

# **Liverpool Development Control Plan 2008**

## **Part 8**

### **Dwelling houses & class 10 structures on lots greater than 300m<sup>2</sup> but less than 900m<sup>2</sup> in the R1, R2, R3 zones**

19 January 2017

**Part 8 must be read in conjunction with Part 1**

Check if any Locality Parts also apply



**Liverpool Development Control Plan 2008**  
**Part 8 - Dwelling houses & class 10 structures**  
**on lots greater than 300m<sup>2</sup> but less than 900m<sup>2</sup>**  
**in the R1, R2, R3 zones**

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## **A. Preliminary**

### **Applies to**

1. Part 8 applies to Dwelling Houses & Class 10 Structures on lots greater than 300m<sup>2</sup> and less than 900m<sup>2</sup> in the R1 – General Residential, R2 – Low Density Residential and R3 – Medium Density Residential within the Liverpool Local Environmental Plan 2008 (LLEP 2008), except as provided below.
  - a) Part 8 only applies to Dwelling Houses or Class 10 structures that fully comply with the development standards within Part 8;
  - b) Part 8 does not apply to land that is zoned under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and under State Environmental Planning Policy (State Significate Precincts) 2005, or State Environmental Planning Policy (Western Sydney Parklands) 2009.
  - c) Part 8 does not apply to land that is affected by the following property constraints:
    1. Environmentally Significant Land (ESL)
    2. Medium and High Flood Risk
    3. BAL 40 or Flame Zone (Bushfire)
    4. Hatchet shaped allotments
    5. An allotment containing a heritage item or land within a heritage or draft heritage conservation area
    6. An allotment affected by ANEF contours
    7. An allotment affected by Class 1 Acid Sulfate Soil

**Note 1:** Developments that do not meet the above criteria must address the applicable part of the Development Control Plan applying to the land, and

**Note 2:** This DCP is to be read in conjunction with the electronic Fast Track application form

### **Lodgement of a Development Application (DA) under Part 8**

A development application under Part 8 must be lodged:

- a) electronically via the Liverpool City Council ePlanning Portal at [www.liverpoolplanning.com.au](http://www.liverpoolplanning.com.au); and
- b) in the form prescribed by the Liverpool City Council FastTrack lodgement program.

**Note:** Liverpool City Council provides an online FastTrack lodgement form for all development applications lodged under Part 8 of this DCP. Council provides onsite lodgement services for applicants without access to the internet or a computer at 33 Moore Street, Liverpool NSW 2170.

### **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 minimise privacy impacts for residents and neighbouring properties.
- c) To provide for a variety of housing choice within residential areas within the Liverpool Local Government Area (LGA).

# 1. Development controls

## Landscaping and trees

- 1.1. The proposed development provides a minimum landscaped area in accordance with Table 1:

Table 1 – minimum landscaped area (%)

Lot size	Minimum landscaped area
300m <sup>2</sup> – 599m <sup>2</sup>	25%
600m <sup>2</sup> – 899m <sup>2</sup>	30%

**Note:** Landscaped area is a part of a site used for growing plants, grasses and trees, but does not include any building, structure, pool or hard paved area.

- 1.2. At least 50% of the above area requirement must be located behind the building line.
- 1.3. The proposed development provides landscaped area within the front setback of the property in accordance with Table 2:

Table 2 – minimum landscaped area within front setback (%)

Street Frontage	Minimum landscape area within front setback
18m or less	25%
Greater than 18m	50%

- 1.4. Private open space of at least **4.0m x 6.0m** must be provided in the rear setback of the site.
- 1.5. Private open space must be readily accessible from at least one living area.
- 1.6. Any tree located further than **3.0m** from an existing or proposed dwelling house or class 10 structure and which has a height greater than **3.5m** is not to be removed (separate Council tree removal permit required).

