

Appendix A



Vehicle Crossing Policy

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Scope

The Vehicle Crossing Policy guides the way applications for all new vehicle crossings are managed on all roads within the City of Darebin. It is noted that approval will need to be sought from VicRoads for any vehicle crossover to a road in a Road Zone Category 1. This policy applies to both single and multi-dwelling developments.

Purpose

Vehicle Crossings usually benefit a single property; however they have the potential to affect utility and amenity for the broader community. Vehicle access between a private property and an adjacent roadway is important. The approval of the placement and specifications for Vehicle Crossings needs to be managed carefully to minimise impacts on the broader community.

The purpose of this policy is to provide consistent, transparent, equitable and efficient guidelines for the installation and alteration of vehicle crossings.

Objectives

This Vehicle Crossing Policy has been developed to facilitate appropriate vehicle access to properties and is based on the following four objectives:

- Retention of Public Space - The road reserve, including the road carriageway and verge, is public land for public use, and will be managed to maximise the utility and amenity for the broader community.
- Safety of all Road Users - Vehicle crossings will be managed in a manner that maximises the safety of vulnerable road users as the highest priority, as well as minimising traffic safety issues.
- Protection of Urban Amenity - Maintenance and enhancement of urban character is critical to urban amenity, liveability and attractiveness.
- Improvement of the Environmental Sustainability - The protection and improvement of the environmental sustainability of our city and streets is an overarching requirement of all activities of Council.

Definitions

Vehicle Crossing – the term used in the *Local Government Act 1989* to describe a facility, between the face of kerb and the private property boundary, used to provide vehicular access between the street and private property (also see Vehicle Crossover). Sometimes referred to as a driveway crossing. This document uses the term vehicle crossing to also mean vehicle crossover.

Vehicle Crossover – the term used in the *Planning and Environment Act 1987* to describe a facility, between the face of kerb and the private property boundary, used to provide vehicular access between the street and private property (also see Vehicle Crossing). Sometimes referred to as a driveway crossing.

Legislation and Local Context

In developing this policy, reference has been made to a number of legislative documents and local policies including:

- *Local Government Act*
- Darebin City Council General Local Law 2005 (No.1)
- *Planning and Environment Act 1987*
- Darebin Transport Strategy

- Safe Travel Strategy
- Darebin Heritage Guidelines
- Neighbourhood Character Study
- Greenstreets Streetscape Strategy
- Tree Retention Policy

The relevance of each of these is outlined in **Appendix A**.

Introduction

Vehicle crossings have an impact on the safety and amenity of Darebin's streets. Transport mode and land use trends are placing increasing importance on the management of vehicle crossings. Whilst vehicle crossings provide access to adjacent land parcels, which may be a desirable outcome, new vehicle crossings often come at a cost to the broader community including:

- loss of public car parking spaces
- loss of nature strip vegetation (or the opportunity to provide it)
- loss of visual amenity through a proliferation of hard surfaces and garages in the front setback of a property, and
- creation of dangerous conflict points for our most vulnerable road users (i.e. pedestrians and cyclists).

This policy sets out an approach for managing vehicle crossings in a way that delivers the greatest public benefit, protects vulnerable road users, and maintains environmental and amenity functions of the municipality and the road environment.

A Darebin Vehicle Crossing Permit is required to construct a vehicle crossing or make changes to an existing crossing. Construction and maintenance of vehicle crossings is the sole responsibility of the property owner. This includes the protection of any utility equipment that lies beneath or is affected by the permitted vehicle crossing. All works must be completed to the satisfaction of Council at the applicant's expense and responsibility.

All requirements described in the Vehicle Crossing Permit Application Checklist must be met. Appendix B outlines the relationship between the Planning or Building Permit process and the Vehicle Crossing Permit process.

Principles

This policy enacts a number of principles to govern the management of vehicle crossings in Darebin.

Principles Governing the Approval of New Vehicle Crossings

1. New vehicle crossings should result in a net gain in the parking supply.
2. No more than one single-width vehicle crossing should be provided for each property fronting a street.
3. Relocation of an existing vehicle crossing should not result in loss of additional on-street car parking.
4. Vehicle access must be provided from a rear laneway if available and suitable.
5. Vehicle crossing placement must minimise impacts to existing Council assets including on-street car parking, street trees, etc.
6. Vehicle crossing should reflect the surrounding neighbourhood character of the street.
7. New vehicle crossings and the associated car parks accessed by the crossing must meet the necessary planning and design requirements.
8. Vehicle crossing applications will be assessed according to the Vehicle Crossing Permit Application Checklist (refer Appendix B).

These principles are employed to achieve the objectives of this Policy and will be used in the assessment of any application for a new vehicle crossing.

Policy

The following provides details on how the Policy will be applied.

