

Liverpool Development Control Plan 2008

Development at
93-145 Hoxton Park Road, 49 & 51
Maryvale Avenue, 260 Memorial
Avenue & 20 and 48 Dale Avenue,
Liverpool

November 2025

Part 2.XX must be read in conjunction with Part 1

Refer to Parts 3.2 - 3.7 for residential development in residential zones

Refer to Part 3.8 for non-residential development in residential zones

**LIVERPOOL
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Liverpool Development Control Plan 2008

Part 2.16 - 93-145 Hoxton Park Road, 49 & 51 Maryvale Avenue, 260 Memorial Avenue, 20 and 48 Dale Avenue, Liverpool

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1. Preliminary

Applies to

1. This Part applies to land identified in **Figure 1**, being the site located at 93-145 Hoxton Park Road, 49 & 51 Maryvale Avenue, 260 Memorial Avenue and 20 & 48 Dale Avenue, Liverpool.
2. Part 3.7 (Residential development in development zones) and Part 3.8 (Non-Residential development in residential zones) of the Liverpool Development Control Plan 2008 also apply to the site.

Purpose and relationship with other parts of this DCP

The purpose of this Development Control Plan ('DCP') is to outline the site-specific controls that relate to 93-145 Hoxton Park Road, 49 & 51 Maryvale Avenue, 260 Memorial Avenue and 20 & 48 Dale Avenue, Liverpool (**Refer to Figure 1**).

Where there is an inconsistency between this document and provisions contained elsewhere in the Liverpool Development Control Plan 2008, the site-specific controls contained in this document prevail to the extent of the inconsistency.

Objectives

To ensure that:

- a) A high-quality standard of development is carried out.
- b) The development of land parcels is co-ordinated and avoids site isolation.
- c) Visual, acoustic and privacy amenity is retained to adjoining residential allotments.
- d) The bulk and scale impact to the streetscape of Hoxton Park Road is minimised.
- e) Traffic impacts to the adjoining road network is minimised.
- f) Future residents of the development site have ease of access to day-to-day commercial needs.
- g) To protect and minimise impacts on existing vegetation
- h) To ensure that street character, landscaping, pedestrian amenity and safety are prioritised.



Figure 1 – Land to which this part applies

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2. Vision and General objectives

2.1 Vision

To enable a high-quality residential development to be achieved within the Hoxton Park Road transport corridor. Sufficient building separation and compatibility of materials, colours and finishes will ensure a suitable development is provided and able to integrate with low scale adjoining land.

Objectives

- a) Provide a highly connected, safe and permeable network with convenient access to public transport, public spaces and facilities, and amenities.
- b) Facilitate the transition of the Hoxton Park Road corridor to an activated, transit-oriented, higher density mixed use environment.
- c) Prioritise healthy living, including design to mitigate and adapt to heat, and design for active transport.
- d) Buildings are sited, positioned and designed to maximise climatic responsiveness and provide high levels of desirable solar access and natural ventilation

2.2 Indicative master plan

Controls

1. The vision and principles for the site as identified above are spatially expressed in the urban structure for the site as shown in **Figure 2**. To ensure that development provides key elements, where variations to the Figure 2 are proposed, the development application is to demonstrate how the vision and principles have been achieved.

