Liverpool Development Control Plan 2008
Part 3.7
Residential Flat Buildings In the R4 Zone (Outside Liverpool City Centre)

August 2026

Part **3.7** must be read in conjunction with Part 1

Other parts of Liverpool Development Control Plan 2008 may apply depended upon site location

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

Part 3.7 Residential Flat Buildings In the R4 Zone (Outside Liverpool City Centre)

1 Land to which this part applies

Applies to

1. Part 3.7 applies to residential flat building development on land in the Residential, R4 - High Density Residential zone under *Liverpool LEP 2008* except as described in 3.
2. Part 1 of the DCP also applies to the land.
3. Part 3.7 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.
   - Edmondson Park of which LDCP 2008 Part 2.11 applies.
   - Liverpool City Centre (Refer to Part 4 or all controls on residential development).

Note: All residential flat buildings will be reviewed by the Liverpool Design Excellence Panel for advice.

Background

Good quality buildings help improve the quality of life. The quality involves the location, size and scale, appearance and amenity of the buildings in which many people live. The design of new residential flat buildings is important to neighbourhoods - to provide good quality and amenity to growing populations with changing needs. Quality design contributes to enjoyable places: buildings, streets, squares and parks.

Residential Flat Buildings are also subject to State Environmental Planning Policy (Housing) 2021 – Chapter 4 (Design of residential apartment development) and the Apartment Design Guide issued by the NSW Department of Planning Housing and Infrastructure.

The ADG takes precedence over a DCP. Should there be inconsistencies within this part, such as duplicated controls within the Apartment Design Guide (ADG), The ADG shall prevail.

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 Frontage and Site Area

Site Area and Frontage

Objective

To permit residential flat buildings on land that can adequately accommodate landscaping, open space, parking, and solar access requirements.

Control
The minimum lot width 24m.

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.

3 Amalgamation

Objectives

a) Ensure that a subject site and adjoining sites can achieve development that is consistent with the planning controls.

b) Avoid landlocking of adjoining sites or isolation of small sites which may result in poor built form outcomes.

c) Ensure that Isolation of sites does not occur to avoid a development resulting in poor built form outcomes and to ensure better streetscape amenity outcome to be achieved.

Controls

1. Site amalgamation shall be considered and/or required if the subject development application site:
   a) Does not meet the minimum lot size or lot width requirements for a residential flat building.
   b) Creates an isolated site adjoining the subject site which does not meet the minimum lot size or lot width for a residential flat building.
   c) Creates poor streetscape design and/or a poor amenity outcome for an adjoining site.
2. If site amalgamation is required as per control one above, however amalgamation cannot be achieved, the following documentation at a minimum is to be obtained and is to be provided with the lodgement of a development application:

   Documentation demonstrating that negotiations for amalgamation between the owners of the properties has been undertaken prior to lodgement of a development application. The documentation is to be dated within 6 months from the development application lodgement date (I.e: For a development application lodged on 1 December 2024, the documentation demonstrating negotiations for amalgamation is to be dated between 1 June 2024 and 1 December 2024). The documentation should demonstrate that a reasonable attempt has been made by the applicant(s) to purchase the isolated site.
   Documentation shall, at least, include:
   - Two independent valuations* that represent the potential value of the affected site. The valuations are to be dated within 6 months from lodgement of a development application as per the paragraph above. The valuations are to include other reasonable expenses likely to be incurred by the owner of the isolated property should the property sell; and
   - Evidence that a genuine and reasonable fair market value offer (dated within 6 months from lodgement of a development application) has been made to the owners of the affected adjoining site.

     *The following persons are considered suitably qualified to provide evidence of value of property:
     - A member of the Australian Valuers Institute.
     - A member of the Australian Property Institute who has acquired membership in connection with his or her occupation as a valuer.
     - a member of the Royal Institution of Chartered Surveyors who holds the designation “Chartered Valuer” or 'Chartered Valuation Surveyor'.

4 Site Planning

Site Planning

Objectives

a) To ensure that the residential flat building 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.

c) To ensure that residential flat builings that do not result in the loss of amenity to adjacent dwellings and open space.

d) To ensure that the development reflects the character of the locality and environment.

Controls

1. The building should relate to the site's topography with minimal earthworks, except for basement car parking.
2. Siting of buildings should provide usable and efficient spaces, with consideration given to energy efficiency in the building design.
3. Site layout should provide safe pedestrian, cycle and vehicle access to and from the street.
4. Siting of buildings should be sympathetic to surrounding development, taking specific account of the streetscape in terms of scale, bulk, setbacks, materials and visual amenity.
5. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.

