 28, 2023 15:40:36 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

As a wheel chair user I always find the gradient of a driveway cross over a challenge. The gradient should not be such so as to cause the wheel chair to deviate from its safe direction ne side to the other, nor should the gradient be at such an incline to use a wheel chair to topple to one side. The crossover material used should allow the safe, smooth movement of a wheel chair using a cross over. this would also apply to pedestrians using walking frames or even a walking stick.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

(as per above point 4 feedback.)

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 10
Login: [redacted]
Email: [redacted]

Responded At: Aug 30, 2023 16:50:57 pm
Last Seen: Aug 30, 2023 16:50:57 pm
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Council
Q2.	**Do you support the draft design standard?**	I support the design standard with some concerns
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Assessing accordance with TD-F, TD-H & TD-G appears to be somewhat tedious given that this would be virtually impossible without full civil / levels detail.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 11
Login: [redacted]
Email: [redacted]

Responded At: Aug 31, 2023 15:10:16 pm
Last Seen: Aug 31, 2023 15:10:16 pm
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Council
Q2.	**Do you support the draft design standard?**	I support the design standard with some concerns
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

For pedestrian safety there should be a minimum of 1.0m of upright kerb & gutter between two adjoining driveway / crossovers.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

Same as #4.

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 12
Login: [redacted]
Email: [redacted]

Responded At: Sep 01, 2023 17:33:38 pm
Last Seen: Sep 01, 2023 07:33:40 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 13
Login: [redacted]
Email: [redacted]

Responded At: Sep 02, 2023 23:03:15 pm
Last Seen: Sep 02, 2023 13:03:17 pm
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard with some concerns
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 14
Login: [redacted]
Email: [redacted]

Responded At: Sep 04, 2023 17:17:12 pm
Last Seen: Sep 04, 2023 17:17:12 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Council

Q2. **Do you support the draft design standard?** I am impartial about the design standard

Q3. **Do you support the associated Code Amendment?** I am impartial about the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

• The technical details/specification can be improved regarding the construction standards for different materials (e.g concrete, paving etc). • Consistency in crossover/driveway materials and surrounding verge/footpath areas. • Non slip materials for crossovers, not honed concrete etc • Is there any proposed standard for stormwater outlets? Or is this to be handled separately by Councils? 221 form? • The process around Council street trees needs to be more robust. A flat separation distance of 2 metres is too broad (depends on size and species). If a driveway may impact a street tree, a Council 221 and tree evaluation process should still be implemented. Consider widening this zone to within 3 or 4 metres so that it triggers a referral to Council, rather than DTS. Consider this distance as a 'protection buffer', doesn't necessarily mean it will be refused but allows Council's to work with applicants to get a good outcome for established street trees (e.g. permeable paving etc) or a valuation method if the tree is to be removed. • 300mm off of stormwater outlets is tight, these often get damaged over time at the property owners expense if too close to outlets • 500mm from side entry pits is also tight given these often get driven over and damaged as they aren't trafficable lids, prefer 1 metre • What are the triggers for B85 swept path requirements? Every driveway or just where site constraints exist? Two way driveways versus one way driveways? • Forward exiting and turnaround requirements for DIT roads and high volume local streets? Any provisions for this and will there be vehicles per day threshold for a turnaround requirement? • Utilities – Are we to know where all the relevant service pits are located without doing a Dial Before You Dig? Onus should be on the applicant to do this work and liaise with relevant authorities before lodging plans. Impossible for Council's to refer to utility companies within expected timeframes. Councils 221 approvals always state that we are not responsible for conflicts with underground utilities and pits.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

Refer question 4

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 15
Login: [redacted]
Email: [redacted]

Responded At: Sep 07, 2023 07:41:41 am
Last Seen: Sep 06, 2023 21:41:43 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Currently, where pavers are used for the crossover they are very different to concrete crossovers. The pavers have to be slanted all the way from the gate or fence to the road. What this means is that for people with mobility aids, they are at an angle on the footpath in the driveway, putting the mobility device in danger of tipping in some instances. I experienced this myself when using an adult tricycle. Can something be done about that aspect of crossovers?

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

None

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 16
Login: [redacted]
Email: [redacted]

Responded At: Sep 07, 2023 17:06:21 pm
Last Seen: Sep 07, 2023 08:38:59 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I believe that it's a great idea, especially the space for a tree.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 17
Login: [redacted]
Email: [redacted]

Responded At: Sep 08, 2023 15:14:25 pm
Last Seen: Sep 08, 2023 15:14:25 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I do not support the design standard

Q3. **Do you support the associated Code Amendment?** I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Yes - why are you proposing to take away my second driveway? I need it. It has been there since the 1970's. The 'extra street parking' you say is needed is not caused by second driveways. The congestion in suburban streets is a product of short-sighted government planning policies that allow developers to make millions by cramming 3 or 4 skinny units on a block where a single old house has been sold off and demolished. This is the policy that needs urgent attention, not driveways! If you persist with this, please explain who will pay for the removal of thousands of second driveways? Given the stress on the State budget particularly around collapsing health and medical services, why are you proposing to spend millions on a lower order issue like people's second driveways?

