

PROPOSAL TO INITIATE A DESIGN STANDARD

**Driveway Crossovers for Residential Development
Design Standard**

**By the State Planning Commission (*the Designated
Entity*)**

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

_____ (Signature Required)
CHAIR, STATE PLANNING COMMISSION

Date: 31 March 2023

This document forms the basis for the preparation of a designated instrument pursuant to section 73(1)(a) of the *Planning, Development and Infrastructure Act 2016*.

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1. INTRODUCTION

The State Planning Commission (the Commission) is an independent body providing advice and leadership on all aspects of planning and development in South Australia. The Commission is integral to the delivery of South Australia's planning system and management of its instruments, to make our state more liveable, affordable, sustainable and prosperous. The Commission's role is to promote the principles outlined in the *Planning, Development, and Infrastructure Act 2016* (the Act) to encourage state-wide economic growth and support liveability.

Section 69 of the Act enables the Commission to prepare design standards that relate to the public realm or infrastructure. Design standards form part of the Planning Rules and may supplement the Planning and Design Code by:

- specifying design principles; and
- specifying design standards for the public realm or infrastructure; and
- providing design guidance with respect to any relevant matter.

A design standard may:

- be linked to any spatial layer in the Planning and Design Code; and
- apply to any location specified in the Planning and Design Code, an infrastructure delivery scheme under Part 13 Division 1, or a scheme established under Part 15 Division 2.

The Commission is proposing to:

- Initiate the preparation of *Design Standard 1 - Driveway Crossovers for Residential Development* pursuant to section 73(1)(a) of the Act. This design standard will apply to the whole of South Australia.

Being the first Design Standard to be prepared, *Design Standard 1 - Driveway Crossovers for Residential Development* will likely set the policy architecture to be adopted by future design standards and define procedural matters associated with their use.

1.1. Designated Entity for implementing the design standard

In accordance with section 73(1)(a) of the Act, the Commission will be the Designated Entity responsible for undertaking the preparation of design standards. As a result:

- 1.1.1. The Commission acknowledges that it will be responsible for implementing the design standard in accordance with the requirements of the Act.
- 1.1.2. The Commission will undertake consultation in accordance with the Community Engagement Charter
- 1.1.3. The Commission will make final recommendations to the Minister for Planning (the Minister) prior to the Minister's consideration of whether to implement the proposed design standard.
- 1.1.4. The Commission intends to utilise the professional expertise of employees of the Department including:
 - Planning officers
 - Communications staff
 - mapping and spatial data expert staff

- ePlanning staff responsible for the management and operation of the online planning system

1.2. Rationale for introducing design standards

Section 69 of the Act enables the State Planning Commission (the Commission) to prepare design standards relating to the public realm and/or infrastructure. Design standards are supplementary tools aligned with the Planning and Design Code (the Code) that can be linked to any spatial layer, including zones, subzones, or overlays. They support the Code by providing design guidance for the public realm and/or infrastructure and how the public and private realm intersect.

Over time Design Standards will become a technical library that provides design guidance to planning professionals, developers and the community as to best practice design for the public realm and streamlines infrastructure approvals.

Section 102 of the Act requires that design standards be considered in the assessment of planning consent and land division consent. However, design standards are not called up within the framework for decision making in any of sections 106 (DTS), 107 (Performance Assessed), 110 (Restricted) or 111 (Impact Assessed). This reinforces the notion that design standards supplement the Code [s69(2)], but that the Code remains the primary decision making tool.

The Development Assessment Portal (DAP) requires an applicant to identify whether the development proposal involves a new driveway crossover. The DAP can therefore use this as a trigger to call up the design standard for residential driveway crossovers and ensure it is highlighted to an assessing officer, enabling them to satisfy section 102 of the Act. Additionally, it is considered prudent to amend the Planning and Design Code to introduce additional policy requiring assessment of development incorporating a new driveway crossover against *Design Standard 1 - Driveway Crossovers for Residential Development*.

1.3. Rationale for introducing a design standard for driveway crossovers

Design Standard 1 - Driveway Crossovers for Residential Development will provide technical guidance in the assessment of driveway crossovers serving new residential development. The design standard seeks to ensure that new driveway crossovers contribute to the amenity and safety of the public realm.

