

Liverpool Development Control Plan 2008
Part 3.2
Dwelling Houses on Lots greater than 400sqm
in the R2, R3 and R4 zones

19 February 2014

Part 3.2 must be read in conjunction with Part 1
Check if any Locality Parts also apply

Liverpool Development Control Plan 2008
Part 3.2 Dwelling Houses on lots greater than 400m² in the R2, R3 and R4 zones

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1. Preliminary

Applies to

1. Part 3.2 applies to Dwelling Houses on lots greater than 400m² in the R2 – Low Density Residential, R3 – Medium Density Residential and R4 – High Density Residential, except as provided below.
2. Part 1 of the DCP also applies to the land.
3. The following Parts also apply to development in certain areas, these Parts only provide controls for the Public Domain, in particular the proposed street layout.
 - Part 2.1 Casula Green Valley.
 - Part 2.2 Hoxton Park, Carnes Hill and Prestons.
 - Part 2.13 Pleasure Point
4. Part 3.2 does not apply to residential development on land in the residential zones in the following locations. All controls in relation to the Private and Public Domain are covered by the respective parts.
 - Georges Fair Moorebank. (Refer to Part 2.3 for all controls on residential development).
 - Middleton Grange. (Refer to Part 2.5 for all controls on residential development).
 - Greenway Views. (Refer to Part 2.7 for all controls on residential development).
 - Voyager Point (Refer to Part 2.8 for all controls on residential development).
 - Edmondson Park (Refer to Part 2.11 for all controls on residential development).

Background

Developments in Liverpool have been traditionally single dwellings on single lots. The aim of this section of the DCP is to provide development controls for the variety of dwelling types permitted in residential areas in Liverpool LGA while maintaining a pleasant streetscape and providing privacy for existing and future residents.

Residential development in Liverpool prior to the 1950's was concentrated around the current Liverpool City Centre and in the portion of Moorebank near Moorebank Avenue and consisted generally of single detached dwelling houses. In the 1960's development largely took place in the Housing Commission area around Miller and on land at Moorebank. There was also development at Casula and Lurnea. Again it largely consisted of dwelling houses. There was some limited home unit re-development near Liverpool City Centre.

The *Sydney Region Outline Plan*, released in 1968 identified areas on the fringe of Sydney for urban development. The bulk of the land to the west of Liverpool identified in the plan now forms Hoxton Park Release Area, Stages 1 & 2.

In the 1970's development took place in Chipping Norton and Moorebank and to a lesser extent at Green Valley and Casula. There was also some home unit urban re-development adjacent to the Liverpool CBD.

Development in the 1980's commenced in the area known as the Hoxton Park Stage 1 Release Area including Green Valley, Hinchinbrook and Casula. These areas consisted largely of dwelling houses, although dual occupancy housing and multiple dwellings were also permitted in these areas.

In the 1990's the rate of residential development increased substantially. It commenced in Wattle Grove, Cecil Hills, Hoxton Park, Carnes Hill and Prestons. Again it consisted largely of dwelling houses although dual occupancy housing and multiple dwellings were also permitted in these areas.

In the early 2000's more redevelopment began to take place in the established areas of Liverpool in the form of dual occupancy and multiple dwellings in suburban areas as well as substantial home unit re-development around Liverpool City Centre.

During these periods non-residential developments took place in the residential areas including schools and churches.

Link to Liverpool LEP 2008

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

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

Objectives

- a) To provide controls for residential development to ensure that it achieves a high standard of urban design, that is compatible with the amenity and character of the area.
- b) To provide for a variety of housing choice within residential areas with Liverpool.

2. Site Planning

Objectives

- a) To ensure that the dwelling house is sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.
- b) To ensure privacy for residents and neighbours.

Controls

1. The dwelling layout must be designed around the site attributes such as slope, existing vegetation, land capability and / or solar access (See Figure 1).
2. There must be a direct link from at least one living area to the principal private open space.
3. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the private open space of neighbouring properties.
4. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.