## Driveways, drainage and infrastructure

- 1.7. The driveway crossover is located **6.0m** from the corner (tangent point) of all street corners, roundabouts and conforms to Council's standard requirements for vehicle crossings as detailed in Council's Design and Construction Specifications.
- 1.8. The Driveway is clear of all street infrastructure and street trees, including power poles, gulley pits and drains.
- 1.9. All structures must be clear of any registered easement.

- 1.10. The subject property must be connected to reticulated water and sewer infrastructure.
- 1.11. The proposed development can lawfully drain to a street or via a registered drainage easement by gravity.

**Built to boundary walls**

- 1.12. Built to boundary walls are only permitted where a neighbouring access/maintenance easement with a width of no less than **0.9m** is provided on the adjoining property.
- 1.13. The maximum length of a built to boundary wall is no longer than **9.0m** with the remainder of the wall setback at least **0.9m** from the side setback.

**Cut and fill**

- 1.14. Cut or fill must not be more than **1.0m** in depth and all retaining structures must be located completely within the property boundary.

## 2. Additional controls for a dwelling house

### Setbacks

- 2.1. The house and any attached garage must comply with the setback requirements identified by **Table 3 – dwelling house and attached garages**.

Table 3 - dwelling house and attached garages

Setback type	Ground floor	First floor	Attached garage	Balcony
<b>Front setback</b>	4.5m	4.5m	5.5m	4.5m
<b>Classified road</b>	7.0m	7.0m	8.0m	7.0m
<b>Front articulation*</b>	Articulation components may encroach into the front setback by 1.0m	1.0m	NA	Balcony components may encroach into the front setback by 1.0m
<b>Secondary street setback</b>	2.0m	2.0m	5.5m	2.0m
<b>Side setback</b>	0.9m	>450m <sup>2</sup> - 1.2m ≤450m <sup>2</sup> – 0.9m	0.9m	Refer to 2.4
<b>Zero lot boundary</b>	0.18m (no windows)	1.2m	0.18m (no windows)	Not permitted
<b>Rear setback</b>	4.0m	6.0m	4.0m	Refer to 2.4

\***Note:** front articulation includes— verandas, balconies, windows, wall indents, changes in finishes, entries, front porches.

### Car parking and attached garages

- 2.2. Two car parking spaces must be provided for each dwelling with at least one car parking space provided behind the front building line.
- 2.3. Doors to an attached garage must not form more than 50% of the front façade of a dwelling house where located on an allotment with a width greater than 12m. For lots narrower than 12m a maximum width of 4.85m is permitted

### Balconies

- 2.4. Balconies are only to be located on elevations facing a street from which legal access is permitted or public land.

### Privacy

- 2.5. All window sills in first floor habitable rooms (other than bedrooms) must be **1.5m** above finished floor level unless facing a street, parkland or reserve.

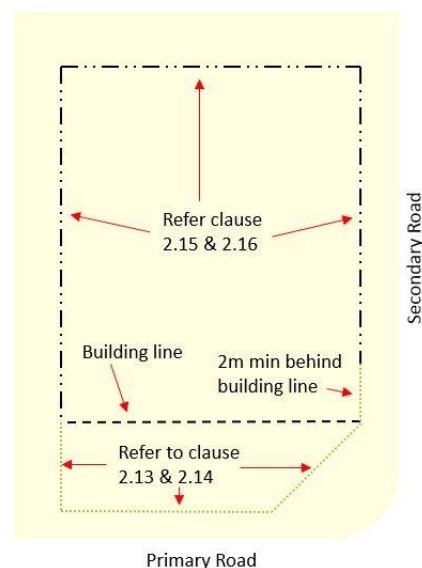


## Streetscape and amenity

- 2.6. The dwelling addresses all street frontages by incorporating a mixture of verandas, balconies, windows, wall indents, changes in finishes, entries and front porches.
- 2.7. A dwelling, other than a dwelling on a battle-axe lot, must have a front door and a window to a habitable room in the building wall that faces a primary road.
- 2.8. Windows facing a street frontage must not be frosted glass.
- 2.9. The wall of a two storey dwelling must be articulated if the wall has a continuous length of over 14.0m for lots greater than 600m<sup>2</sup>.
- 2.10. The house must not have any windows located on zero lot boundaries.
- 2.11. The finished ground floor level must not be greater than **1.0m** above the ground level (existing).

