

**Liverpool Development Control Plan 2008**

**Part 3.1**

**Dwelling Houses in the R5 zone**

**3 September 2014**

**Part 3.1 must be read in conjunction with Part 1**  
Check if any Locality Parts also apply



# **Liverpool Development Control Plan 2008**

## **Part 3.1 Residential Development in the R5 zone**

### **Table of Contents**

1. Preliminary .....	5
2. Site Planning .....	8
3. Setbacks.....	10
4. Landscaped Area and Private Open Space .....	11
5. Cut and Fill, Building Design, Streetscape and Layout.....	12
6. Landscaping and Fencing.....	15
7. Car Parking and Access .....	17
8. Amenity and Environmental Impact .....	18
9. Site Services .....	19
10. Additional Requirements.....	20

## Table of Figures

Figure 1 Lots in Pleasure Point subject to merit assessment.....	6
Figure 2 Example of a site analysis plan .....	9
Figure 3 Front, Side and Rear setbacks .....	10
Figure 4 An example of Cut and Fill .....	13
Figure 5 Driveway design and car parking.....	17

# 1. Preliminary

## Applies to

1. This section applies to the design of dwelling houses on lots in the R5 zone.
2. Part 1 of the DCP also applies to the land.
3. Requirements for Setbacks and Landscaped Area and Private Open Space must be assessed on their merits in relation to the following lots in Pleasure Point, which are also illustrated in Figure 1 below:

Lot 83 DP 1134481

Lot 84 DP 1134481

Lot 85 DP 1134481

Lot 79 CS 09/63

Lot 80 CS 09/63

Lot 81 CS 09/63

Lot 75 DP 1134478

Lot 76 DP 1134478

Lot 77 DP 1134478

Lot 71 DP 1134477

Lot 72 DP 1134477

Lot 73 DP 1134477



Figure 1: Lots in Pleasure Point subject to merit assessment of Setbacks, Landscaping and Private Open Space (subject lots highlighted)

### **Background**

Land for rural residential subdivision at Denham Court was identified in the late 1980's. That portion which is in the valley is within the R5 zone. In the early 2000's land was identified at Wallacia for rural residential subdivision. Subsequently land was also identified adjacent to Luddenham for a similar subdivision.

### **Objectives**

- a) To provide controls for Large Lot Residential development to ensure that it achieves a high standard of urban design, that is compatible with the amenity and character of the area.
- b) To provide for a variety of housing choice within residential areas with Liverpool.
- c) Additional objectives are listed in the detailed controls for the various land uses.

## **2. Site Planning**

### **Objectives**

- a) To ensure that the dwelling house is sensitive to site attributes, such as 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.
- 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.
- 5. The Site analysis Plan must show the development area, and any areas of remnant or otherwise bushland on site. The site analysis plan must also show whether any bushland is to be removed as part of the development, and show the justification for this.



