

Liverpool Development Control Plan 2008
Part 3.6
Multi Dwelling Housing (Villas and
Townhouses) In the R3 and R4 zones

19 February 2014

Part 3.6 must be read in conjunction with Part 1
Check if any Locality Parts also apply

Liverpool Development Control Plan 2008

Part 3.6 Multi Dwelling Housing in the R3 & R4 zone

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1. Preliminary

Applies to

1. Part 3.6 applies to multi dwelling residential development on all land in the R3 - Medium Density Residential and R4 – High Density Residential except as provided below.
2. Part 1 of the DCP also applies to the land.
3. Part 3.6 does not apply to residential development on land in the following locations. All controls in relation to the Private and Public Domain are covered by the respective parts.
 - Georges Fair Moorebank. (Refer to Part 2.3 for all controls on residential development).
 - Middleton Grange. (Refer to Part 2.5 for all controls on residential development).
 - Greenway Views. (Refer to Part 2.7 for all controls on residential development).
 - Liverpool City Centre (Refer to Part 4 or all controls on residential development).
 - Edmondson Park (Refer to Part 2.11 for all controls on residential development).

Background

Multi dwelling Housing (townhouses and villas) are permitted in the R3 zone. As such they will be located in areas that are largely characterised by single dwelling houses along with dual occupancy housing and integrated housing. Accordingly it is reasonable that multiple dwellings (townhouses and villas) should be compatible with the predominant residential development in the zone

Link to Liverpool LEP 2008

Liverpool LEP 2008 provides overall requirements and objectives for development in the residential areas of Liverpool. It does not just cover residential development but also non-residential development in residential areas.

Each zone provides objectives, which provide direction for the controls in the DCP. There are also general provisions for development in the residential zones as well as provisions for specific forms of development in the residential areas or for development on specific sites.

Objectives

- a) To provide controls for residential development to ensure that it achieves a high standard of urban design, that is compatible with the amenity and character of the area.
- b) To provide for a variety of housing choice within residential areas with Liverpool.
- c) Additional objectives are listed in the detailed controls for the various land uses.

2. Subdivision, Frontage and Lot Size

Lot Size and Width

The minimum lot size for multi dwelling housing is 1,000m². Where development pursuant to section 4 is proposed, the minimum lot size shall be 650m².

The minimum lot width for multi dwelling housing is 22m. Where development pursuant to section 4 is proposed, the minimum lot width shall be 18m.

Note: The amalgamation of land parcels into larger development sites is encouraged as this will result in better forms of housing development and design.

Refer to the Liverpool LEP 2008 written statement and maps for the minimum site area and width in the R4 zone.

3. Site Planning

Objectives

- a) To ensure that Multi Dwelling Housing are sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.
- b) To ensure privacy for residents and neighbours.
- c) To achieve a high standard of amenity for future residents and neighbours.
- d) To ensure the development takes advantage of the site's capability, topography, orientation and other positive attributes.
- e) To ensure compatibility with the surrounding development density by requiring acceptable site area requirements.

Controls

- 1. Site layout should consider, and as far as possible minimise overshadowing, acoustic and visual intrusion on neighbouring and on site dwellings.
- 2. There must be a direct link from at least one living area to the principal private open space.
- 3. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.
- 4. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.
- 5. The siting of dwellings shall be orientated to maximise solar access to both external courtyards and internal living areas.
- 6. Where possible all existing substantial vegetation on site shall be retained.
- 7. Multi Dwelling Housing is not permitted on cul-de-sac heads or streets with a carriageway width of less than 6.5m.

