

Liverpool Development Control Plan 2008
Development on the site at
93-145 Hoxton Park Road, 51
Maryvale Avenue, 260 Memorial
Avenue & 20 and 48 Dale Avenue,
Liverpool NSW

July 2023

Part 2.16 must be read in conjunction with Part 1

Refer to Part 3.7 for residential development in residential zones

Refer to Part 3.8 for non residential development in residential zones

**LIVERPOOL
CITY
COUNCIL**



Liverpool Development Control Plan 2008

Part 2.16 93-145 Hoxton Park Road, 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, 51 Maryvale Avenue, 260 Memorial Avenue, 20 Dale Avenue and 48 Dale Avenue, Liverpool.
2. Part 3.7 (Residential Flat Buildings in the R4 zone) and Part 3.8 (Non-Residential development in Residential zones) of the Liverpool Development Control Plan 2008 also applies to the site.

Purpose 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, 51 Maryvale Avenue, 260 Memorial Avenue & 20 and 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 shall apply 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.
- c) The development avoids site isolation.
- d) Visual, acoustic and privacy amenity is retained to adjoining residential allotments.
- e) The bulk and scale impact to the streetscape of Hoxton Park Road is minimised.
- f) Traffic impacts to the adjoining road network is minimised.
- g) Future residents of the development site have ease of access to day to day commercial needs.
- h) The development minimises impacts to existing vegetation.



Figure 1 – Land to which this Part applies

2. Specific objectives and controls

2.1 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.
- c) Promote active passageways through the site.
- d) Traffic impacts to the adjoining road network is minimised.
- e) The site provides day to day commercial needs for residents.
- f) Existing vegetation is maintained.

Controls

1. Development is to be generally in accordance with the layout in **Figure 2**:
2. Through site links shall be provided as per **Figure 2** and are:
 - a. To provide building separation that encourages a walkable environment and direct travel lines through the site.
 - b. Are 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.
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 for vehicular and pedestrian access only in consultation with Council and Transport for New South Wales as per **figure 2** below.

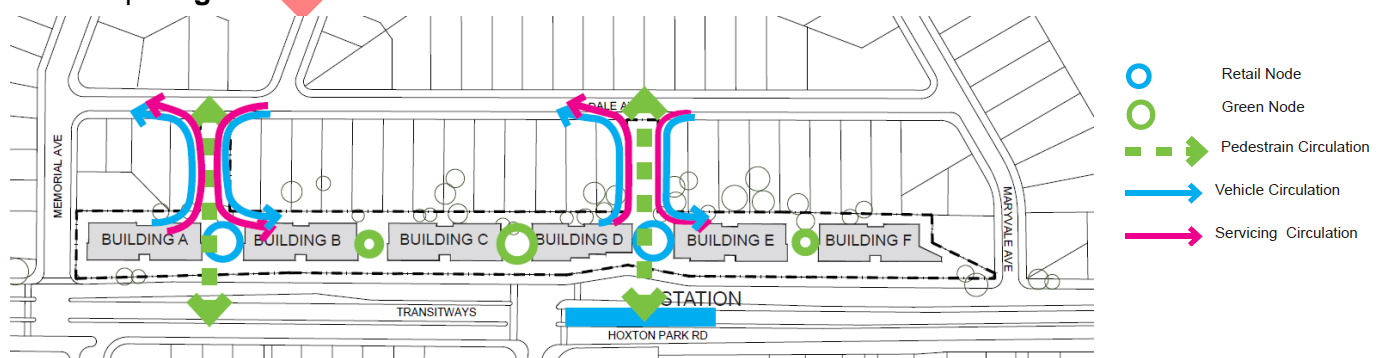


Figure 2 – Site Access and Through Site Links

2.2 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 discussion is to occur with 49 Maryvale Avenue, Liverpool to avoid site isolation to ensure a high quality development outcome. The following documentation is to be provided with a development application in the circumstances where amalgamation with 49 Maryvale Avenue cannot be achieved:

- a) Documentation demonstrating that negotiations for amalgamation between the owners of the properties have been undertaken. The documentation 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. 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 and 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.