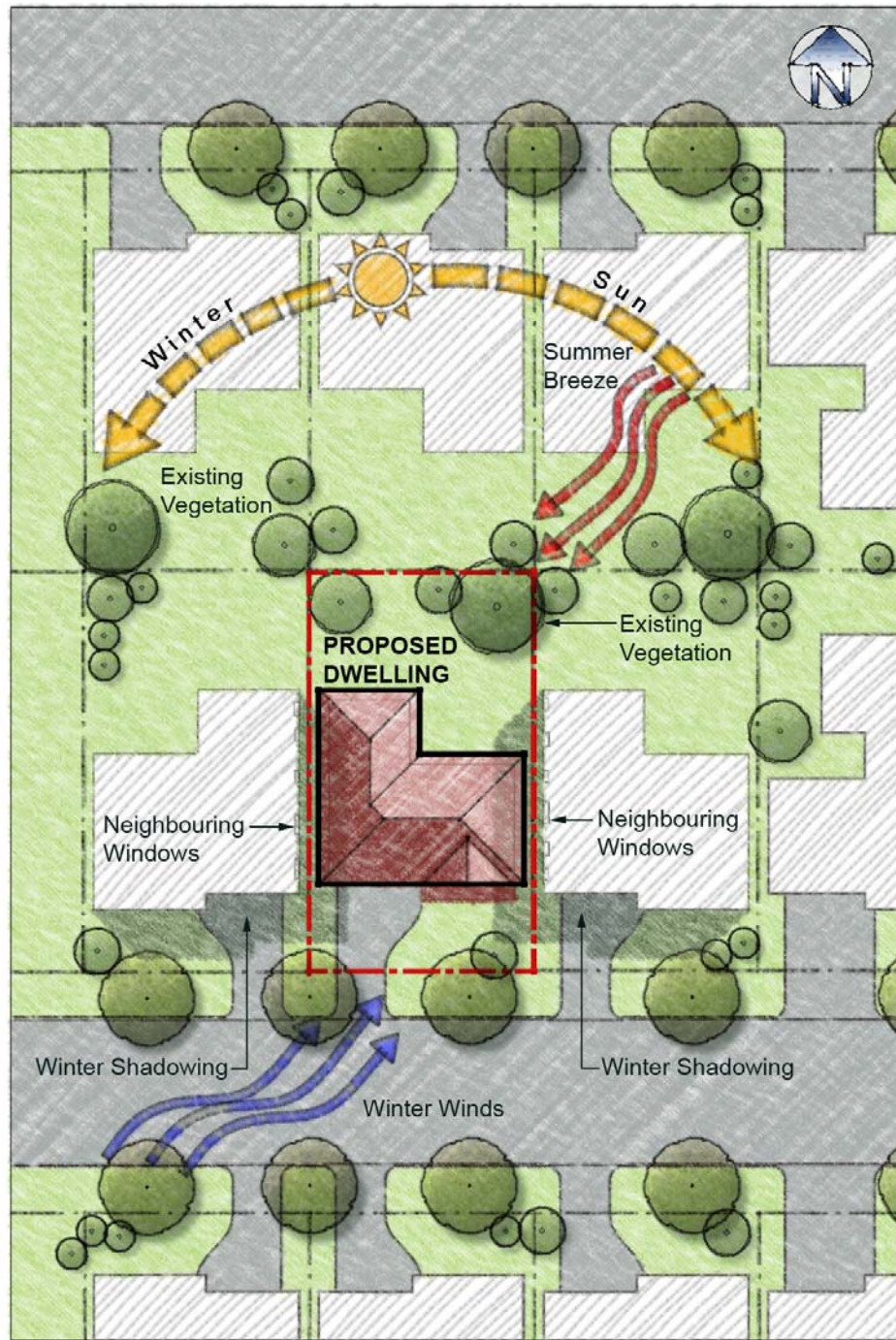


Figure 1 Example of a site analysis plan

3. Setbacks

Objectives

- a) To set dwellings back from the street and adjacent properties to provide reasonable space for landscaping, private open space and solar access.
- b) To set dwellings back from each other to provide visual and acoustic privacy.
- c) To create a streetscape that provides a desirable and safe environment.
- d) To establish a streetscape of a scale and sense of enclosure appropriate to the locality.
- e) To provide an appropriate area capable of allowing the growth of trees and shrubs.

