

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

1 Preliminary

Applies to

This plan applies to all land in Liverpool Local Government Area (LGA). The plan is known as *Liverpool Development Control Plan 2008*.

Structure of Liverpool Development Control Plan 2008

- Part 1** General Controls for all Development
- Part 2** Locality Specific Controls
 - Part 2.1 Green Valley (Subdivision of land)
 - Part 2.2 Hoxton Park, Carnes Hill and Prestons (Subdivision of land)
 - Part 2.3 Georges Fair Moorebank (Subdivision of land and residential development)
 - Part 2.4 Moorebank Defence Lands (Subdivision of land and industrial development)
 - Part 2.5 Middleton Grange (Subdivision of land and residential development)
 - Part 2.6 Holsworthy Station Area (Subdivision of land and residential development)
 - Part 2.7 Greenway Views (Subdivision of land and residential development)
 - Part 2.8 Voyager Point (Subdivision of land and residential development)
 - Part 2.9 Former Hoxton Park Airport (Subdivision of land)
 - Part 2.10 Moorebank East (Subdivision of land and residential development)
 - Part 2.11 Edmondson Park (Subdivision of land and residential development)
 - Part 2.12 Repealed
 - Part 2.13 Pleasure Point (Subdivision of land)
 - Part 2.14 Elizabeth Hills (Subdivision of land and residential development)
 - Part 2.15 New Brighton Golf Course (Subdivision of land, residential and golf course development)
- Part 3** Development in Residential Zones
 - Part 3.1 Dwelling houses in the R5 Zone
 - Part 3.2 Dwelling houses on lots greater than 400sqm in the R2, R3 & R4 zones
 - Part 3.3 Dwelling houses on Hatchet Shaped Lots
 - Part 3.4 Semi-Detached and Attached Dwellings in the R2 and R3 zones
 - Part 3.5 Dwelling houses on lots less than 400sqm
 - Part 3.6 Multi Dwelling Housing in the R3 & R4 zones
 - Part 3.7 Residential Flat Buildings in the R4 zones
 - Part 3.8 Non Residential Development in Residential Zones
 - Part 3.9 Boarding House Development
- Part 4** Liverpool City Centre
- Part 5** Development in Rural and C3 Zones
- Part 6** Development in E1, E2, MU1 and E3 Zones
- Part 7** Development in E4 and E5 Zones
- Part 8** Dwelling houses & class 10 structures on lots greater than 300m² but less than 900m² in the R1, R2, R3 zones

Adoption of Plan

This plan was made under Section 74C of the Environmental Planning and Assessment Act 1979 and Part 3 of the Environmental Planning and Assessment Regulation 2000.

The plan was adopted by Council on 28 July 2008. The plan came into force on 29 August 2008.

This plan was subsequently amended as follows:

Amendment No.	Trim Container	Date of Amendment	Part(s) Amended
1	2008/1477	8 July 2009	Part 1.1, 1.2, 2.2, 2.5, 2.10, 2.11, 2.13, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4, 5, 6 & 7
2	2008/0171	9 June 2010	Part 1.1 & 2.14
3	2009/1725	15 September 2010	Part 1.1, 1.2, 2.2, 2.3, 2.5, 2.7, 2.8, 2.9, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 4, 5, 6 & 7

4	2010/0769	15 September 2010	Part 1.1 & 6
5	2010/1253	8 December 2010	Part 1.1 & 5
6	2011/6089	11 April 2012	Part 1.1, 1.2, 2.2, 2.3, 2.5, 2.8, 2.9, 2.10, 2.11, 2.14, 3.2, 3.3, 3.4, 3.5 & 6
7	RZ-9/2011	19 April 2013	Part 1.1 & 2.15
Reformatted as part of Amendment No 10			
10	2012/3187	19 February 2014	Merging of Parts 1.1 and 1.2, 2.3, 2.11, 3.3, 3.6 and 7
9	2012/1606	4 April 2014	Part 3.1 and Part 5
16	2013/2409	18 June 2014	Part 5 and Part 7
13	2014/0925	2 July 2014	Part 1
12	2013/3913	25 July 2014	Part 1, Part 4 and Part 6
15	2014/1149	3 September 2014	Parts 2.2, 2.3, 2.5, 2.14, 3.1 and 7
14	2014/0929	12 November 2014	Part 2.11
17	2014/1508	1 April 2015	Part 5
20	2014/3813	26 May 2015	Part 1
21	2015/1066	8 July 2015	Part 1
18	2014/3695	19 August 2015	Part 2.11
19	2015/1050	2 September 2015	Part 1
22	RZ-4/2015	10 June 2016	Part 2.11
23	2016/1961	2 November 2016	Part 1
26	2016/3954	23 January 2017	Part 8
24	2016/3822	8 March 2017	Part 1
27	2017/0584	23 August 2017	Part 1
28	2017/3312	17 January 2018	Part 1
29	2016/1769	18 April 2018	Part 2.11
30	2006/0610	21 November 2018	Part 1
31	2018/3364	6 March 2019	Insertion of Part 3.9
32	2018/4071	20 March 2019	Part 1
33	2018/4049	17 April 2019	Part 1, 4 and 7
34	2019/0942	11 October 2019	Part 1
25	2016/2714	6 May 2020	Part 1 and 4
35	RZ-2/2019	12 May 2020	Part 2.11
36	2016/1517	1 February 2021	Part 1
37	2023/1712	28 February 2024	Part 1
38	2023/3658	September 2024	Part 3.7 and Part 4
39	2023/3630	September 2024	Parts 1, 2.2, 2.3, 2.6, 2.10, 2.11, 2.13, 3.9, 4, 5, 6, 7
40	2022/1971	20 December 2024	Part 2.5
41	RZ-9/2017	November 2025	Part 2.10

Background

Council's Corporate Plan provides an overview of its Strategy for the Liverpool LGA. It also provides a framework for the objectives of this plan. The Corporate Plan is divided into the following strategic areas:

- The regional city for south west Sydney
- Neighbourhoods and villages
- the land between two rivers, where city and country meet
- Communities and governments working together
- A place for people
- Sustainability
- Improved organisational management and development

Liverpool Local Environmental Plan 2008

The Liverpool Local Environmental Plan (LEP) 2008 provides the broad land use controls for Liverpool LGA. It covers

most of the Liverpool LGA. In some cases land will be covered by other planning controls such as a State Environmental Planning Policy or a Regional Environmental Plan. It is advisable to check the zoning of land prior to the use of the DCP.

Some planning controls are contained in the Liverpool LEP 2008 rather than in the DCP. These are not part of the DCP for the purpose of the Environmental Planning and Assessment Act 1979.

State and Regional Planning Provisions

In some cases a State Environmental Planning Policy or Regional Environmental Plan may also apply to land. It is advisable to check the impact of this prior to use of the DCP.

Contributions

Council requires contributions from development to fund infrastructure needed to support that development. Part 2 of the DCP includes a number of new areas where land is converted from rural to urban. The maps that accompany each chapter in Part 2 show public infrastructure needed to support development in the area. Much of this public infrastructure is to be funded from contributions from development.

The extent and anticipated staging of development in an area, the scope and cost of infrastructure required to service it, and the cost to development for the infrastructure is embodied in the contributions plans, which is a companion document to the DCP and LEP.

For details on current contribution rates, please refer to Council's web page at, www.liverpool.nsw.gov.au.

Standards in the Liverpool Development Control Plan 2008

Any variation to the standards in the DCP that will apply to a development will need to be justified before Council can consider any variation.

1.1 The Vision of Liverpool Development Control Plan 2008

Background

Liverpool Directions provides the background for Council's Management Plan, *Liverpool Local Environmental Plan 2008* and forms the framework for the vision for *Liverpool Development Control Plan 2008*.

The NSW Government's Sub Regional Plan for South West Sydney provides the context for Council's guiding document *Liverpool Directions*.

Change

Liverpool will experience significant growth as a result of Sydney's growth. This will involve creation of new suburbs as well as redevelopment in existing suburbs.

Some areas in Liverpool will experience substantial change over a short period. These include the new residential suburbs that were previously rural areas. Areas around Liverpool City Centre and some other centres will also experience substantial change with redevelopment. Other areas will also experience more gradual redevelopment, which will nevertheless bring change.

Liverpool Development Control Plan 2008, in conjunction with *Liverpool Local Environmental Plan 2008* aims to manage this change so that any change, which is inevitable, will make Liverpool a better place.

The Vision

Liverpool - A highly connected and vibrant City, with a strong City Centre supported by a hierarchy of neighbourhood and local centres. Identified as one of five Regional Cities for Sydney, Liverpool will experience rapid population and employment growth.

Liverpool Development Control Plan 2008 will guide this growth to ensure high quality and sympathetic urban development outcomes are achieved, significant environmental land is protected, appropriate open space is provided and the rural character outside the Growth Centres will be maintained and enhanced.

The Future

1. There will be new suburbs in Liverpool. These will have leading urban design outcomes for both individual developments and public areas that will be created.
2. Some existing localities, particularly Liverpool City Centre, will experience significant change through substantial redevelopment, although largely within the existing street pattern. There will be increased

- development that will result in a different but improved urban design outcome for the locality, which enhances the local amenity. It will also create opportunities for improved public spaces.
3. Other suburbs will experience more gradual redevelopment. New development will have an urban outcome that will be compatible with existing development.
 4. Liverpool City Centre will be the Regional Centre for employment, health, education, recreation and cultural life.
 5. High quality medium and high density infill development will occur in a targeted manner along public transport routes near shops, which will provide greater choice for all people as to what type of housing that they want, and enable greater access to public transportation.
 6. There will be a concentration of activities such as shops, community, health, high density housing around local centres in new and existing suburbs. Local centres will be enhanced with shop-top housing, which are apartments above these shops.
 7. Local centres in new and existing suburbs will have active and attractive street frontages, including out of hours.
 8. Centres in new suburbs will be designed to be public transport user friendly. Centres in existing suburbs will become more public transport user friendly as they redevelop.
 9. New ~~suburbs will have attractive landscaped streetscapes while existing~~ areas will have ~~improved~~ high-quality streetscapes as that development prioritise takes pedestrians, place active transport, and urban cooling through increased canopy coverage, dedicated pathways, street trees and understory vegetation to create greener, cooler, safer and connected streets. Existing areas will enhance streetscapes with additional canopy-providing street trees and understory planting to create greener and cooler streets.
 10. New suburbs and redevelopment in existing suburbs will be compatible with adjoining creeks, parkland and major transport corridors.
 11. There will less development that is subject to risks such as flooding, salinity etc.
 12. Development in new and existing suburbs will assist in making creeks and rivers attractive and clean.
 13. Development in new and existing suburbs will preserve attractive natural areas.
 14. Development in new and existing suburbs will contribute to a clean and sustainable environment.
 15. Development in new suburbs will provide attractive and easily accessible open space.
 16. There will continue to be open space linked along creek networks.
 17. New development near the Georges River will allow access to the foreshore.
 18. Development in new suburbs will have attractive and efficient transport corridors. Redevelopment in existing suburbs will improve the attractiveness and efficiency of existing transport corridors.
 19. Development in new and existing suburbs will allow for good safe access to cycle and pedestrian ways.
 20. There will be a sense of community.
 21. Conflict between land uses will be minimised.
 22. New industrial areas will be attractive. Redevelopment in existing industrial areas will improve the amenity of these areas.
 23. Industrial/Employment areas will provide employment and provide sufficient space for local and start-up industry with some ancillary land uses to service the local workforce.
 24. New industrial areas will be easily serviced and accessible. Redevelopment in existing industrial areas will improve the serviceability and accessibility of these areas.
 25. Rural areas will keep a high level of rural amenity, with new development sympathetic and appropriate to the locality.

1.2 The Objectives of Liverpool Development Control Plan 2008

The objectives of this DCP are:

- a) To provide more detailed provisions for regulating the carrying out of development.
- b) To protect and improve the natural environment in the City of Liverpool.
- c) To protect and improve the amenity of the City of Liverpool.
- d) To protect personal safety and to minimise the risk of damage to areas subject to environmental hazards, particularly flooding.

- e) To promote a high standard of urban and environmental design.
- f) To conserve, protect and enhance the environmental heritage of the City of Liverpool.
- g) To encourage a diversity of housing to meet the needs of the residents of the City of Liverpool.
- h) To facilitate development that is environmentally sustainable.
- i) To protect, strengthen and expand trees and canopy cover throughout the City of Liverpool.
- j) To achieve outcomes that align with Council's adopted Tree Management Framework.

There are also additional specific objectives for each section of each part of the DCP.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

2 Tree Preservation

Applies to

This section applies to applications to remove trees with or without a development application for a development.

Council and considers involves:

- a) ~~Any tree to be~~ A woody perennial plant that has a:
- ~~Height~~ height greater than 3.5m ~~5m~~ and/or
 - ~~tall~~ ~~Canopy~~ a trunk diameter of at least 140mm when measured at a height of 1.4m above the ground; or
 - ~~canopy~~ spread ~~of~~ greater than 4m; and/or
 -
- ~~Trees~~ ~~Primary~~ require trunk ~~Council~~ diameter ~~consent~~ greater ~~prior~~ than ~~to~~ 400mm ~~any~~ when ~~tree-related~~ measured ~~works~~ 1m ~~being~~ above ~~undertaken~~.

For the existing ground level purposes of the this tree. DCP, Council considers a Protected Tree to be:

A woody perennial plant on Private Land that meets Council's definition of a Tree, and not listed as an exempt species in Council's Tree Management Framework; or

A woody perennial plant on Public Land (irrespective of size or species); or

Any tree that forms part of a heritage item or is situated within a heritage conservation area.

This section does not apply to:

~~Any Exempt species, populations or communities listed under the provisions of the Threatened Tree Species Conservation Act (TSC) 1995; or their habitats.~~

~~Any plant that is on the Noxious Weeds Register for Liverpool City Council or listed in Appendix 35. (These plants must be removed, and destroyed in a way to ensure that they do not spread. It can be an offence to leave a noxious weed on a site.)~~

Background

Trees provide ~~a~~ numerous valuable environmental, social and economic benefits that offers natural amenity and appeal to urban environments. They are an integral part of built and natural landscapes and perform a key role in recycling oxygen, energy and important soil nutrients within ecological systems. They provide many benefits by reducing climatic extremes, enhancing urban cooling, improving air quality and providing habitat, ~~which supports much of life on earth. Insects, birds, frogs and mammals and including familiar wildlife such as parrots and possums are attracted to~~ support the ~~areas where we live~~ ecosystem.

Consequently, tree preservation is an important consideration for urban applicants, dwellers residents and Council. This DCP and Council's Tree Preservation Policy will help ensure these values are preserved for the future. ~~The DCP~~

Council's overrides adopted any Tree inconsistency Management between Framework these (TMF) two documents comprising the Tree Policy, Tree Management Strategy and Tree Management Technical Guidelines - have been included in all tree-related development controls within the Liverpool Development Control Plan (LDCP). In instances where compliance with the LDCP development controls cannot be demonstrated, development proposals must demonstrate consistency with the LDCP Objectives, which require the proposal to demonstrate compliance with the TMF when seeking to undertake an alternative solution to the LDCP development controls.

Any proposal to prune or remove a woody perennial plant on private or public land, that meets Council's definition of a protected tree requires a permit from Council.

Legal action may be taken against any person in either the Local Court or Land and Environment Court who fails to obtain consent prior to pruning or removing a protected tree on private or public land or undertaking works on a protected tree on public land with or without consent. Any proposal to prune or remove a tree located on private property requires development consent from Council. Legal action may be taken against any person in either the

Local Court or Land and Environment Court who fails to obtain consent prior to pruning or removing a tree.

Objectives

- a) To identify protected trees and vegetation where consent for works, pruning and removal is required under this DCP and under "Chapter 2 Vegetation in non-rural areas" of State Environmental Planning Policy (Biodiversity and Conservation) 2021. In this regard, a tree is a woody perennial plant that has: a height greater than 5 metres tall or, a trunk diameter of at least 140mm when measured at a height of 1.4 metres above the ground; or a canopy spread of greater than 4 metres; or a woody perennial plant on public land irrespective of size or species; or any woody perennial plant that forms part of a heritage item or that is located in a heritage conservation area.
- b) To identify trees that this section does not apply to, including; any species, populations or communities listed under the Exempt Tree Species listed in Appendix 5.
- c) To identify minimum standards for Arboricultural Impact Assessments (AIAs) Arboricultural Reports (and associated Risk Assessments). These must be prepared by Consulting Arborists with a minimum level AQF5 qualification.
- d) To identify minimum standards for all Tree Works. These must be undertaken by arborists with a minimum level AQF3 qualification.
- e) To ensure that trees are preserved in accordance with Council's adopted Tree Management Framework.
- f) To ensure the protection of trees that are contributing to the ecological and aesthetic values of the Liverpool LGA.
- g) To ensure the protection of trees within and adjacent to development sites.
- h) To protect the integrity of heritage items through preservation of all trees occurring within the heritage place, precinct or land.
- i) To ensure trees are maintained in an appropriate manner as not to cause harm or damage to the tree or community.
- j) To ensure that construction works and the ultimate design treatments protect ~~the identified~~ trees.
- k) To ensure that trees that provide high ecological or amenity benefits are protected.
- l) To ~~wherever~~ maximise possible the quality and quantity of healthy tree canopy coverage across the Liverpool LGA.
- m) To prevent unauthorised or illegal clearing, removal, pruning or damage of trees within the Liverpool LGA.

Controls

1. ~~Any~~ A ~~approvals to remove permit or prune trees issued with a~~ development consent ~~shall~~ is ~~lapse~~ required ~~when to ringbark, cut down, top, lop, prune, remove, injure, poison or wilfully destroy any that is located on Public or Private land.~~
1. Trees must be retained. Any proposed development that impacts on a tree must be supported by an Arboricultural Report that provides conclusions and recommendations for the design and building setbacks from trees, identifying how the identified tree is to be retained as part of the development ~~consent lapses or becomes invalid or void.~~ The Arboricultural Report must be prepared in accordance with the minimum requirements outlined in Council's adopted Tree Management Framework.
2. ~~An~~ Any ~~application~~ Application to ~~prune or~~ remove a ~~Tree~~ tree ~~on~~ Public or Private Land must be supported by an Arboricultural report that includes a risk assessment in accordance with arboricultural industry standards (e.g. traq, qtra or valid). Applications may be refused by Council if justification for pruning/removal is sought in relation to the following:
 - a) Unsubstantiated fears about a healthy Tree failing;
 - b) Unsubstantiated property damage claims;
 - c) Unsubstantiated claims about Trees causing health problems (e.g., allergies);
 - d) Branches overhanging dwellings and/or parts of a Tree or branch which are dead are under 50mm in diameter;
 - e) To minimise the impacts of Natural Processes including (but not limited to) to leaves, twigs, branches, bark, small branches, flowers, pollen, sap, fruit, seed, fauna, bird or bat droppings – into private infrastructure including (but not limited to) gutters, downpipes, pools, lawns and/or driveways and/or the presence of spiders, insects, wasps and/or bees;
 - f) Minor structural damage to a footpath, driveway, roadway and/or kerb & gutter;
 - g) To facilitate views, signage, off-street parking, and/or solar access for new or existing solar panels and/or to reduce the shade created by a Tree/s;

- h) Tree roots and/or Tree debris impacting gutters and/or pipes resulting in blockages.

Note: Following Council consent, all tree related works on Private Land are to be undertaken by a suitably qualified Arborist. All Tree Related Works for trees on Public Land are administered by Council and/or other government authorities.

3. Council must not consent to the removal of a Tree on Public or Private Land if the tree:

-
1. Form(s) a prominent part of the streetscape.
-
2. Stands alone and is thus of more significant than if it were part of a group of trees.
-
3. Is of historic or cultural significance or is/are registered on any Council register of significant trees.
-
4. Is prominent due to its height, size, position or age.
-
5. Is a locally indigenous, rare or endangered species.
-
6. Provides a significant visual screen.
-
7. Is part of an important habitat for wildlife.
-
8. Is part of remnant or riparian vegetation.
-
9. Can be effectively treated by applying appropriate remedial treatment such as pruning of branches, pruning of roots and removal of deadwood or by other appropriate action as recommended by an arborist.
-
10. Is listed under the provisions of the ~~Threatened Species~~ Biodiversity Conservation Act ~~1995~~ 2016 (Listed as a threatened species, is habitat to a threatened species or is part of a threatened ecological community).

Note: Council may refuse an application to remove a tree(s) but may give conditional consent for the appropriate remedial "branch"branch or root pruning" for that tree(s).

All tree pruning is to be undertaken by a suitably qualified Arborist (Minimum AQF Level 3 Arboriculture) and all pruning work is to be in accordance with AS4373-2007.

4. An application to prune or remove a Tree tree on Public or Private Land may be consented to by Council if the tree:

1. Has sustained severe damage, e.g. from wind, lightning, flood or impact from a vehicle, and cannot respond to remedial treatment.
2. Has
 - ~~-Causes been or is likely proven to cause have caused actual~~ structural damage to property ~~including any building or pipeline, infrastructure only where all if other the possible damage cannot be contained by appropriate pruning of the tree's roots engineering and installation arboricultural of solutions at root mitigate barrier.~~
 - ~~-Is further causing an allergic reaction in any local resident, and the reaction damage has been certified exhausted. Evidence of structural damage to property or infrastructure must be presented in writing by a medical detailed allergy Structural specialist.~~
 - ~~-Causes Engineers considerable Report overshadowing which must demonstrate that the tree/s are the primary cause and all practical engineering and arboricultural interventions to dwellings avoid (restricts or potential minimise sunlight supplementary penetration damage to have habitable been rooms fully to under~~

- ~~three hours per day~~ explored -
-
3. Obstructs the line-of-sight for motorists and presents dangerous traffic conditions.
 -
 4. Is essential to mitigate a fire hazard.-
 -
 5. Is dead, dying, in imminent risk of failure, or a risk to human life or property or has ~~become~~ been deemed by LCC to pose a significantly high risk to human life or property
 6. To satisfy Council that the tree is dead, dying, an imminent risk of failure, the owner or manager of the tree is to:
 1. record the tree's condition; identifying the risk that the tree may pose; and provide a statement that verifies that the works undertaken will be or were the minimum necessary to manage the tree related risk; and
 2. a report from a qualified arborist (Minimum AQF Level 5 Arboriculture) is to be provided to Council prior to works taking place, or immediately following the works must be provided to Council. The report must detail specific reasons outlining why the tree was deemed unsuitable or posing a significantly high risk. The report must and include the following methodology to be used to determine the outcome using industry standards risk assessment; ISA TRAC, QTRA or VALID.
 5. Prior to consent, Council may consider a variety of factors as part of the application assessment process to prune or remove a tree on Public or Private Land, including:
 1. Tree health, vigour and structural integrity;
 2. Target area (the area under the tree and occupancy rate/frequency of use;
 3. Visual prominence (the impact Removal is likely to have on the visual amenity of an area);
 4. Historical significance;
 5. Habitat significance;
 6. Practical alternatives to Removal and cost;
 7. Potential for effective Pruning;
 8. Whether the Tree was planted by the current owner of the property and not as a condition of any development consent having been approved by Council.
 6. Applications for trees that have Aboriginal markings and/or constitute an item of Aboriginal significance shall be referred to the NSW Department of Climate Change, Energy, the Environment and ~~Climate~~ Water Change (DECC(DCCEEW)). Intensive management options such, as fencing or buffer provisions will be considered to ensure adequate preservation.
 7. ~~Any~~ Tree pruning ~~shall~~ is to be undertaken by suitably experienced, insured and qualified Arborist's only (Minimum AQF Level 3 Arboriculture). Pruning work is to be in strict accordance with ~~AS to 4373/2007~~ AS4373-2007 Pruning of ~~amenity~~ Amenity Trees. Refer to the Standard Tree Pruning Specifications in Council's Tree Management Framework.
 8. All ~~existing indigenous removed~~ trees ~~shall be retained or are~~ replaced. ~~Where approval is given~~ minimum to 3:1 removal ratio trees, (where feasible) using appropriate replacement pot sizes and provide guidance on the implementation of offset planting will (in be accordance required with Tree Management Policy).
 9. Significant trees or vegetation that are identified as having habitat value shall not be relocated or removed.
 10. Development consent is required to undertake works in relation to a tree or vegetation that is, or forms part of
 1. a Heritage Item or is within a Heritage Conservation Area,
 2. or any tree that is identified as an aboriginal object to having aboriginal heritage significance.
 3. Development consent for a) and b) may not be required in the following circumstances where Council is satisfied that:
 1. the proposed works is of a minor nature as defined in the Council's Tree Management Framework,
 2. is for the maintenance of the Heritage Item or place within the Heritage Conservation Area; and

3. would not adversely affect the heritage significance of the Heritage Item or Heritage Conservation Area.
11. Any approvals to remove or prune a tree issued with a development consent shall lapse when the development consent lapses or otherwise becomes invalid or void.
12. If Council consents to tree removal, Council will require the planting of suitable replacement trees and/or other vegetation and may specify the number, species, provenance, location and stock size of the replacement trees and vegetation.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

3 Landscaping and Incorporation of Existing Trees

Applies to

This section applies to land, which will need to provide landscaping or retain existing trees as part of a development.
[It also applies to development that will impact on any declared tree.](#)

Background

Vegetation is an integral part of the environment, with the type and quantity of vegetation provided being one of the key influences in determining the quality and character of Liverpool's urban and rural environments. Many urban and ~~even~~ rural environments have been largely cleared of trees and shrubs. The provision of landscaping is a step to reintroduce vegetation into these environments in a way that complements the built environment.

Landscaping provides visual interest and amenity, provides recreation areas, and assists in managing the climate of the built environment. The use of existing vegetation assists with the provision of landscaping. In particular native trees in urban and rural environments have many valuable functions:

- Soften the visual impact of large-scale developments and increased densities.
- Assist in managing the climate of the built environment.
- Supports native plants and animals by providing habitat.
- Add to aesthetic and environmental values.
- Serve as a natural screen to the sun, wind and noise.

Good design recognises that landscape and buildings operate together as an integrated system, resulting in greater aesthetic quality and amenity for the occupants, neighbours and the public domain. Landscape design builds on the existing site's natural and cultural features to contribute to a development's positive relationship to its context and site.

Objectives

- a) ~~Promote~~[To identify trees where assessment under "Chapter 2 Vegetation in non-rural areas" under the State Environmental Planning Policy \(Biodiversity and Conservation\) 2021. In this regard, a tree is a woody perennial plant that has: a height greater than 5 metres tall or, a trunk diameter of at least 140mm when measured at a height of 1.4 metres above the ground; or a canopy spread of greater than 4 metres; or a woody perennial plant on public land irrespective of size or species; or any woody perennial plant that forms part of a heritage item or that is located in a heritage conservation area.](#)
- b) [To identify trees that this section does not apply to, including: any species, populations or communities listed under the Exempt Tree Species listed in in Council's Tree Management Technical Guidelines 2.3 Tree Preservation Table 2.](#)
- c) [To identify minimum standards for Arboricultural Impact Assessments \(AIAs\) Arboricultural Reports \(and associated Risk Assessments\). These must be prepared by Consulting Arborists with a minimum level AQF5 qualification.](#)
- d) [To identify minimum standards for all Tree Works. These must be undertaken by arborists with a minimum level AQF3 qualification.](#)
- e) [To promote](#) landscape planning and design as part of a fully integrated approach to site development.
- f) ~~Assist~~[To assist](#) in improving the climate of the local environment.
- g) ~~Retain~~[To as many existing](#)~~retain~~ trees ~~as on possible~~[private and public land](#).
- h) To provide habitat for locally indigenous plants and animals and contribute to biodiversity.
- i) To encourage landscaping that is appropriate to the natural, cultural, built and heritage characteristics of its locality.
- j) Improve the amenity of developments and adjoining areas by ensuring proposals adequately complement the proposed building forms and surrounding streetscape.
- k) Ensure that the proposed landscape designs provide functional attributes such as privacy, shade and wind protection, while discouraging the opportunity for crime and vandalism.

3.1 Retention of existing on site trees [\(private land\) and street trees \(public land\)](#)

Controls

The below controls are in regard to all trees that meet Council's definition of a tree on both public and private land.

1. Existing trees and vegetation, including street trees, neighbouring/adjacent trees and native vegetation are to be retained, protected and incorporated into the development proposal. This is particularly important for street trees within the public domain and vegetation which forms part of a ridgeline tree canopy and in foreshore and riparian areas (with the exception of weed species).
2. Prior to the commencement of the design of a development, all existing trees ~~should~~within the site and on any adjoining site or public land must be identified and assessed in an Arboricultural Impact Assessment (AIA) that is used to inform the design process.
3. The design of a development ~~should~~must consider all architectural design and engineering options to retain existing trees identified in the Tree Survey and these must be indicated in the submitted Landscape Documentation package.
4. Existing endemic and indigenous trees within any building setback ~~should~~must be retained ~~where possible~~, as an integral component of the site's ~~landscaping~~landscape design, and to protect local habitats.
5. #Site entries, driveways and public footpaths must be arranged to retain and protect any existing street trees, in addition to facilitating opportunities for additional street trees to be included in the public domain design.
6. Landscape documentation developed by an appropriately qualified Landscape Designer/Architect, must be lodged with all development applications and is important to that include a planting plan and standard planting details at a minimum. Refer to Council's Tree Management Framework for guidance.
7. The landscape documentation package must also include:
 - a. A materials and finishes plan
 - b. A levels and grading plan
 - c. A set out plan
 - d. A public domain plan
8. A planting plan must include:
 - a. The location of any proposed trees or vegetation on the property.
 - b. The location of any existing trees or vegetation on the property, specifying those to be retained and those to be removed.
 - c. The location of any existing street trees or trees on adjacent public or private land specifying those to be retained and those to be replaced.
 - d. A planting schedule including:
 - i. Botanical Name
 - ii. Common Name
 - iii. Code/Symbol
 - iv. Proposed Quantities
 - v. Mature Sizing (HxW)
 - vi. Proposed Pot Sizing
9. A Public Domain Plan (PDP) must include, at a minimum, all:
 - a. ~~plans~~existing street trees to be retained and/or removed
 - b. proposed street trees including size, spacing, species and quantity
 - c. driveways and laybacks proposed, retained and/or removed
 - d. site entries proposed, retained and/or removed
 - e. Planting, vegetation and turf proposed, retained and/or removed
 - f. footpaths, fences and/or streetlighting proposed, retained and/or removed etc
10. All documentation accompanying the development application including engineering and ~~hydraulics~~underground services plans ~~are~~must ~~consistent~~be developed consistently with the landscape ~~plan~~proposal. This is particularly important where existing trees are to be retained and new trees to be proposed. For example, storm water lines and excavation ~~should~~must not be within ~~the Tree drip~~Protection line ~~Zone (TPZ)~~ of trees to be retained and driveways and footpaths must not conflict with street trees.

Note: Where trees are located outside the normal building envelope for a development, Council will give particular attention to the retention of those trees.

The following shows some ideas for retention of existing on-~~site~~-site trees.

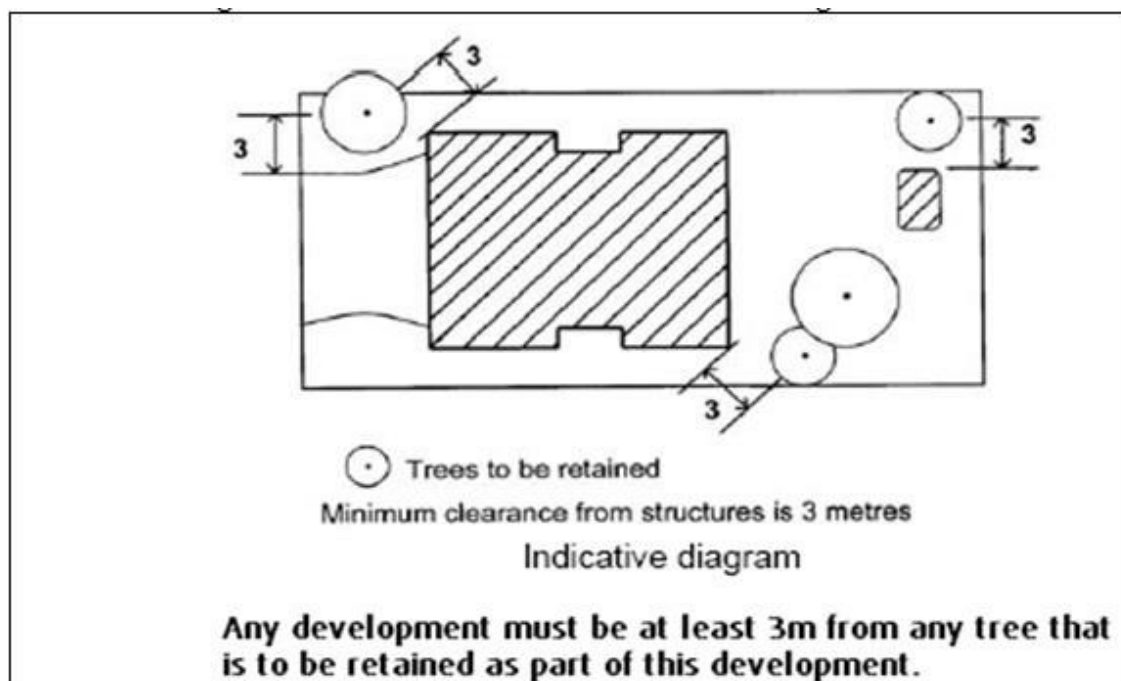


Figure 1 Retention of trees

3.2 Retention of existing street trees

Controls

1. Prior to the commencement of the design of a development existing street trees should be identified. The design of a development should consider options to retain existing street trees.
2. The design and location of access driveways should wherever possible be located to avoid removal of any existing street trees.

3.3 Protection of existing trees during construction

Controls

1. Trees All protection measures for trees nominated for to protection be retained (i.e. existing declared trees) must be enclosed in within accordance with AS4970-2025 1.8m high protection fence that is installed to conform to a Tree Protection Zone on (TPZ) Development that Sites and is the consistent technical with guidance provided in Council's Tree Management Framework which refers to the current Arboriculture Arboricultural industry Industry standards Standards.
2. A All report submitted which Arboricultural outlines Impact Assessment Reports must detail the condition, relevant dimensions tree protection measures in accordance with AS4970-2025 – Tree Protection on Development Sites and Council's species Tree of Management existing Framework. trees Reports contained within a development site is to be included as part of any development application documents and is to must be accompanied by a Tree Retention Management Plan which that shows clearly identifies the dimension dimensions of any all proposed TPZs Tree Protection Zones (TPZs) and outlines any other appropriate protection/enhancement methods and that enhancement are appropriate measures to encourage support the viable retention of trees, consistent with the Tree Management Framework.
3. All reports Tree pertaining Report to or trees tree on assessment development sites are to be is prepared by a suitably Consultant qualified Arborist, person and includes one or more of the following documents:
 - Arboricultural Assessment Report;
 - Tree Risk Assessment Report;
 - Tree Valuation Report;
 - Tree Protection Plan;
 - Tree Maintenance and Management Report;
 - An Arboricultural Impact Assessment; and/or
 - A Root Mapping Assessment

3.4 Landscape Specifications

Controls

1. Landscape planting should be principally comprised of native species that provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous endemic 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. Environmental Refer and to noxious Council's weeds Preferred in Species Liverpool List, shall which forms part of the Tree Management Framework, for guidance on appropriate species selection. Species identified on Council's Exempt Species List or Noxious Weed List must not be used in as the part of any landscape design.
2. The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. ~~Avoid medium height shrubs (0.6—1.8m) especially along paths and close to windows and doors:~~
3. Landscaping in the vicinity of a driveway ~~entrance~~ must not obstruct visibility for ~~the~~ safe ingress and egress of vehicles and pedestrians. In accordance with Council's Tree Management Framework, Proposed Trees should be planted with the following minimum distances to driveways:
- Driveway: distance from driveway edge on approach side 3.0m
- Driveway: distance from driveway edge on non-approach side 2.0m
4. Trees, which are planted around high use facilities such as car parking areas, children's, play areas, walkways and shared paths must use an advance pot size of greater than 100L and ~~walkways should~~ have clean a trunks clear to a trunk height of 1.8m or greater.
5. All topsoil used shall be sourced from a recognized commercial topsoil supplier. Site topsoil will only be considered suitable where the material has a high organic content. The consultant shall inspect and approve all top soiling prior to commencement of planting and application of mulch. An imported light and free draining topsoil mix is to be used in all planters.
6. The following minimum topsoil and mulch depths are to apply:
 - Garden beds 300mm
 - Turfed areas 100mm
 - Planters on structure 750mm
 - Mulch over garden bed 75mm
7. Trees ~~shall must~~ be planted ~~well~~ clear of underground services ~~or and~~ overhead wires. ~~Trees shall~~ Any tree with a mature height greater than 5m should be planted ~~in general accordance with the following a~~ minimum ~~distances distance of 3m~~ from ~~buildings:~~
~~- Small an trees approved less dwelling, than garage, 6m in-ground mature swimming height—2m~~
~~- Medium pool trees or 6 utility —15m mature height—3m~~
~~- Large trees more than 15m mature height—4m services.~~
 Refer to Appendix the 2 Tree Management Framework for the Council's Preferred Species List, species and size suitability for planting under overhead wires, and guidance on minimum clearances from structures.
8. To maintain tree health, all trees in lawn areas are to have a 75mm clearly deep defined x mulched 4m area diameter under layer the tree to a minimum of mulch 3 metre radius at all times. Mulch around ~~its tree base.~~ The bases is maintained between 75-100 mm thick at all times and mulch ~~layer~~ is to be ~~reduced no in higher depth than 50mm when~~ directly around against the tree base trunks. of the stem Refer to form Council's a Tree shallow Management watering dish. The tree is to be staked well clear of the root ball and tied using Hessian ties as required Framework.
9. All approved landscaping must be maintained at all times to the satisfaction of Council.
10. All trees must be maintained at all time to the satisfaction of Council in accordance with Council's Tree Management Framework. Tree maintenance works in the establishment period shall be undertaken by an Arborist or Horticulturist with minimum certification in accordance with Australian Qualifications Framework Level 2.
11. All trees must be planted as advanced, robust-sized trees of at least 45L and preferably 75L or above. All street trees are to be planted a minimum 200L at not the less time than of 45 litre pot size installation.
12. Use low water/low maintenance plant selection by selecting drought tolerant species.
13. Applicants need to demonstrate that plant selection is suitable for the particular soil type of the site and comply with any site constraints such as Bushfire Prone Land.
14. Where possible, all landscaping designs should incorporate permeable paving options. Permeable paving includes the use of porous paving units, ornamental gravel and paving on a compacted sand bed. Permeable paving ensures that air and water is made available to tree roots while providing a safe and stable pedestrian surface and around trees. Benefits include:

- Ensuring that air and water are available to tree roots to ensure healthy and secure growth.
 - Assisting in the protection of established trees where the root system extends beyond the drip line.
 - Reducing the amount of surface water runoff entering the stormwater system.
 - Maintaining the existing natural drainage patterns.
15. All landscaping should consider soil salinity. Sites identified as having moderate to high levels of salinity shall incorporate the following measures in the landscape plan:
- Selection of salt tolerant plant species (generally natives).
 - Use mulch in all gardens beds.
 - Minimise large areas of lawn, as this requires large quantities of irrigation.
 - Use “water-wise” garden and landscape design.
 - Plant large native canopy trees (with a mature height of 8m or greater) and shrubs.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

4 Bushland and Fauna Habitat Preservation

Applies to

This section applies to:

- a) All land, which contains or is adjacent to bushland.
- b) All land that contains known or potential habitat for threatened species, populations or communities.
- c) ~~Any Land zoned:~~
~~-W1—Natural Waterways~~
~~-SP2—Drainage~~
~~-Land shown on the Environmental Significant Land Maps of the Liverpool LEP 2008:~~
~~-E2—Environmental Conservation~~
~~-E3—Environmental Management~~
~~-Any land under the definition of a waterbody in the Liverpool LEP 2008:~~
- d) Development that has potential to directly or indirectly destroy or adversely affect bushland.

Background

Bushland provides a variety of positive values to an urban area, including education, conservation, scientific and aesthetic values. It consists of native groundcovers, shrubs and trees that combine to produce a community that provides habitat for fauna. In many areas only a small number of native species remain and their health and existence are increasingly threatened by urban development.

As well the positive contributions at a local level to the urban and rural environments, bushland preservation contributes to total catchment health and preservation of biodiversity.

Objectives

- a) To protect and manage natural assets in association with the development of land.
- b) To conserve the natural heritage of Liverpool.
- c) To maintain and improve the amenity and scenic qualities of Liverpool.
- d) To maintain and enhance the biodiversity and natural ecology of Liverpool.

Controls

1. Bushland, particularly that identified as a threatened community or habitat for a threatened species shall be substantially retained and incorporated within a development. Clearing of bushland in association with any development shall be limited to the extent necessary to facilitate the safe and orderly use of the land.
2. Where ~~impacts native on vegetation threatened clearing biodiversity does are not unavoidable require development consent, offsetting and utilising exceeds~~ the ~~NSW Biodiversity Government BioBanking Offsets Scheme will Threshold, be approval is~~ required ~~where from practicable the Native Vegetation Panel.~~-
3. Where bushfire management measures are required that involve clearance or alteration to bushland, details of proposed measures shall be submitted. Clearing for the purposes of bushfire management involving a substantial loss of bushland shall not be permitted.
4. Prior to the commencement of the design of a development, existing bushland and fauna habitat should be identified. The design of the development should consider retention of this bushland and fauna habitat.
5. Development shall not adversely impact on the long term viability of bushland. Existing connectivity and contiguity of bushland stands and fauna corridors shall be retained.
6. Where a proposal is likely to adversely impact on bushland, a Vegetation Management Plan (VMP) for the conservation of the bushland shall be submitted.
7. Any imported soils and/or mulches used shall be purchased from an appropriate supplier and be free of contaminants, seeds, propagules of weeds and undesirable species. Mulch shall not be used on flood liable land and/or areas where it is likely to be washed away.
8. Any proposed re-vegetation shall:

- - a) Augment remaining bushland.
 -
 - b) Consist predominately of species which occur naturally on the site or are of local provenance.
 -
 - c) Reflect the structure of natural bushland.
 -
 - d) Be undertaken in accordance with a vegetation management plan which forms part of the consent.
9. Any proposed re-vegetation, seed collection and weed removal to be undertaken as part of the implementation of the approved vegetation management plan shall be undertaken by an appropriately qualified and licensed bushland restoration contractor.
10. Council may require measures to restrict access to bushland areas where it considers necessary, to ensure the conservation of bushland.
11. A flora and fauna assessment is required where a site is identified as containing native vegetation or habitat for threatened flora or fauna. The flora and fauna assessment shall consider all impacts associated with the development on the habitat, including the impacts of APZ's and water management practices. The assessment must be prepared by a suitably qualified person.
12. [Development is required to have regard to the requirements of the Biodiversity Conservation Act 2016 and Biosecurity Act 2015.](#)

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

5 Bushfire Risk

Applies to

This section applies to:

1. Land identified as being Bushfire Prone Land or designated as Bushfire Prone Lands Buffer Zones on Liverpool City Council Bushfire Prone Land Maps.
2. All land that requires bushfire hazard reduction (burning).

Background

The desire to live close to nature means that many homes are built in areas that are at risk of bush fire. The NSW Rural Fire Service advises that 80% of homes destroyed by bushfire are built within 100m of bushland.

Council maintains many areas of bushland and reserves systems. As development continues to expand throughout the southwest there is an increasing number of developments encroaching or in close proximity to areas of bushland and are subsequently placed at bushfire risk.

Adequate planning and construction provisions need to be implemented and maintained to ensure the protection of developments in bushfire prone areas. Bushfire hazard maps have been developed by Bush Fire Risk Management Committees to assist in identifying areas of low, moderate and high bushfire hazard, based upon the surrounding vegetation and topography of the area.

It should be noted that despite planning and construction provisions to protect developments from bushfire risk, these would not guarantee the lifetime safety of the development though it will assist in minimising the severity of the risk.

Objectives

- a) To reduce the possible loss of life or property in the event of a bushfire and provide a safer environment.
- b) To ensure that development in bushfire prone areas is accessible by emergency services at all times.
- c) To ensure that development in bushfire prone areas is designed to enhance the survivability of the building and is prepared for its defence in the event of a bushfire.
- d) Implement an ongoing maintenance regime to manage surrounding vegetation and asset protection zones to reduce possible bushfire fronts and protect the development.
- e) To ensure that Asset Protection Zones (APZ) do not have a significant impact upon biodiversity and avoid any conflict with biodiversity conservation.

Controls

1. Construction of single dwellings on or adjacent to bushfire prone land is to be carried out in accordance NSW Rural Fire Service's Single Dwelling Application Kit.
2. All development shall comply with the relevant provisions of the Rural Fires ~~and Assessment~~ Act 2002 1997 and No 65, Planning for ~~Bushfire~~ Bush Fire Protection 2006 2019 and any addendum to PBP 2019.
3. Asset Protection Zones shall be provided within the boundary of the land on which a development is proposed but may include public streets located between the land and bushland.
4. Development controls which shall be addressed to ensure bushfire risk is reduced include the following.
 - Clearing for the purposes of bushfire management shall not be permitted where loss of bushland is deemed to be unacceptable by Council in terms of quantitative and qualitative aspects.
 - Where development requires bushfire management measures involving clearance or other alteration to bushland, details of proposed measures shall be submitted with a development application.
 - Asset Protection Zones are to be placed primarily within the Residential zones. APZs shall not be located on land in the C1, C2 or C3 zones, particularly where altering these lands to create an APZ may conflict with the LEP objectives. Key aspects of an APZs are illustrated below.
5. The key components of APZs are illustrated below in Figure 2.

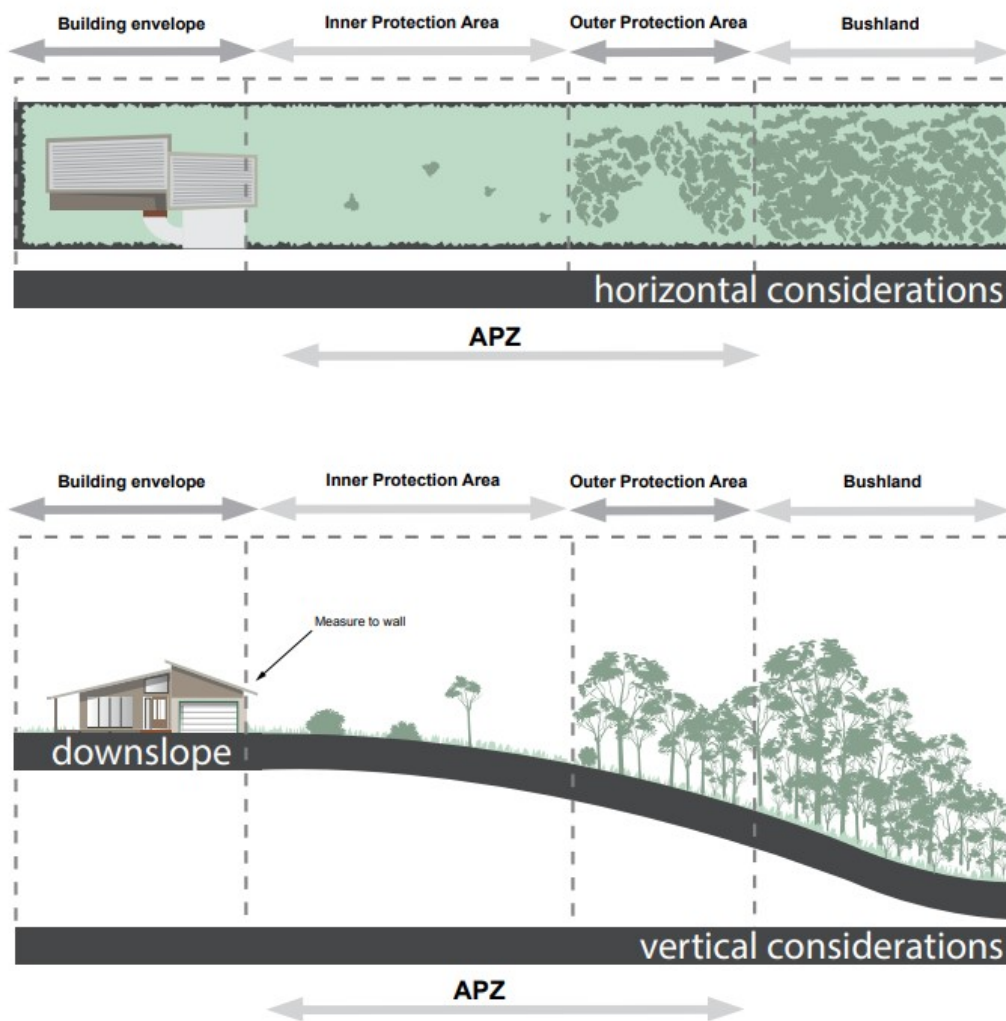
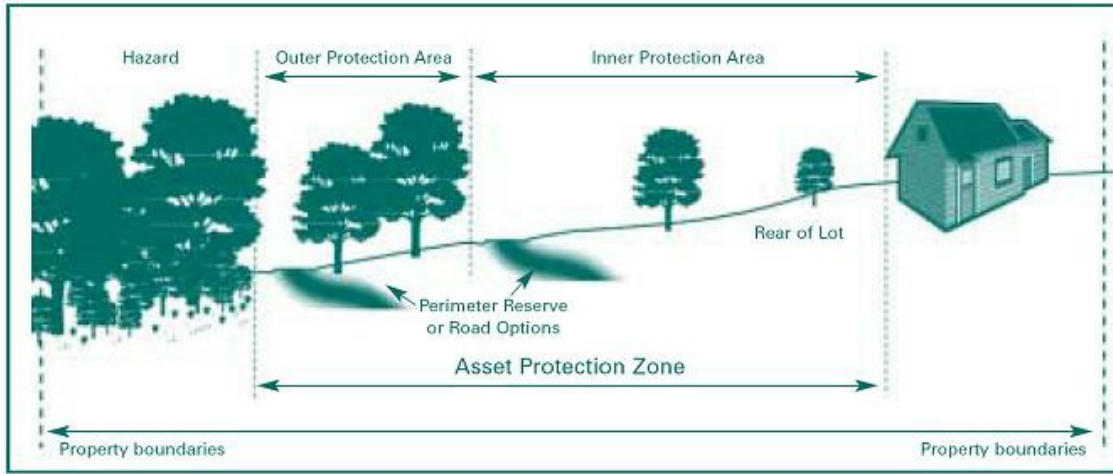


Figure 2 Key Components of an APZ (NSW Planning Rural for Bush Fire Service Protection 2002/2019, NSW RFS)

6. The APZs are to be placed as restrictions on the burdened allotments. No habitable or storage structures are permitted within those zones. Developments permitted in these zones include cycleways, footpaths, children's playgrounds and gas barbeques.
7. APZs shall be combined with active recreational uses where possible.
8. APZs may be landscaped with native grassland species that occur naturally on the site or on surrounding lands.

9. Minimal quantities of combustible materials shall be stored within inner protection ~~zone~~[area](#).
10. New subdivisions in bushfire interface areas shall include a perimeter road.
11. A perimeter fire trail instead of a perimeter road may be acceptable where:
 - The perimeter fire trail is located on an east facing slope.
 - A small subdivision is being added to an existing urban area, where the pattern of development does not allow for a perimeter road.
 - Adequate arrangements are provided for ongoing maintenance of the perimeter trail.
12. Development shall be located to minimise the risk of loss of life and property from bushfire.
13. Development applications relating to land identified on the Bushfire Prone Land Map shall be accompanied by a bushfire hazard assessment report prepared by a suitably qualified professional.
14. Any development in a bushfire interface area shall not reduce the effectiveness of any existing APZ.
15. The APZ shall be located and designed to allow ongoing maintenance to be readily carried out by the responsible landowners or occupiers.
16. Hazard reduction (burning or mechanical) proposals shall be in accordance with the ~~Liverpool Bush Fire Risk Management Plan and the~~ Bush Fire Environmental Assessment Code [\(2021\)](#). Landowners wishing to undertake hazard reduction shall contact the NSW Rural Fire Service (~~NSWRFS~~[NSW RFS](#)) for any requirements. Applications to undertake hazard reduction will be assessed by the ~~NSWRFS~~[NSW RFS](#).
17. Guidelines for hazard reduction include:
 - As far as possible, the frequency, time of year and intensity of any hazard reduction burning in native vegetation is to approximate the natural regime.
 - Periodic weed monitoring and control shall be undertaken after bushfires and hazard reduction burning, and appropriate action taken as necessary.
 - All Asset Protection Zones shall be provided within the boundary of the subject land. National Parks, Crown Reserves, water catchments, easements, Council managed reserves and riparian corridors shall not be considered as part of Asset Protection Zones.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

6 Water Cycle Management

Applies to

This section applies to all developments, which involve additional buildings or hard surface areas.