Note: *A Site Analysis Plan is required for each development application.*

5 Setbacks

Objectives

a) To set buildings back from the street and adjacent properties to provide reasonable space for landscaping, open space and solar access.

b) To set buildings back from each other to provide visual and acoustic privacy.

c) To establish a streetscape of a scale and sense of enclosure appropriate to the locality.

d) To provide convenient and unobtrusive vehicle access and car parking without the use of long driveways.

Controls

1. Residential flat building development shall be provided in accordance with the below setbacks within table 1 and table 2.

Front and Secondary Setbacks

a) Buildings shall be setback in accordance with the following table.

Table 1

Road	Front Setback	Secondary Setback
Classified Roads	7.0 m	7.0 m

Other Streets	5.5 m	5.5 m

b) Verandahs, eaves and other sun control devices may encroach on the front and secondary setback by up to 1m.

c) The secondary setback is along the longest length boundary.

Side and Rear Setbacks

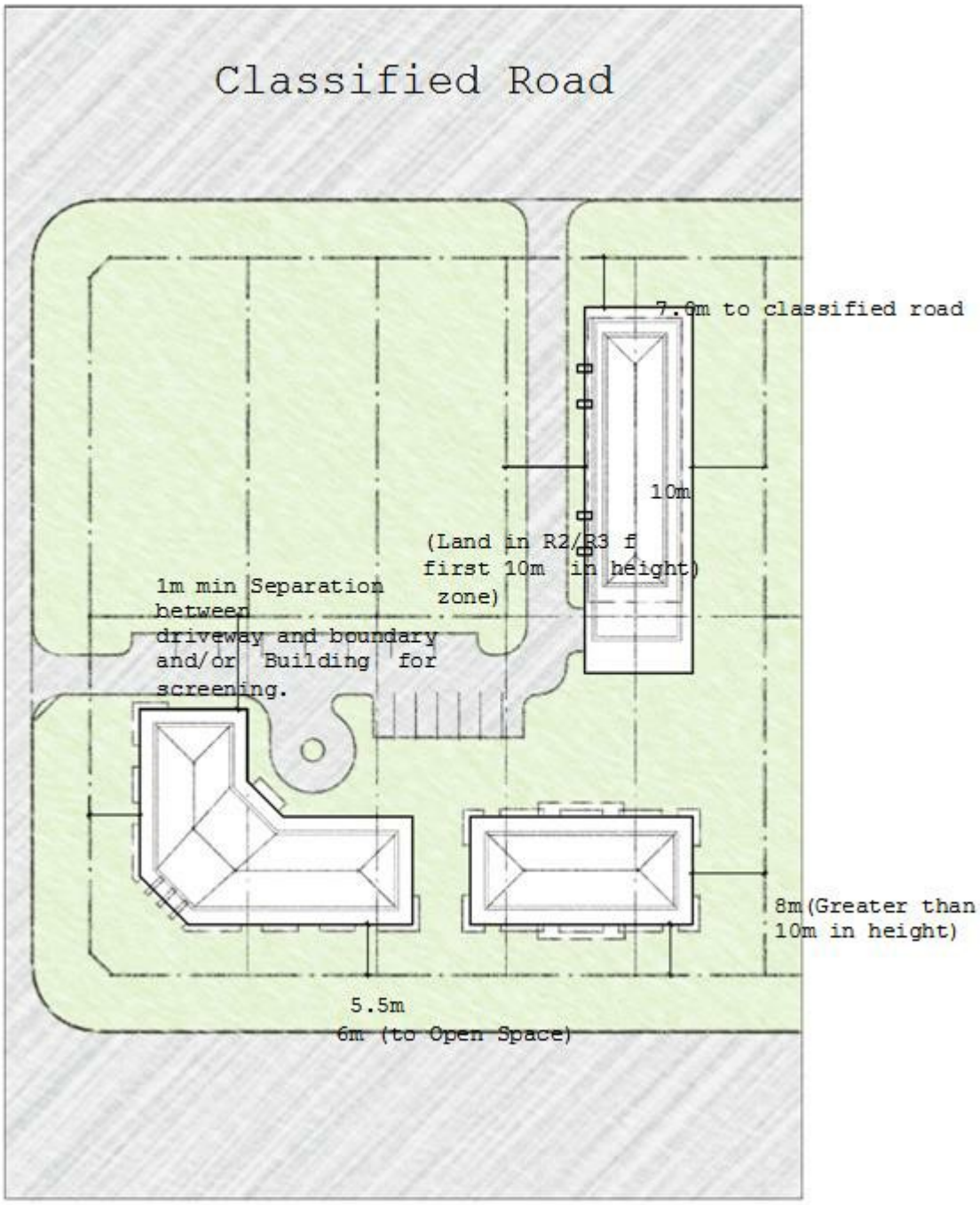
d) Buildings shall be setback from the side and rear boundaries in accordance with the following table.

