

Liverpool Development Control Plan 2008

Part 6

Development in Business Areas

25 July 2014

Part 6 must be read in conjunction with Part 1

Check if any Locality Parts also apply

Liverpool Development Control Plan 2008

Part 6 Development in Business Areas

Table of Contents

1. Preliminary	5
2. Subdivision, Frontage and Allotment Size.....	7
3. Site Planning	8
4. Setbacks.....	10
5. Landscaped Areas and Pedestrian Areas.....	12
6. Building Form, Streetscape and Layout	14
7. Landscaping and Fencing.....	22
8. Car Parking and Access	27
9. Amenity and Environmental Impact	29
10. Site Services	30
11. Non Business Uses	31
12. Shop Top Housing.....	32
12.1 Building Design, Streetscape and Layout.....	32
12.2 Landscaping and Fencing	46
12.3 Car Parking and Access.....	47
12.4 Amenity and Environmental Impact.....	50
13. Restaurants/Outdoor Cafes	54
14. Child Care Centres.....	57
15. Telecommunications Facilities	60
16. Used Clothing Bins	62
17. Service Stations.....	64
18. Restricted Premises	65
Appendix – Outdoor Cafes	67

Table of Figures

Figure 1 Landscaping, Vehicular and Pedestrian Access	13
Figure 2 Neighbourhood Centre redevelopment with Shop Top Housing	16
Figure 3 Indoor/Outdoor Transition.....	17
Figure 4 Integration of public transportation	18
Figure 5 Corner Sites	18
Figure 6 Shop Top Housing.....	19
Figure 8 Building design.....	20
Figure 9 B5 Business Development & B6 Enterprise Corridor Pedestrian Access.....	21
Figure 10 Landscaping around a Local Centre	24
Figure 11 Landscaping around the Business Development and Enterprise Corridor zones	26
Figure 12 Reducing the visual impact of multi-storey car parking	28
Figure 13 Pedestrian Access.....	28
Figure 14 Shop Top Housing Designs.....	34
Figure 15 Shop Top Housing Designs.....	35
Figure 16 Shop Top Housing Roof Design	36
Figure 17 Ground Floor Entry to Shop Top Housing.....	38
Figure 18 Solar Access and Air Circulation within Shop Top Housing	41
Figure 19 Car Parking at grade	49
Figure 20 Balconies and Screening.....	51
Figure 21 Privacy, balconies and screening	52
Figure 22 Outdoor cafe seating on 6m wide footpath	54
Figure 23 Placement of outdoor seating areas cannot interfere with pedestrian road access.....	55

List of Tables

Table 1 Business Development Setbacks	11
Table 2 Enterprise Corridor Setbacks.....	11

1. Preliminary

Applies to

This part applies to all land in business zones under *Liverpool LEP 2008* except the Liverpool City Centre. See Part 4 for the Liverpool City Centre.

Part 1 of the DCP also applies.

Background

Range of Business Areas

Liverpool has a range of business areas. The largest is Liverpool City Centre, which is identified as a Region Centre for South Western Sydney.

Local Centres (B2 zones)

Below this are a number of “shopping mall” centres, each with at least one supermarket and a range of speciality shops. Carnes Hill and Casula also have discount department stores. These centres generally consist of one large building with associated on site car parking, generally at the front of the building and loading at the rear. Some have internal malls. They are generally located on the busier collector streets or sub-arterial roads and consequently have a significant amount of traffic and bus movement around them. There are also a congregation of services, such as health care professionals locating across the street in the residential zone. There is also Council Community and Recreation Facilities often located adjacent to these centres. In this way these centres become multipurpose centres where residents may often congregate.

Local Centres are in the B2 zones.

Neighbourhood Centres (B1 zones)

Below these centres are neighbourhood centres, which consist of individual shops on separate lots fronting directly to the street with a rear laneway. These centres generally cater either for local shopping needs or for businesses that need low rent premises. There is generally less traffic generated around these centres. They are more a part of the residential environment than the Local Centres.

Neighbourhood Centres are in the B1 zones.

Business Development (B5 zones)

The Business Development zone is intended for use by bulky goods premises and other uses that require large floor plates which have limited opportunity to locate within commercial centres. B5 Business Development zones are located in areas of high accessibility to the arterial road network.

Enterprise Corridor (B6 zones)

In addition to the above centres there are also business areas along certain arterial roads. These generally cater for a broader market than the local area. They are not areas that people generally would congregate at, like the Local Centres.

In addition to these there are a number of sites that have business development on them but which are located and permitted in certain locations in the residential areas. These generally consist of a service station and a convenience store and sometimes with a fast food outlet.

History of development of Business Areas

The oldest and largest business area is Liverpool City Centre. Most other centres have only developed since the 1950's as each new residential area has developed.

Objectives

- a) To have viable and vibrant local centres that provides a diversity of retail, commercial, residential, and other uses.
- b) To have viable neighbourhood centres that provides businesses and services to the local community.
- c) To revitalise and enhance the image and urban design of centres.
- d) To ensure the building bulk of a development is in keeping with the height and scale of neighbouring development, and/or the desired character of the commercial centre.
- e) To encourage viable retail and commercial activities.
- f) To provide a high level of accessibility and amenity for workers, shoppers, residents, and visitors in the centres.
- g) To provide housing choice in centres.
- h) To protect the amenity of residential zoned land that adjoins centres.

2. Subdivision, Frontage and Allotment Size

Background

Land within the Business zones in Liverpool varies in size from individual shop size lots to large land holdings occupied by a shopping complex. The smaller lots often have rear lane access with loading access and a limited amount of car parking at the rear. The larger shopping complexes provide car parking and loading access wholly within their site. Any subdivision of land within a business zone for new development; or for redevelopment; or subdivision of an existing building should aim to ensure that the site can accommodate the car parking and loading facilities on site.

Development in a business zone may also incorporate shop top housing. A site will need to be wide enough to sufficient scope for window space for the occupants of the dwellings. The site will also need to be sufficient size to provide an adequate internal layout and private open space for the dwellings.

Objectives

- a) To ensure that land in a Business zone can accommodate the use including the car parking and loading provisions.
- b) To ensure that there is sufficient frontage and area for any dwellings in conjunction with the business use.
- c) To ensure that vehicular access is reasonably spaced and separated along roads and lanes.
- d) To ensure suitable business exposure in a visually uncomplicated and ordered environment.

Controls

Neighbourhood Centres and Local Centres (B2 & B1 zones)

Sites must have a minimum street frontage of 20 m.

Business Development (B5 zone)

The minimum subdivision lot size is 2000sqm (LLEP 2008).

Enterprise Corridor (B6 zone)

1. Development shall not be permitted for a new building (other than a maximum 10% addition to an existing structure) in the B6 zone unless the site has a frontage width to the Classified road of at least:
 - 30 m, where the site also has frontage to a local street that intersects with and would permit access to and from the classified road; or
 - 90m otherwise.
2. Development for a new building (other than a maximum 10% addition to an existing structure) in the B6 zone must not leave adjacent land such that it cannot achieve either:
 - A site frontage with of at least 30m (where the site also has frontage to a local street that intersects with and would permit access to and from the Classified road); or
 - 90m otherwise.

3. Site Planning

Background

Centres are relatively small in area compared with other land uses in Liverpool. In most cases there is residential development in the immediate vicinity with potential impacts on nearby residential areas.

Neighbourhood Centres in Liverpool LGA generally consist of groups of individual properties and any new development or redevelopment will probably take place incrementally. The impact of development on adjoining areas will be gradual.

The Local Centres are often in one land parcel. Any redevelopment of these is more likely to be a comprehensive development and have the potential to impact the surrounding area in one step.

Enterprise Corridors generally consist of groups of individual properties, and any new development or redevelopment will probably take place incrementally. The impact of development on the highway environment will be gradual.

Objectives

- a) To ensure that the development is compatible with amenity to nearby residential areas and open space.
- b) To ensure that the development is compatible with the adjoining business development.
- c) To ensure that the development reflects the character of the locality and environment.
- d) To ensure that the development contributes to the public domain and attractiveness of the centre for its users;

Controls

Neighbourhood Centres, Local Centres and Enterprise Corridor (B2, B1 & B6 zones)

The siting of buildings and the development should:

1. Provide safe pedestrian, cycle and vehicle access to and from the public street.
2. Be compatible with nearby residential development in terms of appearance, overshadowing, privacy, views, setbacks and height.
3. Address the street and consider its presentation to the public domain.
4. Consider the impact on existing and potential pedestrian links.
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. Refer to Water Cycle Management in Part 1.

Neighbourhood Centres (B1 zones)

In Local Centres the siting of buildings and the development should also:

1. Be compatible with surrounding business development in terms of scale, bulk, setbacks, materials and visual amenity.
2. Assist in the creation of a main street environment.

Local Centres (B2 zones)

In Local Centres the redevelopment of the centres should also:

1. Utilise opportunities to address the street and provide an outdoor public domain.
2. Where appropriate provide bus access within the centre.
3. Incorporate links from any adjoining community facilities, open space or residential areas not currently linked.

Urban Design Strategy

The layout and location of each Local Centre is distinct. Any redevelopment of each centre shall be determined as part of an urban design strategy. This strategy shall consider the following in determining the appropriate building form and layout:

1. Opportunities for a public domain/public street frontage.
2. Need for car parking, bus stops and drop off points between the buildings and the public street.
3. Whether the street is a primary access to the Local Centre.
4. The location of adjacent residential development.
5. The range of adjoining uses, such as Health Consulting Rooms etc.

Business Development (B5 zone)

1. Where possible, site planning should allow for the retention of trees and vegetation particularly near the street frontage
2. The development must be designed around the site attributes such as slope, existing vegetation and land capability.
3. Development must address the street frontage.
4. Development should provide for articulation and variation of materials to minimise bulk/scale and visual dominance of the streetscape.

Enterprise Corridor (B6 zones)

In Enterprise Corridor the siting of buildings and the development should also:

1. Be compatible with existing business development in terms of scale, bulk, setbacks, materials and visual amenity.
2. Address the street and consider its presentation to the arterial road environment.

4. Setbacks

Background

Centres are relatively small in area compared with other land uses in Liverpool. In most cases there is residential development in the immediate vicinity with potential impacts on nearby residential areas.

Neighbourhood Centres in Liverpool LGA generally consist of groups of individual properties and any new development or redevelopment will probably take place on small lots incrementally. While the impact of development on adjoining areas will be gradual, it will be noticed over time.

The Local Centres are often in one land parcel. There is usually residential development across the street from Local Centres. Redevelopment of these may involve a substantial development. Given the size of the land parcels there may be a desire to carry out a substantial development, which has the potential to impact the surrounding area in one step.

Highway Business generally consists of groups of individual properties and any new development or redevelopment will probably take place incrementally. The impact of development on the highway environment will be gradual.

Objectives

- a) To ensure the height and scale of a development complements neighbouring development, and/or the desired character of a commercial centre.
- b) To ensure a development does not detrimentally affect the amenity of adjoining residential development.

Controls

Neighbourhood Centres, Local Centres, Business Development and Enterprise Corridor

Rear Setbacks

1. Where the site has rear lane access the building may be built to the rear boundary, at ground and first floor level. Any floors above the first floor shall be setback equal to the height of the additional floors.
2. Where there is no rear lane access and the site adjoins land that is in a residential zone, the building shall be setback from the rear boundary as follows:
 - 5m for non-residential component of building up to 10m high.
 - 8m otherwise for components of building up to 15m high.

Side Setbacks

1. Where the site adjoins land that is also in a business zone there is no setback requirement.
2. Where the side boundary of the site adjoins land that is in a residential zone, the building may be required to be setback from the side boundary or limited to one storey near the boundary. Any floors above the ground floor shall be setback equal to the height of the additional floors.

