

Liverpool Development Control Plan 2008  
Part 3.3  
Dwelling Houses on Hatchet Shaped Lots  
in the R2, R3 and R4 zones

19 February 2014

Part 3.3 must be read in conjunction with Part 1  
Check if any Locality Parts also apply



# Liverpool Development Control Plan 2008

## Part 3.3 Dwelling Houses on Hatchet Shaped Lots

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# 1. Preliminary

## **Applies to**

1. Part 3.3 applies to Dwelling houses on all hatched shaped blocks in the R2 – Low Density Residential and R3 - Medium Density Residential except as provided below.
2. Part 1 of the DCP also applies to the land.
3. The following Parts also apply to development as these Parts only provide controls for the Public Domain, in particular the proposed street layout.
  - Part 2.1 Casula Green Valley.
  - Part 2.2 Hoxton Park, Carnes Hill and Prestons.
  - Part 2.13 Pleasure Point.
4. Part 3.3 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).
  - Voyager Point (Refer to Part 2.8 for all controls on residential development).
  - Edmondson Park (Refer to Part 2.11 for all controls on residential development).

## **Background**

Due to an existing subdivision pattern or a particular landform there may be an opportunity to create a residential lot, which only has a frontage to a street from an access handle (refer to minimum lot widths within Liverpool Local Environmental Plan 2008). Dwelling houses on hatchet shaped lots have some different impacts from dwelling houses on lots that face the street. There is a need to be more sensitive to neighbouring properties in terms of privacy, over shadowing and built form.

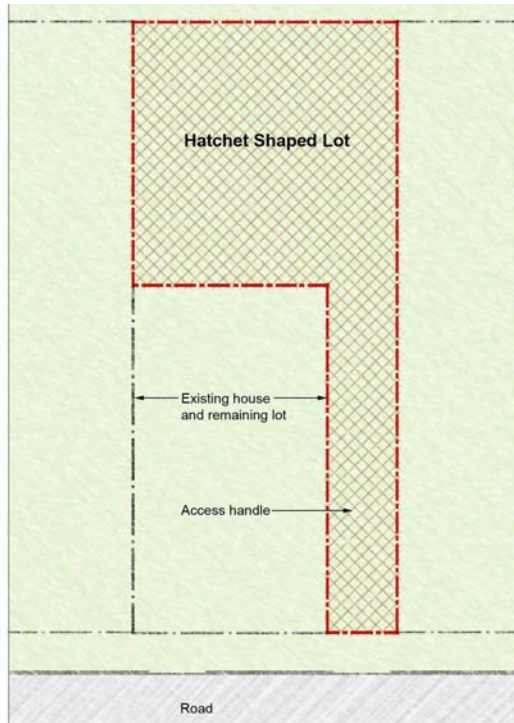


Figure 1 Example of a Hatchet Shaped Lot

## **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. Site Planning

### **Objectives**

- a) To ensure that the dwelling house is sensitive to site attributes, such as privacy, over shadowing, built form, natural landform, existing vegetation, views, land capability and, if relevant, heritage items.
- b) To ensure that the site layout enables the area of private open space to be maximised and provides a good level of solar access to all private open spaces (including neighbouring properties).
- c) To ensure privacy for residents and neighbours.
- d) That the access handle enhances and compliments the appearance of the development.
- e) That the access handle can cater for traffic movements associated with additional re development.

### **Controls**

1. The dwelling layout must be designed around the site attributes such as slope, existing vegetation, existing dwellings, land capability, private open space and/or solar access.
2. There must be a direct link from at least one living area to the principal private open space.
3. A maximum of two hatchet shaped lots may share one access handle.
4. An access driveway shall be a minimum of 5m wide. The access driveway shall be a maximum of 3m wide and be landscaped on either side.
5. 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.