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

As above

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 18
Login: [redacted]
Email: [redacted]

Responded At: Sep 08, 2023 21:16:18 pm
Last Seen: Sep 08, 2023 11:14:30 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 19
Login: [redacted]
Email: [redacted]

Responded At: Sep 13, 2023 18:42:26 pm
Last Seen: Oct 11, 2023 08:35:42 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 20
Login: [redacted]
Email: [redacted]

Responded At: Sep 18, 2023 15:53:21 pm
Last Seen: Nov 07, 2023 01:29:32 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

no

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

no

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 21
Login: [redacted]
Email: [redacted]

Responded At: Sep 18, 2023 17:09:15 pm
Last Seen: Sep 18, 2023 07:01:13 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Driveway Safety. The notes mention 'line of sight' It is imperative that driveways provide this as footpaths are used by young cyclists and pedestrians hard of hearing. Driveways obscured by a high wall on either side do not provide line of sight safety.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 22
Login: [redacted]
Email: [redacted]

Responded At: Sep 18, 2023 22:14:14 pm
Last Seen: Oct 19, 2023 11:05:28 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

AN IMPROVEMENT OVER THE EXISTING DESIGNS THAT HAVE BEEN PLAYED WITH OVER THE YEARS BY VARIOUS AGENCIES ESPECIALLY LOCAL COUNCILS.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

A BETTER OUTLOK FOR DRIVEWAYS AND CROSSOVERS ESPECIALLY IN FIRE AND FLOOD RISK AREAS.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 23
Login: [redacted]
Email: [redacted]

Responded At: Sep 19, 2023 07:39:50 am
Last Seen: Sep 19, 2023 07:39:50 am
IP Address: [redacted]

Q1.	**What is your interest in this design standard?**	Interested community member
Q2.	**Do you support the draft design standard?**	I support the design standard
Q3.	**Do you support the associated Code Amendment?**	I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6.	**If you would like to upload a file with further details of your feedback, you can attach it here.**	not answered

Respondent No: 24
Login: [redacted]
Email: [redacted]

Responded At: Sep 19, 2023 09:44:40 am
Last Seen: Sep 18, 2023 23:43:53 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Many of our suburban streets are being used as bypass roads to avoid clogged traffic routes. These quiet streets aren't really meant to handle increased traffic volumes and compromise residents safety. The draft design standard is good but I think it negates the reality that a lot of these streets now need speed hump restrictions as driveway vision when reversing is often occluded by street parked cars and drivers are not slowing down to these streets that should have much lower speed limits or limiters in place. For example: Mt Barker with massive increase in traffic from new housing developments and regionals such as Strathalbyn. Many drivers now used small side roads to short cut their travelling (and do not slow down).

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

no

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 25
Login: [redacted]
Email: [redacted]

Responded At: Sep 19, 2023 11:56:20 am
Last Seen: Nov 18, 2023 10:44:21 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Generally speaking, my concerns rest with narrow streets in largely residential areas. I find the proposed Standard could make it 'easier' for already busy local streets (including, even, some wider streets) to be used as carparks. The design standard should rather encourage the opposite by reducing on-street carparking in favour of non-vehicular options, such as cycling, or bioswales. Other than this, it is pleasing to see better provision for planting of street trees.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

Overall, the Amendment is a good one but it should continue to be aggressive in promoting sustainability and active transport.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 26
Login: [redacted]
Email: [redacted]

Responded At: Sep 21, 2023 08:33:45 am
Last Seen: Sep 21, 2023 08:33:45 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 27
Login: [redacted]
Email: [redacted]

Responded At: Sep 21, 2023 17:50:15 pm
Last Seen: Sep 21, 2023 07:49:28 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Would like to see crossover materials be consistent with footpath material or all the same material (eg broom finish concrete) on same street. When residents or developers match the crossover with their driveway, the variety of colours, materials and finishes creates a negative visual impact and privatises publicly owned land.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 28
Login: [redacted]
Email: [redacted]

Responded At: Sep 22, 2023 17:39:06 pm
Last Seen: Sep 22, 2023 07:39:08 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I am impartial about the design standard

Q3. **Do you support the associated Code Amendment?** I am impartial about the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

After reading through this document the worrying conclusion is our councils and especially Planners have absolutely no idea. 1. I would have thought this was step one in any development, not some after thought. 2. Parking in these driveways should be illegal 3. Parking on residential streets should be illegal - the property purchased comes with a fixed number of parking locations. The resident is limited to having this same maximum number of vehicles parked at the residence. Drive up an average street in Colonial Light Gardens any night of the week, and it is almost impossible to park a vehicle to visit a resident. This will only get worse as more electric cars need to be parked closer to the house to enable charging. Where is this concern raised in the document?

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

Cannot see how these changes increase safety to anyone - SAD

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 29
Login: [redacted]
Email: [redacted]

Responded At: Sep 27, 2023 00:03:08 am
Last Seen: Sep 26, 2023 13:37:31 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Development industry

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 30
Login: [redacted]
Email: [redacted]

Responded At: Sep 28, 2023 23:59:53 pm
Last Seen: Dec 11, 2023 06:36:36 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Driveways should not have edges at the street to impede driver vision of pedestrians especially small ones (children) At property boundary provide a stop-line in masonry or ground cover PLUS a law that exiting vehicle must stop at boundary.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 31
Login: [redacted]
Email: [redacted]

Responded At: Oct 03, 2023 11:25:47 am
Last Seen: Oct 03, 2023 00:25:49 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 32
Login: [redacted]
Email: [redacted]

Responded At: Oct 03, 2023 12:11:34 pm
Last Seen: Sep 22, 2023 00:34:59 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** not answered

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I was very disappointed that the draft design standard did not specify suitable and/or unsuitable materials for crossovers. My neighbours have painted their driveway, including the crossover, with black paint (you may see it at 4 Strathisla Court, Modbury Heights, if you choose). The effect is that it is always slippery, but especially when wet, so one has to walk on the road (there is no footpath on the other side of the road). Since the road is narrow and near a corner at this point, this is particularly dangerous when pushing the pram. I would like to see a statewide materials standard. Given the granular nature of some other aspects of the standard, I do not consider that this is an aspect that should be left up to councils.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 33
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 12:52:25 pm
Last Seen: Oct 19, 2023 01:52:26 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