Neighbourhood Centres (B1 zones)

Front Setbacks

1. Setbacks for new development shall observe the setbacks for the existing Neighbourhood Centre.
2. Subject to point 1, any floors above the first floor shall be setback equal to the height of the additional floors.

Local Centres (B2 zones)

Front Setbacks

As each layout and location of each Local Centre is distinct the setback shall be determined as part of an urban design strategy. This strategy shall consider the following in determining the appropriate setbacks:

1. Opportunities for a public domain/public street frontage.
2. Need for car parking, bus stops and drop off points between the buildings and the public street.
3. Whether the street is a primary access to the Local Centre.
4. The location of adjacent residential development.
5. The range of adjoining uses, such as Health Consulting Rooms etc.

Business Development (B5 zones)

Front Setbacks

Buildings in the B5 zone shall be setback in accordance with Table 1.

Table 1: Business Development Setbacks

Street	Primary Setback (Ground Floor)	Secondary Setback
Classified Road	15m	10m
Road with residential opposite	15m	10m
All other roads	7.5m	5m

Enterprise Corridor (B6 zones)

Front Setbacks

Buildings in the B6 zone shall be setback in accordance with Table 2.

Table 2 Enterprise Corridor Setbacks

Street	Primary Setback (Ground Floor)	Primary Setback (First Floor)	Secondary Setback
Hume Highway (between Terminus Street & South Western Freeway)	2.5m	2.5m	2.5m
Elizabeth Drive			
Hume Highway (South Western Freeway & De Meyrick Street)	10m	7.5 m	7.5m
Other locations	15m	12.5m	10m

5. Landscaped Areas and Pedestrian Areas

Background

Active street and building frontages provide safety and security to a street or shopping centre by enabling casual surveillance. Having access from the street or public areas to as many uses as possible provides active and lively streets and public areas.

Pedestrian areas within Local Centres and Neighbourhood Centres can provide an attractive meeting place for residents and shoppers. It also has the potential to generate additional business for retailers by providing areas for outdoor eating, display of retailers merchandise and a place for local community group promotions. Public footpaths can also provide a place for outdoor eating.

Pedestrian access into shopping complexes is made easier where separate pedestrian and cycle way paths are provided. Bicycle storage also assists in attracting business.

Some centres are adjacent to open space. Linkages between centres and open space, whether immediately adjoining or across the street, have the potential to increase the usage of the open space and the centre.

Objectives

- a) To ensure active street frontages on public streets.
- b) To encourage provision of attractive pedestrian areas.
- c) To encourage linkages between centres and any adjacent public areas such as open space.

Controls

Neighbourhood Centres (B1 zones)

1. Pedestrian areas should minimise any changes in levels and allow wheelchair access to the shops from the car parking area and public footpaths.
2. Pedestrian areas should be separate from loading areas.
3. Sufficient area shall be provided to permit landscaping and tree planting within pedestrian areas and car parking areas.
4. Outdoor Eating Areas may be permitted in public footpath areas. Refer to the section on Outdoor Eating Areas.

Local Centres (B2 zones)

1. Redevelopment of a centre should incorporate shops having frontage to the exterior of the centre.
2. Usable pedestrian areas having frontage to shops should be provided and should be sufficiently wide in places to provide for outdoor eating areas.
3. Pedestrian areas should minimise any changes in levels and allow wheelchair access to the shops from the car parking area, bus stops, public footpaths and drop areas.
4. Pedestrian areas should link all major activity areas of the centre.
5. Pedestrian areas should be separate from loading areas.
6. Separate pedestrian access should be provided to adjoining public footpaths, community facilities and open space.
7. Sufficient area shall be provided to permit landscaping and tree planting within pedestrian areas and car parking areas.



Figure 1 Landscaping, Vehicular and Pedestrian Access

Business Development and Enterprise Corridor (B5 and B6 zones)

1. Pedestrian areas should minimise any changes in levels and allow wheelchair access to the shops from the car parking area and public footpaths.
2. Pedestrian areas should link all major activity areas of the centre.
3. Pedestrian areas should be separate from loading areas.
4. Separate pedestrian access should be provided to adjoining public footpaths, community facilities and open space.
5. Sufficient area shall be provided to permit landscaping and tree planting within pedestrian areas and car parking areas.

6. Building Form, Streetscape and Layout

Background

Centres are relatively small in area compared with other land uses in Liverpool. In most cases there is residential development in the immediate vicinity with potential impacts on nearby residential areas. Achieving a high amenity of urban design is greatly dependent on the design and appearance of individual buildings. Well-designed new buildings not only improve the character and appearance but also contribute to the coherence of the public domain. In particular:

Neighbourhood Centres in Liverpool LGA generally consist of groups of individual properties and any new development or redevelopment will probably take place on small lots incrementally. While the impact of development on adjoining areas will be gradual, it will be noticed over time.

The Local Centres are in large are often in one land parcel. There is usually residential development across the street from Local Centres. Redevelopment of these is may involve a substantial development. Given the size of the land parcels there may be a desire to carry out a substantial development, which has the potential to impact the surrounding area in one step.

Enterprise Corridor generally consists of groups of individual properties and any new development or redevelopment will probably take place incrementally. The impact of development on the highway environment will be gradual.

Objectives

- a) To ensure the height and scale of a development complements neighbouring development, and/or the desired character of a business centre.
- b) To provide adequate amenity to the occupants and residents of a development in terms of solar access, visual and acoustic privacy, and natural ventilation.
- c) To ensure a development does not detrimentally affect the amenity of nearby residential development.
- d) To ensure a development is integrated with the public domain and contribute to an active pedestrian-orientated environment.
- e) To maximise natural surveillance so that people feel safe at all times.
- f) To ensure pedestrian entrances and exits are clearly visible from the street.
- g) To promote high quality architectural design.
- h) To ensure corner sites are developed as visually significant elements in order to promote a strong and legible character.
- i) To ensure weather protection to pedestrians.
- j) To ensure roof forms contribute to the proposed character of the centre and residential areas.

Controls

Neighbourhood Centres, Local Centres and Enterprise Corridor

Building Form

- 1. Articulate building walls addressing the street to add visual interest.
- 2. Development adjoining open space shall address the open space and avoid blank walls.

Building Materials

1. Highly reflective finishes are not permitted above the ground floor.
2. Colour & materials of the buildings shall be consistent with the existing adjoining development.

Entrances

1. Orientate entrances to buildings towards the public street and provide clear lines of sight between entrances, foyers and the street.
2. The common lobby to a home unit development should face the street.
3. Where the ground floor of a business development, mixed-use development, and shop-top housing faces the street, the ground floor must incorporate shopfront style windows with clear glazing so that pedestrians can see into the premises and vice versa.

Street Frontage

1. Ground floor uses are to be at the same general as the footpath and be accessible directly from the street.
2. Provide predominately glazed shop fronts to all ground floor retail areas.
3. Developments on corner sites shall address the corner and the secondary street frontage.
4. Avoid blank or solid walls and the use of dark or obscured glass on street frontages.
5. Roller shutters that obscure windows are not permitted.
6. Provide opportunities for table seating along shop frontages.
7. Any Automatic Teller Machine (ATM) must be located at a highly visible location at street level, and must be well lit at night and incorporate mirrors or reflective materials so that users can observe people behind them.
8. The street number of a building must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building.

Awnings

1. Provide continuous street frontage awnings to all new developments.
2. Wrap awnings around corners on street corner buildings.
3. Awnings must be complementary to each other.
4. Canvas blinds along the street edge are permitted.

Roof Forms

1. Minimise the bulk and mass of roofs and the potential for overshadowing from roofs.
2. Provide eaves with a minimum length of 400mm in dwellings with pitched roofs.
3. Where flat roofs are proposed, lift overruns and rooftop plant and machinery are to be obscured from view by parapets or designed to be incorporated within rooftop activities/features.
4. Incorporate lift overruns and service plant etc into the design of the roof.
5. Wherever possible provide landscaped and shaded areas on roofs to serve as communal private open space for residents of the building.

Material and Finishes

1. Avoid expanses of any single material.
2. Utilise high quality and durable materials and finishes, such as face brick with / without coloured render; and plain glass windows.
3. Avoid large wall tiles, rough textured render, polished metal and curtain walls or reflective glass.

Dwellings above shops

1. Dwellings and balconies in upper storeys shall address the street, rear laneway and any adjacent open space.
2. Access to dwellings above shops must be from the front street.
3. Dwellings above shops should be designed to facilitate flow through ventilation.
4. Entrances shall be designed to accommodate movement of furniture.

Adjoining Residential Areas

1. Development should minimise impact of the privacy of adjoining and nearby dwellings.
2. Development should be compatible with any adjoining and nearby dwellings.

Links to nearby Community Facilities and Open Space

Developments should incorporate opportunities for pedestrian links to adjoining Community Facilities and Open Space.

Neighbourhood Centres (B1 zones)

The following illustration shows how redevelopment of a centre should address these items.



Figure 2 Neighbourhood Centre redevelopment with Shop Top Housing

Local Centres (B2 zones)

Public Transport Facilities

Redevelopment of a centre should consider the need to provide easier public transport access to a centre. This may include bus access through any car parking area to the pedestrian entrance to the centre. Covered pedestrian access from the bus stop should also be considered. Provision for timetable and route information should be provided.

Building Form

Developments should incorporate opportunities for pedestrian links. Redevelopment of local centres should attempt to enable a better transition between the indoor and outdoor locations of a centre, by enabling restaurants and cafes and similar businesses to have a dual frontage, internally and externally, to improve the amenity of the building. This outdoor space should be located within close proximity to bus stops and where pedestrians enter the centre.

Dwellings above shops Residential Development

Redevelopment of a centre may incorporate dwellings above the shops.

Car parking structures

1. Where car parking structures is provided above or below ground level its design shall be integrated into the design of the building.
2. Natural ventilation shall be provided to basement where possible using ventilation grills and structures.



Figure 3 Indoor/Outdoor Transition



Figure 4 Integration of public transportation

Integrating public transport into the local centre can improve accessibility and provide alternatives for those who do not want to use their cars to reach the local centres.

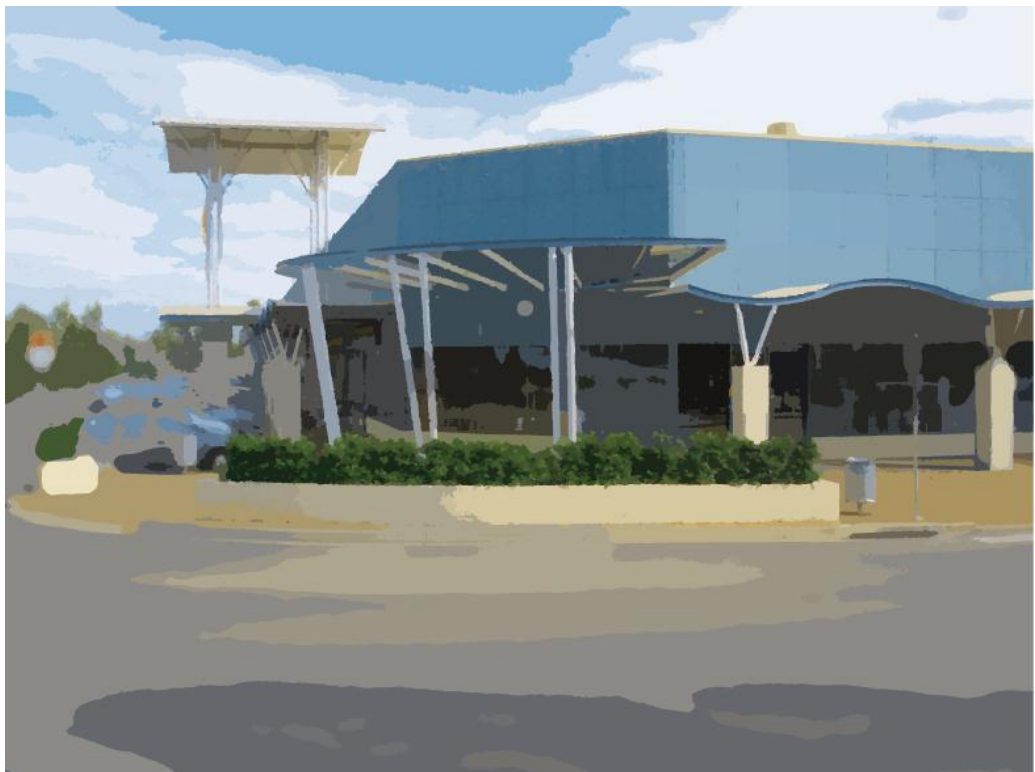


Figure 5 Corner Sites

Emphasis should be placed on corner sites to create focal points for the centre.



