Liverpool Development Control Plan 2008

Part 7

Development in areas zoned E4 – General Industrial or E5 – Heavy Industrial

August 2026

Part **7** must be read in conjunction with Part 1

Check if any Locality Parts also apply

LIVERPOOL CITY COUNCIL

LIVERPOOL THE GREAT SOUTH WEST

Part 7 Development in areas zoned E4 – General Industrial or E5 – Heavy Industrial

1 Preliminary

Applies to

1. Part 7 applies to land zoned E4 – General Industrial or E5 – Heavy Industrial under Liverpool LEP 2008, except land at Shepherd Street, Liverpool and north of Newbridge and Bridges Road, Moorebank which is in Part 4. Liverpool City Centre.
2. Part 1 of the DCP also applies to the land.
3. Part 2.8 only applies to the Moorebank Defence Lands.

Background

There are several areas in Liverpool that are zoned industrial. The oldest industrial area in Liverpool is in Shepherd Street. The Warwick Farm and Moorebank areas began developing in the 1950's. The Chipping Norton area began developing in the 1960's. The area of Prestons east of Ash Road developed in the 1970's. Redevelopment has subsequently taken place in these areas.

The Prestons and the Cross Roads area began developing in the 1990's. The area around Anzac Road began developing in the 2000's.

Bulky Goods Retailing in Industrial Areas in centred on Warwick Farm and at Cross Roads. Over time additional non-industrial uses have taken place in the industrial areas.

Link to Liverpool LEP 2008

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

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

Objectives

a) To provide urban design requirements for the range of uses permitted in the various industrial zones.

b) To provide urban design requirements to ensure that the range of uses permitted in the various industrial zones are compatible with each other and with development permitted in adjoining zones.

c) To provide design requirements to ensure development in the industrial zones are compatible with the natural environment.

d) To provide design requirements to ensure that development in the industrial zones are compatible with the requirements of Liverpool LEP 2008.

e) To provide design requirements to ensure that development in the industrial zones which is in the vicinity of land within a residential zone would be compatible with the character and amenity of the existing and likely future nearby residential areas in terms of:
- Its scale, bulk, design, height, siting and landscaping.
- Its operation.
- Traffic generation and car parking.
- Noise, dust, light and odour nuisance.

- Privacy.
- Stormwater drainage.
- Hours of operation.
- Overshadowing.

2 Site Area

Background

The subdivision of sites zoned for Industrial use is permitted within *Liverpool LEP 2008*. Subdivision of sites may only occur if the newly created site meets the required site dimensions. Any access handles or corridors, cannot be included as part of the site area.

Objectives

a) To accommodate the needs of industry while ensuring that all allotments are of sufficient size to function efficiently

b) To enhance the quality of the streetscape in industrial areas.

Controls

Minimum site area of an allotment: 2,000sqm.

3 Site Planning

Background

Industrial areas within Liverpool LGA are potentially a very intensive use of land. The extent of impervious area is often very high, which can have an impact not only on the adjoining land but also on the broader area. The layout of the proposed development will have a significant impact on the streetscape environment of industrial areas.

Objectives

a) To ensure that the development considers the impact on adjoining properties.

b) To consider the natural features of the site.

c) To consider any other potential site constraints.

Controls

1. Where possible, site planning allows for the retention of significant trees and vegetation, particularly near the street frontage.
2. The development must be designed around the site attributes such as slope, existing vegetation and land capability.

Specific Controls for Prestons Industrial Area

Archaeologically Significant Sites

The following sites have been identified as having potential archaeological deposits and as such are required to lodge an archaeological investigation and heritage report prepared by a suitably qualified person with any Development Application for subdivision and/or development.

- Lot 10 DP 1070164 (Lot 10 Illaroo Road)
- Lot 1 DP 121122 (Lot 1 Kurrajong Road)
- Lots A, B, C, D DP 101475 (Kurrajong Road)

Bernera House Heritage Site

Lot 34, DP 2359 Yarrunga Road is identified as being the former location of Bernera House. Any DA for subdivision or development of this lot must be accompanied by an archaeological investigation and heritage report prepared by a suitably qualified person into the former house and outbuildings and any remnants or relics there of.

Land within Electricity Easements

The following general controls apply to any land affected by an electricity easement.

1. Buildings or other substantial structures or parts thereof shall not be erected within the easement area.
2. Minor structures, plant or equipment, shall not be erected or installed within the easement area without prior written approval of TransGrid.
3. Obstructions of any kind shall not be placed in the easement area within 15m of any part of a transmission line structure.
4. Vehicles, plant or equipment having a height exceeding 4.3m when fully extended shall not be brought onto or used within the easement without prior written approval of TransGrid.
5. Garbage, refuse or fallen timber shall not be placed within the easement area.
6. Flammable material shall not be stored within the easement area.
7. Trees and shrubs may be planted within the easement area provided that they are limited to types that will not grow to a height exceeding 4m.
8. Trailers and flammable material carriers shall not be parked within the easement area.

Servicing

1. Integral Energy has advised that until the rebuild of the Hoxton Park Zone Substation (2009/10), servicing capacity is limited within the Yarrunga Industrial Precinct. Council will refer any DA within this area (other than for subdivision or earthworks) to Integral Energy for their consideration. All DAs will be considered and development consents will be conditioned according to Integral Energy's response.
2. The Hoxton Park Recycled Water scheme provided by Sydney Water will service development within the Yarrunga precinct with non-potable water. Each Development Application must detail how dual reticulation is to be incorporated into development.

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.