Controls

Front and Secondary Setbacks

1. Dwelling houses shall be setback in accordance with Table 1.

Table 1

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

2. Garages must be set back a minimum of 1m behind the main face of the dwelling (see Figure 2). (The main face is the first wall of a habitable room)
3. Verandahs, balconies, eaves and other sun control devices may only encroach on the minimum secondary setback by up to 1m.
4. The secondary setback is the longest length boundary (See Figure 2).
5. Garages that address the secondary frontage must have a minimum setback of 5.5m.

Side and Rear Setbacks

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

Table 2

Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9m	4.0m
Second storey component of dwelling houses	1.2m	7.0m
Living room doors (such as family, dining or rumpus rooms)	4.0m	4.0m

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

Refer to Section 8 - Amenity and Environmental Impact for Setbacks for Bushfire Hazard in Pleasure Point

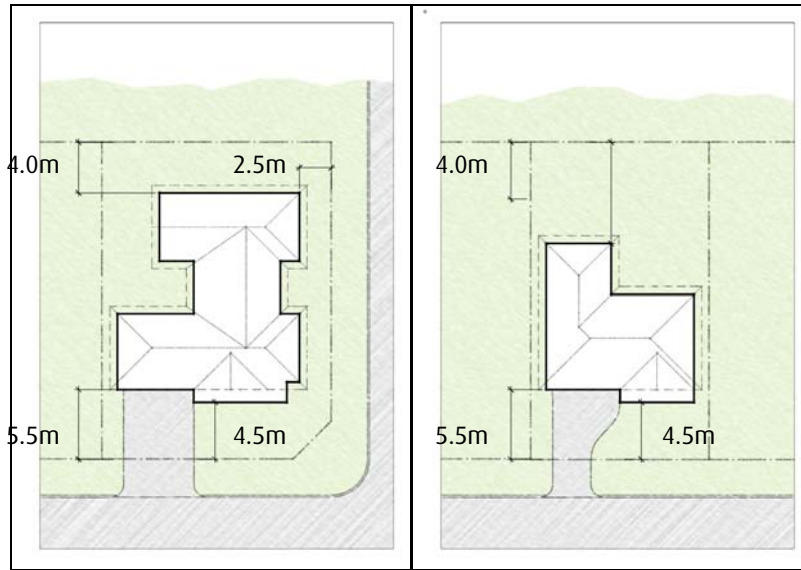


Figure 2 Front, Side and rear Setbacks

4. Landscaped Area and Private Open Space

Landscaped area is defined in Liverpool LEP 2008.

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

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

Landscaped Area

Objectives

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

Controls

1. A minimum of 25% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas (See Figure 3).
2. A minimum unincumbered area of 4 x 6m shall be provided in rear setback to accommodate deep rooted trees.
3. A minimum of 50% of the front setback area shall be Landscaped Area.
4. A minimum unincumbered area of 3 x 5m shall be provided in front setback to accommodate deep rooted trees.