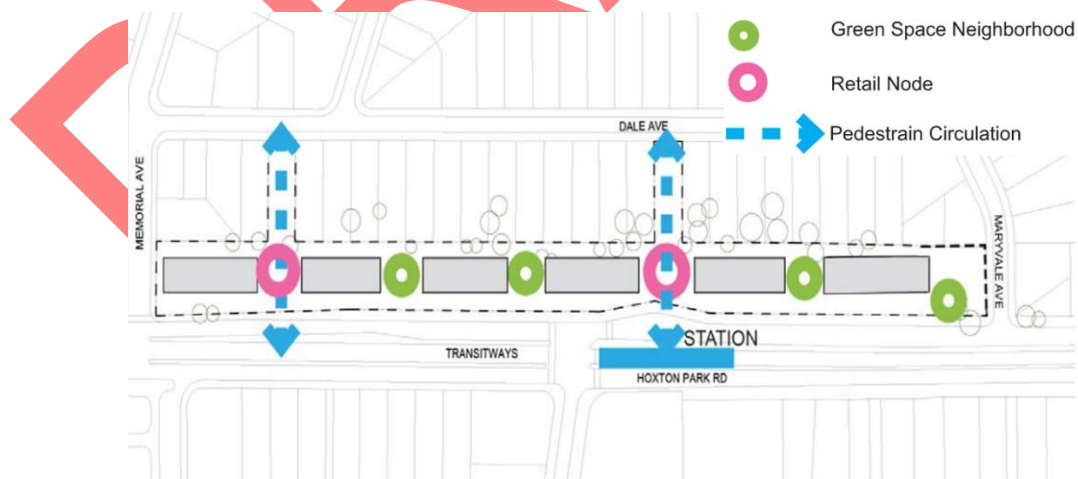


Figure 2 – Urban Structure Plan

3. Site Planning

3.1 Site Planning

Objectives

- a) Ensure the design of the buildings and location of uses responds appropriately to the site, provides a high quality of amenity and protects visual privacy to future occupants and surrounding residential uses.
- b) Reduce visual impact and bulk and scale to streetscape of Hoxton Park Road and surrounding residential zoned land.
- c) Ensure the building has positive interfaces with public areas and contributes to an attractive public domain and desirable setting for its intended uses
- d) Promote active uses within or adjacent to the through site linkages on the ground floor.
- e) The site provides day to day commercial needs for residents
- f) Traffic impacts to the adjoining road network are minimised.
- g) To ensure the retention of existing trees within the site

Controls

1. Development is to be generally in accordance with the layout in **Figure 3**:
2. Through site links shall be provided as per **Figure 3** and are:
 - a. To provide building separation that encourages a walkable environment and direct travel lines through the site.
 - b. To be designed to maximise solar access and CPTED principals.
 - c. Be designed in accordance with accessible requirements for persons with limited mobility.
 - d. Include a combination of soft and hard landscaping with tree plantings for shading and cooling.
 - e. To be constructed of cobblestone (Or similar material), for the surface of the site through links used by vehicles. Concrete or bitumen are not to be used on the site through links for surfaces where vehicles travel.
 - f. For any area/pathway used by pedestrians, that is adjacent to a vehicle accessible area, raised to an alternative level and constructed of alternative material (I.e: Pavers), to that of the vehicle accessible area, to clearly separate vehicles and pedestrians.
3. Commercial land uses are to be located adjoining the through site links to activate the site and provide natural surveillance opportunities.
4. The allotments of 20 and 48 Dale Street, Liverpool are to both be used only for vehicular and pedestrian access in consultation with Council and Transport for New South Wales as per **Figure 3** below.