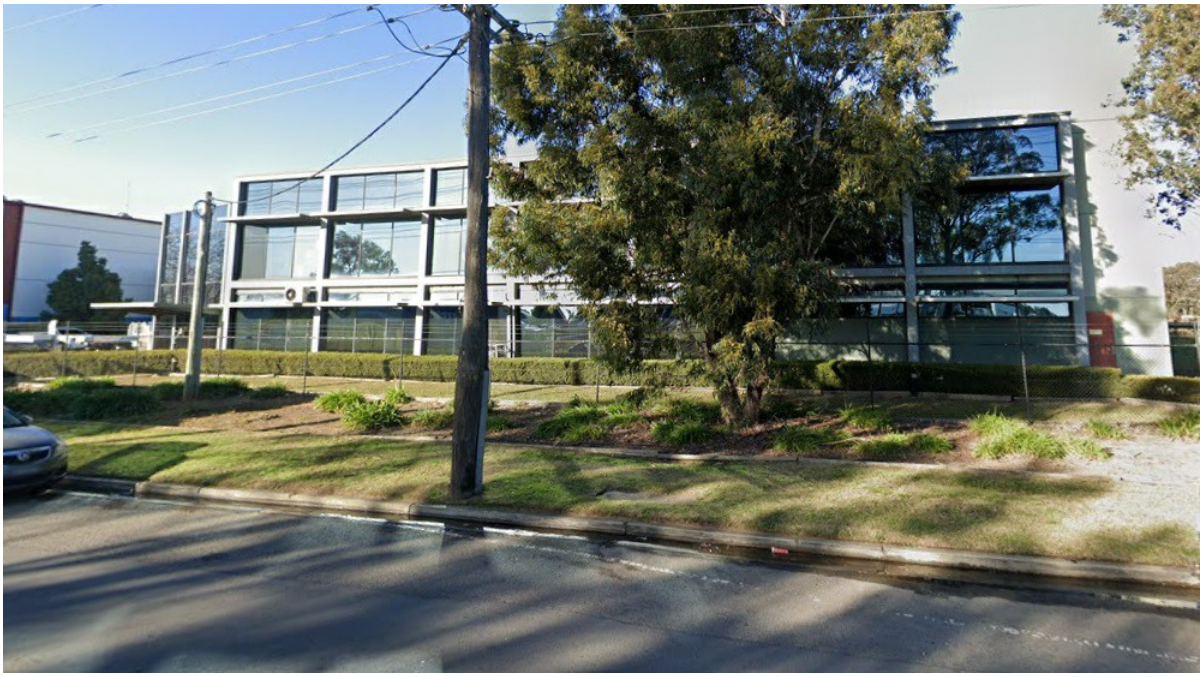
Table 1 Setbacks

Street	Primary Setback (Ground Floor)	Primary Setback (First Floor)	Secondary Setback
Classified Roads Any street fronting land ina a residential zone	18 m	15 m	15 m
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.

5 Landscaped Area

Background

The landscaping of a development has a major role in improving the streetscape of an industrial area. It also provides opportunities for staff recreation areas and absorption and detention of stormwater from the development. There is a need for sufficient area to be made available in order to provide sufficient landscaping.

Objectives

a) To ensure that sufficient deep soil areas are provided for landscaping.

b) To ensure that landscaping is provided to improve the streetscape environment of industrial areas.

c) To ensure that landscaping is sustainable in terms of length of plant life and maintenance.

Controls

1. A minimum of 10% of the site is to be landscaped at ground level.
2. A development must provide a landscaped area along the primary and secondary frontages of an allotment in accordance with Table 2

Table 2 Landscaped Area

Allotment size	Minimum Landscape Depth (primary setback)	Minimum Landscape Depth (secondary setback)
Smaller then 3,999sqm	5 m	3 m
Greater than 4,000sqm	10 m	5 m

3. Land which is at Cowpasture Road (adjacent to future link road across Hinchinbrook Creek to former Hoxton Park Airport) shall be landscaped in the setback 5m from the rear and side boundary (where this is not adjacent to the future link road).

Figure 2 Landscaping along frontage

6 Building Design, Streetscape and Layout

Background

All developments have an impact on the streetscape of industrial areas. This impact can result from the location, design and height of buildings and structures. Streetscape is the urban environment created by

the relationship of built elements to the public domain. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character.

Ancillary elements of development such as advertising, driveways and fencing are important elements of the streetscape. To make a positive contribution to the streetscape, new development needs to reinforce the scale and character of existing buildings and landscape elements.

Crime Prevention Through Environmental Design (CPTED) is an integral component of high quality urban design and must be considered holistically throughout the design and development processes.

Objectives

a) To ensure the creation of an attractive streetscape character within each industrial area.

b) To encourage a high standard of architectural design for industrial buildings.

c) To ensure compatibility with any adjoining residential areas.

d) To promote a high standard of urban design, particularly along Classified roads.

e) To ensure buildings are orientated to allow surveillance from the street and adjoining buildings.

f) To locate and design buildings and structures to restrict access by intruders.

Controls

Facade treatment

1. The facades to a development must adopt a contemporary architectural appearance.
2. A development must use architectural elements to articulate facades, and minimise large expanses of blank walls. Architectural elements may include but not be limited to:
   - Defining the base, middle, or top of a building using different materials and colours.
   - Incorporating horizontal or vertical elements such as recessed walls or banding.
   - Defining the window openings, fenestration, building entrances, and doors.
   - Using roof forms and parapets to create an interesting skyline.
   - Using sun shading devices.
   - Incorporating public art work.
   - Using a variation of unit designs in a building complex.
   - Any other architectural feature to the satisfaction of Council.
3. Where a development proposes a portal frame or similar construction, Council does not permit the “stepping” of the parapet to follow the line of the portal frame.
4. The street facade of a development on a corner allotment must incorporate architectural corner features to add visual interest to the streetscape.

Figure 3 Character of Industrial Buildings

Materials and Colours

1. Glazing shall not exceed reflectivity of 20%.
2. A development must use:
   - Quality materials such as brick, glass, and steel to construct the facades to a development.
   - Masonry materials to construct a factory unit within a building, and all internal dividing walls separating the factory units.

Building Design

1. The front door to a building should face the street.
2. The administration office or showroom must be located at the front of the building.
3. Windows on the upper floors of a building must, where possible, overlook the street.
4. 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.
5. Open style or transparent materials are encouraged on doors and/or walls of lifts and stairwells, where fire safety requirements allow.
6. Waiting areas and entries to lifts and stairwells should be close to areas of active use and be visible from building entrances.
7. Driveways must provide adequate sight distance for the safety of pedestrians using the footpath area.
8. Pathways should provide direct access and any edgework should be low in height or not reduce visibility of the pathway.
9. Entry to basement parking areas should be through security access via the main building. This access should be fitted with a one way door (allowing for fire safety provisions) and allow only authorised access from the foyer into the basement.
10. 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 applied to the wall to a height of 2 metres.