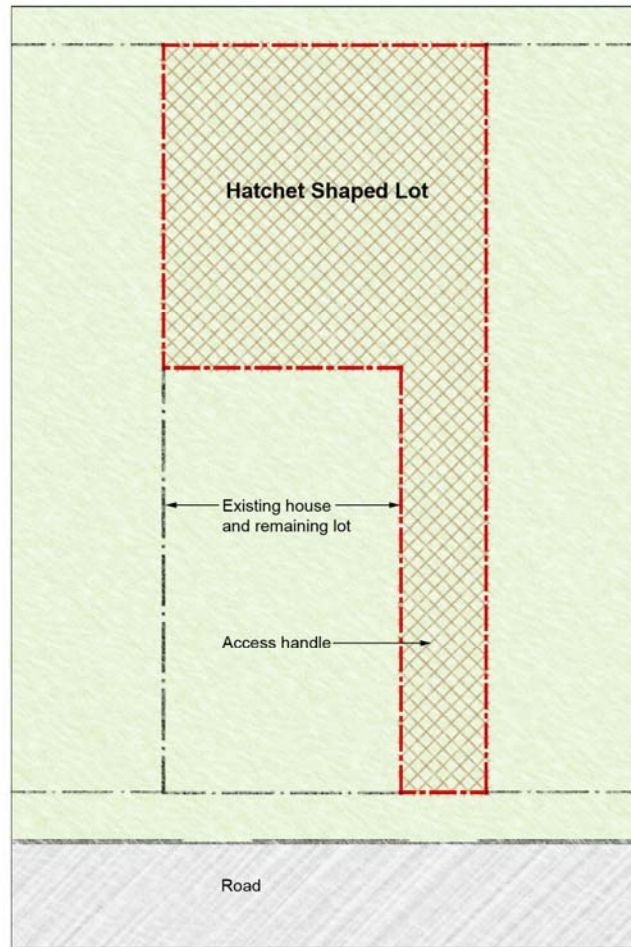


Figure 2 Hatchet Shaped Block



### 3. Density and Setbacks

#### Density

##### Objective

- a) To maintain a low density residential development.
- b) To permit dwelling houses that does not adversely impact on the surrounding areas.

##### Controls

1. Detached dwellings are only permitted on hatchet shaped lots (Attached dwellings and Semi-detached dwellings are not permitted on hatchet shaped blocks).

#### Setbacks

##### Objectives

- a) To setback the dwelling from neighbouring properties.
- b) To set dwellings back from each other to provide visual and acoustic privacy.
- c) To provide for reasonable space for landscaping, private open space, privacy and solar access.
- d) To provide an area within the site for vehicular manoeuvrability, in order for vehicles to leave the property in a forward direction.
- e) To maximise the amount of area capable of allowing the growth of trees and shrubs.

##### Controls

#### Front setback

1. The setback from the boundary to the site adjoining the access driveway is 1.2m (see Figure 3).

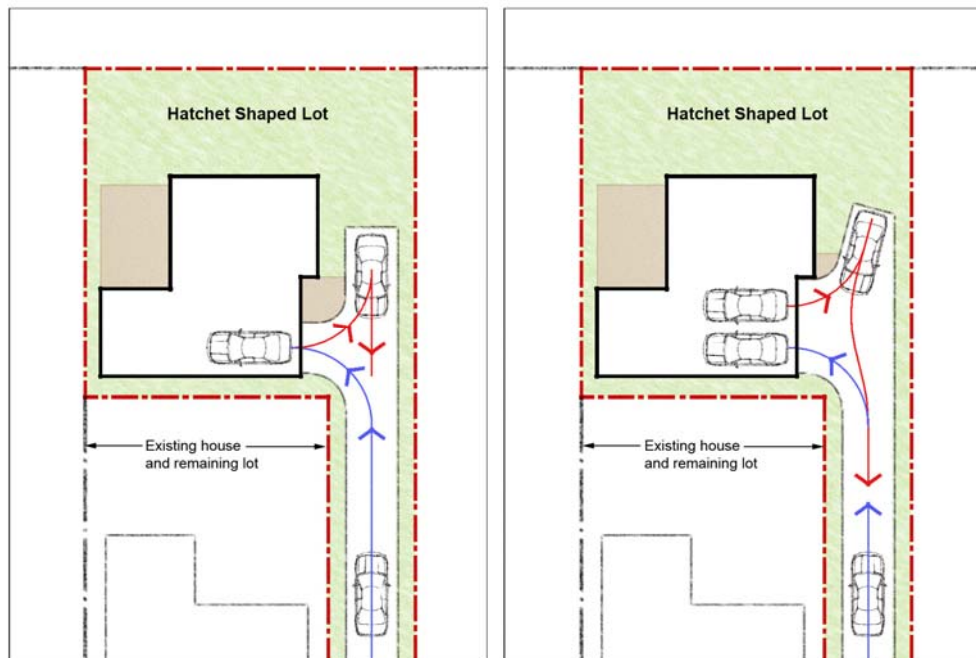


Figure 3 Driveway Layout and access

## Side and Rear Setbacks

1. Buildings shall be setback from the side and rear boundaries in accordance with Table 1.

Table 1 Side and Rear Setbacks

Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9m	4.0m
Height above 3m from the existing ground level	5.0m	7.0m
Living room doors (such as family, dining or rumpus rooms)	4.0m	7.0m