It does not involve on site disposal of sewage. Refer to Section 15 - On Site Sewage Disposal.

Background

Stormwater has the potential to cause loss of life, serious property damage, erosion and sedimentation. The management of stormwater is however part of a larger management of the water cycle. This management not only includes managing stormwater events, the quality of rainwater runoff, erosion and sedimentation but also the use of rainwater to supplement reticulated water supplies. The management of the water cycle has its impacts on the design of developments.

Objectives

- a) To ensure that there is no adverse impact from stormwater runoff on downstream properties as a result of development in the catchment for all storm events up to and including a 100-year ARI event.
- b) To collect and use rainwater from roof tops to reduce town water consumption.
- c) To ensure adequate drainage is provided for developments.
- d) To protect properties from localised flooding.
- e) To prevent contaminated run-off from entering watercourses.
- f) To minimise erosion and reduce the volume of waste water entering waterways.
- g) To minimise sedimentation and pollution in waterways and drainage systems.
- h) To maintain and enhance the quality of natural water bodies such as creeks, rivers and groundwater.
- i) To reduce cost of providing and maintaining water infrastructure.

6.1 Gravity Drainage to Council's drainage system

Applies to

This sub-section applies to development, which drains to a drainage system constructed by or on behalf of Council. This includes drainage to the pipe system, constructed drains, detention basins and constructed swales.

Controls

Stormwater runoff shall be connected to Council's drainage system by gravity means. Mechanical means (i.e. pump) for disposal of stormwater runoff will not be permitted except for basement car parks. Charged systems will not be permitted.

Pumped stormwater including seepage water from basement carpark shall be disposed by providing appropriate infiltration system within the site or shall be connected to the nearest stormwater pit. Pumped water is not permitted to connect to kerb of the street.

Easements to drain stormwater

1. The acquisition of drainage easements over downstream properties will be required where direct access is not possible to Council's drainage system (i.e. street kerb and gutter, piped system or open channels and watercourses).
2. All costs associated with the value of land and easement creation are to be borne by the developer.
3. Written consent for the piping and acquisition of an easement is to be obtained from adjoining owners and provided to Council at the time of lodging the Development Application. Inability to provide a gravity stormwater drainage system and easement to drain water in favour of the development site will prevent the granting of Development Consent. Creation of easement(s) shall be completed prior to the issue of the Construction Certificate.
4. Where negotiations between a developer and a downstream property owner have failed to obtain an easement, an easement may be granted via the Land and Environment Court.

5. Exception to acquiring an easement may be given for sites that do not drain to the street, only where extensions to an existing residential building or replacement of an existing house or dual occupancy is proposed, and genuine attempts at acquiring a downstream easement have failed. Written documentation of these attempts, including reasonable financial consideration, must be included for any application for exemption. If an exception is granted an alternative drainage system may be considered by Council.

Stormwater Drainage Concept Plan (SDCP)

For developments that require construction of stormwater drainage, a SDCP shall be submitted with the Development Application demonstrating the feasibility of the proposed drainage system within the site and connection to Council's system. Early consultation between engineers and architects is required to reduce possible conflicts in the final plan.

Visual impact

All drainage structures and storage areas are to be designed to be visually unobtrusive and sympathetic with the environment. This requirement is necessary to help ensure that future occupants do not adjust or remove facilities for aesthetic reasons without understanding the functional impact of such actions.

Surface flow Paths

1. Surface flow paths, including the provision of an emergency overflow to cater for blockage of the system or flows in excess of the 100-year ARI storm flow must be provided.
2. The flow route must be capable of carrying the flows generated by a 100-year ARI storm with a freeboard of 300mm to the adjacent habitable floor levels of the development site and adjoining properties.
3. Development must not cause any adverse impact on adjoining or any other properties. This includes maintaining surface flow paths and not increasing water levels in these flow paths. Diverting flows from one catchment to another will not be permitted.

Runoff from adjacent properties

Surface runoff from upstream properties shall not be allowed to enter OSD systems. On Site Detention systems must not be located in overland flow paths, which convey catchment flows through the site.

Floor and Ground Levels

All habitable floor levels are to be a minimum of 300mm and garage/non habitable floor levels to be a minimum of 150mm above the maximum design storage water surface level and flow path levels.

On-Site Stormwater Detention

1. On-Site Detention (OSD) systems provide temporary storage of stormwater runoff from developments and restrict discharge from the site at a rate which council's existing drainage system is capable of accommodating.
2. OSD may only be used where:
 - The existing or proposed stormwater pipe system that is unable to cater for the increase in discharge due to development.
 - The development will involve an increase in impervious area on the site.
 - It is intended to connect stormwater directly to the street kerb and gutter only and the discharge exceeds 20 litres per second for the 10-year ARI.
3. OSD will not be required where:
 - The increased discharge for all storms up to and including a 100-year ARI can be accommodated by the existing stormwater pipe system.
 - A building addition or internal alteration is within the footprint (plan area) of the existing building.
 - The additional impervious surfaces (e.g. roof, driveway, paving) total is less than 30sqm in plan area. (NOTE: the designer is advised to confirm with council engineer first to ensure the cumulative total of previous and future additions still remain less than 30sqm, otherwise OSD will apply).
 - The sub-division of an existing development does not change the buildings or the impervious areas of the site.
 - Sites substantially inundated by flooding.
 - The development contributes funds to a major basin strategy that mitigates the impact of the increased impervious area and there are no other local drainage issues requiring OSD.
4. Calculations shall account for the total development site area.

Refer to Council's *On Site Stormwater Detention Policy and Design Specification*.

6.2 Gravity Drainage to a creek system

Applies to

This sub-section applies to development, which drains to a natural creek or river. It does not apply to development, which drains to a constructed swale or other similar drainage work.

Controls

1. All buildings shall be setback a minimum of 40m from the top of the bank of a creek or river, subject limitations imposed by flooding or Foreshore Building Lines.

Nutrient loading/effluent

Depending on the proposed use there may be a need to provide a permanent water quality basin to minimise any contaminated runoff.

Erosion protection of creek banks

All outlet structures discharging to a creek system shall provide scour protection and energy dissipaters.

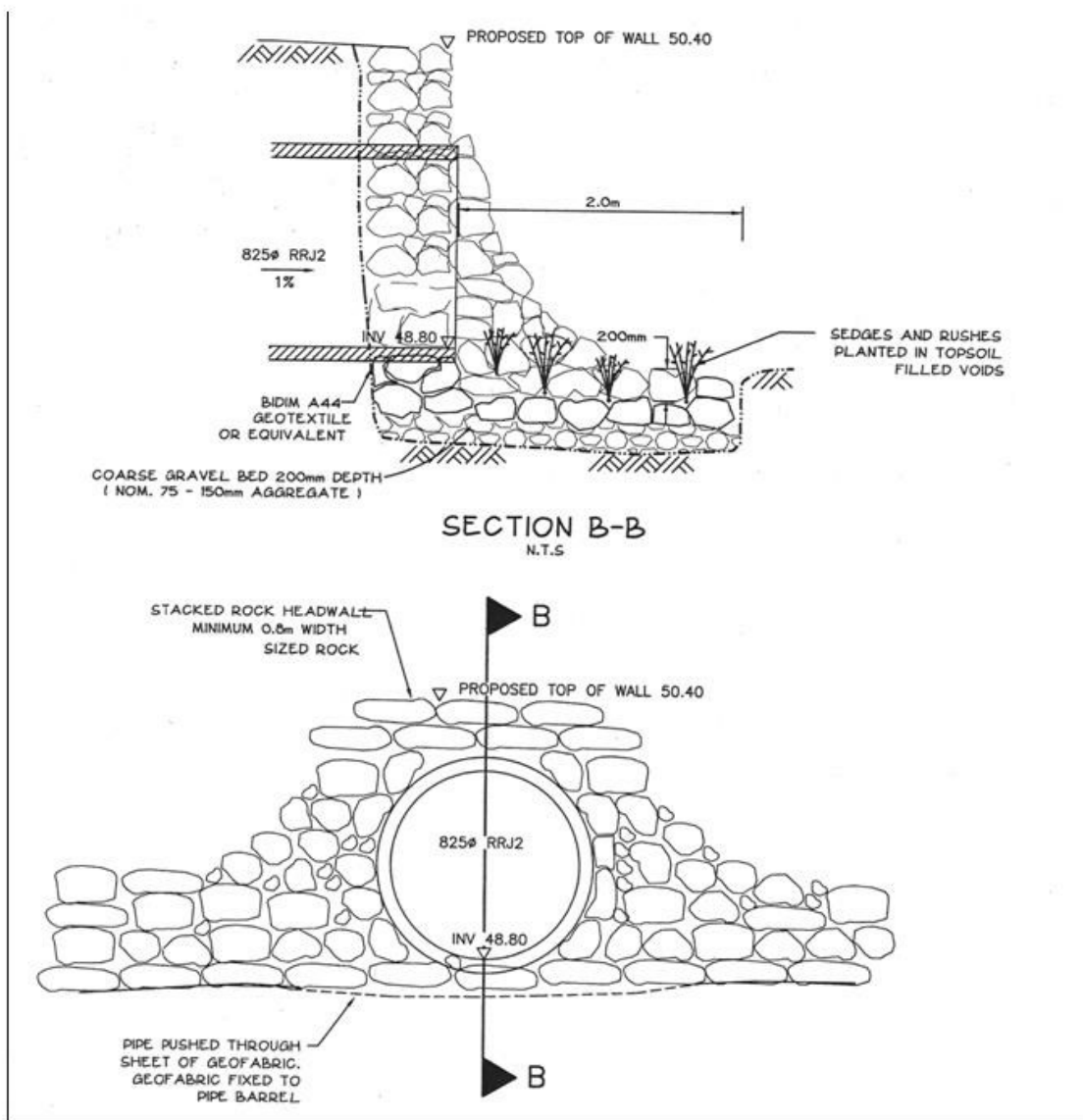


Figure 3 Discharging to a creek system

For more information on water cycle management please refer to *Council's Stormwater Design Specification*.

6.3 Gross Pollutant Traps

Applies to

This sub-section applies to:

- a) Development on land within a Employment zone.
- b) Development on private land that includes the construction of car parks or other significant impervious areas where there is a potential for the generation of gross pollutants.

- c) Locations where gross pollutant traps are required by Part 2 of the DCP

Background

Stormwater runoff has the potential to mobilise significant quantities of gross pollutants or sediment from a development and deposit this pollution in local waterways. This pollution can significantly impact on waterways in terms of aesthetics, damaging plants, destroying the environment / habitats and introducing chemical water quality pollutants.

Objectives

- a) To prevent the transportation of gross pollutants and sediment from a site by stormwater runoff during the operational stages of a development.
- b) To install gross pollutant traps or utilise equivalent water sensitive urban design treatment train prior to discharge of stormwater from a site.
- c) To require developments to capture or prevent the generation of gross pollutants and sediment on site and at their own cost.
- d) Ensure that any gross pollutant traps on Council land are installed in accordance with a master plan or water cycle management plan to the satisfaction of Council.

Controls

1. A minimum of one gross pollutant trap shall be required between the last downstream stormwater pit or pollution source and prior to discharge from the site.
2. Gross pollutant traps shall not be located within the banks of watercourses or within riparian zones.
3. Where a valve is required to isolate a site during a pollution spill, consideration shall be given to the location of the valve in relation to gross pollutant traps.
4. The design of the gross pollutant trap shall comply with Council's drainage design specifications.
5. Details of the proposed gross pollutant trapping system, performance and compliance with Council's drainage design specifications shall be included in the Stormwater Drainage Concept Plan.

Note: The impact of the device and cleaning activities on adjacent areas shall be considered.

6.4 Stormwater Runoff Quality

Applies to

This sub-section applies to residential development on sites up to 2000sqm, except for development applications for single dwelling houses and dual occupancy housing.

Background

Waterbodies in urban or agricultural areas usually, suffer from decreased water quality. This adversely impacts on the biodiversity of the waterbody and the use of watercourses by humans.

Objectives

- a) To ensure that stormwater runoff is of suitable quality to protect the aquatic ecosystems of waterbodies within Liverpool and downstream receiving catchments.
- b) To protect the aquatic environment of the Georges River catchment and the Hawkesbury Nepean River catchment.
- c) To maintain and enhance freshwater and estuarine ecosystems, including biodiversity, relative abundance and ecological processes.

Controls

1. The post development stormwater runoff quality shall be improved to achieve the following reduction targets when compared to pre development levels:
 - 45% reduction in the baseline annual pollutant load of total nitrogen (TN);
 - 65% reduction in the baseline annual pollutant load of total phosphorus (TP);
 - 85% reduction in the baseline annual pollutant load of total suspended solids (TSS); and
 - 90% reduction in the baseline annual pollutant load of litter and vegetation larger than 5mm, through provision of GPT.
2. In the case of areas where council has adopted a master plan or in Part 2 specifying water quality targets. The requirements of those documents shall be utilised in preference to the targets listed above.

3. In the case of green field developments where Council has not adopted a master plan or is not included in Part 2 of the DCP specifying water quality targets the above targets shall be utilised by comparing post development water quality with that of a conventional stormwater drainage design without water quality treatment for an urbanised development.
4. Ongoing maintenance of stormwater and water quality treatment systems must be undertaken to ensure continued performance and compliance with the approved Water Management Strategy. An Operation and Maintenance Manual, prepared by a suitably qualified professional, must be submitted to Council for approval. The Manual must:
 - Identify the make, model, and location of each device
 - Detail inspection and maintenance requirements per manufacturer specifications
 - Specify cleaning, replacement, and servicing frequencies
 - Include pro-forma log sheets for owner useAll devices must be maintained as per the manufacturer's specifications and the approved Operation and Maintenance Manual, at intervals that ensure effective operation. The owner must keep a maintenance log detailing inspections, maintenance, and servicing. This log must be provided to Council upon request.

6.5 Stormwater Quality Management

Applies to

This sub-section applies to the following development applications.

- a) Residential development greater than 2,000sqm;
- b) Commercial, retail, industrial, and / or mixed use development involving new or additional gross floor area of greater than 100sqm; and
- c) Any development that involves the construction or designation of 10 or more uncovered car parking spaces.

Background

The Liverpool Local Government Area (LGA) is traversed by two major river systems, the Georges River and the Nepean River, and many of their tributary creeks and waterways systems. Waterways are under pressure from past and ongoing developments, catchment disturbance and hydrological modification, land use transformation and large-scale vegetation changes. Stormwater runoff has the potential to mobilise significant quantities of gross pollutants and sediments as well as nutrients from a development site and dispose into the local waterways. These pollutants will have significant adverse impact on the aesthetics and ecological health of waterways and the riparian corridor.

In June 2016, Council adopted the Water Management Policy that aims to integrate and coordinate Council's water management initiatives to achieve its strategic target to improve ecological health of all waterways within the LGA. The Policy seeks to provide a proactive response to the development pressures and aims to protect the aquatic ecosystems, the water resources and minimise the impacts of urban development to the urban water cycle through the necessary improvements to the quality of stormwater discharged to the waterways.

The Policy requires the design and construction of water quality improvement devices considering a sequence of water quality treatment train to effectively improve water quality to desirable level while also offering substantial short and long-term ecological, environmental, and economic benefits. The water quality treatment train generally comprises of gross pollutant traps (GPT), bio retention basins, bio swales and raingardens.

The GPTs provide the primary treatment to stormwater runoff that use physical processes to capture and retain gross pollutants such as litter and coarse sediment from stormwater runoff. The fine sediments are removed and chemical pollutants are treated through the provisions of bio swales, raingardens and bio retention basins.

Objectives

The objectives of the stormwater quality management DCP provision is to provide necessary control to set standards for post development stormwater runoff in a way that:

- a) Ensures a holistic and coordinated catchment based approach across all areas of Council in managing water
- b) Enables achievement of Council's water quality targets for its major creeks and rivers
- c) Ensures that stormwater runoff is of suitable quality to protect the aquatic ecosystems of receiving waterbodies and downstream catchments;
- d) Harvest rainwater and urban stormwater run-off for use where appropriate;
- e) Maintains and enhances freshwater and estuarine ecosystems, including biodiversity, relative abundance and ecological processes;

- f) Control hydrological impacts of development on receiving surface and ground water systems by controlling the frequency, magnitude and duration of flows to preserve, as far as practicable, pre-development groundwater and surface water regimes and interactions; and
- g) Promotes community participation to encourage source control to reduce pollutants reaching its major creeks and rivers.

Controls

1. The post development stormwater runoff quality shall be improved to achieve the following reduction targets when compared to pre development levels:
 - 45% reduction in the baseline annual pollutant load of total nitrogen (TN);
 - 65% reduction in the baseline annual pollutant load of total phosphorus (TP);
 - 85% reduction in the baseline annual pollutant load of total suspended solids (TSS); and
 - 90% reduction in the baseline annual pollutant load of litter and vegetation larger than 5mm, through provision of GPT.
2. Developments that this subsection applies to, including residential development of land area greater than 2,000m², are to submit a stormwater quality management assessment demonstrating that necessary water quality improvement targets are achieved.

The stormwater quality management assessment is to be prepared by suitably qualified professionals with experience in water sensitive urban design (WSUD). Water quality modelling is to be undertaken with the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) model in accordance with the Liverpool City Council WSUD Technical Guideline.

The documentation submitted is required to meet the following requirements:

 - a) Water quality treatment works shall be designed using MUSIC modelling software and the water quality treatment system performance shall be verified using Council's MUSIC link.
 - b) Plans showing details of the water quality treatment devices including gross pollutant traps (GPT), bio-retention basins, bio swales and rain gardens.
 - c) Analysis showing the least present value cost option is considered through the lifecycle cost assessment of all possible alternative options. The lifecycle cost assessment shall consider capital cost and ongoing operation and maintenance cost of the treatment system for minimum of 20 years.

3. Ongoing maintenance of stormwater and water quality treatment systems must be undertaken to ensure continued performance and compliance with the approved Water Management Strategy. An Operation and Maintenance Manual, prepared by a suitably qualified professional, must be submitted to Council for approval. The Manual must:

- Identify the make, model, and location of each device
- Detail inspection and maintenance requirements per manufacturer specifications
- Specify cleaning, replacement, and servicing frequencies
- Include pro-forma log sheets for owner use

All devices must be maintained as per the manufacturer's specifications and the approved Operation and Maintenance Manual, at intervals that ensure effective operation. The owner must keep a maintenance log detailing inspections, maintenance, and servicing. This log must be provided to Council upon request.

6.6 Sewage Treatment Plant

Objective

- a) To ensure that development near the sewage treatment plant does not encroach on the buffer zoning.

Control

1. Development within 400m of the Scrivener Street Sewage Treatment Plant needs to be referred to Sydney Water for assessment.

6.7 Environmental Flows

Applies to

This sub-section applies to all development except for development applications for dwelling houses, semi detached dwellings, attached dwellings and dual occupancy housing.

Background

Urbanisation of catchments can increase the frequency and size of smaller stormwater runoff events. This has a significant impact on channel morphology, bed and bank stability as well as significantly influencing aquatic ecosystems. Furthermore, excessive harvesting of stormwater may reduce the water available to support aquatic

ecosystems.

Objectives

- a) To ensure that development does not adversely impact on flow patterns from that of a natural undeveloped catchment.
- b) Prevent bed and bank erosion and instability of waterways.
- c) Provide sufficient environmental flows to support aquatic environments and ecological processes.

Controls

1. The peak runoff for the 1-year ARI post development does not exceed that of an undeveloped catchment.
2. The peak runoff for the 1-year ARI post development is not less than 50% from that of an undeveloped catchment.

6.8 Water Conservation

Applies to

This section applies to all development involving the use of water.

Background

Building design can contribute to environmental sustainability by integrating measures for improved water quality and efficiency of use. Water can be conserved in a number of ways, including; reducing water demand from the mains and re-using water, which would otherwise be lost as run off or waste water.

By integrating water use efficiency, water collection and water reuse measures into building and associated infrastructure design development can contribute to environmentally sustainable outcomes.

All mains water is treated to drinking water standard. However, only about 1% of domestic water consumption is actually used for drinking.

Uses such as toilet flushing, laundry and outdoor uses do not require water to be treated to such a high standard. Such uses can be satisfactorily supplied using rainwater collected from roofs and stored in tanks. Benefits include significant water cost savings and substantial reductions in stormwater discharges.

Objectives

- a) To reduce per-capita mains consumption of potable water.
- b) To harvest rainwater and urban stormwater runoff for use.
- c) To reduce wastewater discharge.
- d) To capture, treat and reuse wastewater where appropriate.
- e) To safeguard the environment by improving the quality of water run-off.
- f) To ensure infrastructure design is complementary to current and future water use.

Controls

Residential

New dwellings, including a residential component within a mixed-use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with *State Environmental Planning Policy* ~~–(Sustainable BuildingBuildings) Sustainability Index (BASIX)2022.~~

Non-Residential

1. A comprehensive Water Management Plan must be submitted with all ~~nonresidential~~non-residential development to address the following criteria.
2. Installed water fixtures (shower heads, taps, toilets, urinals, etc) must be Wells 3 Star or better rated.
3. Installed appliances (dishwashers, clothes washers etc) are to be Wells 3 Star or better rated with respect to water use efficiency. Demonstrate, if necessary, how these requirements will be achieved for replacement appliances, appliances not installed at construction, or bought in by occupants following construction.
4. Install stormwater runoff control, capture and reuse, including water quality management in accordance with Council guidelines.
5. Select water efficient plants and/or, indigenous vegetation for landscape in accordance with Council's

recommendations.

6. Use non-potable water for watering gardens and landscape features.
7. For development of more than \$1 million construction cost, ~~consideration~~ provision of separate pipe-work for the utilisation of recycled stormwater for non-potable purposes should be considered.
8. Submit operating details for swimming pools and water features including filling, draining and maintenance activities. Covers must be included in the building design and operational aspects of swimming pool installations.
9. Any development that contains a rainwater tank must satisfy the following criteria:
 - a) Rainwater is to be sourced only from roof structures via a tank storage system, the tank capacity, or combined tank capacity, must be at least 5,000L.
 - b) Tanks may be connected to toilets and garden/outdoor taps (the common tanks in residential flat buildings are to be connected to common outdoor taps only).
 - c) Tanks may be connected to laundry taps with suitable filters, the system is to be fitted with an effective first flush device for removing roof surface contamination.
 - d) The system must contain a facility for periodic desludging.
 - e) Tanks must be connected to main water to top them up during times of low rainfall with supplemental inflow not taking places until the tank is 80% empty.
 - f) Alternatives to the above water savings methods can be presented to Council and they will be assessed on merit.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

7 Development near a Watercourse

Applies to

This section applies to:

- a) Development within 40m of a watercourse, creek or river except where separated from the watercourse, creek or river by land in an
 - RE1 – Public Recreation zone ,
 - C2 – Environmental Conservation zone,
 - C3 – Environmental Management zone or
 - W1 – Natural Waterways zone.
- b) Development that may impact upon, bed, banks or stream flow of a watercourse.
- c) Development, which involves removal of riparian vegetation.

Background

Waterfront areas are often compromised due to lack of awareness and planning resulting in degradation of their environmental value.

Waterfront areas, including riparian zones represent the interface between land and watercourses. These areas are continually under threat from development pressures. These pressures have the potential to trigger the following impacts:

- Increases in sedimentation;
- Modification of flow regimes;
- Destruction of riparian vegetation;
- Visual impacts;
- Bank instability;
- Loss of biodiversity through destruction of habitat.

Waterfront areas are significant in ensuring protection of the aquatic environment through their role in acting as a bio-filter to reduce polluted surface runoff, excessive sedimentation and erosion. Therefore it is important to ensure that adequate controls are in place to maintain and enhance the environmental significance of these areas.

Objectives

- a) To protect, restore and maintain ecological processes, natural systems and biodiversity in wetlands and waterfront areas.
- b) To maintain watercourse bed and bank stability
- c) To minimise sedimentation and pollution of watercourses and wetlands.
- d) Ensure conservation and long term maintenance of existing native vegetation in waterfront areas.
- e) To maintain lateral connectivity between waterways and riparian vegetation.
- f) To protect the visual amenity of the water and land interface.

Controls

1. If any works are proposed near a watercourse, the Water Management Act 2000 may apply, and you may be required to seek controlled activity approval from the NSW ~~Office~~ Department of Climate Change, Energy, the Environment and Water ~~(DCCEEW)(Water)~~. Please consult with ~~the DCCEEW~~ NSW Office of Water ~~(Water)~~ regarding your proposal. Section 4 ~~Bushland~~ (Bushland and Fauna Habitat Preservation) of this DCP should also be addressed when pertinent.

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Part 1 General Controls for all Development

8 Erosion and Sediment Control

Applies to

This section applies to all development, which may involve:

- a) Clearing, levelling, shaping, excavation of the existing soil surface and or vegetation on any site or the placement of any material stockpiles on that site;
- b) Placement of any fill upon a site; and
- c) Changes in the rate and or volume or course of runoff entering a waterbody, or overland flow.

Background

The excavation of land removes ground cover and often results in stockpiling of loose soil. This has the potential to create erosion of soils on site and sedimentation downstream from a development site. The sedimentation can result not just on adjoining land or streets but on creek and river systems quite some distance away. The impact on the ecosystem of creeks and rivers can be very significant.

Objectives

- a) To avoid soil erosion through the use of effective erosion and sediment control measures both during and following any works.
- b) To reduce pollution by avoiding land degradation and disturbance of vegetation on site, hence reducing pollution impact to downstream areas and receiving waters and their ecosystem.
- c) To minimise costs involved in unblocking drains and water bodies, cleaning of roads and compensating for the loss of topsoil through improved sedimentation and erosion control.
- d) To improve water quality by reducing sedimentation.

Controls

1. The development application shall be accompanied by either a Soil and Water Management Plan (SWMP) or an Erosion and Sediment Control Plan (ESCP) as shown in Table 1.

Table 1 Plans for stormwater soils management

Plan Required	Area of Disturbance
ESCP	Up to 2,500sqm
SWMP	Greater than 2,500sqm and/or where development consent is required

2. ~~These plans shall be prepared in accordance with *Managing Urban Stormwater Soils and Construction*, also known as the *Blue Book* (current edition) produced by the NSW Department of Housing. The plans should form part of the engineering design drawings and be documented in the construction plans.~~
3. The SWMP and ESCP are to include the following:
 - A set of plans drawn to scale which show the layout of appropriate sedimentation and erosion control in accordance with the requirements of this DCP;
 - Outline of appropriate sedimentation and erosion control measures;
 - Proposed control of erosion and sedimentation shall be prepared by referencing and incorporating the requirements of Council's *Specification for Control of Erosion and Sedimentation*.
4. The matters to be considered in the preparation of SWMP and ESCP are detailed in the "Blue Book". These include but are not limited to:
 - Slope and soil characteristics.
 - Conservation of topsoil and consideration of ecologically sustainable principles and measures.
 - Location and details of proposed control measures.
 - Control of stockpiles and re-use of material on site.
 - All weather access to the site.

- Location of existing vegetation and vegetation to be removed.
- Proposed method of protection of vegetation.
- Water bodies, dams and other drainage structures.
- Soil and water implications.
- Re-stabilisation/revegetation details.
- Construction site location/disturbed area boundaries.
- Clean up of downstream sedimentation resulting from breach of erosion and sedimentation controls.
- Order of works based upon construction and stabilisation of all culverts and surface drainage works at the earliest practical stage.
- Proposed time schedules for construction of structures and implementation of control measures and details of proposed maintenance, inspection and corrective action.
- Where practical, all runoff from areas up slope is to be diverted away from the disturbed areas. Diverted stormwater should be discharged onto stable areas and should not be diverted into neighbouring properties unless written permission is obtained from the land owner(s). Avoid directing stormwater towards the site's access and egress.

8.1 Sediment Basins

Applies to

This sub-section applies to development, which involves the provision of a sediment basin.

Background

The conversion of a sediment basin into a permanent water feature would significantly disturb any flora or fauna in and around the basin. There would be a need to remove accumulated sediment. Typical issues with retaining sediment basins include:

- a) Remobilisation of nutrients from sediment trapped during subdivision causing problems such as algal growth.
- b) Inappropriate design features such as bank treatments causing public safety issues as well as promoting growth and propagation of weeds.
- c) Inappropriate treatment train design promoting the accumulation of gross pollutants, weed infestation and algae growth.

Objectives

- a) To ensure that temporary sediment basins are removed when no longer needed.
- b) To ensure that temporary sediment basins are constructed in a way that there is no long-term adverse environmental impact.

Controls

1. A Sediment Basin shall not be retained as a permanent facility unless required by:
 - - Part 2 of the DCP
 - - Total Catchment Management Study
 - - Floodplain Management Plan
2. A Sediment Basin shall not be located within core riparian areas, land in public ownership or land that is intended to be transferred to public ownership.
3. A Sediment Basin shall have no substantial impact on a natural water body or wetland.
4. A Sediment Basin shall be designed and managed to prevent the establishment of native fauna within the basin.
5. Any approval for the installation of a temporary basin must include approval for removal of that basin and site remediation.
6. Any approval for the installation of a temporary sediment basin must include a plan outlining actions to be undertaken for removal of the basin and a timeline for its removal.
7. Suitable fencing shall be installed and maintained to prevent persons from gaining access to the basin.

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Part 1 General Controls for all Development

9 Flooding Risk

Applies to

This section applies to land identified as ~~at or below the~~ flood ~~planning~~prone level ~~land~~.

Background

1. In 1984, the State Government introduced its current flood prone land policy applicable to New South Wales. The first Floodplain Development Manual was published in 1986, providing guidelines for the implementation of the government's flood prone land policy and the merit approach, which underpins its application. ~~Revised~~ ~~Current~~ guidelines were released in ~~2005~~2023 and are now embodied in the ~~FloodplainFlood DevelopmentRisk Management~~ Manual; ~~April 2005~~(2023). The revised ~~FloodplainFlood DevelopmentRisk Management~~ Manual continues to support the NSW Government's Flood Prone Land Policy. The primary objective of the policy is:

"To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible."

2. To achieve this objective the ~~FloodplainFlood DevelopmentRisk Management~~ Manual (2023) acknowledges a broad risk management hierarchy of:
 - Avoidance of flood risk;
 - Minimisation of flood risk using appropriate planning controls; and
 - Flood risk mitigation.
3. Flood risk mitigation is not always the preferred option, being costly and most likely to adversely affect the natural environment. Avoidance and minimisation of flood risk are the options most likely to be acceptable and are primarily reliant on land use planning and development control for implementation. These planning and development controls are reflected in this Section.
4. Local Government is the primary authority responsible for both flood risk management and land use planning in New South Wales. The NSW Government's flood policy provides for a flexible merit based approach to be followed by local government when dealing with planning, development and building matters on flood prone land. For Council to fully carry out its responsibilities for management of flood prone land, it is necessary to prepare local ~~FloodplainFlood~~ Risk Management Plans.
5. The ~~FloodplainFlood DevelopmentRisk Management~~ Manual requires that Councils prepare ~~FloodplainFlood~~ Risk Management Studies as a prelude to the formulation of a ~~FloodplainFlood~~ Risk Management Plan that, among other things, would control development and other activity within the floodplain. ~~This Section of the DCP is consistent with Council's and State Government's "Flood-Prone Land Policy" and the Floodplain Development Manual.~~
6. This Section of the DCP is an application of the State Policy, which reflects local circumstances, as identified for some floodplains, through the preparation of Floodplain Risk Management Plans.

Objectives

- a) To minimise the potential impact of development and other activity upon the aesthetic, recreational and ecological value of the waterway corridors.
- b) To ensure essential services and land uses are planned in recognition of all potential floods.
- c) To reduce the risk to human life and damage to property caused by flooding through controlling development on land affected by potential floods.
- d) To ensure that the economic and social costs which may arise from damage to property due to flooding is minimised and is not greater than that which can be reasonably managed by the property owner and general community.
- e) To limit developments with high sensitivity to flood risk (e.g. critical public utilities) to land with minimal risk from flooding.
- f) To prevent intensification of inappropriate use of land within high flood risk areas or floodways.

- g) To permit development with a lower sensitivity to the flood hazard to be located within the floodplain, subject to appropriate design and siting controls.
- h) To ensure that development should not detrimentally increase the potential flood affectation on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.
- i) To ensure that development does not prejudice the economic viability of any Voluntary Acquisition Scheme.

9.1 Determining Relevant Controls

Controls

The controls vary depending on:

1. Sensitivity of a land use to flooding
2. Severity of flood impact on site
3. Specific Floodplain in which a site is located

Follow these steps determine the relevant controls.

Step 1. Identify Flood Risk Category (degree of flooding risk). See Section 9.2.

Step 2. Identify Land Use Risk Category. See Section 9.3.

Step 3. Identify relevant Floodplain. See Section 9.4.

Step 4. Identify relevant Floodplain Controls. See Section 9.5 and 9.6.

The following figure summarises this consideration process.

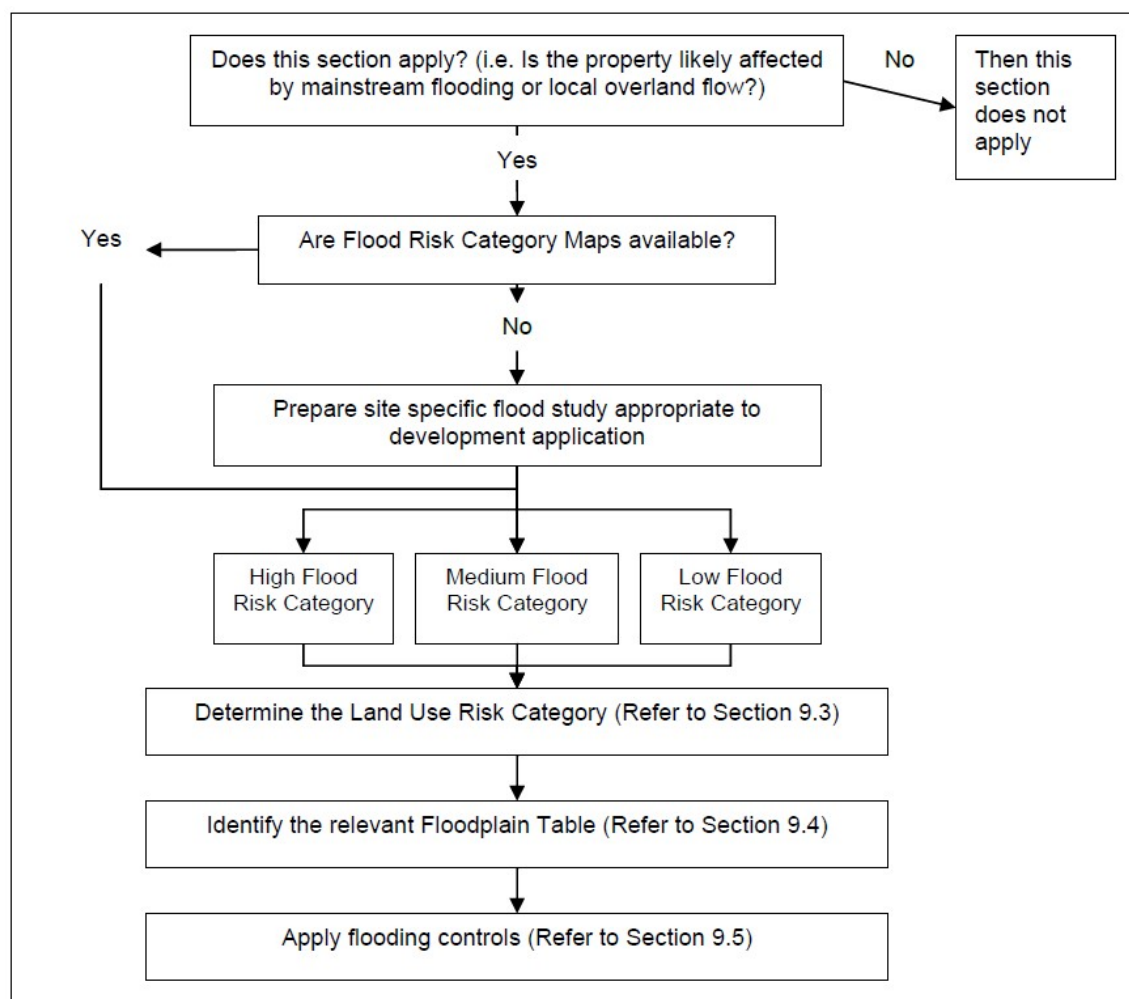


Figure 4 Flow chart for the determination of flood risk

9.2 Step 1 Identify the Flood Risk Category

Controls

1. Flood liable land is categorised according to the levels of potential flood risk as outlined below.

High Flood Risk Category means land below the 1% AEP flood that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties.

Note: The high flood risk Category is where high flood damages potential risk to life evacuation problems would be anticipated or development would significantly and adversely effect flood behaviour. Most development should be restricted in this Category. In this Category there would be a significant risk of flood damages without compliance with flood related building and planning controls.

Medium Flood Risk Category means land below the 1% AEP flood that is not subject to a high hydraulic hazard and where there are no significant evacuation difficulties.

Note: In this Category there would still be a significant risk of flood damage, but these damages can be minimised by the application of appropriate development controls.

Low Flood Risk Category means all other land within the floodplain (i.e. within the extent of the probable maximum flood) but not identified within either the High Flood Risk or the Medium Flood Risk Category.

Note: The Low Flood Risk Category is where the risk of damages is low for most land uses. The Low Flood Risk Category is that area above the 1% AEP flood and most land uses would be permitted within this Category.

No Flood Risk Mapping means that there has not yet been any risk Categories determined for this area.

Note: Flood Risk Category Maps are not available for all Flood Prone Land. Applicants may be required to undertake a flood study to determine the flood extent and Flood Risk Categories in order to apply appropriate controls required by this Development Control Plan.

2. Council has prepared flood risk mapping for the majority of the floodplains within the Liverpool LGA through a number of **FloodplainFlood** Risk Management Studies and Plans adopted by Council and this information is available from Council.
3. It should be noted that the flood risk mapping prepared by Council has been developed at a broad scale for the purpose of undertaking **FloodplainFlood** Risk Management Studies. This mapping is considered preliminary and can be subject to refinement as part of the assessment of individual proposals. Furthermore, works consistent with the flooding provisions of this DCP and acceptable to Council could be undertaken to alter the flood risk category of land.
4. If the peak flow rate of an overland flow path, during the 1% AEP flood, exceeds 5 cubic metres per second then the overland flow path shall be treated as mainstream flooding and the development controls for mainstream flooding shall be applied.

9.3 Step 2 Identify Land Use Risk Category

Land use is categorised into 8 Land Use Risk Categories according to the sensitivity of each land use to flooding. The definitions of each land use are based on the Liverpool LEP 2008, are categorised as follows.

Critical uses and Facilities

Community facility which may provide an important contribution to the notification or evacuation of the community during flood events

Hospitals

Residential care facility

Sensitive Uses and Facilities

Educational establishments

Schools

Hazardous or offensive industry or storage establishment

~~Liquid fuel depot~~

Seniors housing

Utility installations or Public utility undertakings (including generating works) undertakings which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events

Telecommunications facility

Waste disposal land fill operation

Group home

Boarding houses

Caravan parks

Correctional centres

Centre-based child care facilities

Eco-tourist facilities

Emergency services facilities

HostelsInformation and education facilitiesRespite day care centresSewerage systemsTourist and visitor accommodationWater supply systemsBed and breakfast premisesServiced apartments**Subdivision**

Subdivision of land, which involves the creation of new allotments, with potential for further development

Residential

Attached dwelling

~~Family~~ Health day consulting care
~~centre~~ rooms

Residential flat building

~~Backpacker~~ Canal
~~accommodation~~ estate development

~~Health~~ Home consulting rooms business

Rural workers' dwelling

~~Bed~~ Dual and breakfast
~~premises~~ Occupancy

~~Home-based child care~~
~~service~~ occupation

Secondary dwelling

~~Boarding houses~~ Dwelling

~~Home~~ Moveable business dwelling

Semi-detached dwelling

~~Canal~~ Dwelling ~~estate development~~ house

~~Home~~ Multi occupation dwelling housing

~~Serviced~~ Shop apartments top housing

~~Caravan~~ Exhibition Park home

~~Hostel~~ Residential accommodation

~~Shop top housing~~

~~Child care centre~~

~~Information and education facility~~

Utility installations or Public utility undertakings (other than critical utilities)

~~Dual~~ Exhibition Occupancy village

~~Moveable dwelling~~

~~Tourist and visitor accommodation~~

~~Dwelling~~

~~Multi dwelling housing~~

~~Dwelling house~~

~~Residential accommodation~~

~~Exhibition home~~

~~Exhibition village~~

Commercial or Industrial

Agriculture produce industry

Heliport

Retail premises

Amusement Centre

Hotel accommodation

Roadside stall

Animal boarding or training establishment

Industry

Rural Industry

Boat repair facility

Kiosk

Sawmill or log processing works

Boat shed

Light Industry

Service station

Bulky goods premises

Materials recycling or recovery centre

Sex service premises

Business premises

Medical centre

Transport depot

Cemetery

Mortuary

Take away food or drink premises

Charter and tourism boating facility

Neighbourhood shop

Tank based aquaculture

Crematorium

Office premises

Truck depot

Depot

Passenger transport terminal

Vehicle body repair workshop

Electricity generating works

Place of public worship

Vehicle repair station

Entertainment facility

Public administration building

Vehicle showroom

Freight transport facility

Recreation facility (indoor)

Veterinary hospital

Function Centre

Recreation facility (major)

Warehouse or distribution centre

Funeral chapel

Registered club

Funeral home

Restaurant

Heavy Industry

Recreation or Non-urban Uses

Agriculture
 Aquaculture
 Dam
 Environmental facility
 Extractive industry
 Feedlot
 Helipads
 Horticulture
 Intensive livestock agriculture
 Landscape and garden supplies
 Marina
 Recreation facility (outdoor)
 Stock and sale yard
 Turf farming

Concessional Development

1. In the case of residential development:
 - An addition or alteration to an existing dwelling of not more than 30sqm or 10% (whichever is the lesser) of the habitable floor area which existed at 1 December 1987. (The date of adoption of the first Liverpool City Council Floodplain Management Plan); or
 - The construction of an outbuilding with a maximum floor area of 20sqm (or 50sqm for land zoned for non urban purposes); or
 - Rebuilding dwellings in a manner which substantially reduces the flood risk having regard to property damage and personal safety when compared to the existing building.
2. In the case of other development:
 - An addition to existing premises of not more than 10% of the floor area which existed at 1 December 1987. (The date of adoption of the first Liverpool City Council Floodplain Management Plan); or
 - Rebuilding of a development in a manner which substantially reduces the flood risk having regard to property damage and personal safety when compared to the existing development; or
 - A change of use, which does not increase flood risk having regard to property damage and personal safety; or
 - Subdivision that does not involve the creation of new allotments with potential for further development.

9.4 Step 3 Identify relevant Floodplain

Identify the relevant Floodplain on Figures 5 & 6.

9.5 Step 4 Identify relevant Floodplain Controls

1. Each floodplain area has two sets of controls. These are:
 - Mainstream Flooding Controls, identified in Tables 2 – 4 and Section 9.6.
 - Local Overland Flooding Controls, identified in Table 5.
2. Development on flood prone land will be required to comply with either or both of these.
3. An explanation of these controls is in Table 6.

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Part 1 General Controls for all Development

13 Weeds

Applies to

This section applies to all land ~~where~~within ~~noxious~~the ~~weeds~~Liverpool ~~are found~~LGA.

Background

~~Noxious~~Biosecurity (priority) weeds have the potential to have an adverse impact on the biodiversity and economic use of land. Some species compete with native tree and shrub species and have the potential to dominate entire landscapes altering their natural condition. Some species are particularly effective at penetrating areas of bushland, others choke waterways and riverbanks, some are toxic and others cause allergic reactions in humans.

Objectives

To remove ~~noxious~~all biosecurity weeds in conjunction with the development of land.

Controls

Where the site analysis identifies ~~noxious~~biosecurity weeds on the site, a Weed Management Strategy (WMS) shall be submitted with any development application. A WMS shall be prepared by a suitably qualified professional and shall include:

1. A complete list of ~~all noxious and environmental~~ weeds on the site;
2. A site plan displaying actual weed infestation densities shown as percentages and grouped into cover classes as follows:
 - R = (Rare): less than 1% cover
 - O = (Occasional): between 1 and 5% cover
 - F = (Frequent) between 5 and 20% cover
 - A = (Abundant) between 20 and 40% cover
 - D = (Dominant) between 40 and 100% cover
3. A treatment program for each weed species identified.
4. The treatment program for each weed species shall detail the following:
 - The method(s) of treatment of weeds e.g. mechanical removal or herbicide application.
 - The herbicide product name (if used), the proposed rates and method(s) of application.
 - The timing of all treatments and control method(s) to be applied.
 - An ongoing maintenance program detailing methods of follow up treatments to ensure all weed infestations present are contained and/or controlled.
 - Details of any weed material disposal methods (i.e. if weed material is to be removed from the development site.)
5. ~~It is~~Consideration an must offence be given to ~~knowingly~~Council's ~~remove~~adopted ~~any~~Integrated ~~weed~~Pest ~~material~~Management that ~~Plan.~~
6. Consideration is should classified be as given at ~~W1~~the noxious weed under section 28 ~~requirements~~ of the ~~Noxious~~Greater ~~Weeds~~Sydney ~~Act~~Regional ~~1993~~Strategic Weed Management Plan.
7. ~~Plants that have been declared noxious are listed in Appendix 2.~~

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

15 On-Site Sewage Management Systems (OSMS)

Applies to

This section applies to:

- Development of land that does not have access to a reticulated sewerage system.
- All existing and proposed On-site Sewage Management Systems and Greywater reuse systems.

Background

The rural areas and rural villages of Liverpool are generally not connected to a reticulated sewerage system. Disposal of waste water must take place on site which places limitations on the scope of development that is possible on the site and the extent of the area that can be developed. Disposal of wastewater on site also has potential public health and environmental impacts which must be addressed and minimised.

Application for approval to operate an OSMS

Where a new OSMS is to be installed or an existing OSMS altered, an application under Section 68 of the *Local Government Act 1993* for approval to install or alter an OSMS must be submitted and the prescribed fee paid.

Prior to the operation of an OSMS an application under Section 68 of the Local Government Act 2003 for approval to operate must be submitted along with certification of the installation and commissioning of the system. Approval to operate the OSMS will be granted upon successful installation and certification of the system and this approval will be automatically renewed on an annual basis or at a frequency determined by Council.

Council officers may inspect the OSMS from time to time to ensure that the conditions of approval are being met and that the system is operated and maintained in accordance with the required performance standards set out in the Local Government (General) Regulation 2005.

Council may modify, revoke or withhold an approval or renewal of approval should the system not comply with the conditions of that approval or be found to be inadequately performing or operated in an inappropriate manner.

Objectives

To ensure that the disposal of wastewater and reuse of greywater:

- a) Is carried out in a manner which is economically and environmentally sustainable
- b) Protects the quality of public and environmental health.

Controls

Application Requirements

1. Applications for development of land to which this part applies must be accompanied by an application under s68 of the *Local Government Act 1993* for the installation, alteration and operation of an OSMS. Development consent will not be issued until Council is satisfied that the s68 application can be approved.
2. All development proposals relying on an OSMS or impacting on an existing OSMS must be accompanied by a wastewater report demonstrating that the site can sustainably accept all wastewater generated on the site. This includes the modification of existing developments such as additions/modifications to a dwelling or commercial activity.
3. When a proposed development increases the potential wastewater flow on an existing property, the treatment capacity of the existing system must be reviewed. A new system must be installed where the existing system does not have adequate treatment capacity for all potential flows. A wastewater report will be required to detail the capacity of the existing or proposed system and propose a new or modified effluent irrigation area.
4. All wastewater reports must be prepared by a suitably qualified and experienced person and must contain the following as a minimum:

Plan

The report must include a plan, to scale, showing the location of:

- The sewage management facility proposed to be installed or constructed on the premises,
- Any related effluent application areas,

- Any buildings or facilities existing on, and any environmentally sensitive areas of, any land located within 100 metres of the sewage management facility or related effluent application areas, and
- Any related drainage lines or pipework (whether natural or constructed).

Specifications

The report must include full specifications of the sewage management facility proposed to be installed or constructed on the premises concerned.

Site assessment

The report must include details of the climate, geology, hydrogeology, topography, soil composition and vegetation of any related effluent disposal areas together with an assessment of the site in the light of those details.

Statement

The report must include a statement of:

- The number of persons residing, or probable number of persons to reside, on the premises, and
- Such other factors as are relevant to the capacity of the proposed sewage management facility.

Operation and maintenance

The report must include details of:

- The operation and maintenance requirements for the proposed sewage management facility,
- The proposed operation, maintenance and servicing arrangements intended to meet those requirements, and
- The action to be taken in the event of a breakdown in, or other interference with, its operation.

Standards and guidelines

The report must demonstrate that a system can be installed in accordance with the requirements of the documents listed in control 5 of this section.

Wastewater Flows

The report must consider all potential wastewater flows on the property including all proposed and existing flows.

Specifications

5. Design OSMSs in accordance with:
 - a) ~~Local Government (General) Regulation 2005;~~
 - b) ~~Australian/New Zealand Standard 1547:2012, On-site Domestic Wastewater Management, or any updated standard which supersedes AS1547:2012;~~
 - c) ~~Sydney Catchment Authority 2012, Designing and Installing On-site Wastewater Systems;~~
 - d) ~~NSW Health 2001, Septic Tank and Collection Well Accreditation Guideline~~
 - e) ~~Department of Local Government 1998, On-site Sewage Management for Single Households;~~
 - f) ~~Any other~~ relevant guideline documents adopted by Council ~~after the issue of this DCP.~~

Types of systems not supported

6. Development or subdivision proposals relying on pump-out systems will not be approved by Council. Pump-out systems are not considered to be economically or environmentally sustainable systems due to the high costs associated with the removal of effluent which can result in unauthorised discharge into the environment.

Connection to reticulated sewer

7. Proposals relying on on-site sewage management will not be approved where a reticulated sewerage service is available within 75m of any property boundary.
8. Decommission OSMSs when a reticulated sewerage service becomes available within 75m of any property boundary, and connect the development to the service.
NOTE: This requirement may also be a condition of development consent and/or be included on the 88b certificate.

Location requirements

9. Locate OSMS tanks a minimum of 1.5m from any building and outside of any overland flow paths or depressions in the land.
10. Setback effluent disposal areas associated with OSMSs with setbacks in accordance with Table 8.

Table 8 Minimum Setbacks for Effluent Disposal Areas

System	Setbacks	
All land application systems	100m	to permanent surface waters (river, stream, lake etc
	250m	to domestic groundwater well
	40m	to other waters (farm dams, intermittent waterways and drainage channels)
Surface spray irrigation	6m	if area up-gradient of driveways and property boundaries
	3m	if area down-gradient of driveways and property boundaries
	15m	to dwellings
	3m	to paths and walkways
	6m	to swimming pools
Surface drip and trickle irrigation	6m	if area up-gradient of swimming pools, driveways, property boundaries and buildings
	3m	if area down-gradient of swimming pools, driveways, property boundaries and buildings
Sub-surface irrigation	6m	if area up-gradient of swimming pools, driveways, property boundaries and buildings
	3m	if area down -gradient of swimming pools, driveways, property boundaries and buildings
Absorption system	12m	if area up-gradient of property boundaries
	6m	if area down-gradient of property boundaries
	6m	if area up-gradient of swimming pools, driveways, and buildings
	3m	if area down -gradient of swimming pools, driveways, and buildings

11. New or replacement systems for horticulture (as defined in Liverpool LEP 2008) must comply with the following:
 - a) A minimum buffer distance of 20m if disposal area is up-gradient and 10m if disposal area is down-gradient of any market garden/igloo.
 - b) The related Effluent Disposal Area is required to be fenced to prevent access of vehicles, animals and any heavy vehicles.
 - c) Fruit and/or Vegetables are not to be grown on top or within the designated related Effluent Disposal Area(s) and associated buffer zones.
12. Exclude any proposed or existing areas designated for effluent disposal from calculations for private open space.
13. Locate the lid to OSMS tanks or holding tanks and all associated electrical components such as motors, blowers and non-submergible pumps etc. above the 1% AEP flood contour.
14. Irrigate only effluent treated to a secondary standard by an Aerated Wastewater Treatment System (AWTS) on land below the 1% flood contour.
15. Do not locate any portion of the Effluent Disposal Area on land within the 5% AEP contour.