As a part of the objectives are both aesthetic and to ensure urban greening, concurrent consideration should be given to the current trend of high colorbond fences, usually in black or dark grey, which make for very ugly streetscapes, and radiate heat in such a way that any flora in proximity will struggle to survive, as well as impeding motorist sight lines around corners.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 34
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 12:52:25 pm
Last Seen: Oct 16, 2023 22:28:22 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

This is a great move to optimise the space available for trees and landscaping.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 35
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 13:46:28 pm
Last Seen: Oct 19, 2023 13:46:28 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 36
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 13:57:57 pm
Last Seen: Oct 19, 2023 02:57:59 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** not answered

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

None

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

None

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 37
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 15:08:06 pm
Last Seen: Nov 16, 2023 11:20:22 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Having different sight line distances for crossovers depending on which authority owns the road makes no sense whatsoever. If, say, 285 metres is required for a road where the speed limit is 110 kph then that should be the requirement - not, say, 190 metres if the road is not State owned/maintained!!

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 38
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 16:51:01 pm
Last Seen: Nov 17, 2023 07:18:07 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

No all good

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 39
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 20:18:28 pm
Last Seen: Oct 19, 2023 09:18:29 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I do not support the design standard

Q3. **Do you support the associated Code Amendment?** I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

I realise a submission cannot amend the scope of the draft Standard but feel I must raise the concern that the proposal achieves nothing to improve pedestrian safety, particularly the safety of small children, and is focussed on the amenity of motor vehicle drivers. I am not so much concerned with the safety of children within a residential site, but with those children using a public footpath.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 40
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 20:19:32 pm
Last Seen: Oct 19, 2023 09:19:33 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 41
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2023 21:31:02 pm
Last Seen: Oct 19, 2023 10:31:04 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Room for trees is important.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 42
Login: [redacted]
Email: [redacted]

Responded At: Oct 21, 2023 23:31:51 pm
Last Seen: Oct 21, 2023 23:31:51 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Street trees must be suitable for the environment and not create a nuisance for householders. Trees should be well maintained by councils. Eg not overhanging house gutters and roofs.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 43
Login: [redacted]
Email: [redacted]

Responded At: Oct 22, 2023 09:29:30 am
Last Seen: Oct 22, 2023 09:29:30 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Development industry

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Crossovers and tree removal. On many occasions the need for removal of a street tree becomes a costly and extremly drawn out process. If Urban Infill needs to be accelerated the removal of a tree should soley be an application form/fee on (not including Significant). to allow for better access to sites. Crossover for blocks wider then 20m should be automatically approved provided no street trees or loss of car parks. To have two conflicting Aus codes that conflict where by Planning consent allows 2 crossovers of any block wider then 10m but then local council infrustructure policies state to limit one crossover per dwelling shows the huge gap. We need to be consistent and have one policy not 2 that head butt each other, Policies should be guides and not black and white as lets face it. one rule does not fit all!!!

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

as above. If we are to get moving and build more homes without huge costly delays we need to remove the RED TAPE. Builders are going bust and developers from the lack of support and timing from local councils. I Myself have 3 developments within the 1 council and 2 of the 3 have been held up for over a year. The last has been 3 months and still waiting on Planning consent. 12 weeks minimum responce time should not allow a responce on the 11th hour of the last day to request more information.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 44
Login: [redacted]
Email: [redacted]

Responded At: Oct 22, 2023 13:46:49 pm
Last Seen: Oct 09, 2023 06:53:37 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Double crossovers are unnecessary. It is just laziness and assumes cars do not have steering wheels to navigate from a single crossover to a double driveway . the standard needs to a single driveway unless there is a good reason (eg disabled access) not to - irrespective of whether the is still room for a tree, as we need to maintain as much green space as possible - not more sealed surfaces which add to storm water runoff and deplete soil moisture for what trees do remain.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 45
Login: [redacted]
Email: [redacted]

Responded At: Oct 23, 2023 15:22:27 pm
Last Seen: Oct 23, 2023 04:22:29 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I do not support the design standard

Q3. **Do you support the associated Code Amendment?** I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

not answered

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 46
Login: [redacted]
Email: [redacted]

Responded At: Oct 23, 2023 22:58:05 pm
Last Seen: Oct 23, 2023 22:58:05 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Community group

Q2. **Do you support the draft design standard?** I do not support the design standard

Q3. **Do you support the associated Code Amendment?** I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Far too restrictive and narrow in its one cap fits all approach

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 47
Login: [redacted]
Email: [redacted]

Responded At: Oct 24, 2023 18:28:38 pm
Last Seen: Oct 24, 2023 07:28:40 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I am impartial about the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I agree this is required with so many houses being knocked down with multiple dwellings on the same block of land. It is hard to find a park - particularly on bin day! Sometimes the whole of both sides of the street are inaccessible without blocking access to rubbish bins. And more trees are needed to replace those being removed on these blocks!

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

No.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 48
Login: [redacted]
Email: [redacted]

Responded At: Oct 26, 2023 23:49:38 pm
Last Seen: Oct 26, 2023 12:42:33 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Very supportive of Design Principle / Design Requirement 1.4 and 1.6 - however, the word 'removed' under Design Principle 1.4 should be **deleted** (i.e. "driveway crossovers do not result in the removal of street trees unless an agreement is made with the owner of the street tree for it to be relocated, **removed** or replaced").