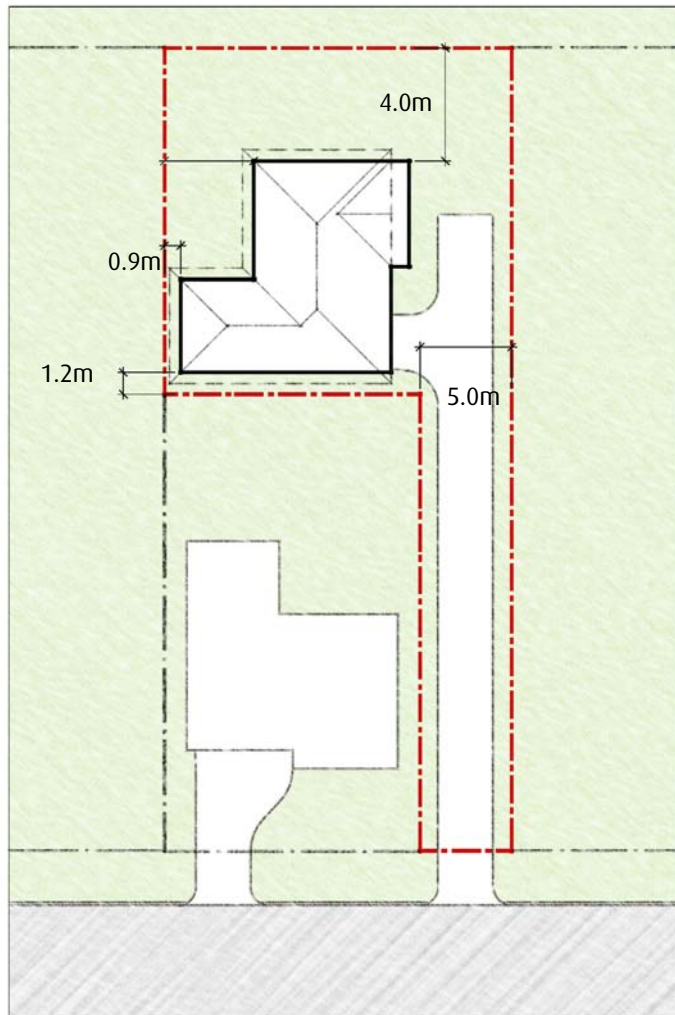


Figure 4 Hatchet block setbacks

*Note: Generally the side boundary runs perpendicular to the street and the rear boundary runs parallel to the street.*

2. 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 should open out to open space.
3. Zero lot building line on hatchet shaped lots is not permitted.

## 4. 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 reduce the amount of impervious areas.
- d) To enhance the existing streetscape and soften the visual appearance of the dwelling.
- e) To maximise the amount of landscaped area within the front setback of the dwelling.

#### **Controls**

1. A minimum of 25% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas (See Figure 5).
2. A minimum unincumbered area of 4 x 6m shall be provided in rear setback to accommodate deep rooted trees.
3. A minimum of 50% of the front setback area shall be Landscaped Area.
4. A minimum unincumbered area of 3 x 5m shall be provided in front 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 and Principal Private Open Space areas are located adjacent to internal living areas.
- 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 must provide a minimum amount of Private Open Space in accordance with Table 3.

Table 2 Private Open Space

Lot size	Minimum area of Private Open Space
400m <sup>2</sup> and 599m <sup>2</sup>	70m <sup>2</sup>
600m <sup>2</sup> and over	80m <sup>2</sup>

2. Areas less than 2.5 m in width does not qualify as Private Open Space.
3. Private Open Space areas are not permitted within the primary street setbacks.
4. The Private Open Space must have an area for clothes drying with at least 3 hours of full sun between 9.00am and 5.00pm at 21 June.
5. The Private Open Space shall include a Principal Private Open Space area, which is directly accessible from the main living area of a dwelling with a minimum dimension of 4 x 6m.
6. The Principal Private Open Space must receive 3 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.
7. Where the Principal Private Open has a predominately northern aspect Clause 6 (above) does not apply.