Systems no longer in use

16. Remove or reuse any redundant septic tank, collection well or aerated wastewater treatment system in accordance with *NSW Health Advisory Note 3 – May 2006 – Destruction Removal or Reuse of Septic Tanks, Collection Wells, Aerated Wastewater Treatment Systems and other Sewage Management Facility Vessels*.
Note: Demolition of tanks (Methods 1 & 5 of the advisory note) is not permissible.

Design wastewater flow rates - domestic

17. Calculate the design wastewater flow for domestic systems based on the following:
 - a) Two people per bedroom for the first three bedrooms and;
 - b) One person for each additional bedroom.

NOTE: Rooms which are easily converted into a bedroom without the need for structural modification are to be included in this calculation e.g. studies, sewing rooms and other rooms of a similar size and location to a typical bedroom.

The daily wastewater flow volume must be calculated at the following rate:

 - c) 150L per person when serviced by a reticulated water supply.
 - d) 120L per person when serviced by on-site rainwater tanks.

Example: The design wastewater flow rate for a five bedroom equivalent dwelling (four bedrooms and one study) serviced by a reticulated water supply must be 1200L per day based on the following;

- Two people per bedroom for the first three bedrooms = 6 people
- One person for each additional bedroom, including the study = 2 people
- 150L per person for a total of 8 people = 1200L per day.

18. Consider each dwelling separately for the purpose of the calculation listed in control 17 of this section when the design wastewater flow is calculated for multiple dwellings on any premises.

Example: The design wastewater flow rate for a five bedroom equivalent dwelling (four bedrooms and one study) and a 2 bedroom granny flat serviced by a reticulated water supply must be 1800L per day based on the following;

Primary dwelling;

- Two people per bedroom for the first three bedrooms = 6 people
- One person for each additional bedroom, including the study = 2 people
- 150L per person for a total of 8 people = 1200L per day.

Granny Flat;

- Two people per bedroom = 4 people
- 150L per person for a total of 4 people = 600L per day

Minimum irrigation area requirements for residential subdivision

Where residential subdivision relying on an OSMS is proposed:

19. Provide an area sufficient to accommodate an effluent disposal area of at least 1,200sqm on each lot. This must be demonstrated in the wastewater report.
20. Locate proposed effluent disposal areas to meet the minimum setback distances listed in table 8 considering a potential building envelope representing a dwelling of typical size for the local area on each lot.

Example: Figure 11 shows an example subdivision plan demonstrating the required effluent disposal areas on each lot.

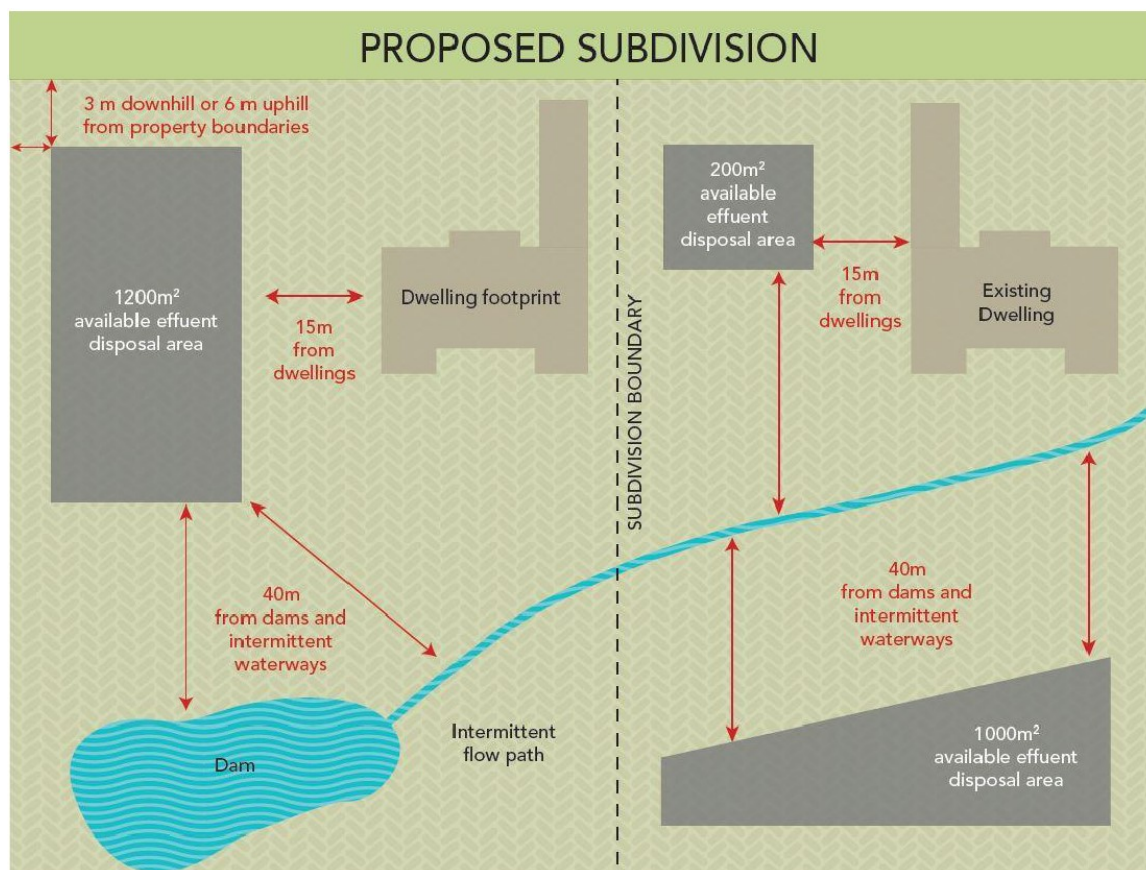


Figure 11: Example of a proposed subdivision with a total of 1200sqm of available effluent disposal area demonstrated on each lot.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

16 Aboriginal Archaeology

Applies to

This section applies to land:

1. In which Aboriginal sites, places or relics have been previously identified.
2. Within an identified cultural landscape.
3. That has not been cleared.

Background

The Liverpool LGA was occupied by Aboriginal people prior to European settlement. Relics of this still remain.

Objectives

- (a) To identify and where possible preserve sites, places and relics of the occupation of the land by Aboriginal communities.
- (b) Ensure adequate protection and appropriate management of areas of cultural, natural and built heritage significance and archaeological resources.
- (c) Encourage design that maintains and enhances the character and heritage significance of Aboriginal and European heritage items and heritage conservation areas.
- (d) Ensure that appropriate consideration is given to the impact of the development on known or potential Aboriginal archaeological sites or sites of cultural, natural, or built heritage significance to minimise the likelihood of negative impact and disturbance.
- (e) Ensure that development is undertaken in a manner that protects sites of Aboriginal archaeological significance to minimise the possibility of disturbance to archaeological relics.

Controls

Initial Investigation

An initial investigation must be carried out to determine if the proposed development or activity occurs on land potentially containing an item of aboriginal archaeology. If any of the above features apply then the relevant Aboriginal community must be consulted, as part of the initial investigation to ensure that the potential for the land to contain Aboriginal sites, places or relics has not been overlooked by previous studies.

Detailed Investigation

1. #Any works, development or other activity that will impact a known site of Aboriginal Cultural heritage significance may require approval under the National Parks and Wildlife Act 1974 (NSW), in addition to any approval requirements of the features consent apply authority. Applicants must consult with Heritage NSW or consent authority to determine requirements for assessment and approval where developments or other works are to be carried out on or near Aboriginal heritage sites identified on the Aboriginal cultural heritage sites map, then in the relevant Precinct schedule. The consent authority or Heritage NSW may require additional investigations to be undertaken as part of a DA to confirm the presence Aboriginal cultural heritage on the land. Where works uncover items that may be of Aboriginal cultural heritage, the proponent is to cease work immediately and to consult with Heritage NSW and the consent authority to determine an appropriate course of action.
2. Applicants are to prepare a Due Diligence assessment comprising an archaeological survey and/or an Aboriginal Heritage Impact Assessment (AHIA) must be prepared, in accordance with the NSW Department Office of Environment and Climate Heritage Change guidelines Draft where Guidelines a for development is identified on the map (Figure XX) in an area of moderate Aboriginal Heritage Impact Sensitivity.
3. Applicants Assessment are and to submitted prepare an Aboriginal Cultural Heritage Report (ACHAR), in accordance with the initial NSW investigation Office report of Environment and Heritage guidelines, where a development site is identified in a High Aboriginal Sensitivity area on Figure XX or:
 - a. Is within 200 metres or the centreline of a creek.

- b. Has not been previously developed and contains undisturbed original landform.
- c. An ~~is~~ AHIA within 50 metres of a known Aboriginal site.
- d. Is of historical heritage with archaeological potential.
- e. In general, an ACHAR will ~~also~~not be required if the ~~relevant~~land ~~local~~has not been previously substantially developed, excavated to bedrock, retains no undistributed original landform, and is identified as low Aboriginal ~~community~~Heritage providesSensitivity. sufficient informationRefer to theCouncil's CouncilCultural thatSensitivity leadsMap itat toFigure concludeXX thatwhich theidentifies site may have Aboriginal heritage significance.
- f. Once the AHIA is submitted~~low~~, the Council will send copies to representatives of the relevant local Aboriginal communitiesmoderate and the~~high~~ NSW~~sensitivity~~ Department of Environment and Climate Change for comment~~areas~~.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

17 Heritage and Archaeological Sites

Applies to

This section applies to development affecting a heritage item, land in a heritage conservation area or an archaeological site as identified in the Liverpool Local Environmental Plan 2008, as well as land in the vicinity of a heritage item.

Background

The City of Liverpool local government area has a long and diverse history. The Liverpool area was originally the home of the Cabrogal group of the Darug people. The European settlement of the area began in the early 19th century and was formalised with the founding of the Town of Liverpool by Governor Macquarie in 1810. The buildings, sites and elements of our landscape illustrate the history of our local government area. Places identified as heritage items and heritage conservation areas contribute to forming our living historic environment which enriches the character of the local government area. Heritage places give identity to our neighbourhoods and help make the City of Liverpool an attractive and interesting place to live and work.

Development that affects places of heritage significance needs to be carefully designed to minimise negative impacts on heritage significance. Negative impacts may occur due to actions such as the removal of original fabric, loss of important design features, loss of important views, the removal of important vegetation, unsympathetic bulk and scale of new development and inappropriate selection of materials.

Liverpool Local Environmental Plan 2008 identifies a range of heritage items and heritage conservation areas and provides objectives and provisions for the conservation of Liverpool's heritage. This portion of the DCP provides additional objectives, controls and guidance for regulating development affecting these heritage items and heritage conservation areas.

Conservation Philosophy

The aim of heritage conservation is to ensure that the cultural significance of heritage items and heritage conservation areas is maintained over time. While changes may be necessary to adapt heritage buildings to new uses or modern living standards, it is important to ensure that these changes do not compromise the heritage significance of the item.

The underlying philosophy of the controls for regulating development affecting heritage items and heritage conservation areas is derived from The Burra Charter: The Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance, 1999 (Burra Charter). The Burra Charter is widely accepted as an industry standard for heritage conservation in Australia.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Objectives

- a) to conserve the heritage significance of heritage items and heritage conservation areas of Liverpool including associated fabric, setting, curtilage and views;
- b) to conserve archaeological sites;
- c) to facilitate the implementation of the objectives and provisions relating to heritage conservation contained in the Liverpool LEP 2008;
- d) to promote and encourage heritage conservation and the consideration of the heritage context in development;
- e) to encourage the retention and appropriate development of significant items;
- f) to encourage a high standard of contemporary design in the heritage context;
- g) to encourage the preservation of culturally significant vegetation;
- h) to enhance the amenity and heritage values of the Liverpool local government area;

- i) to enable appropriate and expert consideration of proposed development to be made by applicants and the Council; and
- j) to encourage and promote public awareness, appreciation and knowledge of heritage conservation.

Development Application Requirements

In addition to the general requirement for development applications the following additional details are required for applications relating to heritage items, places within a heritage conservation area or in the vicinity of a heritage item:

- a Statement of Heritage Impact prepared in accordance with guidelines set out in the NSW Heritage Branch publication titled *Statements of Heritage Impact* and available at their website, www.heritage.nsw.gov.au;
- measured drawings of the existing building including elevations, and clearly indicating existing walls and building elements to be retained and those proposed for removal or alteration;
- details of the materials, finishes and colour schemes;
- a streetscape elevation showing the proposed development within the context of the existing streetscape;
- Additional submission requirements which may include:
 - **Structural Report** - major alterations may also require a report from a structural engineer verifying that the proposed works will not have a detrimental impact on the structural stability of the building, on significant building elements, or on neighbouring properties;
 - **Archaeological Assessment Report** - where there is a likelihood of disturbance of significant archaeology, an Archaeological Assessment will be required;
 - **Interpretation Strategy** - major alterations to a heritage item may also require the production of an interpretation strategy, detailing how the significant aspects and uses of the building may be publicly interpreted;
 - **Demolition Report** - whilst the demolition of heritage items and places within heritage conservation areas is not supported, if there is a proposal to demolish a heritage place this may require the production of a Demolition Report which details the heritage significance of the building and area and the contribution of the building or building element to that significance; the structural stability of the building in the form of a structural engineer's report; and/or a pest inspection report.

~~In the case of an item listed on the State Heritage Register, an Integrated Development Application or Section 60 Approval from the NSW Heritage Branch may need to be submitted. Exemptions from this requirement are detailed on the NSW Heritage Branch website at www.heritage.nsw.gov.au.~~

You are advised to contact Liverpool City Council prior to submitting a development application for development affecting a heritage item, heritage conservation area or in the vicinity of a heritage item to clarify what the submission requirements will be for your particular development proposal.

Guidelines for preparing Heritage Impact Statements

A Statement of Heritage Impact is a document which assesses the impact of any proposed development on the heritage significance of a building, site, streetscape, or area. The Statement of Heritage Impact should clearly identify each of the proposed works and should incorporate all development application drawings.

The statement should include options that have been considered for the proposal and document reasons for choosing the preferred option. These should include proposals to minimise the impact of the development on the heritage significance of the building, site, streetscape or area. The statement should also consider compliance with any recommended management policies contained in Council's Heritage Inventory or any Conservation Management Plan available for the place.

The NSW Heritage Branch have produced guidelines for the preparation of Statements of Heritage Impact which are available on their website at www.heritage.nsw.gov.au

A Statement of Heritage Impact must be submitted with any applications for development to:

- Heritage items;
- Properties in the vicinity of heritage items where the works may impact upon the item;
- Properties within heritage conservation areas, including applications for demolition; and
- Fire upgrading of heritage items and buildings in heritage conservation areas.

Where a building has a current Conservation Management Plan, the Statement of Heritage Impact Statement will need to demonstrate compliance with the plan.

Demolition and Demolition Reports

The demolition of heritage items and places within heritage conservation areas is not supported. The onus is on the applicant to demonstrate why the building cannot be retained, taking into consideration:

- The heritage significance of the item or contribution of the building or building elements to the heritage significance of the heritage conservation area; and
- A Demolition Report.

A Demolition Report is a document which should include consideration of:

- The heritage significance of the building and area and the contribution of the building or building element to that significance;
- The structural stability of the building in the form of a structural engineer's report; and/or
- A pest inspection report.

If the application proposes demolition of a structure of heritage significance, the applicant must:

- Submit a Demolition Report demonstrating that the structure is not reasonably capable of retention;
- Submit a factual statement as to why the structure needs to be demolished, including a statement from an appropriately qualified structural engineer; and
- If demolition is recommended primarily on economic grounds, submit a statement from a quantity surveyor comparing the cost of demolition and cost of retention.

The above requirements may be waived in the event of an emergency or danger to the public.

Submitting the necessary reports or justifications in no way implies that the consent authority will agree to the proposed demolition. Liverpool City Council may obtain independent structural engineering advice. Where possible and reasonable, built heritage should be retained.

Where demolition is allowed, a photographic record of the building must be submitted to Council prior to the commencement of the demolition works.

Heritage Inventory

Liverpool City Council maintains the Liverpool State Heritage Inventory database which lists all heritage items and heritage conservation areas within the local government area. Each listing contains an inventory sheet that includes a physical description of the heritage item or heritage conservation area and a statement of significance. The inventory will be considered by the consent authority as part of its assessment of development applications.

Limited information on the inventory sheet does not mean that the item is not significant. Where insufficient detail is available, information provided with the development application may be used to update the database.

Liverpool State Heritage Inventory sheets are available by contacting Council or online through the NSW Heritage Office at: www.heritage.nsw.gov.au

Controls

Development of heritage items

1. Where a proposal involves a heritage item, it will be necessary to lodge a Statement of Heritage Impact;
2. All development of heritage items must be designed by a Registered Architect;
3. All development of heritage items must be designed to respect the heritage significance of these places in terms of:
 - Setting;
 - Scale;
 - Form;
 - Materials and colours;
 - Fenestration;
 - Fencing;
 - Landscaping.
4. Original fabric and landscape elements that contribute to the significance of a heritage item should be retained;
5. Outbuildings should be located to the rear of heritage items and outside important view corridors to or from the place;

6. Additions should maintain the integrity of the heritage item by retaining the significant fabric and form of the place and should be smaller in height and scale than the existing building;
7. Modern technologies (e.g. solar electricity collectors, TV aerials or satellite dishes) are to be located on roof slopes facing the rear yard of heritage items and should not be visible from the public domain nor intrude into significant view corridors to or from the place;
8. Garages and carports should be located as far behind the front building alignment as possible and should not be incorporated into the front façade of a heritage item.

Development in heritage conservation areas

9. Where a proposal involves development within a heritage conservation area, it will be necessary to lodge a Statement of Heritage Impact;
10. All development within heritage conservation areas must be designed to respect the heritage significance of the area in terms of:
 - Character;
 - Setting and views;
 - Scale;
 - Form;
 - Setbacks;
 - Materials and colours;
 - Fenestration;
 - Fencing;
 - Carparking;
 - Landscaping.
11. Modern technologies (e.g. solar electricity collectors, TV aerials or satellite dishes) are to be located on roof slopes outside primary view corridors to or from the place and should not be visible from the public domain nor intrude into significant view corridors to or from the place.

Development in the vicinity of a heritage item

12. Development in the vicinity of a heritage item shall be designed to respect and complement the heritage item in terms of:
 - Scale;
 - Materials, colours and finishes;
 - Building and street alignment;
 - Landscaping and fencing.
13. Development in the vicinity of heritage items is to minimise the impact on the setting of the heritage item by:
 - Retaining and respecting significant views to and from the heritage item;
 - Retaining original or significant landscaping (especially plantings associated with the heritage item);
 - Providing an adequate area around the place to allow interpretation of the heritage item.

Development of Archaeological Sites

14. The Council may grant consent to carry out development involving the excavation or filling of land or the erection (involving disturbance of land) or demolition of buildings on land which is an archaeological site that has non-Aboriginal significance or a potential archaeological site that is reasonably likely to have non-Aboriginal significance only if:
 - It has been considered an archaeological report; and
 - It is satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted.

Subdivision

15. Subdivision of an allotment that includes a heritage item should not be allowed unless it can be demonstrated that an adequate curtilage of the heritage item is retained and important views corridors conserved.

Signage

16. The significant architectural detailing of a heritage item, or places within a heritage conservation area, is not to be obscured by commercial signage;
17. The façade of a heritage item should not be painted in a corporate colour scheme, especially where the

colour is inappropriate in the heritage context or when the façade is traditionally unpainted;

18. Backlit signs and neon signs should only be allowed for under-awning signs on commercial buildings that are heritage items or within heritage conservation areas;
19. Advertising structures should not obstruct or dominate important views to or from a heritage item or within a heritage conservation area.

Adaptive Reuse

20. Adaptive reuse of a heritage item or places within a heritage conservation area should involve minimal change to the significant fabric of the place, particularly features that contribute to the streetscape;
21. Adaptive reuse of a heritage item or places within a heritage conservation area should consider significant associations and meanings of the place.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

19 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

1. Used clothing bins are permitted in E1, E2, MU1 and E3 zones, the private recreation zone and on compatible sites such as educational establishments and places of public worship.
2. A used clothing bin is permitted on RE1 zoned land, only if the land adjoins a E1, E2, MU1 and E3 zone and Council permission is obtained.
3. 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.
4. A maximum of 2 used clothing bins are permitted on each shopping centre site. The bins at each shopping centre location/or other site 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.
5. 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
6. The used clothing bin is to be placed on a concrete slab to allow all weather use.
7. The organisation owning the clothing bin will maintain the bin and its immediate surroundings in a neat and tidy condition at all times and operate it in such a manner so as to minimise any form of nuisance. The bin itself should be kept free of graffiti.
8. Illegally dumped materials within a 5 metre radius of a used clothing bin must be removed by the organisation owning the bin within 24 hours of being informed by Council.
9. A used clothing bin must be emptied at least twice every week or within 24 hours of being notified by Council of the necessity to do so.
10. 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.

11. Used clothing bin proposed to be placed on privately owned land must be supported by a letter giving the consent of the owner of that land.
12. 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.
13. At no time will a used clothing bin be permitted on Council's footpaths, cyclepaths or nature strips.
14. Council reserves the right to direct the replacement of a used clothing bin that has become damaged or dilapidated.
15. A used clothing bin will not be permitted in a particular location if, in the opinion of Council, the bin will result in an unacceptably adverse visual impact upon the surrounding area.
16. Each used clothing bin is to be left in the approved location and if moved by accident, or by any other persons, it is to be relocated to the correct position by the owner of the bin within 48 hours of being notified by Council.
17. The owner of a charity bin shall be responsible for compliance with ~~any conditions imposed by the NSW Department of Gaming and Racing and~~ the Charitable Fundraising Act 1991.
18. Breaches of conditions of any development consent granted can lead to the service of Order by the Council or a prosecution or any other action under the provisions of the Environmental Planning and Assessment Act 1979.

Additional controls for Used Clothing Bins on Council owned land

19. An application for the placement of a used clothing bin must be in writing and must address the following criteria:
 - a) The name of the company which will be operating the bin, and the name and contact details of a designated contact person within that company who has control of locating and servicing their bins.
 - b) Proof of membership with the National Association of Charitable Recycling Organisations. An application for the placement of a charity bin will only be approved if the owner of the bin is registered with the National Association of Charitable Recycling Organisation (NACRO). Approved bins are to at all times carry a label, as issued by NACRO, identifying that the owner is a member of that organisation.
 - c) A copy of the current insurance policy which indemnifies Council against any claims that could arise from the operation of the bin.
 - d) A detailed map which shows:
 1. The location of the proposed bin,
 2. The location of any other bins located within 500 metres of the proposed location,
 3. The location of any other bins controlled by the applicant/operator that are located within the Liverpool LGA,
 4. Details of the bins dimensions, signage, materials and method of installation,
 5. Details of the maintenance arrangements for the bin itself (including removal of graffiti) and the area around the bin (including the removal of excess clothing and general waste),
 6. Details of the frequency and method with which the bin will be emptied.
20. The organisation owning the used clothing bin shall carry public liability insurance providing cover against third party injury or damage. The owner of the bin must submit written evidence of public liability insurance naming Liverpool City Council as an additional insured party and providing a limit of indemnity not less than \$20 million. Details of the insurance cover are to be lodged with Council at the time of making the application for approval.
21. The siting of used clothing bins on Council land is permitted only with the written consent of Council.
22. The cost of any necessary improvements to Council owned land is to be borne by the bin owner.
23. Approval to place a used clothing bin on Council land is conditional on:
 - There being no detrimental impact to the amenity of the area where the charity bin is proposed to be located,
 - Any other condition considered appropriate by Council.
24. The applicant will comply with the criteria endorsed by NACRO in relation to the use and operation of the

used clothing bin.

25. The owner of any charity bin placed on Council property without Council's permission or not carrying a NACRO membership label will be given a written direction to remove the bin.
26. Council will review the location of the bin after an initial period of twelve (12) months and may require removal/relocation if the bin and surrounds is not managed appropriately.
27. Council will retain the authority to require that any bin, approved or otherwise, shall be removed at any time after reasonable notification.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

20 Car Parking and Access

Applies to

This section applies to development, which generates the need to provide parking and loading facilities, generates vehicle and pedestrian movement and potentially generates the need for public transport.

Background

Most development generates vehicle and pedestrian movements. There is a need to achieve a balance between the need to minimise adverse impacts on the immediate neighbourhood, the street network and adjoining developments. Some developments, due to their scale may require changes to the transport networks.

Good design integrates vehicle access and car parking into the development concept so that it is convenient for the users and safe for pedestrians and vehicles. Access and car parking needs to be carefully considered so that it is balanced with landscape elements and does not dominate the appearance or character of a development.

Objectives

- a) To ensure that adequate parking space and service facilities are conveniently located on site to satisfy the reasonable demand created by the development.
- b) To ensure that access is designed to accommodate the size and volume of vehicles likely to visit the site.
- c) To ensure that loading facilities are provided for vehicles likely to service the site.
- d) To ensure where appropriate that car parking and the manoeuvring of commercial vehicles are separated in the interest of safety and amenity.
- e) To ensure that adequate landscaping/tree planting is provided to improve amenity and reduce visual impact of car parking and loading areas.
- f) To ensure that car parking and driveways do not interfere unreasonably with the amenity of the neighbourhood.
- g) To ensure the provision of the appropriate car parking depending on location.
- h) To ensure that where a development generates the need to augment the local transport network that the development contributes to that work.
- i) To provide highly accessible end-of-trip facilities for bicycle riders, and to provide a network of cycleways which encourages active travel.
- j) To provide safe facilities by ensuring adequate manoeuvring space, and separation where appropriate, between bicycles and motor vehicles in parking areas.
- k) To ensure pedestrian and vehicle safety.
- l) To ensure the adoption of sustainable transportation practices by the integration of electric vehicle charging infrastructure in all new dwellings.

Controls

The controls for Car Parking and Access are contained within clause 20.1 through 20.7. Bicycle parking, facilities, and infrastructure requirements are contained within this section for all development.

20.1 Overall Design Considerations

The layout of a car parking area shall consider the entire facility, including car parking modules, landscaping, circulation aisles and roadways, access driveways and, if necessary, frontage road access as an integrated coordinated design. The management of traffic within a car parking facility should take into account:

1. The need for traffic to move to and from the frontage road with minimum disruption to passing traffic and maximum pedestrian safety.
2. Provision of adequate capacity in circulation roadways and aisles to handle peak hour movements without congestion.
3. Avoid as far as practicable conflicts between intersecting streams of circulating traffic.
4. Minimum length travel paths between entry/exit points and car parking spaces.

5. Safe treatment of points of conflict with pedestrians and other road users.

20.2 Vehicular Access Arrangement and Manoeuvring Areas

Background

The location, type and design of vehicular access points to a development can have significant impacts on the streetscape, the site layout and the building façade design.

The design and location of vehicular access to developments should minimise traffic impacts, including pedestrians and vehicles conflicts, on footpaths, particularly along pedestrian priority places, and visual intrusion and disruption of streetscape continuity.

Objectives

- a) To ensure all driveways and access points are designed to Australian Standards
- b) To minimise any negative impacts of vehicular access points on the public footpath
- c) To ensure efficient traffic flow.
- d) To minimise impact of driveway crossovers on pedestrian safety and streetscape amenity.
- e) To minimise stormwater runoff from uncovered driveways and parking areas.

Controls

1. If driveways are proposed from a classified road, approval is required from [the Transport Roads and for Maritime New Services South \(RMS Wales \(TfNSW\)\)](#).
2. Vehicular egress and entrances must be integrated into the building design so they are visually recessive. This can be achieved by locating the opening a small distance behind the front façade.
3. Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicular access points so that they are capable of shared access at a later date.
4. Access ways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.
5. Vehicular access may not be required or may be denied to some heritage buildings.
6. Vehicle access ramps parallel to the street frontage will not be permitted;
7. Doors to vehicular access points are to be roller shutters or tilting doors set back from the building façade; and
8. Vehicular entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.
9. [Off street car parking is to comply with the relevant parts of AS2890](#)

20.3 On-site Car Parking Provision and Service Facilities by Land Use

Background

On-site parking includes underground (basement), surface (at grade) and above ground parking, including parking stations.

Objectives

- a) To facilitate an appropriate level of on-site parking provision to cater for a mix of development types.
- b) To minimise the visual impact of on-site parking.
- c) To provide for adequate space for parking and manoeuvring of vehicles including service vehicles and bicycles.
- d) To enable the conversion of above ground parking to other future uses.
- e) To recognise the complementary use and benefit of public transportation and nonmotorised modes of transport such as bicycles and walking.

Controls

1. Where a proposed use is, in the opinion of Council, unusual and not appropriately dealt with by the parking rates, the [RMS Transport guidelines for NSW Guide to Parking Traffic rates Generating Developments](#) may be used to guide the required parking rate.

2. Basements cannot extend out of the ground more than ~~700mm~~ 1000mm ~~at Any the street front portion~~ of a ~~site~~ basement wall and ~~1200mm at the rear unless site conditions are such~~ ceiling that ~~minor is~~ variations greater are than require 1000mm above natural ground level will be assessed as a storey.
3. Provide natural ventilation to underground parking areas, where possible. Ventilation grills must be:
 - integrated into the overall façade and landscape design of the development;
 - only located on the secondary streets and service lanes; and
 - oriented away from windows of habitable rooms and private open space areas.
4. Tables 11, 12 and 13 outline the number of car parking spaces and any other facilities required for the accommodation of vehicles on site for each land use type. In proposals where calculations of car parking requirements result in fractions of spaces being required, the fraction will be rounded up to the nearest whole space. Where developments comprise separately defined facilities, for example a hotel with a restaurant; the relevant requirements of each facility must be satisfied.
5. For Development Applications that propose composite developments such as shopping malls, retail plazas (and the like) the common or shared areas (e.g. toilets, corridors) are excluded from the LFA.
6. Off street car parking is to comply with the relevant parts of AS2890.

Car Parking Provision in Liverpool City Centre

Off-street car parking shall be provided in Liverpool City Centre in accordance with Clause 7.3 of Liverpool Local Environmental Plan (LLEP) 2008, Car parking in Liverpool city centre (where the land is zoned B3 — Commercial Core or B4 — Mixed Use) and Section 4.4.2 of Part 4 LDGP 2008.

Off-Street - Car Parking Provision other than Liverpool City Centre

Off street car parking provision and service and loading provision shall be provided in accordance with Table 11.

Table 11 Car Parking, Servicing and Loading Provision

Land Use	Minimum Number of Car Parking Spaces	Service and Loading
Boarding houses	1 space per, 2 bedrooms or 1 space per 3 beds, whichever is the greater	Servicing facilities for 1 small rigid vehicle
Bulky Goods Premises (in the B5 zone)	Developments of LFA < 600sqm: 1 space per 30sqm LFA,	Developments of LFA < 600sqm require occasional access for an articulated vehicle and service facilities for a heavy rigid vehicle
	Developments of LFA 600 to 3,000sqm: 1 space per 90sqm LFA,	
	Developments of LFA > 3,000sqm: 1 space per 150sqm LFA	Developments of LFA > 3,000sqm require service facilities for an occasional articulated vehicle
Caravan Parks and Camping Areas	1 space per unit/site plus	Waste collection vehicle service access
	1 space per employee	Loading space for a coach
Child care centres	1 space per staff member and 1 space per 10 children	Service facilities for a van
Residential & industrial (E4 and E5) zones	(Stack parking of employees cars, maximum 2 deep, will be considered if there is good design for flow-through of short term car parking) Pick up and set down of children must address their safety	
Employment (E1, E2, MU1 and E3) zones	1 space per 35sqm of LFA	Service facilities for a van

Drive-in food Outlets	Type 1 - 1 space per 8sqm of LFA	Waste collection vehicle service access
	Type 2 - 1 space per 8sqm of LFA plus 1 space per 5 seats	Service facilities for a heavy rigid vehicle
	Type 3 - 1 space per 6 seats plus queuing area for 10 cars	
For type definitions refer to Appendix 1 in Part 1.1		
Drive-in Liquor Stores	Parking while browsing is provided for without interfering with through traffic Internal roadway:	Waste collection vehicle service access
	Two parallel lanes, minimum 3m wide, with queuing min. length 30m.	Heavy rigid vehicle service facilities
	Entry & exit driveways min 4m wide & minimum 1m apart	
Dwelling houses	2 spaces	
Educational establishments		
Rural, Residential & Industrial (E4 and E5) zones	1 space per 1 staff member, plus 1 space per 30 students	Loading facilities for a coach
	Car parking is to be convenient to the distribution of destinations on campus	
	A traffic and car parking report will be required, as these uses are land intensive, including student car traffic generation	
Employment (E1, E2, MU1 and E3) zones	1 space per 35sqm of LFA	
	A traffic and car parking report will be required, as these uses are land intensive, including student car traffic generation	
Entertainment facility	1 space per 10sqm LFA of audience area or per 6 seats whichever is the greater OR subject to traffic report (at the applicant's expense) if required by Council, due to the scope of a particular development	Service access for a small rigid vehicle
Exhibition home Exhibition villages	5 spaces per dwelling used for exhibition purposes	
	Temporary car parking can use the front setback area	
Group homes - (transitional & permanent	1 Space per employee, plus	
	1 space per 4 bedrooms	
Health consulting rooms & veterinary hospitals	3 spaces per consulting room or health care professional, whichever is greater, plus	Service access for an occasional small rigid vehicle
	1 space per person employed on the premises, plus any residential requirement	
Home business Home occupation Home industry	1 space per employee not resident on the site plus the residential requirements	Service access for an occasional small rigid vehicle

Hospitals	A traffic and car parking report will be required to define the need and demonstrate its fulfilment	Service facilities for a heavy rigid vehicle
	Car parking is to be convenient to the distribution of destinations on site	Facilities are designed for waste collection
Hotel accommodation (Reductions available if peaks of facilities do not coincide)	1 space per room/unit plus	Waste collection vehicle service access
	1 space per 2 employees engaged in accommodation	
	For developments exceeding 200 bedrooms, provision must be made for short-term lay by for a tourist coach, couriers and taxis	Loading facilities detailed in Sub Section 4
Industry	1 space per 35sqm of office LFA	Developments of LFA > 1,000sqm require occasional access for an articulated vehicle
	1 space per 75sqm factory/warehouse LFA or 1 space per 2 employees, whichever is the greater	Service Facilities detailed in Section 4
	Warehouse developments of GFA >1000sqm: 1 space per 250sqm in GFA	
Landscape and garden supplies	Minimum 15 spaces plus 1 space per 200sqm of nursery site area	Service access for a heavy rigid vehicle
Markets	2.5 spaces per stall	Occasional access for an articulated vehicle (to transport temporary structures)
		Loading facilities to be convenient to stalls
Materials recycling or recovery centre	Traffic Report Required	
Medical centres	1 space per 25sqm of LFA for typical situation	Developments > 2,000sqm LFA require waste collection vehicle service access
	Traffic report required where specialised services are provided	
Multi dwelling housing and residential flat buildings	1 space per small dwelling (< 65sqm) or 1 bedroom	Service access for removalists and garbage servicing
	1.5 spaces per medium dwelling (65 - 110sqm) or 2 bedrooms	
	2 spaces per large dwelling (> 110sqm) or 3 or more bedrooms	
Residential & Employment (E1, E2, MU1 and E3) zones	1 visitor car space for every 4 dwellings or part thereof	
Office premises		
	Employment (E1, E2, MU1 and E3) zones	Developments of LFA > 2,000sqm require waste collection vehicle service facilities

**Place of Public
Worship**

Rural, Residential & Recreation zones	1 space per 5sqm LFA or 1 space per 6 seats, whichever is the greater OR subject to traffic report (at the applicant's expense) if required by Council, due to the scope of a particular development	Service access for a small rigid vehicle
Employment (E1, E2, MU1 and E3) zones	1 space per 35sqm of LFA	Service access for a small rigid vehicle
Industrial (E4 and E5) zones	1 space per 70sqm of LFA	Service access for a small rigid vehicle

**Recreation
facilities**

Industrial (E4 and E5) & Recreation zones	Gymnasia, Fitness Centres and Indoor Cricket 1 space per 22sqm of LFA	Service access for a small rigid vehicle
	Tennis or Squash Court & Bowling Alleys - 3 spaces per court/alley	
	Bowling Green 30 spaces for first green and 15 spaces for each additional green	
	Other sports subject to traffic report	
Employment (E1, E2, MU1 and E3) zones	1 space per 20sqm of LFA For major or large recreation facilities a traffic report may be required.	Service access for a small rigid vehicle

Registered club

All areas	1 space per 5sqm of LFA of uses under license OR a traffic report	Service access for a small rigid vehicle Waste collection vehicle service access
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Restaurant

Residential zones (where permitted)	1 space per 7sqm of LFA of uses under license OR 1 space per 3 seats, whichever is the greater	Waste collection vehicle service access
Employment (E1, E2, MU1 and E3) zones	1 space per 20sqm of LFA	Waste collection vehicle service access
Industrial (E4 and E5) zones	1 space per 7sqm of LFA of uses under license OR 1 space per 3 seats, whichever is the greater	Waste collection vehicle service access

Retail premises

Employment (E1, E2, MU1 and E3) zones	Developments of LFA < 12,000sqm: 1 space per 20sqm LFA,	Developments of LFA < 4,400sqm require service access for an articulated vehicle Service Facilities as per Section 4
	Developments of LFA 12,000 to 30,000sqm: 1 space per 25sqm of LFA,	
	Developments of LFA > 30,000sqm: 1 space per 30sqm LFA	

Transport depot	Traffic Report Required
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Roadside stalls	4 spaces per stall	Occasional access for an articulated vehicle (to transport temporary structures)
		Loading facilities to be convenient to stalls

Service station	2 spaces per fuel outlet plus	Service access for an articulated vehicle Service facilities for a heavy rigid vehicle
	3 spaces per service bay plus 1 spaces per employee	
	1 space per 20sqm of LFA of any convenience store	

Serviced apartments	1 space per bedroom/suite plus 1 space per 2 employees	Service access and facilities for an occasional heavy rigid vehicle (e.g. Furniture van)
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Sex service premises (in Industrial Areas) (E4 and E5 zones)	1 space per 70sqm of LFA or 1.5 car spaces per employee, whichever is the greater
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Vehicle Repair Station

Employment (E1, E2, MU1 and E3) zones	1 space per 70sqm of LFA	Service access for a small rigid vehicle
Industrial (E4 and E5) zones	1 space per 70sqm of LFA	Service access for a small rigid vehicle

Vehicle showroom	1 space per 130sqm
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Veterinary hospital	1 space per 35sqm of LFA	Service access for a small rigid vehicle
	1 space per 20sqm LFA	
Employment (E1, E2, MU1 and E3) zones		

Warehouses	1 space per 35sqm of office LFA	Developments of LFA > 1,000sqm require occasional access for an articulated vehicle
	1 space per 75sqm factory/warehouse LFA or 1 space per 2 employees, whichever is the greater	
	Where it can be shown that employee numbers will be significantly less than the required car parking provision, some of the car spaces may be set aside as unformed car parking	Service Facilities detailed in Section 4
	Warehouse developments of GFA >1000sqm: 1 space per 250sqm in GFA	

Disabled Off-Street Car Parking

Disabled car parking shall be provided in accordance with Table 11 for car parking areas over 20 spaces:

Table 12 Disabled Car Parking Provision

No of Spaces	Land Use
1 per 100 spaces	Retail, Commercial, Industry or Transport
2 per 100 spaces	Community, Recreation, Accommodation or Education
3 per 100 spaces	Entertainment or Health

Bicycle Parking and Cycling Facilities

1. Bicycle parking and cycling facilities shall be provided in accordance with Table 13 below.
2. Bicycle parking and cycling facilities shall be clearly signposted and located in an area that is convenient to access from within the building(s) and from the street/public path.
3. In multi-storey developments, bicycle parking and cycling facilities for residents and staff shall be located on the ground floor, or first basement level close to entry/exit points, to ensure they are secure and easily accessible by staff and tenants. The design of buildings must ensure:
 - areas between bicycle parking and the street have a courtesy ramp, if stairs are the primary means of access,
 - paths between the entry point and bike parking and cycling facilities shall be wide enough to accommodate a person walking a bike (particularly around corners)
 - paths adjacent to a driveway are visually or physically separated and marked,
 - bike cages or lockers within basement car parks are not located in, or create, concealed spaces.
4. Any bicycle parking for visitors or customers shall be located adjacent to the main entry point. In developments with multiple entry/exit points, the share of bicycle parking can be divided between each entry point, as per expected demand and design of the development.
5. End-of-trip facilities (showers and change rooms) are to be provided at the rate of 1 per 10 employee bicycle spaces. Where less than 4 facilities are proposed, they should be unisex. End-of-trip facilities are optional for residential uses or for visitors to other developments.
6. Where shower facilities and change rooms are provided, they should be located adjacent to the employee bicycle parking. This may be near the main entrance/lobby of the building, or in some instances the service entry.
7. At least one personal locker is to be provided for each Class 1 or 2 bicycle parking space.

Note: Bicycle parking facilities have the same classification as Cycling Aspects of Austroads Guidelines and are classified as:

- Class 1. High security facilities are suitable for all-day or night parking. This includes fully enclosed individual lockers. Refer to AS 2890-2.
- Class 2. Medium security facilities are appropriate for all-day parking in many areas. These facilities include a lockable shelter/enclosure fitted with Class 3 facilities. Refer to AS 2890-2.
- Class 3. Low security facilities are appropriate for short-medium stay parking in highly visible areas. This includes bicycle rails/racks where the wheels and frame can be locked to the rack (traditional 'toaster' racks where the front wheel only is secured is not an appropriate facility).

Table 13 Bicycle Parking Provision

Land Use	Employee/Resident Parking Spaces (Class 1 or 2 facility)	Visitor/Customer Parking Spaces (Class 3 facilities)
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Residential		
Residential Flat Buildings, Multi-Dwelling Housing	1 per 2 units, or 1 for every 4 bedrooms (whichever is greater).*	1 per 10 units.
Boarding Houses, Hostels & Group homes	1 per 10 beds.	1 per 10 units/rooms.
Seniors Housing	1 per 10 staff & 1 per 20 units	2 per centre
Caravan Parks, Tourist & Visitor Accommodation	1 per 10 staff.	1 per 20 bedrooms/sites.
Commercial		
Bulky Goods Premises, Garden Centres, Hardware and Building Supplies premises, Industrial Retail Outlets, and Rural Supplies.	1 per 1000sqm GFA or 1 per 10 staff (whichever is greater)	1 per 1000sqm GFA
Cellar Door premises, Kiosks, Roadside Stalls and Timber Yards.	Not Applicable	Not Applicable
Office Premises	1 per 200sqm of GFA.	1 per 750sqm GFA
Other Retail and Business Premises (>500sqm GFA)	1 per 10 staff or 1 per 200sqm GFA (whichever is greater)	2 plus 1 per 100sqm GFA
Shopping Centres	1 per 300sqm LFA	1 per 500sqm LFA
Industry, Depots, Warehouses & Distribution Centres	1 per 10 staff (or 1 per 10 car spaces if staff numbers are undetermined)	Nil
Rural Industry (Fixed Location)	Not Applicable	Not Applicable
Community/Other		
Medical Centres and Health Consulting Rooms	1 per 10 staff	2 per centre, plus 1 for every 5 th consulting room
Educational Facilities	1 per 10 staff	1 per 10 students
Child Care Centres	1 per 10 staff	2 per centre
Community Centre/Museums	1 per 10 staff	2, plus 1 per 1500sqm GFA
Places of Public Worship	1 per 10 staff	1 per 20 seats
Libraries	1 per 10 staff	4 plus 1 per 200sqm GFA
Registered Club & Function Centres	1 per 10 staff	1 per 140sqm GFA
Recreational Facilities		
Major Facilities	1 per 1500 spectator places	1 per 250 spectator places
Swimming Pools	1 per 10 staff	1 per 15sqm of pool
Other Indoor Facilities	1 per 10 staff	2 plus 1 per 100sqm GFA

*The storage of bicycles for a unit in a residential flat building or multi-dwelling housing may be combined with a unit's allocated basement storage area. The bicycle parking space may also be combined with a storage room within the dwelling. The area for bicycle parking must be larger than a Class 1 locker. If the storage room is in a basement it must satisfy control 3 above.

Bike Paths and Facilities

The Liverpool Bike Plan provides for new on-road and off-road bicycle routes to be provided across Liverpool. In an effort to avoid instances of providing 'tack-on' widenings or reconstruction of new footpaths, new developments must consider any proposed routes in the Bike Plan.

- Any development which would otherwise be required to rehabilitate, or provide a new footpath, shall provide a shared-path (or other facility as specified) if it forms part of a route in the bike plan.
- In addition to control 1 above, any developments involving more than 10 dwellings may be required to join any shared paths (or other facilities) required as part of the development with that of other nearby facilities if the paths would not meet.
- Shared paths shall be at-least 2.5m wide, and designed in accordance with any applicable Council paving policy, the Cycling Aspects of Austroads Guidelines and NSW Bicycle Guidelines ~~(RTA)~~.
- In an effort to reduce streetscape clutter, regulatory shared-path signage should not be installed until a reasonable portion of the route has been constructed (e.g. a length of approximately 50m or more, such as an uninterrupted length between two streets).

Electric Vehicle Charging Provisions for Dwelling Houses

1. Any new dwelling house shall be provided with a dedicated 32-amp circuit provided in the electricity distribution board for the purpose of vehicle charging, and:
 - a) a minimum of one (1) 7 kW (32 A) type 2 electric vehicle charger located in the garage, carport or other parking area, Or
 - b) That the electrical distribution board is adjacent to the garage, carport or other parking area, Or
 - c) In instances where the electrical distribution board is not on the wall adjacent to a garage, carport or other parking area, an electrical conduit, pull-string and cover-plate is provided between the electrical distribution board and the vehicle parking area in a manner which permits a vehicle charger to be installed without penetrating any wall, ceiling or floor.

Provision for Electric Vehicle Charging - New Dwellings Only

Linked Condition - Recommended for Review

1. Prior to the issue of a construction certificate, an electrical plan is to be submitted indicating the provision of a dedicated 32-amp circuit provided in the electricity distribution board for the purpose of vehicle charging and:
 - a) a minimum of one (1) 7 kW (32 A) type 2 electric vehicle charger located in the garage, carport or other parking area, Or
 - b) That the electrical distribution board is adjacent to the garage, carport or other parking area, Or
 - c) In instances where the electrical distribution board is not on the wall adjacent to a garage, carport or other parking area, an electrical conduit, pull-string and cover-plate is provided between the electrical distribution board and the vehicle parking area in a manner which permits a vehicle charger to be installed without penetrating any wall, ceiling or floor

20.4 Car Parking Design

Car Space Dimensions

Table 14 Dimensions of Off-Street Car parking for bays at 90°

Land use types	Width	Length 1	Length 2	Aisle Width
Tenant, employee and commuter car parking, universities (generally all day car parking)	2.4 m	5.4 m	4.8 m	6.2 m
Long-term city and town centre car parking, sport facilities, entertainment centres, hotels, motels, airport visitors (generally medium term car parking)	2.5 m	5.4 m	4.8 m	5.8 m
Short-term city and town centre car parking, shopping centres, department stores, supermarkets, hospitals and medical centres (generally short term car parking and where children and goods can be expected to be loaded into vehicles)	2.6 m	5.4 m	4.8 m	5.8 m
Car parking for people with disabilities (see next section)	3.2 m	5.4 m	4.8 m	5.8 m

1. Length 1 - Where car parking is to a wall to high kerb not allowing any overhang.
2. Length 2 - Where car parking is controlled by wheel-stops or a kerb no higher than 100mm, which allows 600mm overhang.
3. Refer to [AS the 2890.1 relevant 2004 parts for of more details AS2890.](#)
4. Adjacent Obstruction - If the side boundary of a space is a wall or fence, or if there are obstructions such as columns placed so as to restrict door opening, 300mm shall be added to width required for the space.
5. Blind Aisles - The end spaces shall be made 1m wider than the remaining spaces. In car parks open to the public, the maximum length of a blind aisle shall be equal to the width of six, 90-degree spaces unless provision is made for cars to turn around at the end and drive out forwards.

Landscaping within car parking areas

An outdoor car park with 20 or more car parking spaces must include at least 1 tree per 10 car parking spaces to the following specifications:

1. A tree must be a single trunk species to allow a minimum visibility clearance of 1.5m measured above natural ground level; ~~and~~.
2. A tree must be planted within the car parking area, in an island bed that is a minimum 2m in width and 4m in length.
3. All trees must have a mature height of 8m or greater and be selected from Council's Preferred Species list in the Tree Management Framework.