More particularly, the design standard for residential driveway crossovers will:

- Enable assessment of public realm interactions against an appropriate instrument during the development assessment process
- Elevate consideration of trees and common infrastructure within development assessment, reducing the likelihood of conflict with driveway designs
- Provide certainty to developers as to what standard of design is envisaged/required for driveway crossovers

- Improve safety outcomes by elevating consideration of appropriate driveway widths and separations from common infrastructure and trees in development assessment
- Provide a common resource/reference to smaller councils who may not have their own engineering standards/guides for driveway crossovers
- Assist larger, master planned developments to leverage opportunities for economies of scale

Design Standard 1 - Driveway Crossovers for Residential Development would 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 a design standard for driveway crossovers will streamline development assessment processes by enabling the State Planning Commission and Accredited Professionals to assess and approve a driveway crossover that is part of a development proposal without needing to consult with a Council, so long as it complies with the design standard.

2. SCOPE OF DESIGN STANDARDS

2.1. Spatial application of design standards

Design standards can be applied in relation to:

- Off-setting contributions schemes: applying to development contributions for public realm works.
- Infrastructure delivery schemes: applying to the provision of basic infrastructure in designated growth areas.
- Specific spatial layers or locations: applying to strategic and priority areas as specified by the Planning and Design Code, such as urban renewal precincts
- The whole of the State.

Design standards can be particularly useful when targeted towards new growth areas of medium to high density, including urban renewal precincts, transit-oriented developments, and urban corridor locations to improve the amenity and liveability of the public realm and enable leverage of economies of scale. New growth areas should be planned for in advance, with design standards for the infrastructure requirements and public realm elements being prepared in consultation with the community.

2.2. Content of design standards

Design standards are technical documents that incorporate assessment provisions, diagrams, figures and specifications. The assessment provisions contained in design standards are known as Design Principles (DP) and Design Requirements (DR):

- Design Principles (DP) are the qualitative assessment policies contained in design standards
- Design Requirements (DR) are the quantitative requirements that must be met to satisfy the design standard

Technical Drawings (TD) are encouraged where they provide context to the Design Principle and/or details the associated Design Requirement.

Design standards can also be accompanied by advisory material in the form of design manuals or guidelines.

2.3. Scope of the design standard for residential driveway crossovers

The Design Standard for Residential Driveway Crossovers will apply across the State in respect of residential development. A maximum threshold of dwellings that can be included in an application that is to be assessed using the design standard will be defined following further investigation and advice from the Design Standards Reference Group. The design standard will specify:

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

3. STRATEGIC PLANNING OUTCOMES

Design standards should be informed by, integrate with and further the objectives of the other planning instruments that make up our planning system. The design standard for driveway crossovers in residential development will contribute to the ongoing development of a high quality public realm in South Australia and align with State Planning Policies, Regional Plans and the Planning and Design Code.

3.1. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. The strategic planning outcomes sought to be achieved through the Design Standard aligns with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Alignment with SPPs
<p><u>SPP 1 Integrated Planning</u></p> <p>Integrated planning coordinates the strategic use of land with the necessary services and infrastructure. It can influence how a city or region grows and evolves, which if done well,</p>	<p>The Proposal seeks to integrate planning for the public realm and private realm. The proposal will also enhance planning for infrastructure delivery and maximise the quality of infrastructure.</p>

<p>creates liveable and sustainable places that contribute to our prosperity.</p> <p><u>SPP 2 Design Quality</u></p> <p>Good design improves the way our buildings, streets and places function, making them more sustainable, more accessible, safer and healthier. The integration of design within the planning system encourages creative solutions to complex social, economic and environmental challenges including those arising from our changing settlement patterns.</p>	<p>The Proposal seeks to improve the way streets and places function, making them more sustainable, accessible, safer and healthier by introducing integrated and creative design solutions for the public realm and infrastructure.</p>
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3.2. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide a long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

Regional Plan / Policy	Alignment with Regional Plan
<p><u>30 Year Plan for Greater Adelaide</u></p> <p>Health, wellbeing and inclusion</p> <p>A29. State and local government to develop design standards for public realm and infrastructure to support well-designed, liveable neighbourhoods.</p> <p>“new development contributes positively to existing neighbourhoods”</p>	<p>The Proposal seeks to put in place the architecture for design standards and initiate the preparation of a design standard for driveway crossovers.</p> <p>The proposed Design Standard for Driveway Crossovers will provide design guidance that seeks to ensure new driveway crossovers have complementary materiality in heritage areas and are of an appropriate width to accommodate the traffic movements to/from a development, thus promoting higher levels of safety and amenity.</p>

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3.3. Alignment with other relevant documents

The Proposal aligns with other relevant documents as outlined below:

Other document/s	Alignment(s)
Planning and Design Code (the Code)	Policies in the proposed design standard complement policies in the Code and do not seek conflicting outcomes
Australian and New Zealand Standards	The design standard utilises appropriate Australian and New Zealand Standards to underpin minimum design requirements to promote safety within the public realm.