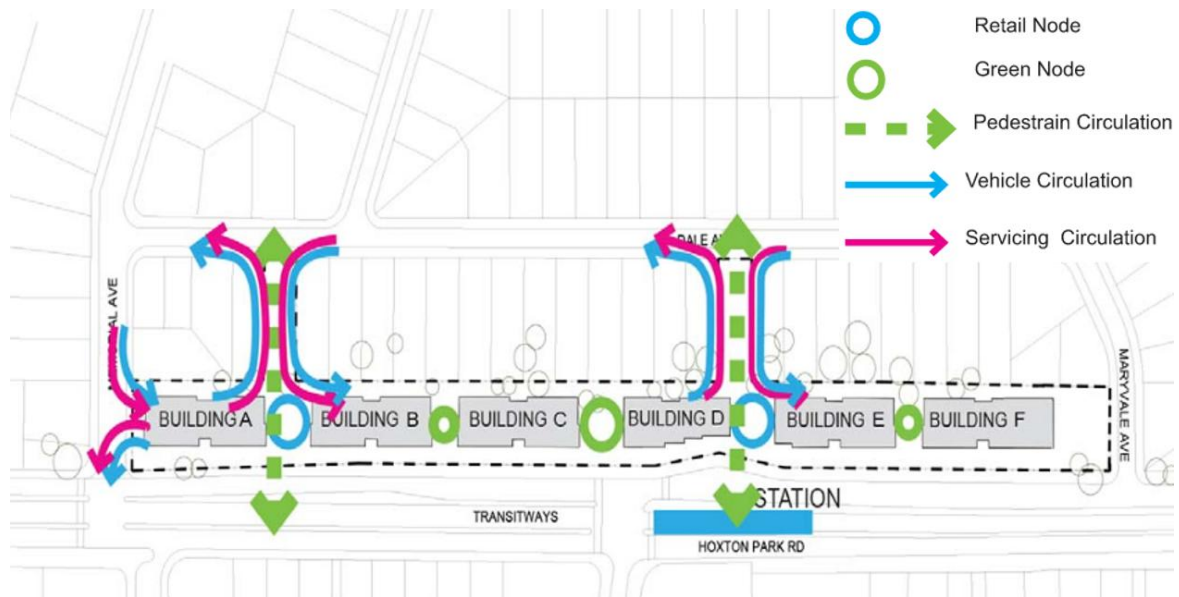


Figure 3 – Site Access and Through Site Links

3.2 Amalgamation

Objectives

- a) Ensure the subject site and adjoining sites can achieve development that is consistent with the planning controls.
- b) Ensure that Isolation of sites does not occur to avoid a development resulting in poor built form outcomes and to ensure better streetscape amenity outcome to be achieved
- c) Ensure reduced impact upon the road network through additional vehicular access points.

Controls

1. Amalgamation is to occur with 49 and 51 Maryvale Avenue, Liverpool, 145 Hoxton Park Road, Liverpool and 260 Memorial Avenue, Liverpool. Amalgamation is required to avoid site isolation and to ensure a high-quality development outcome.
2. The following documentation is to be provided with a development application in the circumstances where amalgamation with 49 and 51 Maryvale Avenue, Liverpool, 145 Hoxton Park Road, Liverpool and 260 Memorial Avenue, Liverpool cannot be achieved:
 - a) Documentation demonstrating that negotiations for amalgamation between the owners of the properties has been undertaken. The documentation shall be no older than 3 months from date of lodgement of a development application and should demonstrate that a reasonable attempt has been made by the applicant(s) to purchase the isolated site.

Documentation shall, at least, include:

- Two independent valuations that represents potential value of the affected site which are no older than 3 months from date of lodgement of a development application. This may include other reasonable expenses

likely to be incurred by the owner of the isolated property in the sale of the property; and

- Evidence that a genuine and reasonable offer has been made by the applicant to the owner(s) of the affected adjoining site.

Note: A reasonable offer shall be of current fair market value (no older than 3 months from date of lodgement of a development application), shall be the higher of the two independent valuations and include for all expenses that would be incurred by the owner in the sale of the affected site.

3. If variations to the planning controls are required, such as non-compliance with the minimum allotment size for any of the properties stated within control 1, documentation is to be submitted with a development application to demonstrate that:
 - a) Future residential flat building development on the subject sites will not significantly impact upon a future development of any of the properties stated within control 1.
 - b) That residential flat building development of any of the properties stated within control 1 can be achieved with sufficient design including concept architectural plans for any of the properties stated within control 1, which indicate a future developments height, setbacks, pedestrian and carparking access, site coverage (both building and basement), constructability, envelope separation, open space and landscaping.

3.3 Building Design

Objectives

- a) To promote high architectural quality on the site.
- b) To ensure that the development is sensitive to adjoining development.
- c) To ensure that new developments have facades which define and enhance the public domain and desired street character.
- d) Minimise visual bulk, scale and privacy impacts of the development from Hoxton Park Road.
- e) Ensure the development including any basement do not impact upon existing vegetation.
- f) Ensure that building elements are integrated into the overall building form and facade design.
- g) Ensure development maintains visual privacy and provides surveillance of the public domain and open links through the site.

Controls

1. Any proposed development on the subject site is to be a maximum of six storeys.
2. The site is to contain a minimum of six buildings.

3. Any non-residential use on the subject site is to be located on the ground floor only.
4. To reduce bulk and scale, overshadowing, and visual privacy impacts all building envelopes 5 storeys and above, are to be decreased by a minimum of 2m from that of the first four storeys. *For example: If the first storey (ground level) to the fourth storey setbacks are each 8m, setbacks for the fifth storey and above are to be a minimum of 10m).*
5. Any balcony orientated towards the northern rear boundary shall not extend beyond the building envelope.
6. Residential buildings are to be designed to minimise overlooking of adjoining residential land to the north. Any active use (i.e. Living/dining) room or balcony orientated towards the northern rear boundary, shall incorporate design/privacy features that maintain privacy to the northern rear properties.