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

DTS/DPF 19.4 should amended to delete the word **mature** (i.e. "does not involve the removal, relocation or damage to of **mature** street trees, street furniture or utility infrastructure services.")

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 49
Login: [redacted]
Email: [redacted]

Responded At: Nov 01, 2023 13:39:24 pm
Last Seen: Dec 06, 2023 01:05:56 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

no

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

no

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 50
Login: [redacted]
Email: [redacted]

Responded At: Nov 07, 2023 10:25:21 am
Last Seen: Nov 07, 2023 10:25:21 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?**

Other (please specify)
Land use planner

Q2. **Do you support the draft design standard?**

I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?**

I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

A key concern regarding driveways in two lot subdivisions is the height of fences all the way to the footpath sometimes over 7 feet high so cars backing out cannot see pedestrians. Councils have no way of controlling this and it is making footpaths increasingly dangerous. This or other design standards is an opportunity to resolve this challenge.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.**

not answered

Respondent No: 51
Login: [redacted]
Email: [redacted]

Responded At: Nov 07, 2023 12:33:56 pm
Last Seen: Nov 07, 2023 12:33:56 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

Pedestrian sight distance should be included for driveways, alongside intersection sight distance. This is an important road safety matter and will help to protect our communities. It is in the current Code, but seems to have been omitted from the standard. Everything relevant to driveways (including pedestrian sight distance) should be in the one standard, to make it an informative, complete document. Otherwise developers will think they have met requirements of the standard, therefore have met all requirements, then get tripped up when this other requirement is in the Code.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 52
Login: [redacted]
Email: [redacted]

Responded At: Nov 13, 2023 14:38:51 pm
Last Seen: Nov 13, 2023 03:35:30 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I would like to see more consideration given to pedestrian safety in driveway design. A smooth ramp encourages higher entry/exit speeds, which makes the footpath more dangerous to walk along. Strongly support the changes around retention of trees

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 53
Login: [redacted]
Email: [redacted]

Responded At: Nov 13, 2023 14:38:51 pm
Last Seen: Nov 13, 2023 03:35:30 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment with some concerns

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I would like to see more consideration given to pedestrian safety in driveway design. A smooth ramp encourages higher entry/exit speeds, which makes the footpath more dangerous to walk along. Strongly support the changes around retention of trees

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

not answered

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** not answered

Respondent No: 54
Login: [redacted]
Email: [redacted]

Responded At: Nov 13, 2023 17:21:10 pm
Last Seen: Nov 13, 2023 06:18:51 am
IP Address: [redacted]

Q1. **What is your interest in this design standard?** Interested community member

Q2. **Do you support the draft design standard?** I support the design standard with some concerns

Q3. **Do you support the associated Code Amendment?** I support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

I have some concerns about the interactions between new driveways and existing footpaths that I have detailed in the attached document.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

None to add

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.** https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/6c65cbb67cde0742d4a38c9ca509b9258755de63/original/1699856466/9cebdb5972da566e88f2714196e80313_2023-11-13_Feedback_on_proposed_Design_Standard_and_Planning_and_Design_Code.pdf?1699856466

Respondent No: 55
Login: [redacted]
Email: [redacted]

Responded At: Nov 13, 2023 19:05:02 pm
Last Seen: Nov 13, 2023 19:05:02 pm
IP Address: [redacted]

Q1. **What is your interest in this design standard?**
Other (please specify)
Consultant - Empirical Traffic Advisory

Q2. **Do you support the draft design standard?**
I do not support the design standard

Q3. **Do you support the associated Code Amendment?**
I do not support the Code Amendment

Q4. **Do you have any feedback or comments you would like to provide about the draft design standard?**

1. I am concerned that the standard will become a standard which road authorities will use as a basis for refusal or objection to design of dwellings without any consideration of other options available. The Planning Code has become a checklist to many in Councils rather than being used to consider performance objectives. The use of the title standard means it will take precedence over any other guidelines and will be used as a requirement to be met in all instances (i.e. checklist approach). This does not promote good design - at best it should be a design guideline. Ideally, any additional considerations should be in the Code itself not as an appending document. 2. An example: The requirement for a single driveway at each allotment regardless of number of dwellings on the site (up to 50 by the notes) will be made a requirement to planners and traffic engineers in Council's - especially those with limited experience and training. The design requirement should be to minimise driveways not specify a mandatory number for every location to adhere to. 3. It is replicating much of the information already available in the Planning Code and will duplicate effort in assessment of development. For instance the sight distance criteria is already in the Code but now being duplicated in this document. It would have been easier for the Code to refer to Australian Standards and Austroads Guidelines which are the relevant documents for traffic and road design. 4. When the Planning Code was being developed, I was advised that it could not refer to Australian Standards/Austroads Guidelines and all of the information in these documents had to be codified which is what has happened on release of the Code. Hence, Australian Standards are not referenced in the Code - how can a specific design standard now be referenced in the Code - which also does not refer to Australian Standards. 5. Any information required for driveways should be in the Code itself and not in a range of documents appending to the Code - these are difficult to administer and update and will be lost in the system. The intent of a simple Code in one document will be eroded and make it more complex for people to consider development.

Q5. **Do you have any feedback or comments you would like to provide about the associated Code Amendment?**

As per above.

Q6. **If you would like to upload a file with further details of your feedback, you can attach it here.**
not answered

Appendix D – What we heard report

PlanSA

WHAT WE HEARD

New design standard for residential driveway crossovers

About the design standard

A new design standard for residential driveways aims to improve public safety and enhance streetscapes across South Australia.

The draft Residential Driveway Crossover Design Standard outlines how new residential driveways should connect from private property to the street.