- 2.** If variations to the planning controls are required, such as non-compliance with the minimum allotment size for 49 Maryvale Avenue Liverpool, documentation is to be submitted with a development application to demonstrate that:

- a) A future development on the subject sites will not significantly impact upon a future development of 49 Maryvale Avenue Liverpool.
- b) That development of 49 Maryvale Avenue Liverpool can be achieved with sufficient design including concept architectural plans for 49 Maryvale Avenue Liverpool 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.** If amalgamation occurs with 49 Maryvale Avenue, an additional vehicular access point from 49 Maryvale Avenue Liverpool shall be provided to reduce impact of traffic upon Dale Avenue.

2.3 Building Design

Objectives

- a) To promote a high quality designed development which provides adequate space for landscaping and public domain works, retains visual and acoustic privacy and amenity to adjoining residential allotments and for future occupants..
- b) Minimise visual bulk and scale impact of development from Hoxton Park Road.
- c) Ensure traffic impacts to the adjoining road network is minimised.
- d) Provide day to day commercial needs to future residents.
- e) Ensure the development including any basement do not impact upon existing vegetation.
- f) Ensure building elements are integrated into the overall building form/façade.
- 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 (93-145 Hoxton Park Road, Liverpool) is to contain a minimum of six buildings. The maximum width (east to west) of any building is to be 58m.
3. Any commercial use on the subject site is to be located on the ground floor only.
4. For all buildings, the front and rear (North and south elevations) building envelope for levels 5 and 6 are to be decreased by a minimum of 2m from that of the north and south elevations of the ground level to level four. (For example: If the ground level to level four north and south setbacks are each 8m, the north and south setbacks for level five and six are to be a minimum of 10m) to reduce bulk and scale, overshadowing and visual privacy impacts and increase streetscape appeal.
5. For all buildings (With the exception of the buildings adjacent to Maryvale Avenue and Memorial Avenue), the side (east and west elevations) building envelope for levels 5 and 6 are to be decreased by a minimum of 2m from that of the east and west elevations of levels ground to level four to reduce bulk and scale, overshadowing and visual privacy impacts and increase streetscape appeal.

Note: For the buildings adjacent to Maryvale Avenue and Memorial Avenue, refer to Part 3.7 (RFB in the R4 zone of LDCP2008), section 4 (Setbacks), table 2 for side setbacks.

6. Any balcony orientated towards the northern rear boundary shall not extend beyond the building envelope.
7. Residential buildings are to be designed to minimise overlooking of adjoining residential land to the north. Any high 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/louvers, glass blocks, frosted glass, higher window sill heights, vertical fins, offset vent windows and the like. These design measures to prevent overlooking are to be provided in future DAs.

8. 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.

9. Blank facades are to be avoided on Hoxton Park Road frontage and through site links and articulation is to be provided in the form of windows, balconies, indentations, offsets or other articulation features.

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2.4 Landscaping, Communal Open Space and Deep Soil Zones

Objectives

- a) To encourage soft landscaping and pervious 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 and its uses are mitigated.

Controls

1. Deep soil zones, landscaped area and communal open space areas are to be provided generally in accordance with **Figure 3** below.
2. Communal open space is not to be provided on the southern elevation (Fronting Hoxton Park Road).
3. Communal open space is to be provided on levels ground to level three only. No public access including communal open space is to be provided to the rooftop of any building to protect the amenity and privacy to adjoining residential uses.
4. Any basement is not to reduce the overall 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 within 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.