These measures may include (but not limited to) fixed screen/louvres, glass blocks, frosted glass, higher window sill heights, vertical fins, offset vent windows and the like.

7. The placement of balconies and windows within residential buildings are to maximise passive surveillance opportunities to public spaces, including:
 - a. Hoxton Park Road,
 - b. Through-site links, and
 - c. Public and communal areas within the site.
8. Blank facades are to be avoided on Hoxton Park Road frontage and through site links. Articulation is to be provided in the form of windows, balconies, indentations, offsets or other articulation features.

3.4 Landscaping, Communal Open Space and Deep Soil Zones

Objectives

- a) To encourage soft landscaping and permeable areas.
- b) To enhance the existing streetscape and soften the visual appearance of the development.
- c) To provide for the amenity and needs of future residents and local businesses.
- d) Assist in improving the climate of the local environment.
- e) To ensure noise and air pollution impacts of Hoxton Park Road on the development are mitigated.

Controls

1. Deep soil zones, landscaped area and communal open space areas are to be provided generally in accordance with **Figure 4** below (at a minimum).
2. Any southern elevation (Fronting Hoxton Park Road) landscaped area is to be excluded from communal open space area required by section 3D of the Apartment Design Guide.
3. No communal open space or public access is permitted on the rooftop of any building, to protect the amenity and privacy to adjoining residential uses.
4. Any basement is not to reduce the overall minimum required deep soil for the subject site and is not to impact upon the existing vegetation including existing mature trees located along the northern (rear) and southern (front) boundaries.
5. Extensive landscaped areas with plantings are to be provided within the setback along Hoxton Park Road (subject to the agreement of TfNSW). A layered landscape arrangement is to be provided comprising of turf, small to large plants/trees and which buffers residential development and associated outdoor spaces from heat, noise, wind and air pollution from Hoxton Park Road.
6. Communal open spaces, site links and landscaped areas are to provide foot/cycle connections along Hoxton Park Road and between Hoxton Park Road and Dale Avenue that provide safety and do not conflict with vehicular access.
7. Landscaped areas are to provide deep soil areas that are capable of accommodating trees of sufficient height/canopy cover to visually reduce the height/bulk of the development from surrounding sites and the public domain.

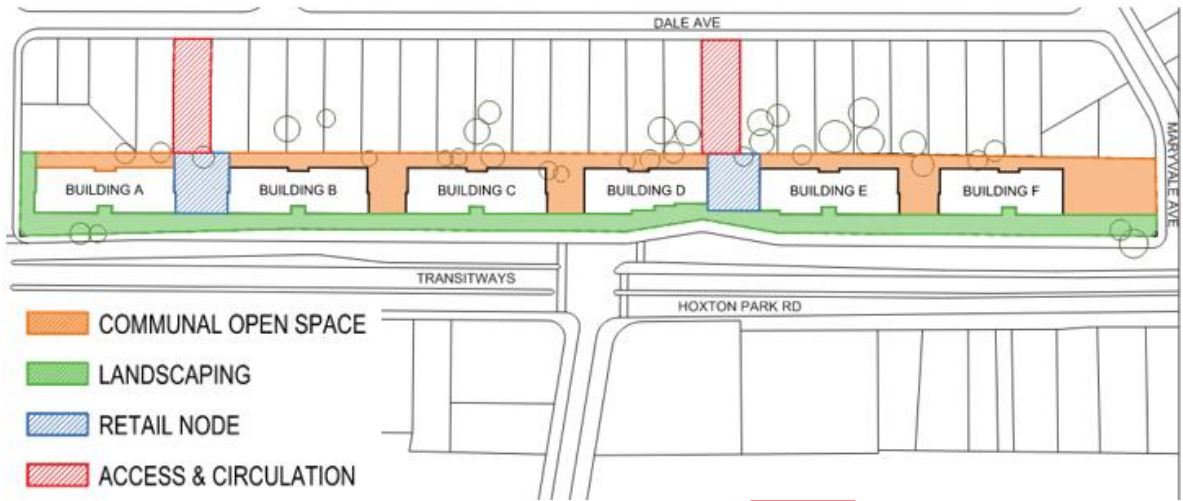


Figure 4 – Landscaping and deep soil zones

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3.5 Dwelling Diversity

Objectives

- a) To provide for a variety of housing choice within Liverpool Local Government Area which caters for different household requirements now and in the future.
- b) To increase the housing and lifestyle choices available in dwelling buildings.