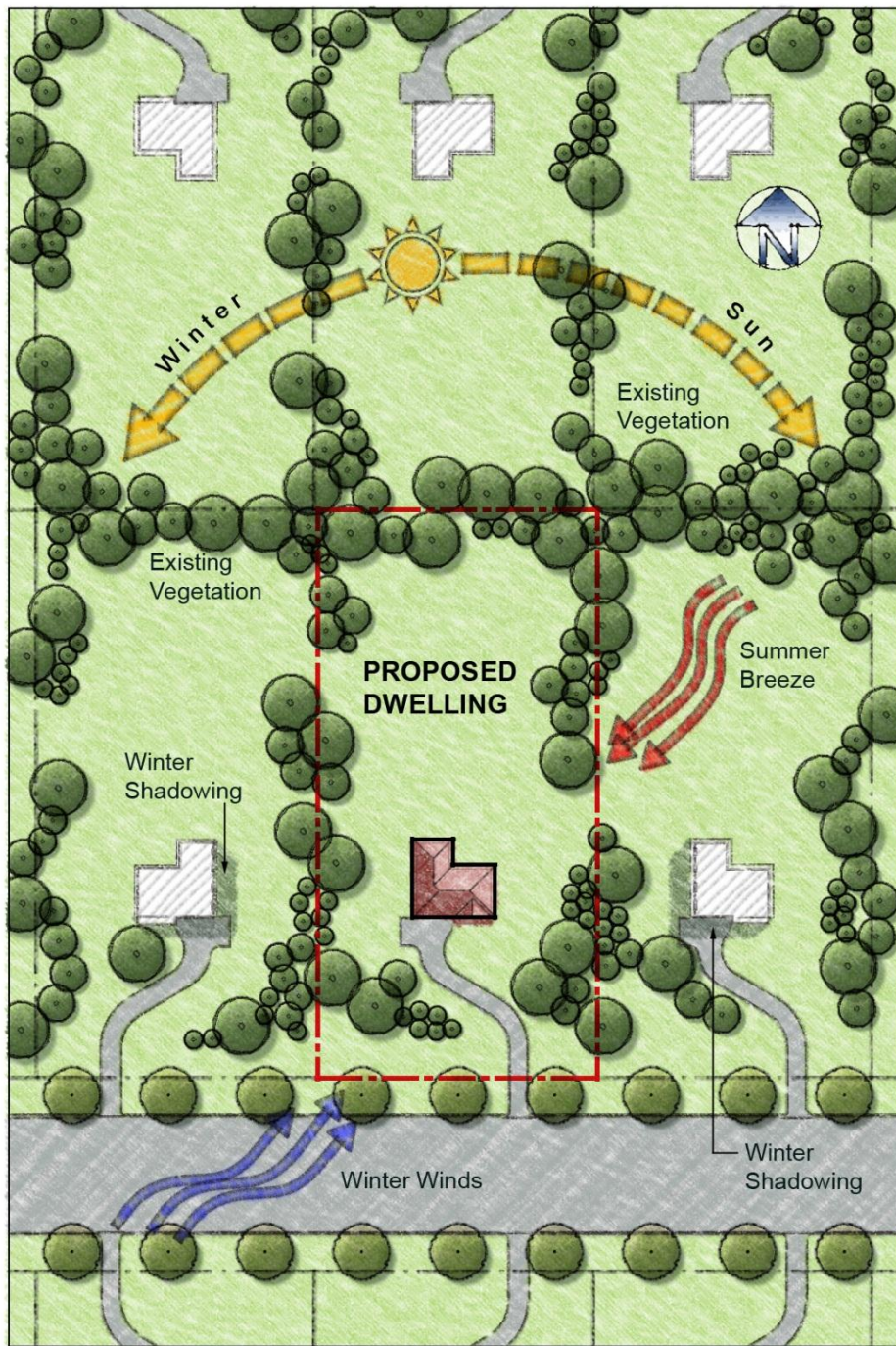


Figure 2 Example of a site analysis plan

### 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 and any other buildings shall be setback between 12 and 25m from all streets for the front and secondary setback.
2. Garages must be set back a minimum of 1m behind the main face of the dwelling house (see Figure 2). (The main face is the first wall of a habitable room)
3. Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m.
4. The secondary setback is the longest length boundary.

##### Side and Rear Setbacks

5. Dwelling houses and any other buildings shall be setback a minimum of 5m from the side boundaries and a minimum of 12m from the rear boundary.

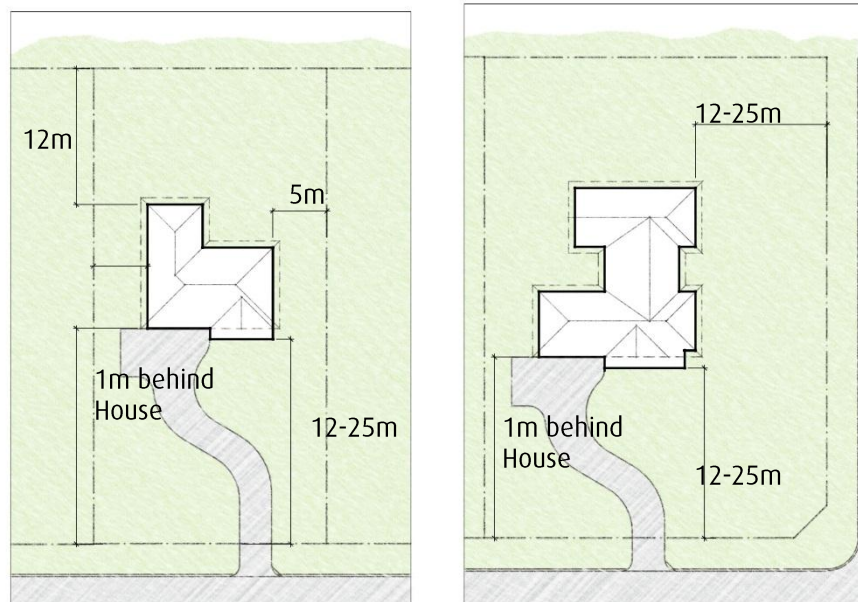


Figure 3 Front, Side and Rear setbacks

## 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.

Note: All proposed developments require a landscape plan to be submitted with the development application.