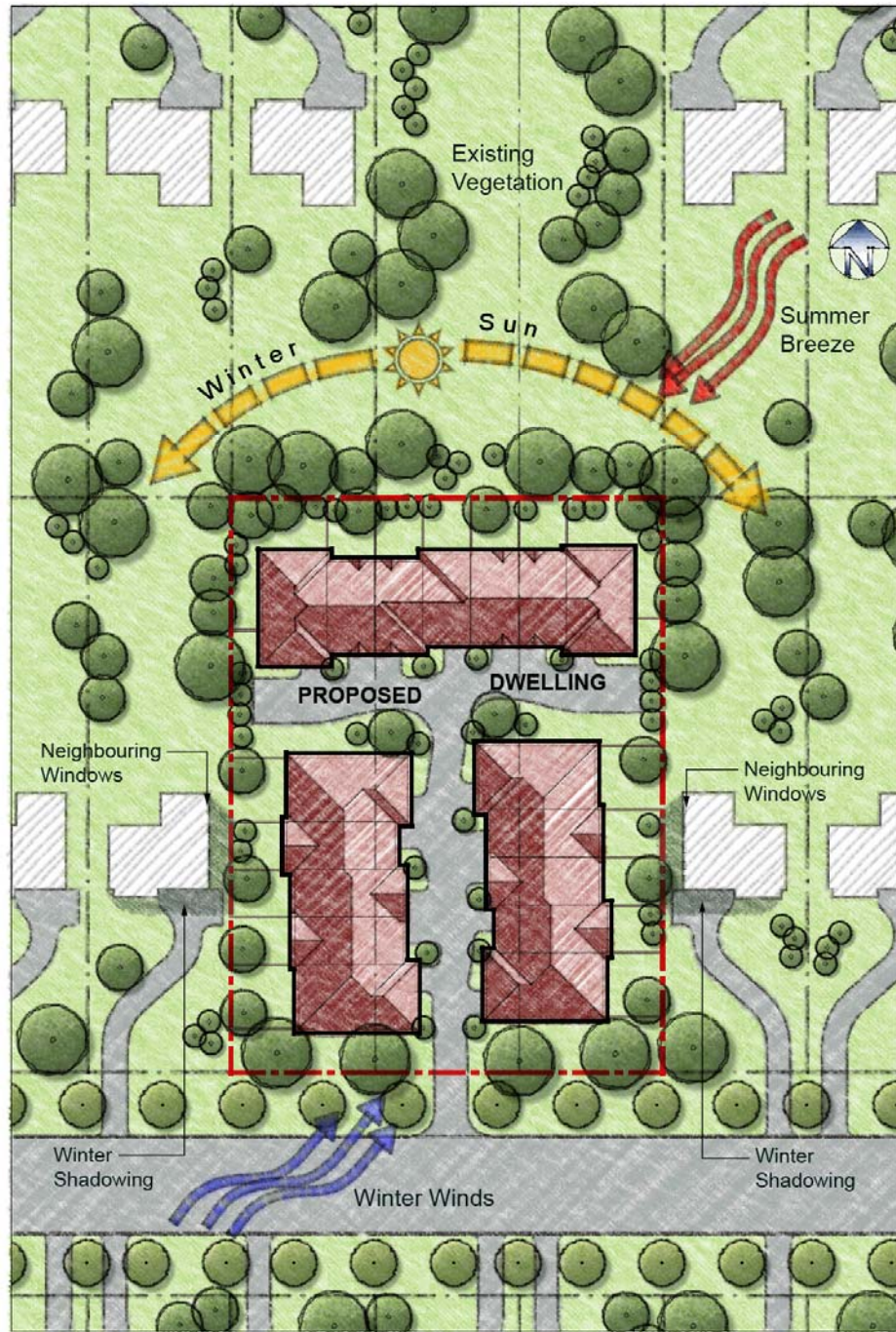


Figure 1 Site Analysis Plan for Multi Dwelling Housing

4. Townhouse and Villa Development on an 18m frontage block

Background

It has been identified within the Liverpool City Council area that there is a shortage of small, affordable townhouse developments. This section is intended to provide controls which will enable townhouse development on lots less than the standard 22 m, providing all controls are followed.

Objectives

- a) To provide for a wide range of medium density dwellings, including two bedroom dwellings.
- b) To ensure compatibility with the surrounding development density by requiring acceptable site area requirements and setbacks.
- c) To provide for accessible dwellings.

Controls

- 1. At least two dwellings must have a maximum floor space of 80sqm.
 - These dwelling must have a maximum of two bedrooms.
 - These dwellings must have a carport, rather than a garage. This control applies over Section 7 – Car Parking and Access.
- 2. Dwellings at the rear of the property must not be more than 1 storey high. An attic is permitted.
 - The rear of the property for Section 4 means all land 15m from the rear property boundary.
- 3. At least one dwelling should face and address the street.
- 4. All dwellings built must conform to the Controls listed within this Part.

5. Setbacks

Objectives

- a) To set dwellings back from the street and adjacent properties to provide reasonable space for landscaping, private open space and solar access
- b) To set back dwellings from one another to provide visual and acoustic privacy.
- c) To provide setbacks that minimise impacts on adjoining neighbours by minimising overshadowing and overlooking.
- d) To establish a streetscape of a scale and sense of enclosure appropriate to the locality.
- e) To maximise the amount of area capable of allowing the growth of trees and shrubs.