Layout for car parking spaces

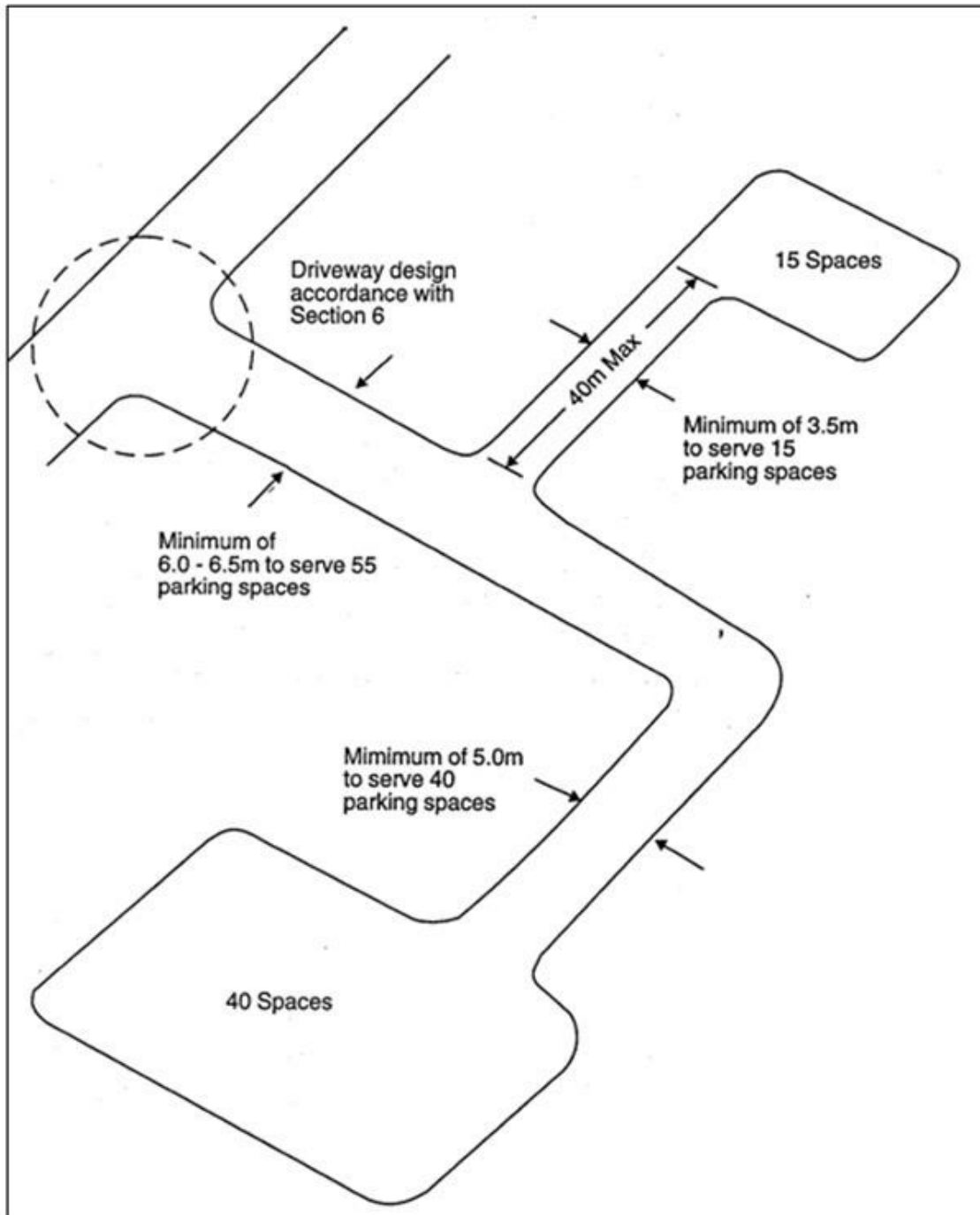


Figure 13 Car parking layout

20.5 Internal Driveways

Gradient

1. Driveways are to be in accordance with the relevant Australian Standard. The maximum change in gradient is to be as shown in the "Maximum Gradients of Internal Driveway" diagram (See Figure 14).
2. Measured parallel to the angle of car parking 1 in 20 (5%); and

3. Measured at 90° to the angle of car parking – 1 in 16 (6.25%).

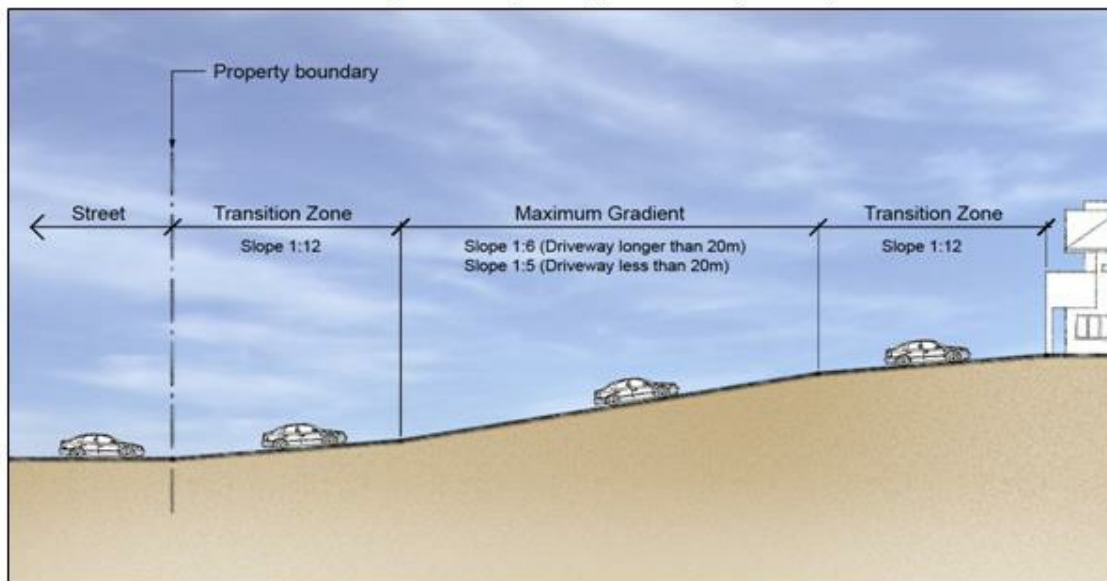


Figure 14 Driveway Gradients

Widths

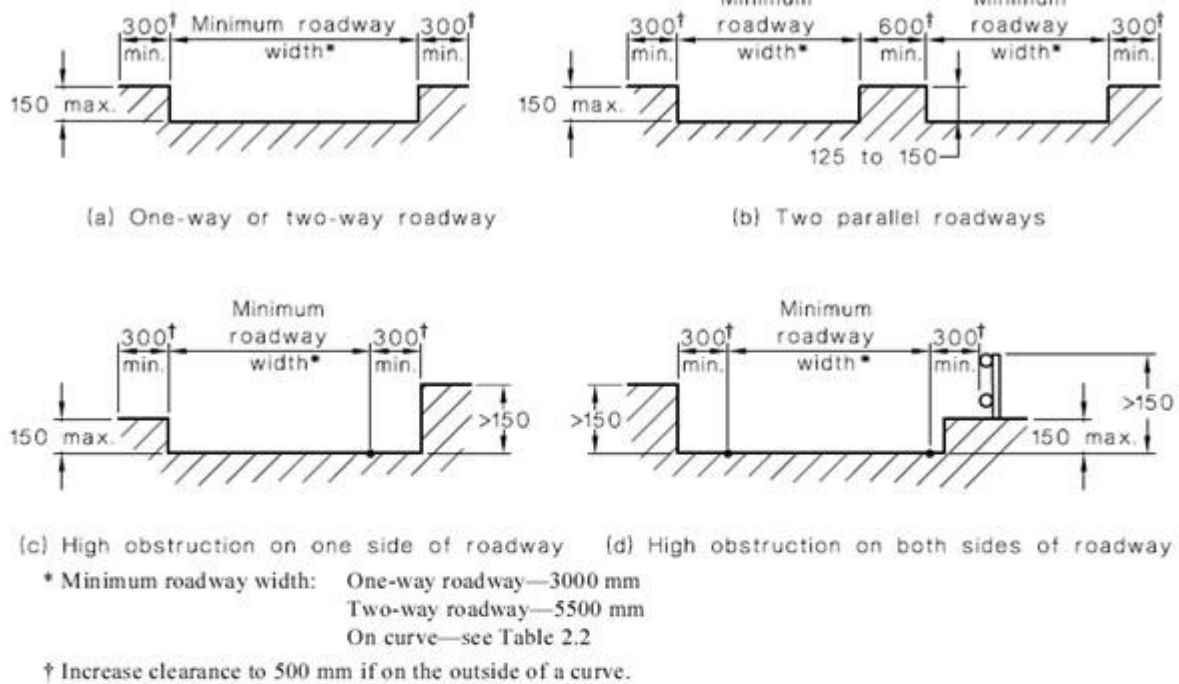
1. For internal driveways between the access driveway and the car parking area the minimum carriageway width depends on the number of car parking spaces and service bays served.
2. Consideration should be given to increase these widths where high levels of heavy vehicles usage are anticipated.
3. By definition circulation driveways should not have car parking on them.
4. The minimum internal driveway widths are to be provided in accordance with Table 15.

Table 15 Internal driveway widths

Number of Car Parking Spaces / Service Bays			
	1-15 spaces and length not exceeding 40m	15 - 40 spaces	Over 40 spaces
Width	3.5 m	5 m	6 - 6.5 m

The following illustrates this table.

AS/NZS 2890.1:2004



DIMENSIONS IN MILLIMETRES

MINIMUM ROADWAY WIDTHS ON CURVED ROADWAYS AND RAMPS

Turn radius R_o (Note 1)	Single lane		metres
	Public facilities	Domestic property	Two-way, no separator All cases (Note 3)
7.6 to 11.9	3.9	3.6	—
12.0 to 19.9	3.4	3.1	6.7 (Note 4)
20.0 to 50.0	3.2	3.0	6.3
>50.0	3.0	3.0	5.5

Figure 15 Internal driveway widths

Design

1. Locate and design car-parking areas so they can be observed by adjoining uses.
2. Minimise the number of pedestrian and vehicular entry and exit points, and ensure they are in close proximity to each other and to nearby active uses.
3. Staff car parking areas should be separated and secured.
4. Provide surveillance measures such as security cameras or devices and security guards where possible.
5. Underground car parking areas should provide security grilles in the roofs or upper walls to allow some street surveillance.
6. Lighting must comply with relevant Australian Standards, with brighter lighting located at entrances and pedestrian path or accessways. Lighting should be placed to sufficiently illuminate car parking bays as well as the driveways. Light fittings should be vandal resistant and easily maintained to ensure continued compliance with the Australian Standard.
7. Clear directional signs must be provided to stairs, lifts, and exits to shops or businesses, as well as signs to advise users of security measures in place.
8. Pedestrian pathways should be integrated into the design and allow for maximum safety, especially for people with a disability and people using prams. Pathways should be clearly marked and well lit.

9. Internal driveway should be designed for a low speed environment.
10. [Off street car parking is to comply with the relevant parts of AS2890.](#)

Loading Facilities

1. Adequate facilities for servicing developments shall be provided on-site to ensure loading/unloading activities do not occur on street and compromise the safety, amenity and capacity of the public road system.
2. Provision for loading facilities shall be provided for development in accordance with AS 2890.2—~~2002~~.
3. Service facilities shall be conveniently located close to service entrances (or other building entrances) to discourage loading/unloading in other than the designated areas.
4. Areas where heavy vehicles are manoeuvring shall be separated from areas of car parking or pedestrian movement with safety being the over-riding consideration.

20.6 Repealed

20.7 Driveway Crossings

Location of Driveway Crossings

1. Driveway Crossings shall be located a minimum distance from the following items:
 - 0.5m from all drainage structures on the kerb and gutter;
 - 1.0m from side property boundaries;
 - 6m from a kerb tangent point of a street corner.
2. Driveway Crossings should avoid the need to remove existing street trees and any replacement tree (species determined by Council) is to be at the development's cost.
3. Driveway Crossings should avoid changes to existing public utility infrastructure including drainage and any relocation of such shall be the development's expense.
4. Where a development site has frontage to a Classified Road, the Driveway Crossings should be located on an alternative street.
5. Where a Driveway Crossing is proposed directly from a Classified Road, a deceleration lane may be required.
6. Locate the entrance at the first Driveway Crossing from the adjacent kerbside lane.
7. Avoid a driveway layout, which may result in on-street queuing.
8. All vehicles must enter and leave the property in a forward direction (except in the case of dwelling houses and Attached dwellings and Semi detached dwellings).
9. Locate each Driveway Crossing so that it is clear of all obstructions, e.g. poles, trees, which may prevent drivers from having a timely view of pedestrians.

Design of Driveway Crossings

1. Design each Driveway Crossing so that it is relatively level within 6m of the site boundary or any pedestrian way, the recommended maximum gradient is 5%.
2. Signpost each Driveway Crossing with appropriate entry, exit and keep left signs.
3. Decorative Driveway Crossings over the footpath area will only be permitted if it is compatible with the amenity of the locality.
4. In Employment (E1, E2, MU1 and E3) zones any Driveway Crossing shall be compatible with the existing and future paving pattern.

Second Driveways (for Residential Dwellings)

1. A second Driveway Crossing for dwelling houses, attached dwellings and semi-detached dwellings are to be consistent with the relevant Australian Standards and all other provisions in the DCP, specifically:
 - Minimum distances from public domain infrastructure, including drainage structures, street signage, bus stops, kiosks, lighting, power poles and the like;
 - Minimum distances from property boundaries and kerb tangent points;
 - Minimum and maximum driveway widths;
 - Cut and fill of the land (including any associated retaining wall);
 - Minimum landscaping requirements for the site, as indicated in the relevant DCP provision; and
 - Removal of existing vegetation, including street trees.
2. Second driveways will only be considered in instances where:

- The lot width, measured at the lot boundary which faces the road, is greater than 15 metres;
- The combined driveway width between the lot boundary and the face of the dwelling is not more than 50% of the total lot frontage, or 12m, whichever is the lesser;
- There is at least a 6m space between driveway crossings, to allow for an on-street parking space;
- The existing driveway cannot be augmented;
- The second driveway will not involve the net loss of any street tree;
- The second driveway will not reasonably invoke obstruction of a footpath (or area outside the property boundary) due to vehicle overhang;
- The second driveway will not decrease pedestrian and other road user safety due to poor visibility to/from the driveway;
- There is a demonstrated lack of available on-street parking for registered vehicles; and
- The existing driveway, and any garages or carports, approved by Council, have not been converted for other uses which reduces the availability of on-site parking

3. An application for an additional driveway must include a dimensioned plan of the site, which shows:

- Location of dwelling;
- Location of the existing and proposed driveway, including any garage, or carport;
- Width of the property frontage;
- Distance between existing and proposed layback;
- Dimensions of the proposed and existing driveways;
- The area of impervious surfaces and pervious surfaces within the front setback;
- The area of landscaped area on the site as a whole; and
- Indication of any vegetation to be removed

The following illustrates the requirements for the location of Driveway Crossings.

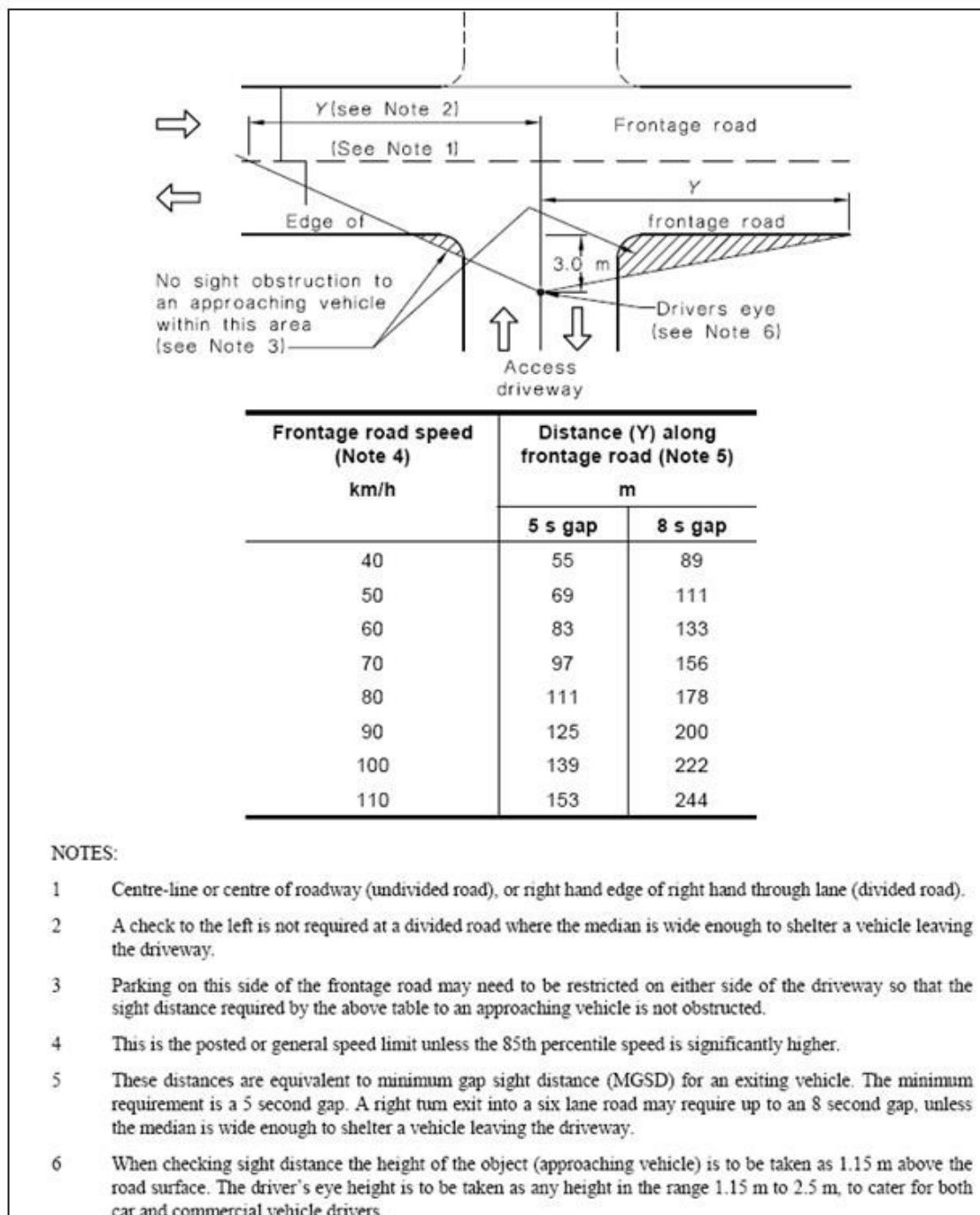


Figure 16 Locations of Driveway Crossings

Width of Driveway Crossings

- Driveway crossing widths shall be in accordance with tables 16 and 17.

Table 16 Car Parking Spaces served by the Driveway Type

Street	Number of Car Parking Spaces served by the Driveway Type					
Frontage	Less than 25	25 - 100	101 - 300	301 - 600	More than 600	Heavy Vehicles
Major	1 - 2	2 - 3	3 - 4	4	5	7
Minor	1	1 - 2	2 - 3	3 - 4	4	6

- Major Street Frontage includes Classified Roads and Sub Arterial Roads under Council's Road Hierarchy.

- Maximum for residential: 6m.

Table 17 Driveway crossing widths

Type	Entry Width W	Exit Width W	Minimum separation of driveways	Splay at kerb line S	Kerb return turnout radius R
1	3 - m	Combined	NA	0.5 m	-
2	6 - 9 m	Combined	NA	1 m	-
3	6 m	4 - 6 m	1 - 3 m	1 m	2 - 9 m
4	6 - 8 m	6 - 8 m	1 - 3 m	1 m	2 - 9 m
5	Direct feed from a controlled intersection via a public street				
6	8 - 10 m	8 - 10 m	3 m	1 m	2 - 9 m
7	10 - 12 m	10 - 12 m	3 m	1 m	2 - 9 m

Cost of Driveway Crossing Works

The cost of any adjustment to a public road, including kerb and gutter, road shoulder and deceleration lane shall be borne by the development.

20.8 Pavement requirements

Access driveways, internal driveways and car parking spaces are to be paved to a standard to carry the anticipated loadings, unless otherwise specified elsewhere in the DCP. Porous paving materials will be considered, provided that sufficient detail is provided to show that such paving is sustainable. Driveway material must not be allowed to spill or be carried onto road pavement.

20.9 Transport Impact

Transport Management Plan

For major developments, a Transport Management Plan shall be submitted with the development application. The Transport Management Plan shall address the following:

1. The existing traffic environment.
2. Traffic generation anticipated from the proposed development.
3. The cumulative impact of traffic in the locality.
4. The need for traffic improvements in the locality.
5. The need for public transport works on site and in the locality.
6. Proposed traffic egress/ingress to Classified/Sub Arterial Roads.
7. Sight distance and other safety issues.
8. [Transport for New South Wales Guide to Transport Impact Assessment inclusive of objectives promoting a walkable and cyclable neighbourhood street.](#)
9. [Traffic Impact Statement for a minor Development Application.](#)
10. [Construction Traffic Management Plan.](#)
11. [On-site operation Transport Management Plan for industrial uses.](#)

Construction Transport Plan

A Construction Transport Plan may also be required where it is likely that the construction phase of a development will have a significant impact on traffic movement in the locality. A Construction Transport Plan shall address the following:

1. The existing traffic environment.
2. Traffic generation anticipated from the construction of the proposed development.
3. The impact on traffic in the locality.
4. Proposed heavy vehicle routes.
5. The need for transport management and hours of operation and access in the locality.
6. Sight distance and other safety issues.

Cost of Transport Impact Works

The cost of any works directly attributable to the development, including dedication and or construction of road works, traffic management facilities or any public transport facilities either on site or off site shall be borne by the development.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

21 Subdivision of Land and Buildings

Applies to

This section applies to development, which involves subdivision of land or buildings.

Background

The subdivision of land has a major impact on the use of land in terms of density and type of development, impacts on adjoining development, impact on the natural environment, demands on public infrastructure, usability of land, access to roads and future development potential. The subdivision of buildings also has impacts on the future management of buildings and on the adjoining areas.

Objectives

- To provide a functional, attractive and safe environment for residents that are consistent with community standards and needs.
- To minimise adverse effects on the natural environment.
- To provide for the needs of future users of the land in respect to building requirements vehicular and pedestrian access, provision of services and an amenity appropriate to the zoning of the land.
- Provide for the economic utilisation of the land resource of the area.
- To achieve a balance between the development / subdivision of residential, commercial and industrial land and the amenity of existing occupants.
- To provide for an equitable and efficient distribution of public amenities and services.
- To minimise Council's future maintenance costs for roads, services and open spaces.

Controls

21.4 Residential Zones (Except R5)

Minimum lot sizes

Refer to *Liverpool LEP 2008* written statement and the maps for the minimum allotment sizes in the Residential Zones. Note that this varies depending on the location.

Minimum Lot Width

- Subdivision of land shall meet the minimum lot width requirements as set out in Table 7.
- Subdivision of land involving the creation of lots less than 300sqm or less than 10m lot width shall include the dwelling house as part of the development application.
- The subdivision plan will not be released until the dwelling which was approved in conjunction with the subdivision is completed to above ground floor level.

Table 18 Minimum Lot Widths

Zones		Minimum Lot Size (as per LLEP 2008 minimum lot size map)	Minimum lot Width
R4	Any lot size shown on the Lot Size Map greater than 300sqm		24 m
R1, R2	600 - 1000 sqm		20 m
R2	450 sqm		15 m
R1, R3	450 sqm		12 m
R1, R2	400 sqm		11 m
R1, R2	300 sqm		9 m
R1, R2	300 sqm (Area 3)		9 m
R1, R2, R3	300 sqm (Area 2)		8 m
R1, R4	300 sqm (Area 1)		7 m

Note: Minor variations may be considered if the average width of the lot is greater than the Minimum Lot Width as stated in Table 7.

Road widths

All new streets shall be a minimum 18m wide, unless specified elsewhere in Part 2 of this DCP.

Road works

1. Development involving the creation of new streets in Residential Zones will be required to provide fully serviced subdivisions including the provision of a sealed road system with drainage, and kerb and gutter, to adequately and safely provide both vehicular and pedestrian access to each allotment.
2. Development in established residential areas shall meet the full cost of kerb and guttering across all existing street frontages of any development/subdivision except where direct vehicular access is restricted.
3. Streets adjoining a public reserve shall provide kerb and gutter to adequately and safely provide both vehicular and pedestrian access. Footpaths may also be required.

Stormwater

Legal easements of width as determined by the Council Codes and Specifications are to be provided over stormwater drains and watercourses.

Water and Sewerage

New development will be required to extend augment and meet the full cost of water and sewerage reticulations, as arranged with *Sydney Water* within developments / subdivisions plus the cost of connecting to existing services.

Electricity

1. Electricity services are to be extended to the development / subdivision and in accordance with the requirements of Integral Energy and at full cost to the development.
2. Underground electricity services will be required except where it can be shown that it is not appropriate.

Street lighting

Street lighting shall be designed by the applicant to *AS1158* and the development will be required to meet the full cost of street lighting installation.

Telephone

The development will be required to provide for telephone facilities within the design. Where underground electricity is used, underground telephone facilities are also to be provided by the development.

Stormwater Runoff

Urban stormwater runoff will need to be assessed in terms of satisfactory performance both within the development and external to the development to a legal point of discharge.

Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street. Street trees must be integrated into the streetscape to achieve an even distribution of canopy coverage and meet Council's adopted canopy targets, as outlined in the Tree Management Framework.
2. ~~One~~ Minimum of one street tree shall be planted for ~~each every~~ allotment proposed created dwelling. All street trees are to have a minimum mature height of 8m or greater. Street plantings will be of advanced, robust-sized trees of at least 100L.
3. The street trees shall be planted prior to the release of the subdivision certificate in accordance with Council's Tree Management Framework.
4. ~~The~~ All street trees shall be provided with protection ~~to measures ensure~~ in their accordance survival with Council's Tree Management Framework - during the ~~construction phase of~~ in which individual buildings are constructed within the street - to ensure the trees can achieve their mature height.
5. Trees species must be in accordance with Council's Preferred Species List in the ~~street~~ Tree Management Framework. ~~Refer~~ On streets adjacent to ~~Figure~~ bushland. ~~5 species for~~ endemic details to the area must be planted.
6. Council's adopted Tree Management Framework (TMF) - comprising the Tree Policy, Tree Management Strategy and Tree Management Technical Guidelines - must be applied to all tree-related matters within the Liverpool Development Control Plan (LDCP). Where any conflict or overlap arises between the TMF and the LDCP, the TMF is the prevailing standard. All development proposals must demonstrate consistency with the TMF and adequately address tree-related requirements as part of the assessment process.

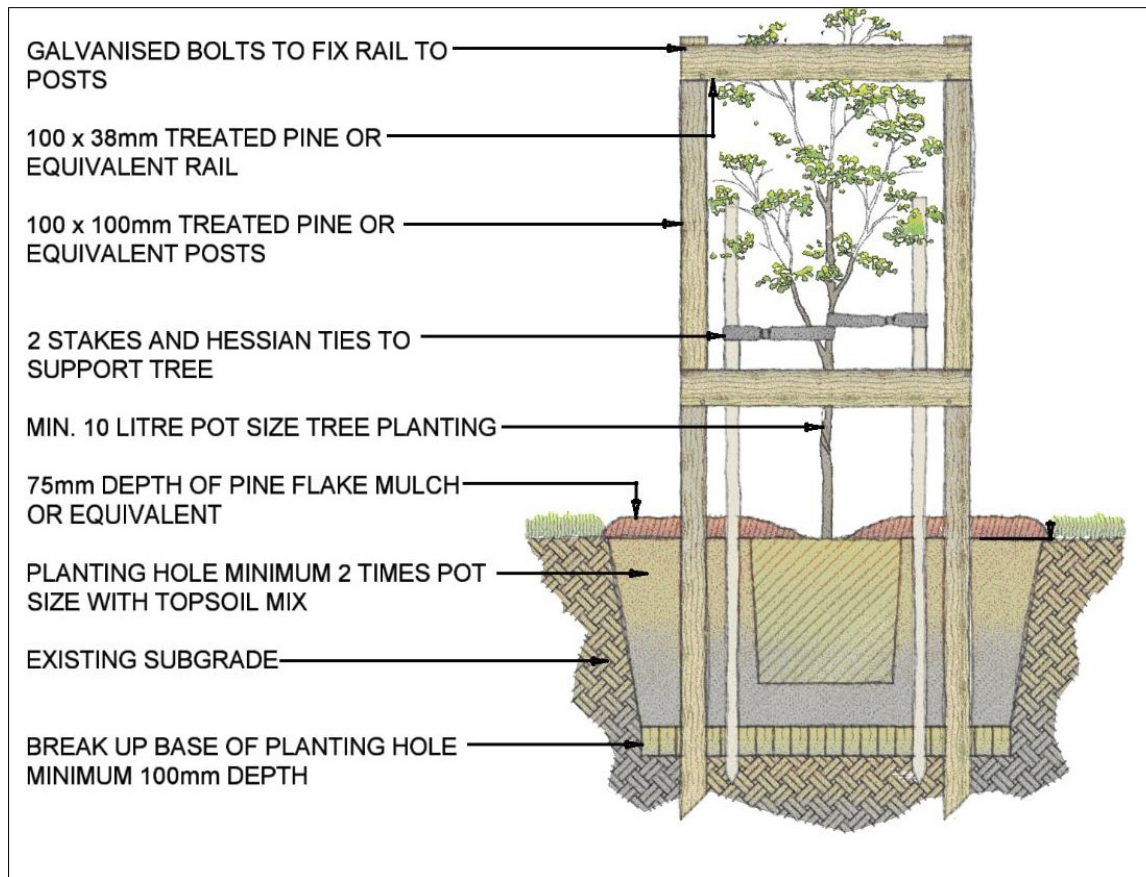


Figure 17 Tree Guard and Planting Details

Street signage

1. Street name and information signs shall be provided to facilitate accessibility and mobility.
2. Approval for the naming of all new streets shall be obtained from Council prior to the erection of any new street signage.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

21 Subdivision of Land and Buildings

Applies to

This section applies to development, which involves subdivision of land or buildings.

Background

The subdivision of land has a major impact on the use of land in terms of density and type of development, impacts on adjoining development, impact on the natural environment, demands on public infrastructure, usability of land, access to roads and future development potential. The subdivision of buildings also has impacts on the future management of buildings and on the adjoining areas.

Objectives

- To provide a functional, attractive and safe environment for residents that are consistent with community standards and needs.
- To minimise adverse effects on the natural environment.
- To provide for the needs of future users of the land in respect to building requirements vehicular and pedestrian access, provision of services and an amenity appropriate to the zoning of the land.
- Provide for the economic utilisation of the land resource of the area.
- To achieve a balance between the development / subdivision of residential, commercial and industrial land and the amenity of existing occupants.
- To provide for an equitable and efficient distribution of public amenities and services.
- To minimise Council's future maintenance costs for roads, services and open spaces.

Controls

21.5 Employment Zones

Road widths

All new streets shall be a minimum 20m wide, unless specified elsewhere in Part 2.

Minimum Lot Width

B4E1 and Local B2-zones Centre

The minimum lot width in the **B4E1 and B2-zones zone** is 20m.

B6E3 Zone Productivity (Enterprise Support Corridor)

- Development shall not be permitted for a new building (other than a maximum 10% addition to an existing structure) in the **B6E3** 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.
- Development for a new building (other than a maximum 10% addition to an existing structure) in the **B6E3** 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.

E4 and E5 Zones (Industrial)

The minimum frontage for new lots shall be in accordance with Table 8.

Table 19 Frontage Width

Street	Width of Frontage
Classified Roads, Bernera Road, Kurrajong Road and Moorebank Avenue	65m

Other streets	30m
Cowpasture Road (Site adjacent to future link road across Hinchinbrook Creek to former Hoxton Park Airport)	120m

Road works

1. Development involving the creation of new streets in Employment Zones will be required to provide fully serviced subdivisions including the provision of a sealed road system with drainage, and kerb and gutter, to adequately and safely provide both vehicular and pedestrian access to each allotment.
2. Development in established areas shall meet the full cost of kerb and guttering across all existing street frontages of any development/subdivision except where direct vehicular access is restricted.
3. Streets adjoining a public reserve shall provide kerb and gutter to adequately and safely provide both vehicular and pedestrian access. Footpaths may also be required.

Street Lighting

Provide Street lighting to AS1158.

Pavement for Heavy Traffic

Engineering Road Design and Pavement Design will need to provide for heavy traffic conditions as specified by Council.

Water and Sewerage

New development will be required to extend augment and meet the full cost of water and sewerage reticulations, as arranged with *Sydney Water* within developments / subdivisions plus the cost of connecting to existing services.

Electricity

Electricity services are to be extended to the developments/subdivision and in accordance with the requirements of ~~Integral~~ Endeavour Energy at full cost to the development. ~~Integral~~ Endeavour Energy will make determination of the maximum loading of the electricity service, and whether the service is provided above ground or underground.

Telephone

Developments will be required to provide for telephone facilities. Where underground electricity is used, underground telephone facilities are also to be provided by the development.

Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
2. One street tree shall be planted for every 20m of street frontage.
3. The street trees shall be planted prior to the release of the subdivision certificate.
4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 5 for details.

Street signage

1. Street name and information signs shall be provided to facilitate accessibility and mobility.
2. Approval for the naming of all new streets shall be obtained from Council prior to the erection of any new street signage.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

22 Energy Conservation

Applies to

This section applies to development involving the use of energy.

Background

The ability of development to optimise thermal performance, thermal comfort and day lighting will contribute to the energy efficiency of the buildings, provide increased amenity to occupants and reduce greenhouse emissions and, with them, the cost of supplying energy. The NSW State Government made policy changes that relate to sustainable development strategies and working towards net-zero emissions. In response, Council has established the Climate Action Plan and Climate Change Policy to manage climate change through emissions reduction across Council's operations and our community. This includes practical actions that can be applied to development across our LGA.

Objectives

- a) To reduce the necessity for mechanical heating and cooling.
- b) To minimise greenhouse gas emissions.
- c) To provide thermal comfort by minimising temperature variations within buildings.

Controls

Residential

1. New dwellings, including multi-unit development within a mixed-use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with *State Environmental Planning Policy – (Sustainable Building Buildings) Sustainability Index (BASIX) 2022*. A complying BASIX report is to be submitted with all development applications containing residential activities.
2. Residential development including mixed use development are required to consider Council's Climate Change Policy (adopted August 2025).

Non-Residential

1. All Class 5 to 9 non-residential developments are to comply with the Building Code of Australia energy efficiency provisions.
2. Improve the control of mechanical space heating and cooling by designing heating/ cooling systems to target only those spaces which require heating or cooling, not the whole building.
3. Encourage passive solar designed dwellings.
4. Improve the efficiency of hot water systems by:
 - Insulating hot water systems.
 - Installing water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators.
5. Reduce artificial lighting and design lighting systems to target only those spaces which required lighting at any particular 'off-peak' time, not the whole building.
6. Maximise natural light to reduce reliance on artificial lighting and utilise energy efficient lamps, reflectors and fittings to reduce requirements for artificial lighting.
7. For all commercial office development over \$5 million, provide an Energy Efficiency Report from a suitably qualified consultant to accompany any development application for a new commercial office development. The report is to demonstrate that the building can achieve no less than 4 stars under the Australian Building Greenhouse Rating Scheme.
8. All non-residential development is required to consider Council's Climate Change Policy.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

24 Landfill

Applies to

This section applies to development, which involves cutting and or filling of land. It does not involve land cut and filling in conjunction with a development application for a building(s).

Background

The cutting and filling of land has the potential to have significant environmental and visual impacts on the environment.

Objectives

- a) To minimise any land cut and filling.
- b) To minimise any adverse impact of land cut or filling on adjoining or nearby lands.

Controls

1. All fill applied should be Virgin Excavated Natural Material (VENM), as defined by the NSW Department of Climate Change, Energy, the Environment and ~~Climate Change~~Water. ~~Any~~ Any fill involving material other than VENM is subject to referral to the State Government as potential Integrated Development or contaminated land assessment.
2. All filling in the vicinity of native vegetation must be local material (in order to minimise the spread of weeds).
3. Any excavation within the zone of influence of any other building will require a Dilapidation Report.
4. Refer to the section on Salinity if cutting greater 500mm is to be undertaken.
5. No retaining wall structures will be permitted within any easements such as drainage easements. Retaining walls located on the boundary of two allotments or boundary to a public street or public reserve shall be of masonry construction. Other types of retaining wall structure may be permitted if the structure is located wholly within the property.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

25 Waste Disposal and Re-use Facilities

Applies to

This section applies to all applications that propose:

1. Subdivision and excavation of land.
2. Demolition of an existing building.
3. Construction of any development including alterations and additions.
4. Any development that requires a waste bay or the like.

Background

The construction and demolition of buildings and excavations generates the need for waste disposal and opportunities to minimise waste disposal and maximise recovery of resources from those activities. For new buildings, the occupation of those buildings generates an ongoing need for waste disposal and recycling. There are potential environmental and human health impacts associated with waste generation, storage and disposal. Under current waste legislation there is a need to minimise disposal of waste to landfill and recover resources to minimise depletion of natural resources.

Objectives

- a) To minimise waste produced during demolition and construction of new development and maximise resource recovery.
- b) To ensure waste management for the end use of the development is designed to provide satisfactory amenity for occupants and provide appropriately designed collection systems.
- c) To minimise ongoing waste to landfill and maximise recycling of ongoing waste..

Controls

Non-residential development

Note: Council does not provide waste services to non-residential premises. Owners and operators of non-residential premises must engage a private commercial waste contractor to remove and legally dispose of the waste their premises generates.

1. Development applications for all non-residential development must be accompanied by a waste management plan that addresses:
 - best practice recycling and reuse of construction and demolition materials,
 - use of sustainable building materials that can be reused or recycled at the end of their life,
 - handling methods and location of waste storage areas, such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and
 - procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper, including estimated volumes, required bin capacity and on-site storage requirements.
2. The waste management plan is to be prepared by a specialist waste consultant and is subject to approval by Council

Residential development

1. Provision must be made for the following waste generation shown in Table 21.

Table 21 Waste Generation

Type of Waste	Dwellings (including housing, attached and semi dwellings and dual occupancy)	Medium and High Density Residential Development
General Waste	140 litres/week/dwelling	110 litres/week/dwelling
Recycling	120 litres/week/dwelling	110 litres/week/dwelling

Green Waste	120 litres/week/dwelling	Shared 240 litre bins can be provided by Council. Numbers of bins will be assessed on a case by case basis and require provision of adequate storage.
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2. In dwellings not exceeding six (6) dwellings, individual waste storage facilities may be permitted. In a development of more than six dwellings or where the topography, or distance to the street makes access difficult for individual occupants, a collection and storage area is required. The storage area must be located in a position which is:
 - Not visible from the street – Easily accessible to dwelling occupants
 - Accessible by collection vehicles (or adequately managed by the body corporate to permit relocation of bins to an approved collection point),
 - Has water and drainage facilities for cleaning and maintenance; and
 - Does not immediately adjoin private open space, windows or clothes drying areas.
3. Wherever a rear lane is present, the rear lane is to be used for the removal of waste provided that it complies as follows:
 - Provides an area of kerbside where the placement of waste bins will not obstruct the passage of vehicles; and
 - Has sufficient dimensions for the Council's contractor's collection vehicles to be able to empty waste bins safely and without damage to property.
4. Subject to Council collection policy, common waste storage areas are to be sized to accommodate the number and size of waste bins that are required, plus enough space for the bins to be accessed, manoeuvred in and out for emptying and rotated as necessary. Minimum dimensions of the bins can be found in the Council fact sheet, 'Waste Management Services for Residential Flat Buildings and Multi Dwelling Housing
5. The size and number of the waste bins shall be determined having regard to the number of dwellings to be serviced, the space available for the presentation of the bins for emptying and the need for either on-site access by the waste contractor's collection vehicle or the requirement for bins to be wheeled to the street for collection by the contractor. If transferred to the street for collection, the body corporate or a caretaker must be responsible for the movement of bins to their collection point and return to their place of storage within the time set in Council's Domestic Waste Policy. If bins are being collected from within a development, they are to be presented for emptying to the approved collection point by agents of the body corporate and then returned back into the storage area by those agents afterwards.

Waste Management Plan

1. A Waste Management Plan (WMP) shall be submitted with a Development Application for any relevant activities generating waste. The WMP is provided in three sections:
 - Demolition;
 - Construction; and
 - On-going waste management.
2. The WMP shall show:
 - Estimated volumes of waste generated according to type; and
 - Details of whether each type of waste material that will be produced on site are to be reused, recycled or disposed of and the recycling or waste facilities to which those materials will be taken.
3. The WMP must then be implemented on site throughout the development process, demolition, construction and use of the development. During demolition and construction the WMP together with proof of lawful disposal for all waste that is disposed of or otherwise recycled from the site must be retained onsite in a Waste Data File. Proof is to include a log book with associated receipt/invoices, waste classification and site validation certificate.

All entries in the Waste Data File must include:

 - Time and Date
 - Description and size of waste
 - Waste facility used
 - Vehicle registrations and Company name

4. The Waste Data File must be made available for inspection by any authorised Council Officer at any time during site works and at the conclusion of site works should be retained by the person responsible and made available for inspection by authorised Council Officers.
5. A copy of the final Waste Data File shall be submitted by the PCA to Council with a copy of the occupation certificate.

Waste Management Facilities

1. Waste management facilities shall be provided for in all new buildings (except dwelling houses, Attached dwellings, Semi-Detached Dwellings and Dual Occupancy). These shall be designed to ensure that the storage and collection of waste and recyclables is user friendly for both the occupant and the waste collection contractor.
2. Where a communal Waste Management Facility for Multi dwelling housing and Residential flat buildings is required, on site storage details are to be submitted on the plans and set out as below:
 - Location of space within the dwelling for the separation and temporary storage of waste, recyclables and compost with sufficient capacity for a minimum of one days waste or recycling
 - Location and design of the Waste Storage and Recycling Area (Bin bay) on the premises. This must be readily accessible for both residents and waste and recycling contractors.
 - Where applicable design details of any Volume Reduction Equipment. The use of volume reduction equipment (to compact waste materials) may be appropriate where space is a problem. In normal circumstances there will not be a reduction in area requirements where such equipment is proposed, to accommodate future variations to development management and waste disposal options. Volume reduction equipment should not be used on recyclables; removing contaminants from compacted recyclables is almost impossible and compacted contaminated loads will be rejected by end markets.
 - For buildings more than three (3) storeys, or where elevator access is required for dwellings on the upper levels a waste service room, or compartment must be provided on each floor of the building for the intermediate storage of garbage and/or recycling. Sufficient space must be allocated for access by residents, storage of bins, and easy manoeuvring of bins.
 - The area must be suitably located on premises in terms of accessibility for both the occupants and the waste and recycling contractor. The system for waste management must be compatible with available collection services – collection occurs at the front of the land.
 - Measures for protecting bins and any associated waste equipment from theft or damage are to be indicated within the WMP.
3. Provision of ongoing waste management facilities shall include:
 - In the case of multi dwelling housing of 8 or fewer dwellings individual 240L waste bins are to be provided and stored within the courtyard of each dwelling. If such storage is not possible an easily accessible garbage bin bay is to be provided.
 - In the case of multi dwelling housing of 9 or more dwellings and residential flat buildings one or more garbage and recycling enclosures (bin bays) are to be provided within the site.
 - Bin bays are to be well ventilated and screened to a minimum height of 1.5m by a structure and landscaping. Construction materials are to be compatible with the proposed development and adjoining development.
 - Bin bays or waste service rooms are to be sufficiently open and well lit to allow safe use after dark
 - A hose cock for hosing the garbage bin bay and a sewered drainage point are to be provided in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay it is not to protrude into the space indicated for the placement of bins. Responsibility for cleaning of all waste storage areas should be determined when designing the system and clearly stated in the waste management plan. Frequency of cleaning to eliminate odour and pests should also be indicated on the WMP.
 - Sufficient space must be allocated within the bin bays to allow for access to all required bins by residents and waste collectors, as well as manoeuvring of bins within the bay and for the removal and return of bins by the waste collector.
 - The agreed numbers of bins that will require storage are given as a consent condition.
 - In the case of secure developments where garbage and recycling bins are stored within the secure area, the WMP needs to indicate:
 - Arrangements for supervised access by Council Contractors to collect waste must be shown to

- the satisfaction of Council; or
- Arrangements for delivery of bins to kerbside and removal when emptied to within the development must be shown.
- Council waste and recycling contractors are not to be provided with keys, pass keys, or other mechanical or electronic means of entry to secure developments.

Access to waste and recycling storage

1. Bin bays are to be adjacent to a street frontage, or if not possible then at a designated point adjacent to the common access driveway provided sufficient level areas (<5% grade) is available for bin collection to be carried out, away from vehicle ramps and steps. The bin bay is to be located so that distance from bin bay to the nearest waste collection point accessible by the collection vehicle is no further than 15m. The bin bay shall be positioned so as to minimise noise impacts on residents from the usage of bins and waste or recycling collection.
2. The access routes should be highlighted on the plan. ~~Aeeess~~ **Disabled access** must be made available ~~by wheelchair~~ for occupants. Bin bays should allow for bins to be wheeled by to the street kerb over flat or ramped surfaces with a maximum grade of 7% and not over steps, gutters, or landscape edging. The need for manual handling by collection staff should be kept to a minimum.
3. Residents should not be required to carry waste or recyclables more than 30m to a waste storage area such as a bin bay, or in the case of a residential flat building greater than three storeys, a waste service room for interim storage of waste and/or recyclables. Recycling bins are not to be stored in isolation, but in close proximity to garbage bins or chutes.
4. Waste service rooms or compartments where provided, shall be enclosed and of design compatible with the proposed development. Adequate ventilation shall be provided for the room or compartment. Suitable arrangements for transfer of any interim storage to the main bin bay are to be indicated in the WMP.
5. Waste and recycling collection vehicles should be able to service the development efficiently and effectively and with no need to reverse. Current collection vehicles are fitted with a left side lifter for handling MGBs, with a minimum height clearance of 3.6 m when lifting and 4.7m width when lifting.
6. Council and waste collection contractor vehicles will not enter private property including driveways to collect waste or recycling.

Other Waste Considerations

1. In the case of multi dwelling housing or residential flat buildings of more than 25 dwellings, a designated space reflecting the number of dwellings shall be provided for temporary storage of disposed bulky items awaiting Council clean up or contracted removal. The minimum allocated space must be 6sqm, with a minimum height of 2m. The space shall be signed as to its purpose.
2. No waste incineration devices are permitted.
3. Council will consider applications for buildings more than three (3) storeys or where elevator access is required for dwellings on the upper levels that utilise garbage chutes as a means of transferring waste from each level to a centralised garbage room, with the following criteria:
 - Garbage chute access can only be located within a waste service room or compartment.
 - Recycling chutes are not permitted. Recycling bins for interim storage are to be proved in each waste service room.
 - Garbage chutes are not to be situated adjacent to habitable rooms
 - Applications must state the material the chute is to be made from, how the chute is to be cleaned, how often the chute will be cleaned, how any blockages will be removed and any fire protection measures to be used.
 - The waste collection system that the chute feeds into must be stated (compactor, carousel, open bin) and suitable for the number of dwellings in the development.
4. Signage should be in English, and consideration given to other languages reflective of the most recent demographics of Liverpool LGA. Illustrative graphics will form a minimum 50% of the area of the signage. Council can provide appropriate bin bay usage signs if required. Signage is to be prominently posted in each bin bay, or waste service room indicating that:
 - Garbage is to be placed wholly within the garbage bins provided.
 - Only recyclable materials accepted by Council shall be placed within the recycling bins.
 - The area is to be kept tidy.
 - A telephone number for arranging the disposal of bulky items.
 - Should garbage chutes be incorporated, signage on how to use the chutes is to be located

prominently next to the chute itself.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

26 Outdoor Advertising and Signage

Applies to

This section applies to applications for Outdoor Advertising and Signage on any land where “Building identification signs”, “Business identification signs” or “Signage” is permissible with consent under the Liverpool Local Environmental Plan (LLEP 2008) or [SEPP State 64 Environmental Planning Policy \(Industry and Employment\) 2021 \(Chapter 3 and Schedule 5\)](#).

Background

The provision of signage is an integral part of any business to identify its presence to potential customers. Depending on the size, quantity and location, signage may have a substantial visual impact on a locality. It is important for Council to strike an appropriate balance between allowing businesses to identify themselves and minimising the visual impact of signage.

Exemptions

Signage types as described in Part 2 Division 2 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and in Schedule 2 of the Liverpool Local Environment Plan 2008 are exempt development and do not require Council consent. Exempt or complying signage is to be designed in accordance with the requirements identified within each of these planning instruments.

Definitions

~~Signs described in this section are defined as below. Note that a sign can fit within multiple categories, and if so should comply with all relevant controls. Signage that is not explicitly defined will be assessed on a merit basis:~~

~~-~~

~~**A-Frame (Sandwich Board) Sign**—Freestanding, portable sign consisting of either two advertising boards supporting each other in an ‘A’ configuration or one board supported by one or more posts in an ‘A’ configuration.~~

~~**Above Awning Sign**—Sign attached to the upper side of an awning, other than the fascia or return end.~~

~~**Digital Sign**—Signs which use digital technology to display electronic images. This includes variable message signs and dot matrix display signs, whether or not included in any other class of sign.~~

~~**Dynamic Digital Sign**—Digital sign that displays animations or videos, flashes, or has active display changes.~~

~~**Fascia Sign**—Sign attached to the fascia or return of an awning.~~

~~**Flashing Sign**—Sign illuminated in any part of the advertising area at frequent intervals by an internal or external source of artificial light, whether or not included in any other class of sign.~~

~~**Flush Wall Sign**—Sign attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 300mm from the wall)~~

~~**Freestanding Sign**—A sign that is erected or mounted directly into the ground, separately from a building or structure.~~

~~**High Wall Sign**—Flush Wall Sign located such that any part of it is 10m above ground level.~~

~~**Illuminated Sign**—Sign illuminated by an artificial source, whether or not included in any other class of sign.~~

~~**Illuminated Street Name Sign**—Freestanding pole sign comprising an internally illuminated sponsor panel and up to two internally illuminated street name cabinets erected within a road reservation.~~

~~**Inflatable Sign**—Signs that are inflated and placed outside a premises, or on the roof of a building.~~

~~**Interactive Signage**—A form of dynamic signage that includes an interactive function between the sign and pedestrians.~~

~~**Moving Sign**—A sign that involves some form of movement of the sign structure, whether or not included in any other class of sign.~~

~~**Parapet Sign**—Sign attached to or painted on the parapet of a building, but not extending above the parapet.~~

~~**Projecting Wall Sign**—Sign attached to the wall of a building (other than the transom of a doorway or display window) and projecting more than 300mm.~~

Pylon (Pole) Sign—Sign erected on a pole or pylon independent of any building or other structure.

Roof (Sky) Sign—Sign erected at the roof line that projects above the roof or parapet of a building.

Static Digital Sign—Digital sign that display static images presented successively at intervals only.

Street Sign—Sign erected on public road which include guide signs, warning signs, temporary warning signs, regulatory signs, car parking signs, hazardous markers and service symbols as defined under AS 1742.

Top Hamper Sign—Sign attached to the transom of a doorway or display window of a building.

Under Awning Sign—Sign attached to the underside of an awning other than the fascia or return end that is orientated adjacent to the street kerb.

Window Sign—Sign attached to, or displayed on, the shop window.

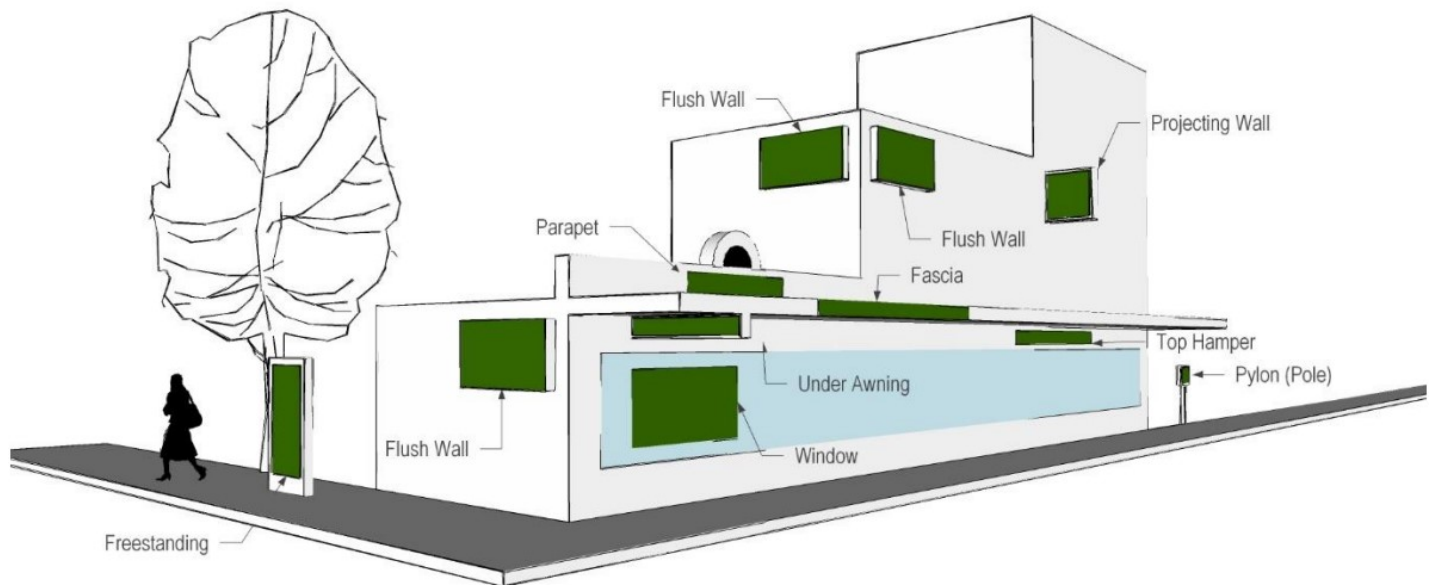


Figure 18 Types of Supported Signs

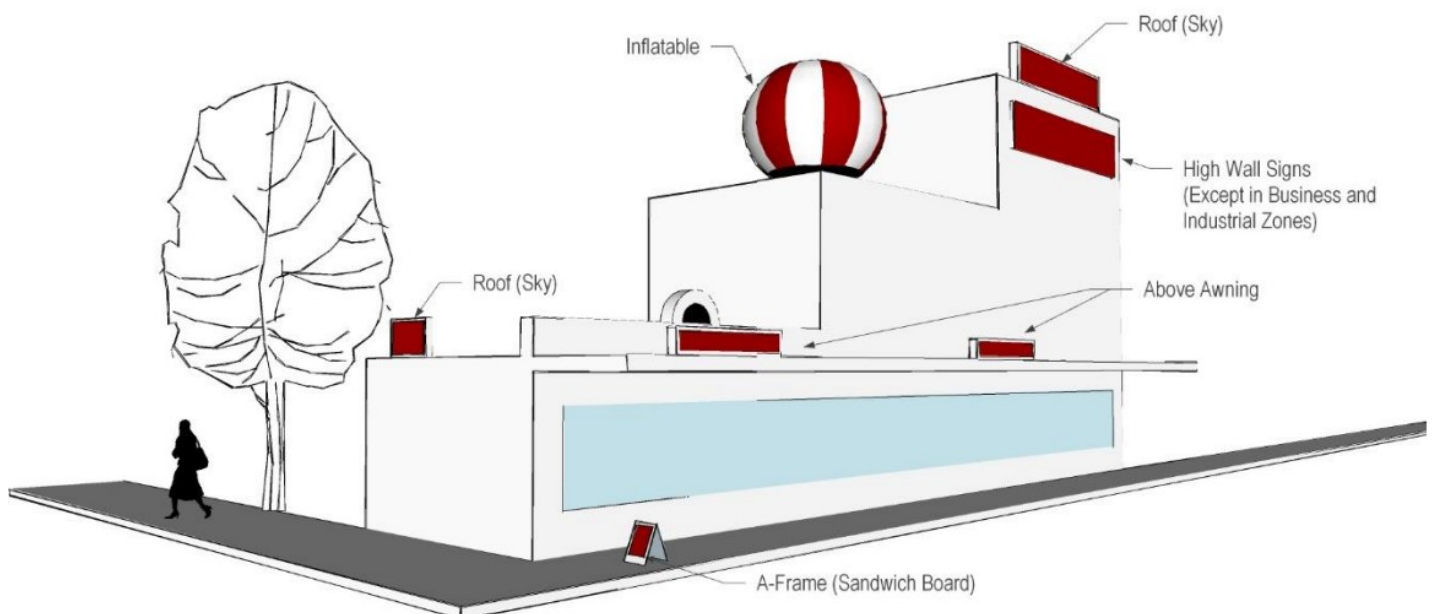


Figure 19 Types of Unsupported Signs

(note: not all signage illustrated is appropriate for a single development)

Objectives

- To ensure that outdoor advertising signage is complementary to and compatible with the development on

which it is displayed and the character of the surrounding locality.