Figure 6 Shop Top Housing

If economically feasible local centres should look at shop top housing to increase the level of passive surveillance surrounding the centre to improve safety and security.

Business Development & Enterprise Corridor (B5 and B6 zones)

The following illustrations show how redevelopment of an enterprise corridor (Figures 7 and 8) and Business Development (Figure 9) should address these items.



Figure 7 Enterprise Corridor car parking

Buildings should attempt to minimise the visual impact of car parking from the road.

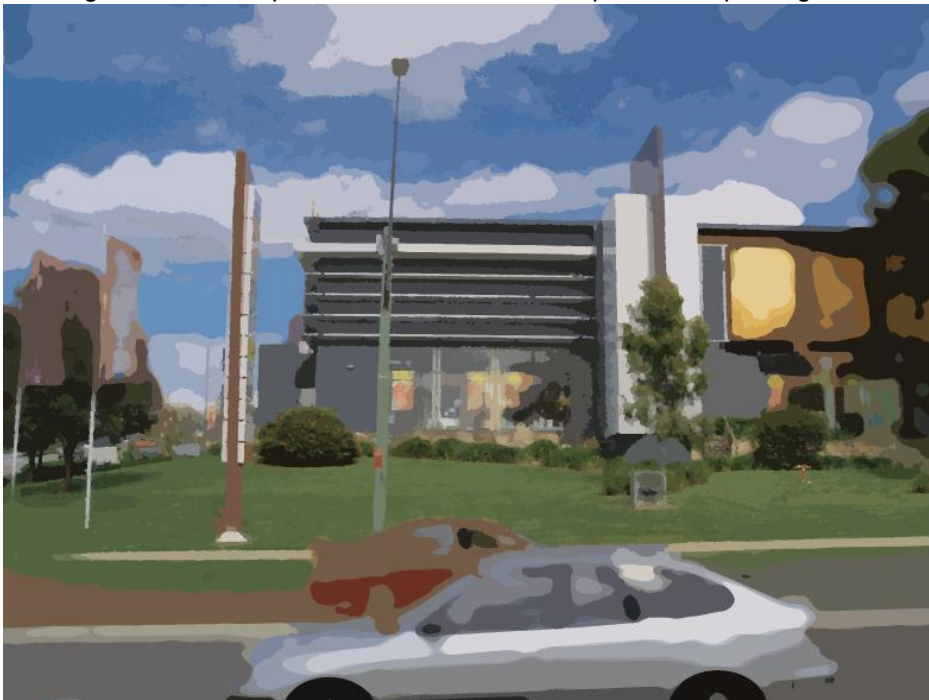


Figure 8 Building design

Buildings should use colour, different building materials and effects to make for an interesting architectural building, whilst remaining sympathetic to the surrounding buildings.



Figure 9 B5 Business Development & B6 Enterprise Corridor Pedestrian Access

Pedestrians should have easy access to the buildings, through clever design of car parking, or a clearly marked zebra crossing to the primary entry of the store.

7. Landscaping and Fencing

Background

Centres are relatively small in area compared with other land uses in Liverpool. In most cases there is residential development in the immediate vicinity with potential impacts on nearby residential areas.

Neighbourhood Centres in Liverpool LGA generally consist of groups of shops fronting a public street. Most buildings are located on the front boundary or setback to provide a wider footpath. Opportunities for landscaping may in many cases be limited.

The Local Centres are often in one land parcel. There is usually residential development across the street from Local Centres. Opportunities for landscaping generally involve any pedestrian areas and the car parking areas. Any redevelopment of these may involve a substantial development. Given the size of the land parcels and depending on the scope of the design there may be an opportunity to make substantial improvements to landscaping and the quality of the public domain.

Highway Business generally consists of groups of individual properties and any new development or redevelopment will probably take place incrementally. Opportunities for landscaping would probably involve the car parking areas along the street frontage.

Objectives

- a) To ensure appropriate landscaping in commercial centres; and
- b) To ensure the protection of existing trees on neighbouring residential zoned land.
- c) To ensure the visual impact of development is minimised and integrated into the streetscape.
- d) To improve the amenity of commercial centres.

Controls

1. Where trees are planted around high use facilities such as car park areas, children's play areas and walkways, they should have clean trunks to height of 1.8m.
2. Landscaping on any podium level or planter box shall be appropriately designed and irrigated.

Neighbourhood Centres, Local Centres, Business Development and Enterprise Corridor

Where landscaping is to be provided a detailed landscape plan shall accompany a development application. A suitably qualified Landscape architect must prepare all Landscape Plans submitted with the development application. Refer to Part 1 for requirements for Detailed Landscape Plans.

Neighbourhood Centres (B1 zones)

Landscaped areas within Neighbourhood Centres shall generally involve the provision of trees and shrubs in mulched garden beds around car parking areas and where pedestrian areas are provided. In particular the landscaping shall involve the following:

1. mulched garden beds shall incorporate ground covers that will cover the ground area;
2. large shrubs shall be used as screen planting where there is a need to screen certain areas such as outside storage;
3. Shrubs shall only be planted in mulched garden beds.

Local Centres (B2 zones)

Landscaped areas within the redevelopment of any Local Centres shall generally involve the provision of trees and shrubs in mulched garden beds. In particular the landscaping shall involve the following:

1. the trees shall provide a canopy for the streetscape and soften the appearance of the Business Environment, without unduly concealing approved on site signage;
2. mulched garden beds shall incorporate ground covers that will cover the ground area;
3. shrubs shall be used to soften appearance of the centre environment, but still allow viewing between the street and the development;
4. shrubs shall only be planted in mulched garden beds;
5. paving should assist in distinguishing the pedestrian areas from driveway areas;
6. paving should complement the pedestrian areas within a centre;
7. Seating should be provided in pedestrian areas, particularly at bus stops and waiting areas.

The following illustrates these requirements.



Figure 10 Landscaping around a Local Centre

Business Development and Enterprise Corridor (B5 and B6 zones)

Landscaped areas within Business Development and Enterprise Corridor zones shall generally involve the provision of trees and shrubs in mulched garden beds. In particular the landscaping shall involve the following:

1. The trees shall provide a canopy for the streetscape and soften the appearance of the Enterprise Corridor environment, without unduly concealing approved on site signage.
2. Mulched garden beds shall incorporate ground covers that will cover the ground area.

3. Shrubs shall be used to soften appearance of the area but still allow viewing between the street and the development.
4. Large shrubs shall be used as screen planting where there is a need to screen certain areas such as outside storage.
5. Shrubs shall only be planted in mulched garden beds.
6. Grassed areas may be considered in limited areas in conjunction with mulched garden beds.
7. Trees shall only be planted in grass where there is a border around the tree separating it from the grassed area.
8. The following illustrates these requirements.

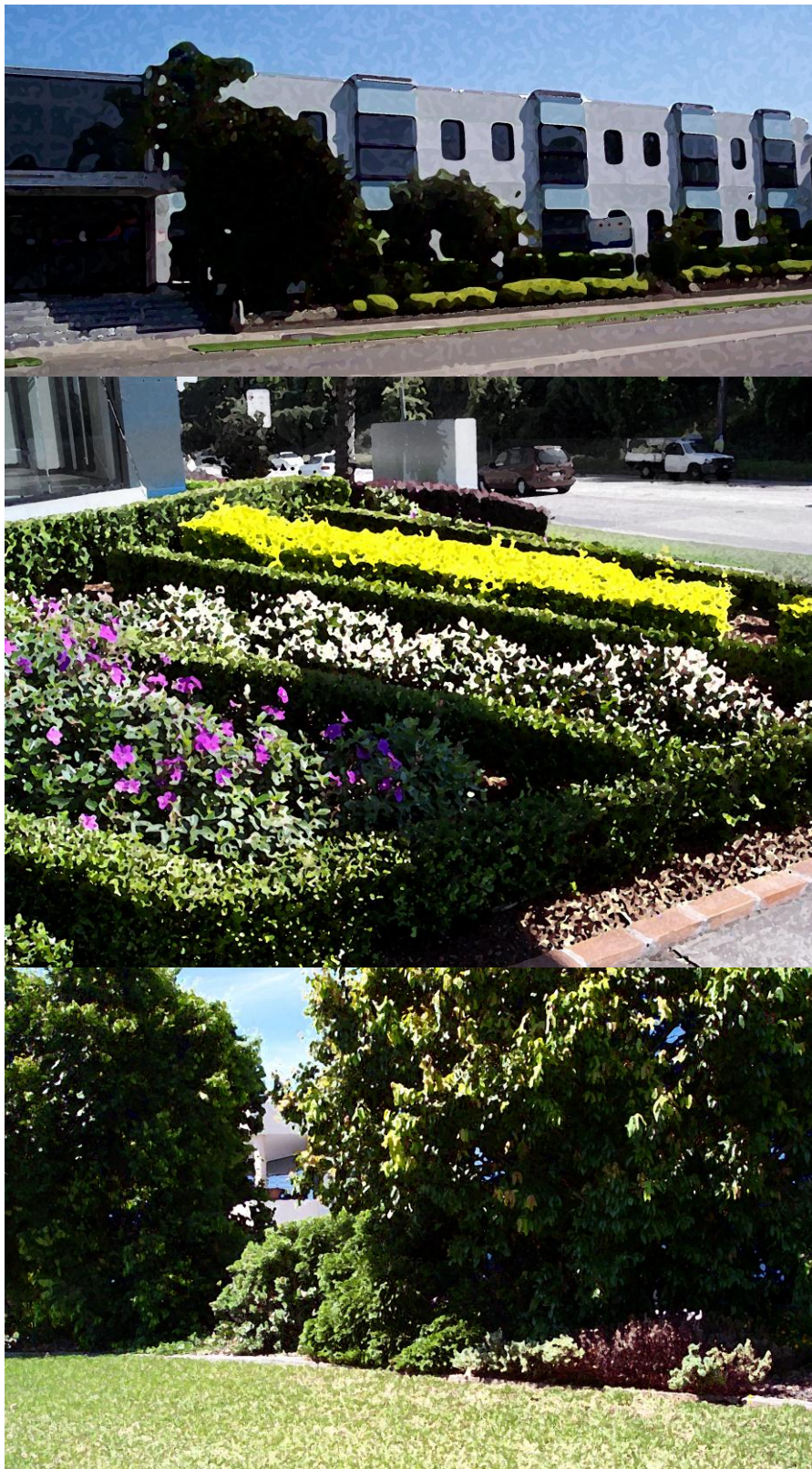


Figure 11 Landscaping around the Business Development and Enterprise Corridor zones

8. Car Parking and Access

Background

Car parking and safe access provision is fundamental for all sites in the business areas. The layout of car parking areas may in the case of Local Centres may reflect the street environment. Refer to Part 1 for additional information about car parking and access requirements.