4. INVESTIGATIONS

4.1. Investigations already undertaken

The table below identifies what investigations have already been undertaken to support the formulation and implementation of the Design Standard.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Scoping study and initial proposal (MasterPlan)	<ul style="list-style-type: none"> • Collation and comparison of existing driveway crossover standards • Correlation of common elements and minimum technical measurements • Advice from professional traffic engineer (MFY) 	<ul style="list-style-type: none"> • Produced a report • Produced a suggested draft design standard • Advised on format and recommended scope • Produced suggested technical drawings

4.2. Further investigations proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support the formulation and implementation of the Design Standard.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Peer review by additional consultant traffic engineer	Depending on consultation feedback, potential further refinement of draft design standard via peer review

5. ENGAGEMENT

5.1. Engagement already undertaken

The following engagement has occurred on the proposed Design Standard:

- A Design Standards Reference Group (DRG) has been formed to provide expert advice and guidance on the form and content of the Design Standard for Residential Driveway Crossovers. The DRG membership includes professional engineers with relevant experience from a mix of urban and regional councils. There is also a DIT representative.
- A short, high-level presentation has been made to the Planning Policy Forum, which is convened by PLUS on a monthly basis, which is attended by planning practitioners from across the State and Local Government sector, together with private practice.
- Development industry representatives have been informally consulted as part of the initial scoping of the project.

The DRG provided comment on a previous draft design standard, highlighting the following matters:

- Design standards must have clear definitions
- Design standards could include qualitative policies for merit assessment, not just quantitative DTS style policies
- Design standards should support Disability Discrimination Act 1992 compliance in relation to footpaths
- The feasibility of a “two-step” approval process should be considered
 - Relevant authority issues development authorisation that includes crossover
 - Council issues works approval and undertakes checks prior to installing a crossover
- It would be beneficial to further refine the technical requirements in relation to:
 - Laneways
 - Separations from common infrastructure, including accounting for variations between Council and DIT requirements
 - Flooding
 - Road width / driveway width matrix – narrow streets

- Two-way movement (multiple dwellings/shared driveways)
- Arterial roads

5.2. Further engagement proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the introduction and implementation of the Design Standard.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Continued meetings with the Design Standards Reference Group (DRG)	<ul style="list-style-type: none"> • Refine the design standard for residential driveway crossovers • Provide advice on engaging with Councils and engineering practitioners • Review of final version following engagement
Meeting with the Local Government Association (LGA)	The design standard for residential driveway crossovers will provide design guidance for driveway crossovers, which are predominantly located on land that is owned by Councils. Councils are therefore a key stakeholder in the design standard and the LGA, as their peak body, should be consulted directly.
Meeting with the Commissioner of Highways (or their delegate)	The design standard for residential driveway crossovers will provide design guidance for driveway crossovers, which can be located on land that is owned by the Commissioner of Highways or maintained by the Commissioner of Highways. The Commissioner of Highways is therefore a key stakeholder in the design standard.
Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the design standard.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

5.3. Engagement Plan

This process will occur in accordance with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Design Standard. The Engagement Plan will include the following consultation requirements:

- Given the proposal is generally relevant to councils, the Local Government Association must be notified in writing and consulted on the proposed Design Standard;
- Given the proposal interacts with arterial roads the Commissioner of Highways must be notified in writing and consulted on the proposed Design Standard;
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.4. Engagement Report

Once engagement on the Design Standard is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the design standard implementation process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the implementation of the design standard, the consultation undertaken on the design standard and any other information considered relevant by the Commission.

5.5. Design Standard Implementation Timetable

The design standard is intended to be implemented in line with the timeframe outlined below:

ATTACHMENT A

Timetable for implementation of this design standard by the State Planning Commission

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Consideration and approval of Proposal to Initiate	Commission	16 March 2023
Preparation of the design standard		
Engagement Plan prepared Investigations conducted; Design standard Report prepared Drafting instructions and draft mapping prepared	PLUS on behalf of the Commission	6 weeks
Preparation of Materials for Consultation	PLUS on behalf of the Commission	Informed by the Engagement Plan
Engagement on the design standard		
Design standard Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	PLUS on behalf of the Commission	Informed by the Engagement Plan
Consideration of engagement outcomes and finalisation of design standard		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared	PLUS on behalf of the Commission	4 weeks
Prepare report to the Commission	PLUS	4 weeks
Consideration of Advice	Commission	5 weeks
Decision Process		
Minister considers the Design standard Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the design standard		
Go-Live - Publish on the PlanSA Portal	PLUS	December 2023 / January 2024
Parliamentary Scrutiny		
Referral of approved design standard to ERDC	PLUS	8 weeks