#### Controls

- 1. A minimum of 75% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
- 2. A minimum of 75% of the front setback area shall be Landscaped Area.

### Private Open Space

#### Objectives

- a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.
- 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 of 100sqm of Private Open Space Areas less than 2.5 m in width does not qualify as Private Open Space.
- 2. Private open space areas are not permitted within the primary street setbacks.
- 3. The Private Open Space shall include a Principal Private Open Space area, which is directly accessible from the main living area of a dwelling with a minimum dimension of 4 x 6m.

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

### Cut and Fill of Land

#### Objectives

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

#### Controls

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

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

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



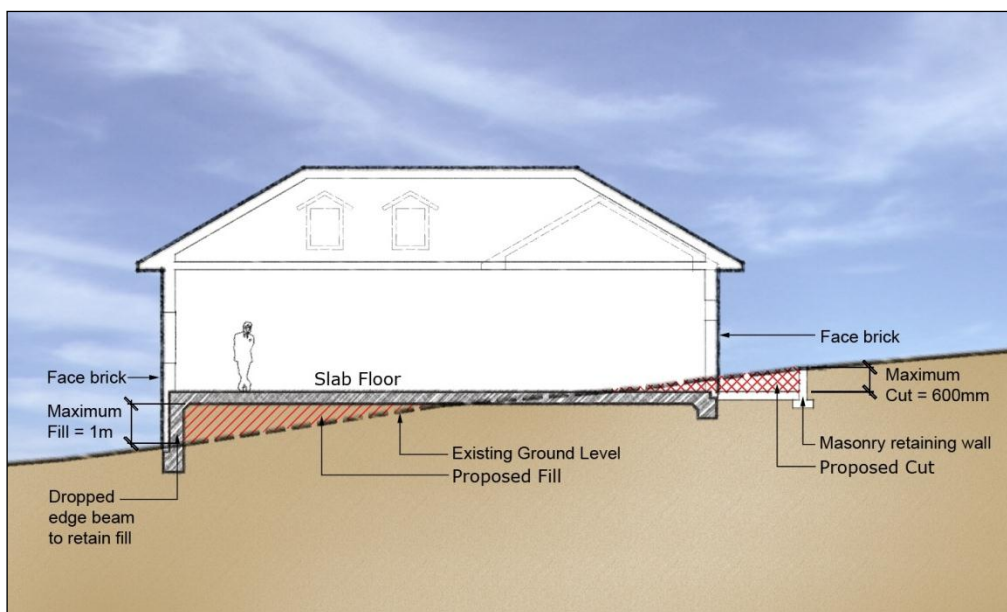


Figure 4 An example of Cut and Fill

## 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 appropriate.
- 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 14 m.

## **Garages and Carports**

1. Garages and carports must be designed to be the minor element of the façade
2. Garage roofs shall be incorporated into the roof design of the house. Separate roofs for garages are discouraged, unless actually separated from the dwelling.
3. Garages and carports are to be compatible with the building design in terms of height, roof form, detail, materials and colours.

## **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 8m<sup>3</sup>.
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 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 8 m height at maturity within the front and rear setback areas.
- 2. Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous to the locality. 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.
- 3. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.
- 4. Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from habitable areas of dwellings or elsewhere as appropriate for gardener access in other forms of development.
- 5. The development must be designed around significant vegetation on the site.

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

- 6. At least one tree shall be planted in the landscaped areas. The tree must reach a mature height of over 8 m.
- 7. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.
- 8. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.

## **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 and Secondary Frontage**

1. The maximum height of a front fence is 1.5m.
2. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.
3. The front fence must be 30% transparent.
4. Front fences shall be constructed in masonry, timber, metal pickets and/or vegetation and must be compatible with the proposed design of the dwelling.
5. The front fence may exceed 1.5m (to a maximum of 1.8m) *only if*:
  - The fence is 50% transparent; and
  - The fence is articulated by 1m and has landscaping in front of the fence; and
  - The fence does not impede safe sight lines from the street and from vehicles entering and exiting the site.

### **Boundary Fences**

1. The maximum height of side boundary fencing within the setback to the street is 1.5m.



## 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.
- c) To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape.
- d) To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character.

### Controls

#### **Car Parking**

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 3m wide internally and unobstructed.

#### **Access**

1. The location of access driveways should consider the natural features, topography and existing vegetation of the site. Access driveways should follow the topography and landscaping onsite (See Figure 4).
2. Access driveways should be located where they are easily visible on the street. Avoid placing driveways at bends or where the road creates visibility problems for access points.
3. Development on sites located on Classified roads may be required to provide a deceleration lane to ensure that the flow of traffic is not impeded.