Objectives

- a) To ensure the provision of appropriate off-street parking for business areas.
- b) To ensure car parking and loading facilities are in the most appropriate location given the urban design needs for the centre.
- c) To ensure that car parking areas that are attractive and don't dominate the streetscape.
- d) To locate loading in appropriate locations.

Controls

Neighbourhood Centres (B1 zones)

Car parking and loading areas shall be located off rear laneways where there is a rear laneway and existing car parking is located off the rear laneway. Council may consider the provision of car parking in front of a development if there is an existing car parking area provided in front of adjacent developments.

Local Centres (B2 zones)

As each layout and location of each Local Centre is distinct the location and design of car parking shall be determined as part of an urban design strategy. The design and location of car parking and loading areas shall incorporate the following:

- 1. Provide an interface between the shops and car parking that feels like a public street environment.
- 2. Provide access for bus stops and drop off points either within or adjacent to the development
- 3. Locate car parking where it will minimise on street car parking.
- 4. Pedestrians should have easy access to the buildings, through clever design of car parking, or a clearly marked zebra crossing to the primary entry of the development. (See Figure 13)



Figure 12 Reducing the visual impact of multi-storey car parking

Locate loading areas in less visible areas. Avoid locating loading areas facing residential areas, public open space or the public street. It is preferable to locate loading areas adjacent to other business areas.

Business Development and Enterprise Corridor (B6 zones)

Car parking shall generally be located toward the front of the site.



Figure 13 Pedestrian Access

Pedestrians should have easy access to the buildings, through clever design of car parking, or a clearly marked zebra crossing to the primary entry of the store.

9. Amenity and Environmental Impact

Background

Business Areas are centres of activity for residents, workers and visitors. The level of activity varies depending on size, location and land uses in the centre. This activity may take for long periods of the day each day of the week. They are also increasingly the location of residential development. While this presents opportunities to add to activity it also presents some potential amenity issues and impacts on transport.

Objectives

- a) To provide adequate amenity to the occupants of buildings and to neighbouring residential development in terms of solar access, and visual and acoustic privacy.
- b) To ensure buildings and businesses provide safe and easy access for people.
- c) To provide useable private open space for dwellings.

Controls

Neighbourhood Centres, Local Centres and Enterprise Corridor

Privacy

Development shall be designed to minimise overlooking of adjoining and nearby residential development.

Access to sunlight

Dwellings above shops shall be designed to maximise solar access.

Acoustic privacy

1. Where an allotment adjoins an Classified Road, dwellings must comply with *AS 3671 – Acoustics – Road Traffic Noise Intrusion*.
2. Dwellings should be located to minimise the impact of noise from car parking and loading areas.

Lighting

External lighting to a development must give consideration to the impact of glare on the amenity of adjoining and nearby residents.

10. Site Services

Background

There is a range of services that may need to be provided either on site or within the adjacent road reserve. Owners are required to provide some services and maintain some of the services on the site. Owners must also ensure that services provided on the site are protected from any potential damage.

Objectives

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

Controls

Neighbourhood Centres, Local Centres, Business Development and Enterprise Corridor

Letterboxes and House Numbering

1. A common letterbox structure must be located close to the main pedestrian entrance of a building.
2. The street number of a building must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building.

Frontage works and damage to Council assets

Where a footpath, road shoulder, new or enlarged access driveway or is required to be provided this shall be provided at no cost to Council.

Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.

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.

Waste management

1. Development involving dwellings shall provide at least two waste storage areas to separately cater for the dwellings and non-residential uses on an allotment.
2. A development must provide a waste storage area inside every food premises, and inside any shop that is capable of accommodating a food premises.
3. A development must locate a waste storage area inside the building, or adjacent to a lane where it is convenient and safe for residents, tenants, and waste collection trucks to access the waste storage area and the location and floor level are to the satisfaction of Council and Part 1.

Storage Facilities

A multi-unit development must provide a minimum storage area of 8 m³ to each dwelling. The storage area may be attached to the car parking space or spaces to each dwelling.

11. Non Business Uses

Background

Liverpool LEP 2008 permits a range of Non Business land uses within the business zones. These Non Business land uses may involve using an existing industrial development or construction of a new development. The following provisions are additional provisions for particular land uses. These land uses shall also comply with the other provisions of the DCP.

Objectives

- a) To ensure that the Non Business developments are compatible with the Business environment.
- b) To ensure that the Non Business developments do not unnecessarily restrict the operation of Business and related uses in Business areas.
- c) To ensure that Non Business developments are designed to operate without adverse impact from Business developments.

Controls

The following controls are in addition to those in Sections 1 – 9.

Site Planning

Site planning for a Non Business development shall give consideration to how minimise the impact of uses on the site and how to ensure that a proposed use would not unduly impose restrictions on existing or future nearby business uses.

Building Appearance, Streetscape and Layout

All developments in a business area shall present a shop front to the street. Closing in of windows or painting over windows shall not be permitted.

Amenity and Environmental Impact

- 1. Where the hours of operation are after sunset, the car parking areas and any other public areas shall be provided with lighting to provide a safe environment for users of the premises after hours.
- 2. A Noise Impact Assessment Statement prepared by a qualified Acoustics Engineer may be required to be submitted with the application depending on the scale and location of the proposed use to show that the use can operate satisfactorily in the business area.

12 Shop Top Housing

Background

Shop Top Housing is a relatively recent phenomena within Liverpool. Traditionally Shop Top Housing was housing for the use of the owner or tennant of the shop below, but with an increase in the size and uses of shops, shop top housing has branched out with multiple apartment dwellings above shops. Therefore it is very important to ensure privacy, adequate parking and outdoor entertainment areas for the dwellings.

Objectives

- a) To provide for an adequate outdoor entertainment space, as there is limited or no access to ground floor outdoor space.
- b) To provide for well used outdoor spaces by linking them to indoor living areas.
- c) To provide for adequate clothes drying spaces.

Controls

- 1. A minimum of 16sqm of open space in the form of a balcony shall be provided for each dwelling with a minimum width of 2.4m.
- 2. Private open space areas should be an extension of indoor living areas and be functional in size to accommodate seating and the like.
- 3. If there is little or no ground floor private open space, a minimum 4sqm fully or partially covered space (2 x 2m minimum) must be provided for clothes drying within the dwelling. This drying space must not be able to be clearly seen from the street, but have access to at least one large window if the space is fully covered, to provide for sufficient airflow for clothes drying. This drying space does not count towards the minimum 16 sqm of open space.

For balconies refer to Building Design, Streetscape and Layout for controls on their design.

12.1 Building Design, Streetscape and Layout

Building Appearance and Streetscape

Objectives

- a) To ensure an attractive streetscape, which is consistent with the environment of a centre.
- b) To promote high architectural quality in shop top housing.
- c) To ensure that new developments have facades which define and enhance the public domain and desired street character.
- d) To ensure that building elements are integrated into the overall building form and facade design.

Controls

- 1. Shop top housing shall comply with State Environmental Planning Policy No 65 – Design Quality of Shop top housing, and should consider the Residential Flat Design Code.
- 2. Building facades shall be articulated and roof form is to be varied to provide visual variety.
- 3. The pedestrian entrance to shop top housing shall be from the front of the site.

4. Driveway walls adjacent to the entrance of a basement car park are to be treated so that their appearance is consistent with the basement or podium walls.
5. A master antenna shall be provided for any development of more than three dwellings and be located so that it is not visible from the street or any public open space.
6. Consider the relationship between the whole building form and the facade and/or building elements. The number and distribution of elements across a façade determine simplicity or complexity. Columns, beams, floor slabs, balconies, window openings and fenestrations, doors, balustrades, roof forms and parapets are elements, which can be revealed or concealed and organised into simple or complex patterns.
7. Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character. This may include but are not limited to:
 - Defining a base, middle and top related to the overall proportion of the building.
 - Expressing key datum lines in the context using cornices, a change in materials or building set back.
 - Expressing the internal layout of the building, for example, vertical bays or its structure, such as party wall-divisions.
 - Expressing the variation in floor-to-floor height, particularly at the lower levels.
 - Articulating building entries with awnings, porticos, recesses, blade walls and projecting bays.
 - Selecting balcony types which respond to the street context, building orientation and residential amenity.
 - Cantilevered, partially recessed, wholly recessed, or Juliet balconies will all create different facade profiles.
 - Detailing balustrades to reflect the type and location of the balcony and its relationship to the façade detail and materials.
8. Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation.
9. Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height.
10. Co-ordinate and integrate building services, such as drainage pipes, with overall facade and balcony design.
11. Co-ordinate security grills/screens, ventilation louvres and car park entry doors with the overall facade design



Figure 14 Shop Top Housing Designs



Figure 15 Shop Top Housing Designs

Roof Design

Objectives

- a) To provide quality roof designs, which contribute to the overall design and performance of shop top housing.
- b) To integrate the design of the roof into the overall facade, building composition and desired contextual response.
- c) To increase the longevity of the building through weather protection.

Controls

1. Relate roof design to the desired built form. This may include:
 - Articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms.
 - Using a similar roof pitch or material to adjacent buildings, particularly in existing special character areas or heritage conservation areas.
 - Minimising the expression of roof forms gives prominence to a strong horizontal datum in the adjacent context, such as an existing parapet line.
 - Using special roof features, which relate to the desired character of an area, to express important corners.
2. Design the roof to relate to the size and scale of the building, the building elevations and three-dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials.
3. Design roofs to respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access.
4. Minimise the visual intrusiveness of service elements by integrating them into the design of the roof. These elements include lift over-runs, service plants, chimneys, vent stacks, telecommunication infrastructures, gutters, downpipes and signage.
5. Where habitable space is provided within the roof optimise residential amenity in the form of attics or penthouse dwellings.



Figure 16 Shop Top Housing Roof Design

Building Entry

Objectives

- a) To create entrances which provide a desirable residential identity for the development.
- b) To orient the visitor.
- c) To contribute positively to the streetscape and building facade design.

Controls

1. Provide as direct a physical and visual connection as possible between the street and the entry.
2. Achieve clear lines of transition between the public street, the shared private, circulation spaces and the dwelling unit.
3. Ensure equal access for all.
4. Provide safe and secure access by:
 - Avoiding ambiguous and publicly accessible small spaces in entry areas.
 - Providing a clear line of sight between one circulation space and the next.
 - Providing sheltered well-lit and highly visible spaces to enter the building, meet and collect mail.
5. Generally provide separate entries from the street for:
 - Pedestrians and cars.
 - Different uses, for example, for residential and commercial users in a mixed-use development.
 - Ground floor dwellings, where applicable.
6. Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.



Figure 17 Ground Floor Entry to Shop Top Housing

Balconies

Objective

- To ensure that balconies contribute positively to the façade of a building.
- To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for dwelling residents.
- To ensure that balconies are integrated into the overall architectural form and detail of shop top housing.
- To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.

Controls

1. Balconies may project up to 1m from the façade of a building.
2. Balustrades must be compatible with the façade of the building.
3. Ensure balconies are not so deep that they prevent sunlight entering the dwelling below.
4. Design balustrades to allow views and casual surveillance of the street.
5. Balustrades on balconies at lower levels shall be of solid construction.
6. Balconies should where possible be located above ground level to maximise privacy for occupants, particularly from the street.
7. Solid or semi solid louvres are permitted.
8. Noise attenuation measures on balconies facing a Classified Road should be considered.
9. Balconies should be located on the street frontage and boundaries with views.
10. Primary balconies should be:
 - Located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space;
 - Sufficiently large and well proportioned to be functional and promote indoor/outdoor living. A dining table and two chairs (smaller dwelling) and four chairs (larger dwelling) should fit on the majority of balconies in any development.
11. Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice in larger dwellings, adjacent to bedrooms or for clothes drying, site balconies off laundries or bathrooms.
12. Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies. This may be achieved by:
 - Locating balconies facing predominantly north, east or west to provide solar access.
 - Utilising sunscreens, pergolas, shutters and operable walls to control sunlight and wind.
 - Providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions - along rail corridors, on busy roads or in tower buildings - choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy.
13. Provide primary balconies for all dwellings with a minimum depth of 2m.
14. Ensuring balconies are not so deep that they prevent sunlight entering the dwelling below.
15. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:
 - Detailing balustrades using a proportion of solid to transparent materials to address sight lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the dwelling's interior, especially at night.