Private Open Space

Objectives

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

Controls

1. Each dwelling must provide a minimum amount of Private Open Space in accordance with Table 3.

Table 3

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

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

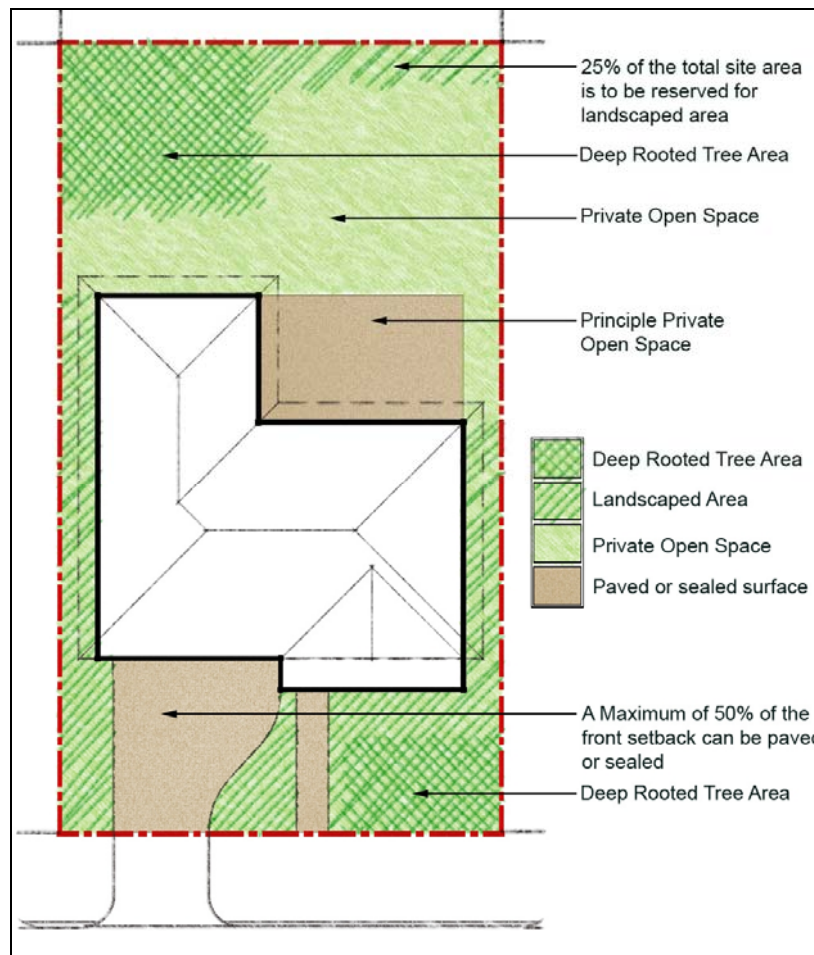


Figure 3 An example of Landscaped Area and Private Open Space.

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

Cut and Fill of Land

Objectives

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

Controls

1. The maximum cut on a site must not exceed 600mm.
2. All retaining wall structures shall be masonry construction and designed by a suitably qualified person, or constructed as specified by the manufacturer of the product. The retaining wall shall be constructed wholly inside (within) the boundary of the site.
3. All slab constructions for dwellings that are above natural ground level are to be constructed using dropped edge beams to retain fill. The maximum fill within the confines of the slab must not exceed 1m. All fill must be contained within the dwelling footprint.
4. Contaminated fill, either imported or found on site is not permitted.