- b) To encourage the rationalisation of existing and proposed advertising signs to minimise the extent of visual clutter caused by the proliferation of signs.
- c) To provide guidelines for the display of outdoor advertising to ensure that they communicate effectively and contribute positively to the urban and rural environment.
- d) To ensure that outdoor advertisements are designed and located so that they do not adversely affect the safety of motorists and pedestrians.
- e) To ensure advertising signs express the character of commercial and entertainment environments where appropriate, creating a lively daytime and evening atmosphere.
- f) To ensure that outdoor advertising is designed and located in a manner which preserves and enhances areas of environmental significance.
- g) To guide signage that achieves clear, attractive and visually clean identification of businesses and buildings.

Controls

26.1 General Controls

Note: As well as these DCP controls, signs must also be merit assessed against the assessment criteria in Schedule 1 of the *State Environmental Planning Policy No 64 – Advertising (Industry and Signage Employment) 2021*.

1. Signage design, materials, colours, and placement should be visually compatible with the building, nearby signage, and the surrounding locality.
2. The scale of signage must be consistent with the scale of the building or the property on which it is located.
3. Signs must not display offensive content, be reflective, or result in glare.
4. Signage should complement natural features and not result in the removal, trimming or damage of trees and other vegetation.
5. Signage is to be constructed and secured in accordance with the relevant Australian Standards.
6. New and replacement signage should be designed and located in a manner that avoids the intensification of visual clutter caused by the cumulative effect of signage within the streetscape.
7. Signage displays must not contain/use:
 - Flashing lights;
 - Animated display, moving parts or simulated movement;
 - Complex displays that hold a driver's attention beyond glance appreciation;
 - Displays resembling traffic signs or signals, or giving instruction to traffic by using colours and shapes that imitate a prescribed traffic control device or words such as 'halt' or 'stop'; or
 - A method of illumination that distracts or dazzles.
8. Signage shall not hinder driver sightlines to critical road infrastructure.
9. Signage shall not distract a driver from or reduce the visibility and effectiveness of directional signs, traffic signals, other traffic control devices, regulatory signs or advisory signs, or to obscure information about the road alignment.
10. Advertising signage along transport corridors should meet location criteria set out in *'Section 3.2 Sign Location Criteria' of the Transport Corridor Outdoor Advertising and Signage Guidelines under Chapter 3 assessing and Schedule development applications under SEPP 64 (Industry and Employment) 2021*.
11. Signage must not obstruct pedestrian/bicycle paths.
12. Signage must not create trip hazards.

26.2 Signage Controls by Type

Unsupported Signage Types

A-Frame Signs

Above Awning Signs

High Wall Signs (Except in Employment Zones)

Inflatable Signs

Dynamic Digital Signs

Flashing Signs

Illuminated Street Name Signs

Moving Signs

Roof (Sky) Signs

Static digital signs (Except in B3 Commercial Core and B4 Mixed Use)

Controls for Supported Signage Types

Fascia Signs

1. Not to project above or below the fascia or return end of the awning to which it is attached.
2. Not to extend more than 0.3m from the face of the fascia or return end of the awning.

Flush Wall Signs

1. Not to project above, horizontally or below the wall to which it is attached;
2. Where it is illuminated, it must be at least 2.6m above the ground level.
3. Not to extend more than 0.3m from the face of the wall to which it is attached.

High Wall Signs

1. Supported within the Employment zones only.
2. Multiple high wall signs are not supported on a single building elevation.
3. Signage area on a building elevation must not exceed 20% of that building elevation that is visible from a public space.
4. Must not project above or horizontally from the wall to which it is attached.
5. Must not face residences or open space.
6. Must not extend more than 0.3m from the face of the wall to which it is attached.

Illuminated Signs

1. The display should be energy efficient.
2. For night-time use, illumination must not cast shadows on areas that were previously lit and that have a special lighting requirements, such as pedestrian crossings.
3. Daytime luminance levels are to comply with the Transport Corridor Outdoor Advertising and Signage Guidelines, as outlined below. Night-time luminance levels are to be one-quarter of the daytime luminance levels.

Illuminated Area (sqm)	E2 and MU1 zones	E1, E3, E4 and E5 Zones	Residential and Rural Zones
Up to 0.5	2,900cd/sqm	2,000cd/sqm	1,000cd/sqm
0.5-2.0	2,300cd/sqm	1,600cd/sqm	800cd/sqm
2.0-5.0	2,000cd/sqm	1,200cd/sqm	600cd/sqm
5.0-10.0	1,500cd/sqm	1,000cd/sqm	600cd/sqm
Over 10.0	1,200cd/sqm	800cd/sqm	400cd/sqm

Table 22 Maximum daytime luminance of illuminated signs (not including digital signs).

Pole or Pylon Signs

1. The height of pole or pylon signs from the ground level are to be in proportion with the scale of the subject and surrounding development.
2. A minimum clearance of 2.6m from ground level to the underside of the sign.

Projecting Wall Signs

1. Not to project above the top of the wall to which it is attached;
2. Not to project more than 1.2m from the wall to which it is attached;
3. A minimum clearance of 2.6m from the ground level to the underside of the sign;

4. A minimum of 0.6m clearance inside the kerb.

Static Digital Signs

1. Static digital signs are supported within the B3 Commercial Core and B4 Mixed Use zones only.
2. The display screen is not to be split to display multiple advertisements simultaneously.
3. In the event of a malfunction, the display must default to a blank black screen.
4. Signs are not be positioned at the end of a terminating street.
5. The display should be energy efficient.
6. In the case where the content changes:
 - a) Each advertisement is to be displayed for a minimum of 10 seconds where the speed limit is below 80km/h and a minimum of 25 seconds for areas where the speed limit is 80km/h or above.
 - b) Each change of content shall be completed within 0.1 of a second.
7. Luminance levels are to comply with the Transport Corridor Outdoor Advertising and Signage Guidelines, as outlined below.

Lighting Condition	Business and Industrial Zones	Residential and Rural Zones
Day time luminance	6,000cd/sqm	6,000cd/sqm
Morning, evening, twilight and inclement weather	700cd/sqm	500cd/sqm
Night time	350cd/sqm	150cd/sqm

Table 23 Luminance levels for digital signs

Top Hamper Signs

1. Not to extend more than 0.2m beyond any building alignment;
2. Not to extend below the head of the doorway or window above which it is attached.
3. Not to extend across more than 50% of the business frontage.

Under Awning Signs

1. Maximum size not to exceed 2.5m in length and 0.5m in height.
2. Erected horizontally to the ground and a minimum clearance of 2.6m from the ground level to the underside of the sign.
3. A minimum of 0.6m clearance inside the kerb.
4. Not to project beyond the awning.

Window Signs

1. Must not occupy more than 25% of the area of the window area.

26.3 Signage Controls in Zones

Rural Zones

Controls

1. One pole or pylon sign with a maximum area of 2sqm and a maximum overall height of 2m above the ground per lot. Liverpool Development Control Plan Outdoor Advertising & Signage Part 1 125
2. One additional sign with a maximum area of 0.75sqm is permitted on the face of a building in an architecturally compatible manner where the business is carried out.
3. Additional signs for the purposes of tourist facilities may be permitted if compatible with the use of the site and the character and rural amenity of the area.

Residential Zones

Controls

1. One sign with a maximum area of 0.75sqm is permitted per business operation or activity.
2. Maximum height of a free standing sign is 2m above ground level.
3. Signs are not permitted on walls facing adjoining residences.
4. Illuminated signs, except for health consulting rooms and veterinary hospitals, are not supported.

Employment (E1, E2, MU1 and E3) Zones

Controls

1. The cumulative area of all signs is not to exceed 1sqm of advertising area per 1m length of street frontage.
2. One under awning sign is permitted on each shop or commercial premises. For premises with wide frontages, under awning signs are permissible at a maximum rate of one sign per 8m of frontage.
3. Under-awning signs are to be at least 6m apart to provide adequate visibility.
4. One projecting wall sign is permitted per building elevation.
5. One flush wall sign is permitted per building elevation.
6. Signs painted on awning blinds or window blinds are not supported.
7. Signs in excess of a total of 50sqm in area are generally unsupported and are to be considered on their merits.
8. Signs must not be present on walls facing adjoining residences.
9. For development in the B6 Enterprise Corridor zone, pole signs are limited to a maximum of one pole sign per development. Applications for additional pole signs will be considered on individual merit.

Note: For signage in the Liverpool City Centre, applications will be referred to Council's City Design and Public Domain Department for assessment.

Industrial (E4 and E5) Zones

Controls

1. A maximum of one freestanding, pole or pylon sign per building or site applies (including directory board for multiple occupancies). The sign, not exceeding 5sqm in area and 5m in height, is to be located within an area of 5mx3m on either side of the ingress to the premises, as shown in Figure 3.

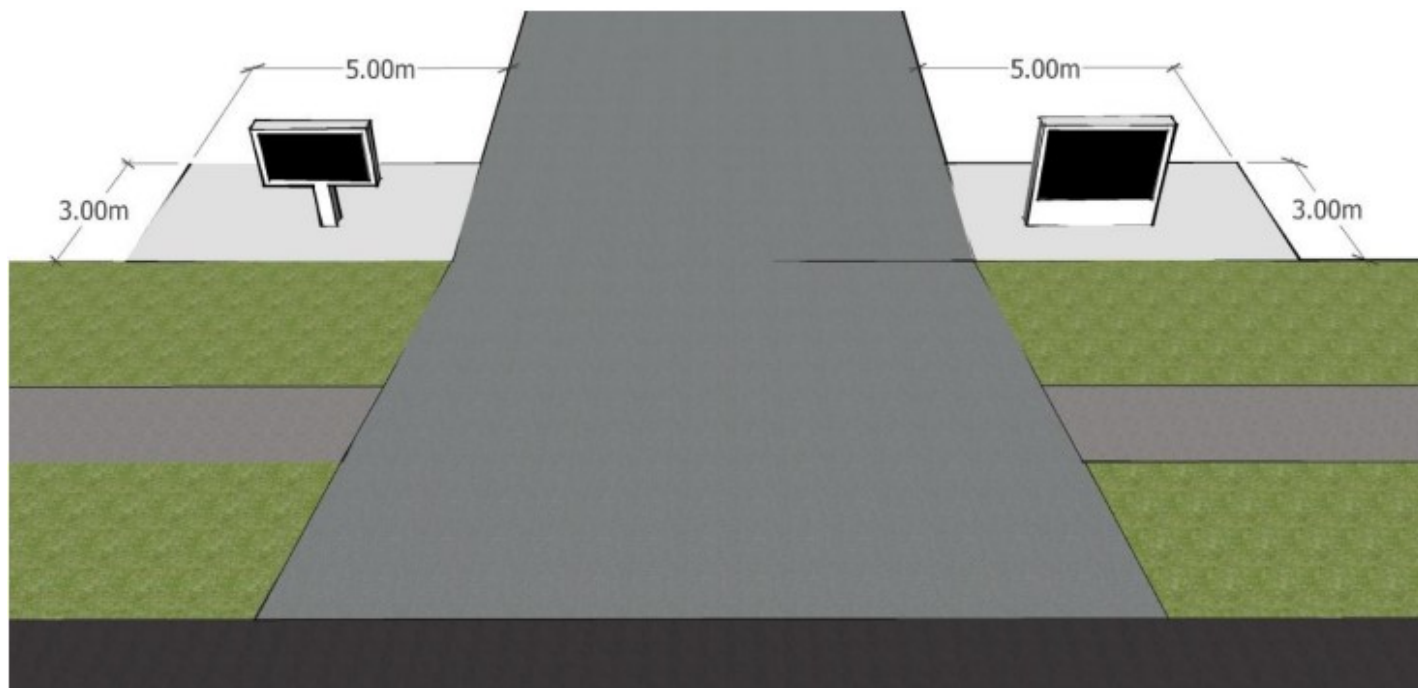


Figure 20 Permissible area for pole or pylon sign at the ingress to Industrial E4 and E5 Zone development.

2. For multiple occupancy development, one company identification sign with a maximum area of 2 x 0.6m is supported at the entrance to each occupied unit. Such signs are to be of a uniform shape, size and general presentation.
3. For single user development, additional company identification signage is supported at the maximum rate of 1sqm of advertising area per 3m of street frontage or a maximum of 50sqm whichever is the less. (Corner lots will be assessed on the length of the main presentation frontage of the building only.)
4. Signs in excess of a total of 50sqm in area are generally unsupported and are to be considered on their merits.

Signage on Heritage Items or within Heritage Areas

Controls

1. Signage should be located in areas of the building which have been traditionally used for signage. If such areas do not exist, new signage locations will be assessed on a merit basis.
2. Signage will not be supported if it blocks views to or from the item, covers any existing features or detracts from the building.
3. Signage will not be supported if it requires unsympathetic additions to a building, or results in irreparable damage.
4. The content of a sign approved for a heritage building is restricted to the name of the business, address and contact details. No other content will be supported.
5. Window signage should be discreet in size and designed to avoid detracting from the heritage qualities of the building.
6. Illuminated signage is not supported, unless it replaces an existing illuminated sign and the method of illumination is discrete.
7. Any proposed signage should not adversely impact on the heritage significance of the item which includes the material and visual form of the item.

Note: Signs on heritage items or within heritage areas will be referred to Council's Heritage Officer for assessment.

Recreation Zones

Controls

1. Pole or pylon signs are limited to a maximum rate of one pole sign per vehicular entry point to the recreational facility.
2. Each pole sign is not to exceed 10sqm in area and not more than 7m in height from ground level.
3. Signs in sports grounds may be situated on the perimeter fencing of the play area and on scoreboards and must face the play area only.

26.4 Signage Controls for specific Developments

Service Stations

Controls

1. Only pole or pylon signs, canopy fascia signs, and top hamper signs are supported.
2. One pole or pylon sign is permitted per street frontage.
3. One additional pole or pylon sign with a maximum height of 2.5m from ground level for the display of prices of fuels is permitted at the rate of one sign per ingress point to the development.
4. The total signage area for a development should not exceed 50sqm.

Exhibition Home and Exhibition Village

Controls

1. One pole or pylon sign with a maximum area of 2.5sqm and a maximum height of 3m from ground level is appropriate for an exhibition home that is not within an exhibition village.
2. Advertising signs within exhibition villages must have a uniform shape, size and general presentation.
3. For each exhibition home within an exhibition village, one pole or pylon sign with a maximum area of 2.5sqm and a maximum height of 5m from ground level is appropriate.
4. Signs for ancillary uses such as sales offices, home financing and materials display require additional consent.
5. Illuminated signs are not supported.

26.5 Third Party Advertising

Third party advertising signage is permissible only on land zoned B3 Commercial Core or B4 Mixed Use and may only be erected if approved by a Development Application.

Objectives

- a) To minimise visual clutter and adverse amenity impacts caused by the cumulative impact of signage and

advertising.

- b) To ensure that third party advertising does not dominate the view from open space and along Macquarie Street in the Liverpool City Centre.
- c) To ensure that third party advertising signage does not dominate the public realm within centres.

Controls

1. Third party advertising:
 - a) is limited to a maximum of one third party advertising sign per land allotment frontage.
 - b) is limited to a maximum advertising area of 50sqm. Proposals for signage larger than 50sqm are to be merit assessed and permitted in exceptional circumstances only where architectural excellence and public benefit is demonstrated.
 - c) must not terminate the view down any street.
 - d) must not obscure an existing sign.
2. Signage used for third party advertising must be included when calculating the overall signage allowance of a site, as detailed in Section 26.2 above.
3. Third party advertising signage must respect pedestrian focused areas and must not dominate the views of surrounding buildings.
4. Third party advertising signage within Macquarie Street must respect the finegrained and retail focused character of the street by avoiding visually dominant and disruptive signage design.
5. Third party advertising on stand-alone structures is discouraged, and will only be permitted where it contributes to a demonstrated civic benefit to those who will view it.

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27 Social Impact Assessment

Applies to

This section applies to applications for the types of development listed in Table 1, and any other types of development if notified in writing by Council. This section does not apply to development that is otherwise permitted without consent.

Background

Social impacts include the intended and unintended effects of a change or activity on the well-being of a community, families and individuals. Demand for a greater focus on social impacts has been driven by:

- a changing demographic profile and pressures arising from the growth and positioning of Liverpool as the regional city for South Western Sydney;
- increasing awareness of planning authorities to apply social criteria in making decisions about development and land use;
- increasing emphasis by Council and the community in considering social issues.

Council has a statutory obligation under Section 79C of the *Environmental Planning and Assessment Act 1979* to consider the social impacts of development applications. The Liverpool Local Environmental Plan 2008 aims to “foster economic, environmental and social well-being so that Liverpool continues to develop as a sustainable and prosperous place to live, work and visit”.

Social impact assessment is a process that aims to identify and manage the potential positive and negative consequences of development to optimise social outcomes, consistent with Council’s objectives for the community. Council is committed to the process of social impact assessment as a means of considering social issues more comprehensively and consistently in its planning and decision making. Council requires a social impact assessment to be submitted with development applications for specific types of development. In addition, Council may, at its discretion, require a social impact assessment for other types of development.

Objectives

- a) To ensure distributional equity of positive and negative social impacts of development, to help build healthier communities where people want to live and work;
- b) To apply a precautionary approach to, and encourage effective community engagement and participation in, planning and development decisions that may have significant impact;
- c) To ensure social impact assessments are undertaken in a consistent and transparent manner, by an appropriately trained person, and contain the information required to enable objective evaluation of potential impacts by Council.

Controls

1. A social impact assessment shall be submitted with a development application for all types of development listed in Table 21. The social impact assessment shall take the form of a Social Impact Comment or a Comprehensive Social Impact Assessment, as specified in Table 21.
2. Council may, at its discretion, alter the requirements for social impact assessment at any stage of the development assessment process, if it deems a proposal to foreseeably generate or contribute to social impacts that are substantially less or more significant than envisaged in Table 21. This discretion rests with the Executive Management Team, with consideration of recommendations made by Council staff.
3. A social impact assessment shall be submitted for any types of development not listed in Table 21 if, at any stage of the development assessment process, Council deems the proposal to foreseeably generate or contribute to significant social impacts. The social impact assessment shall take the form of a Social Impact Comment or a Comprehensive Social Impact Assessment.
4. Any social impact assessment shall be prepared in accordance with Council’s Social Impact Assessment Policy.

Note:

Applicants are advised to consult with Council before lodging a development assessment, to discuss

Council's specific requirements relating to social impact assessment. Council will notify applicants in writing of any changes to requirements for social impact assessment.

Table 24 Types of development for which a social impact assessment is required

Type of development	Social Impact Comment	Comprehensive Social Impact Assessment
Residential development	Applications for development of, or major changes to: - Residential flat buildings greater than 20 units - Multi-dwelling housing greater than 20 dwellings - Residential subdivision greater than 20 dwellings - Affordable housing, within the meaning of SEPP (Affordable Rental Housing(Housing) 20092021 – excluding secondary dwellings - Housing for seniors or people with a disability, within<u>refer the meaning of to</u> SEPP (Housing for Seniors or People with a Disability) 20042021 - Section <u>10(2)(a)</u> - Student housing - Caravan parks	Application for development of, or major changes to: - Residential flat buildings greater than 250 units - Development that results in a reduction of affordable housing
Commercial development	Applications for development of, or major changes to: - Entertainment facilities - Amusement centres - Function centres (greater than 100 persons capacity) - Retail centres and other commercial development, including tattoo parlours	Applications for development of, or major changes to: - Packaged liquor outlets - Hotels (bars, pubs, taverns), nightclubs and registered clubs - Applications for liquor licences and gaming machines* - Extension of trading hours for licensed premises - Gaming outlets - Restricted premises (e.g. sex shops) - Sex services premises (e.g. brothels) - Gun shops

Other types of development	Applications for development of, or major changes to: • Childcare centres (more than 20 places) • Places of public worship (greater than 200 persons capacity) • Educational establishments • Health consulting rooms • Council-owned community facilities, including community centres, libraries, childcare centres and recreation facilities • Community land, as classified by the <i>Local Government Act 1993</i>	Applications for development of, or major changes to: • Drug rehabilitation services – including methadone clinics and safe injecting rooms • Hospitals, medical centres and community health service facilities • Freight transport facilities • Major public transport facilities
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30 Additional Uses

30.1 Restricted Premises

Background

Liverpool LEP 2008 permits restricted premises within the E1, E2, MU1 and E3 zones. The following provisions are provisions for that particular land use.

Council's adopted Tree Management Framework (TMF) - comprising the Tree Policy, Tree Management Strategy and Tree Management Technical Guidelines - must be applied to all tree-related matters within the Liverpool Development Control Plan (LDCP). Where any conflict or overlap arises between the TMF and the LDCP, the TMF is the prevailing standard. All development proposals must demonstrate consistency with the TMF and adequately address tree-related requirements as part of the assessment process.

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 of Premises

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

1. 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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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

1. Signage is to be discreet and is limited to a combination of the business name, address and phone number.
2. There is to be one sign, not exceeding 1.m2 area, per premises. A second sign may be permitted where pedestrian access is provided at the side or rear of the site.
3. 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.
4. 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*.

30.2 Non Business Uses

Background

Liverpool LEP 2008 permits a range of Non Business land uses within the E1, E2, MU1 and E3 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) Ensure that the Non Business developments are compatible with the Business environment.
- b) Ensure that the Non Business developments do not unnecessarily restrict the operation of Business and related uses in E1, E2, MU1 and E3 zones.
- c) Ensure that Non Business developments are designed to operate without adverse impact from Business developments.

Controls

Site Planning

1. 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

2. All developments in E1, E2, MU1 and E3 zones shall present a shop front to the street. Closing in of windows or painting over windows shall not be permitted.

Amenity and Environmental Impact

3. 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; and
4. 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.

30.3 Restaurants/Outdoor Cafes

Background

There is an increasing trend to have outdoor **eatingdining** in conjunction with restaurants and cafes. This contributes to the activity in E1, E2, MU1 and E3 zones. There is however a potential conflict between the users of outdoor **eatingdining** areas and users of the footpath areas.

Objectives

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

Controls

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

Streetscape and Layout

General Requirements

1. A minimum width of 2.5m of footpath shall be available for pedestrians thoroughfare at all times.
2. There shall be no increase in the number of chairs and tables at each individual cafe site without further approval from Council.
3. Outdoor furniture shall remain at least 3m away from a corner, pedestrian crossing, bus stop, taxi stand or anywhere pedestrians often congregate to cross the road or wait for services.
4. Outdoor 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 to ensure that these facilities remain accessible and/ or retain function. An appropriate distance will be determined by Council officers.

Controls for footpaths greater than 6m

5. Outdoor furniture must be located at least 2.5m away from the shop front. This leaves an appropriate width to ensure there is unobstructed pedestrian thoroughfare. See Figure 42.
6. Outdoor seating shall be arranged to ensure a minimum of a 1m clearance is retained from the back of the kerb to the furniture. This ensures that passengers in vehicles can enter and exit vehicles safely.
7. In some instances Council may require more than 1m width from the back of the kerb.

Controls for footpaths less than 6m

8. Outdoor furniture shall be located abutting the building frontage/shop front. This provides an appropriate width for safe pedestrian passage.

Written Consent

9. A standard letter of consent must be provided by the owner of the building from which the associated business operates. However in the event that permission is withheld without due cause and Council judges this to be unreasonable consideration will be given to proceeding without it. The owner will be informed by letter of the development application at the commencement of the public exhibition.
10. A standard letter of consent must also be provided by neighbouring tenants on each side of the associated business. However in the event that permission is withheld without due cause and Council judges this to be unreasonable consideration will be given to proceeding without it. The neighbouring tenants will be informed by letter of the development application at the commencement of the public exhibition.

Car Parking and Access

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

Amenity and Environmental Impact

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

Site Services

13. 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;
14. Any additional lighting to normal street lighting shall be provided at the applicant's expense and shall be completed to the satisfaction of Council; and
15. Any illuminations shall be appropriately managed during operations of the premises.

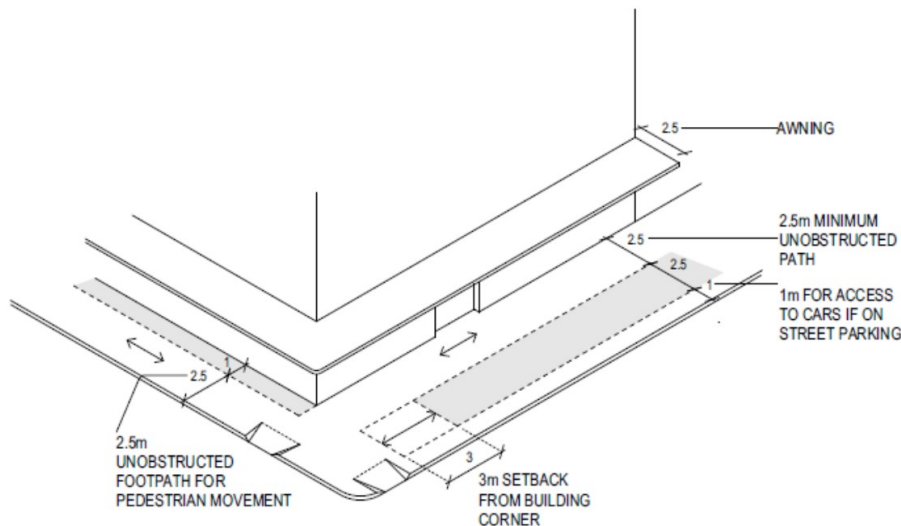


Figure 21 Indicative Outdoor Seating Zones

30.4 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 E1, E2, MU1 and E3 zones 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 [Chapter 3 of the State Environmental Planning Policy \(Educational Establishments \(Transport and child Care Facilities\) Infrastructure\) 2017](#) includes [2021 includes](#) planning provisions for the development of centre-based child care facilities. The [Child Care Planning Guideline 2017](#) [2021](#) provides additional guidance that must be addressed by any centre-based child care facility development application.

Provider and Service Approval

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

1. Development consent from Council under the *Environmental Planning and Assessment Act 1979*.
2. Provider and service approval to operate from the NSW Department of Education.

Objectives

- a) Ensure that Child Care Centres are compatible with the business environment.
- b) Minimise any adverse impact of Child Care Centres on surrounding properties.
- c) Locate childcare centres where they would not have an adverse impact on the safety and health of children.
- d) [Ensure that the Child Care Planning Guideline 2021 informs the assessment of Child Care Centres proposed throughout the Liverpool LGA.](#)

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.

Building Appearance

Objectives

- a) Encourage designs that will enhance the character of the City Centre.
- b) Ensure high visibility of entrances when the child care facility is located in a multi storey building.
- c) Ensure child care buildings address all street frontages.
- d) Ensure that the building design, detailing colour and finish shall add visual interest to the street and shall complement the street.

Controls

1. The building shall be designed so:
 - i. That it is in character with the surrounding residential area in terms of bulk, scale, size and height; and
 - ii. That it employs passive solar and energy saving techniques where possible.
2. The front pedestrian entrance must be visible from the street.
3. Buildings that face two street frontages or a street and public space must address both frontages by the use of verandas, balconies, windows or similar modulating elements.

Landscaping

1. A landscape plan must be submitted to Council with the development application. Refer to [the Landscape specifications set out in](#) Part 1 of the DCP [which must be applied](#).
2. Areas of grass are to be limited to play areas. Other landscaped areas are to be planted.
3. Trees adjacent to/or within the play area, are to provide shade and allow winter sun entry. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.
4. Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species.
5. If there are setback areas these 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 front and rear setback areas. Any tree with a mature height [over greater 8m than 5m](#) should be planted a minimum distance of 3m from [the an building approved dwelling, garage, in-ground swimming pool](#) or utility services.
6. Landscape planting should principally comprise of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. 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.
7. Tree and shrub planting alongside and rear boundaries should assist in providing effective screening to adjoining properties. The minimum height of screening to be provided is 2.5m to 3m at maturity. [Advanced pot sizes should be used to ensure immediate impact, where tree and shrub planting are intended to provide acoustic or privacy benefits](#).
8. Landscaping on any podium level or planter box shall be appropriately designed and irrigated. See [ADG Planting on Structures in the Apartment Design Guide \(ADG\) \(Part 4P\)](#).

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 Environment Impact

1. Child Care Centres shall be designed and operated so that noise generated by the centre does not impact significantly upon adjoining properties.
2. Child Care Centres shall not be constructed on sites that are contaminated.
3. 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.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

Appendix 1 - Definitions

The following list of definitions used in the DCP which are not defined in *Liverpool LEP 2008* or the *Environmental Planning and Assessment Act 1979*. Please refer to these for the appropriate definition.

Access Driveway

A roadway extending from the edge of the frontage to the property boundary to connect with the first ramp, circulation roadway or aisle encountered, and carrying one or two-way traffic.

Active Frontage

A street frontage that is characterised by lively pedestrian activity.

Adaptable Housing

The definition as contained within *Adaptable Housing Australian Standard AS 4299 (1995)*.

Adaptation or adaptive reuse

means the modification of a heritage place to a new use that conserves its heritage values. Adaptation may involve the introduction of new services, or a new use, or changes to safeguard a heritage item. A good adaptation is one that is sympathetic to the existing building and its historic context, and inserts new work, or makes changes that enhance and complement the heritage values of the heritage item.

Adjoining land

Land, which abuts the land, which is the subject of an application, or is separated from it only by a pathway, driveway or similar thoroughfare.

Affected person means a person:

- a) who owns or occupies land that adjoins a site which is the subject of an application in which their enjoyment may be detrimentally affected by a proposed development; or
- b) who owns or occupies neighbouring land.

ANZECC

(*Australian New Zealand Environmental Conservation Council*) Guidelines for the Assessment and Management of Contaminated Sites.

Annual Exceedance Probability (AEP)

Is the probability of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. For example, if a peak flood discharge of 500m³/s has an AEP of 1%, it means that there is a 1% probability (that is one-in-100 chance) of a peak flood of 500m³/s or larger occurring in any one year (see average recurrence interval).

Apron

The area in front of the loading dock including the service bay.

Arborist

Consultant Arborist:

A ~~person~~ professional in the practice of arboriculture, that holds an Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (Arboriculture).

Practicing Arborist:

A professional who ~~is~~ undertakes qualified ~~Tree~~ in ~~Related~~ arboriculture or tree surgery ~~Works~~.

Atrium

A void intersecting all building levels that brings light (and sometimes air) into a building core.

Australian Height Datum (AHD)

A common national plain of level corresponding approximately to mean sea level.

Australian Noise Exposure Forecast (ANEF) contour

A contour marked on a map to determine a level of noise exposure by aircraft. Certain restrictions apply to development within these contours.

Average Recurrence Interval (ARI)

The long-term average number of years between the occurrences of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 20 year ARI flood event will occur on average once every 20 years. ARI is another way of expressing the likelihood of occurrence of a flood event.

Basement car parking

Car parking areas generally below ground level, or above natural ground level and enclosed by bunding, where inundation of the surrounding areas may raise water levels above the entry level to the basement, resulting in rapid inundation of the basement to depths greater than 0.8m. Basement car parks are areas where the means of drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity.

Batter

The slope of a dam embankment wall.

Berm

Soil piled against the length of a wall at an angle to reduce the exposure of surface area to solar radiation and to assist in the maintenance of equilibrium between subsoil ground temperature and the building's thermal mass. Berms also provide insulation against noise.

Borrow pit

An area from which excavated soil is taken to construct the embankment of a dam.

Buffer zone

An area of land, set aside to minimise the impacts of land uses on each other.

Building footprint

The area of the site occupied by buildings and includes other structures attached to the main building such as decks, verandas, garages and carports.

Bushland

means land on which there is vegetation which is either a remainder of the native plants of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

Canopy

That part of the tree above the main stem comprising primarily branches and foliage.

Car Space

The area of pavement required to park one car, and is usually delineated.

Character

is defined by the combination of the particular characteristics or qualities of a place.

Collector street

A non-Classified Road, which collects and distributes traffic in an area, as well as servicing the abutting property.

Commercial Vehicle

The trucks and vans used for commercial purposes. Cars, station wagons and utilities may also be used for commercial purposes but are, by definition, not included because they become submerged in the large number of such vehicles, which are used for private purposes. Dimensions of typical commercial vehicles are found in Section 4 of this document.

Compatible use

means a use that involves no change to the culturally significant fabric, changes which are substantially reversible or changes which require a minimal impact.

Composting

The breakdown of organic matter by microbial action.

Conservation

means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance, and may according to circumstance, include preservation, restoration, reconstruction and adaptation and will commonly be a combination of more than one of these.

conservationConservation managementManagement planPlan

means a document prepared in accordance with [guidelines prepared by the NSW Public Service agency responsible to the Minister administering the Heritage Branch Act guidelines 1977 that](#) ~~which establish documents~~ the heritage significance of an item, place or heritage conservation area; and ~~identify~~ [identifies](#) conservation policies and management mechanisms that

are appropriate to enable that significance to be retained.

Contaminated soil

Soil that contains a concentration of chemical substances that are likely to pose an immediate or long-term hazard to human health or the environment.

Council

The Council of the City of Liverpool.

cultural significance

means aesthetic, historic, scientific, or social value for past, present or future generations.

dB(A)

Decibels of the 'A-scale' – a set frequency-weighted scale of noise which allows for lack of sensitivity of the ear to sound at very high and very low frequencies.

Design floor level

The minimum floor level that would apply to development if it was not categorised as Concessional Development. The floor level standards specified for the relevant land use category (excluding Concessional Development) in the low flood risk precinct are to be applied.

Drip Line

The area directly beneath the outer canopy of the tree.

Demolish a building

To wholly or partly dismantle the building.

Drive-in Food Outlets

~~One of three types of drive-in facilities:~~

- ~~1. Where customers park on site and walk to the food outlet, with no seating for the on-site consumption of food.~~
- ~~2. Similar to 1 but with seating for on-site food consumption.~~
- ~~3. With the features of 1 and/or 2 plus a drive through service for customers not wishing to consume food on the premises.~~

Effective warning time

The time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to move farm equipment, move stock, raise furniture, evacuate people and transport their possessions.

Embankment

The low permeability earth fill wall of a dam comprising crest, batter slopes and foundation.

Extreme flood

An estimate of the probable maximum flood, which is the largest flood that could conceivably occur at a particular location.

fabric

means all the physical material of the place.

Fenestration

The disposition of glazing on a facade.

Flood

A relatively high stream flow, which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding, associated with major drainage as defined by the FMM before entering a watercourse.

Flood awareness

An appreciation of the likely effects of flooding and knowledge of the relevant flood warning and evacuation procedures.

Flood compatible building components

A combination of measures incorporated in the design and/or construction and alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.

Flood compatible materials

Materials used in building which are resistant to damage when inundated. A list of flood compatible materials is attached in

Appendix 3.

Flood evacuation strategy

The proposed strategy for the evacuation of areas within effective warning time during periods of flood as specified within any policy of Council, the FRMP, the relevant State government disaster plan, by advices received from the *State Emergency Services (SES)* or as determined in the assessment of individual proposals.

Flood hazard

The potential for damage to property or persons due to flooding.

Flood storage

Parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood.

Floodplain

The portion of a river valley, adjacent to the river channel, which is covered with water when the river overflows during floods.

Floodplain Development Manual (FDM)

Refers to the document dated April 2005, published by the New South Wales Government and entitled "*Floodplain Development Manual: the management of flood liable land*".

Floodplain Risk Management Plan (FRMP)

A plan prepared for one or more floodplains in accordance with the requirements of the FDM or its predecessor.

Floodplain Risk Management Study (FRMS)

A study prepared for one or more floodplains in accordance with the requirements of the FDM or its predecessor.

Floodways

Areas where a significant volume of water flows during floods. They are often aligned with obvious naturally defined channels. Floodways are areas, which, even if only partially blocked, would cause a significant redistribution of flood flow, which may in turn adversely affect other areas. They are often, but not necessarily, the areas of deeper flow or the areas where higher velocities occur.

Form

means the overall shape and volume and the arrangement of its parts.

Freeboard

A factor of safety expressed as the height above the design flood level. Freeboard provides a factor of safety to compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific event related, such as levee and embankment settlement, and other effects such as "greenhouse" and climate change.

Frontage

The width of an allotment at the street boundary.

Full supply level

The top water level of a dam, equivalent to the spillway intake level.

Greenhouses / Igloos / Market Gardening

A free - standing outbuilding covered in plastic / fabric / or other rigid coverings such as glass or poly-carbonate used to provide a controlled environment and improved crop production rates associated with the cultivation / propagation or growth of vegetables, flowers, mushrooms and other agricultural products.

Habitable floor area

means:

- a) in a **residential situation**: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom;
- b) in an **industrial or commercial situation**: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

Habitable room

A main living room, such as a living room, dining room, family room or bedroom.

Hatchet shaped allotment

A lot which has frontage to a public street by only an access way.

Height

In relation to a building, means the vertical distance measured between ground level at any point at which the building is sited, and the ceiling of the topmost floor of the building above that point.

Hazard

A source of potential harm or a situation with a potential to cause loss. In relation to this plan, the hazard is flooding which has the potential to cause harm or loss to the community.

High hazard

Possible danger to life and limb; evacuation by trucks difficult; potential for structural damage; social disruption and financial losses could be high.

In the vicinity

means surroundings, context, environment or vicinity of a heritage item

Item

means a place, building, work, relic, movable object or precinct.

LEP

Local Environmental Plan

Leasable Floor Area (LFA)

Means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosure walls as measured at a height of 1400 millimetres above each floor level, excluding:

- Columns, fin walls, sun control devices, awnings and any other elements, projections or works outside the general lines of the outer face of the external wall; and
- Lift towers, cooling towers, machinery and plant rooms, ancillary storage space and air conditioning ducts; and
- Car parking needed to meet any requirements of the Council and any internal designated vehicular or pedestrian access thereto; and
- Space for loading and unloading of goods; and
- Internal public arcades and thoroughfares, terraces and balconies with outer walls less than 1400 millimetres high and the like.

LGA

Local Government Area

Loading Dock

The specific area set aside for loading and unloading of a commercial vehicle. Commonly the operation is carried out from a raised platform to which the vehicle is backed. Loading and unloading can, however take place from the side and/or ground level.

Local overland flooding

The inundation by local runoff rather than overbank discharge from a stream, river, estuary, lake or dam.

Local street

A road or street used primarily for access to abutting properties.

Loft

The gross floor area contained within the roof space of a dwelling where:

- a) the pitch of the roof creating the space does not exceed 35 degrees; and
- b) the external enclosing walls do not exceed a height of 300mm measured vertically from the floor level of the loft (not including gabled end walls); and
- c) there is no balcony, terrace, and the like forming part of the loft; and
- d) the floor space of the loft does not exceed 60% of the footprint of the storey immediately below; and
- e) one or more dormers may form part of the loft.

Lopping

The ~~incomplete~~ outdated and improper practice of cutting Tree branches or stems for directional growth and/or the removal of ~~branches~~ dead or dying parts, generally between unions or internodes and leaving ~~stumps~~ stubs attached ~~to the tree~~.

Low hazard

Should it be necessary, people and their possessions could be evacuated by trucks. Able-bodied adults would have little difficulty wading.

m

Metre

Merit approach

An approach, the principles of which are embodied in the Floodplain Development Manual which weighs social, economic and ecological impacts of land use options for different flood prone areas together with flood damage, hazard and behaviour implications, environmental protection and well being of the State's rivers and floodplains.

Natural ventilation

A range of techniques that combine natural airflow with building design characteristics to induce fresh air into a building and exhaust stale air. Natural ventilation is also sometimes used as a means to reduce the temperature of a building's thermal mass.

Neighbouring land

Any land, other than adjoining land, which in the opinion of Council, may be detrimentally affected by a proposed development (and may include properties in a neighbouring Local Government area).

Notified Development

Where Council writes to those people identified as requiring notification advising of the submission of an application.

Number of Employees

The number of persons anticipated to be working for re-numeration at a given development site, whether for salary or wages, part time or full time at the time of day, day of the week, which is being assessed. It should not be confused with employment which is the expected number of persons registered as working and which is thus equal to or greater than the number of employees on site at any given time.

Outbuilding

A building, which is ancillary to a principal residential building and includes sheds, garages, car ports and similar buildings.

Outdoor cafes

An area that exhibits these characteristics:

- a) Food and drink are provided for public consumption.
- b) Items of furniture, such as tables and chairs, are provided for use by cafe patrons.
- c) The site is accessible, out-of-doors and available for public use.
- d) There is an adjacent associated business such as a cafe, coffee bar, milk bar, restaurant, ice-cream parlour, dining hall, food court or sandwich shop.
- e) The associated business extends its supervised activities within the outdoor cafe location.

Outdoor Markets

Places or temporary structures / stalls for the purpose of retailing goods able to be carried away by the purchaser. Stalls are combined on suitable sites to form an outdoor market place.

Permeable ceiling

A false ceiling that allows air to come in direct contact with a slab above it.

Place

means an area of land, with or without improvements.

Potential koala habitat

~~Areas of native vegetation where the trees of the types listed in Schedule 2 of the State Environmental Planning Policy No 44 - Koala Habitat Protection constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.~~

Poultry

All forms of farmed bird including chickens, waterfowl, turkeys, ostriches, quail, squab and emus.

Poultry farming

Birds such as domestic fowls, turkeys, ducks geese, game birds, squab, quail and emus, whether as meat birds, layers or breeders and whether as free range or shedded birds.

Poultry processing plants

Poultry abattoirs and plants for the further processing of poultry (e.g. cutting up, filleting etc), packaging and dispatch.

Probable maximum flood (PMF)

The largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

Probable maximum precipitation (PMP)

The greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to the estimation of the probable maximum flood.

Probability

A statistical measure of the expected chance of flooding (see ARI).

~~Private open space~~

~~An open area of land or building attached to a dwelling (e.g. balcony or roof garden) intended for the exclusive use of the occupants of the dwelling, being located and designed so as to offer maximum privacy to occupants and neighbours.~~

Primary frontage

means:

- a) the single frontage where an allotment has a single frontage to the street; or
- b) the shortest frontage where an allotment has two or more frontages to the street; or
- c) the two frontages where an allotment (not including a corner allotment) runs between two streets.

Prune

To remove some of the branches or roots of a tree.

Ramp

The circulation roadway, which connects an access driveway to an off-street car park, or service facility on a substantially different level, or which, connects two levels in a multi-level development.

Rebuilt dwelling

Refers to the construction of a new dwelling on an allotment where an existing dwelling is demolished.

Reliable access

During a flood means the ability for people to safely evacuate an area subject to flooding, having regard to the depth and velocity of flood waters, the suitability of the evacuation route, and without a need to travel through areas where water depths increase.

Remnant vegetation

Any patch of native vegetation around which most or all of the native vegetation has been removed. Remnant vegetation can range in size from a few plants to a very large group of plants.

REP

Regional Environmental Plan

Ridgeline

The highest point at which upward angled roof planes meet.

Ring barking

~~Cutting~~ To cut through the bark and sapwood of the ~~tree so as~~ Tree, to ~~stop~~ disrupt the ~~flow~~ movement of water and nutrients between the roots and leaves and upper portions of the Tree, normally killing the Tree.

Riparian Corridor

That component of land (including floodplains) adjacent to creeks.

Riparian vegetation

Any vegetation, which is adjacent to a water body and is reliant upon and contributes to the hydrological regime and ecology of that water body.

Risk

The chance of something happening that will have an impact. It is measured in terms of consequences and probability (likelihood). In the context of this plan, it is the likelihood of consequences arising from the interaction of floods, communities and the environment.

Road

A public thoroughfare used for the passage of vehicles or animals.

Root plate

The volume of roots of a mature tree.

Run-off

The amount of water that actually ends up as storm flow.

Rural shed

A building or structure erected on a rural zoned property for uses associated with agriculture or other permissible rural land uses on the site. This does not include buildings for the keeping of poultry or intensive horticultural activities.

Scale

means the size of a building and its relationship with its surrounding buildings or landscape.

Secondary frontage

means:

- a) the longer frontages where an allotment has two or more frontages to the street; or
- b) the frontage that adjoins a lane where an allotment (not including a corner allotment) runs between a street and a lane. A lane is a roadway that is 6m wide or less.

Sensitive populations

Population groups that include Childcare centres, Hospitals, Education facilities and Retirement villages.

Separation distance

The distance between the point of generation of an environmental impact and a receptor sensitive to that impact that will allow for the effects to be minimised.

SEPP

State Environmental Planning Policy

Service Aisles

The roadways, which connect, service areas with driveways and the street system. They may be part of the internal circulation road system. Required widths for straight sections of service aisles are 4.5m one-way and 6.5m two-way. The width of curved sections should be determined by the swept path of the largest, relevant design vehicle.

Service Bay/Area

The service bay/area is the specific area delineated for a commercial vehicle to stand within a service area.

Service Facility

The service facility is the area in a development set aside for the manoeuvring lay-by, loading and unloading of commercial vehicles, together with shelter and equipment, which might be provided for the receipt and dispatch of freight. Normally included among the facilities is the storage of waste (garbage), prior to its removal by a special purpose vehicle.

Setback

The horizontal distance measured from an external enclosing wall (including an above ground deck, balcony, and the like), a window, or the eaves of a building, to the:

- a) allotment boundary; or
- b) a window to a bedroom or living area of another dwelling.

Setting

means the area around a heritage item that contributes to its heritage significance. It may include views to and from the heritage item. The listing boundary of a heritage item does not always include the whole of its setting

Shopping Trolley

A basket, frame or flat base on wheels (or castors), usually of metal construction that is provided by a business for customers to transport items within the store and within any car parking area allocated for use by customers of the store.

Side boundary

The boundary between adjacent properties

Site Emergency Response Flood Plan

A management plan that demonstrates the ability to move goods above the flood level within the available warning time, and includes a strategy to safely evacuate persons.

Spillway

The earth swale (or pipe) used to divert water from a dam.

sqm

Square metre

Stacked Car Parking

The car parking, which may require the removal of other vehicles in order to gain access

Street sign

A street name sign or a sign under Australian Standard AS 1742 being

- a) guide sign;
- b) warning sign;
- c) temporary warning sign;
- d) regulatory sign;
- e) parking sign;
- f) hazardous markers;
- g) service symbol;
- h) which is on a public road.

Survey plan

A plan prepared by a registered surveyor, which shows the information required for the assessment of an application in accordance with the provisions of this Policy.

The Act

The *Environmental Planning and Assessment Act 1979*.

The Plan

This *Development Control Plan*.

Third party advertising

The content of the advertisement is not related to the land, building or premises or goods sold on the land, building or premises to which the advertisement is attached.

Threatened species, population or community

means any species, population or ecological community which is scheduled under the ~~Threatened Species~~ [Biodiversity Conservation Act 1999](#) [2016](#).

Topping

~~The~~ [Reducing removal](#) [the height of a Tree through the inappropriate practice of lopping typically including the amputation](#) of the top portion of a ~~tree~~ [Tree](#) including a section of [its](#) trunk.

Vegetative screening

Naturally occurring or purpose planted vegetation (preferably species native to an area) to lessen the impacts of a development on the surrounding area.

Waste Data File

A File or Folder containing the Waste Management Plan together with records (waste receipts or dockets) of disposal and/or recycling of demolition and construction materials. The Waste Data File is to be retained by the person responsible for the site.

Waste Management Plan or WMP

An outline of any waste or recycling materials to be produced during

- a) Demolition
- b) Construction and
- c) Future Use

for a particular demolition and/ or construction project. It is to include estimates of volumes or weights of waste produced as well as a description of reuse, recycling and final destination. A blank Waste Management Plan is shown in Appendix 4.

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

Appendix 3 - ~~List of Noxious Plants for Liverpool LGA~~ (Repealed)

The following weeds are declared noxious in the Liverpool LGA:

Weed	Glass	Legal Requirements
African feathergrass [Pennisetum macrourum]	-5	4
African turnipweed [Sisymbrium runcinatum]	-5	4
African turnipweed [Sisymbrium thellungii]	-5	4
Alligator weed [Alternanthera philoxeroides]	-3	2
Anchored water hyacinth [Eichhornia azurea]	-4	3
Annual ragweed [Ambrosia artemisiifolia]	-5	4
Arrowhead [Sagittaria montevidensis]	-5	4
Artichoke thistle [Cynara cardunculus]	-5	4
Athel pine [Tamarix aphylla]	-5	4
Bear-skin fescue [Festuca gautieri]	-5	4
Bitou bush [Chrysanthemoides monilifera subsp. rotundata]	-3	4
Black knapweed [Centaurea nigra]	-4	3
Blackberry [Rubus fruticosus aggregate species] except cultivars Black satin, Chehalem, Chester Thornless, Dirksen Thornless, Loch Ness, Murrindindi, Silvan, Smoothstem, Thornfree	-4	5
Boneseed [Chrysanthemoides monilifera subsp. monilifera]	-3	4
Bridal creeper [Asparagus asparagoides]	-5	4
Broomrapes [Orobanchae species] Includes all Orobanchae species except the native O. cernua variety australiana and O. minor	-4	3
Burr ragweed [Ambrosia confertiflora]	-5	4
Cabomba [Cabomba caroliniana]	-5	4
Castor oil plant [Ricinus communis]	-4	5
Cayenne snakeweed [Stachytarpheta cayennensis]	-5	4
Chilean needle grass [Nassella neesiana]	-4	5
Chinese violet [Asystasia gangetica subsp. micrantha]	-4	3
Clockweed [Gaura lindheimeri]	-5	4
Clockweed [Gaura parviflora]	-5	4
Corn sowthistle [Sonchus arvensis]	-5	4
Dodder [Cuscuta species] Includes All Cuscuta species except the native species C. australis, C. tasmanica and C. victoriana	-5	4
East Indian hygrophylla [Hygrophylla polysperma]	-4	3
Espartillo [Achnatherum brachychaetum]	-5	4
Eurasian water milfoil [Myriophyllum spicatum]	-4	3
Fine-bristled burr grass [Genchrus brownii]	-5	4
Fountain grass [Pennisetum setaceum]	-5	4
Gallon's curse [Genchrus biflorus]	-5	4
Glaucous starthistle [Carthamus glaucus]	-5	4
Golden thistle [Scolymus hispanicus]	-5	4
Green cestrum [Cestrum parqui]	-3	2
Harrisia cactus [Harrisia species]	-4	5
Hawkweed [Hieracium species]	-4	3
Horsetail [Equisetum species]	-4	3
Hygrophylla [Hygrophylla costata]	-2	3
Hymenachne [Hymenachne amplexicaulis]	-4	3
Karoo thorn [Acacia karroo]	-4	3
Kochia [Bassia scoparia] except Bassia scoparia subsp. trichophylla	-4	-
Lagarosiphon [Lagarosiphon major]	-4	3

Lantana [Lantana species]	-4	6-
Lantana [Lantana species]	-5	4
Leafy elodea [Egeria densa]	-5	4
Long-leaf willow primrose [Ludwigia longifolia]	-3	2-
Long-leaf willow primrose [Ludwigia longifolia]	-5	4
Ludwigia [Ludwigia peruviana]	-3	2-
Mexican feather grass [Nassella tenuissima]	-1	3-
Mexican poppy [Argemone mexicana]	-5	4
Miconia [Miconia species]	-1	3-
Mimosa [Mimosa pigra]	-1	3-
Mossman River grass [Cenchrus echinatus]	-5	4
Onion grass [Romulea species] Includes all Romulea species and varieties except R. rosea var. australis	-5	4
Oxalis [Oxalis species and varieties] Includes all Oxalis species and varieties except the native species O. chnoodes, O. exilis, O. perennans, O. radicata, O. rubens, and O. thompsoniae	-5	4
Pampas grass [Cortaderia species]	-3	2-
Parthenium weed [Parthenium hysterophorus]	-1	3-
Pellitory [Parietaria judaica]	-4	6-
Pond apple [Annona glabra]	-1	3-
Prickly acacia [Acacia nilotica]	-1	3-
Prickly pear [Cylindropuntia species]	-4	5-
Prickly pear [Opuntia species except O. ficus-indica]	-4	5-
Red rice [Oryza rufipogon]	-5	4
Rhus tree [Toxicodendron succedaneum]	-4	6-
Rubbervine [Cryptostegia grandiflora]	-1	3-
Sagittaria [Sagittaria platyphylla]	-5	4
Salvinia [Salvinia molesta]	-2	3-
Sand oat [Avena strigosa]	-5	4
Senegal tea plant [Gymnocoronis spilanthoides]	-1	3-
Serrated tussock [Nassella trichotoma]	-4	5-
Siam weed [Chromolaena odorata]	-1	3-
Smooth-stemmed turnip [Brassica barrelieri subspecies oxyrrhina]	-5	4
Soldier thistle [Picnemon acarna]	-5	4
Spotted knapweed [Centaurea maculosa]	-1	3-
St. John's wort [Hypericum perforatum]	-4	6-
Texas blueweed [Helianthus ciliaris]	-5	4
Water caltrop [Trapa species]	-1	3-
Water hyacinth [Eichhornia crassipes]	-2	3-
Water lettuce [Pistia stratiotes]	-1	3-
Water soldier [Stratiotes aloides]	-1	3-
Willows [Salix species] Includes all Salix species except S. babylonica, S. x reichardtii, S. x calodendron	-5	4
Witchweed [Striga species] Includes all Striga species except native species and Striga parviflora	-1	3-
Yellow burrhead [Limnocharis flava]	-1	3-
Yellow nutgrass [Cyperus esculentus]	-5	4

- ~~The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with-~~
- ~~The plant must be fully and continuously suppressed and destroyed~~
- ~~The plant must be eradicated from the land and the land must be kept free of the plant~~
- ~~The plant must be fully and continuously suppressed and destroyed~~
- ~~The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed~~
- ~~The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority~~

7. ~~except *B.scoparia* subspecies *trichophylla*~~
~~The plant must be eradicated from the land and the land must be kept free of the plant~~

Liverpool Development Control Plan 2008

Part 1 General Controls for all Development

Appendix 5 - Exempt Tree Species

Source: Council adopted Tree Management Technical Guidelines (Table 2 - Exempt Species List)

Exempt Species

Edible Fruit Trees (such as Citrus spp., Prunus spp., Persea spp., Malus spp., Diospyros spp., Cydonia spp.