- Detailing balustrades and providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units.
16. Operable screens increase the usefulness of balconies by providing weather protection, daylight control and privacy screening.

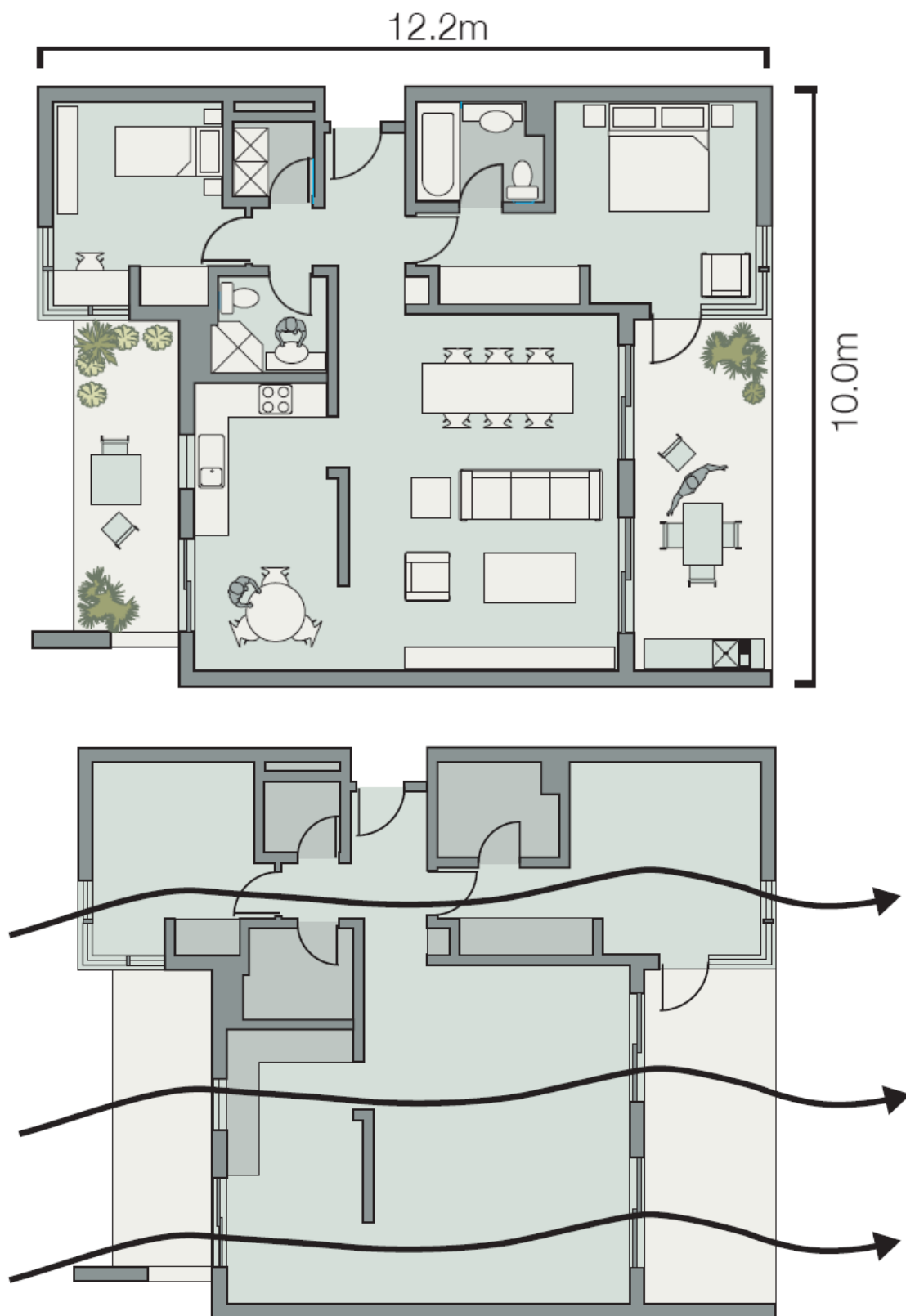


Figure 18 Solar Access and Air Circulation within Shop Top Housing

Daylight Access

Objectives

- a) To ensure that daylight access is provided to all habitable rooms.
- b) To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.
- c) To provide residents with the ability to adjust the quantity of daylight to suit their needs.

Controls

1. Plan the site so that new shop top housing is oriented to optimise northern aspect.
2. Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.
3. Optimise the number of dwellings receiving daylight access to habitable rooms and principal windows:
4. Ensure daylight access to habitable rooms and private open space, particularly in winter use skylights, clerestory windows and fanlights to supplement daylight access.
5. Promote two-storey and mezzanine, ground floor dwellings or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces.
6. Ensure single aspect, single-storey dwellings have a northerly or easterly aspect - locate living areas to the north and service areas to the south and west of the development.
7. Avoid south facing dwellings.
8. Design for shading and glare control, particularly in summer:
 - Using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting.
 - Optimising the number of north-facing living spaces.
 - Providing external horizontal shading to north-facing windows.
 - Providing vertical shading to east or west windows.
9. Consider higher ceilings and higher window heads to allow deeper sunlight penetration.
10. On west facing windows, vertical louvre panels or sliding screens protect from glare and low afternoon sun.

11. On north facing windows, projecting horizontal louvres admit winter sun while shading summer sun.
 - Using high performance glass but minimising external glare off windows.
 - Avoid reflective films.
 - Use a glass reflectance below 20%.
 - Consider reduced tint glass.
 - Limit the use of lightwells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms. Where they are used:
 - Relate lightwell dimensions to building separation, for example, if non-habitable rooms face into a light well less than 12m high, the lightwell should measure 6 x 6 m.
 - Conceal building services and provide appropriate detail and materials to visible walls.
 - Ensure light wells are fully open to the sky.
 - A combination of louvres provides shading for different times of the day.

Internal design

Objective

To ensure that the internal design of buildings provide a pleasant environment for the occupants and residents of adjoining properties.

Controls

1. All staircases should be internal.
2. Minimise the length of common walls between dwellings.
3. Basement car parking shall be located beneath the building footprint.
4. Where possible natural ventilation shall be provided to basement car parking.
5. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to dwellings.
6. Minimise the location of noise sensitive rooms such as bedrooms adjoining noisier rooms such as bathrooms or kitchens or common corridors and stairwells.
7. Where a site has frontage to a Classified Road, locate bedrooms away from the front of the site.
8. Where common 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*.
9. Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).

Ground Floor Dwellings

Objectives

- a) To contribute to the desired streetscape of an area and to create active safe streets.
- b) To increase the housing and lifestyle choices available in dwelling buildings.

Controls

1. Design front gardens or terraces, which contribute to the spatial and visual structure of the street while maintaining adequate privacy for dwelling occupants. This can be achieved by animating the street edge, for example, by promoting individual entries for ground floor dwellings.
2. Create more pedestrian activity along the street and articulate the street edge by:
 - Balancing privacy requirements and pedestrian accessibility.
 - Providing appropriate fencing, lighting and/ or landscaping to meet privacy and safety requirements of occupants while contributing to a pleasant streetscape.
 - Utilising a change in level from the street to the private garden or terrace to minimise site lines from the streets into the dwellings.
 - Increasing street surveillance with doors and windows facing onto the street.
3. Provide ground floor dwellings with access to private open space, preferably as a courtyard.

Security

Objectives

- a) To ensure that buildings are orientated to allow surveillance from the street and adjoining buildings.
- b) To ensure that entrances to buildings are clearly visible and easy to locate in order to minimise the opportunities for intruders.
- c) To ensure buildings are safe and secure for residents and visitors.
- d) To contribute to the safety of the public domain.

Controls

1. Entrances to buildings should be orientated towards the front of the site and facing the street.
2. The main entrance to dwellings or other premises should not be from rear lanes and should be designed with clear directions and signage.
3. Blank walls addressing the street frontage and other public places should be avoided.
4. Minimise the number of entry points to buildings.
5. Reinforce the development boundary to strengthen the distinction between public and private space by:
 - Employing a level change at the site and/or building threshold (subject to accessibility requirements).
 - Signage.
 - Entry awnings.
 - Fences, walls and gates.
 - Change of material in paving between the street and the development.
6. Optimise the visibility, functionality and safety of building entrances by:
 - Orienting entrances towards the public street.
 - Providing clear lines of sight between entrances, foyers and the street.

- Providing direct entry to ground level dwellings from the street rather than through a common foyer.
 - Direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances.
7. Improve the opportunities for casual surveillance by:
 - Orienting living areas with views over public or communal open spaces, where possible.
 - Using bay windows and balconies, which protrude beyond the main facade and enable a wider angle of vision to the street.
 - Using corner windows, which provide oblique views of the street.
 - Providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.
 8. Minimise opportunities for concealment by:
 - Avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parks, along corridors and walkways.
 - Providing well-lit routes throughout the development.
 - Providing appropriate levels of illumination for all common areas.
 - Providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.
 9. Control access to the development by:
 - Making dwellings inaccessible from the balconies, roofs and windows of neighbouring buildings.
 - Separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas.
 - Providing direct access from car parks to dwelling lobbies for residents.

Natural Ventilation

Objectives

- a) To ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.
- b) To provide natural ventilation in non-habitable rooms, where possible.
- c) To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Controls

1. Utilise the building layout and section to increase the potential for natural ventilation. Design solutions may include:
 - Facilitating cross ventilation by designing narrow building depths and providing dual aspect dwellings, for example, cross through dwellings and corner dwellings.
 - Facilitating convective currents by designing units, which draw cool air in at lower levels and allow warm air to escape at higher levels, for example, maisonette dwellings and two-storey dwellings.
2. Select doors and windows (that open) to maximise natural ventilation opportunities established by the dwelling layout.

3. Provide narrow building depths to support cross ventilation.
4. Avoid single-aspect dwellings with a southerly aspect.
5. Design the internal dwelling layout to promote natural ventilation by:
 - Minimising interruptions in air flow through a dwelling.
 - Grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together. This allows the dwelling to be compartmentalised for efficient summer cooling or winter heating.
 - Selecting doors and openable windows to maximise natural ventilation opportunities established by the dwelling layout.

Storage Areas

Objective

To provide for the need of residents to be able to store personal items adjacent to the car parking area.

Controls

1. A secure storage space is to be provided for each dwelling with a minimum volume 8m³ (minimum dimension 1sqm). This must be set aside exclusively for storage as part of the basement or garage.
2. Storage areas must be adequately lit and secure. Particular attention must be given to security of basement and garage storage areas.

12.2 Landscaping and Fencing

Objectives

- a) To ensure that the use of planting and landscape elements are appropriate to the scale of the development.
- b) To add value to residents' quality of life within the development in the forms of privacy, outlook and views.

Controls

Planting on Structures

Objectives

- a) To contribute to the quality and amenity of communal open space on podiums and internal courtyards.
- b) To encourage the establishment and healthy growth of trees in urban areas.