11. All new industrial buildings are to demonstrate on the architectural plans that the rooftop is designed to enable the installation of solar panels.

Lighting

1. Lighting must be provided to the external entry path, common lobby, driveway, and car park to a building using vandal resistant, high mounted light fixtures.
2. The lighting in a car park must conform to AS 1158.1, 1680, and 2890.1.
3. External lighting to an industrial development must give consideration to the impact of glare on the amenity of adjoining residents.

Facilities

The siting of a telecommunication facility, aerial, satellite dish, plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must integrate with the architectural features of the building to which it is attached; or be sufficiently screened when viewed from the street and neighbouring residential zoned land.

Service Areas

Service areas including waste, recycling areas and external storage areas are to be located away from principal street frontages and screened from view.

7 Landscaping and Fencing

Background

The landscaping of a development has a major role in improving the streetscape of an industrial area. All Industrial developments require landscaping to be provided. The landscaping must consider the existing streetscape character and the impact on neighbouring properties. The provided landscaping should make the site more attractive and soften the appearance of development.

Objectives

a) To establish an attractive streetscape character within the industrial areas.

b) To reduce the visual impact of industrial buildings & car parking areas.

c) To protect existing trees on site and on neighbouring allotments.

d) To provide outdoor amenity areas for use on industrial sites by employees.

e) To ensure that landscaping is sustainable in terms of length of plant life and maintenance.

f) To provide planting, which facilitates a habitat for native fauna.

g) To allow fencing to provide security to industrial premises.

h) To maximise surveillance using tall trees (lower branches above head height) and small shrubs and bushes.

Controls

The landscaped areas shall be landscaped to achieve that shown in the following illustration.

Figure 4 Landscaping in front of a fence

Landscape treatment in Industrial Areas

Landscaping within industrial areas shall generally involve the provision of trees and shrubs in mulched garden beds. In particular the landscaping shall involve the following:

1. The trees shall provide a canopy for the streetscape and soften the appearance of the industrial environment, without unduly concealing approved on site signage.
2. Mulched garden beds shall incorporate ground covers that will cover the ground area.
3. Shrubs shall be used to soften appearance of the industrial area but still allow line of sight between the street and the development.
4. Large shrubs shall be used as screen planting where there is a need to screen certain areas such as outside storage.
5. Shrubs shall only be planted in mulched garden beds.
6. Grassed areas may be considered in limited areas in conjunction with mulched garden beds.
7. Trees shall only be planted in grass where there is a border around the tree separating it from the grassed area.
8. The 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.
9. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.
10. Planting along pedestrian pathways, around car parking areas should be selected to promote surveillance and minimise areas for intruders to hide. Low hedges and shrubs, creepers and ground covers, or high canopied vegetation would be appropriate.

Trees

1. Trees must be planted in the landscape area at a minimum rate of 1 tree per 30sqm of the landscape area.
2. The trees must be capable of achieving a mature height greater than 8m.
3. Where trees are planted around high use facilities such as car parking areas and walkways, they should have clean trunks to height of 1.8m.
4. Large trees and shrubs should not be located so they can be used to access buildings on the site or adjoining properties.

Fences at Front Boundary

1. Solid front fences must have a maximum height of 1.2m.
2. Front fences higher than 1.2m shall be consistent with the following:
   - Maximum height of 2m.
   - Transparent.
   - Dark colour.
3. Chain wire, metal sheeting, brushwood and electric fences are not permitted.
4. Fences should not prevent surveillance by the building's occupants of the main open or communal areas within the property or the street frontage.
5. 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.

Screen Fencing

Where fencing is considered necessary to screen areas such as outside storage it shall consist of the following:

- Maximum height of 2m.
- May be solid construction.
- Shall be located behind the landscaped area.

Detailed Landscape Plan

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

Figure 5 Landscaping in front of a high fence

8 Car Parking and Access

Background

Car parking and safe access provision is fundamental for all sites in the industrial areas. Refer to Part 1.2 for additional information about car parking and access requirements.

Objectives

a) To provide adequate on site car parking to reduce the need for street car parking.

b) To ensure safe and easy vehicle circulation within the site.

c) To provide safe and easy access to and from the site for pedestrians and motorists.

d) To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape.

e) To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character.

Controls

1. The layout of driveways to loading docks must enable heavy vehicles to:
   - Enter and exit the site in a forward direction.
   - Park within designated loading areas.
   - When possible, loading docks are to be located in areas that:
     a. Are not exposed to public streets.
     b. Are generally separate from and do not interfere with car parking areas
2. Car parking areas are to be landscaped to provide shade and reduce the visual impact of parked cars.
3. Provide a 2.5m wide landscape bay between every 6 - 8 car spaces.

Figure 6 Landscaping between car parking spaces

Traffic and Site Access adjacent to Kurrajong Road, Prestons

1. There is to be no truck access to sites from Kurrajong Road. All truck access to these properties is to be gained via rear driveways or roads.
2. An internal service road is to be provided adjacent Kurrajong Road which allows for safe car movements and may accommodate parking. See Figure 7.
3. Where a cul-de-sac is required a turning head with a minimum of 13.5m radius may be required.
4. The Kurrajong Road Service road will be created as a privately owned access way. As such right-

of-way must be granted across each property.

5. Speed humps are to be provided within the service road at 100m intervals are to be located on the following lots at the following rates:
   - 1 speed hump on Lot 11, DP 1185132
   - 1 speed hump on Lot 41 DP 2359
   - 1 speed hump on Lot A DP 416483
   - 1 speed hump on Lot B DP 416483
   - 2 speed humps on Lot 43 DP 2359
   - 1 speed hump on Lot 20 DP 1173483

The subject lots are shown highlighted in Figure 7 below:

Figure 7: Speed humps are to be provided within the service road to be located on the highlighted lots at 100m intervals.

Right of Way

1. This DCP limits truck access for development on certain allotments facing Kurrajong Road. Also one part allotment has no road access due to severance caused by the M7. These allotments are listed in Column 1 of table 3.
2. To remedy this situation, certain allotments must retain a right-of-way across the land giving truck access to certain other lots as shown in the corresponding row of the table below. These allotments are listed in column 2 of table 3.