(only when <10m in height)

(and not including Syzygium spp. or Acmena spp.)

Acacia baileyana

Acacia saligna

Ailanthus altissima

Cotoneaster glaucophyllus

Celtis sinensis

Celtis occidentalis

Cinnamomum camphora

Cupressocyparis leylandii

Cupressus macrocarpa "Brunniana"

Dovyalis caffra

Erythrina crista-galli

Erythrina x sykesii

Ficus elastica and hybrids

Gleditsia triacanthos

(not including recognised hybrids)

Grevillea robusta

Lagunaria petersonii

Ligustrum lucidum

Ligustrum sinensis

Lycium ferocissimum

Melia azedarach

(only when <10m in height)

Olea europea subsp. cuspidata

(syn. Olea africana)

Opuntia spp.

Parkinsonia aculeata

Poplar spp.

Prosopis spp.

Robinia pseudoacacia

(not including recognised hybrids)

Salix spp.

Schefflera actinophylla

Schefflera arboricola

Syagrus romanzoffiana

(syn. Cocos plumosa)

Tamarix aphylla

Toxicodendron succedaneum

Vachellia karroo

Vachellia nilotica

Common Name

Edible Fruit Trees such as Lemons, Orange, Plums, Peach, Nectarines, Apple, Persimmon, Quince, Avocado etc.

Cootamundra Wattle

Western Australian Golden Wattle

Tree of Heaven

Cotoneaster

Chinese Hackberry

Hackberry

Camphor Laurel

Leighton Green Cypress

Golden Cypress

Kei Apple

Cockscomb Coral Tree

Coral Tree

Rubber Trees

Honey Locust

Silky Oak

Norfolk Island Hibiscus

Large Leafed Privet

Small Leafed Privet

African Box Thorn

White Cedar

African Olive

Prickly Pear

Parkinsonia

Poplars

Mesquite

Black Locust

Willows

Umbrella Tree

Dwarf Umbrella Tree

Queen Palm / Cocos Palm

Athel Pine

Rhus Tree

Karoo Acacia

Prickly Acacia

Liverpool Development Control Plan 2008

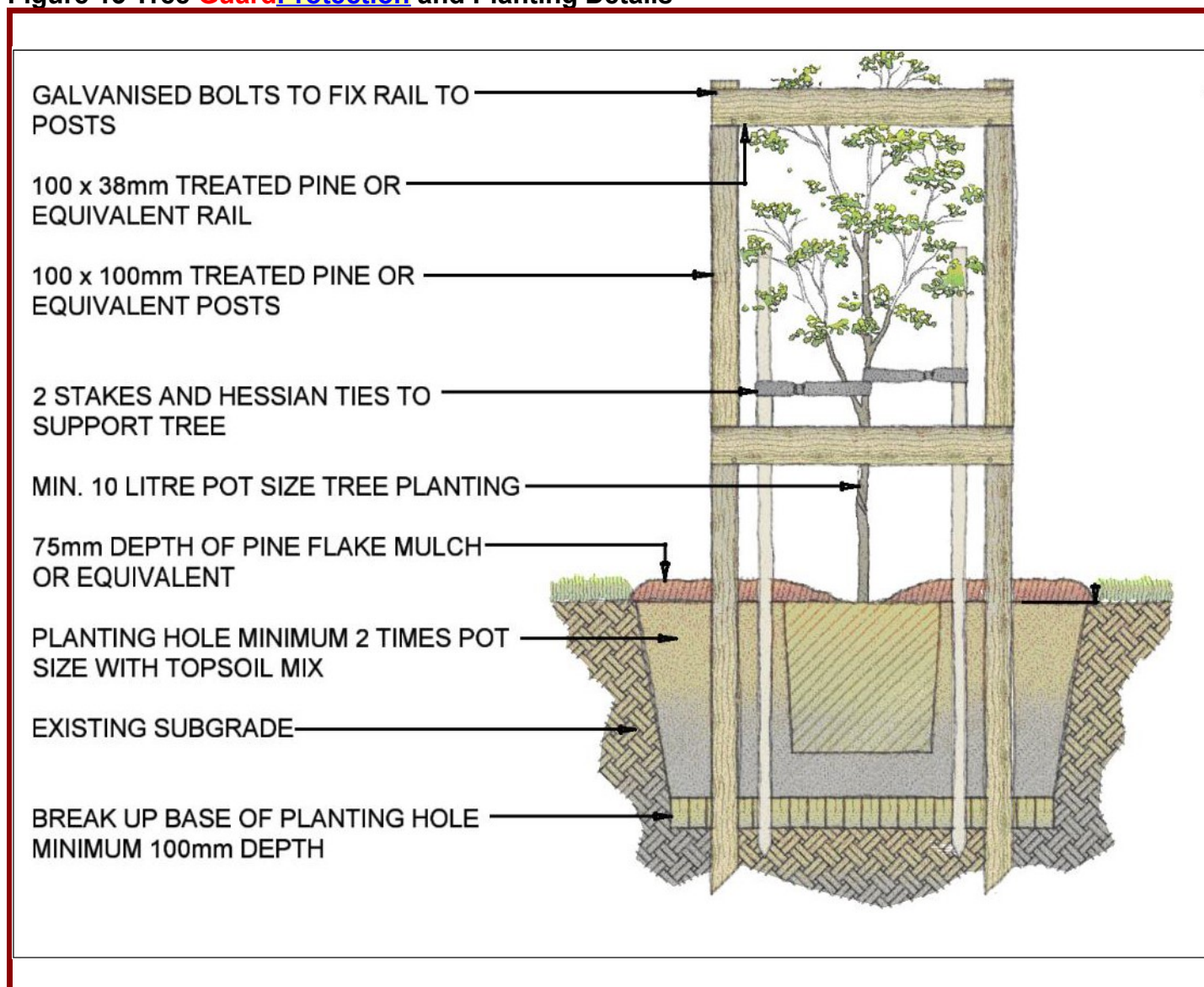
Part 2.2 Carnes Hill, Hoxton Park & Prestons Residential Release Areas

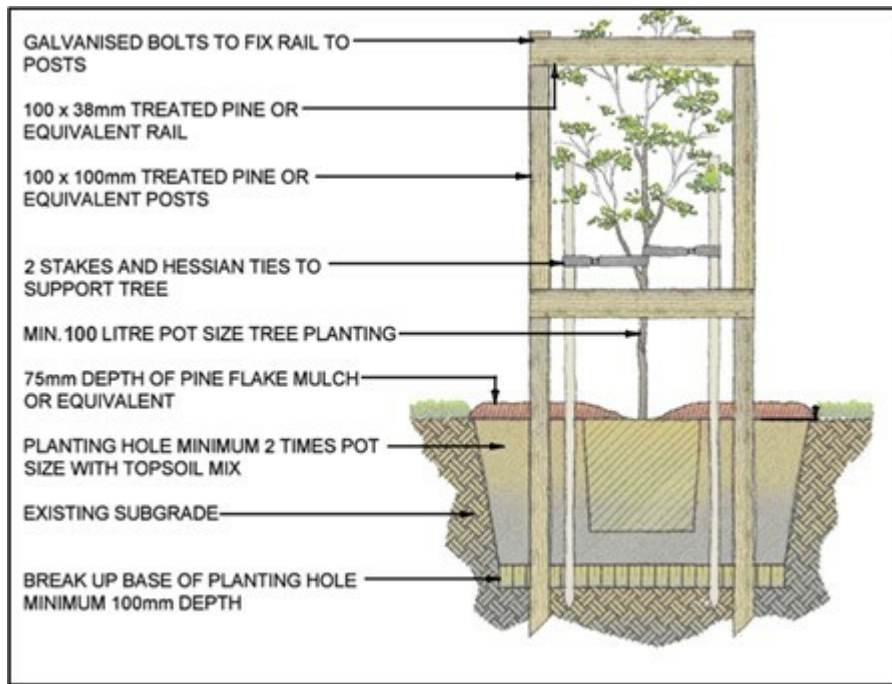
2 Controls for Public Domain

2.3 Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
2. One street tree shall be planted for each allotment created.
3. The street trees shall be planted prior to the release of the subdivision certificate.
4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street.
Refer to Figure 12 for details.

Figure 13 Tree GuardProtection and Planting Details





Liverpool Development Control Plan 2008

Part 2.2 Carnes Hill, Hoxton Park & Prestons Residential Release Areas

3 Sites

3.3 Bushland Preservation

Objectives

- a) To protect and manage natural assets in association with the development of land.
- b) To conserve the ~~natural heritage of~~ bushland in the Liverpool LGA.
- c) To maintain and improve the amenity and scenic qualities of land within the Liverpool LGA.
- d) To maintain and enhance the biodiversity and natural ecology of land within the Liverpool LGA.

Controls

1. Land shown on the map as Bushland Preservation has been identified as Endangered Ecological Communities, listed under the ~~Threatened Species~~Biodiversity Conservation Act ~~(1995)~~2016 and Biosecurity Act 2015. The land shown, as Bushland Preservation shall not be cleared or disturbed for any purpose and shall be retained as bushland.
2. Development applications for land parcels, which include land shown on the map as Bushland Preservation shall be accompanied by a Plan of Management showing how the bushland shall be properly managed to maintain the bushland once residential subdivision takes place adjoining the land. Development in the vicinity of the bushland will need to comply with "Planning for Bushfire Protection" published by the *NSW Rural Fire Service*.
3. The *Department of Environment and Climate Change* has determined that Council may assume concurrence for those developments carried out in accordance with this Development Control Plan, provided that the following conditions are met:
 - The land identified in the DCP as reserves is transferred to Council ownership and managed as community land, designated as bushland, under the *Local Government Act 1993*.
 - A management plan is prepared and implemented for the land.
4. Accordingly development, which proposes to dedicate the land shown on the map as Bushland Preservation free of charge to Council will not be required to be referred to the NSW Department of Climate Change, Energy, the Environment and ~~Climate Change~~Water under the *Threatened Species and Conservation Act (1995)*.
5. Those developments, which include the land shown as Bushland Preservation and are not in accordance with these conditions, and which will have a significant effect on threatened species or ecological communities, will require the preparation of an SIS and the concurrence of the Director-General of the NSW Department of Climate Change, Energy, the Environment and ~~Climate Change~~Water.

Liverpool Development Control Plan 2008

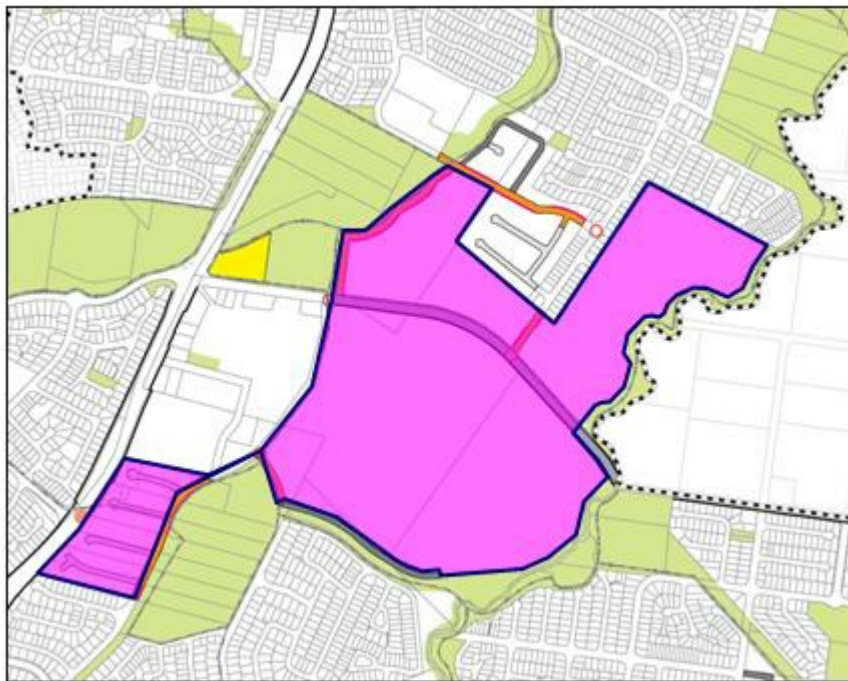
Part 2.2 Carnes Hill, Hoxton Park & Prestons Residential Release Areas

4 Controls for Residential Development for the areas as shown in Figure 14.

4.1 Land to which this Chapter applies

This chapter applies to the land as shown in Figure 14.

Figure 14 Land to which Chapter 4 applies



4.2 Site Planning

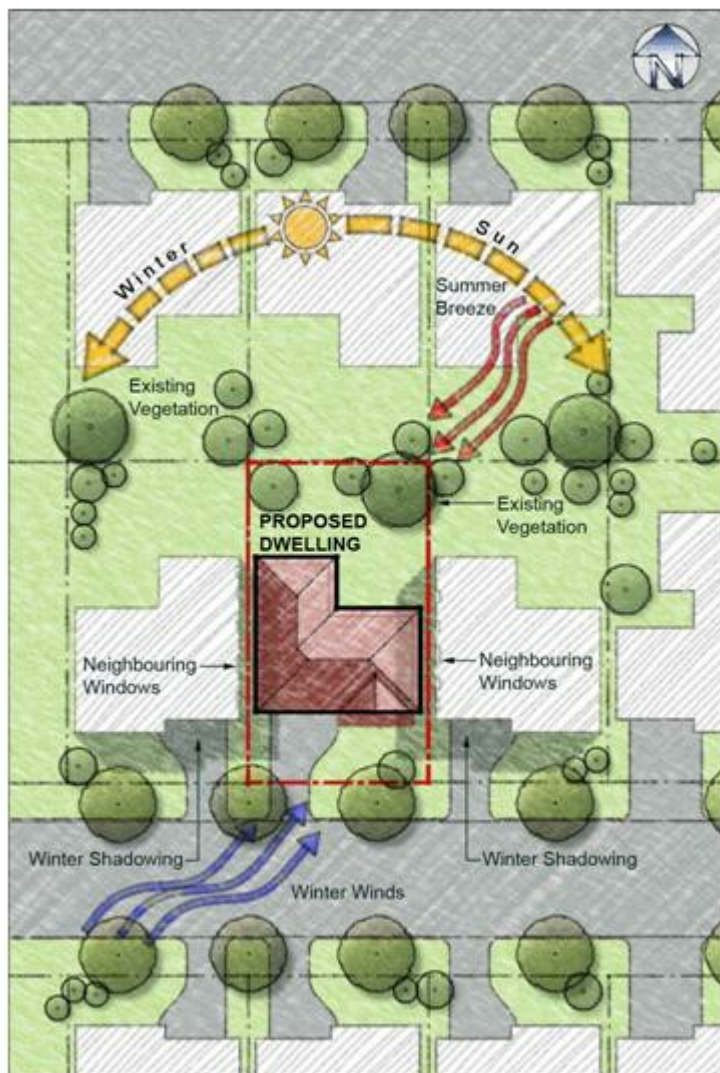
Objectives

- 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 14).
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 1.1.

Figure 15 Example of a site analysis plan



4.3 Setbacks

Objectives

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

Controls

Front and Secondary Setbacks

- Dwelling houses, semi detached dwellings, attached dwellings and Multi Dwelling Housing shall be setback in accordance with Table 1.

Table 1 Front and Secondary Setbacks

Height	Front Setback	Secondary Setback	Secondary Setback
		Lots under 450m ²	Lots 450m ² and over
Ground floor	4.5 m	2.0 m*	2.5 m
First floor	4.5 m	2.0 m*	2.5 m

* The dwelling setback may be reduced to 1m for a maximum length of 4m.

2. For dwellings fronting RE1 Public Recreation, the front setback may be reduced to 3m. A front verandah, porch or patio may be built to within 1.8m of the front boundary. The garage setback is to be maintained at a minimum of 5.5m.
3. Verandahs, balconies, eaves and other sun control devices may ~~only~~ encroach on the minimum ~~front~~ **primary** and secondary setback by up to 1m.
4. On the secondary setback encroachments must not be constructed within 1m from the property boundary.
5. The secondary setback is the longest length boundary.
6. Garages must be set back a minimum of 1m behind the main face of the dwelling. (The main face is the first wall of a habitable room)
7. Garages that address the secondary frontage must be setback 1m or 5.5m and greater. Garages are not permitted to be setback between 1 – 5.5m
8. Corner sites shall provide a frontage to both streets and should articulate their corner location with an architectural feature such as a wrap around verandah, bay window, corner entry or roof feature.

Side and Rear Setbacks

1. Buildings shall be setback from the side and rear boundaries in accordance with Table2.

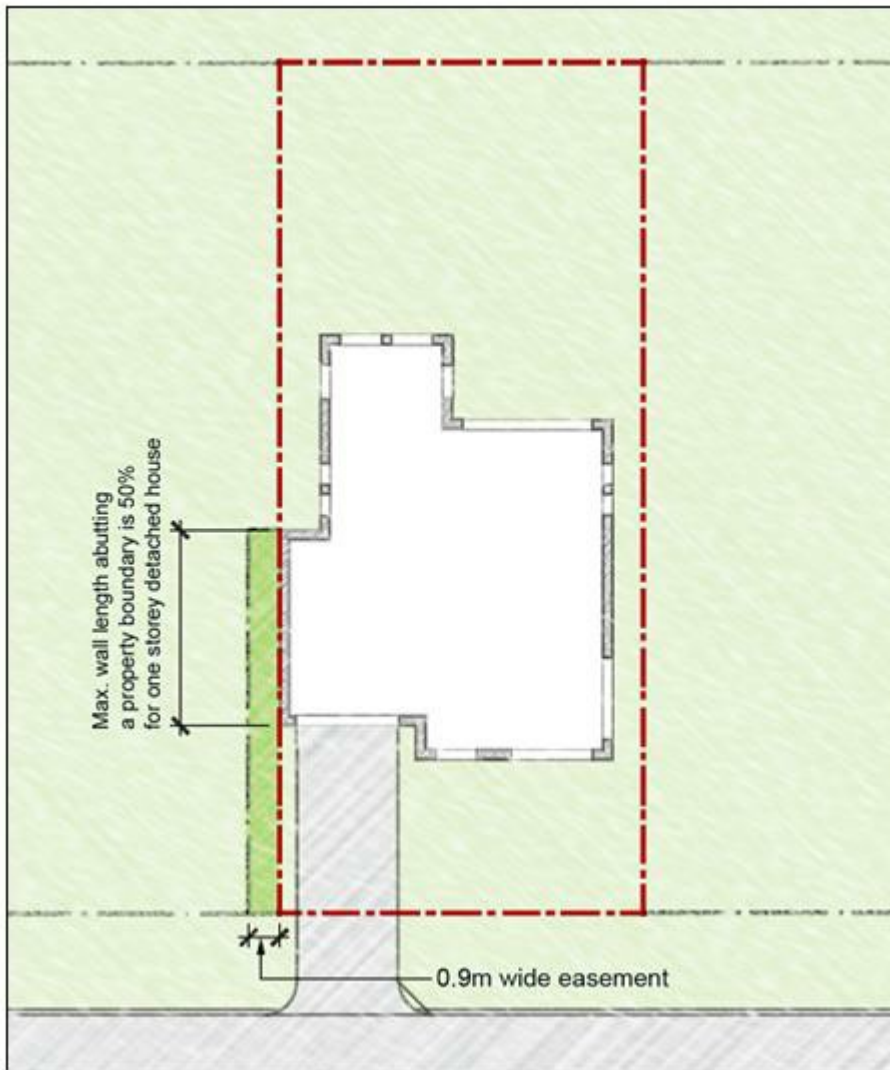
Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9 m	4.0 m
Second storey component of dwelling houses	1.2 m	7.0 m
Living room doors (including family rooms and rumpus rooms)	4.0 m	4.0 m

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.

Zero lot lines

1. Walls are generally to be 180mm clear of the side boundary to allow for gutter and eaves overhang.
2. The length of a zero lot line wall is limited to 50% of the adjacent side wall boundary.
3. No windows are permitted in a zero lot line wall.
4. A maintenance easement of at least 900mm shall be provided on the adjoining boundary. Refer to figure 15.

Figure 16 Zero Lot Lines



4.4 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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

- To provide an area to allow vegetation to mature.
- To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.
- To reduce the amount of impervious areas.
- To enhance the existing streetscape and soften the visual appearance of the dwelling.
- To maximise the amount of landscaped area within the front setback of the dwelling.
- Note: All proposed developments require a landscape plan prepared by a suitably qualified person to be submitted with the development application.

Controls

- 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.
- 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 3m shall be provided in front setback to accommodate deep rooted trees.

Private open space

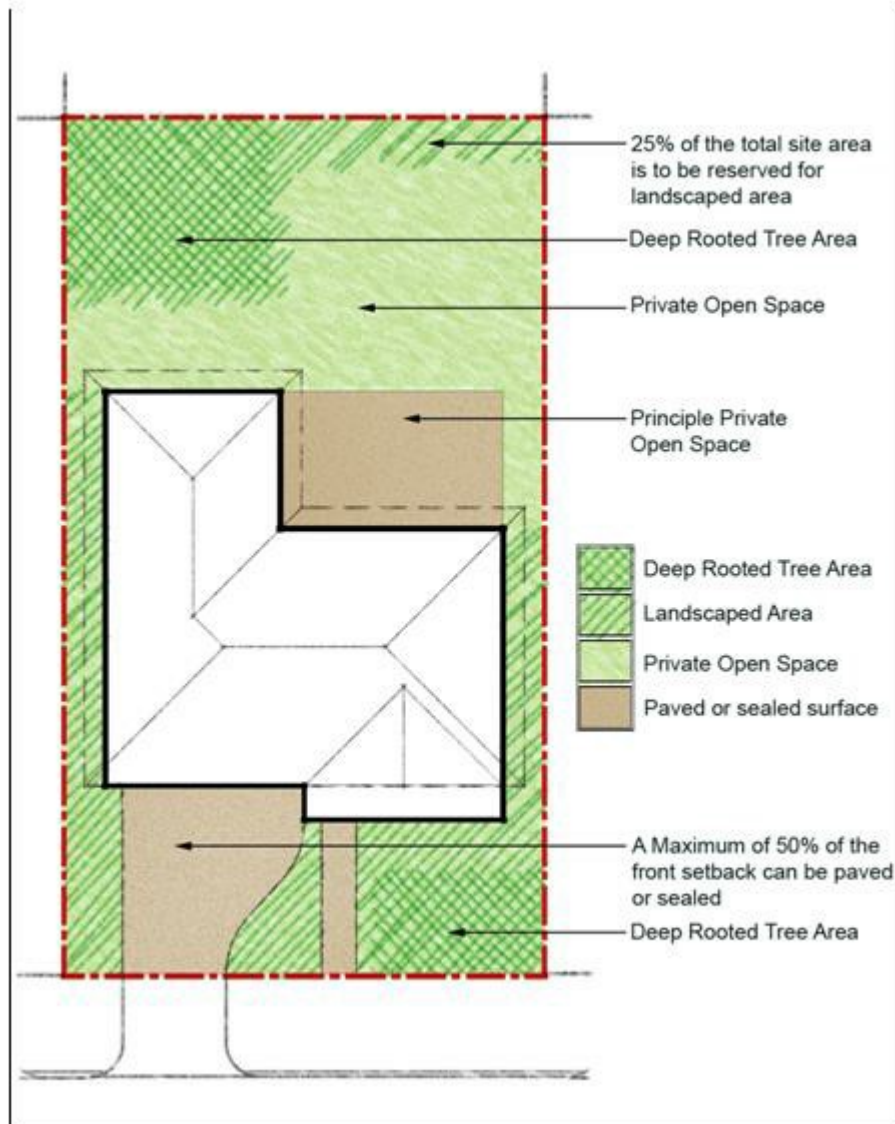
Objectives

- a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.
- 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 50sqm of Private Open Space.
2. Areas less than 2.5m in width does not qualify as Private Open Space.
3. Private Open Space areas are not permitted within the primary street setbacks.
4. 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 of 25sqm, which is directly accessible from the main living area and has a minimum dimension of 4m.
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 Private Open has a predominately northern aspect Clause 6 (above) does not apply.

Figure 17 An example of Landscaped Area and Private Open Space



4.5 Cut and Fill, Building Design, Streetscape and Layout

Cut and Fill of Land

Objectives

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

Controls

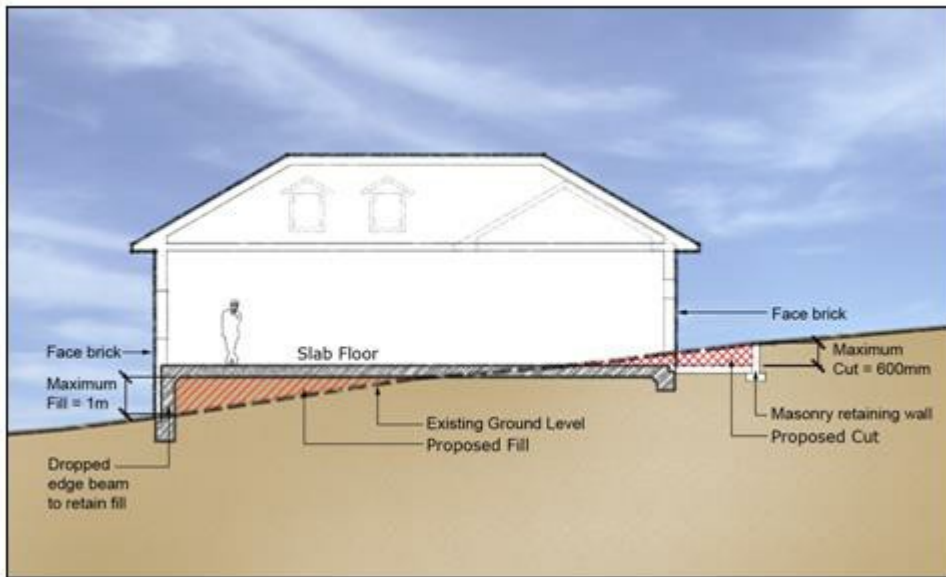
- The maximum cut on a site must not exceed 600mm.
- All retaining wall structures shall be masonry construction and designed by a suitably qualified person, or constructed as specified by the manufacturer of the product. The retaining wall shall be constructed wholly inside (within) the boundary of the site.
- 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. Refer to Figure 24.
- 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 18 Cut and Fill requirements



Building Envelopes

Background

The orientation and site cover of a building has significant implications for residential amenity. Building envelopes determine the orientation and footprint of a dwelling, as well as the total volume of the dwelling.

Objectives

- a) To facilitate the efficient use of the site area.
- b) To maximise private amenity within the building.
- c) To minimise the impacts of development on neighbouring properties in regard to views, privacy and overshadowing.
- d) To ensure that buildings are sited so as to provide for solar access and both visual and acoustic privacy.
- e) To provide an acceptable scale of development.

Controls

1. The building footprint for single detached dwellings is not to occupy more than 55% of the site and the total impervious area is not to exceed 75% of the total site area. A minimum of 25% of the site area must be pervious surfaces.
2. The building footprint for denser development (i.e. attached/zero lot housing, terrace, townhouse or villa development) is not to occupy more than 60% of the site and the total impervious area is not to exceed 75% of the total site area. A minimum of 25% of the total site area must be pervious surfaces.

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.
- 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 (See Figure 18).
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, 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.

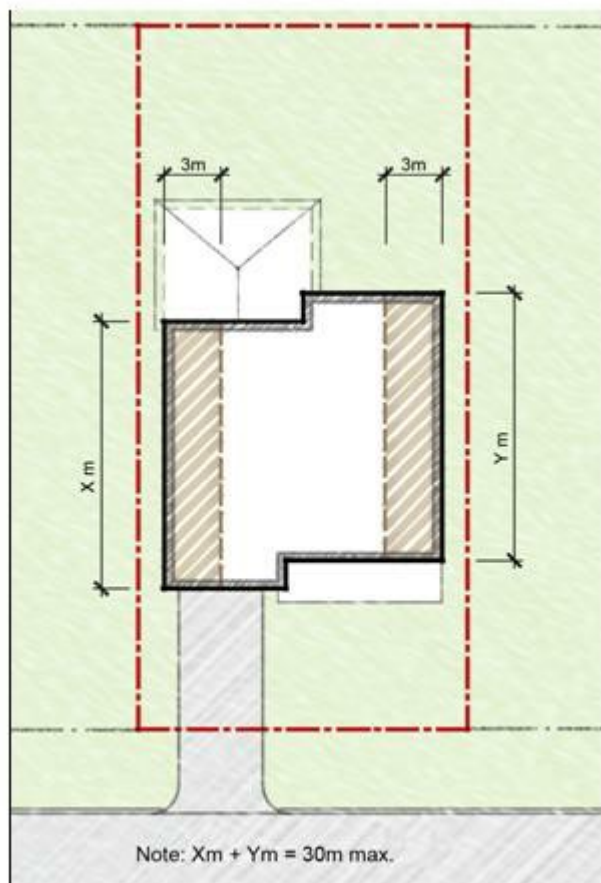
Two storey dwellings

1. To break up the bulk of two storey dwellings balconies built above garages are encouraged (See Figure 18).
2. The maximum total length of the side walls of the first floor component of a dwelling shall be a maximum of 30m as measured from any point within 3m of that side wall (for example 12m + 18m = 30m) (See Figure 19).

Figure 19 Example of Building Appearance (Indicative Only – Not to Scale)



Figure 20 Maximum total first floor wall length of a two storey dwelling



Garages and Carports

1. The maximum width of garage doors or carports must be no greater than 50% of the building frontage width.
2. Garages and carports must be designed to be the minor element of the façade
3. Garage roofs shall be incorporated into the roof design of the house. Separate roofs for garages are discouraged, unless actually separated from the dwelling.
4. Garages and carports are to be compatible with the building design in terms of height, roof form, detail, materials and colours.
5. Carports may be built in front of the garage only if the carport is:
 - No larger than 5.5 x 6m.
 - Built of a similar colour and materials of the house.
 - Setback 2m from the front property boundary.
 - Compatible with the local streetscape.
6. 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.

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).
8. Dwelling entries must be oriented to the street.

4.6 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. A minimum of one tree is to be provided within the front setback area of every residential dwelling. This may include existing trees that are to be retained within the front setback area. Newly planted trees are to have a minimum pot size of five litres.
2. Trees planted on the northern side of private open space and habitable rooms are to be deciduous.
3. Planting of vegetation at the front of higher density development must consider the need for passive surveillance. Excessively dense vegetation that creates a visual barrier must be avoided.
4. Any tree with a mature height over 8 m should be planted a minimum distance of 3 m from the building or utility services.
5. A landscape plan must be lodged with all Das, and is to provide the following details
 - The location of any existing trees on the property, specifying those to be retained and those to be removed.
 - The location of any trees on adjoining properties that is likely to be damaged as a result of excavations of other site works.
 - The position of each shrub and tree species proposed to be planted. Each plant is to be identified by a code referring to a plant schedule on the plan.

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

3. The maximum height of a front fence is 1.2m.
4. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.
5. The front fence must be 30% transparent. (See Figure 20)
6. Front fences shall be constructed in masonry, timber and/or vegetation and must be compatible with the proposed design of the dwelling.

Secondary Frontage

7. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped (see Figure 20).
8. 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 20). The secondary setback is the longest length boundary.
9. Side fencing facing a public street or open space must not be constructed of sheet metal.

Boundary Fences

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

Figure 21 Fence treatments on secondary frontage



4.7 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 3m wide internally and unobstructed.
5. All parking spaces for adaptable housing units shall comply with AS 2890:1 for disabled car parking.

4.8 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

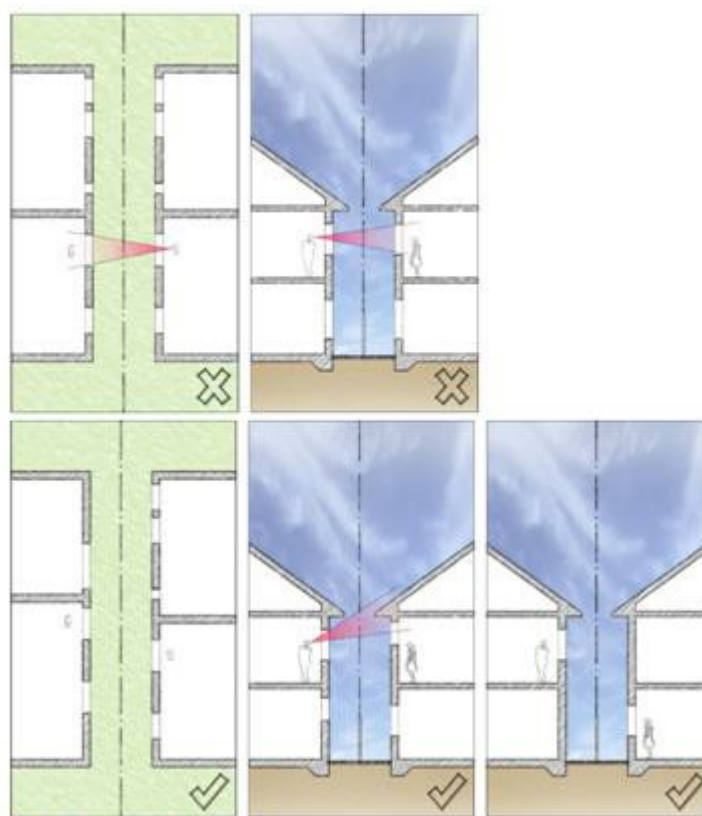
Objective

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 21).
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 1.5 m, except where they face a street or public open space (See Figure 21).
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 22 Privacy and Amenity



Acoustic Privacy

Objective

To ensure appropriate noise and vibration attenuation 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 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 covering and be constructed in accordance with Part F5 of the Building Code of Australia.
4. The proposed buildings must comply with the Department of Environment and Climate Change criteria and the current relevant Australian Standards for noise and vibration and quality assurance.

4.9 Site Services

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

Letterboxes

1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75 mm in height, reflective and in contrast to the backing material.

Frontage works and damage to Council infrastructure

4. 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.
5. Council must be notified of any works that may threaten Council assets. Council will assess any applications for works involving Council infrastructure.
6. Where there are no existing street trees in front of the site it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.

~~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.~~

4.10 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.

Liverpool Development Control Plan 2008

Part 2.3 Subdivision of land and Residential development in Georges Fair Moorebank

2 Controls for Public Domain

2.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity, create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

- a) To create a sense of identity for the area.
- b) To enhance public spaces so that they are vibrant, safe and welcoming.
- c) To facilitate cultural identity through art and design in public places.
- d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

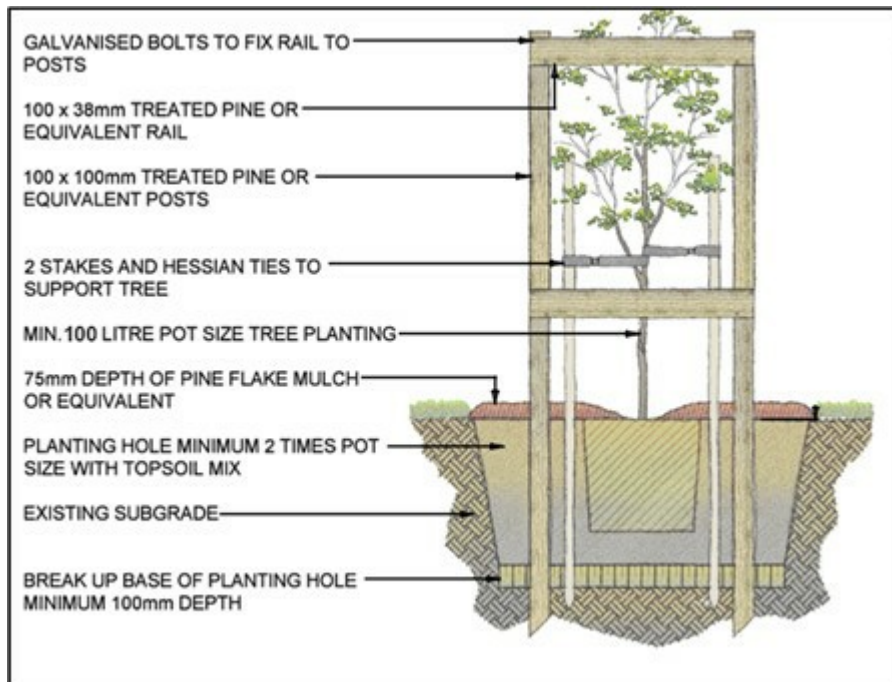
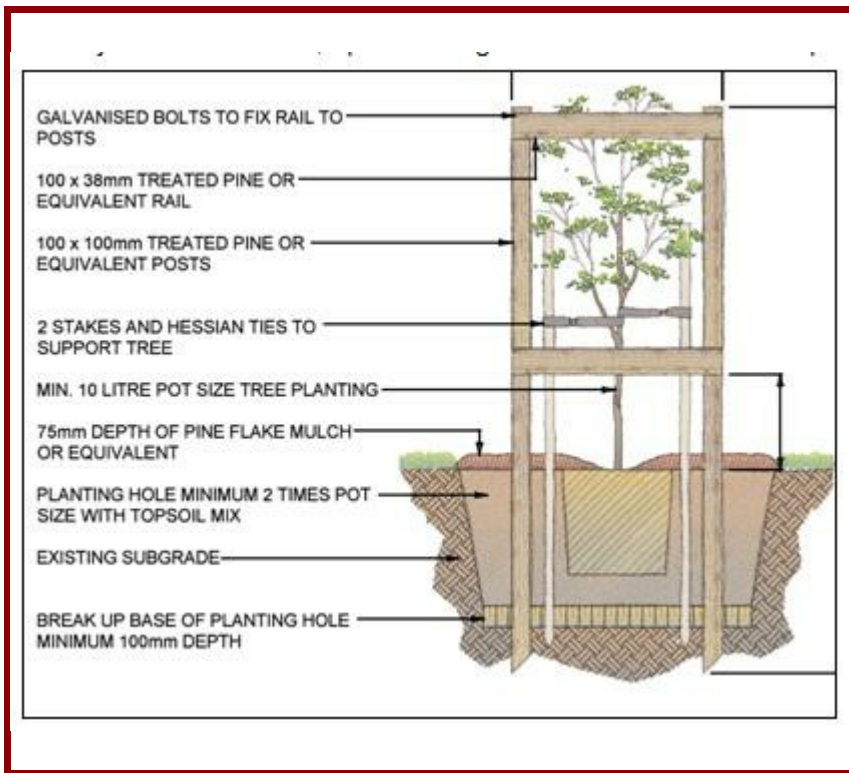
Controls

1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility, generally in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the DA.

Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
2. One tree is to be provided for every dwelling facade. These are to reach at least 4 m at mature height.
3. The street trees shall be planted prior to the release of the subdivision certificate.
4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 6 for details.
5. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.

Figure 6 Tree ~~Guard~~Protection and Planting Details



Liverpool Development Control Plan 2008

Part 2.8 Land Subdivision and Development North of the Railway Line at Voyage Point

2 Controls for Public Domain

This section provides controls and objectives relating to development in the public domain. It covers:

- Access.
- Community context.
- Streetscape.
- Soil management and contamination.
- Water cycle, flood risk and vegetation management.

These controls apply to development in areas that are accessible to, and will be used by, the wider community.

2.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity, create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

- a) To create a sense of identity for the area.
- b) To enhance public spaces so that they are vibrant, safe and welcoming.
- c) To facilitate cultural identity through art and design in public places.
- d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

Controls

1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility, generally in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the DA.

Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
2. One street tree shall be planted for each allotment created.
3. The street trees shall be planted prior to the release of the subdivision certificate.
4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 8 for details.
5. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.

Figure 8 Tree Protection and Planting Details

GALVANISED BOLTS TO FIX RAIL TO POSTS

100 x 38mm TREATED PINE OR EQUIVALENT RAIL

100 x 100mm TREATED PINE OR EQUIVALENT POSTS

2 STAKES AND HESSIAN TIES TO SUPPORT TREE

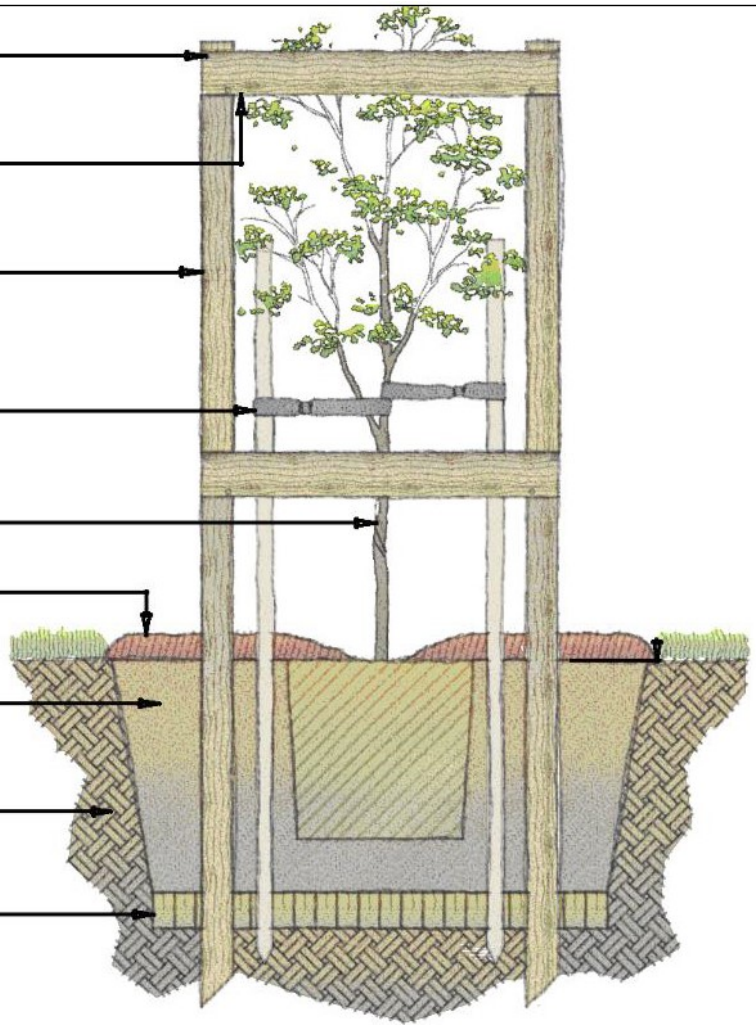
MIN. 10 LITRE POT SIZE TREE PLANTING

75mm DEPTH OF PINE FLAKE MULCH OR EQUIVALENT

PLANTING HOLE MINIMUM 2 TIMES POT SIZE WITH TOPSOIL MIX

EXISTING SUBGRADE

BREAK UP BASE OF PLANTING HOLE MINIMUM 100mm DEPTH



GALVANISED BOLTS TO FIX RAIL TO POSTS

100 x 38mm TREATED PINE OR EQUIVALENT RAIL

100 x 100mm TREATED PINE OR EQUIVALENT POSTS

2 STAKES AND HESSIAN TIES TO SUPPORT TREE

MIN. 100 LITRE POT SIZE TREE PLANTING

75mm DEPTH OF PINE FLAKE MULCH OR EQUIVALENT

PLANTING HOLE MINIMUM 2 TIMES POT SIZE WITH TOPSOIL MIX

EXISTING SUBGRADE

BREAK UP BASE OF PLANTING HOLE MINIMUM 100mm DEPTH

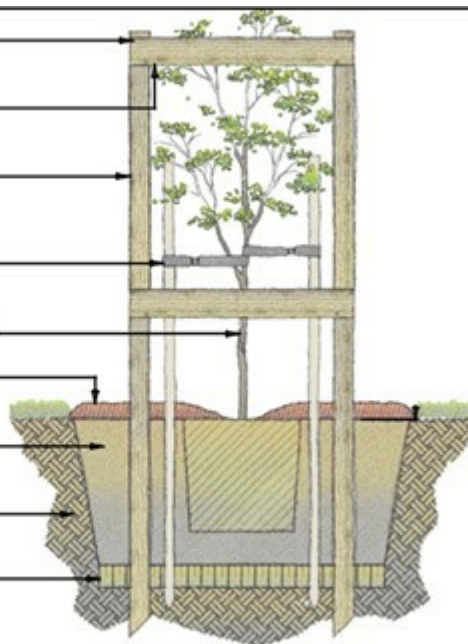
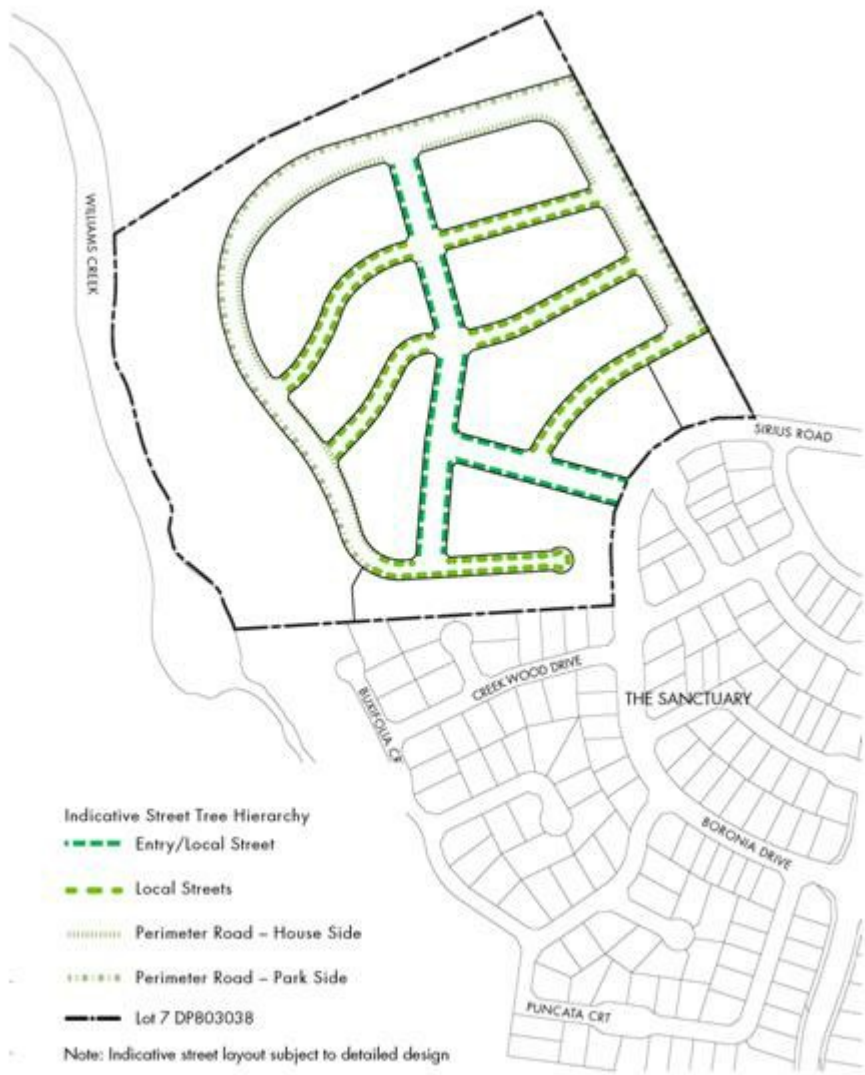


Figure 9 Indicative street tree network



Liverpool Development Control Plan 2008

Part 2.10 Development in Moorebank East Precinct

3. Controls for Public Domain

Applies to

The following objectives and development controls apply to all sites within the Moorebank East Precinct.

3.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity. Further street furniture should create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

- a) To create a sense of identity for the area.
- b) To enhance public spaces so that they are vibrant, safe and welcoming.
- c) To facilitate cultural identity through art and design in public places.
- d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

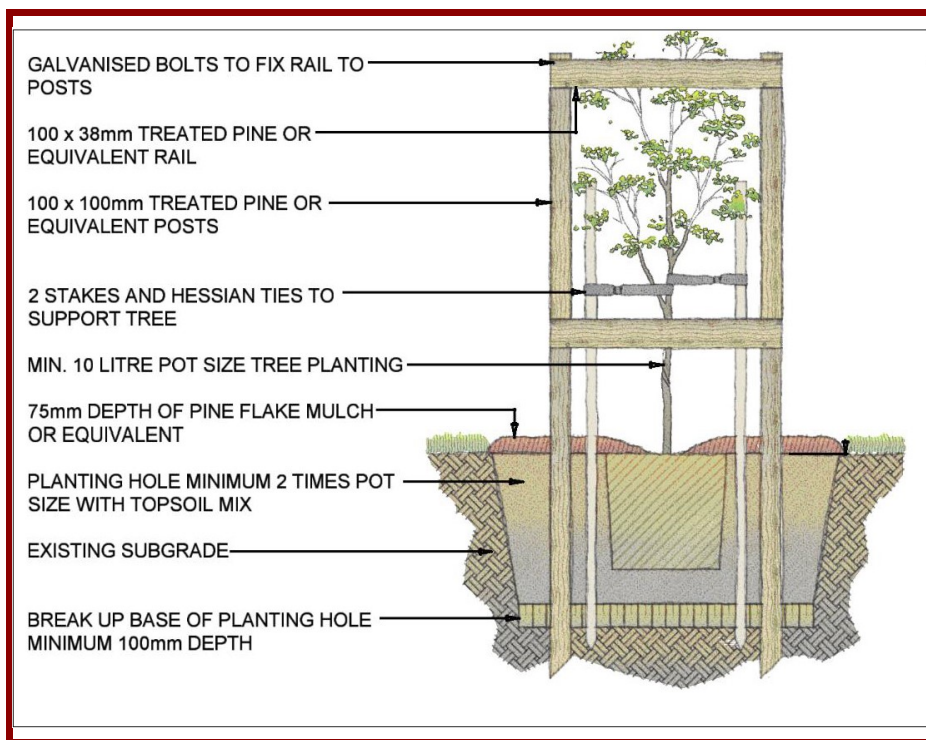
Controls

Street Furniture

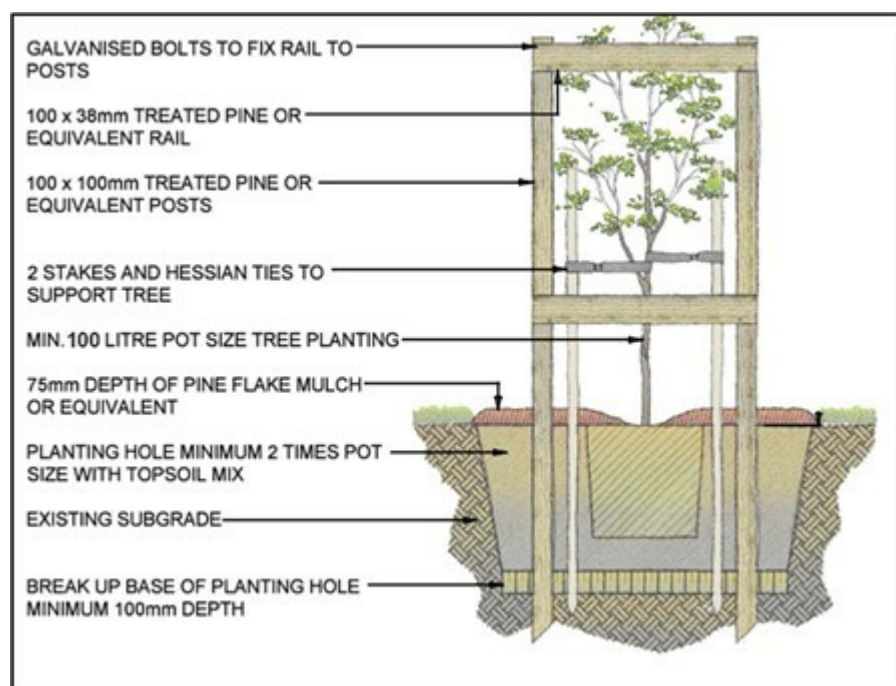
1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the development application.