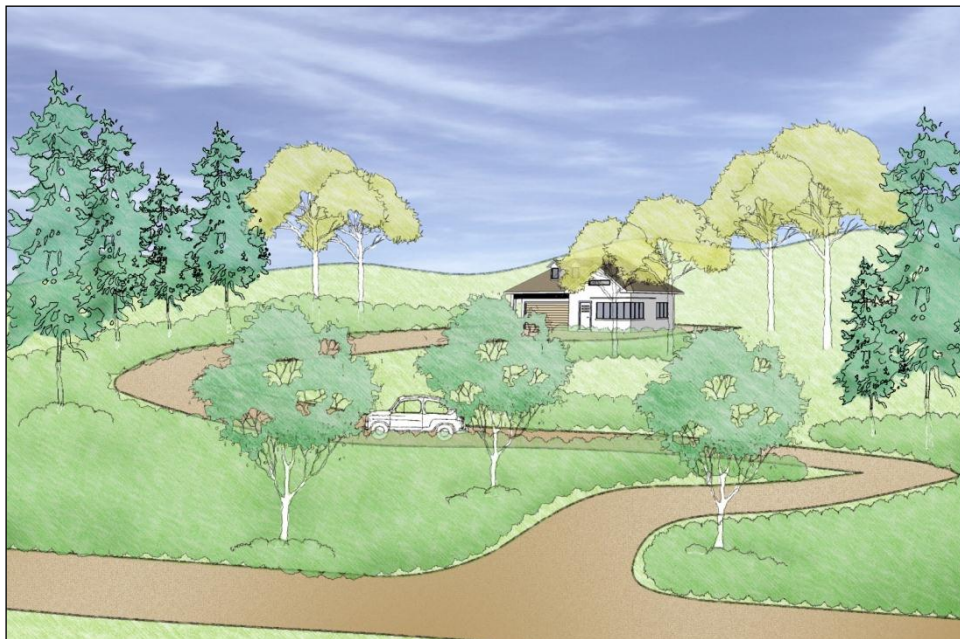


Figure 5 Driveway design and car parking

## **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 3pm 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 .
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.
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.

### **Acoustic Privacy**

#### **Objective**

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

#### **Controls**

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

## **9. Site Services**

### **Objectives**

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

### **Controls**

Frontage works and damage to Council infrastructure

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

## 10. Additional Requirements

The following are additional controls for Dual Occupancies in the R5 Zone. As per the provisions of LLEP 2008, dual occupancies can be attached or detached.

### Objectives

- a) To ensure that Dual Occupancies are compatible with the large lot residential environment.
- b) Ensure that external finishes have a minimal detrimental impact on the visual amenity of the area.
- c) Encourage consideration of all components of Dual Occupancy developments such as fencing, driveways and landscaping in the design process.
- d) To ensure slope and views are considered appropriately.

### Controls

The following controls are in addition to those in Sections 1 – 9 of this DCP chapter.

#### **Building Appearance, Streetscape and Layout**

1. An extension or alteration, which creates attached dual occupancy housing, is to ensure that design features complement the existing dwelling house.
2. An attached dual occupancy shall be compatible with the design features of the existing dwelling in terms of cladding, colour, building materials, windows, verandahs, roof form and pitch.
3. The front building line of the second dwelling is to be located behind the building line of the existing dwelling house. In the event two dwellings are constructed at the same time, one dwelling shall be sited to present as the principal dwelling with the second dwelling to be subservient in scale.
4. Mirror reversed or replica dwelling design dual occupancies are not supported.
5. Attached Dual Occupancy development shall be physically attached under the same roofline and have the general appearance of a large single dwelling house when viewed from the primary street frontage. Structures such as carports, skillion roofs, pergolas, covered awnings and the like are not acceptable as a mode of attachment.
6. In the case of Detached Dual Occupancy, both dwellings shall possess compatible architectural treatments and building materials.
7. Dwellings must be located to minimise the removal of any existing vegetation.
8. Buildings should complement the characteristics of the landform. Cut and Fill must be kept to a minimum.
9. The roofline of all buildings should reflect the land profile within the vicinity of the development.

#### **Car Parking and Access**

Car parking areas, internal driveways and access driveways shall be constructed of hard standing, all weather material.



**Liverpool**citycouncil  
creating our future together

**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** [icc@liverpool.nsw.gov.au](mailto:icc@liverpool.nsw.gov.au)

**Website** [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au)