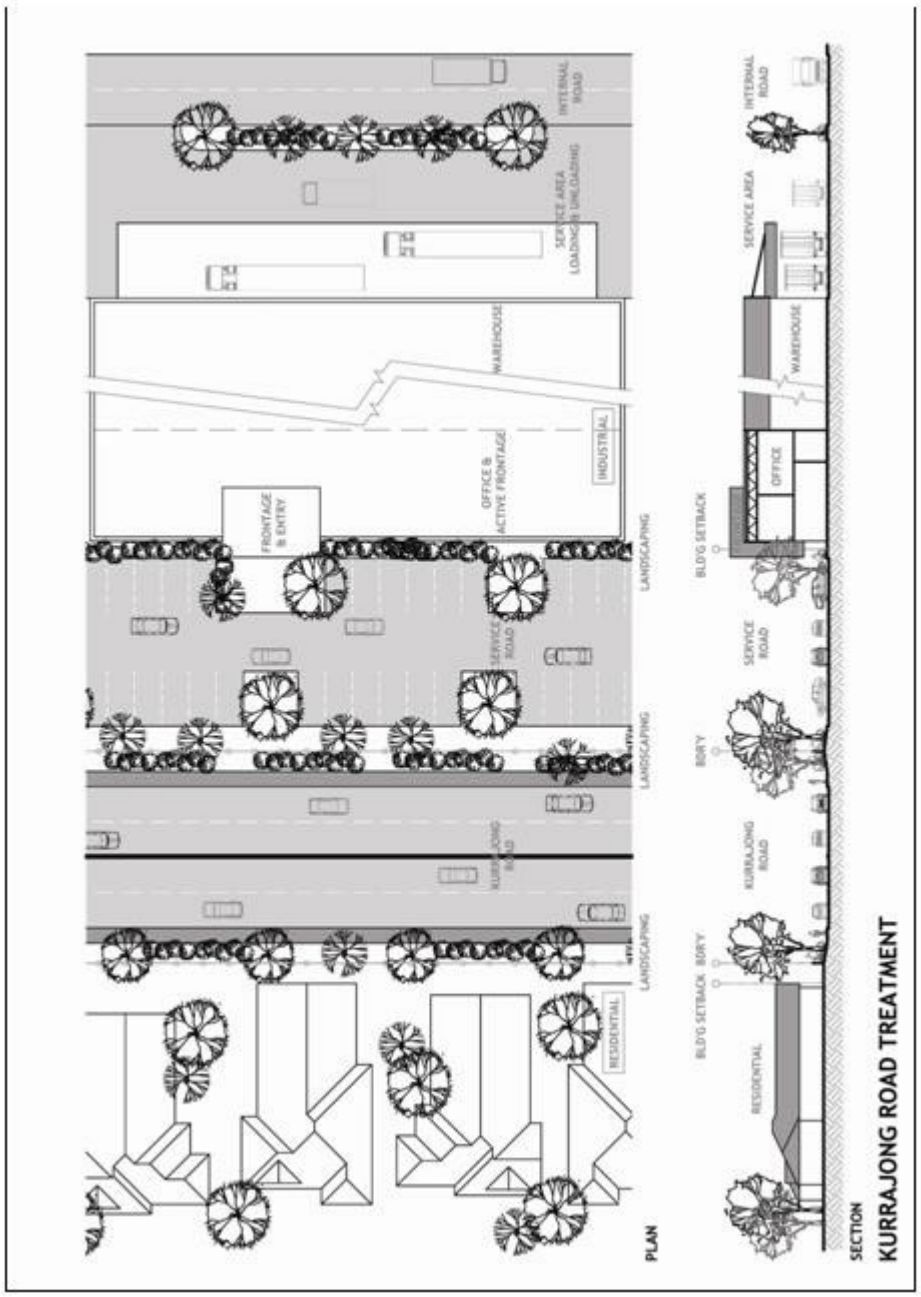
Table 3 Right of Way

Land which fronts Kurrajong Rd or without road access	Land to which must give right of way to the adjoining land
Lot A and B DP 416483	Lot 41 DP 2359
Lot B DP 416483	Lot A DP 416483
Lot 43 DP 2359	Lot 34 DP 2359
Lot 39 DP 2359	Lot 11 DP 1185132
Lot 38 DP 2359	Lot 1 DP 119428
Pt Lot 2 DP 1045029	Lot 3 DP 1045029

3. The location of this right of way is to be clearly shown within any DA for development of all lots listed in both column 1 and column 2.

Figure 8: Land which fronts Kurrajong Rd or without road access and Land which must give right of way to the adjoining land.