Controls

Front Setbacks

1. Buildings shall be setback from the primary and secondary boundaries in accordance with Table 1.

Table 1

Street	Front Setback	Secondary Setback
Classified Roads	7.0m	7.0m
Other Streets (ground floor)	4.5m	2.5m
Other Streets (first floor)	5.5m	2.5m

2. Garages or Carports must be set back a minimum of 1m behind the main face of the dwelling (see Figure 2). (The main face is the first wall of a habitable room)
3. Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m.
4. The secondary setback is the longest length boundary.

Side and Rear Setbacks

5. Buildings shall be setback from the side and rear boundaries in accordance with Table 2.

Table 2

Item	Side Setback	Rear Setback
Ground floor without windows to habitable rooms	0.9m	4.0m
Ground floor with windows to habitable rooms	4.0m	4.0m
First floor without windows to habitable rooms	1.2m	4.5m
First floor with windows to habitable rooms and neighbouring private open space	4.0m	6.0m

6. Building encroachments may only occur if it is seen as beneficial for open space, solar access and the internal layout of the dwelling. The dwellings living areas shall open out to open space.

Setbacks across internal driveways

7. Buildings shall be setback a minimum of 8m from other buildings across a driveway.

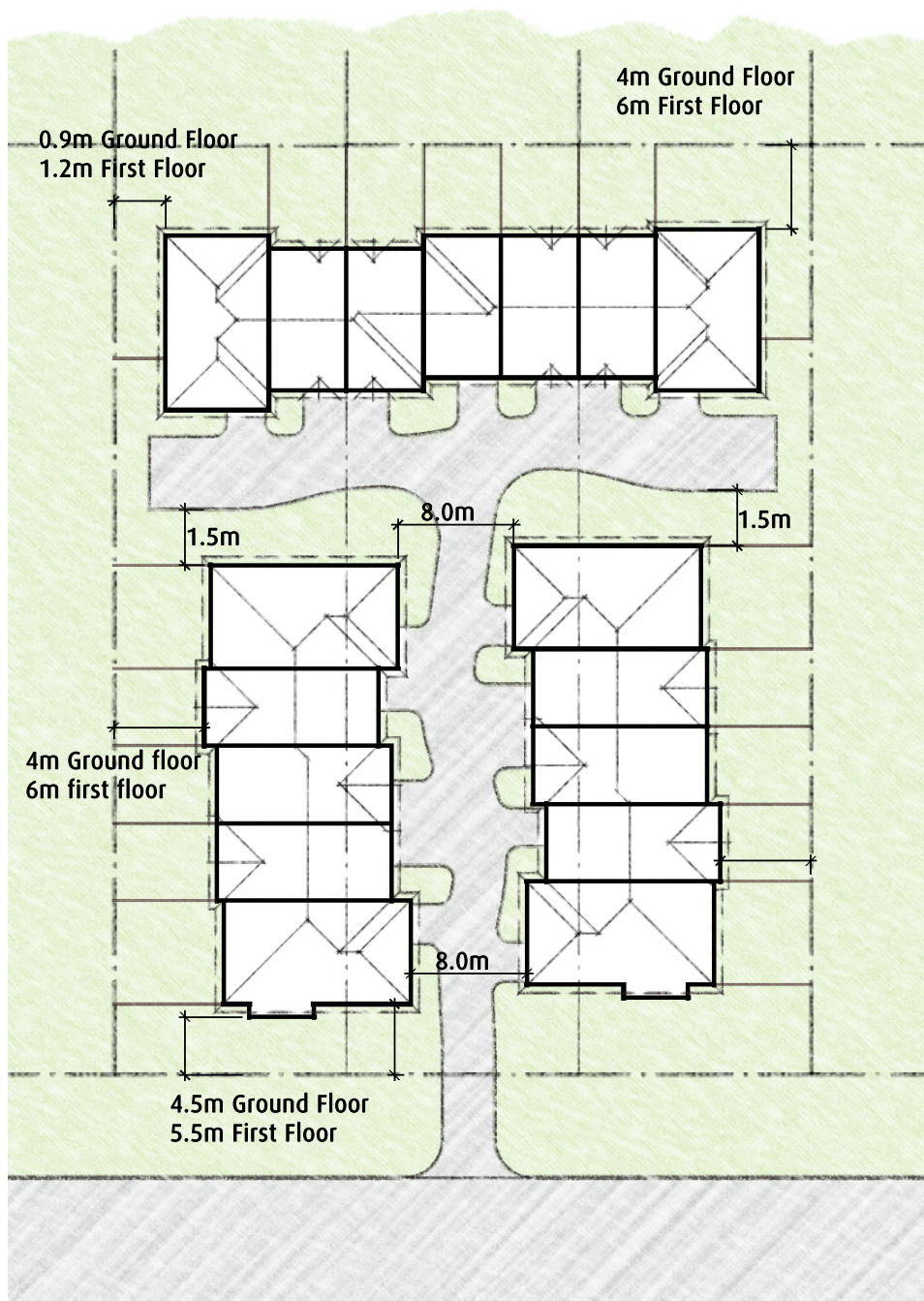


Figure 2 Setbacks for Multi Dwelling Housing

6. Landscaped Area and Private Open Space

Landscaped area is defined in Liverpool LEP 2008.