Number of Crossovers

No more than one single-width vehicle crossing should be provided for each property fronting a street. An application for two separate vehicle crossings on one property frontage to service a u-shaped driveway is subject to the second guideline above and the Darebin Planning Scheme which restrict more than one single-width driveway per frontage. The only exception to this rule will be sites where a u-shaped driveway may serve a critical access purpose such as for emergency vehicles or where it is essential to service a commercial use.

Vehicle access must be provided from a rear laneway if available and suitable.

Dimensions

Municipal Roads

In line with the Darebin Planning Scheme, the width of access ways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

Crossovers are to be designed in accordance with City of Darebin drawing number DS4 - Standard Concrete Vehicular Crossings for Residential, Commercial and Industrial Entrances.

Major Roads (Road Zone Category 1)

Approval from VicRoads is required to construct or alter a vehicle crossing on land adjacent to a State Road (defined by the Act as a freeway or arterial road; or a road declared to be a non-arterial State road under this Act; or a road that is the responsibility of VicRoads under any another Act). To identify these roads refer to <http://maps.vicroads.vic.gov.au>

VicRoads requires that single vehicle crossings on major roads should be 3.3 metres in width at the street alignment with splays of 1.5 metres on the approach side and 1.3 metres of the departure side.

Proximity to Intersections

A crossing will not be permitted within 10 metres of a road junction as measured from the edge of the kerb to the splay of the crossing.

Planting Strips

It is desirable that an offset is designed and provided between the side of the driveway and the property fence line to provide for landscaping.

Where a new crossing is proposed adjacent to an existing crossing on an abutting property, it is desirable that a landscape strip is designed and provided.

Infrastructure

Crossings must be no closer than 1 metre from any utility infrastructure or street furniture unless the applicant provides approval from the relevant authority/infrastructure manager.

The permit applicant is responsible for the costs of any modification or removal of infrastructure required to enable a crossover to be constructed.

In areas subject to flooding, a vehicle crossing must not restrict or otherwise negatively impact on the drainage of that area.

Street trees

Any application for a building or crossover permit must consider the impact on the nature strip tree/s due to proposed construction of a new crossover, or widening of existing crossovers.

Prior to applying for a building or crossover permit, applicants should contact Council to determine tree protection measures required or tree replacement fee as applicable.

A minimum clearance of 3 metres or 10 times the diameter of the tree trunk at its base (whichever is greater) must be provided between the trunk of any street tree and the edge of the crossover unless Council's Arborist allows otherwise.

In cases where a healthy tree must be removed, Council may require that the developer reimburse Council for the loss of the tree. City of Darebin uses the City of Melbourne Amenity Value Formula to determine a monetary value for each tree.

Payment of any tree replacement fee is required before a crossover permit is granted.

Crossing construction

Vehicle crossings must be designed and constructed in accordance with Council's engineering design standards and specifications.

The owner of the property to be served by the crossover is responsible to arrange and pay for the construction of the crossover.

Only suitably experienced and qualified contractors must undertake construction work.

Construction safety

A traffic management plan detailing measures to ensure the safety of pedestrians, workers and motorists prior to and during construction works must be implemented by the person responsible for construction of the crossing.

For Category 1 roads, the traffic management plans for VicRoads are to be included with the application.

Redundant crossings

A vehicle crossing that becomes redundant because of a change to the property it serves must be removed and any footpath, nature strip, kerb and channel etc made good to Council requirements at the cost of the owner at the time of the change to the property.

Maintenance

The owner of a property served by a crossover must maintain the crossover in good condition and appearance.

Appeals Process

Should an applicant choose to appeal a decision to reject an application for a vehicle crossing, the following process would be used.

1. The appeal must be in writing and demonstrate how the vehicle crossing will address the guidelines and principles in this policy, and how the vehicle crossing complies with the assessment criteria.
2. The review will be undertaken in the first instance by Transport Management. The decision of this review will be provided to the applicant in writing. The applicant can then choose to escalate the matter to the relevant Director for consideration. Following the above, the applicant will need to seek external advice at their cost.

Appendix A – Legislation and Local Policy

Local Government Act

Local Government in Victoria is administered under the *Local Government Act* 1989, which provides a framework for the establishment and operation of councils.

The *Local Government Act* 1989 (clause 12 of schedule 10) empowers Council to grant approvals for the construction of vehicle crossings.

Darebin City Council General Local Law 2005 (No.1)

As with all municipalities Australia wide, Darebin City Council has power under the *Local Government Act* 1989 to make local laws to ensure the equitable and fair use of Council owned and managed infrastructure.

Pursuant to Local Law 9.2.1:

Without an Asset Protection Permit, a person must not commence or undertake any works on Council property.