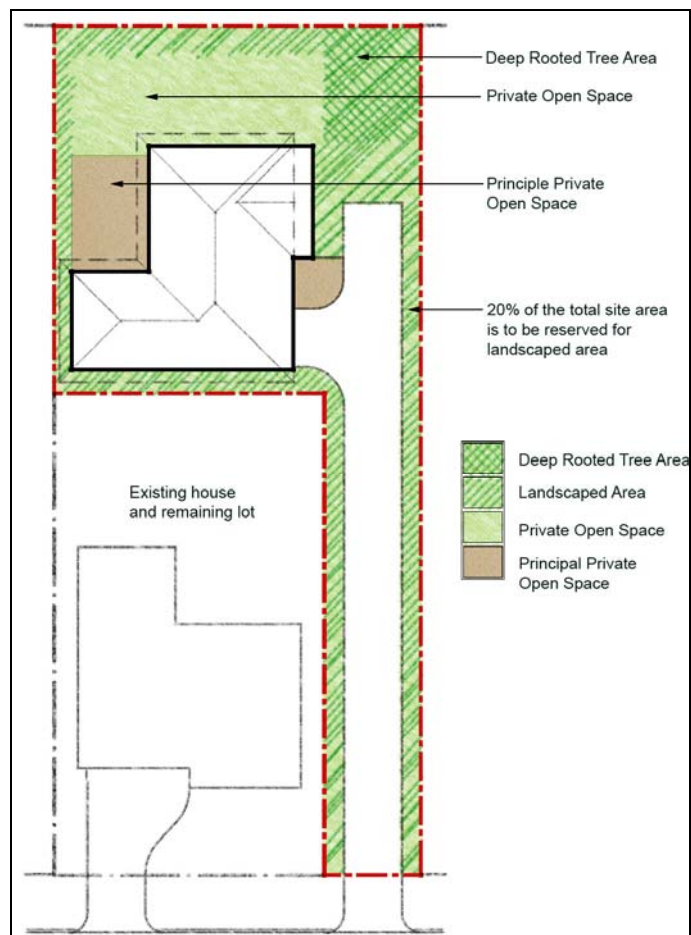


Figure 5 An example of Landscaped Area and Private Open Space.

## 5. 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 600mm.
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 1m. 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.

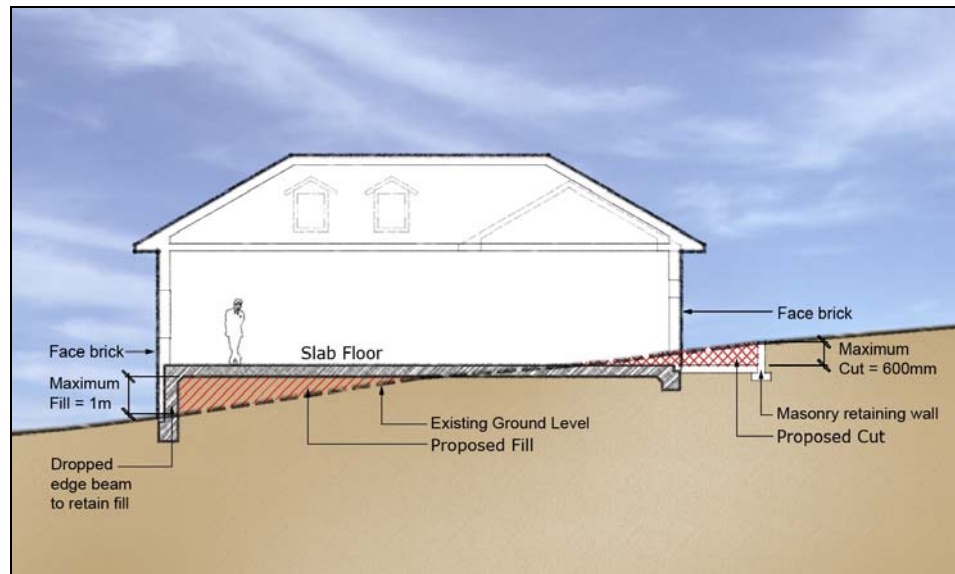


Figure 6 Cut and Fill

## Building Design and Appearance

### Objectives

- a) To encourage designs that will enhance the character of the neighbourhood.
- b) To encourage buildings of a low scale that do not overshadow neighbouring properties windows, buildings and private open space.