## Fencing

- 2.12. If the fence is located on bush fire prone land—be constructed of non-combustible materials
- 2.13. Fencing located in front of the building line referred to in Table 3 is to have a maximum height of 1.2m above finished ground level with 30% transparency.
- 2.14. A fence on a sloping site that is required to be not more than 1.2m above finished ground level must not be more than 1.5m above finished ground level at each step with 30% transparency.
- 2.15. Fencing located behind the building line referred to in Table 3 is to have a maximum height of 1.8m above finished ground level.
- 2.16. A fence behind the building line on a sloping site that is required to be not more than 1.8m above finished ground level must not be more than 2.2m above finished ground level at each step
- 2.17. A fence to the frontage with a secondary road shall be behind the building line and comply with points 2.12, 2.15 and 2.16 above as applicable – refer to Figure 1.



**Figure 1**

### 3. Additional controls for class 10a structures

#### Setbacks

- 3.1. All Class 10a structures must comply with the setback requirements identified by **Table 4 – class 10a structure setbacks**

Table 4 - class 10a structure setbacks

Setback type	Sheds	Carport in front of building line	Carport behind building line	Garages	Awnings at ground level	Awnings over deck
Front setback	15.0m	1.5m	5.5m	5.5m	4.5m	4.5m
Secondary street setback	2.0	2.0m	2.0m	2.0m	2.0m	2.0m
Side setback	0.9m	0.9m	0.5m for up to 6m in length and 0.9m for part greater than 6.0m in length	0.5m	0.9m	1.0m for deck heights up to 0.9m 2.0m for deck heights up to 1.5m
Zero lot boundary	Between 0.05m – 0.18m	0	0	Between 0.05m – 0.18m	0	0
Rear setback	1.0	NA	0.9m	0.9m	0.9m	4m
Max Floor Area	36sqm	36sqm	36sqm	36sqm	45sqm	40sqm
Max Height (from ground level (existing))	Flat or skillion 2.7m Pitched 3.6m	3.6m	Flat or skillion 2.7m Pitched 3.6m	Flat or skillion 2.7m Pitched 3.6m	Flat or skillion 2.4m Pitched 3.6m	2.4m to ceiling or roof pitching point

#### Carports

- 3.2. Carports that are located forward of the building line must comply with the following—
- 3.2.1. The carport has a pitched roof or roof design that matches the existing dwelling;
  - 3.2.2. Posts or columns are constructed of masonry;
  - 3.2.3. The carport is not enclosed by walls, doors or screens;
  - 3.2.4. The carport incorporates a ceiling.

## 4. Swimming Pools

### Setbacks

- 4.1. The Class 10b structure (swimming pool) must comply with the setback requirements identified by **Table 5 – swimming pool setback**.

Table 5 - swimming pool setback

Setback type	Ground floor
Front setback	4.5m
Side setback	0.5m
Rear setback	0.5m

### Location and design

- 4.2. Pools are only located in a front setback where there is a secondary street frontage.
- 4.3. For resuscitation purposes, there is a space measuring **2.0m x 2.0m** clear of all obstructions within the pool area and located adjacent to at least one pool access point.
- 4.4. Where backwash water is produced, the filtration equipment discharges to sewer.
- 4.5. The pool excavation is located outside the zone of influence of any adjacent structure, or a structural engineer has certified that there are no structural impacts to adjoining properties.
- 4.6. Where the pool is located less than **1.0m** from a boundary, the pool coping is designed to collect water spilling from the pool.
- 4.7. No decking is proposed that is more than **0.6m** above ground level.

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