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

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

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

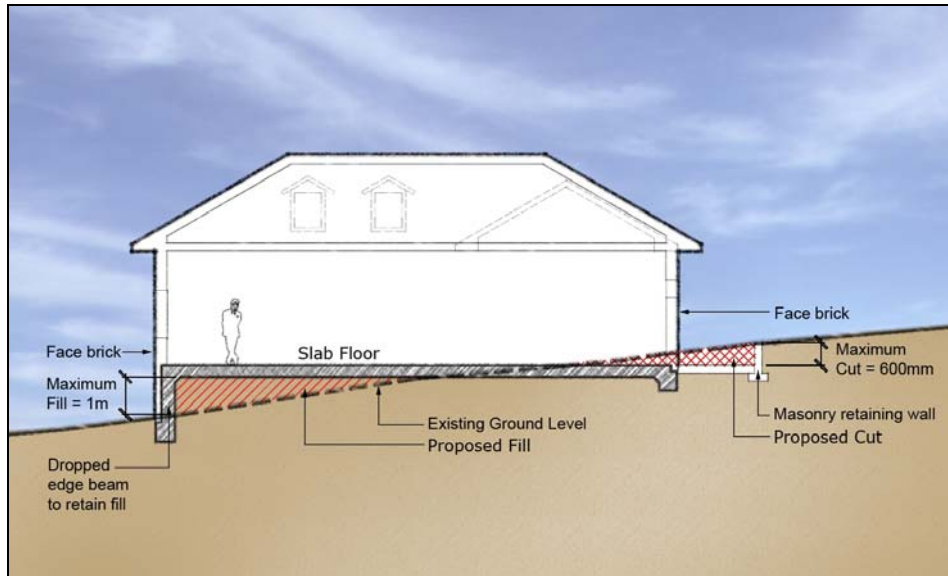


Figure 4 An example of Cut and Fill

Building Design and Appearance

Objectives

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

Controls

1. All dwelling houses are to be orientated to the street.
2. The front pedestrian entrance must be visible from the street.
3. The front building facades shall be articulated, this articulation may include front porches, entries, wall indents, windows, changes in finishes, balconies and/or verandahs.
4. Eave overhang must provide for sun shading and protect windows and doors. Eaves should have a minimum overhang of 400mm and be provided to a minimum of 70% of the dwelling.
5. Dwelling houses that face two street frontages or a street and public space shall address both frontages by the use of verandahs, balconies, windows or similar modulating elements.
6. The side walls shall be articulated if the wall has a continuous length of over 14m.

Two storey dwellings

7. To break up the bulk of two storey dwellings balconies built above garages are encouraged (See Figure 5).
8. Balconies are not permitted on the first floor of the side and/or rear portion of the dwelling. Balconies may be considered if they address public open space/utilities.

Garages and Carports

9. The maximum width of garage doors or carports must be no greater than 45% of the building frontage width.
10. Garages and carports must be designed to be the minor element of the façade
11. Garage roofs shall be incorporated into the roof design of the house. Separate roofs for garages are discouraged, unless actually separated from the dwelling.
12. Garages and carports are to be compatible with the building design in terms of height, roof form, detail, materials and colours.
13. Carports may be built in front of the garage only if the carport:
 - Is no larger than 5.5 x 6m.
 - Is built of a similar colour and materials of the house.
 - Is setback 2m from the front property boundary.
 - Is compatible with the local streetscape.
14. The conversion of garages to living space may only be permitted if:
 - At least one car parking space is provided behind the front setback.
 - The additional living area does not result in the building exceeding the maximum permitted floor space ratio.



Figure 5 Example of Building Appearance (Indicative Only – Not to Scale)

Internal Design of Dwellings

Objectives

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

Controls

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

6. Landscaping and Fencing

Landscaping

Objectives

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

Controls

1. The front and rear setback areas of development are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within the front and rear setback areas.
2. At least one tree shall be planted in the landscaped areas. The tree must reach a mature height of over 8m.
3. Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. However, Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access.
4. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.

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

Fencing

Objectives

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

Controls

1. Wall finishes must have low reflectivity.
2. Where noise insulation is required, consider the installation of double-glazing or other noise attenuation measures at the front of the building rather than construction of a high solid form fence.

Primary Frontage

1. The maximum height of a front fence is 1.2m.
2. The front fence may be built to a maximum height of 1.5m *if* the fence is setback 1m from the front boundary with suitable landscaping in front of the proposed fence.

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

Secondary Frontage

1. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped (See Figure 6).
2. For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence / wall may then be raised to a maximum of 1.8m (See Figure 6). The secondary setback is the longest length boundary.
3. Side fencing facing a public street or open space must not be constructed of sheet metal.

Boundary Fences

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



Figure 6 Fence treatments on secondary frontage

7. Car Parking and Access

Objectives

- a) To provide car parking facilities on site that are convenient, safe and have sufficient space for vehicular manoeuvrability, whilst being visually unobtrusive.
- b) To minimise the need for on street car parking from new dwellings.

Controls

- 1. Two car parking spaces shall be provided for each dwelling.
- 2. At least one car parking space must be provided behind the front setback.
- 3. A car parking space is to have a minimum dimension of 2.5 x 5.5m.
- 4. A single garage is to be a minimum of 3 m wide internally and unobstructed.

8. Amenity and Environmental Impact

Overshadowing

Objective

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

Controls

1. Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least:
 - One living room, rumpus room or the like.
 - 50% of the private open space.

Privacy

Objective

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

Controls

1. Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling (See Figure 7)
2. Habitable room windows on the first floor that face the side boundary are to avoid unreasonable overlooking by having a minimum sill height of 1.5m, except where they face a street or public open space (See Figure 7).
3. Building siting, window location, balconies and fencing must consider the importance of the privacy of on site and adjoining buildings and private open spaces.
4. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.