Under the draft design standard, new driveways should be positioned to allow:

- space for a street-tree in front of the home
- room to put bins out
- a suitable distance from roadside infrastructure, such as Stobie poles.

The design standard also makes sure home builders consider the impacts of driveway design on car parking along the street, maintaining a safe and clear footpath and aligning with the street's character.

The State Planning Commission prepared the draft design standard, with input from local councils, developers and state government agencies.

Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery.

From 23 August to 14 November 2023, the South Australian community and stakeholders were invited to have their say and provide feedback on the draft design standard and associated Code Amendment.

What we heard

The Commission is very pleased to have received 85 submissions during public consultation, 20 of which were from local government.

Design standards are a new instrument introduced by the Commission and this is the first to be proposed at a state level. Consultation with community and stakeholders has proven invaluable as several significant matters were raised, requiring further and more detailed investigation.

In broad terms, the submissions acknowledged the goals of the Commission for the design standard were a worthy aspiration, however there was a general querying of the role this design standard should play in the planning system and the assessment mechanics of how it will work.

Snapshot of common themes

Feedback highlighted support for policies that resulted in:

- more space for trees and landscaping
- footpaths that are suitable for mobility impaired road users
- improved safety, particularly for pedestrians and cyclists
- reduced crossover widths
- avoiding impacts on infrastructure
- maximising availability of on-street carparking
- simplifying approval processes and removing duplication within the planning system
- consistency provided by a single state-wide design standard.

Submissions identified concerns regarding:

- plans submitted may not be sufficient for an assessment to be made
- relevant authorities other than council approving alterations to a road and subsequent compliance matters, and seek council involvement in assessments undertaken by other relevant authorities
- interaction of the draft design standard with the Planning and Design Code
- interaction of the draft design standard with un-commenced legislative changes and the potential implications for council infrastructure
- the length and 'complexity' of the draft design standard, and details regarding assessment provisions, definitions, exclusions/inclusions and interpretations
- whether minor variations to the provisions can be accepted
- deeper consideration of heritage matters, including preserving road features associated with heritage areas.

Engagement activities

The following engagement opportunities provided information and gathered feedback from the community and stakeholders:

- online information sessions, held on 30 August and 31 August 2023, open to all and attended by a total of 69 people
- YourSAy consultation website and survey, with 54 survey responses submitted, mostly from the community
- PlanSA website and online submission form
- PlanSA email address, with 31 emails received from councils, industry stakeholders, state government agencies and a community organisation.

These engagement activities were promoted through the media, social media, Planning Ahead e-newsletter and letters to councils, state government agencies and industry.

Next steps

All feedback will be collated and considered in greater detail to develop an engagement report, to be released in early 2024.

The Commission will then consider next steps for its draft Residential Driveway Crossover Design Standard and the timing for this work within the extensive program being undertaken by the Commission in 2024.

The Commission will keep the community and stakeholders updated via the YourSAy and PlanSA websites.

More information

Contact:	PlanSA
Phone:	1800 752 664
Email:	plansa@sa.gov.au
Visit YourSAy:	yoursay.sa.gov.au/driveway-crossovers
Vist PlanSA:	plan.sa.gov.au

Appendix E – Evaluation Survey and Responses

- Individual evaluation survey responses

#1

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, December 18, 2023 4:32:05 PM
Last Modified:	Monday, December 18, 2023 4:32:59 PM
Time Spent:	00:00:54
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#2

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, December 18, 2023 4:33:13 PM
Last Modified:	Monday, December 18, 2023 4:33:33 PM
Time Spent:	00:00:19
IP Address:	[redacted]

Page 1

Q1 **Agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 18, 2023 4:33:03 PM
Last Modified: Monday, December 18, 2023 4:34:18 PM
Time Spent: 00:01:14
IP Address: [redacted]

Page 1

Q1 **Agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#4

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, December 18, 2023 4:39:03 PM
Last Modified:	Monday, December 18, 2023 4:39:19 PM
Time Spent:	00:00:15
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Strongly agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 18, 2023 4:59:54 PM
Last Modified: Monday, December 18, 2023 5:00:22 PM
Time Spent: 00:00:27
IP Address: [redacted]

Page 1

Q1 **Disagree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Disagree**

I am confident my views were heard during the engagement

Q3 **Disagree**

I was given an adequate opportunity to be heard

Q4 **Disagree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 18, 2023 5:24:55 PM
Last Modified: Monday, December 18, 2023 5:25:15 PM
Time Spent: 00:00:19
IP Address: [redacted]

Page 1

Q1 **Agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 18, 2023 5:38:18 PM
Last Modified: Monday, December 18, 2023 5:39:58 PM
Time Spent: 00:01:39
IP Address: [redacted]

Page 1

Q1 **Neither agree nor disagree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Neither agree nor disagree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#8

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Monday, December 18, 2023 6:49:42 PM
Last Modified:	Monday, December 18, 2023 6:50:06 PM
Time Spent:	00:00:24
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 18, 2023 7:30:59 PM
Last Modified: Monday, December 18, 2023 7:31:43 PM
Time Spent: 00:00:44
IP Address: [redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#10

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, December 19, 2023 7:20:11 AM
Last Modified:	Tuesday, December 19, 2023 7:36:36 AM
Time Spent:	00:16:25
IP Address:	[redacted]

Page 1

Q1

I feel the engagement genuinely sought my input to help shape the proposal

Disagree

Q2

I am confident my views were heard during the engagement

Disagree

Q3

I was given an adequate opportunity to be heard

Disagree

Q4

I was given sufficient information so that I could take an informed view

Agree

Q5

I felt informed about why I was being asked for my view, and the way it would be considered