Private open space is an area within the site (usually at the rear) that is set aside for outdoor activities. Clotheslines, BBQ areas, pergola (unroofed structure), patio, garden sheds and pools can be included in the private open space.

Principal Private open space is an area that is directly accessible from at least one living room and is included in the private open space calculations (the principal private open space area may be paved or sealed).

Landscaped Area

Objectives

- a) To provide an area to allow vegetation to mature.
- b) To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.
- c) To minimise impervious areas.
- d) To enhance the existing streetscape and soften the visual appearance of the dwellings.
- e) To maximise the amount of landscaped area within the front setback of the dwelling.

Note: All proposed developments require a landscape plan to be submitted with the development application.

Controls

1. A minimum of 20% of the site area shall consist of a Landscape Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
2. A minimum unincumbered area of 4 x 5m shall be provided in rear setback to accommodate deep rooted trees.

Private Open Space

Objectives

- a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.
- b) To ensure that Private Open Space is clearly defined for private use.
- c) To ensure that Private Open Space is private, landscaped, screened from overlooking and receives an adequate amount of solar access.

Controls

1. Each dwelling shall provide a minimum private open space area, which is not covered by a roof in accordance with Table 3.

Table 3

Dwelling Size	Private Open Space
Small <65m ²	30m ²
Medium 65 – 100m ²	40m ²
Large > 100m ²	50m ²

2. Areas less than 1.5 m in width does not qualify as Private Open Space for the purpose of the above table.
3. Private Open Space must be directly accessible from the main living area.
4. A minimum of 50% of the Private Open Space are must received 3 hours of sunlight between 9:00am and 5:00pm on 21 June.



Figure 3 Landscaping for Multi Dwelling Housing

7. Cut and Fill, Building Design, Streetscape and Layout

Cut and Fill of Land

Objectives

- a) To reduce the incidence of change in natural ground levels.
- b) To encourage the architectural designs of dwellings which suit the contours of the land.
- c) To provide controls for cut and fill of land designed to minimise the incidence of soil erosion and subsequent sedimentation of waterways.
- d) To ensure that development on adjoining properties is not threatened or prejudiced by proposed cut and fill practices.
- e) To discourage and eliminate, where possible, the construction of retaining walls on allotment boundaries.
- f) To minimise overshadowing of neighbouring dwellings, their private open space or any solar panelling.

Controls

1. The maximum cut on a site must not exceed 500mm.
2. All retaining wall structures shall be masonry construction and designed by a suitably qualified person, or constructed as specified by the manufacture of the product. The retaining wall shall be constructed wholly inside (within) the boundary of the site.
3. All slab constructions for dwellings that are above natural ground level are to be constructed using dropped edge beams to retain fill. The maximum fill within the confines of the slab must not exceed 750mm. All fill must be contained within the dwelling footprint.
4. Contaminated fill, either imported or found on site is not permitted.

Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut, Council will require the completion of such retaining wall(s) PRIOR TO the release of the occupation certificate.

5. Where an applicant considers that an allotment has characteristics which warrant exemption from this policy, an application for exemption may be made by the submission of a development application to Council for consideration. In addition to normal requirements the submission should include:
 - A plan showing existing contours (at 0.5m intervals) of the subject site and all adjoining sites;
 - A plan showing future contours (after proposed cut and fill) of the subject site and all adjoining sites; and
 - Full details of any proposed retaining wall(s).

Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut and fill, Council will require the completion of such retaining wall(s) PRIOR TO the commencement of any building works.