Figure 9 Kurrajong Road and service road section



Lots Fronting Bernera Road, Prestons

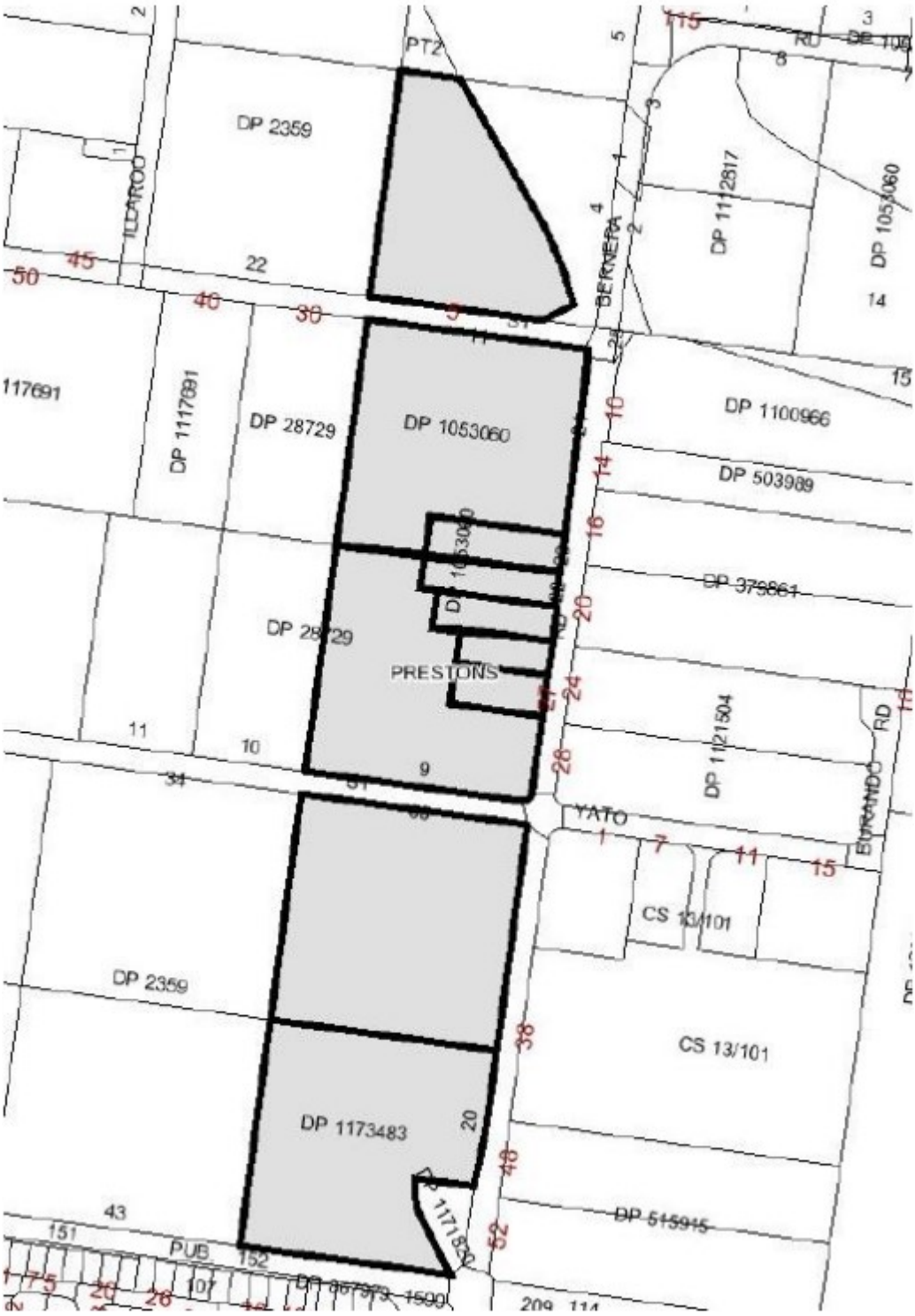
To minimise driveway access directly onto Bernera Road and to alleviate traffic impacts generated by turning movements:

1. Any lot that has frontage to Bernera Road in addition to a secondary street or planned future secondary street must utilise the secondary street for all vehicular access.
2. All allotments that address Bernera Road and have no alternate public road access may have only one driveway entry/exit point per existing allotment. This includes any allotment created after consolidation to achieve the minimum 65m
3. Pedestrian access is encouraged from Bernera Road.
4. Any DA for development of the following allotments must identify and dedicate a 14m wide easement along the Bernera Road frontage to accommodate drainage infrastructure:

- Lot 1 DP 1045029
- Lot 9 DP 1053060
- Lot 10 DP 1053060
- Lot 11 DP 1053060
- Lot 6 DP 28729
- Lot 7 DP 28729
- Lot 8 DP 28729
- Lot 9 DP 28729
- Lot 33 DP 2359
- Lot 20 DP 1173483

Subject allotments are illustrated in Figure 10 below:

Figure 10: Allotments which must identify and dedicate a 14m wide easement along the Bernera Road frontage to accommodate drainage infrastructure



Traffic and Site Access for land at Cowpasture Road (adjacent to future link road across Hinchinbrook Creek to former Hoxton Park Airport)

1. Vehicular entry to the site from Cowpasture Road shall only be permitted if it consists of a deceleration lane from Cowpasture road, built to the satisfaction of Council.
2. Exit from the site shall be provided on the future link road across Hinchinbrook Creek to former Hoxton Park Airport).
3. Car parking must not be provided in the rear or side setbacks.

9 Amenity and Environmental Impact

Background

Industrial and related developments have potential to cause a significant environmental impact in terms of odours, noise and discharges. Some of these impacts are addressed by the Protection of the Environment Operations Act 2008. However the design and operation of development in industrial areas can contribute to avoiding these issues. The impacts may be on more sensitive land uses in nearby residential areas or on other uses within the industrial areas. As the range of uses permitted in the industrial areas is quite significant it is necessary to consider these impacts on land uses within the industrial zone.

Objectives

a) To ensure that neighbouring properties are not adversely affected from any operation on site.

b) To minimise the potential detrimental impact of pollution, dust, noise, odour and traffic.

Controls

External Industrial Activities

1. External processes in an industrial area and storage of materials will not be permitted along a Classified Road frontage or a road frontage opposite a residential area.
2. Storage and processing of motor vehicles, concrete, soil, glass and other similar components or materials shall be totally screened by fencing and dense landscaping (refer to Landscaping and Fencing and Section 4 Landscaping and Existing Trees in Part 1).
3. The maximum height of a stockpile for the recycling of motor vehicles, concrete, soil, glass and other similar components or materials shall be 6m.

Noise

In order to comply with the Protection of the Environment Operations Act 2008 it may be necessary to construct external works. Mounding, planting and/or noise barriers may be permitted to reduce the impact of noise levels, provided that this does not compromise any other provision in the DCP. The following illustration gives examples of satisfactory treatments.

Hazardous materials and hazardous operation

Certain industrial processes are identified as Designated Development under the Environmental Planning and Assessment Act 1979. It will be necessary to contact the NSW Department of Planning for their requirements for the preparation of an environmental impact statement.

Hours of Operation

Development which would have an adverse impact on adjoining or nearby residential areas will be limited to 7 am to 6 pm Monday to Friday and 7 am to 12 pm on Saturday and no work to be undertaken on Sundays.