Neither agree nor disagree

#11

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, December 19, 2023 9:41:29 AM
Last Modified:	Tuesday, December 19, 2023 9:41:46 AM
Time Spent:	00:00:17
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Strongly agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 19, 2023 11:37:57 AM
Last Modified: Tuesday, December 19, 2023 11:38:33 AM
Time Spent: 00:00:36
IP Address: [redacted]

Page 1

Q1 **Agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Neither agree nor disagree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, December 21, 2023 6:16:24 AM
Last Modified: Thursday, December 21, 2023 6:33:26 AM
Time Spent: 00:17:01
IP Address: [redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#14

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Thursday, December 21, 2023 6:02:16 PM
Last Modified:	Thursday, December 21, 2023 6:03:05 PM
Time Spent:	00:00:49
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Agree**

I am confident my views were heard during the engagement

Q3 **Agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#15

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Friday, January 05, 2024 4:15:23 PM
Last Modified:	Friday, January 05, 2024 4:15:49 PM
Time Spent:	00:00:25
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Strongly agree**

I was given an adequate opportunity to be heard

Q4 **Agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

#16

COMPLETE

Collector:	Web Link 1 (Web Link)
Started:	Tuesday, January 09, 2024 9:33:37 AM
Last Modified:	Tuesday, January 09, 2024 9:36:13 AM
Time Spent:	00:02:36
IP Address:	[redacted]

Page 1

Q1 **Strongly agree**

I feel the engagement genuinely sought my input to help shape the proposal

Q2 **Strongly agree**

I am confident my views were heard during the engagement

Q3 **Strongly agree**

I was given an adequate opportunity to be heard

Q4 **Strongly agree**

I was given sufficient information so that I could take an informed view

Q5 **Strongly agree**

I felt informed about why I was being asked for my view, and the way it would be considered

Appendix F – Project Manager Evaluation Form

- PLUS Project Manager Evaluation

Project Manager Engagement Evaluation

This form can be completed by the engaging entity (planner, proponent or engagement manager) following an engagement activity or at the end of the entire engagement process.

It may be completed online or in hard copy.

Please consider the engagement process as a whole and provide the most appropriate response.

	Evaluation statement	Response options
1	The **engagement reached** those identified as the community of interest	☒ Representatives from most community groups participated in the engagement ☐ Representatives from some community groups participated in the engagement ☐ There was little representation of the community groups in engagement
	Comment: The State Planning Commission was very pleased to receive 85 submissions during public consultation, 22 of which were from local government. A good number of submissions were also received from key industry bodies, state agencies and the community.	
2	**Engagement was reviewed** throughout the process and improvements put in place, or recommended for future engagement	☒ Reviewed and recommendations made in a systematic way ☐ Reviewed but no system for making recommendations ☐ Not reviewed
	Comment: Following the online information sessions, FAQs were reviewed to consider whether any additional information needed to be included and consideration was given as to whether further information sessions were required. A full review of the engagement process was undertaken in developing the engagement report.	
3	Engagement **occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme	☐ Engaged when there was opportunity for input into scoping ☒ Engaged when there was opportunity for input into first draft ☐ Engaged when there was opportunity for minor edits to final draft ☐ Engaged when there was no real opportunity for input to be considered
	Comment: The Design Standards Reference Group, with membership including professional engineers with relevant experience from a mix of urban and regional councils and a DIT representative, gave early input to influence the draft design standard published for consultation. Pre-engagement with other key stakeholders also provided opportunity to influence the draft for consultation. The public consultation on the draft design standard has provided invaluable feedback at an early stage and will genuinely influence the planning policy.	
4	Engagement **contributed to the substance of the final plan**	☒ In a significant way ☐ In a moderate way

	Evaluation statement	Response options
		☐ In a minor way ☐ Not at all
	Comment: Consultation with community and stakeholders has proven invaluable as several significant matters were raised, requiring further and more detailed investigation.	
5	Engagement provided **feedback to community about outcomes** of engagement	☒ Formally (report or public forum) ☐ Informally (closing summaries) ☐ No feedback provided
	Comment: A 'what we heard' report was published on the YourSAy and PlanSA websites and emailed directly to everyone that submitted their feedback on the draft design standard and associated Code Amendment, along with the engagement evaluation survey. This report outlined what we heard and the next steps in the process. An engagement report will be developed and will also be published to provide feedback to community about the engagement outcomes. Key stakeholders and engagement participants will be provided with the engagement report and notified out the engagement outcomes.	
6	Identify **key strength** of the Charter and Guide	☐ Provide drop down list with options based on charter attributes (in future)
	Comment: It ensures all interested and affected stakeholders and community are given the opportunity to influence planning decisions regarding design standards and Code Amendments. It also ensures engagement is evaluated to support improvements in future engagement processes.	
7	Identify **key challenge** of the charter and Guide	☐ Provide drop down list with options based on charter attributes (in future)
	Comment: Evaluation of the engagement process is carried out prior to completion of the engagement report and final design standard, meaning evaluation of how much influence people have over the final outcome is made before the final outcome.	

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STATE PLANNING COMMISSION

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27 August 2024

Ms Elinor Walker
Director, Housing Infrastructure Planning and Development Unit
Department for Housing and Urban Development

By email: [redacted]

Dear Ms Walker

Design Standard for Residential Driveway Crossovers

Across 2022 and 2023, the State Planning Commission (the Commission) prepared the first draft design standard under section 69 of the *Planning, Development and Infrastructure Act 2016*. An associated amendment to the Planning and Design Code (Code) was also proposed to ensure that the design standard would integrate with our planning system.