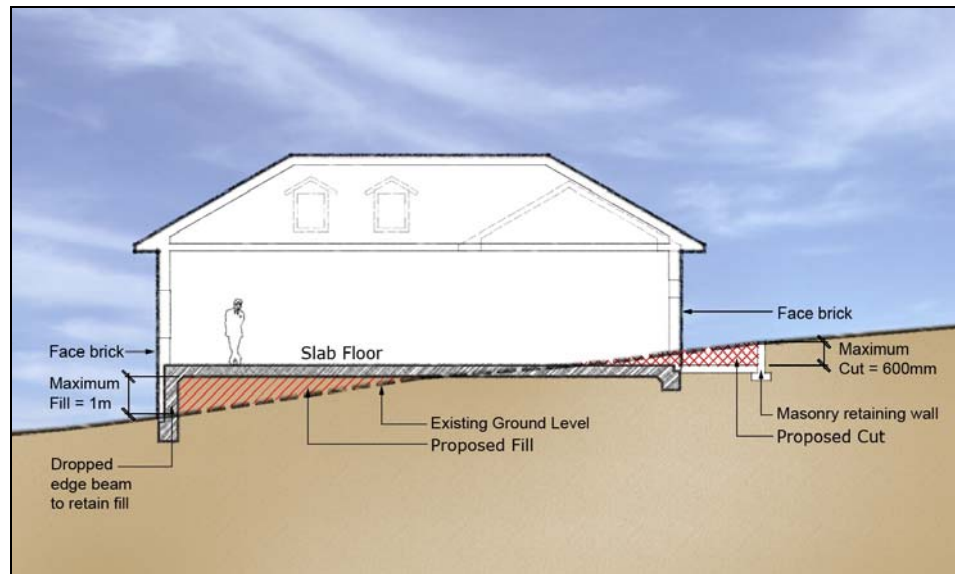


Figure 4 Example of cut and Fill on sloping block

Building Design and Appearance

Objectives

- a) To encourage designs that will enhance the character of the neighbourhood.
- b) To promote variation of building facade and design.
- c) That the building enhances the streetscape through the use of suitable built form design and landscaping.
- d) To ensure buildings address all street frontages.
- e) To discourage garages and in particular garage doors, from visually dominating the streetscape.
- f) To ensure that the building design, detailing, colour and finish shall add visual interest to the street and shall compliment the street.
- g) To ensure habitable rooms address the street.
- h) To encourage balconies over garages in two storey dwellings.
- i) To encourage steep or sloping site to build split level or stepped development.

Controls

1. Unit/s with a street frontage shall orientate the main entrance and where possible at least one living area towards the street.
2. Entry points shall be enhanced/emphasised to all dwellings especially those facing the street.
3. The first floor of the townhouse developments must be no greater than two thirds of the ground floor area.
4. Building facades shall be articulated and roof form is to be varied to provide visual variety.
5. Walls shall be a mix of masonry, rendered and or bagged, and painted, lightweight clad and painted and/or flush face brick. Justification will be required for 100% face brick facades or 100% rendered and painted brick and will be assessed on merit.
6. Facades can be articulated by:
 - The use of different materials and detailing and / or

- The inclusion of balconies, varandahs, pergolas and landscaped beds.
- 7. A sidewall must be articulated if the wall has a continuous length of over 10 m.
- 8. The entrance of each dwelling shall be emphasised.
- 9. Units built at the rear of the allotment must take into consideration privacy of neighbouring properties. The use of windows with high sill heights should be used to avoid potential privacy issues.
- 10. Driveways should avoid a 'gun barrel' effect by curving and siting of buildings, which create a driveway form with the divided carriageway separated by soft landscaping.
- 11. Attic floor space may be used when it is contained wholly within the roof pitch and will not be counted as a storey provided that the attic space is part of the dwelling unit.
- 12. Space used for car parking shall be included as a storey if the ceiling of the car parking level exceeds more than 1m above the natural ground level.
- 13. The maximum roof pitch shall be 36 degrees.
- 14. Townhouses built on steep or sloping blocks should be built of split-level construction.
- 15. Balconies are not permitted on the first floor of the side and / or rear portion of the dwelling. Balconies may be considered if they address public open space, communal open space and/or private driveways.
- 16. Blank walls in general that address street frontages or public open space are discouraged. Where they are unavoidable building elements or landscaping must be used to break up large expanses of walls. In some cases an anti-graffiti coating will need to be applied to the wall to a height of 2 metres.