Table 2

Item	Side Setback	Rear Setback
Boundary to land in R2 & R3 zones	10 m	10 m
Boundary to land in R2 & R3 zones (no windows to habitable rooms)	10 m	10 m
Boundary to land in R4 zone (First 10m in height, excluding roof/attic)	3 m	8 m
Boundary to land in R4 zone (Greater than 10m in height)	8 m	8 m
Boundary to public open space	6 m	6 m

e) Consideration will need to be given to existing and approved setbacks of residential flat buildings on adjoining buildings.

Figure 1 Residential Flat Building showing setbacks



6 Apartment Diversity

Part 4K of the ADG refers to Apartment Mix and requires for a variety of apartment types to be provided in residential flat buildings and matters to be taken into consideration when determining the apartment mix.

This section applies to development for the purpose of residential flat buildings only and does not apply for boarding house, Senior's housing, Group Homes, Co-Living or Build to Rent developments. Further this part does not apply for residential flat buildings provided by social housing providers, public authorities and joint venture as defined by chapter 2, part 2, division 5 of State Environmental Planning Policy (Housing) 2021.

Objectives

a) To provide for a variety of housing choice within Liverpool Local Government Area which caters for different household requirements now and in the future.

b) To increase the housing and lifestyle choices available in dwelling buildings.

c) Meet the Australian Adaptable Housing Standard (AS 4299-1995) and provide a sufficient proportion of dwellings that include accessible layouts and features to accommodate the changing requirements of elderly, disabled residents and families.

Controls

1. In addition to apartment mix requirements within the ADG, residential flat buildings are to provide for a variety of apartment types and sizes with minimum percentage of apartment mix as per the following table:

Number of bedrooms	Minimum percentage to be provided of total number of apartments
Studio	5%
One bedroom	10%
Three bedrooms or greater	20%
Dual Key apartments	Optional (No minimum or maximum)

2. If a variation to control 1 above is proposed, the development application is to demonstrate why a variation to the apartment mix of control 1 is justified. This includes taking into consideration:
    - the distance to public transport, employment and education centres.
    - the current market demands and projected future demographic trends.
    - the demand for social and affordable housing.
    - the surrounding current & future community.
3. At least 10% of all apartments are to be capable of being adapted for habitation by seniors and/or persons with disabilities complying with relevant Australian Standards including AS 4299 -1995. This is to include a mix of number of bedroom units. Note. This is different to section 4Q (Universal Design of the ADG).
4. The ground floor of residential flat buildings is to include a mix of apartments (I.e.: A mix of one bedroom, two bedroom, three or larger bedroom and adaptable apartments).
5. The top level of a residential flat building is to include three bedroom or greater apartments, including corner apartments as per objective 4K-2 of the ADG.
6. The layout of the apartment buildings are to provide for dwelling types that are oriented in a range of directions and provide for dual-aspect layouts maximising solar access and minimising privacy impacts to adjoining residential properties.

7 Amenity, Landscape, Deep Soil and Communal Open Space

Objectives

a) The site area and frontage of a proposed development is of sufficient size to accommodate a residential flat development building and provide adequate open space, deep soil zones and car parking.

b) Integrate new development with the established setback character of the street or in accordance with the emerging pattern of development in areas undergoing transition.

c) Ensure that the height, bulk and scale of development is compatible with neighbouring developments and both the established character and the desired future amenity of particular residential areas.

d) Ensure that basement and building envelopes are sufficiently setback from boundaries as to not

impact upon existing trees to maximise tree retention.

e) Minimise any overshadowing and manage privacy of adjacent properties and their private or communal open spaces.