The intent of the draft design standard was to provide detailed guidance on the requirements for vehicular access to and from land adjoining a road (including construction of a crossover or driveway and associated or ancillary works) in association with residential development. In doing so, the draft design standard sought to:

- provide for the safety of all road users
- provide for vehicular access that maximises the provision of on-street carparking
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas
- create driveway crossovers that are durable
- create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

Consultation was undertaken on the draft design standard and associated Code Amendment for a period of twelve weeks from 23 August 2023 to 14 November 2023, giving South Australians and key stakeholders the chance to have their say.

84 written submissions were received regarding the draft design standard and associated Code Amendment. The submissions received reflected the deep engagement of the community at large, councils and development industry with the draft design standard. All submissions, together with the Commission's responses to key matters raised, are contained in the Engagement Report, which is ***enclosed*** for your information.

Broadly speaking, the submissions received recognised the work that has gone into producing a draft design standard for public comment and that the objective of the design standard was a worthy aspiration. However, several significant matters were raised that require further and more detailed investigation.

Accordingly, the Commission has determined that the draft design standard and associated Code Amendment will not be placed before the Minister for Planning for adoption at the present time.

The Commission understands the Housing Infrastructure Planning and Development Unit (HIPDU) will soon be preparing engineering standards for residential land divisions (as identified in the Premier's Housing Roadmap), to be delivered as design standards in the planning system. The engineering standards are intended to apply to greenfield areas at first instance. This approach is endorsed by the Commission noting the complexities it faced in preparing a Statewide design standard.

Further, noting the feedback received on the draft driveway crossovers design standard and the need for more detailed investigations to be undertaken, it appears appropriate for HIPDU to lead this work, and for driveway crossovers to be incorporated into the engineering standards.

It is on this basis the Commission now seeks your agreement for HIPDU to progress and refine the driveway crossovers design standard into a workable solution through the engineering standards. To assist you in this body of work, the Commission has requested Planning and Land Use Services:

- support HIPDU in progressing any regulatory and/or legislative amendments required to enliven design standards; and
- to provide HIPDU with all the relevant information it holds pertaining to driveway crossovers.

The Commission extends its advanced thanks to HIPDU for progressing the driveway crossovers work and looks forward to considering the engineering standards once prepared.

Yours sincerely

Craig Holden
Chair

Encl: Engagement Report – Design Standard for Residential Driveway Crossovers

STATE PLANNING COMMISSION

TO: MINISTER FOR PLANNING

RE: DESIGN STANDARD FOR RESIDENTIAL DRIVEWAY CROSSOVERS

PURPOSE

To receive the Engagement Report prepared by the State Planning Commission (Commission) in relation to the draft design standard for residential driveway crossovers.

BACKGROUND

Across 2022 and 2023, the Commission prepared the first draft design standard under section 69 of the *Planning, Development and Infrastructure Act 2016* (PDI Act). An associated amendment to the Planning and Design Code (Code) was also proposed to ensure that the design standard would integrate with our planning system.

The intent of the draft design standard was to provide detailed guidance on the requirements for vehicular access to and from land adjoining a road (including construction of a crossover or driveway and associated or ancillary works) in association with residential development. In doing so, the draft design standard sought to:

- provide for the safety of all road users
- provide for vehicular access that maximises the provision of on-street carparking
- create attractive streetscapes through the retention of street trees and limiting the amount of hardstand areas
- create driveway crossovers that are durable
- create driveway crossovers that are located to minimise the need to relocate or remove street infrastructure.

Consultation was undertaken on the draft design standard and associated Code Amendment for a period of twelve weeks from 23 August 2023 to 14 November 2023, giving South Australians and key stakeholders the chance to have their say.

DISCUSSION

The Commission has now considered the 85 written submissions received during the consultation period. The submissions received reflected the deep engagement of the community at large, councils and development industry with the draft design standard.

All submissions, together with the Commission's responses to key matters raised, are contained in the Engagement Report, which is provided to you in **Attachment 1**, in satisfaction of section 73(7) of the PDI Act. The Engagement Report will also be published on the SA Planning Portal in satisfaction of section 73(8) of the PDI Act.

Broadly speaking, the submissions received recognised the work that has gone into producing a draft design standard for public comment and that the objective of the design standard was a worthy aspiration. However, several significant matters were raised that require further and more detailed investigation. This includes exploring legislative and/or regulatory amendments to ensure design standards are given appropriate status in the planning system.

Importantly, the Commission understands PLUS has received legal advice which identifies the preference for the PDI Act to be amended to place beyond doubt how design standards are intended to operate. Given the significance of these anomalies, the Commission recommends these matters be recorded and considered if and when any future Amendment Bill is progressed. However, as the amendment of Acts and Regulations is a matter for the Government rather than the Commission, the Commission understands that Planning and Land Use Services will provide you with further advice on this matter.

For the avoidance of doubt, the Commission understands the complexities associated with driveway crossovers are unlikely to arise in connection with enlivening the engineering standards as design standards. This is due to the differing legislative provisions (specifically section 102(1)(c) and 102(1)(d)) applicable to land divisions.

NEXT STEPS

In light of the feedback received, the Commission has determined that the draft design standard and associated Code Amendment is not appropriate for adoption at this time, and recommends that, pursuant to section 73(10)(f) of the PDI Act, you determine that the design standard should not proceed.

However, it is possible that driveway crossovers could be captured in the engineering standards (as flagged in the Premier's Housing Roadmap) being prepared by the Housing Infrastructure Planning and Development Unit (HIPDU), which will be delivered as design standards in the planning system. The Commission has written to HIPDU asking it to incorporate driveway crossovers into this body of work.