### Controls

1. Building facades shall be articulated and roof form is to be varied to provide visual variety.
2. Eave overhang must provide for sun shading and protect windows and doors. Eaves should have a minimum overhang of 400mm and be provided to a minimum of 70% of the dwelling.
3. The maximum width of garage doors or carports must be no greater than 50% of the building frontage width.
4. Garages and carports must be designed to be the minor element of the façade.

## Internal Design of Dwellings

### 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 passive surveillance where the site adjoins public open space.
- 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 or rear of the development.
- e) To ensure that each dwelling shall provide a sufficient amount of storage for elements such as garden and sports equipment.

### Controls

1. All dwellings shall have habitable rooms located to the front of the dwelling for security and surveillance.
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 or the dwelling.
6. Each dwelling must provide a minimum storage area of 8m<sup>3</sup>.
7. Where a dwelling has frontage to public open space, the dwelling shall be oriented to address the public open space.
8. Balconies may be permitted addressing public open space.

## 6. Landscaping and Fencing

### Landscaping

#### Objectives

- a) To retain existing mature trees within the site in a way which ensures their ongoing health and vitality.
- b) To provide privacy, summer shade and allow winter sun.
- c) To enhance the existing streetscape and visual appearance of dwellings.
- d) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.
- e) To ensure the visual impact of development is minimised and integrated into the streetscape.

#### Controls

1. The front and rear 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 the front and rear setback areas.
2. At least one tree shall be planted in the landscaped areas. The tree must reach a mature height of over 8m.
3. Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. 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.
4. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.
5. A landscape plan must be submitted to Council with the development application. Refer to Part 1 of the DCP.

Note: It is important to retain significant vegetation to maintain an existing streetscape and enhance the visual appearance of new dwellings.



## **Fencing**

### **Objectives**

- a) To provide a clear transition between public and private areas.
- b) To ensure fencing enhances the streetscape.

### **Controls**

1. Wall finishes must have low reflectivity.
2. Front fences are to be light coloured and low in height or open form.
3. Fences should not prevent surveillance by the building's occupants of the main open or communal areas within the property or the street frontage.

### **Primary Frontage**

1. The front of the access driveway is not permitted to be gated at the property boundary for hatchet blocks.
2. Front fencing along the accessway shall be no greater than 1.2m high within the front setback area.

### **Frontage to Open Space**

1. The maximum height of a fence is 1.2m.
2. Fences should not prevent surveillance by the dwelling's occupants of the open space.
3. The fence must be 30% transparent.
4. Fences shall be constructed in masonry, timber and/or vegetation and must be compatible with the proposed design of the dwelling.

### **Boundary Fences**

1. The maximum height of side boundary fencing within the setback to the street is 1.2m.
2. Internal boundary fences shall be lapped and capped timber, masonry or metal sheeting.

## 7. Car Parking and Access

### Objectives

- a) To provide car parking facilities on site that are convenient, safe and have sufficient space for vehicular manoeuvrability.
- b) All vehicles must be able to enter and exit the driveway in a forward direction.
- c) To minimise the need for on street car parking from new dwellings.

### Controls

1. Two car parking spaces shall be provided for each dwelling.
2. All dwellings on hatchet shaped lots must provide a turning area to allow cars to enter and exit in a forward direction (See Figure 7).
3. A car parking space is to have a minimum dimension of 2.5 x 5.5m.
4. A single garage is to be a minimum of 3 m wide internally and unobstructed.