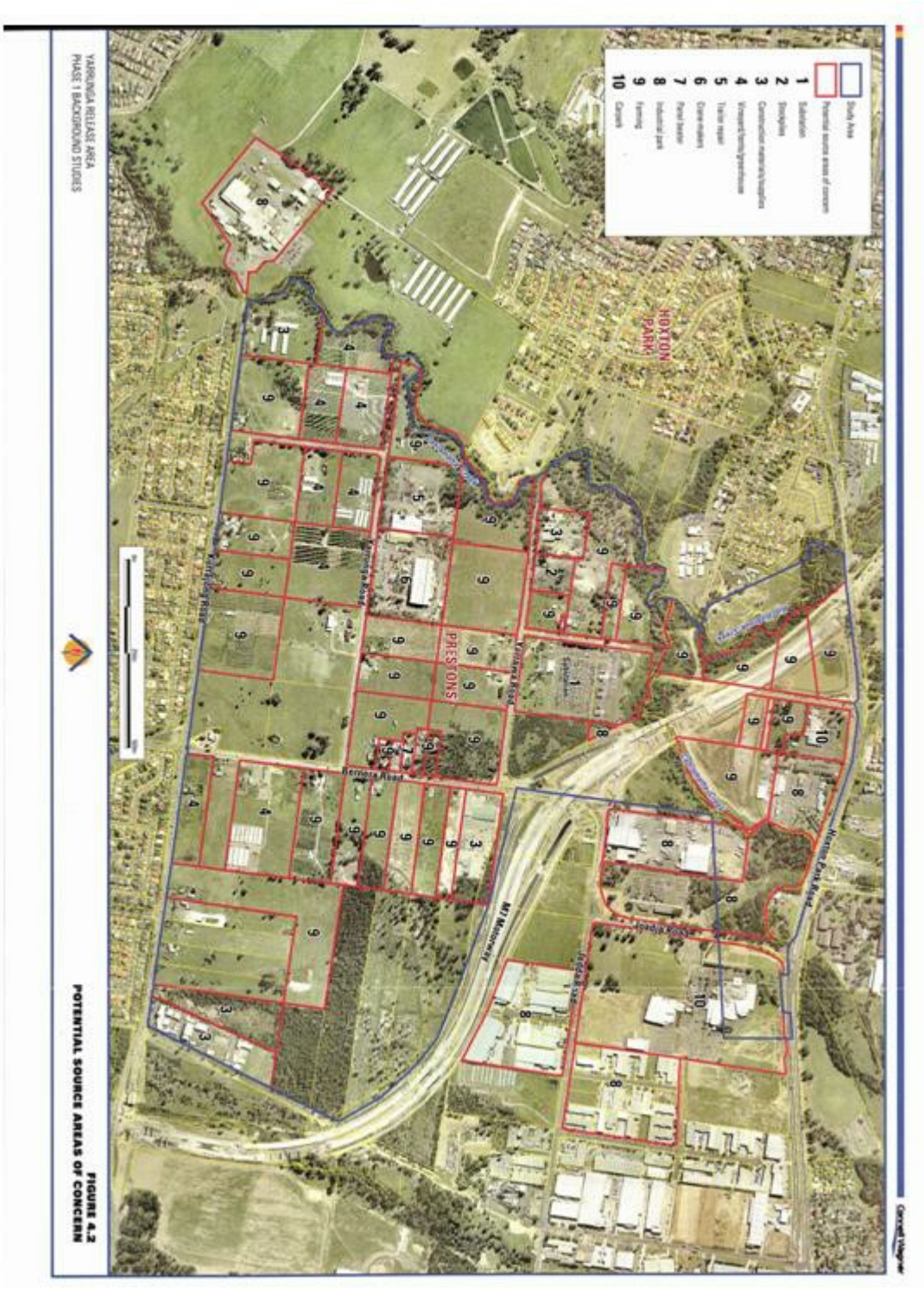
Bushland Management

Where a proposal may adversely impact on bushland, a Vegetation Management Plan (VMP) for the conservation of the bushland shall be submitted. The VMP shall be undertaken in accordance with the pertinent NSW Office of water Guidelines.

Contamination

Any DA for land identified as potentially contaminated by prior land use activities and shown in Figure 11, must be supported by a phase 1 contamination assessment.

Figure 8 Potentially Contaminated land



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.

11 Change of use of existing buildings

Background

Changes to the use of existing buildings in industrial areas may require upgrades. In some cases it will be from an industrial related use to a non-industrial use. It is necessary to ensure that the building will be suitable for the new use and that its use does not have an adverse impact on adjoining and nearby land uses.

Objectives

a) To ensure that the existing building is appropriate for the new use.

b) To ensure that any necessary upgrades or changes to the development are made.

c) To ensure there are minimal adverse impacts on surrounding development.

d) To ensure there are minimal adverse impacts on traffic on nearby streets.

Controls

Where a change of use is proposed to an existing development that will result in a significant impact on adjoining or nearby properties or on traffic movements may not be permitted.

Building Appearance, Streetscape and Layout

All buildings on site shall if needed be upgraded to comply with the Building Code of Australia relevant to the proposed use. Where this has an impact on the exterior of the building it shall comply with the requirements in this DCP.

Car Parking and Access

1. Where the new use requires more car parking than is currently provided, it shall where possible increase the car parking and loading provisions to meet the requirements of the DCP, subject to compliance with other provisions of the DCP.
2. Where a new use results in additional traffic generation it may be necessary to adjust the access driveways to suit the traffic generation. Refer to Part 1 of the DCP for details on access provisions.

Landscaping and Fencing

Where existing landscaping is below the standard identified in the DCP, the existing area of landscaping shall where possible be upgraded to the standard specified in the DCP.

Amenity and Environmental Impact

1. Any extension of hours outside the existing hours of operation or outside the hours of 6.00 am to 6.00 pm shall require consent from Council.
2. The new use shall not compromise the amenity of the locality in any greater, different or additional way than the existing use.

Site Services

Any adjustments required to any Council infrastructure in conjunction with the change of use shall be at no cost to Council.

12 Non Industrial Developments

Background

Liverpool LEP 2008 *permits a range of Non Industrial land uses within the industrial zones. These are those uses which are ancillary to industrial businesses or which are compatible with an industrial environment.*

These Non Industrial 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.