Figure 5 Curving driveway

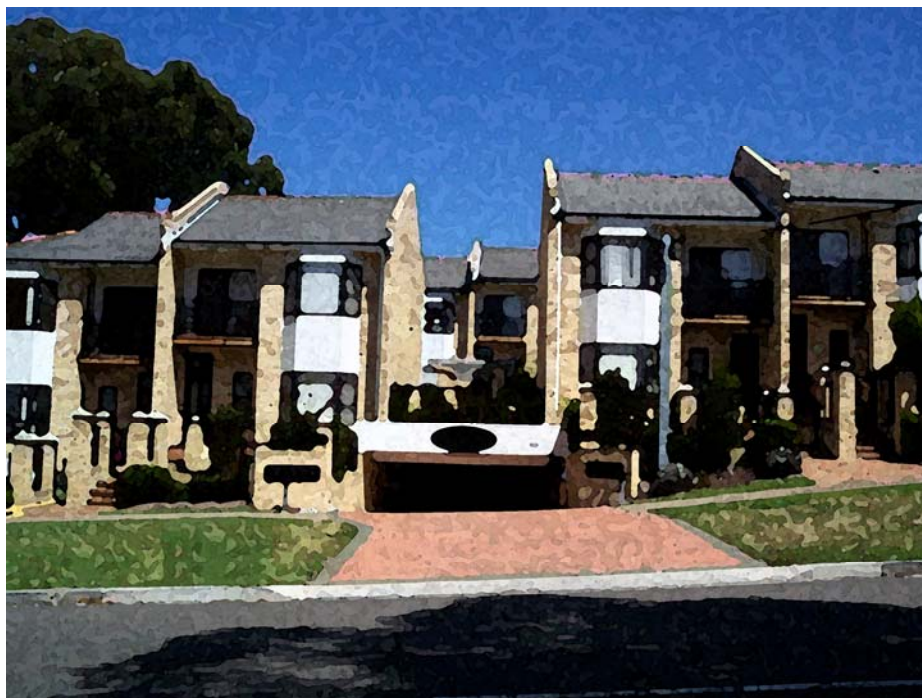


Figure 6 Terrace style Multi Dwelling Housing on a sloping site

Internal Design

Objectives

- a) The internal design must contribute to personal safety and to the protection of property by permitting casual surveillance of public spaces from private windows and entries.
- b) To provide natural surveillance from a room addressing the street.
- c) To encourage the internal design of the dwelling to take advantage of cross ventilation.
- d) To locate amenity rooms (such as laundries, bathrooms, toilets) to the side and rear of the development.
- e) To ensure that each unit provides a sufficient amount of storage for elements such as garden and sports equipment.

Controls

1. Multi Dwelling Housing located on street boundaries shall have habitable rooms located to the front of the dwelling for security and surveillance to the street.
2. Living rooms should take advantage of northern aspects where possible.
3. Access to private open space must be from at least one living room.
4. The internal layout of the dwelling must incorporate cross ventilation.
5. Bathrooms, ensuites, laundries and walk in wardrobes should be located to the side and the rear of the development.
6. Each dwelling must provide a minimum storage area of 8m³.
7. Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).

8. Car Parking and Access

Background

The provision of car parking for multiple dwellings can make a major difference to the usability and attractiveness of a residential development. In addition to the requirements in Part 1 there are requirements which are particular to multiple dwellings that need to be considered.

Objectives

- a) To provide car parking facilities on site that are convenient, safe and have sufficient space for vehicular manoeuvrability, whilst being visually unobtrusive.
- b) To ensure adequate onsite parking is available to occupants and visitors.

Controls

Internal Driveway and Car Parking Layout

1. Refer to Part 1 for requirements for minimum widths for Internal Driveways.
2. The extent of paved area for driveways shall be kept to a minimum. Driveways abutting dwellings shall be kept to a minimum.
3. Avoid large expanses of driveways, including concentrating double garages adjacent to each other.
4. Land that is unlikely to be used for manoeuvring shall be used for landscaping or for pedestrian areas and be distinguished by different materials and levels.

Refer to the illustration below.

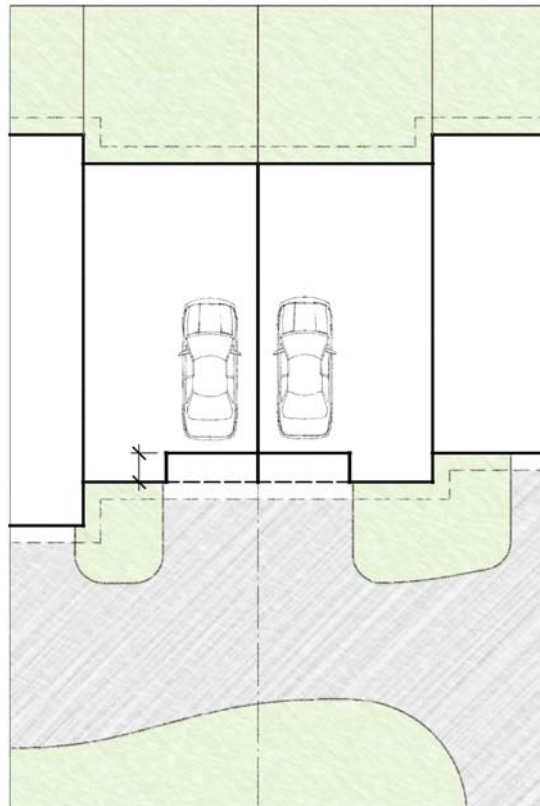


Figure 7 Garage and Driveway design

Basement Car parking

1. Basement car parking is permitted but will be included as a storey if the ceiling is located more than 1m above the natural ground level.
2. On sites that slope away from the street, underground car parking structures that protrude more than 1m above the natural ground level towards the rear will not be included as a storey where topographical features warrant and the streetscape is not adversely affected. The car parking area should be adequately obscured from visible sight by the screen planting.