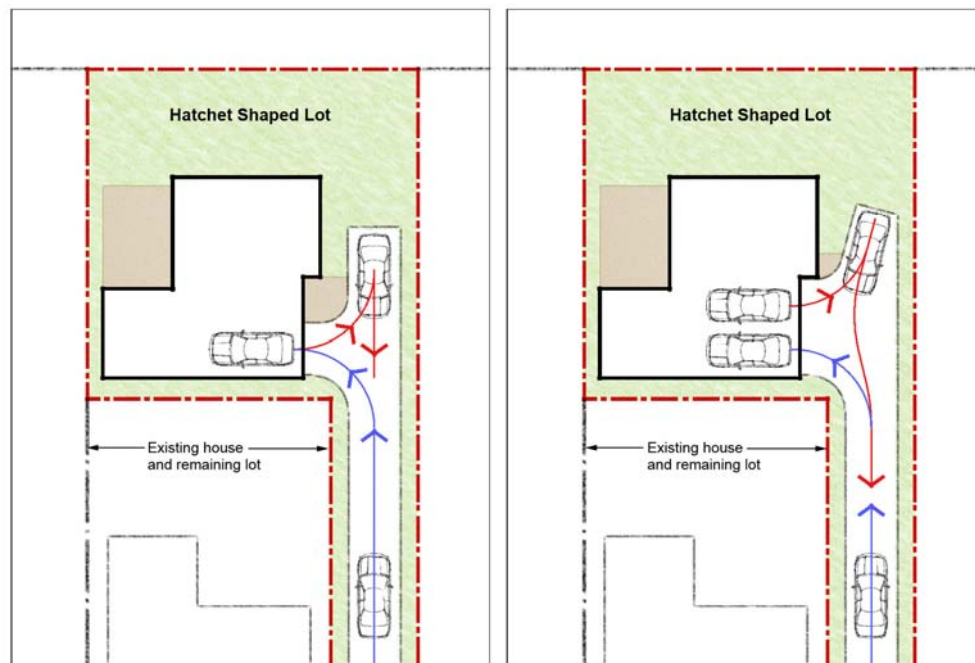


Figure 7 Garage Design

## 8. 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 room, rumpus room or the like; and
- 50 percent of the private open space.

### Privacy

#### Objective

To site and design buildings in a manner which protects the visual and acoustic privacy of nearby dwellings and their private open space.

#### Controls

1. Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling (see Figure 9).
2. Habitable room windows to the side and rear are to avoid unreasonable overlooking (see Figure 9) dwellings and their private open space.
3. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.

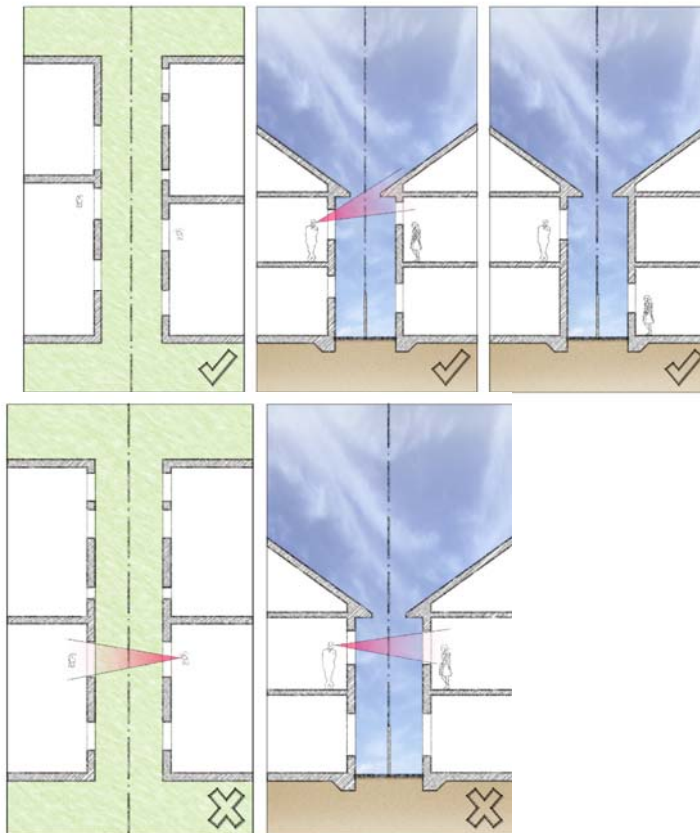


Figure 8 Plan views of windows being offset

## **Acoustic Privacy**

### **Objective**

To ensure appropriate noise and vibration attention 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.

## 9. 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**

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.

## 10. Secondary dwellings (Granny Flats)

### **Objective**

To provide housing choice within a standard residential lot for the use of a separate dwelling within the existing title.

### **Controls**

1. A Secondary dwelling can be a maximum of one storey high, unless the granny flat is above the garage facing a rear laneway, where the granny flat must be one storey high above the garage.
2. A Secondary dwelling should be attached to the main dwelling, as provided by Part 2 of the DCP. However, Council may consider applications for detached granny flats on a merit base.
3. A Secondary dwelling should compliment the main dwelling design by using the same style of construction and a similar colour.

Note: Secondary dwellings are included in the overall floor space ratio of a property, and only one Secondary dwelling is permitted per lot.



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