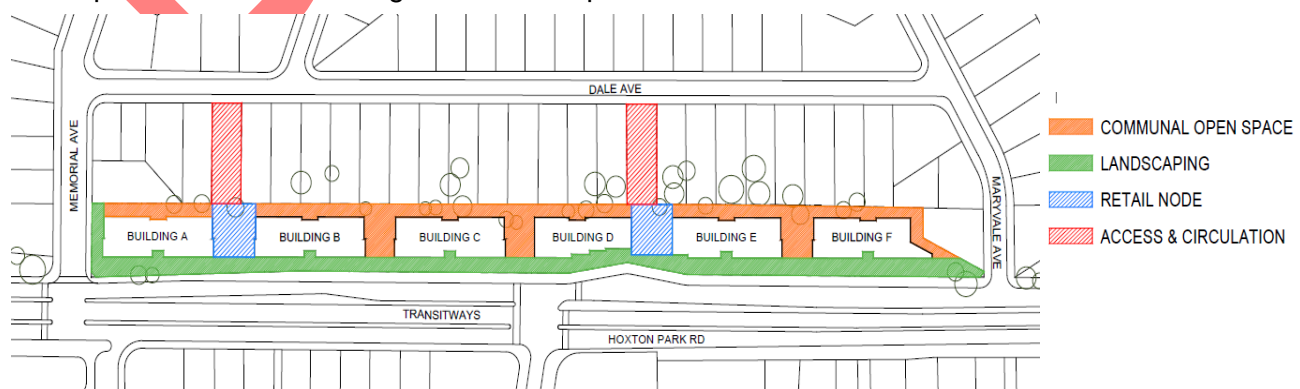


Figure 3 – Landscaping and deep soil zones

2.5 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. In addition to apartment mix requirements within the ADG, apartment buildings within the site are to provide for a variety of apartment types and sizes, ideally comprising of studio, and one to three bedroom apartments. Four and five bedroom apartments are encouraged to provide greater housing diversity and affordability choices to cater for the Liverpool Local Government Area demographics.
2. The specified diversity of dwellings on the site is as follows:
 - a. Studio and one-bedroom apartments shall not be less than 10% of the total mix of units within each development.
 - b. Three or more-bedroom apartments shall not be less than 10% of the total mix of units within each development, and
 - c. At least 10% of all apartments are to be capable of being adapted for habitation by seniors and/or persons with disabilities complying with relevant Australian Standards including AS 4299.
3. Apartments with a varying number of bedrooms (1 bedroom apartments, 2 bedroom apartments, etc) are to be located on the ground floor for accessibility by families and the elderly.
4. 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.
5. Development application architectural plans are to nominate a minimum number of apartments as being affordable housing as per the Voluntary Planning Agreement (VPA) for the subject site.

3. 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 ensure that street character, landscaping, pedestrian amenity and safety are prioritised.
- d) To provide and encourage active transport links through the site that connect to the surrounding footpath/cycle path network.
- e) To ensure basement car parking does not impact the existing vegetation on site.

3.1 Car Parking and Access

Controls

1. All vehicular access (including access by waste management and service vehicles) is to be provided via Dale Avenue, Memorial Avenue or Maryvale Avenue. No vehicular access is to be provided to or from Hoxton Park Road without prior concurrence from Transport for New South Wales.

If amalgamation occurs with 49 Maryvale Avenue Liverpool, feedback at the development application pre lodgement stage, should be sought from Council and Transport for New South Wales regarding an additional vehicular access point from 49 Maryvale Avenue Liverpool.

2. Vehicular access arrangements are to provide for forward entry and exit from the site including for commercial/residential waste collection/delivers .
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 and designed in consultation with Council's Traffic and Transport section.
5. All vehicle parking is to be provided below ground, is not to reduce the deep soil requirements of the ADG and is not to impact upon the existing mature trees located on the northern (rear) and southern (Hoxton Park Road) frontages.
6. The minimum number of car parking spaces provided for visitors, staff, and residents of any development on the subject sites is to be in accordance with part 1 of Liverpool DCP 2008.

3.2 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. Pedestrian/cycling pathways are to provide adequate sightlines for cyclists and pedestrians and are to connect 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. (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).
6. Bicycle parking is to be provided in accordance with rates specified by the Liverpool Development Control Plan 2008.
7. Ground floor apartments are to provide private secure bicycle parking facilities.

4. 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 construction works protect identified trees.
- c) To ensure that trees providing high ecological or amenity benefits are protected.
- d) To provide a minimum 40% tree canopy cover.

Controls

1. The building, including basement envelope, is to ensure the development provides the minimum requirement for deep soil as per the ADG and that the development, including basement envelope, ensures minimal impact upon the existing vegetation including existing mature trees located along the northern (rear) and southern (front Hoxton Park Road) boundaries in accordance with **Figure 4**.
2. An Arborist Report prepared by a minimum AQF level 5 Arborist is to be submitted with any development application.
3. Where tree removal cannot be avoided, each tree, recommended to be removed as per an Arborist Report prepared by a minimum AQF level 5 Arborist, is to be replaced at a two to one replacement ratio of a similar species and mature height, as recommended within the Arborist Report prepared by a minimum AQF level 5 Arborist. Replacement tree selection shall predominantly comprise of native species.
4. The development shall consider part 1, section 3 (Landscaping and incorporation of existing trees) of Liverpool DCP 2008.
5. The design of development for the site shall provide a minimum 40% tree canopy cover.



Figure 4 – Green Space diagram

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