This will create an efficiency in resolving this matter, recognising the Commission does not have capacity to independently return to this design standard in 2024/2025. This is particularly noting the Government's request for the Commission to prioritise matters identified in the Premier's Housing Roadmap and the implementation of the recommendations of the Expert Panel for the Planning System Implementation Review, which will assist in bringing more houses to market.

RECOMMENDATIONS

It is recommended that you:

1.	Agree to receive the Engagement Report– Design Standard for Residential Driveway Crossovers and associated Code Amendment prepared by the State Planning Commission in satisfaction of section 73(7) of the *Planning, Development and Infrastructure Act 2016*.	AGREED / NOT AGREED
2.	Agree to determine not to proceed with the design standard and associated Code Amendment pursuant to section 73(10)(f) of the *Planning, Development and Infrastructure Act 2016*.	AGREED / NOT AGREED
3.	Note the State Planning Commission has requested the Housing Infrastructure Planning and Development Unit incorporate driveway crossovers into the engineering standards it is preparing as a result of the Premier's Housing Roadmap.	NOTED / NOT NOTED
4.	Note Planning and Land Use Services will provide you with further advice in relation to potential legislative and/or regulatory amendments required to give design standards appropriate status in the planning system.	NOTED / NOT NOTED

NICK CHAMPION MP

/ / 2024

Craig Holden
Chair, State Planning Commission
30 / 08 / 2024

Attachments:

1. Engagement Report – Design Standard for Residential Driveway Crossovers and associated Code Amendment

Contact: Matt Henderson
Tel No: [redacted]

21297390

STATE PLANNING COMMISSION

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30 August 2024

Hon Joe Szakacs MP
Minister for Local Government

By email: [redacted]

Dear Minister Szakacs

Design Standard for Residential Driveway Crossovers

Across 2022 and 2023, the State Planning Commission (the Commission) prepared the first draft design standard under section 69 of the *Planning, Development and Infrastructure Act 2016*. An associated amendment to the Planning and Design Code (Code) was also proposed to ensure that the design standard would integrate with our planning system.

The intent of the draft design standard was to provide detailed guidance on the requirements for vehicular access to and from land adjoining a road (including construction of a crossover or driveway and associated or ancillary works) in association with residential development. In doing so, the draft design standard sought to:

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Consultation was undertaken on the draft design standard and associated Code Amendment for a period of twelve weeks from 23 August 2023 to 14 November 2023, giving South Australians and key stakeholders the chance to have their say.

84 written submissions were received regarding the draft design standard and associated Code Amendment. The submissions received reflected the deep engagement of the community at large, councils and development industry with the draft design standard. All submissions, together with the Commission's responses to key matters raised, are contained in the Engagement Report, which is ***enclosed*** for your information.

Broadly speaking, the submissions received recognised the work that has gone into producing a draft design standard for public comment and that the objective of the design standard was a worthy aspiration. However, several significant matters were raised that require further and more detailed investigation by the Commission.

Accordingly, the Commission has determined that the draft design standard and associated Code Amendment will not be placed before the Minister for Planning for adoption at the present time.

As flagged in the Premier's Housing Roadmap, the Housing Infrastructure Planning and Development Unit (HIPDU) will be preparing engineering standards for residential land divisions, that will be delivered as design standards in the planning system. It is appropriate for driveway crossovers to be captured in the engineering standards given the alignment with the scope of the proposed engineering standards.

The Commission has written to HIPDU asking it to incorporate driveway crossovers into this body of work. It has also requested Planning and Land Use Services (PLUS) support HIPDU and provide it with all the relevant information it holds pertaining to driveway crossovers.

The Commission extends its thanks to the Office for Local Government (OLG) for its collaboration with PLUS, particularly in how to implement the amendments to the *Local Government Act 1999* associated with the introduction of design standards within the planning system. PLUS and/or HIPDU will continue to engage with OLG as the work on design standards progresses.

Yours sincerely

Craig Holden
Chair

Encl: Engagement Report – Design Standard for Residential Driveway Crossovers

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STATE PLANNING COMMISSION

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18 October 2024

[redacted]

By email: [redacted]

Dear [redacted]

Design Standard for Residential Driveway Crossovers

Across 2022 and 2023, the State Planning Commission (the Commission) prepared the first draft design standard under section 69 of the *Planning, Development and Infrastructure Act 2016* (PDI Act). An associated amendment to the Planning and Design Code (Code) was also proposed to ensure that the design standard would integrate with our planning system.

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84 written submissions were received regarding the draft design standard and associated Code Amendment. The Commission thanks the community at large, councils and development industry for their deep engagement with the draft design standard and the detailed commentary contained in the submissions. All submissions, together with the Commission's responses to key matters raised, are contained in the Engagement Report, which has been published on the SA Planning Portal.

Broadly speaking, the submissions received recognised the work that has gone into producing a draft design standard for public comment and that the objective of the design standard was a worthy aspiration. However, several significant matters were raised that require further and more detailed investigation by the Commission.

Accordingly, the Commission has determined that the draft design standard and associated Code Amendment will not be placed before the Minister for Planning for adoption at the present time.

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The Commission has written to HIPDU asking it to incorporate driveway crossovers into this body of work. It has also requested Planning and Land Use Services support HIPDU and provide it with all the relevant information it holds pertaining to driveway crossovers.

The Commission is grateful for your contribution to this important work and will seek to engage with you further when the design standard has been refined in accordance with the feedback received.

Yours sincerely

Craig Holden
Chair