Controls

1. Larger balconies, particularly greater balcony depth, are encouraged to be beyond the minimum area and depth outlined within Part 4E-1 of the ADG particularly for three bedroom or greater apartments subject to providing adequate privacy design to adjoining sites.
2. Storage within apartments, within the hallway of each level and storage cages within basements are encouraged to be beyond the minimum storage volume of part 4G-1 of the ADG particularly for three bedroom or greater apartments.
3. At a minimum, one communal clothes drying facility/area of adequate size based on the number and size of apartments shall be provided and not be visible from the street.
4. External staircases should be minimised.
5. Balconies which face other residential lands are to include a solid (non-transparent) balustrade. Louvers may be used.
6. If an adjoining site does not contain a building which is 3 storeys or greater, the adjoining property 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, any solar collectors and minimum 50% of the private open space. For buildings 3 storeys or greater refer to part 3B of the Apartment Design Guide.
7. Communal open space is to be avoided on southern elevations to increase solar access and along major transport corridors to avoid amenity impacts.
8. Communal open space located above the ground level shall incorporate privacy measures as per part 3F-2 of the ADG. (I.e. Privacy screening and/or be located towards the centre of a rooftop) to minimise privacy impacts to adjoining sites.
9. Rooftop communal open space areas, shall incorporate amenities such as shelter, BBQ facilities, seating, garden beds etc.
10. Hard surfaced areas are to be minimised. (I.e. For pathways, storage, communal open space and amenity uses only).
11. Where tree removal cannot be avoided, each tree, recommended to be removed as per an Arborist Report prepared by a minimum AQF level 5 Arborist, is to be replaced at a two to one replacement ratio of a similar species and mature height, as recommended within the required Arborist Report. Replacement tree selection shall predominantly comprise of native species.
12. For sites with multiple buildings, the areas between the buildings shall provide deep soil and high amenity areas including, wall art, garden and security lighting, seating and shelter and are:
    a) To provide building separation that encourages a walkable environment and direct travel lines through the site.
    b) To be designed to maximise solar access and CPTED principals.
    c) Be designed in accordance with accessible requirements for persons with limited mobility.
    d) Include a combination of soft and hard landscaping with tree plantings for shading and cooling
    e) Have the capacity for useable private open space to encourage socialisation and engagement.
13. If a building proposes a predominantly blank side/rear wall (I.e. Minimal windows or balconies), the wall of the building is to include wall art/rendering. Articulation is to be provided after a maximum wall length of 14m.
14. A minimum of 25% of a site area is to be landscaped to ensure action 6.2 of Local Planning

Priority 6 of Council's Local Strategic Planning Statement, 'Connected Liverpool 2040' is activated. Note: landscape area is defined within Liverpool LEP 2008 and this control takes precedence over Design criteria 1 of Objective 3E-1 of the ADG (Deep soil zones).

15. A minimum of 50% of the front setback area shall be landscaped area.

8 Car Parking and Basement Envelope

Objectives

a) Ensure the design of the buildings and location of uses responds appropriately to the site, provides a high quality of amenity and protects visual privacy to future occupants and surrounding residential uses, provides substantial deep soil.

b) Ensure basements do not reduce the deep soil for a site.

c) Ensure basements do not impact upon existing significant trees and ensure the trees retention.

Controls

1. Basements are to be provided for all residential flat buildings. At grade car parking may be considered for residential flat buildings provided by social housing providers, public authorities and joint venture as defined by chapter 2, part 2, division 5 of State Environmental Planning Policy (Housing) 2021.
2. Where above ground enclosed parking cannot be avoided, the design of the development is to ensure mitigation of any negative impact on the streetscape and street amenity including avoiding parking from fronting the street frontage and providing car parking behind the building façade.
3. Basements should avoid extending beyond the building envelope to maximise overall landscaped area for the subject site and are not to impact upon any existing significant trees on a site or on an adjoining site.
4. Driveway walls adjacent to the entrance of a basement car park and visible above ground are to be treated so that their appearance is consistent with the building.
5. Basements for residential flat buildings must demonstrate the location for Electrical distribution boards dedicated to electric vehicle charging in accordance with J9D4 of the National Construction Code.
6. All residential flat buildings must provide a car wash bay.
7. Pedestrian and driveways shall be separated.
8. Car parking allocated to adaptable apartments is to comply with the relevant Australian Standards for disabled parking.
9. Accessible/shared car parking spaces are to be located adjacent to elevators.
10. Stacked parking is not permitted unless allocated to the same unit. Stacked parking for visitor parking is prohibited.
11. Visitor car parking shall be clearly identified.

9 Boundary fencing

Objectives

a) To provide a clear transition between public and private open space.

b) To provide variety in the streetscape.

c) To provide fencing that enhances the streetscape.

Controls

1. Primary street fencing:
    a) The maximum height of a front fence is to be 1m.
    b) If the site has a frontage to a classified road, the front fence is permitted to be 1.8m height if the fence is articulated and includes plantings.

c) Front fencing is to be a minimum of 30% transparent.

d) Front fences are not to prevent passive surveillance by occupants of the street or communal areas.

e) Front fences shall be constructed in masonry, timber, metal pickets and/or vegetation and must be compatible with the proposed design of the dwelling. Colourbond material for front fencing is not permitted.

f) Front fencing is not to impede safe sight lines from the street and from vehicles entering and exiting the site.

2. Secondary street fencing:

a) The maximum height of a secondary street fence is to be 1.8m.

b) For secondary street fencing within the front building envelope setback, the fence is to be a maximum height of 1m unless control 1B above applies for sites with a frontage to a classified road.

3. Other Boundary fencing:

a) For boundary fencing within the front building envelope setback, the fence is to be a maximum height of 1m, and should use visually permeable materials and treatments as per part 3C of the ADG unless control 1B above applies for sites with a frontage to a classified road

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 Substations and Fire Hydrant Boosters - Refer to additional controls under Part 1, Subsection 31.
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.