Some Non Industrial land uses have some specific controls. The rest are covered by general controls as follows:

Objectives

a) To ensure that the Non Industrial land uses are compatible with the industrial environment.

b) To ensure that the Non Industrial land uses do not unnecessarily restrict the operation of industrial and related uses in industrial areas.

c) To ensure that Non Industrial land uses are designed to operate without adverse impact from industrial developments.

Controls

The following controls are in addition to those in Sections 1 - 10.

Site Planning

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

Car Parking and Access

Car parking shall minimise on street car parking be able to operate separately from other land uses on the site which may be closed out of hours.

Amenity and Environmental Impact

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

12.1 Ancillary Dwellings

Background
There will from time to time be a need for an ancillary dwelling in conjunction with a development within an industrial area. This includes a caretakers dwelling.

Objectives
To ensure that the ancillary dwelling is provided with an adequate living environment for the occupants.

Controls
The following controls are in addition to those in Sections 1 - 10.

Building Appearance, Streetscape and Layout
A separate pedestrian access shall be provided from the front of the building to the dwelling.

Private Open Space and Landscaped Area
The dwelling shall be provided with a minimum private open space area of 80sqm.

Car Parking and Access
A separate car parking space shall be provided for the dwelling.

Amenity and Environmental Impact
1. The dwelling shall be located so that it does not suffer adverse impact from the operation of the business on site.
2. Ancillary dwellings must be designed in accordance with the Department of Environment and Climate Change's Industrial Noise policy.
3. The impacts of industrial development should be mitigated by providing protection for the dwelling from overshadowing and overlooking, noise, light, dust and odour nuisance. These impacts can be mitigated by provision of acoustic engineering, walls, screening, physical separation, site landscaping and maintaining appropriate hours of operation.

12.2 Sex Services Premises

Background
Since the mid-1990s Sex Service Premises have been legal in NSW. Council has chosen to permit these in industrial areas subject to certain restrictions.

Objectives
a) To ensure Sex Service Premises are located at a reasonable distance from residential areas and other sensitive land uses.

b) To prevent the concentration of Sex Service Premises in one area.

c) To ensure safe access to Sex Service Premises for staff and patrons.

Controls
The following controls are in addition to those in Sections 1 - 10.

Site Planning
1. Sex Service 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. Sex Service Premises shall not be located within 150m of any land for which a consent for the uses listed in item 1 above exists.
3. Sex Service Premises shall not be located within 100m of the site of any other Sex Service Premises or any land for which a consent for Sex Service Premises exists.

4. Sex Service Premises shall not be located on a classified road or within 90m of an classified road if on a street intersecting an classified road.
5. No patron access is to be from a laneway.
6. Appropriate lighting must be provided to the pedestrian access and premises entry.

Amenity and Environmental Impact

As a condition of development consent a report shall be submitted annually to Council that demonstrates the Sex Service Premises is operating satisfactorily within the terms of the consent and not having an adverse impact upon the neighbourhood amenity. The report shall also provide confirmation from the NSW Police that the Sex Service Premises is operating satisfactorily.

Signage

1. Only one unobtrusive sign per premises, having a maximum size of 1.5sqm.
2. Sign wording must be limited to the trade name of the business operated and the address of the premises. No other characters, depictions, pictures or drawings are to be displayed on the sign.
3. The content, illumination, size, shape and location of the sign must not interfere with the amenity of the neighbourhood.

12.3 Child Care Centres

Background

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

Lot Sizes

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

Objectives

a) To limit traffic and parking issues to the level found within the area.

b) To maintain the amenity, streetscape and character of the area.

c) To provide and maintain a safe and healthy learning and play environment for children;

d) To ensure that the play areas area clearly defined and to enable children to play in a secure environment under supervision.

Controls

1. The maximum number of children in any 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 following controls are in addition to those in Sections 1 – 10.

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

Licence Requirements

1. In order to operate a child care centre, the applicant needs to obtain the following:
   - Development consent from Council under the Environmental Planning and Assessment Act 1979.
   - 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.

2. 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.

Subdivision, Frontage and Allotment Size

Site Planning

The appropriate lot size is determined by the proposed number of children and meeting other requirements set out in this Part. The proposed child care centre must comply with open space requirements as set out in the *Children Services Regulation 2004.*

Site Location

Child Care Centres will not be permitted near or adjacent to the following uses:

- Extractive industries, Waste Depot or landfill site.
- Within 150m of a Sex Service Premises.
- Within 50m of mobile phone towers or antennas or transmission line easements or other similar electromagnetic radiation sources.

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. Child Care Centres must be located and designed so as not to pose a health or safety risk to children using the centre.

Open Space and Landscaped Area

1. A Child Care Centre must have at least 7sqm useable outdoor play space per child.
2. The outdoor play space shall not be located within the street setback.
3. Buildings shall be designed to ensure that sunlight is available to 50% of the outdoor play area for a minimum of 3 hours between 9:00am and 3:00 pm on June 21 or shall not create additional overshadowing.
4. The play area shall not be used as a stormwater detention basin.

Building Appearance, Streetscape and Layout

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

Landscaping and Fencing

Landscaping

1. Where landscaping is used to provide privacy, species selected are to achieve these measures within three years.
2. All side and rear setback areas are to be planted with species in a way in which will provide

privacy in maturity.

3. Advanced tree species are to be used for key elements within the landscape design to provide privacy screening.
4. Areas of grass are to be limited to play areas. Other landscaped areas are to be planted.
5. Trees adjacent or within the play area are to provide shade and allow winter sun entry
6. Landscaping species must be appropriate to prevent injury to children from toxic, spiky or other hazardous plant species.

Fencing

1. Side (behind the building setback) and rear fencing shall be no more than 1.8m in height unless adjoining a park.
2. Fences shall be constructed of materials compatible with the proposed building.
3. In areas zoned industrial, Child Care Centres shall provide fencing to the outdoor play area which is snake proof and prevents access by children from the play area to unsafe areas on subject or adjoining properties.
4. 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.
5. Solid front fences and walls shall be a maximum of 1.2m in height.
6. Gates shall be the same height, self-closing and be secure and fitted with a childproof lock.

Amenity and Environmental Impact

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.