Controls

1. The layout of the apartment buildings are to provide for dwelling types that are oriented in a range of directions and provide for dual-aspect layouts maximising solar access and minimising privacy impacts to adjoining residential properties.

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4. Car Parking, Access and Active Transport

Objectives

- a) To provide convenient, accessible and safe onsite car parking for residents and visitors.
- b) To ensure that car parking and pedestrian access is integrated into the development.
- c) To provide and encourage active transport links through the site that connect to the surrounding footpath/cycle path network.
- d) To ensure basement car parking does not impact the existing vegetation on site.

4.1 Car Parking and Access

Controls

1. All vehicles, including for commercial/residential waste collection/deliveries, are to enter and exit the site in a forward direction.
2. For any vehicle access from Dale Avenue, Liverpool, a Traffic Impact Assessment Report and modelling is to be provided that demonstrates:
 - That vehicle access via a local road is practicable and safe.
 - That vehicle access from Hoxton Park Road would adversely affect the safety, efficiency and ongoing operation of Hoxton Park Road. This is to include assessment of the implementation of the fourth leg of the existing signalised intersection (located along the frontage of No.117 and No.119, Hoxton Park Road) at the intersection of Webster Road and Hoxton Park Road allowing for all traffic movements (in and out) of the proposed development
3. Vehicular access is not to conflict and demonstrate adequate separation/safety with pedestrian/bicycle paths within the site links between buildings from Dale Avenue and Hoxton Park Road, Liverpool.
4. A Local Traffic Management Plan is to be submitted with a development application, and is to be designed in consultation with Council's Traffic and Transport section.
5. All onsite parking is:
 - To be within a basement or wholly integrated into the design of the development.
 - Not to reduce the deep soil requirements of the Apartment Design Guide.
 - Not to impact upon the existing mature trees located on the northern (rear) and southern (Hoxton Park Road) frontages.

4.2 Active and Public Transport

Controls

1. The movement of pedestrians and cyclists is to be prioritised throughout the site and not conflict with any vehicular access.
2. Through-site links are to provide adequate view corridors for cyclists and pedestrians and are to connect Dale Avenue to Hoxton Park Road.
3. Any landscaping provided adjacent to active transport links is not to impact upon pedestrian/cycling sightlines and is to avoid the creation of 'blind spots' including near intersection points with adjoining street frontages.
4. Pedestrian and shared pathways within the site are to provide direct linkages to the commercial uses on site and between Dale Avenue and Hoxton Park Road, Liverpool. (Refer to **Figure 2**).
5. The design of the retail nodes:
 - a. Are to provide adequate space and separation for all users (i.e. drivers, cyclists and pedestrians), to increase safety and minimise conflicts.
 - b. Are to promote a low-speed environment for vehicular and bicycle traffic moving through commercial nodes. Such measures may include traffic-calming devices (e.g. speed bumps, cobblestone pavement and signage).

5. Tree Preservation

Objectives

- a) To ensure the protection and retention of trees that contribute to ecological and aesthetic values on site and within the vicinity.
- b) To ensure that trees providing high ecological or amenity benefits are protected.

Controls

1. The building and basement envelope for all buildings is to ensure that the development:
 - I. Minimises impact upon the existing vegetation including existing mature trees located along the northern (rear) and southern (front Hoxton Park Road) boundaries.
2. Where tree removal cannot be avoided, an arborist report (prepared by a minimum AQF Level 5 Arborist) is to be submitted with any Development Application proposing tree removal. Each tree that is recommended for removal shall be replaced at a two to one replacement ratio of a similar species and mature height. Replacement tree selection shall also predominantly comprise of native species.
3. The design of any development for the site which includes the erection of a building and/or excavation of a basement, shall support a site layout that provides a minimum 40% tree canopy cover once the site is fully developed.

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