Controls

1. Design for optimum conditions for plant growth by:
 - Providing soil depth, soil volume and soil area appropriate to the size of the plants to be established.
 - Providing appropriate soil conditions and irrigation methods.
 - Providing appropriate drainage.
 - Design planters to support the appropriate soil depth and plant selection by:
 - Ensuring planter proportions accommodate the largest volume of soil possible. Minimum soil depths will vary depending on the size of the plant. However, soil depths greater than 1.5m are unlikely to have any benefits for tree growth.

- Providing square or rectangular planting areas rather than long narrow linear areas.
- 2. The following are recommended as minimum standards for a range of plant sizes:
 - Large trees such as figs (canopy diameter of up to 16m at maturity)
 - Minimum soil volume 150m³.
 - Minimum soil depth 1.3m.
 - Minimum soil area of 10 x 10m or equivalent.
 - Medium trees (8m canopy diameter at maturity).
 - Minimum soil volume 35m³.
 - Minimum soil depth 1m.
 - Approximate soil area of 6 x 6m or equivalent.
 - Small trees (4m canopy diameter at maturity).
 - Minimum soil volume 9m³.
 - Minimum soil depth 0.8m.
 - Approximate soil area of 3.5 x 3.5m or equivalent.
 - Shrubs: Minimum soil depths 500 – 600mm.
 - Ground cover: Minimum soil depths 300 – 450mm.
 - Turf: Minimum soil depths 100 – 300mm.
 - Any subsurface drainage requirements are in addition to the minimum soil depths quoted above.

12.3 Car Parking and Access

Car Parking

Objectives

- a) To provide convenient, accessible and safe on site car parking for residents and visitors.
- b) To minimise driveway crossings to maximise on street parking and landscaped nature strips.
- c) To integrate the location and design of car parking with the design of the site and building without compromising street character, landscape or pedestrian amenity and safety.
- d) To integrate the location and design of car parking with the design of the site and the building.

Controls

1. Private car parking for shop top housing residents must be clearly identified and separated from regular business car parking.
2. Visitor car parking shall be clearly identified and may not be stacked car parking.
3. Visitor car parking shall be located between any roller shutter door and the front boundary.
4. Pedestrian and driveways shall be separated.
5. Driveways shall be designed to accommodate removalist vehicles.

6. Give preference to underground parking, whenever possible by:
 - Facilitating natural ventilation to basement and sub-basement car parking areas, where possible.
 - Integrating ventilation grills or screening devices of car park openings into the facade design and landscape design.
 - Providing safe and secure access for building users, including direct access to residential dwellings, where possible.
7. Where above ground enclosed parking cannot be avoided, ensure the design of the development mitigates any negative impact on streetscape and street amenity by:
 - Avoiding exposed parking on the street frontage.
 - Hiding car parking behind the building facade. Where wall openings (windows, fenestrations) occur, ensure they are integrated into the overall facade scale, proportions and detail.



Figure 19 Car Parking at grade

Pedestrian Access

Objectives

- a) To promote shop top housing, which is well connected to the street and contributes to the accessibility of the public domain.
- b) To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their dwelling and use communal areas via minimum grade ramps, paths, access ways or lifts where practical.

Controls

1. Utilise the site and its planning to optimise accessibility to the development.
2. Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.
3. Promote equity by:
 - Ensuring the main building entrance is accessible for all from the street and from car parking areas.
 - Integrating ramps into the overall building and landscape design.

12.4 Amenity and Environmental Impact

Privacy

Objectives

- a) To locate and design buildings to meet projected user requirements for visual and acoustic privacy and to protect privacy of nearby residents.
- b) To avoid any external impacts of a development, such as overlooking of adjoining sites.
- c) To provide reasonable levels of visual privacy externally and internally, during the day and at night.
- d) To maximise outlook and views from principal rooms and private open space.

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 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.
4. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to dwellings by:
 - Balconies to screen other balconies and any ground level private open space.
 - Separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms.
 - Changing the level between ground floor dwellings with their associated private open space, and the public domain or communal open space.
5. Use detailed site and building design elements to increase privacy without compromising access to light and air by:
 - Offsetting windows of dwellings in new development and adjacent development windows.
 - Recessed balconies and/or vertical fins between adjacent balconies.
 - Solid or semi-solid balustrades to balconies - louvres or screen panels to windows and/or balconies.
 - Fencing.
 - Vegetation as a screen between spaces.

- Incorporating planter boxes into walls or balustrades to increase the visual separation between areas.
- Utilising pergolas or shading devices to limit overlooking of lower dwellings or private open space.

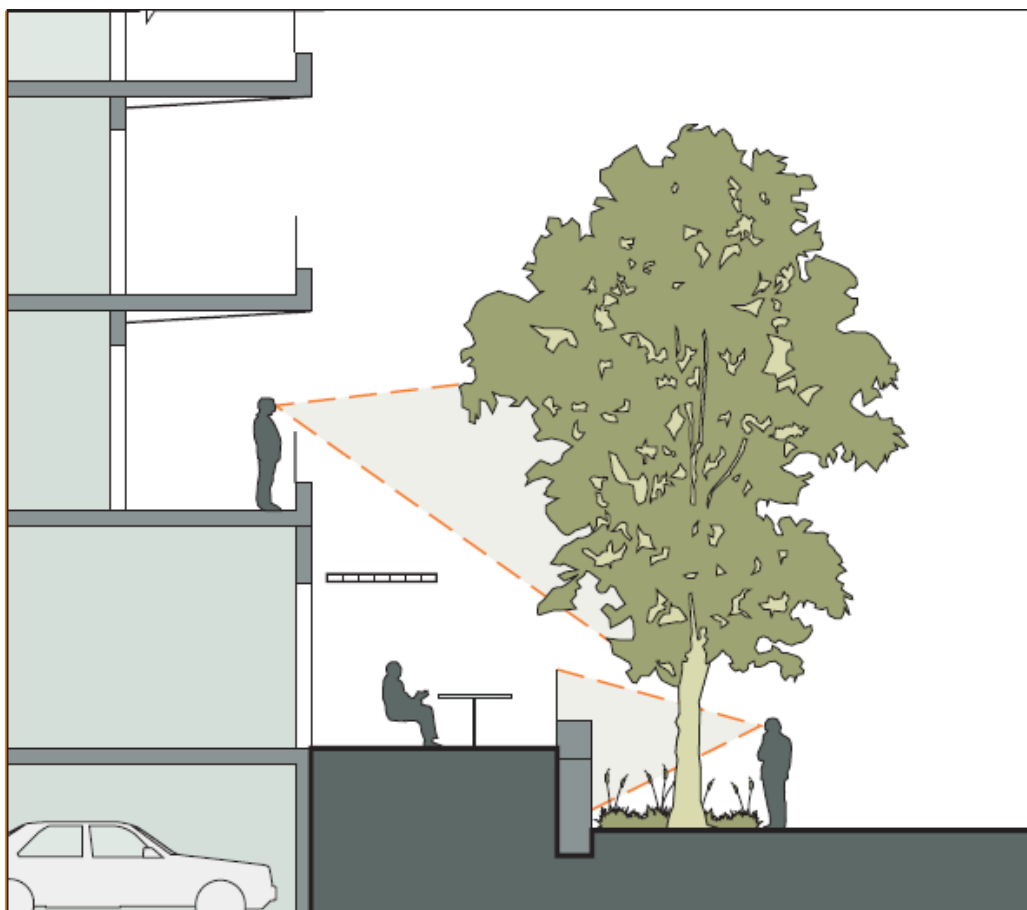


Figure 20 Balconies and Screening



Figure 21 Privacy, balconies and screening

Acoustic Impact

Objective

To ensure a high level of amenity by protecting the privacy of residents within shop top housing.

Controls

1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.
2. Buildings having frontage to a Classified Road or a railway and 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. The proposed buildings must comply with the Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance.
4. Arrange dwellings within a development to minimise noise transition between dwellings by:
 - Locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms.
 - Using storage or circulation zones within a dwelling to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas.
 - Minimising the amount of common walls with other dwellings.

- Design the internal dwelling layout to separate noisier spaces from quieter spaces by grouping uses within a dwelling - bedrooms with bedrooms and service areas like kitchen, bathroom, and laundry together.

13. Restaurants/Outdoor Cafes

Background

There is an increasing trend to have outdoor eating in conjunction with restaurants and cafes. This contributes to the activity in business areas. There is however a potential conflict between the users of outdoor eating areas and users of the footpath areas.

Objectives

- a) To ensure that outdoor cafes enhance the economic viability for centres.
- b) To ensure that outdoor cafes enhance the streetscape to create attractive and vibrant surroundings.
- c) To preserve or enhance public amenity, safety and access.

Controls

These controls apply to outdoor eating areas on public footpaths. Other than Hours of operation, these controls do not apply to outdoor eating areas that may also take place on private land.

Building Form, Streetscape and Layout

6m wide footpaths or greater.

Locate outdoor cafe seating close to the kerb. This leaves space near the building frontage for pedestrian passage. See Figure 22.



Figure 22 Outdoor cafe seating on 6m wide footpath

- 1. There shall be no increase in the number of chairs and tables at each individual cafe site without further approval from Council.
- 2. Outdoor cafe furniture shall remain at least 3m away from any change in direction of kerb and gutter, as occurs at street corners and from any bus stop or taxi stand.

3. Outdoor cafe furniture shall remain at an appropriate distance from any pedestrian crossing, disabled parking spaces, post box, public telephone, street sign, street tree or other street structure.
4. Outdoor cafe furniture shall be arranged to avoid the standing of chairs within less than 1m of the back of the kerb (see Figure 22).
5. Outdoor cafe sites shall allow appropriate public access across the footpath between kerb and property boundary. This control does not apply within purpose built Council designed 'al fresco' dining areas.
6. The siting of outdoor cafe areas shall allow for pedestrian road crossing areas. Appropriate public access shall be provided along the footpath parallel to the boundary of the adjacent building or premises. A minimum of 2.5m of footpath shall be available to pedestrians at all time. (See Figure 23).

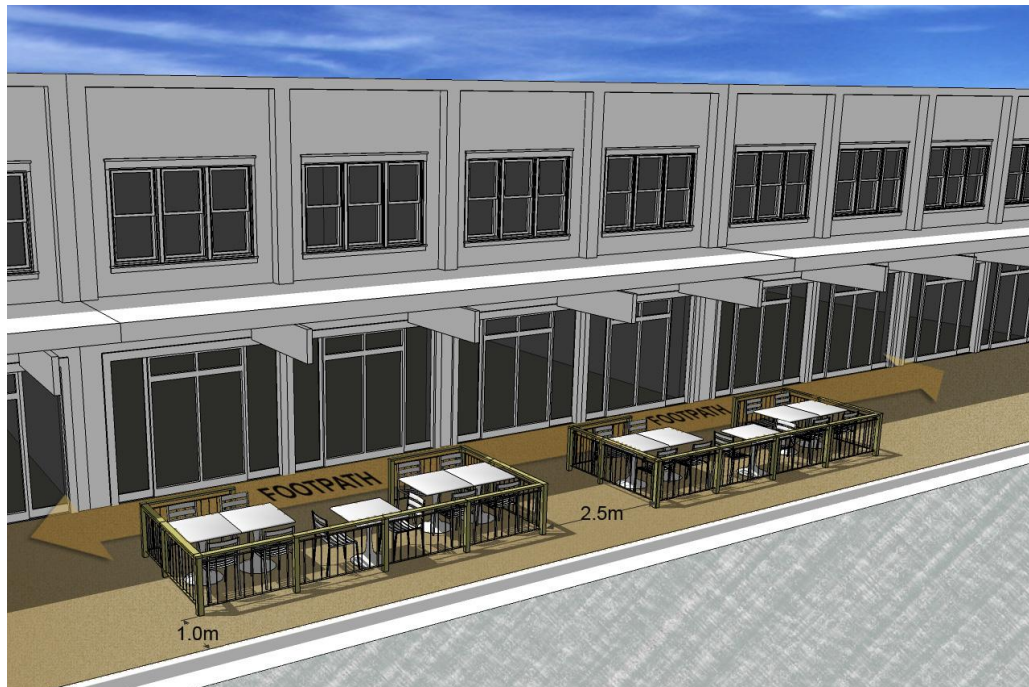


Figure 23 Placement of outdoor seating areas cannot interfere with pedestrian road access

Written Consent

Written consent from neighbouring tenants to establish outdoor cafe seating in front of other premises must be provided to council before such seating is permitted.