Adjoining uses

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

12.4 Telecommunications Facilities

Background

There is a need to permit Telecommunication Facilities to allow sufficient coverage for uses of mobile telephones. This need is balanced by the need to consider the environmental impact of these on industrial areas. The Australian Telecommunications Authority also manages Telecommunication Facilities.

Objectives

a) To ensure that Telecommunication Facilities are not within close proximity to residential dwellings or sensitive populations in order to minimise the potential of electro-magnetic radiation exposure.

b) To ensure that the siting of Telecommunication Facilities is compatible with other permissible and adjoining land uses

c) To minimise any adverse impact of Telecommunication Facilities on surrounding properties.

d) To minimise the number of Telecommunication Facilities by encouraging the co-location and sharing of facilities.

Controls

The following controls are in addition to those in Sections 1 - 10.

Site Planning

1. A Telecommunication Facility shall be located where the vegetation, landform or features of an open space location will adequately screen or reduce the impact of the Telecommunications Facility from public areas and reduce the impact of the Telecommunications Facility.
2. A Telecommunication Facility shall not to be located where it will detract the heritage significance or settings of a heritage item.
3. The selection of a site shall involve a site analysis of the existing landscape.
4. The location of a Telecommunication Facility shall not be within a 300m “buffer” from an adjoining residential dwelling or sensitive population unless the annual average exposure limit does not exceed 0.2uW/cm2.
5. Telecommunication Facilities and associated ground facilities are not permitted on land that is “Environmentally Significant” as identified in Liverpool LEP 2008.
6. Telecommunication Facilities and associated ground facilities are not permitted on land below the PMF level.
7. The erection of any new Telecommunication Facilities must be proven to be required where no available alternative for co-location is available
8. The construction of any Telecommunication Facilities must have the demonstrated potential for co-location of additional facilities and must be addressed as part of any development application proposal.

Building Appearance, Streetscape and Layout

1. The shape, height and colour of the Telecommunication Facilities shall be addressed in order to ensure that visual amenity is maintained.
2. Wherever possible, Telecommunication Facilities should be of a slimline monopole construction.
3. Wherever possible Telecommunication Facilities may be incorporated into building roof areas but should be located to minimise visibility to public areas.
4. Advertising signs of any Telecommunication Facilities, including logos are not permitted on the Telecommunications Facility.
5. Night illumination is not permitted; except where a proposed Telecommunication Facilities infringes the Obstacle Limitation Surface (OLS) for aircraft safety.

Landscaping and Fencing

1. A Telecommunication Facility must be located a sufficient distance from any existing trees to allow access.
2. All sites for Telecommunication Facilities and associated ground facilities must be enclosed by a minimum of 1.8m open mesh or similar fencing to prevent public access to the site in order to maintain public safety.

Amenity and Environmental Impact

1. All sites must have warning and information signs displayed to minimise public risk.
2. The level of electro-magnetic radiation emitted from any Telecommunication Facility must not exceed the limit of 0.2uW/cm2.
3. Any Telecommunication Facility, which is no longer needed, or no longer in operation shall be removed by the carrier at its own cost and restore the land to its natural state, within a three (3) month period. The carrier must also notify Council by letter prior to the removal of any Telecommunication Facility.
4. All sites for Telecommunication Facilities and associated ground facilities must be enclosed by a minimum of 1.8m open mesh or similar fencing to prevent public access to the site in order to maintain public safety.

5. If at any one time a Telecommunication Facility is no longer needed, or no longer in operation, the carrier will, except where otherwise agreed with Council, at its own cost remove the structure and facilities and restore the land to its natural state, within a three (3) month period. The carrier must also notify Council by letter prior to the removal of any Telecommunications Facility.
6. Once development has been completed on the site, the carrier must then restore the site to its previous state. Under the Telecommunications Code of Practice 2008, this work must commence within 10 working days after completion of the development.

12.5 Shops, Service Stations and Restaurants

Background
These uses are permitted in industrial zones where they don't have a detrimental impact on the economic viability of commercial areas of the Liverpool LGA.

Objectives
a) To service the existing land uses and workers in Liverpool's industrial areas.

b) To ensure that this form of development maintains the existing streetscape character.

c) To ensure that there is minimal detrimental impact on the economic viability of existing commercial areas within Liverpool LGA.

Controls
The following controls are in addition to those in Sections 1 - 10.

Landscaped Area
The area shall be generally consistent with those for industrial developments.

Building Form, Streetscape and Layout
Buildings should maintain the existing streetscape of the industrial areas by ensuring that their design remains consistent with the existing setbacks, heights, building envelopes and appearance of neighbouring properties.

Landscaping and Fencing
Landscaping and fencing shall be generally consistent with those for industrial developments.

Car Parking and Access
1. Car parking areas for a shop, service station or restaurant shall be located to:
   - Minimise conflict with vehicle movements for other uses on the site.
   - Be as close as possible to the shop, service station or restaurant to minimise on street car parking.
   - Be able to operate separately from other land uses on the site, which may be closed out of hours.
2. Drive through areas should be located at the rear or side of any related building.

12.6 Places of Public Worship

Background
Some places of public worship seek to operate in industrial areas. The prime hours of operation of places of public worship are often outside the normal working week times. This assists to minimise conflicts.

Objectives
a) To ensure the amenity of the surrounding area is not adversely affected.

b) To only permit Places of public worship where they will not suffer an adverse impact from a business within an industrial area.

Controls

The following controls are in addition to those in Sections 1 - 10.

Building Form, Streetscape and Layout

1. The entrance to a place of public worship shall be located at the front of the building.
2. Where possible public areas within the places of public worship shall overlook the car parking area and other pubic areas surrounding the building.

Car Parking and Access

1. Car parking areas for places of public worship shall be located:
   - Near the street frontage.
   - To minimise conflict with vehicle movements for other uses on the site.
   - To be as close as possible to the places of public worship to minimise on street car parking.
   - To be able to operate separately from other land uses on the site which may be closed out of hours.
2. Provision should be made for overflow car parking for special festival days.

Amenity and Environmental Impact

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.

12.7 Crematoria

Any proposed development for crematoria is to comply with the relevant conditions within the Liverpool Development Control Plan 2008 Part 5 – Section 9.13 *Cemeteries and Crematoria*.