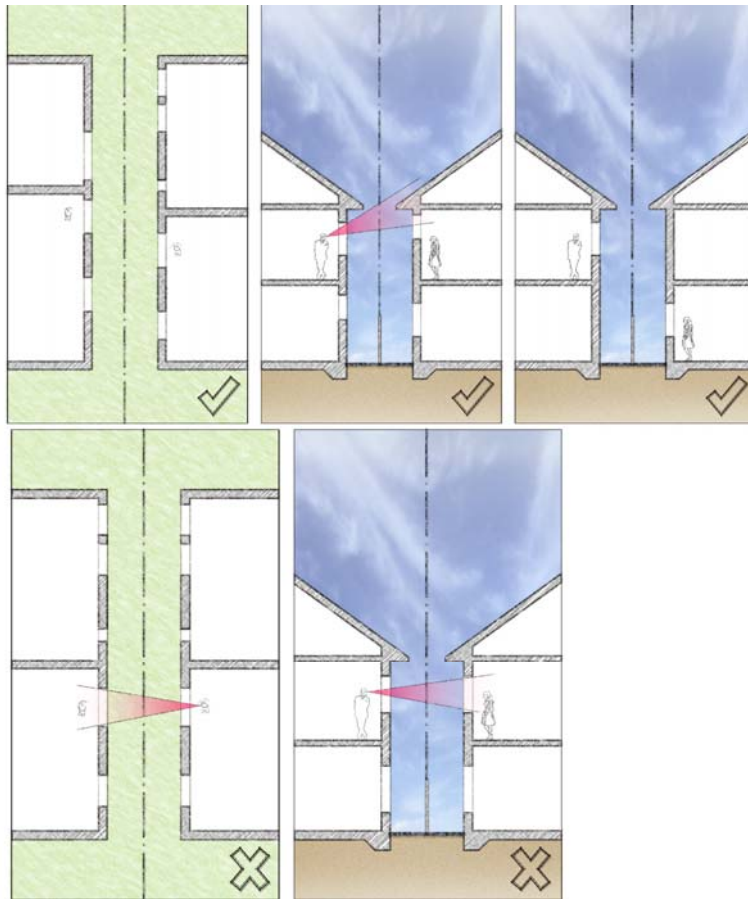


Figure 7 Privacy and Amenity

Acoustic Privacy

Objective

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

Controls

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

Bushfire Controls for Pleasure Point

Objectives

- a) To preserve mature trees, saplings and natural bushland.
- b) To reinforce existing vegetation character of the area.
- c) To minimise the risk of bushfire through hazard reduction.
- d) To reduce the bushfire threat.

Controls

1. Established vegetation character should be reinforced by replanting with predominantly Australian indigenous trees, shrubs and ground cover.
2. Refer to Appendix 2 in Part 1 for the list of preferred species that should be considered when replanting. Invasive plant species that should not be planted, in order to help ensure that weed invasion in the adjoining bushland is effectively managed is in Appendix 1. Plants that have been declared noxious are listed in Appendix 2 in Part1.
3. Developers are advised to refer to *Australian Standard AS 3959-1991 - Construction of Buildings in bushfire-prone Areas*.
4. Buildings shall be setback 25m from the rear boundary of all lots adjacent to DP 239468 (see figure 8).
 - a) Within the 25 metre rear setback area:
 1. Any above ground structures are to be limited to a 15 square metre footprint and constructed of non-combustible material.
 2. Landscaping is to include fire resistant species.
 3. Fixed water systems are to be installed.
 - b) For properties directly adjoining DP 239468 the rear fence shall be:
 1. 1.8m high
 2. Consist of see through construction e.g. cyclone wire



Figure 8 Land to which a 25 metre setback applies

9. Site Services

Objectives

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

Controls

Frontage works and damage to Council infrastructure

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

10. Secondary dwellings (Granny Flats)

Objective

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

Controls

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

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



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