Car Parking and Access

No additional car parking is required for any outdoor eating area.

Amenity and Environmental Impact

The hours of operation shall be restricted to between 7:00 to 10:00 pm, unless otherwise varied by Council.

Operational matters

For further information on operational matters refer to the Appendix.

Landscaping

Planter boxes should be provided to enclose eating areas.

Site Services

1. If any of Council's street furniture or other items such as garbage bins, seats and planter boxes has to be removed for the installation of outdoor cafe seating, then that removal and any subsequent re-erection in the vicinity shall be at the permit holder's expense and shall be completed to Council's satisfaction.
2. Any additional lighting to normal street lighting shall be provided at the applicant's expense and shall be completed to the satisfaction of Council.
3. Any illuminations shall be appropriately managed during operations of the premises.

14. Child Care Centres

Background

There is an increasing need to have child care centres in close proximity to work places and places of residence. The need to locate child care centres in close proximity to work places and places of residence in business centres is balanced by the need to ensure that other business uses do not adversely affect the operation of a child care centre and vice versa. The Department of Community Services also regulates the standards and operations of child care centres.

Lot Sizes

The appropriate lot size is determined by the proposed number of children.

Objectives

- a) To maintain the amenity, streetscape and character of the area.
- b) To limit traffic and parking issues to the level found within the area.

Controls

- 1. The maximum number of children in any centre cannot exceed 45 for 0-5year olds, however Council may consider a maximum number of 60 children per centre of which 30% must be aged between 0-2.

The proposed child care centre must comply with open space requirements as set out in the Children Services Regulation 2004.

Licence Requirements

In order to operate a child care centre, the applicant needs to obtain the following:

- 1. A development consent from Council under the Environmental Planning and Assessment Act 1979.
- 2. A licence to operate from the NSW Department of Community Services (DOCS) under the Children and Young Persons (Care and Protection) Act 1998 and the Children's Services Regulation 2004.

It is strongly recommended that applicants arrange a meeting with Council prior to submitting a development application to ensure that all the pre-requisite documentation is in order. This will save time and money for the applicant.

Objectives

- a) To ensure that Child Care Centres are compatible with the business environment.
- b) To minimise any adverse impact of Child Care Centres on surrounding properties.
- c) To locate childcare centres where they would not have an adverse impact on the safety and health of children.

Controls

The following controls are in addition to those in Sections 1 – 9.

Site Planning

- 1. Site planning should be sensitive to site attributes, such as streetscape character, natural landform, existing vegetation, views and land capability.

2. The site layout should enhance the streetscape through the use of landscaping and built form.
3. Site planning should enable buildings to address streets and public open spaces.
4. The site layout should ensure that the external play area is maximised and enjoys solar access.
5. The site layout should contribute to personal safety and to the protection of property by permitting casual surveillance of adequately lit outdoor spaces from windows and entries.
6. In areas exposed to significant levels of off-site noise, the site layout and building forms should assist in minimising noise entry.
7. The site layout should ensure that the front entrance to the Child Care Centre is easily located and accessible.

The outdoor play space shall not be located within the setback to the street;

1. Buildings shall be designed to ensure that sunlight shall be available to 50% of the outdoor play area for a minimum of 3 hours between 9.00 am and 3.00 pm on June 21 or shall not create additional overshadowing;
2. The play area shall not be used as a stormwater detention basin.

Building Appearance, Streetscape and Layout

1. A Child Care Centre must provide at least 3.25sqm of unencumbered indoor play space per child.
2. Indoor Play Areas
3. A centre must provide at least 3.25sqm of unencumbered play space per child

Landscaping and Fencing

1. Where a fence adjoins a park it shall be of a high-grade material consistent in quality with the building and the context of the park, and shall be designed to address the park;
2. Solid front fences and walls shall be a maximum of 1.2m in height;
3. Fences shall be constructed of materials compatible with the proposed building;
4. Gates shall be the same height, self-closing and be secure and fitted with a childproof lock.

Car Parking and Access

Access for the disabled including those with prams is to be provided from the car parking area to the building.

Amenity and Environmental Impact

Adjoining uses

Child Care Centres shall be designed and operated so that noise generated by the centre does not impact significantly upon adjoining properties.

Lead, Asbestos and other contaminants

1. Child Care Centres shall not be constructed on sites that are contaminated.
2. All buildings, whether to be built, extended, renovated or converted to a Child Care Centre shall not contain any material or substance that will cause lead or asbestos or other contamination or poisoning.

Noise

Child Care Centres shall not be permitted in areas where aircraft noise levels exceed 25 *Australian Noise Exposure Factor (ANEF)*.

Site Services

Owners must provide their own waste management system. Area must be designated for the storage of waste on site.

15. Telecommunications Facilities

Background

There is a need to permit Telecommunications Facilities to allow sufficient coverage for uses of mobile telephones. This need is balanced by the need to consider the environmental impact of these on rural areas. Telecommunications towers are also managed by the Australian Communications Authority.

Objectives

- a) To ensure that Telecommunications Facilities are not within close proximity to dwellings or sensitive populations in order to minimise the potential of electro-magnetic radiation exposure.
- b) To ensure that the siting of Telecommunications Facilities is compatible with other permissible and adjoining land uses.
- c) To ensure that Telecommunications Facilities are sited with minimal intrusion.
- d) To minimise the number of Telecommunications Facilities by encouraging the co-location and sharing of facilities.

Controls

Site Planning

1. A Telecommunications Facility shall not to be located where it will detract the heritage significance or settings of a heritage item or heritage conservation area;
2. The selection of a site shall involve a site analysis of the existing streetscape;
3. The location of a Telecommunications Facility shall not be within a 300m "buffer" from an adjoining dwelling or sensitive population unless the annual average exposure limit does not exceed 0.2uW/cm²;
4. Telecommunications Facilities and associated ground facilities are not permitted on land below the PMF level;
5. The erection of any new Telecommunications Facility must be proven to be required only where no available alternative for co-location is possible;
6. The construction of any Telecommunications Facility must have the demonstrated potential for co-location of additional facilities and must be addressed as part of any development application proposal.

Building Design, Streetscape and Layout

1. Where possible a Telecommunications Facility should be integrated into the design of a building in the business zone to minimise its impact on the streetscape of a business area.

2. Where a tower is proposed to be used:
 - The shape, height and colour of the Telecommunications Facility needs to be addressed in order to ensure that visual amenity is maintained;
 - Wherever possible, Telecommunications Facilities should be of a slimline monopole construction;
 - Advertising signs of any type, including logos are not permitted on the Telecommunications Facility;
 - Night illumination is not permitted; except where a proposed Telecommunications Facility infringes the Obstacle Limitation Surface (OLS) for aircraft safety;
 - Landscaping is required where any existing vegetation will not adequately screen a Telecommunications Facility.

Amenity and Environmental Impact

1. All sites for Telecommunications Facilities and associated ground facilities must be enclosed by a minimum of 1.8m open mesh or similar fencing to prevent public access to the site in order to maintain public safety.
2. All sites must have warning and information signs displayed to minimise public risk.
3. The level of electro-magnetic radiation emitted from any Telecommunications Facility must not exceed the limit of 0.2uW/cm².
4. If at any one time a Telecommunications Facility is no longer needed, or no longer in operation, the carrier will, except otherwise agreed with Council, at its own cost remove the structure and facilities and restore the land to its natural state, within a three (3) month period. The carrier must also notify Council by letter prior to the removal of any Tower.
5. Once development has been completed on the site, the carrier must then restore the site to its previous state. Under the *Telecommunications Code of Practice 2008*, this work must commence within 10 working days after completion of the development.

16. Used Clothing Bins

Applies to

This section applies to charity bins located on either private or Council land.

Background

Used clothing bins are considered beneficial for the local community as they provide a means for residents to dispose of unneeded clothing items whilst providing an avenue for charities to obtain clothing donations from the public to provide goods, services and financial relief for disadvantaged people. Furthermore, clothing bins have the capacity to divert a substantial amount of recyclable material from landfill, thus ensuring the continued protection of the environment. The use of clothing bins is important as it supports both charitable causes and local residents in need.

Objectives

- a) To recognise used clothing bins form a legitimate and appropriate means of social support while encouraging the recycling of unneeded clothing.
- b) To allow for the operation of used clothing bins in a manner which limits adverse impacts upon visual amenity, health amenity, existing landscaping and the safety of pedestrians and vehicles.
- c) To control the number and location of used clothing bins within the Liverpool LGA.
- d) To regulate the size, appearance and maintenance of used clothing bins.
- e) To provide Council with legal protection from issues that may arise with regard to the placement and operation of used clothing bins.

General controls for all Used Clothing Bins

The following provisions are to be applied in conjunction with used clothing bin controls contained in Part 1 of the DCP.

1. Used clothing bins are permitted in all business zones, the private recreation zone and on compatible sites such as educational establishments and places of public worship.
2. A maximum of 8 square metres must be identified in each development application for retail/shopping centre, schools and places of public worship for the future placement of used clothing bins.
3. A maximum of 2 used clothing bins are permitted on each shopping centre site. The bins at each shopping centre location are to be operated by the one charity organisation. Council reserves the right to use its discretion in determining whether additional bins are appropriate, and whether the site is considered suitable.
4. A used clothing bin must clearly display the name and telephone number of the operator and not exceed the following dimensions:
 - Width: 1.2 metres
 - Depth: 1.3 metres
 - Height: 1.9 metres
5. The used clothing bin is to be placed on a concrete slab to allow all weather use.
6. Used clothing bin should be readily accessible and are not to be located in a designated car parking space and manoeuvring areas, nor in such a way that contravenes any condition of development consent applicable to the site.

7. A used clothing bin must not be located in a position where it could cause an obstruction to pedestrian and cycle paths, affect vehicular sightlines, on a road verge or in a manner which contributes to a potentially dangerous situation.
8. At no time will a used clothing bin be permitted on Council's footpaths, cyclepaths or nature strips.

17. Service Stations

Applies to

This section applies to Service Stations in Business zones.

Background

Service Stations are permitted in the B1 Neighbourhood Centre; B2 Local Centre; B4 Mixed Use; and B6 Enterprise Corridor zones (Refer to Liverpool Local Environmental Plan 2008). Service Stations provide convenient goods to surrounding localities and passing commuter traffic.

Objectives

- a) To preserve public amenity, safety and access.
- b) To limit the impacts upon adjoining land uses such as residential accommodation and business uses.

Controls

- 1. Car parking areas shall:
 - a) Be located to minimise conflict with vehicle movements for other uses on the site.
 - b) Be located as close as possible to the use generating the need for parking e.g. take away food and/or retailing component to minimise on street car parking.
 - c) Be provided in accordance with Part 1 of LDCP 2008.
- 2. Drive through areas should be located to minimise conflict with pedestrian movement and impacts on neighbourhood amenity.
- 3. Driveways must be appropriately designed and be located to ensure safe access and egress, particularly in reference to sight lines and pedestrian movements.
- 4. Buildings should be sympathetic to existing setbacks, heights and building envelopes of neighbouring properties.
- 5. Appropriate mitigation measures should be provided to limit noise, light overspill, visual impact and odour.
- 6. A Landscape Plan, prepared by a suitably qualified person, is to be submitted with any development application. Landscaping is to provide a visual and acoustic buffer to adjoining development.