Access Driveways

1. Driveways to the street shall be kept to a minimum.
2. Driveways may be permitted to individual dwellings provided that the streetscape is not adversely affected and the application complies elsewhere with the DCP.
3. Kerbs shall be provided along the edge of all internal driveways. All traffic must be able to enter and exit the site in a forward direction.

Note: Refer to Part 1 for other controls on Access Driveways

9. Landscaping and Fencing

Objectives

- a) To enhance the amenity of residential developments.
- b) To retain existing mature vegetation.
- c) To provide privacy within a residential development and to adjoining residential developments.
- d) To improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.
- e) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.
- f) To ensure the visual impact of development is minimised and integrated into the streetscape.

Controls

- 1. The setback areas of development are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas.
- 2. Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous to the locality. However, Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access.
- 3. The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (600 – 1800mm) especially along paths and close to windows and doors.
- 4. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.
- 5. Tree and shrub planting along side and rear boundaries should assist in providing effective screening to adjoining properties. The minimum height of screening to be provided is 2.5 to 3m at maturity.
- 6. Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from habitable areas of dwellings or elsewhere as appropriate for gardener access in other forms of development.
- 7. A 2m wide landscaped area shall be provided between an internal driveway and a property boundary to provide privacy to the adjoining property and to soften the appearance of the internal driveway.
- 8. Landscaping shall be provided along the side and rear boundaries to provide privacy for adjoining residents.



Figure 8 Side and rear plantings for Multi Dwelling Housing

9. A maximum of 30% of the front setback is to be paved or sealed, unless the area is used for direct access to a garage, carport or dwelling entry.

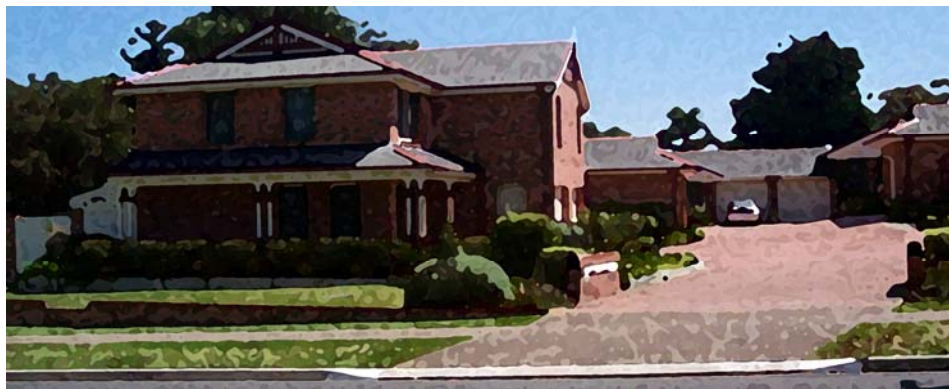


Figure 9 Front setback landscaping

10. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.
11. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.
12. Areas between a driveway and the windows of a dwelling shall be landscaped to provide privacy for the dwelling.



Figure 10 Landscaping within the front setback, with a low fence



Figure 11 Driveway landscaping for privacy

Fencing

Objectives

- a) To provide a clear distinction between common open space and private open space.
- b) To ensure fencing enhances the streetscape.
- c) To provide a visual element within the streetscape.

Controls

Primary Frontage

1. The maximum height of a front fence is 1.2m.
2. The front fence may be built to a maximum height of 1.5m *if* the fence is setback 1m from the front boundary with suitable landscaping in front of the proposed fence.
3. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.
4. The front fence must be 30% transparent.
5. Front fences shall be constructed in masonry, timber, metal pickets and/or vegetation and must be compatible with the proposed design of the dwelling.
6. The front fence may be built to a maximum of 1.8m *only if*:
 - The primary frontage is situated on a Classified Road.
 - The fence is articulated by 1m for 50% of its length and have landscaping in front of the articulated portion.
 - The fence does not impede safe sight lines from the street and from vehicles entering and exiting the site.
7. Front fences are to be constructed of materials compatible with the proposed design of the dwelling.