Street Tree Planting

4. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
5. One street tree shall be planted for each residential dwelling created.
6. Street trees shall be planted along the street frontage for any non-residential development.
7. Street trees shall be planted prior to the release of a subdivision certificate.
8. Trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 5 for details.
9. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.
10. Intensive planting shall be provided along the Collector Street (Spinnaker Drive) between Lot 1 and Lot 2 of 146 Newbridge Road Moorebank.



**Figure 5 Tree Protection
and Planting Details**



Liverpool Development Control Plan 2008

Part 2.11 Land Subdivision and Development in Edmondson Park

2 Controls for Public Domain

The controls in this part relate to the subdivision of land. Controls on land within allotments created in this locality are located in Section 3 and 4 of this chapter.

The public domain is the part of the release area which is not privately owned and which is accessible to the public.

The design, management and safety of elements within the public domain such as public streets, parks and spaces, paving, street furniture, street trees, and gardens should be coordinated so that the character and image of the location is enhanced.

2.3 Streetscape and Street Trees

Background

Street furniture should maximise pedestrian comfort, convenience and amenity, create visual harmony and be used to define spaces, streets, paths and gateways. Opportunities for public art in significant public domain locations should be explored as part of the development process.

Objectives

- a) To create a sense of identity for the area.
- b) To enhance public spaces so that they are vibrant, safe and welcoming.
- c) To facilitate cultural identity through art and design in public places.
- d) To create quality streetscapes that is visually attractive and integrates with surrounding street layout.

Controls

Street Furniture

1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style.
2. Street furniture is to be located so as not to impede mobility, generally in accordance with AS 1428:1 - 4.
3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the DA.

Street Tree Planting

1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.
2. A minimum of two trees is to be provided for every 6m of street frontage. These are to reach at least 4m at mature height.
3. The street trees shall be planted prior to the release of the subdivision certificate.
4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 23 for details.
5. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.

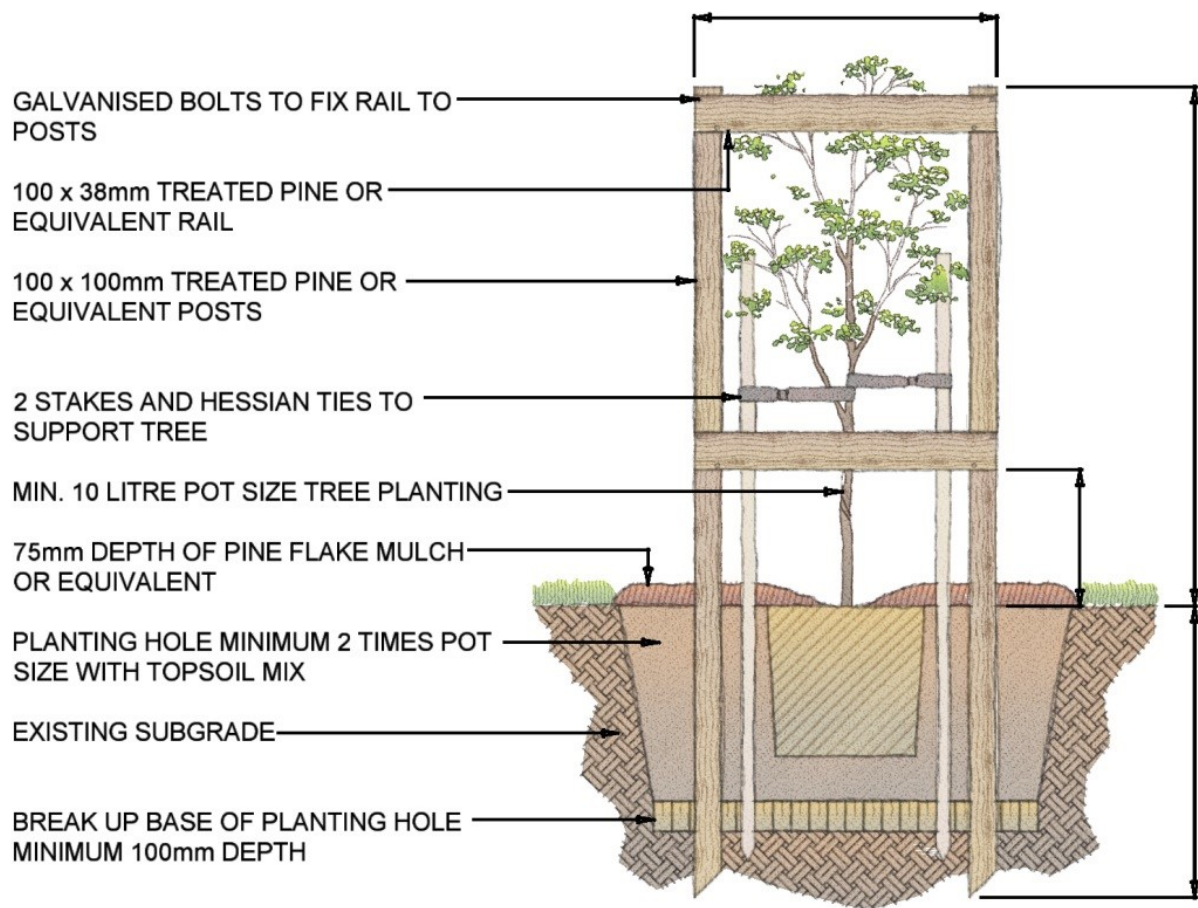
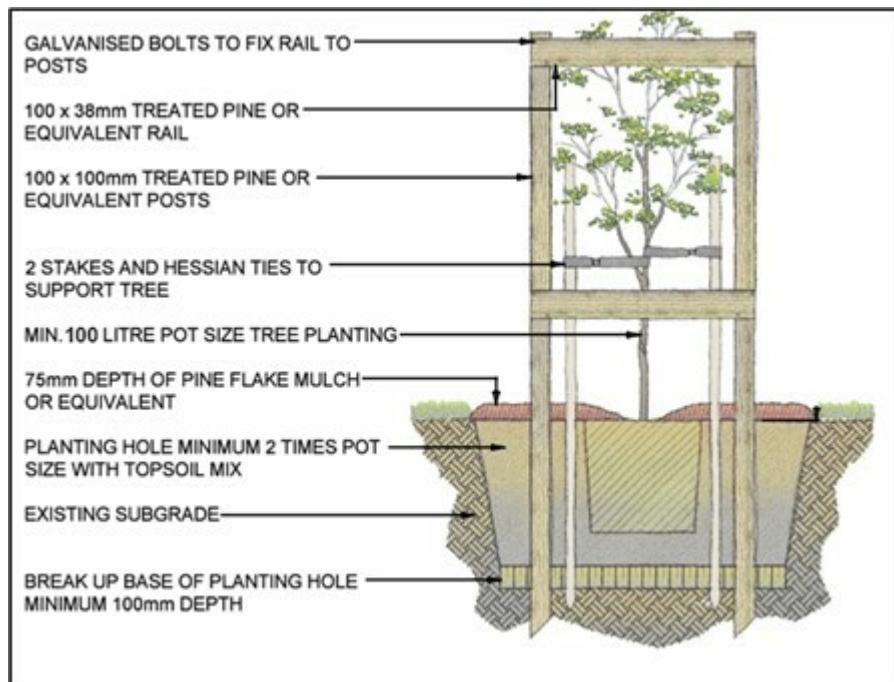


Figure 23 Tree **Guard**Protection and Planting Details



Liverpool Development Control Plan 2008

Part 2.13 Land Subdivision in Pleasure Point

2 Controls for Public Domain

2.4 Open Space

Background

Pleasure Point has remnants of extensive woodland that has unfortunately been degraded over time. It is intended to preserve the remaining remnant woodland portions. Given the high ecological and amenity value of these remnant portions of canopy trees should be retained. It is also intended to build public spaces that provide for vibrant social interaction and civic pride within the locality.

Objectives

- a) To provide for a high quality environment.
- b) To provide for a high amenity subdivision by retaining as many mature trees as is possible.
- c) To create a series of linked public spaces which are attractive and memorable.
- d) To preserve mature trees, saplings and natural bushland.
- e) To provide public access to the Georges River Foreshore for residents.
- f) To enhance the provision of open space and conserve biodiversity.

Controls

1. Land identified for open space under Liverpool LEP 2008 shall be dedicated to Council in conjunction with the subdivision of adjoining residential land.
2. Direct vehicle and pedestrian connection shall be provided between the land identified as RE1 along the Foreshore and with future residential subdivision of the adjoining land via a public road.
3. The street open space network should be designed to ~~avoid removal of large~~ retain stands of existing trees.
4. The street network should be designed to preserve mature trees within the verge of the road reservation.
5. Public roads should be located between private allotments and open space areas.
6. Measures for bushfire protection should not rely upon the management of the Open Space ~~is~~ network. All bushfire mitigation measures should be encompassed within the land to be ~~designed in accordance with Planning for Bushfire Protection 2006 to minimise potential impacts of bushfire on life and property~~ developed.
7. To create visually interesting streetscapes through the use of native plantings and street plantings.

Liverpool Development Control Plan 2008

Part 2.14 Land Subdivision and Development in Elizabeth Hills (South Cecil Hills)

3 Controls for Private Domain

3.5 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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.
2. A minimum unincumbered area of 4m x 6m shall be provided 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 3m x 3m shall be provided in front setback to accommodate deep rooted trees.

Private Open Space

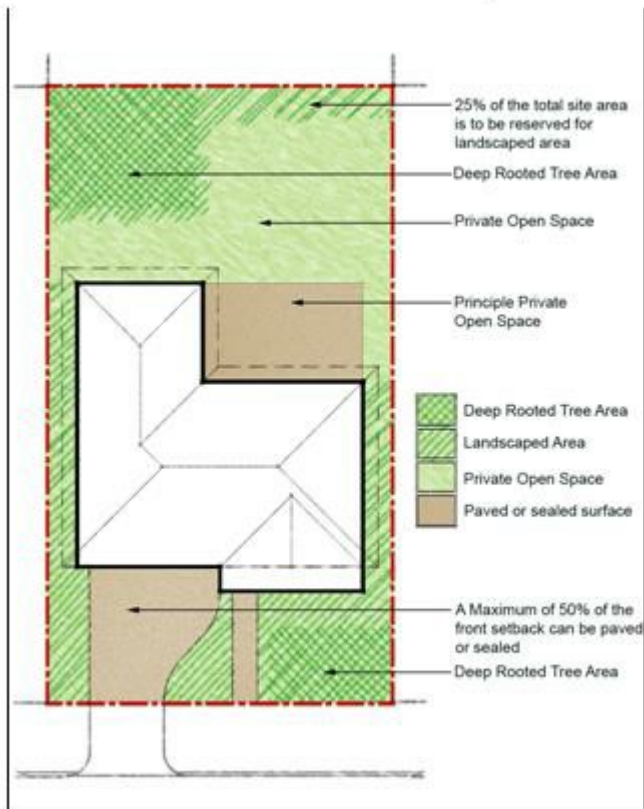
Objectives

- a) To ensure that a minimum amount of Private Open Space is provided for outdoor activities.
- 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 50sqm of Private Open Space.
2. Areas less than 2.5m in width do not qualify as Private Open Space.
3. Private Open Space areas are not permitted within the primary street setbacks.
4. 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 of 25sqm, which is directly accessible from the main living area and has a minimum dimension of 4m.
6. The Principal Private Open Space must receive 2 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.

Figure 16: An Example of Landscaped Area & Private Open Space



Liverpool Development Control Plan 2008

Part 2.15 Land Subdivision and Development in New Brighton Golf Course Release Area (Moorebank)

3 Controls for Private Domain

3.5 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and private Open Space are defined in *Liverpool LEP 2008*.

~~Private open space is an area within the site that is set aside for outdoor activities. Clotheslines, BBQ areas, pergolas (unroofed structure), patios, 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 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 15).
2. A minimum unincumbered area of 4m x 6m shall be provided 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 3m x 3m shall be provided in front setback to accommodate deep rooted trees. Where the proposal is to incorporate the private open space to the front of the dwelling, this area may be included in this space.
5. Landscaping within the front setback it to include atleast one substantial tree.

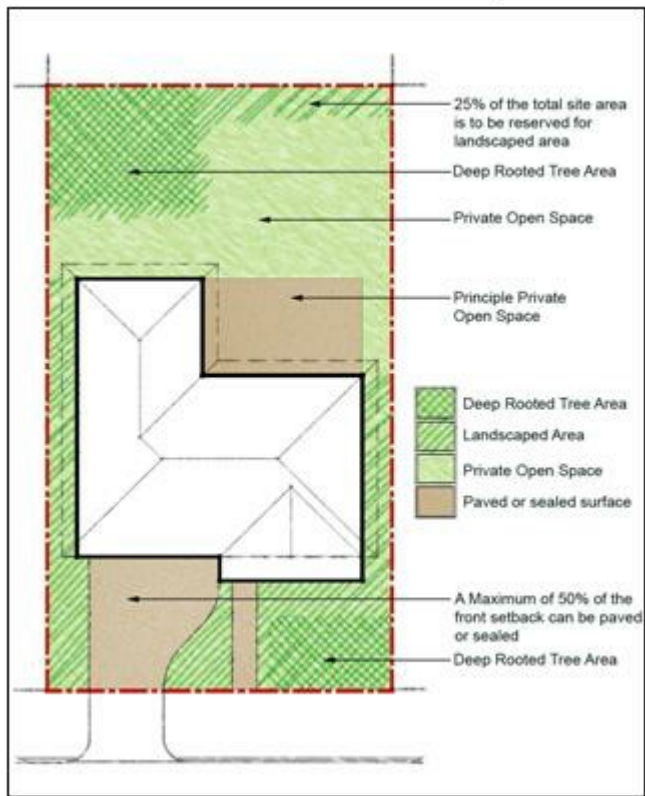
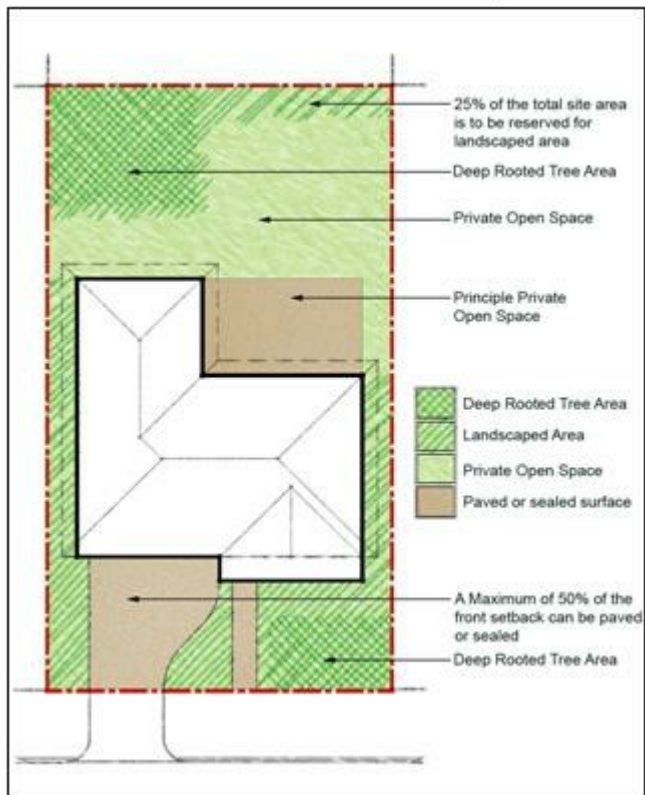
Private Open Space

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 be provided a minimum of 50sqm of Private Open Space. Refer
2. Areas less than 2.5m in width do not qualify as Private Open Space (see Figure 15).
3. Other than lots located adjacent to the M5, Private Open Space areas are not permitted within the primary street setbacks.
4. 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 of 25sqm, which is directly accessible from the main living area and has a minimum dimension of 4m.
6. The Principal Private Open Space must receive 2 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.

Figure 15: An example of Landscaped Area & Private Open Space**Figure 15: An example of Landscaped Area & Private Open Space**

Liverpool Development Control Plan 2008

Part 3.1 Dwelling Houses in the R5 zone

4 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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.

Liverpool Development Control Plan 2008

Part 3.2 Dwelling Houses on Lots greater than 400sqm in the R2, R3 and R4 zon

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 1.1 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 larger 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

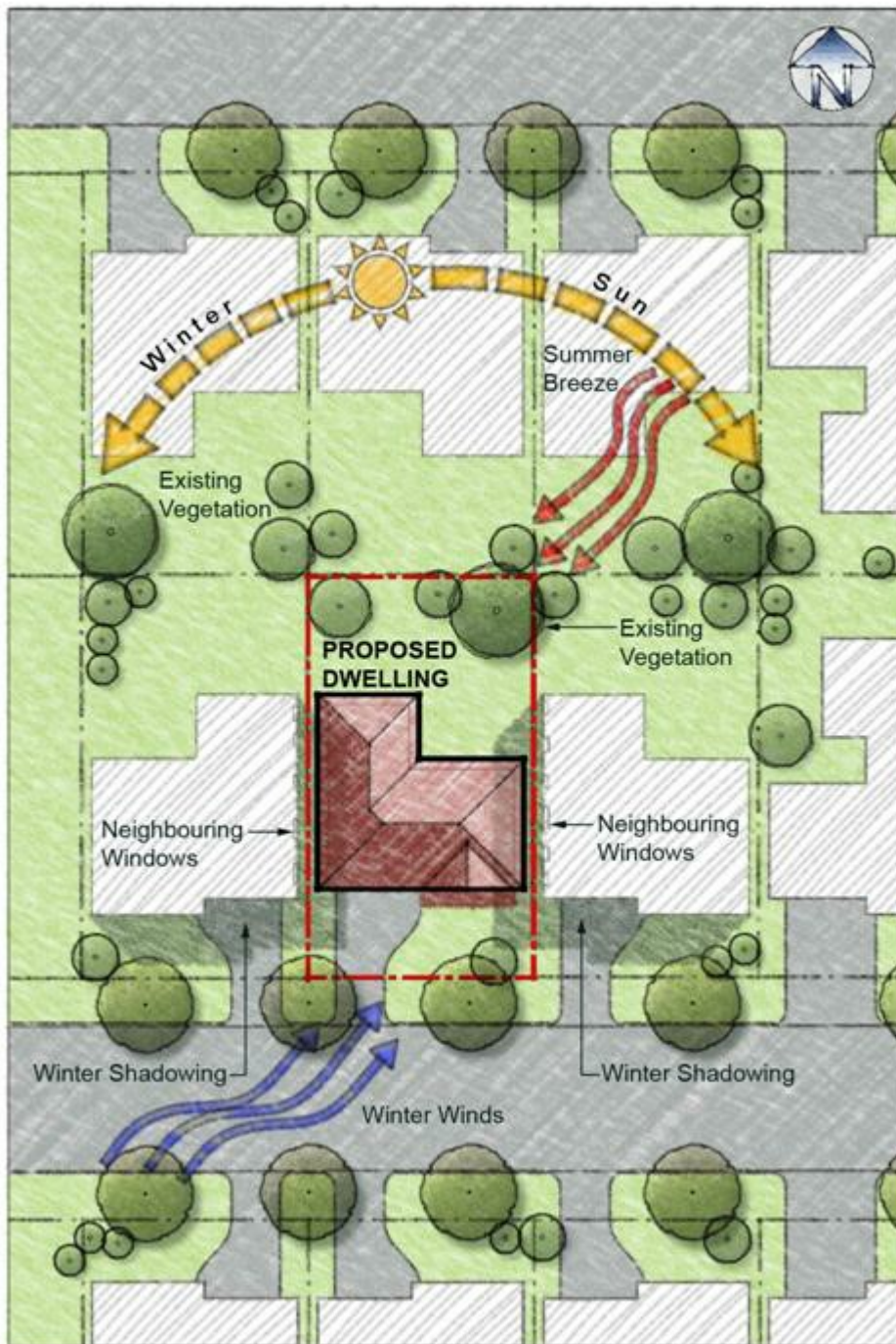
Objectives

- 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 1.1.

Figure 1 Example of a site analysis plan



3 Setbacks

Objectives

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

Controls

Front and Secondary Setbacks

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

Table 1

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

- 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)
- Verandahs, balconies, eaves and other sun control devices may only encroach on the minimum [primary and secondary setbacks](#) by up to 1m.
- The secondary setback is the longest length boundary (See Figure 2).
- Garages that address the secondary frontage must have a minimum setback of 5.5m.

Side and Rear Setbacks

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

Table 2

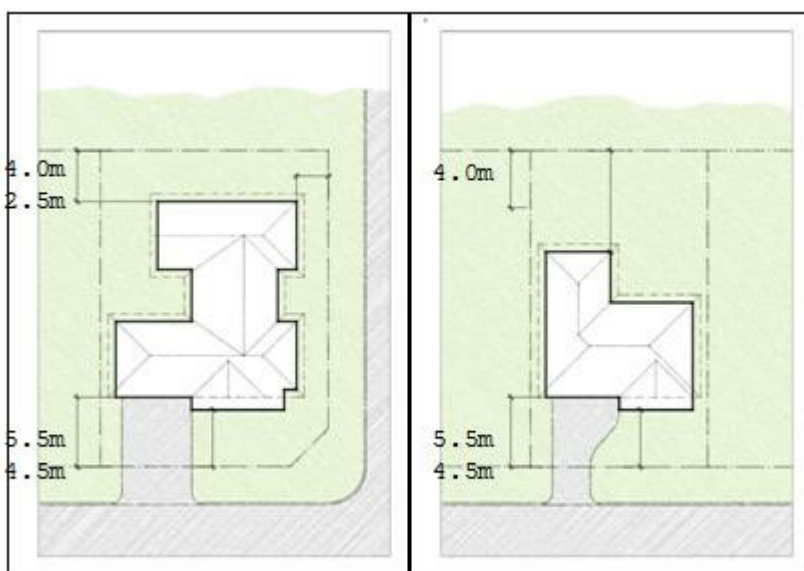
Item	Side Setback	Rear Setback
Single storey dwelling houses	0.9 m	4.0 m
Second storey component of dwelling houses	1.2 m	7.0 m
Living room doors (such as family, dining or rumpus rooms)	4.0 m	4.0 m

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



Front Setback

For inclusion in summary table on results page ONLY

400 metres

Minimum Side Setback

1.5km

4 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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

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

Controls

- 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).
- A minimum unincumbered area of 4 x 6m shall be provided in rear setback to accommodate deep rooted trees.
- A minimum of 50% of the front setback area shall be Landscaped Area.
- A minimum unincumbered area of 3 x 5m shall be provided in front setback to accommodate deep rooted trees.

Private Open Space

Objectives

- 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.
- To ensure that Private Open Space is clearly defined for private use.
- To ensure that Private Open Space is private, landscaped, screened from overlooking and receives an adequate amount of solar access.

Controls

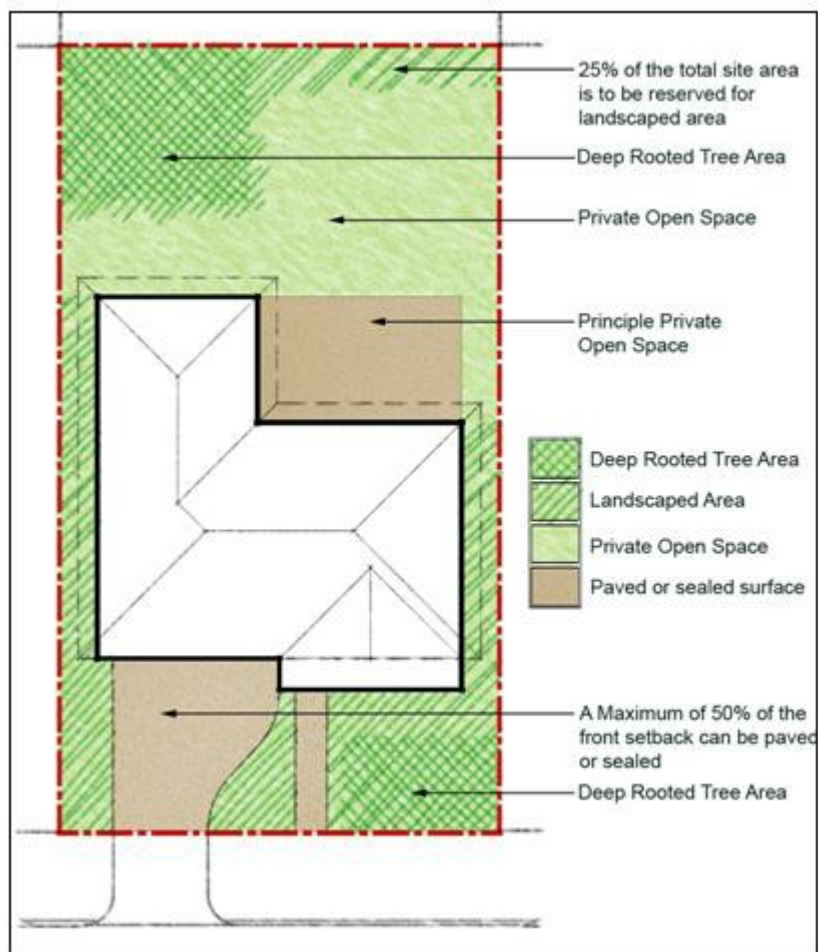
- Each dwelling must provide a minimum amount of Private Open Space in accordance with Table 3.

Table 3

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

- Areas less than 2.5 m in width does not qualify as Private Open Space.
- Private Open Space areas are not permitted within the primary street setbacks.
- 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.
- 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
- 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.
- 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

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

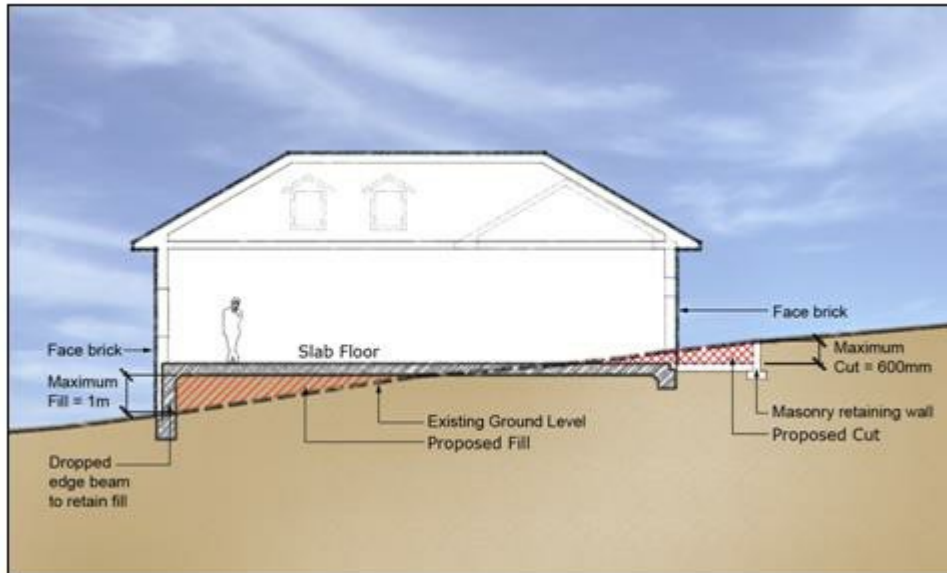
Controls

- The maximum cut on a site must not exceed 600mm.
- 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.
- 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.
- 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.
- 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

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

Controls

- All dwelling houses are to be orientated to the street.
- The front pedestrian entrance must be visible from the street.
- The front building facades shall be articulated, this articulation may include front porches, entries, wall indents, windows, changes in finishes, balconies and/or verandahs.
- 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.
- 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.
- The side walls shall be articulated if the wall has a continuous length of over 14m.

Two storey dwellings

- To break up the bulk of two storey dwellings balconies built above garages are encouraged (See Figure 5).
- 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.

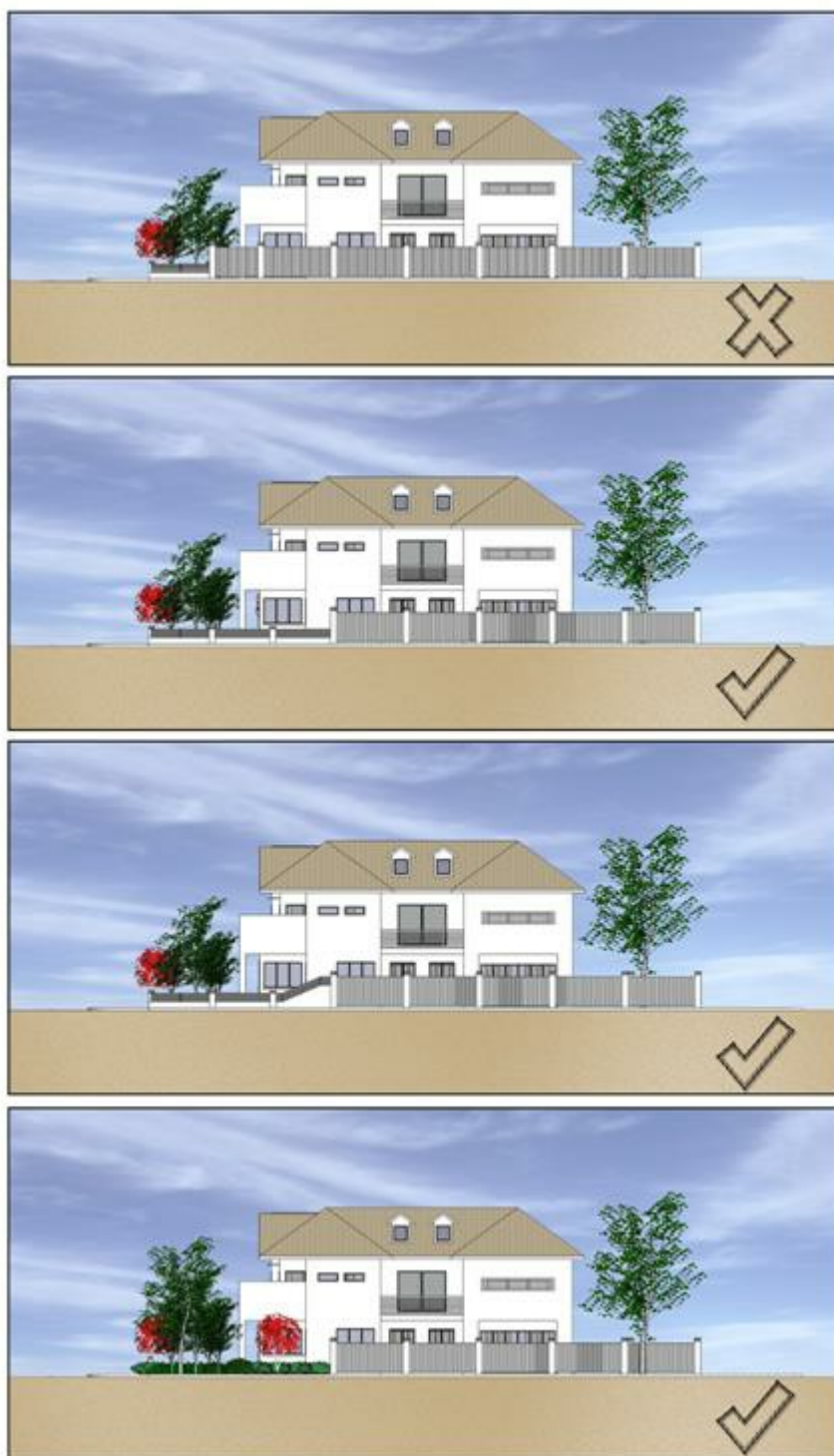
Secondary Frontage

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

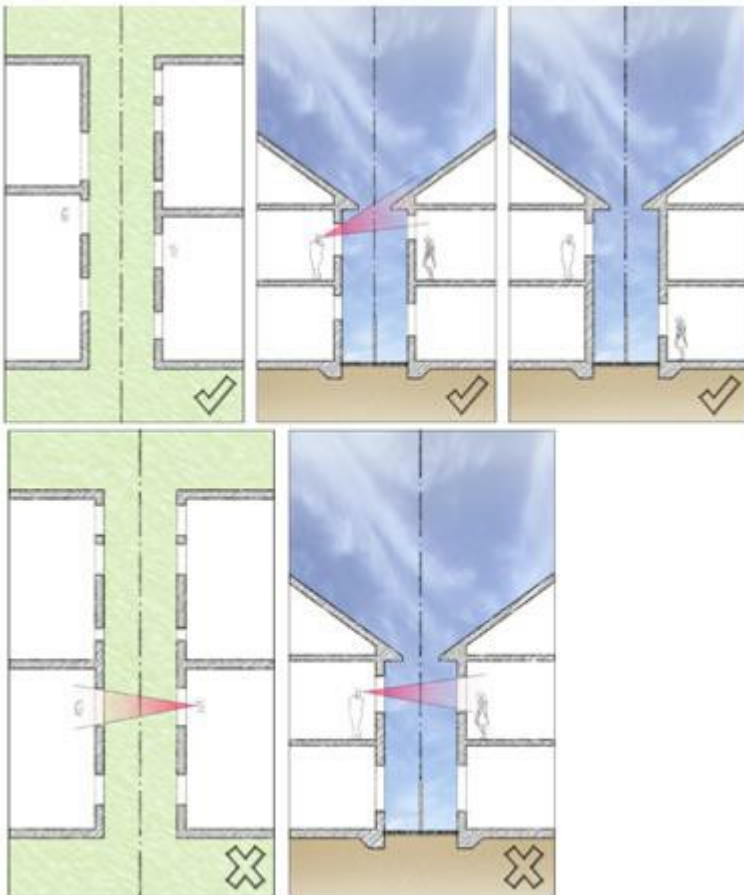
Objective

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 1.1 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 Part1.1.
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.

Liverpool Development Control Plan 2008

Part 3.4 Semi-Detached and Attached Dwellings (Duplexes and Terraces) in the R3 and R4* zones

4 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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 dwellings.
- e) To maximise the amount of landscaped area within the front setback of the dwellings.

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

Controls

1. A minimum of 20% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
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.
- d) To ensure that existing or proposed buildings do not overshadow Private Open Space.

Controls

1. The Private Open Space for each dwelling must have a minimum area of 60m².
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. 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 a Principal Private Open Space area, which is directly accessible from the main living area of a dwelling with a minimum dimension of 4 x 6m.
6. The principal private open space must receive 3 hours of sunlight to at least 50% of the area between 9:00am and 5:00pm on 21 June.
7. Where the Principal Private Open has a predominately northern aspect Clause 6 (above) does not apply.

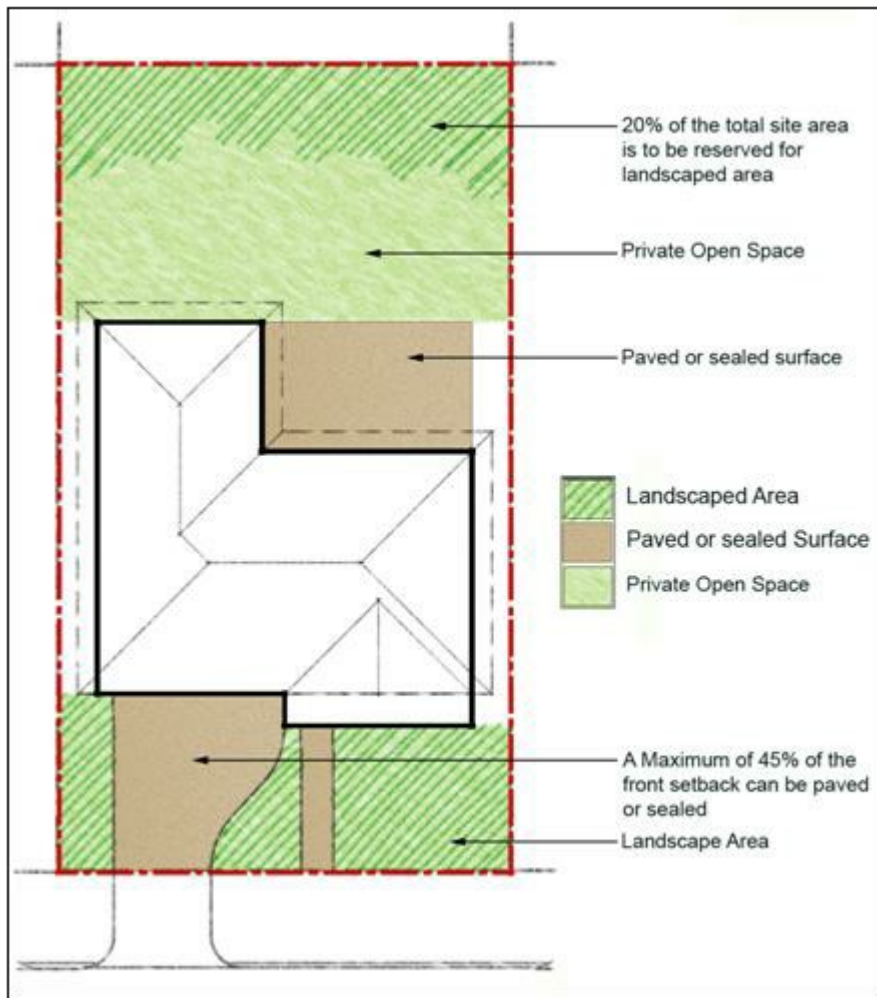


Figure 3 An example of Landscaped Area and Private Open Space.

Liverpool Development Control Plan 2008

Part 3.6 Multi Dwelling Housing (Villas and Townhouses) In the R3 and R4 zones

1 Preliminary

Applies to

1. Part 3.6 applies to multi dwelling residential development on all land in the R3 - Medium Density Residential and R4 – High Density Residential except as provided below.
2. Parts 1.1 and 1.2 of the DCP also apply to the land.
3. Part 3.6 does not apply to residential development on land in the following locations. All controls in relation to the Private and Public Domain are covered by the respective parts.
 - Georges Fair Moorebank. (Refer to Part 2.3 for all controls on residential development).
 - Middleton Grange. (Refer to Part 2.5 for all controls on residential development).
 - Greenway Views. (Refer to Part 2.7 for all controls on residential development).
 - Liverpool City Centre (Refer to Part 4 or all controls on residential development).
 - Edmondson Park (Refer to Part 2.11 for all controls on residential development).

Background

Multi dwelling Housing (townhouses and villas) are permitted in the R3 zone. As such they will be located in areas that are largely characterised by single dwelling houses along with dual occupancy housing and integrated housing. Accordingly it is reasonable that multiple dwellings (townhouses and villas) should be compatible with the predominant residential development in the zone

Link to Liverpool LEP 2008

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

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

Objectives

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

2 Subdivision, Frontage and Lot Size

Lot Size and Width

The minimum lot size for multi dwelling housing is 1,000m². Where development pursuant to section 4 is proposed, the minimum lot size shall be 650m².

The minimum lot width for multi dwelling housing is 22m. Where development pursuant to section 4 is proposed, the minimum lot width shall be 18m.

Note: The amalgamation of land parcels into larger development sites is encouraged as this will result in better forms of housing development and design.

Refer to the Liverpool LEP 2008 written statement and maps for the minimum site area and width in the R4 zone.

3 Site Planning

Objectives

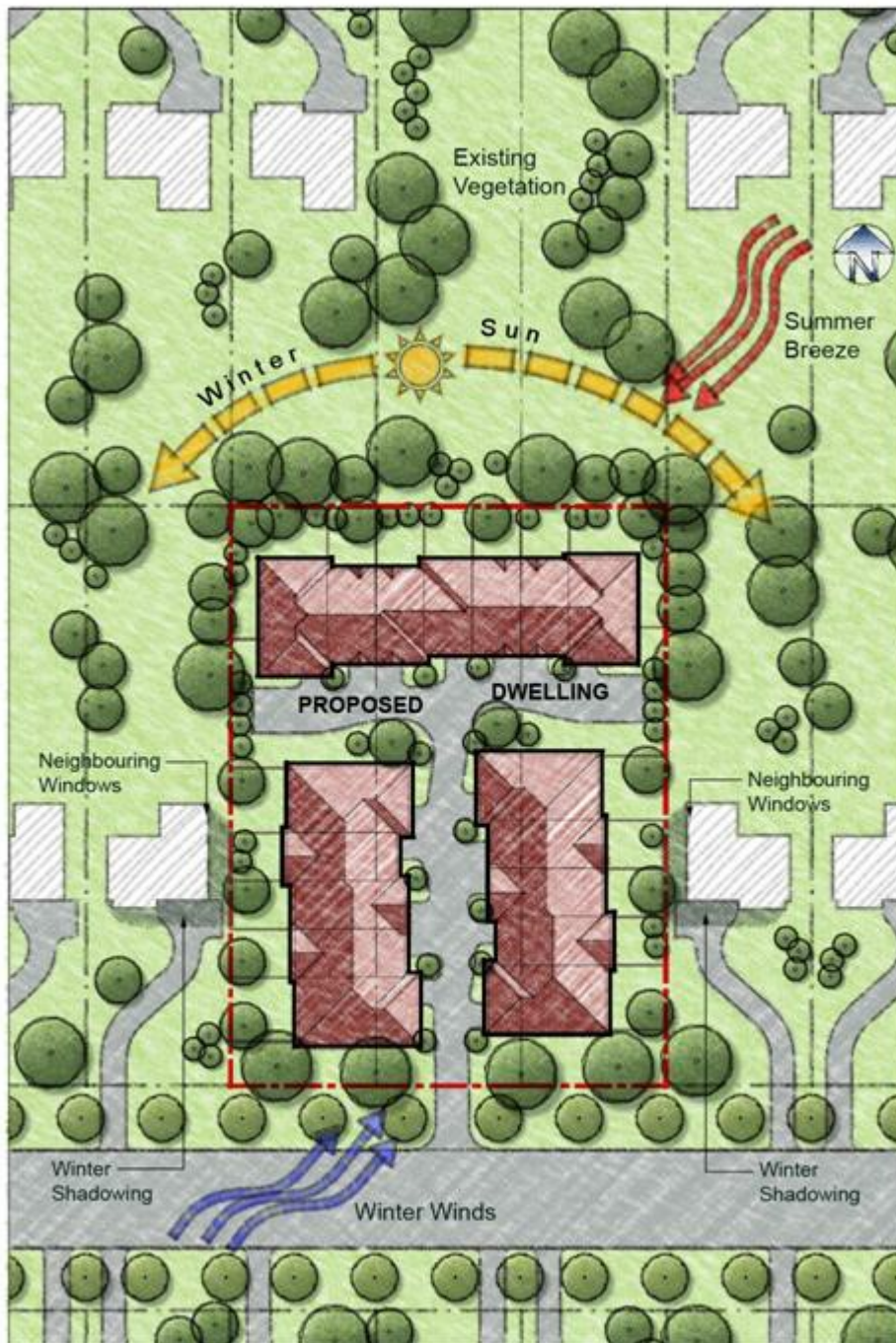
- a) To ensure that Multi Dwelling Housing are sensitive to site attributes, such as streetscape character, natural landform, drainage, existing vegetation, land capability, slope, solar access and if relevant, heritage items.
- b) To ensure privacy for residents and neighbours.

- c) To achieve a high standard of amenity for future residents and neighbours.
- d) To ensure the development takes advantage of the site's capability, topography, orientation and other positive attributes.
- e) To ensure compatibility with the surrounding development density by requiring acceptable site area requirements.

Controls

- 1. Site layout should consider, and as far as possible minimise overshadowing, acoustic and visual intrusion on neighbouring and on site dwellings.
- 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 principal 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 1.1
- 5. The siting of dwellings shall be orientated to maximise solar access to both external courtyards and internal living areas.
- 6. Where possible all existing substantial vegetation on site shall be retained.
- 7. Multi Dwelling Housing is not permitted on cul-de-sac heads or streets with a carriageway width of less than 6.5m.

Figure 1 Site Analysis Plan for Multi Dwelling Housing



4 Townhouse and Villa Development on an 18m frontage block

Background

It has been identified within the Liverpool City Council area that there is a shortage of small, affordable townhouse developments. This section is intended to provide controls which will enable townhouse development on lots less than the standard 22 m, providing all controls are followed.

Objectives

- To provide for a wide range of medium density dwellings, including two bedroom dwellings.
- To ensure compatibility with the surrounding development density by requiring acceptable site area requirements and setbacks.
- To provide for accessible dwellings.

Controls

- At least two dwellings must have a maximum floor space of 80sqm.
 - These dwelling must have a maximum of two bedrooms.
 - These dwellings must have a carport, rather than a garage. This control applies over Section 7 – Car Parking and

Access.

2. Dwellings at the rear of the property must not be more than 1 storey high. An attic is permitted.
- The rear of the property for Section 4 means all land 15m from the rear property boundary.
3. At least one dwelling should face and address the street.
4. All dwellings built must conform to the Controls listed within this Part.

5 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 back dwellings from one another to provide visual and acoustic privacy.
- c) To provide setbacks that minimise impacts on adjoining neighbours by minimising overshadowing and overlooking.
- d) To establish a streetscape of a scale and sense of enclosure appropriate to the locality.
- e) To maximise the amount of area capable of allowing the growth of trees and shrubs.

Controls

Front Setbacks

1. Buildings shall be setback from the primary and secondary boundaries in accordance with Table 1.

Table 1

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

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

Table 2

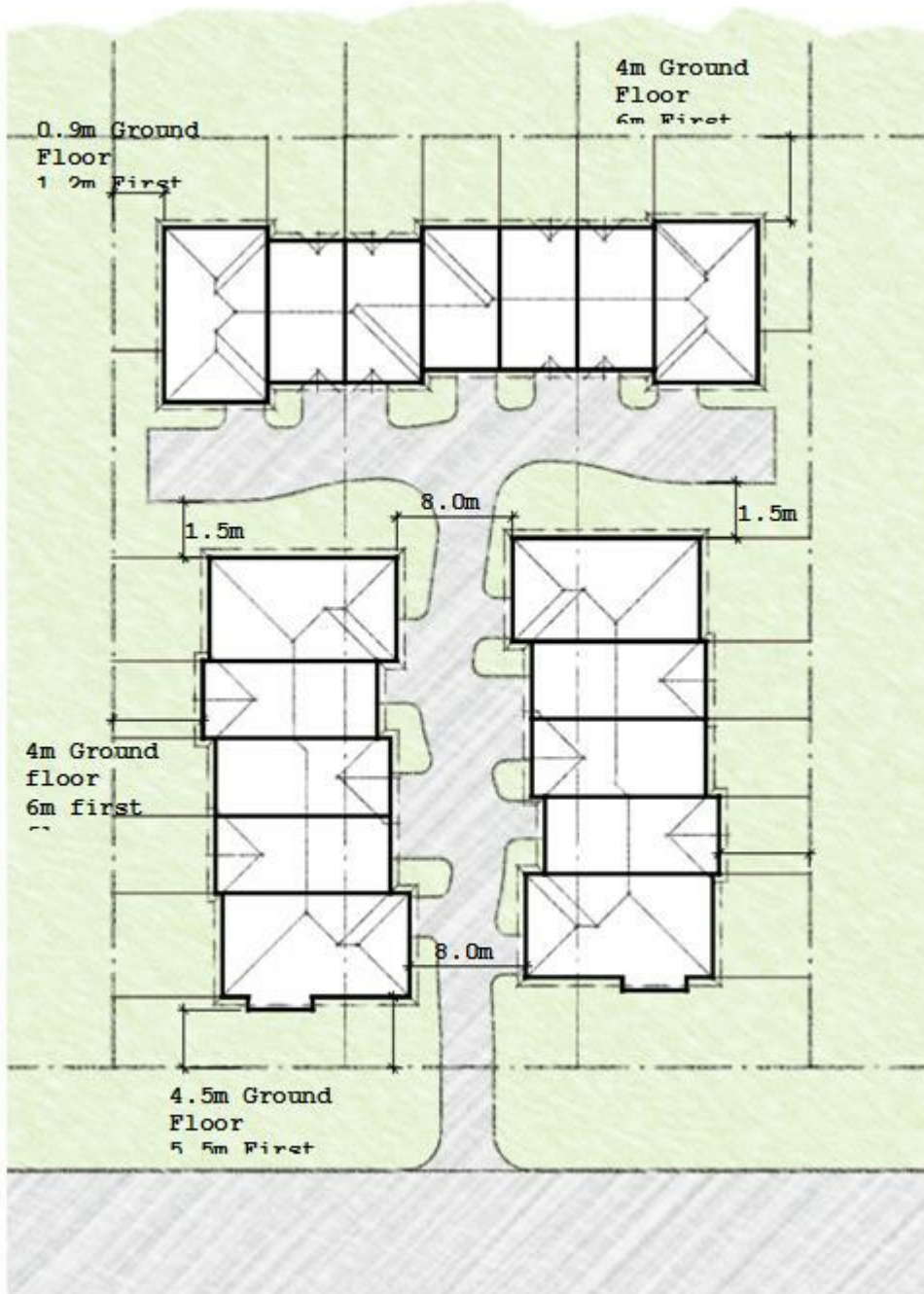
Item	Side Setback	Rear Setback
Ground floor without windows to habitable rooms	0.9 m	4.0 m
Ground floor with windows to habitable rooms	4.0 m	4.0 m
First floor without windows to habitable rooms	1.2 m	4.5 m
First floor with windows to habitable rooms and neighbouring private open space	4.0 m	6.0 m

6. 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 shall open out to open space.

Setbacks across internal driveways

7. Buildings shall be setback a minimum of 8m from other buildings across a driveway.

Figure 2 Setbacks for Multi Dwelling Housing



6 Landscaped Area and Private Open Space

Landscaped area ~~is~~ and Private Open Space are 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

- To provide an area to allow vegetation to mature.
- To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.
- To minimise impervious areas.
- To enhance the existing streetscape and soften the visual appearance of the dwellings.
- 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 20% of the site area shall consist of a Landscape Area, this may include lawn, deep rooted trees, garden beds and mulched areas.
2. A minimum unincumbered area of 4 x 5m shall be provided in rear 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.
- 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 shall provide a minimum private open space area, which is not covered by a roof in accordance with Table 3.

Table 3

Dwelling Size	Private Open Space
Small <65 m ²	30 m ²
Medium 65 - 100 m ²	40 m ²
Large > 100 m ²	50 m ²

2. Areas less than 1.5 m in width does not qualify as Private Open Space for the purpose of the above table.
3. Private Open Space must be directly accessible from the main living area.
4. A minimum of 50% of the Private Open Space are must received 3 hours of hours of sunlight between 9:00am and 5:00pm on 21 June.

Figure 3 Landscaping for Multi Dwelling Housing



7 Cut and Fill, Building Design, Streetscape and Layout

Cut and Fill of Land

Objectives

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

Controls

- The maximum cut on a site must not exceed 500mm.
- 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.
- 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 750mm. All fill must be

contained within the dwelling footprint.

4. Contaminated fill, either imported or found on site is not permitted.

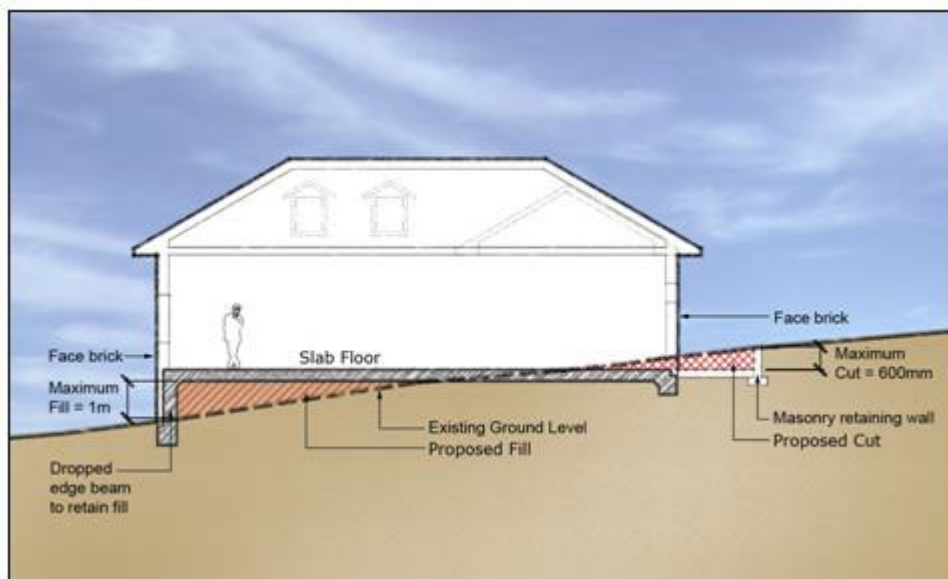
Note: In the event of approval being granted to the erection of retaining wall(s) to contain proposed cut, Council will require the completion of such retaining wall(s) PRIOR TO the release of the occupation certificate.