Planning and Environment Act 1987

The Act sets out procedures for preparing and amending the Victoria Planning Provisions and planning schemes, obtaining permits under schemes, settling disputes, enforcing compliance with planning schemes, and other administrative procedures.

A planning permit may be required to construct or alter a vehicle crossing from a State or arterial road or on land in the following overlays:

- Heritage Overlay
- Significant Landscape Overlay
- Land Subject to Inundation Overlay
- Special Building Overlay.

Darebin Transport Strategy

Going Places – the Darebin Transport Strategy is Darebin Council's plan for managing transport and traffic in the City of Darebin over the next 20 years. Its aim is to enable all Darebin residents to go wherever they want with ease while addressing the environmental and social issues caused by our existing car-based transport system.

Action 21 of the Darebin Transport Strategy is to:

Develop pedestrian-friendly design and maintenance standards. These will address the location of public and commercial street furniture, vehicular crossovers, signage, access and safety adjacent to construction projects, maintenance in relation to shared paths, vandalism, littering and graffiti, and so on.

Safe Travel Strategy

The Darebin Safe Travel Strategy is Darebin Council's five year plan to make the city of Darebin a safer place to live and travel around for all road and path users.

Objective 1 of the Safe Travel Strategy is to prioritise the safety of vulnerable road users.

The focus of the Darebin Safe Travel Strategy is to protect road users, in particular vulnerable road users, and to encourage people to walk, cycle or take public transport.

Darebin Heritage Guidelines

The Darebin Heritage Guidelines recognise that the provision of off street parking is often difficult and where possible cars should be parked at either the side or rear of the property providing access is available. New car spaces should not be placed in front of buildings and vehicle crossovers should not be created in front of properties where the streetscape is characterised by narrow frontages without car access.

Neighbourhood Character Study

The Neighbourhood Character Study mapped the residential areas of Darebin into 41 precincts, describes the physical characteristics of each precinct and provides design guidelines against which future development is considered. Whilst there are a number of individual design guidelines, they all require the same design response in relation to vehicle crossovers and car parking.

Design Considerations

- Car parking structures should be sited and designed to not dominate the street frontage of a building.
- Hard paving for car spaces within frontage setbacks is also not a desirable design outcome as Council has advised that it often leads to the construction of carport structures. Excessive hard paving surfaces will also reduce the permeability of the site and increase storm water run-off
- New crossovers are discouraged where they are not a part of, or would clearly disrupt the streetscape pattern. In most precincts only one crossover per frontage is recommended.

Design Objective

- To minimise the loss of front garden space and the dominance of car parking structures.

Design Response

- Locate garages and carports behind the line of the dwelling.
- Minimise paving in front garden areas including driveways and crossovers.
- Use permeable driveway materials.
- Provide a maximum of one vehicular crossover per frontage.
- Provide vehicular access from a rear laneway if available.

Avoid

- Car parking structures that dominate the façade or view of the dwelling.
- Creation of new crossovers.
- Creation of wide driveways or crossovers.
- Front setbacks dominated by impervious surfaces.

Greenstreets Streetscape Strategy

Darebin City Council encourages the retention of trees in all forms of development. Developers will be given support and information to help them consider incorporating environmental sustainability into landscape plans.

In cases where a healthy tree must be removed, Council may require that the developer reimburse Council for the loss of the tree. City of Darebin uses the City of Melbourne Amenity Value Formula to determine a monetary value for each tree.

During development, trees on nature strips must be protected according to the Australian Standard (AS4970 - 2009: 'Protection of trees on development sites').

Any application for a building or crossover permit must consider the impact on the nature strip tree/s due to proposed construction of a new crossover, or widening of existing crossovers. Prior to applying for a building or crossover permit, applicants should contact Darebin Parks to determine tree protection measures required or tree replacement fee as applicable.

If no modification is proposed to the existing crossover, the nature strip tree/s must still be protected during construction.

Payment of any tree replacement fee is required before a crossover permit is granted.

Tree Retention Policy

Darebin Council's Tree Retention Policy provides guidelines for decision making on tree assessments to facilitate consistency in the management of park, street and protected trees in public and private realm within the City of Darebin.

Policy

City of Darebin is committed to the retention of healthy trees on council managed land and protected trees on private property. Council's Tree Assessment Guidelines must be utilised prior to decisions regarding tree retention and or removal.

Procedure - Tree Retention or Removal Request

Tree retention or removal requests may be generated by the capital works program, cross over applications, building applications, planning permits, risk management referrals, utility companies, asset protected permits or general tree removal requests.

Open Space Planning and Darebin Parks will be primarily responsible for tree retention or removal requests by implementing the Tree Assessment Guidelines.

Appendix B – Vehicle Crossing Assessment Process