Figure 12 Front Landscaping and Fencing

Secondary Frontage

8. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped
9. For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the

remaining fence/wall may then be stepped up to a maximum of 1.8m . The secondary setback is the longest length boundary.



Figure 13 Secondary Street landscaping

Boundary Fences

10. The maximum height of side boundary fencing within the setback to the street is 1.2m.
11. Boundary fences shall be lapped and capped timber or metal sheeting.



Figure 14 Fencing within Setback

10. Amenity and Environmental Impact

Overshadowing

Objective

To minimise overshadowing of neighbouring dwellings and their private open space.

Controls

Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least;

- One living, rumpus room or the like; and
- 50% of the private open space.

Privacy

Objectives

- a) To site and design buildings in a manner which protects the visual and acoustic privacy of nearby dwellings and their private open space.
- b) To minimise, wherever possible, the obstruction of views from adjoining properties.

Controls

1. Building siting, window location, balconies and fencing should take account of the importance of the privacy of on site and adjoining buildings and outdoor spaces.
2. Windows to habitable rooms should be located so they do not overlook such windows in adjoining properties, other dwellings within the development or areas of private open space.
3. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.

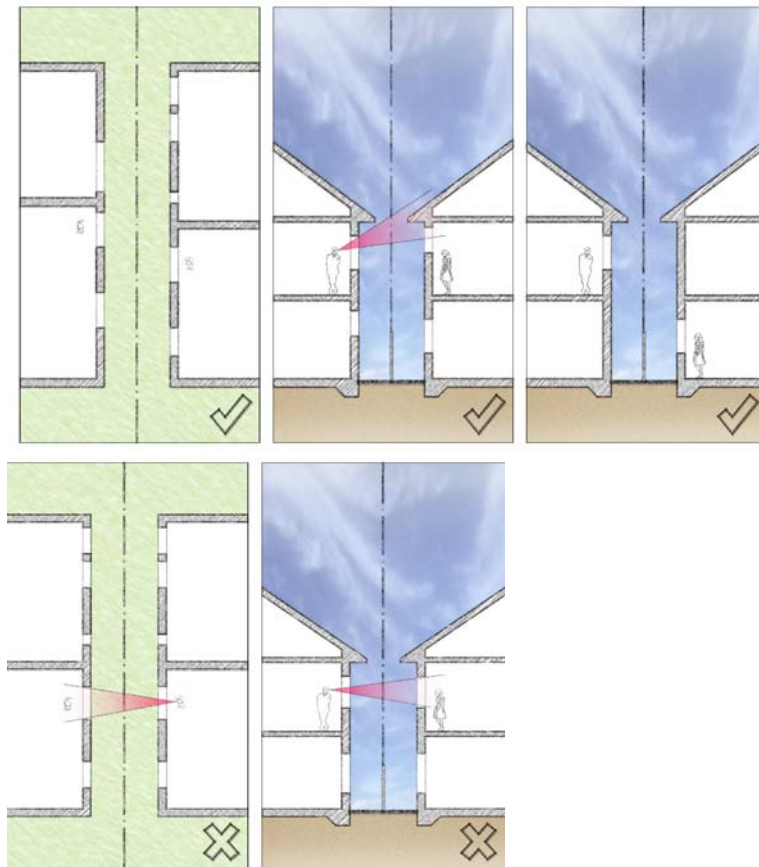


Figure 15 Privacy and Amenity

Acoustic Impact

Objective

To ensure appropriate noise and vibration attenuation measures are incorporated into residential development.

Controls

1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.
2. Developments in areas adversely impacted upon by rail or traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.
3. Where party walls are provided they must be carried to the underside of the roof and be constructed in accordance with Part F5 of the Building Code of Australia.
4. The proposed buildings must comply with the Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance.

11. Site Services

Objectives

- a) To ensure that the required services are provided.
- b) To ensure that the services provided are easily protected or maintained.

Controls

Letterboxes

1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.

Waste management

1. Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.
2. Any structure involving waste disposal facilities shall be located as follows:
3. Setback 1m from the front boundary to the street.
4. Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.
5. Not be located adjacent to an adjoining residential property.
6. Details of the design of waste disposal facilities are shown in Part 1 of the DCP.

Frontage works and damage to Council infrastructure

1. Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.
2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
3. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.

Electricity Sub Station

In some cases it may be necessary to provide an electricity sub station at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage shall be used at the side and rear of the area.



Council Administration Centre Level 2, 33 Moore Street, Liverpool NSW 2170

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NRS (National Relay Service) 133 677

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