5. Where an applicant considers that an allotment has characteristics which warrant exemption from this policy, an application for exemption may be made by the submission of a development application to Council for consideration. In addition to normal requirements the submission should include:

- A plan showing existing contours (at 0.5m intervals) of the subject site and all adjoining sites;
- A plan showing future contours (after proposed cut and fill) of the subject site and all adjoining sites; and
- Full details of any proposed retaining wall(s).

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

Figure 4 Example of cut and Fill on sloping block



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) That the building enhances the streetscape through the use of suitable built form design and landscaping.
- d) To ensure buildings address all street frontages.
- 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 in two storey dwellings.
- i) To encourage steep or sloping site to build split level or stepped development.

Controls

1. Unit/s with a street frontage shall orientate the main entrance and where possible at least one living area towards the street.
2. Entry points shall be enhanced/emphasised to all dwellings especially those facing the street.
3. The first floor of the townhouse developments must be no greater than two thirds of the ground floor area.
4. Building facades shall be articulated and roof form is to be varied to provide visual variety.
5. Walls shall be a mix of masonry, rendered and or bagged, and painted, lightweight clad and painted and/or flush face brick. Justification will be required for 100% face brick facades or 100% rendered and painted brick and will be

assessed on merit.

6. Facades can be articulated by:
 - The use of different materials and detailing and / or
 - The inclusion of balconies, varandahs, pergolas and landscaped beds.
7. A sidewall must be articulated if the wall has a continuous length of over 10 m.
8. The entrance of each dwelling shall be emphasised.
9. Units built at the rear of the allotment must take into consideration privacy of neighbouring properties. The use of windows with high sill heights should be used to avoid potential privacy issues.
10. Driveways should avoid a 'gun barrel' effect by curving and siting of buildings, which create a driveway form with the divided carriageway separated by soft landscaping.
11. Attic floor space may be used when it is contained wholly within the roof pitch and will not be counted as a storey provided that the attic space is part of the dwelling unit.
12. Space used for car parking shall be included as a storey if the ceiling of the car parking level exceeds more than 1m above the natural ground level.
13. The maximum roof pitch shall be 36 degrees.
14. Townhouses built on steep or sloping blocks should be built of split-level construction.
15. 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, communal open space and/or private driveways.
16. Blank walls in general that address street frontages or public open space are discouraged. Where they are unavoidable building elements or landscaping must be used to break up large expanses of walls. In some cases an anti-graffiti coating will need to be applied to the wall to a height of 2 metres.

Figure 5 Curving driveway



Figure 6 Terrace style Multi Dwelling Housing on a sloping site



Internal Design

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 natural surveillance from a room addressing the street.
- 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 unit provides a sufficient amount of storage for elements such as garden and sports equipment.

Controls

1. Multi Dwelling Housing located on street boundaries 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 where possible.
3. Access to private open space must be from at least one living room.
4. The internal layout of the dwelling must incorporate cross ventilation.
5. Bathrooms, ensuites, laundries and walk in wardrobes should be located to the side and the rear of the development.
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).

8 Car Parking and Access

Background

The provision of car parking for multiple dwellings can make a major difference to the usability and attractiveness of a residential development. In addition to the requirements in Part 1.2 there are requirements which are particular to multiple dwellings that need to be considered.

Objectives

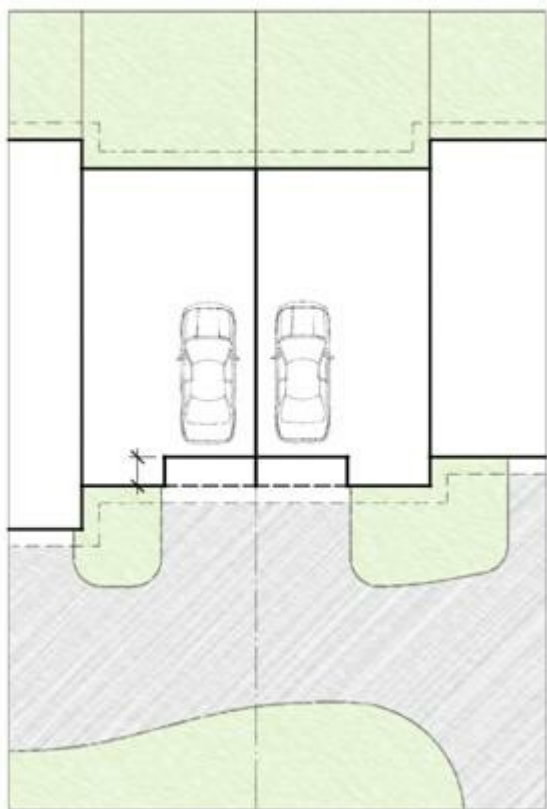
- a) To provide car parking facilities on site that are convenient, safe and have sufficient space for vehicular manoeuvrability, whilst being visually unobtrusive.
- b) To ensure adequate onsite parking is available to occupants and visitors.

Controls

Internal Driveway and Car Parking Layout

1. Refer to Part 1.2 for requirements for minimum widths for Internal Driveways.
2. The extent of paved area for driveways shall be kept to a minimum. Driveways abutting dwellings shall be kept to a minimum.
3. Avoid large expanses of driveways, including concentrating double garages adjacent to each other.
4. Land that is unlikely to be used for manoeuvring shall be used for landscaping or for pedestrian areas and be distinguished by different materials and levels, Refer to the illustration below.

Figure 7 Garage and Driveway design



Basement Car parking

1. Basement car parking is permitted but will be included as a storey if the ceiling is located more than 1m above the natural ground level.
2. On sites that slope away from the street, underground car parking structures that protrude more than 1m above the natural ground level towards the rear will not be included as a storey where topographical features warrant and the streetscape is not adversely affected. The car parking area should be adequately obscured from visible sight by the screen planting.

Access Driveways

1. Driveways to the street shall be kept to a minimum.
2. Driveways may be permitted to individual dwellings provided that the streetscape is not adversely affected and the application complies elsewhere with the DCP.
3. Kerbs shall be provided along the edge of all internal driveways. All traffic must be able to enter and exit the site in a forward direction.

Note: Refer to Part 1.2 for other controls on Access Driveways

9 Landscaping and Fencing

Objectives

- a) To enhance the amenity of residential developments.

- b) To retain existing mature vegetation.
- c) To provide privacy within a residential development and to adjoining residential developments.
- d) To improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.
- e) To encourage landscaping that is appropriate to the natural, cultural and heritage characteristics of its locality.
- f) 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 8m height at maturity within 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. The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (600 – 1800mm) especially along paths and close to windows and doors.
4. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.
5. Tree and shrub planting along side and rear boundaries should assist in providing effective screening to adjoining properties. The minimum height of screening to be provided is 2.5 to 3m at maturity.
6. 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.
7. A 2m wide landscaped area shall be provided between an internal driveway and a property boundary to provide privacy to the adjoining property and to soften the appearance of the internal driveway.
8. Landscaping shall be provided along the side and rear boundaries to provide privacy for adjoining residents.

Figure 8 Side and rear plantings for Multi Dwelling Housing



9. A maximum of 30% of the front setback is to be paved or sealed, unless the area is used for direct access to a garage, carport or dwelling entry.

Figure 9 Front setback landscaping



10. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.
11. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.
12. Areas between a driveway and the windows of a dwelling shall be landscaped to provide privacy for the dwelling.

Figure 10 Landscaping within the front setback, with a low fence



Figure 11 Driveway landscaping for privacy



Fencing

Objectives

- a) To provide a clear distinction between common open space and private open space.
- b) To ensure fencing enhances the streetscape.
- c) To provide a visual element within the streetscape.

Controls

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 have 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.
7. Front fences are to be constructed of materials compatible with the proposed design of the dwelling.

Figure 12 Front Landscaping and Fencing



Secondary Frontage

8. Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped
9. 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 stepped up to a maximum of 1.8m . The secondary setback is the longest length boundary.

Figure 13 Secondary Street landscaping



Boundary Fences

10. The maximum height of side boundary fencing within the setback to the street is 1.2m.
11. Boundary fences shall be lapped and capped timber or metal sheeting.

Figure 14 Fencing within Setback



10 Amenity and Environmental Impact

Overshadowing

Objective

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

Controls

Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least;

- One living, rumpus room or the like; and
- 50% of the private open space.

Privacy

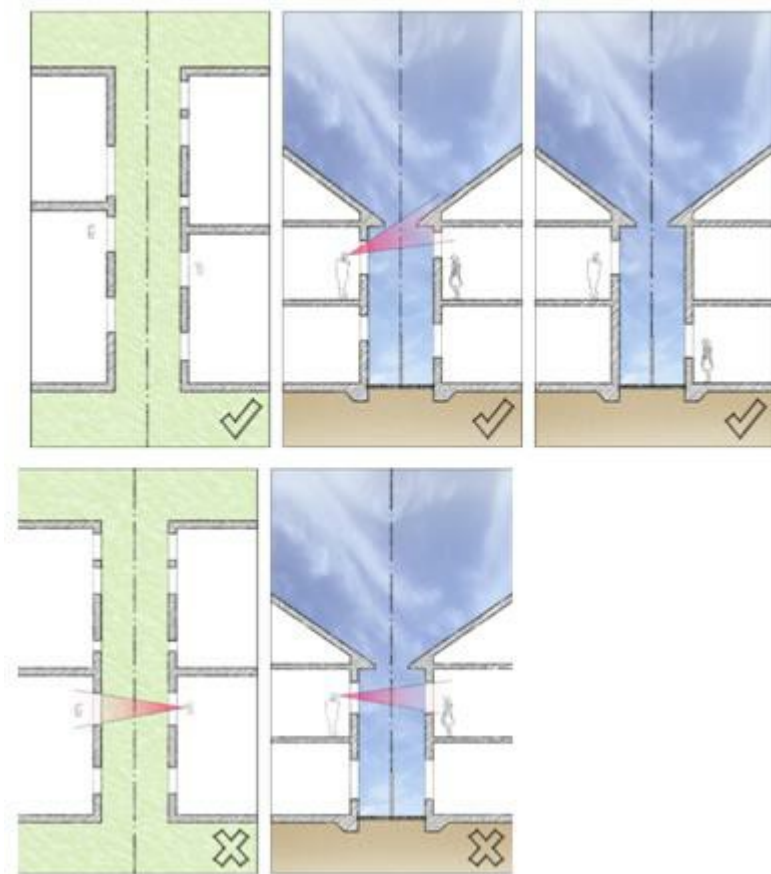
Objectives

- a) To site and design buildings in a manner which protects the visual and acoustic privacy of nearby dwellings and their private open space.
- b) To minimise, wherever possible, the obstruction of views from adjoining properties.

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 adjoining properties, 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.

Figure 15 Privacy and Amenity



Acoustic Impact

Objective

To ensure appropriate noise and vibration attenuation 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.

11 Site Services

Objectives

- a) To ensure that the required services are provided.
- b) To ensure that the services provided are easily protected or maintained.
- c) [To ensure site services adequately compliment the built form and surrounding streetscape.](#)

Controls

Letterboxes

1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.

4. [Letterboxes should be designed to achieve a positive design outcome and does not adversely impact the street amenity.](#)

Waste Management

1. Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.
2. Any structure involving waste disposal facilities shall be located as follows:
3. Setback 1m from the front boundary to the street.
4. Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.
5. Not be located adjacent to an adjoining residential property.
6. Details of the design of waste disposal facilities are shown in Part 1.2 of the DCP.

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.

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.~~

Liverpool Development Control Plan 2008

Part 3.7 Residential Flat Buildings In the R4 Zone (Outside Liverpool City Centre

10 Site Services

Objectives

- a) To ensure that the required services are provided.
- b) To ensure that the services provided are easily protected or maintained.
- c) To ensure site services adequately compliment the built form and surrounding streetscape.

Controls

1. Letterboxes:
 - a) Letterboxes shall be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.
 - b) Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.
 - c) Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.
 - d) Letterboxes should be designed to achieve a positive design outcome and does not adversely impact the street amenity.
2. Waste Management:
 - a) Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.
 - b) Any structure involving waste disposal facilities shall be located as follows:
 - (i) Setback 1 m from the front boundary to the street.
 - (ii) Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.
 - (iii) Not be located adjacent to an adjoining residential property.
 - c) Waste chutes on each level are encouraged.
 - d) Details of the design of waste disposal facilities are shown in Part 1 of the DCP and the Apartment Design Guide.
3. Frontage works and damage to Council infrastructure:
 - a) 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.
 - b) Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
 - c) 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.
4. Electricity ~~Sub Stations~~ Substations and ~~fire~~ Fire ~~hydrant~~ Hydrant ~~boosters:~~
 - a) ~~Consultation Boosters shall be undertaken Refer to deem additional if controls a under fire Part hydrant booster is required and consultation shall be undertaken with the relevant energy provider to deem if an electrical substation is required at the development application stage.~~
 - b) ~~If necessary to provide an electricity substation or fire booster at the front of the development adjacent to a street frontage1, this Subsection will involve dedication of the area as a public road to allow access by the electricity provider31.—~~
 - c) ~~Services such as substations and fire booster assemblies must be integrated within the development. This may be through colours and materials and are to include measures to prevent graffiti (i.e. Plantings, artwork or louvre frame over the substation that retains access by the relevant agency). The shorter elevation of the substation is to face the street frontage.~~

5. Lift overrun:
 - a) Any lift over runs to the rooftop of a building are to be demonstrated on the architectural plans at the development application stage.
6. Services between levels:
 - a) The architectural plans submitted at development application stage are to ensure that the ceiling levels and finished floor levels nominated on the architectural plans include enough separation for any services including duct space and any access to duct space required between the ceiling of the level below and finished floor level of the level above.

Liverpool Development Control Plan 2008

Part 3.8 Non-Residential Development in Residential Zones

2 Child Care Centres

Background

There is an increasing need to have Child Care Centres in close proximity to work places and places of residence. This needs to be balanced with the need to ensure that Child Care Centres do not adversely affect the amenity of residential areas. The Department of Community Services also regulates the standards and operations of Child Care Centres.

Applies to

This section applies to the erection of Child Care Centres in residential zones.

Objectives

- a) To ensure compliance with and provide and controls maintain to a support safe the centre-based child care facility controls under Chapter 3 of *State Environmental Planning Policy (Transport and healthy Infrastructure) learning 2021* and the associated *Child Care Planning Guideline 2021*.
- b) To provide and maintain a safe learning and play environment for children.
- c) To ensure that Child centre-based Care child Centres care facilities do not interfere with the amenity of adjoining properties.
- d) To ensure Child Care Centres are consistent with the existing streetscape in residential areas.
- e) To ensure that Child Care Centres maintain the existing character of and the surrounding environment. area
- f) To ensure that the play areas are clearly defined and to enable children to play in a secure environment under supervision.

Controls Side and Rear Setbacks

These controls are additional to those in Part 2 where applicable.

2.1 Licence Requirements

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

1. 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.

2.2 Lot Sizes

Objectives

- a) To ensure Child Care Centres are consistent with the amenity, streetscape and residential character of the area.
- b) To limit traffic and parking issues to the level found within a residential area.

Controls

1. The maximum number of children in any set centre cannot exceed 45 for 0-5 year olds; however Council may consider a maximum number of 60 children per centre of which 30% must be aged between 0-2.
2. The proposed based child care centre must comply with open space requirements as set out in the *Children Services Regulation 2004*.

2.3 Site Planning

Objectives

- a) To ensure that Child Care Centres are 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 neighbours.

Site Location

1. ~~Child Care Centres should be located:~~
 - ~~-In the general vicinity of primary schools, major employment areas and recreation areas.~~
 - ~~-Within the grounds of community facilities, educational facilities or churches.~~
 - ~~-Near services such as shops, medical facilities and public transport.~~
 - ~~-On streets with widths that permit adequate safe manoeuvrability of vehicles & lines of sight for pedestrians, cyclists and vehicles; and on approach streets within the road hierarchy such as on collector streets.~~
 - ~~-Where traffic control devices do not impede vehicular access to sites.~~
 - ~~-Where the children will not be adversely affected by lead contamination, offensive noise and air pollution.~~
 - ~~-Child Care Centres must be located and designed so as not to pose health or safety risk to children using the centre.~~
2. ~~Child Care Centres shall not be permitted:~~
 - ~~-adjacent to industrial activities.~~
 - ~~-Within 300m of an existing Child Care Centre.~~
 - ~~-On classified roads.~~
 - ~~-Adjacent to railway lines.~~
 - ~~-On streets with a carriageway width of 6.5m or less.~~
 - ~~-On streets, which are cul-de-sacs.~~
 - ~~-On lots adjacent to a roundabout (including a proposed roundabout)~~
 - ~~-In areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF).~~

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.~~
8. ~~The layout must be designed around the site attributes such as slope; existing vegetation; land capability and/or solar access.~~
9. ~~The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.~~
10. ~~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.~~

2.4 Setbacks

Objectives

- a) ~~To set Child Care Centres back from the street and adjacent properties to provide reasonable space for landscaping, private open space and solar access.~~
- b) ~~To set Child Care Centres back from other surrounding dwellings to provide visual and acoustic privacy.~~
- c) ~~To create a streetscape ensure that provides neighbouring adwellings desirable are and provided safe environment.~~
- d) ~~To establish a streetscape of a scale and sense of enclosure with appropriate to solar the locality access.~~
- e) ~~To maximise the amount of area capable available of allowing for the growth of trees and vegetation and shrubs to provide for improved amenity and to reduce the urban heat island effect.~~
- f) ~~To increase on-site stormwater infiltration and promote water sensitive urban design.~~

Controls

Front and Secondary Setbacks

1. ~~Child Care Centres~~ **Buildings** shall be setback from the side and rear boundaries in accordance with ~~the following~~ Table 1.
2. All neighbouring properties must receive 3 hours of solar access between 9am and 3pm during the midwinter solstice.
3. For two storey developments, the side walls shall be articulated with additional side boundary setbacks of 300mm if the wall has a continuous length of over 10m.

Table 1 FrontSide and SecondaryRear Setbacks

Street Item	Front Side Setback	Secondary Rear Setback
Street Single Setbacks <u>storey buildings</u>	5-5 1.2 m	4 m
<u>Second storey component of buildings</u>	<u>1.2 m</u>	<u>8 m</u>
<u>Access doors from children's internal space</u>	<u>4 m</u>	<u>4 m</u>

For sites in Part 2 Localities, which involve controls for Land Subdivision and Development, refer to the controls for the particular site for setback requirements.

2. ~~Verandahs,~~
Car balconies, eaves Parking and ~~other sun control devices may encroach on the minimum front and secondary setback by up to 1m.~~
3. ~~The secondary setback is the longest length boundary.~~

~~Side and Rear Setbacks~~

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

Table 2 Side and Rear Setbacks

Item	Side Setback	Rear Setback
Single-storey buildings	1.2 m	4 m
Second-storey component of buildings	1.2 m	8 m
Access doors from children's internal space	4 m	4 m

~~For sites in Part 2 Localities, which involve controls for Land Subdivision and Development, refer to the controls for the particular site for setback requirements.~~

2.5 Landscaped Area and Open Space

~~Landscaped area is defined in Liverpool LEP 2008.~~

Landscaped Area

Objectives

- ~~To provide an area to allow vegetation to mature.~~
- ~~To reduce the impact to neighbouring properties and natural waterways from stormwater runoff.~~
- ~~To reduce the amount of impervious areas.~~
- ~~To enhance the existing streetscape and soften the visual appearance of the dwelling.~~
- ~~To maximise the amount of landscaped area within the front setback of the Child Care Centre.~~

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

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.~~
2. ~~There must be an unencumbered area of 5 x 6m in the rear setback for the opportunity to accommodate the planting of deep rooted trees.~~
3. ~~A minimum of 50% of the front setback area shall be landscaped area.~~

4. ~~There must be an unencumbered area of 3 x 5m in the front setback for the opportunity to accommodate deep rooted trees.~~

Open Space

Objective

- a) ~~To ensure that a minimum amount of Open Space is provided for outdoor activities.~~
- b) ~~To ensure outdoor open space areas are located to minimise any potential risk from errant vehicles to children and staff.~~

Controls

1. ~~A proposed Child Care Centre must comply with open space requirements as set out in the *Children Services Regulation 2004*.~~
2. ~~Outdoor open space is to be located behind the childcare centre i.e. away from roads/streets.~~

2.6 Building Form, Style and Streetscape

Building 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 the building enhances the streetscape through the use of suitable built form design and landscaping.~~
- d) ~~To ensure buildings address all street frontages.~~
- 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.~~

Controls

1. ~~Where large glass areas cannot be avoided appropriate shade devices shall be incorporated into the design.~~
2. ~~The roof design shall be compatible with surrounding properties with respect to height, pitch, building materials and colour.~~
3. ~~The building shall be designed so that it is in character with the surrounding residential area in terms of bulk, scale, size and height.~~
4. ~~The front pedestrian entrance must be visible from the street.~~
5. ~~The front building facades shall be articulated. This articulation may include front porches, entries, wall indents, changes in finishes, balconies and/or verandahs.~~
6. ~~For two storey developments, the side walls shall be articulated if the wall has a continuous length of over 10m.~~
7. ~~Buildings that face two street frontages or a street and public space must address both frontages by the use of verandahs, balconies, windows or similar modulating elements.~~

Security

Objectives

- a) ~~To ensure buildings are orientated to allow surveillance from the street and adjoining buildings.~~
- b) ~~To ensure entrances to buildings are clearly visible and easy to locate in order to minimise the opportunities for intruders.~~

Controls

1. ~~Entrances to buildings should be orientated towards the front of the site facing the street.~~
2. ~~Blank walls addressing the street frontage and other public places must be avoided.~~

2.7 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 buildings.~~
- 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. ~~A landscape plan must be submitted to Council with the development application. Refer to Part 1 of the DCP.~~
- 2. ~~Areas of grass are to be limited to play areas. Other landscaped areas are to be planted.~~
- 3. ~~Trees adjacent to/or within the play area, are to provide shade and allow winter sun entry. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.~~
- 4. ~~Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species.~~
- 5. ~~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 8m height at maturity within front and rear setback areas. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.~~
- 6. ~~Landscape planting should principally comprise of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. 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.~~
- 7. ~~The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (0.6 – 1.8m) especially along paths and close to windows and doors.~~
- 8. ~~Tree and shrub planting along side and rear boundaries should assist in providing effective screening to adjoining properties. The height of screening plants to be provided is 2.5 to 3m at maturity.~~
- 9. ~~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 internal rooms as appropriate for gardener access.~~

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. ~~Side (behind the building setback) and rear fencing shall be 1.8m in height.~~
- 2. ~~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.~~
- 3. ~~Fences shall be constructed of materials compatible with the proposed building.~~
- 4. ~~Fencing shall be designed to minimise opportunities for graffiti.~~
- 5. ~~Gates shall be the same height as the fence, self-closing and be secure and fitted with a childproof lock.~~
- 6. ~~Wall finishes must have low reflectivity.~~
- 7. ~~Front fences are to be light coloured and low in height or open form.~~
- 8. ~~Fences should not prevent surveillance by the building's occupants of the main open or communal areas within the property or the street frontage.~~
- 9. ~~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. ~~Front fences shall have a maximum height of 1.2m, and constructed of masonry, timber and/or vegetation.~~
- 2. ~~The front fence must be 30% transparent.~~
- 3. ~~The front wall may exceed 1.2m (to a maximum of 1.8m) only if:~~
 - ~~–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, and~~

~~-Front fences are to be constructed of materials compatible with the proposed design of the dwelling.~~

Secondary Frontage

1. ~~Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped.~~
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 stepped up to a maximum of 1.8m.~~
3. ~~The secondary setback is the longest length boundary.~~
4. ~~Side fencing facing a public street or parkland must not be constructed of sheet metal. However, metal sheet fencing is permitted on internal boundaries.~~

2.8 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~~ ensure that adjacent and nearby streets are not impacted by traffic as a result of the ~~need~~ child for care ~~on centre street parking arrangements.~~
- c) To ensure that adjacent and nearby residents are not impacted in terms of vehicular and pedestrian safety.
- d) Ensure that sufficient car parking arrangements are provided that avoid any adverse traffic and on-street parking impacts on the surrounding area.
- e) To ensure that the surrounding road and pedestrian network is capable of safely accommodating the additional parking and traffic demand resulting from ~~new the dwellings~~ child care centre on site parking area.

Site Access Controls

1. ~~All~~ Parking rates must comply with the minimum parking rates contained in Part 1 DCP (Table 11, Section 20.3).
2. Provide adequate turning areas for manoeuvring into and out of car parking spaces and/or garages so as to enable all vehicles ~~shall to~~ enter and leave the site in a forward direction.
3. Dead end streets, one-way streets, streets 6m wide or less, or cul-de-sacs present traffic movement and parking problems and are inappropriate locations for ~~Child centre-based~~ Gare ~~child~~ Centres or care facilities.

Location

1. ~~To~~ On-street provide parking adequate ~~may vehicle not access be and used on-site to satisfy the minimum~~ car parking facilities requirements for residents ~~child and care visitors centres.~~
2. ~~To minimise reliance on on-street parking.~~ Provide separated
3. ~~safe~~ To provide access ~~safeto~~ and easy from access ~~the to site for pedestrians and from the site for pedestrians and motorists.~~
4. ~~To provide adequate turning areas for manoeuvring into and out of car parking spaces and/or garages.~~
5. ~~To minimise~~ Minimise the impact of driveways and parking areas on ~~existing~~ landscaping ~~landscaping by~~ landform requiring all parking and ~~streetscape~~ access driveways to achieve the minimum side boundary setback. These setbacks must be landscaped.
6. Provide sufficient car parking spaces to permit all pick-up and drop-off of children within the site.
7. Any basement car parking is to achieve the minimum side boundary setbacks and access driveways are to be in accordance with gradients required under Part 1, Section 20.5 of the DCP. All childcare centres that provide a basement must provide a lift to achieve disabled access requirements.
8. All centre-based child care facility applications must be supported by a Traffic Impact Assessment (TIA) and a parking study prepared by a suitably qualified traffic engineer. The TIA must also provide an associated Green Travel Plan (GTP).
9. ~~To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character.~~
10. ~~Refer to Section *** for the number of spaces required.~~

2.9 Amenity and Environmental Impact

Noise

~~Development for childcare centres shall not be permitted in areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF).~~

Contaminants

~~All buildings whether to be built, extended, renovated or converted shall not contain any material or substance that will cause lead or asbestos or other contamination or poisoning.~~

Site Operation

- ~~1. In residential zones the days/hours of operation shall be limited to 7.00 am – 7.00 pm: Monday – Saturday. No operation on Sundays or public holidays.~~
- ~~2. Child Care Centres or facilities shall be no closer than 50m to mobile phone towers or antennas or transmission line easements or other similar electromagnetic radiation sources.~~

Overshadowing

Objectives

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

Controls

~~Adjoining properties must receive a minimum of three hours of sunlight between 9am and 3pm on 21 June to at least:~~

- ~~- one living, rumpus room or the like and/or~~
- ~~- 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 the 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. The proposed buildings must comply with the Department of Environment and Climate Change criteria and the current relevant Australian Standards for noise and vibration and quality assurance.~~

2.10 Site Services

Waste Management

- ~~1. Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.~~
- ~~2. Any structure involving waste disposal facilities shall be located as follows:~~
 - ~~- Setback 1m from the front boundary to the street.~~
 - ~~- Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.~~

~~-Not be located adjacent to an adjoining residential property.~~

3. ~~Details of the design of waste disposal facilities are shown in Part 1 of the DCP.~~

Letterboxes and Numbering

1. ~~Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street.~~
2. ~~The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.~~

Frontage works and damage to Council assets

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 are provided in the footpath area immediately in front of the site.~~

Liverpool Development Control Plan 2008

Part 3.8 Non-Residential Development in Residential Zones

3 Education Establishments

Background

Education Establishments are permitted in most residential areas. There is a trend for private schools to locate in residential areas, sometimes in conjunction with a place of public worship. These are an intensive use of land with the potential for significant impacts on the streetscape and residential environment.

Applies to

This section applies to the erection of Education Establishments in the Residential zones.

Objectives

- a) To ensure that Education Establishments are compatible with the residential environment.
- b) To minimise any adverse impact of Education Establishments on surrounding properties.
- c) To minimise any adverse impact of Education Establishments on road safety and traffic movement.

Controls

These controls are additional to those in the Part 2 where applicable.

3.9 Site Services

Objectives

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

Waste Management

1. Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.
2. Any structure involving waste disposal facilities shall be located as follows:
 - Setback 1m from the front boundary to the street.
 - Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.
 - Not be located within 4m of adjacent to an adjoining residential property.
3. Details of the design of waste disposal facilities are shown in Part 1.2.

~~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.~~

Letterboxes and Numbering

1. The Letterbox shall be located along the front boundary and be clearly visible and accessible from the street.
2. The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.

Frontage works and damage to Council assets

1. All areas designated for bus bays or pickup/drop-off zones must be located on the school side of the street.
2. Barrier kerbs must be provided for all street frontages.
3. Footpaths must be provided along all street frontages.
4. The full verge must be paved on the primary street frontage.
5. A 2.5m wide footpath must be provided on any secondary street frontages.
6. All primary schools must provide a children's crossing that is designed to meet current RTA standards.
7. Where a footpath, road works or access driveway works are required to be provided this shall be provided at no cost to

Council.

8. 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.
9. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
10. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting it may a condition of consent that street trees be provided in the footpath area immediately in front of the site, at a rate of 1 tree per 10m of school frontage.

Liverpool Development Control Plan 2008

Part 4 Development in Liverpool City Centre

4.5 Environmental Management

4.5.1 Wind Mitigation

Background

Windy conditions can cause discomfort and be dangerous to pedestrians. Downdrafts from buildings can inhibit the growth of street trees. Conversely, moderate breezes that penetrate streets can enhance pedestrian amenity and disperse vehicle emissions and air conditioning plant exhausts.

Objectives

Wind mitigation measures must:

1. Ensure that new developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.
2. Ensure that the moderate breezes are able to penetrate the streets of Liverpool city centre.

Controls

1. Design all new buildings to meet the following maximum wind criteria :
 - a) 10m/second in retail streets;
 - b) 13m/second along major pedestrian streets, parks and public places; and
 - c) 16m/second in all other streets.
2. Submit a Wind Effects Report with the DA for all buildings greater than 35m in height.
3. Submit results of a Wind Tunnel Testing report for buildings over 48m in height

4.5.2 Noise

Background

Noise sources from major road and railway corridors and mixed-use and commercial development have been identified within and adjacent to the city centre. It is important for the amenity and comfort of future occupants of buildings in proximity to these areas that appropriate measures are put in place.

Objectives

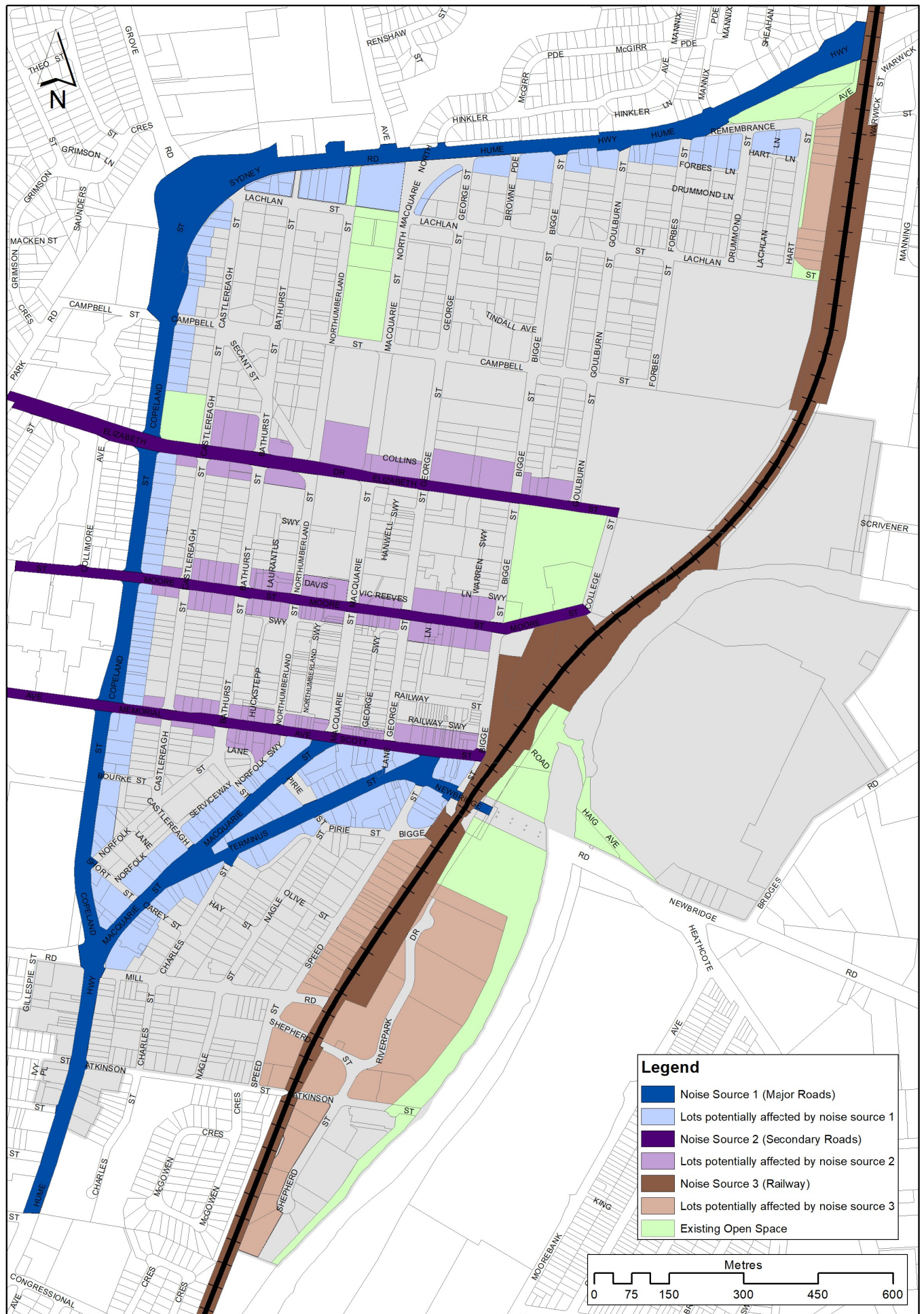
1. Noise mitigation measures must achieve appropriate amenity in noise affected locations.

Controls

1. Design development on sites adjacent to road and rail noise sources identified in **Figure 4-15**, in a manner that shields any residential development from the noise source through the location and orientation of built form on the site, supported by an appropriate acoustic report ~~as that required~~ demonstrates by that the compliance State with Environmental Clause 2.120 Impact Planning of Policy road (Infrastructure noise or vibration on non-road development under SEPP (Transport and Infrastructure) 2007/2021 is achieved.
2. Provide an 8m setback from the primary street frontage to any residential component of development located along Terminus Street and the Hume Highway.

All residential apartments and / or serviced apartments within a mixed use development should be designed and constructed with double-glazed windows and / or laminated windows, solid walls, sealing of air gaps around doors and windows as well as appropriate insulating building elements for doors, walls, roofs and ceilings etc; to provide satisfactory acoustic privacy and amenity levels for occupants within the residential and / or serviced apartment(s).

Figure 4-15 Noise



Liverpool Development Control Plan 2008

Part 6 Development on land zoned E1, E2, E3 or MU1

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~~ be designed in accordance with ~~State~~ Chapter Environmental ~~4 Planning and Policy Schedule No 9 65 of -SEPP (Housing) 2021 and the Apartment Design Quality Guide of (ADG) Shop top housing, and should consider the Residential Flat Design Code 2015.-~~
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.
6. All new shop top housing developments are to demonstrate on the architectural plans that the rooftop is designed to enable the installation of solar panels.

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

Objectives

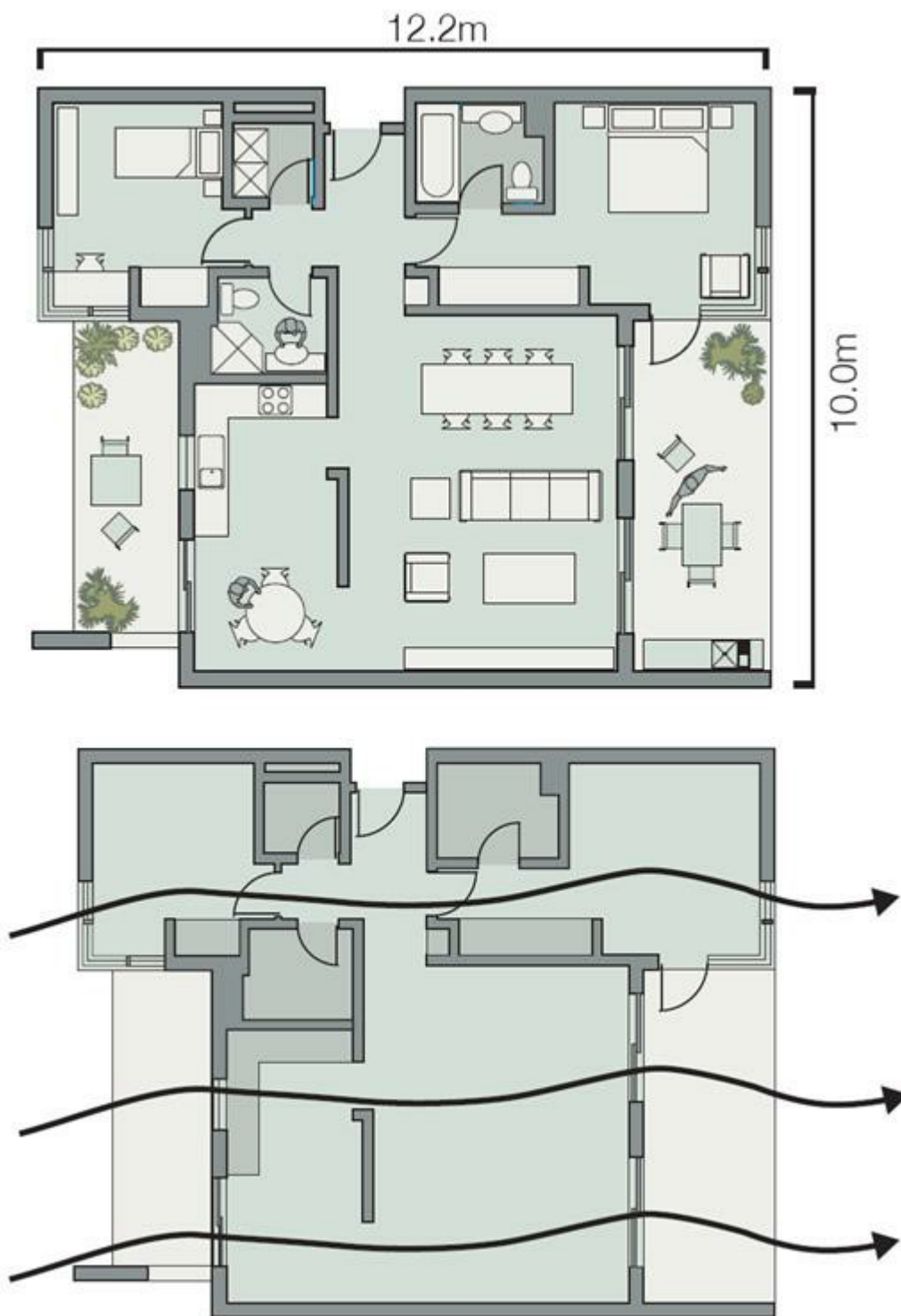
- a) To ensure that balconies contribute positively to the façade of a building.
- b) To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for dwelling residents.
- c) To ensure that balconies are integrated into the overall architectural form and detail of shop top housing.
- d) 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 site 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 persons wheelchairs with a disability 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 it's 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 by all persons with a disability 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

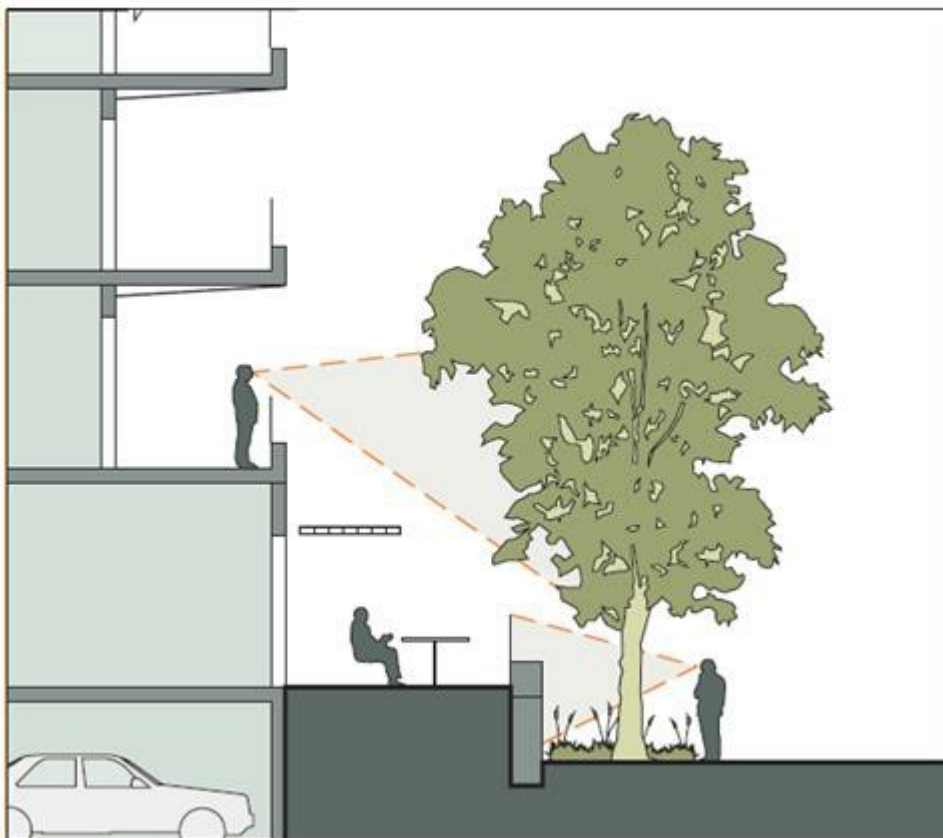


Figure 21 Privacy, balconies and screening



Acoustic Impact

Objectives

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.

Liverpool Development Control Plan 2008

Part 6 Development on land zoned E1, E2, E3 or MU1

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.
- d) [To ensure adequate measures are taken when providing lighting to mitigate any impacts to the surrounding environment.](#)

Controls

E1 – Local Centre and E3 – Productivity Support (Mapped Area A)

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

1. External lighting to a development must give consideration to the impact of glare on the amenity of adjoining and nearby residents.
2. [Light spill \(unwanted lighting pollution\) into bushland must be avoided.](#)

Liverpool Development Control Plan 2008

Part 6 Development on land zoned E1, E2, E3 or MU1

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

E1 – Local Centre and E3 – Productivity Support

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.

Liverpool Development Control Plan 2008

Part 7 Development in areas zoned E4 – General Industrial or E5 – Heavy Industrial

4 Setbacks

Background

The density and setbacks from the street frontage can have a significant impact on the general appearance of an industrial area. It can also impact on access to and from a site and on traffic circulation.

Objective

- (a) To ensure buildings do not adversely dominate the streetscape environment of industrial areas.
- (b) To ensure that the setback from Cabramatta Creek adequately protects the waterway and riparian corridor.
- (c) To create a consistent front setback and established front building alignment to both primary street frontages and secondary street frontages.
- (d) To provide for landscaped area and canopy tree planting within the front boundary setback.
- (e) To encourage street activation and achieve positive crime prevention through environmental design outcomes.
- (f) To present an attractive landscaped streetscape and a positive character for industrial areas.

Controls

- (1) All setback areas are to be landscaped with ground cover and canopy providing trees in areas not required for vehicular and pedestrian access.
- (2) All parking and loading areas are to be located behind the building alignment of any primary or secondary frontage. These areas are to be located behind either built form or a landscaped area.
- (3) Street frontages are to be provided with passive surveillance from high use areas in accordance with Crime Prevention Through Environmental Design principals.
- (4) All buildings shall be setback in accordance with Table 1.

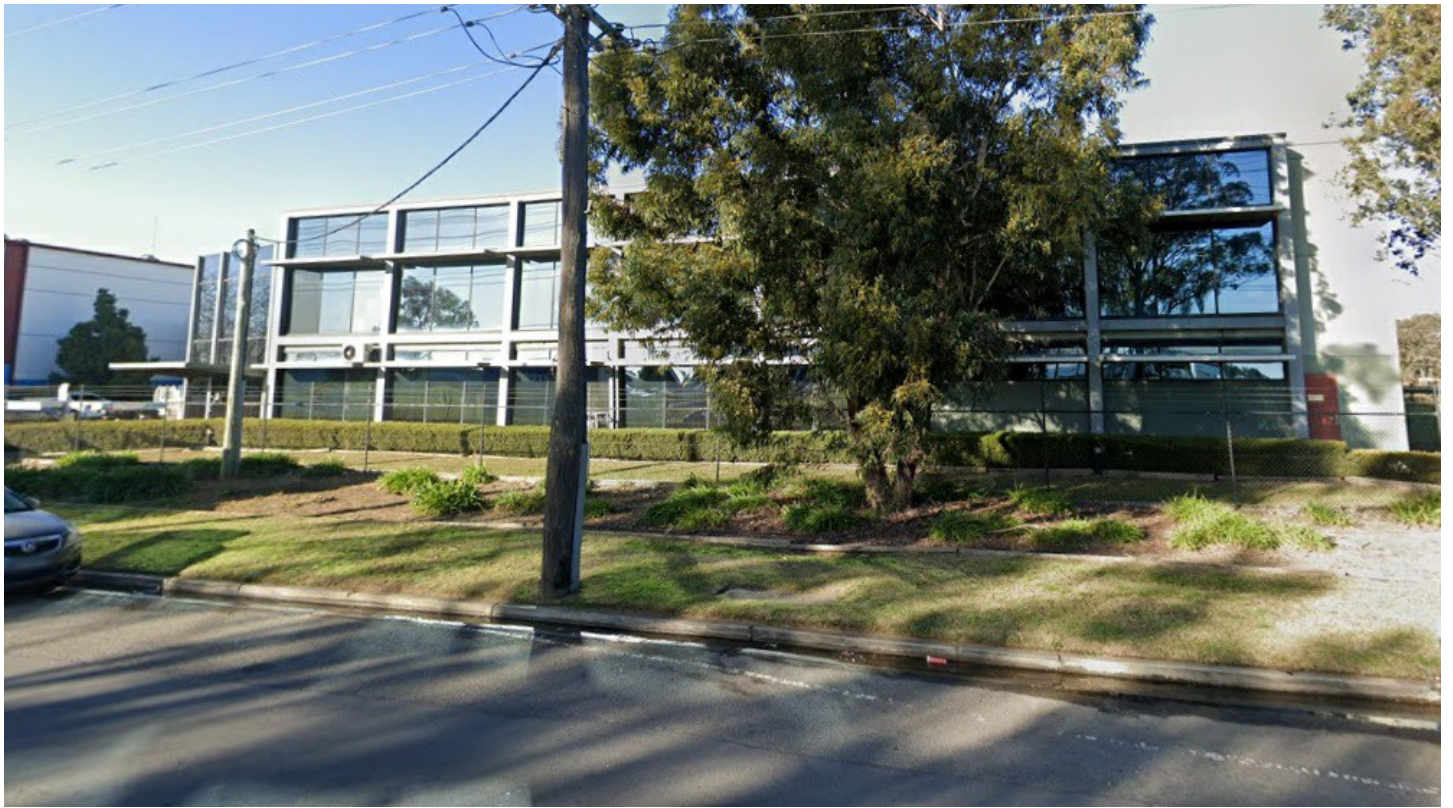
Table 1 Setbacks

Street	Primary Setback (Ground Floor)	Primary Setback (First Floor)	Secondary Setback
Classified Roads	18 m	15 m	15 m
Any street fronting land in a residential zone			
Kurrajong Road	20 m	20 m	15 m
Bernera Road, Governor Macquarie Drive and future link road across Hinchinbrook Creek to former Hoxton Park Airport	15 m	12.5 m	5 m
All other street frontages	10 m	7.5 m	5 m

Setbacks for land at Cowpasture Road (adjacent to future link road across Hinchinbrook Creek to former Hoxton Park Airport)

All buildings on land at Cowpasture Road (adjacent to future link road across Hinchinbrook Creek to former Hoxton Park Airport) shall be setback 5m from the rear and side boundary where this is not adjacent to the future link road.

Figure 1 Setback for an Industrial Building



Setbacks from Cabramatta Creek in Prestons

All development shall be set back from any land in the C2 Environmental Conservation zone along Cabramatta Creek in Prestons on the subject or adjoining properties by a minimum of 10m.

Liverpool Development Control Plan 2008

Part 7 Development in areas zoned E4 – General Industrial or E5 – Heavy Industrial

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

Letterboxes and House Numbering

1. Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street.
2. The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.

Waste management

Owners are to provide their own waste management services. These facilities will vary depending on the needs of the site. Any waste management equipment must not be visible from the street. Waste bins must be provided in a designated area that is easily and safely accessible for workers.

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.

~~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.~~

Liverpool Development Control Plan 2008

Part 8 Dwelling houses & class 10 structures on lots greater than 300m² but less than 900m² in the R1, R2, R3 zones

A Preliminary

Applies to

1. Part 8 applies to Dwelling Houses & Class 10 Structures on lots greater than 300m² and less than 900m² in the R1 – General Residential, R2 – Low Density Residential and R3 – Medium Density Residential within the Liverpool Local Environmental Plan 2008 (LEP 2008), except as provided below.
 - a) Part 8 only applies to Dwelling Houses or Class 10 structures that fully comply with the development standards within Part 8;
 - b) Part 8 does not apply to land that is zoned under ~~State~~SEPP ~~Environmental~~(~~Precincts—Western~~ ~~Planning~~Parkland ~~Policy (Sydney Region Growth Centres~~City) 2006 and under State Environmental Planning Policy (State Significant Precincts) 2005, 2021 or StateSEPP ~~Environmental~~(~~Planning~~ ~~Planning Policy (Western Sydney Parklands~~Systems) 20092021. _
 - c) Part 8 does not apply to land that is affected by the following property constraints:
 1. Environmentally Significant Land (ESL)
 2. Medium and High Flood Risk
 3. BAL 40 or Flame Zone (Bushfire)
 4. Hatchet shaped allotments
 5. An allotment containing a heritage item or land within a heritage or draft heritage conservation area
 6. An allotment affected by ANEF contours
 7. An allotment affected by Class 1 Acid Sulfate Soil

Note

1. Developments that do not meet the above criteria must address the applicable part of the Development Control Plan applying to the land and;
2. This DCP is to be read in conjunction with the electronic Fast Track application form.

Lodgement of a Development Application (DA) under Part 8

A development application under Part 8 must be lodged:

- a) electronically via the ~~Liverpool~~NSW ~~City Council ePlanning~~Planning Portal ~~at~~www.liverpoolplanning.com.au; and
- b) in the form prescribed by the Liverpool City Council FastTrack lodgement program.

Note: Liverpool City Council provides an online FastTrack lodgement form for all development applications lodged under Part 8 of this DCP. Council provides onsite lodgement services for applicants without access to the internet or a computer at ~~33~~50 ~~Moore~~Scott Street, Liverpool NSW 2170.

Link to Liverpool LEP 2008

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

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

Objectives

- a) To provide controls for residential development to ensure that it achieves a high standard of urban design, that is compatible with the amenity and character of the area.
- b) To minimise privacy impacts for residents and neighbouring properties.
- c) To provide for a variety of housing choice within residential areas within the Liverpool Local Government Area (LGA).
- d) Carports forward of the building alignment will only be considered where a consistent building alignment is not provided in the street.

e) Carports in front of the building alignment must appear to form part of the dwelling house.