18. Restricted Premises

Applies to

This section applies to 'Restricted Premises' (as defined by the Liverpool Local Environmental Plan 2008) in Business zones.

Objectives

- a) To ensure that the design and external appearance of restricted premises (including colour scheme and lighting) does not have an adverse impact on the architectural character of the surrounding built environment and streetscape appearance
- b) To ensure that the safety of all staff and visitors to restricted premises is maintained when approaching, entering and leaving the premises
- c) To ensure that restricted premises are provided with appropriate facilities in accordance with the relevant occupational health and safety provisions
- d) To ensure that adequate and suitable facilities are provided within restricted premises to ensure the privacy, comfort, safety and security of staff and patrons
- e) To ensure that advertising and signage associated with restricted premises is discreet, does not draw attention to the use and does not result in visual clutter or other adverse visual impacts on the surrounding area
- f) To minimise the potential for the operation of a restricted premises to cause a disturbance in the surrounding area because of its size, location, hours of operation, number of employees or clients, or proximity to other restricted premises or sex services premises
- g) To ensure the safe and adequate storage, handling and disposal of contaminated waste

Controls

Siting

1. Restricted premises shall not be located within 150m of any land zoned residential or any place of worship, school, community facility, child care centre, hospital, rail station, bus stop, taxi stand, licensed premises (i.e. hotel, club, restaurant), or any place regularly frequented by children for recreational or cultural pursuits.
2. Restricted premises shall not be located within 150m of any land for which a consent for the uses listed in item 1 above exists.
3. In determining an application to carry out development for the purpose of restricted premises, the consent authority must consider the following matters:
 - whether the operation of the restricted premises will be likely to cause a disturbance in the neighbourhood because of its size, location, hours of operation, clients or the number of employees and other people working in it,
 - whether the operation of the restricted premises will be likely to interfere with the amenity of the area, and
 - whether the operation of the restricted premises will be likely to cause a disturbance in the neighbourhood when taking into account other businesses operating in the neighbourhood offering similar goods and services and involving similar hours of operation.

Design of Premises

4. No part of the premises (other than an access corridor to the premises) shall be located at ground floor level, mezzanine, sub basement level or street level or be visible from a public place.
5. Restricted premises must be designed so that there is only one visible pedestrian entrance to the premises from the primary street frontage. In instances where there is no front access and/or front access is impractical, Council will consider a side or rear pedestrian access where adequate attention has been given to safety and security matters.
6. Rear or side pedestrian access is to be limited to one only, unless it can be demonstrated to Council's satisfaction that more than one access contributes to the amenity and functional efficiency of the restricted premises and surrounding uses and does not result in safety and security concerns or visual clutter via the need for additional signage.
7. The external appearance of restricted premises must respect the character and appearance of the streetscape, such that they do not become a prominent feature in the street. In this regard, the external colour scheme of these premises is to be consistent with surrounding colour schemes. Vivid and/or ostentatious colour schemes will not be permitted unless it can be demonstrated that the proposed colour scheme would be in keeping with the existing streetscape.
8. All entrances and exits of restricted premises must have appropriate lighting to ensure the safety of all staff and visitors as they arrive and leave the premises. Any flashing, intermittent etc. lighting used in conjunction with a restricted premises must not be visible from a public place.
9. No merchandising display relating to the sex services premises shall be erected, displayed or exhibited in any location which is visible from a public place or in an access corridor (including any stairwell to the premises).

Signage

10. Signage is to be discreet and is limited to a combination of the business name, address and phone number.
11. There is to be one sign, not exceeding 1.5sqm in area, per premises. A second sign may be permitted where pedestrian access is provided at the side or rear of the site.
12. The content, illumination and shape of the sign must not interfere with the amenity of the locality. In this regard, signs are not to include suggestive or offensive material, or include colours or designs that may distract passing motorists. Illumination of signs must not cause nuisance to any adjoining premises or interfere with the amenity of the area.
13. In addition to a business identification sign, a clearly visible street number is to be displayed on the premises.

Note: In addition to the above controls, applications for restricted premises must comply with the requirements of the *Crimes Act 1900 Section 578 (e)* and *Classification (Publications, Films and Computer Games) Enforcement Act 1995*.

Appendix – Outdoor Cafes

Furniture

Each establishment shall adopt its own consistent colour scheme and style for items such as seats, tables and umbrellas. The use of mismatched tables, chairs and umbrellas are not permitted.

1. Outdoor cafe furniture shall be of commercial quality to withstand the wear of outdoors commercial use.
2. Plastic tables and chairs are not permitted without approval of Council.
3. Selection, design and installation of outdoor cafe furniture shall be subject to Council approval.
4. Council must approve the colour and style of outdoor umbrellas within the CBD.
5. Outdoor cafe furniture including plants, containers and other items shall be approved by Council and maintained at all times in an appropriate aesthetic, structurally sound and hygienically clean condition by the permit holder.
6. Where footpath awnings are absent the permit holder shall provide removable outdoor umbrellas for the outdoor cafe.
7. Outdoor umbrellas are to be installed at such a height or in such a manner that there is no conflict with passing pedestrian traffic.
8. Outdoor umbrellas shall be a minimum height of 2.1m at the lowest point of overhang and shall be counterweighted or capable of being easily fastened to resist overturning. In some cases umbrellas can be inserted into permanent in-ground steel base fittings.
9. Outdoor chairs shall be capable of being easily stacked or folded for storage unless otherwise permitted by Council.
10. Outdoor cafe furniture and barricades shall be easily movable, so as to assist maintenance and cleaning of the pavement.
11. Outside of trading hours, outdoor cafe tables, chairs and umbrellas shall be removed from the footpath by the permit holder and shall be stored within the associated building premises.
12. Access to outdoor cafe seating shall be provided for people with disabilities.

Operation

The permit holder or delegated person in authority must observe the following requirements:

1. All business activities in the outdoor cafe area shall be conducted in a safe and clean manner.
2. All decisions of management shall reinforce the fact that the outdoor cafe area is a public place, which exists for the welfare of the public.
3. The outdoor cafe, and the area between the outdoor cafe and the associated business premises, shall be kept clean at all times, and any spilt food, liquid or other material likely to cause injury or offence shall be removed immediately by the permit holder or operator.
4. Food and drink preparation activities are not permitted in outdoor cafe areas.

5. All food scraps, eating utensils and waste material shall be removed from the outdoor cafe and taken into the associated business premises immediately after the completion of each meal.
6. Food waste disposal facilities must be provided within the associated business premises as required by Council.
7. Moveable barriers, tables, chairs, umbrellas and the like shall be removed from the footpath and stored in the associated business premises outside the approved trading hours. The leased area must be left clean at the end of the days trading. The operator is responsible for any damage sustained to Council property directly or indirectly associated with the outdoor cafe's operations.
8. No sound amplification equipment, jukeboxes or loud speakers shall be used in the outdoor cafe area for the purpose of announcements, broadcasts, playing of music (whether recorded or otherwise) or similar purposes.
9. Live entertainment may be provided at the outdoor cafe area with the prior written permission from Council.

Insurance

To provide adequate protection against claims that may arise as a result of the operation of the outdoor cafe, each operator shall have a current public liability risk insurance policy.

Council's public liability insurance requirements are as follows:

1. The applicant shall have a current liability risk insurance policy for the sum of not less than \$10,000,000, which covers public liability resulting from actions associated with the outdoor cafe.
2. The policy shall indemnify Liverpool City Council against any public liability claims within the area between the front property boundary of the subject premises and the kerb line of the street for the full frontage of the subject premises. Where the outdoor cafe is not directly adjacent to the subject premises, the area covered by the insurance policy shall include the outdoor cafe permitted area and the area between the outdoor cafe and the subject premises frontage. The policy shall also cover accidents involving staff employed and the public within the associated outdoor cafe seating areas.
3. The applicant shall keep the policy current at all times and shall provide Liverpool City Council with a copy of the policy prior to the issue of the 'Permit for Outdoor Cafes'.

Footpath Permit Agreement and Insurance

Applicants will also need to provide public liability insurance for the outdoor cafe area and sign a permit agreement. The permit agreement is a legal document between the applicant and Council that allows the applicant to use the Council approved area for seating. As the insurance is renewed each year so is the permit agreement

Agreement and Enforcement

The Permit Agreement must be completed to Council's satisfaction and signed by the applicant.

Enforcement Measures for Non-Compliance

If non-compliance is noted, the permit holder will be given:

Step 1

A verbal warning and an explanation of the problem.

Step 2

A written notice to comply. If non-compliance continues, the permit holder will be given:

Step 3

An infringement notice and a maximum of up to five (5) penalty units.

Step 4

If there is continued non-compliance, Council reserves the right to revoke the permit. Any breach of safety must be rectified immediately, as non-compliance will result in instant loss of permit.

Site plans of the footpath area drawn to scale (1:100) including:

1. The dimensions and boundaries of the outdoor cafe.
2. The number and location of tables and chairs in the outdoor cafe area.
3. The kerb line of the street.
4. The width of the business premises frontage and location of entrances.
5. The width of the existing footpath adjacent to the business premises frontage and the remaining width of the footpath after allowing for outdoor cafe seating.
6. The location of pedestrian or vehicular entrances which serve the adjoining buildings premises or adjacent areas.
7. The design, material and location of any barriers intended to define any part or boundary of the outdoor cafe.
8. The location of any public utility structures such as power poles, bus stops, trees, street furniture, signposts or other items, which are adjacent to the site.
9. The area to be covered by the public liability insurance. This will include the permitted outdoor cafe area and the connecting area to the shop through which food and drink is delivered.
10. Provision of emergency vehicle access where required by Council so that such access always has priority over all outdoor cafe areas.
11. Details of the proposed colour, type and material of proposed chairs, tables, umbrellas, barricades and other items.
12. Details of proposed planter boxes, including plantings.
13. Details of proposed artificial lighting and/or heating.
14. Details of access, safety and other matters including those mentioned elsewhere in this DCP.

Step 5

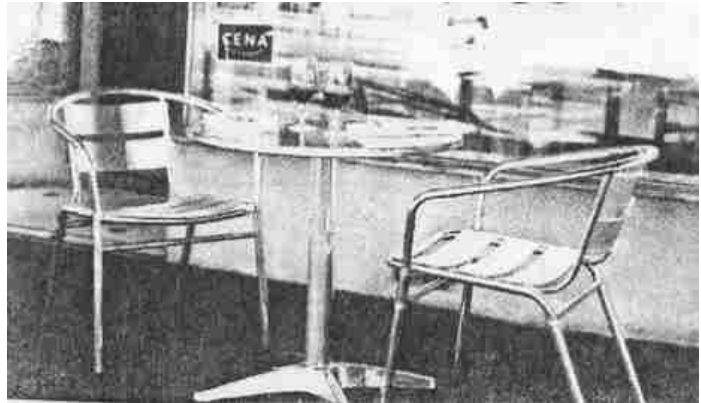
Signing of the Permit

If Council approves the Development Application, the applicant is required to accept the conditions, which apply to the Footpath Permit Agreement (See Appendix 3; Application for a Permit for Outdoor Cafes), by formally signing and receiving all relevant

documentation. Council will require a copy of the public liability insurance for the outdoor cafe and associated areas before the permit is issued.

Chairs and tables

Examples of Suitable Outdoor Furniture





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

Postal Address Locked Bag 7064, Liverpool BC NSW 1871

Customer Contact Centre 1300 36 2170

Fax 02 9821 9333

NRS (National Relay Service) 133 677

Email lcc@liverpool.nsw.gov.au

Website www.liverpool.nsw.gov.au