Table 1. Liverpool Development Control Plan 2008

Item	Provision	Compliance
Part 1 – General Controls for all Development		
Objectives of the Liverpool Development Control Plan 2008 (1.2)	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.	**Yes.** The proposed development is not inconsistent with the objectives of the DCP.
Tree Preservation (2)	™ Any approvals to remove or prune trees issued with a development consent shall lapse when the development consent lapses or becomes invalid or void. ™ Applications for trees that have Aboriginal markings and/or constitute an item of Aboriginal significance shall be referred to the *NSW Department of Environment and Climate Change (DECC)*. Intensive management options such, as fencing or buffer provisions will be considered to ensure adequate preservation. ™ Any pruning shall be undertaken in accordance with *AS 4373/2007* – Pruning of amenity Trees. ™ All existing indigenous trees shall be retained or replaced. Where approval is given to remove trees, appropriate replacement planting will be required. ™ Significant trees that are identified as having habitat value shall not be relocated or removed.	**Yes.** No indigenous or significant trees identified as having habitat value identified on site.
Retention of existing on site trees (3.1)	1. Existing trees and native vegetation are to be retained, protected and incorporated into the development proposal. This is particularly important for 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 existing trees should be identified. The design of a development should consider options to retain existing	**Yes.** An Arboricultural Impact Appraisal and Method Statement has been prepared by Naturally Trees, identifying 13 trees which may be affected by the development. All of these 13 trees were identified with low or very low retention values, with 11 trees identified on the site and 2 trees identified on the neighbouring property. See original DA package.

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	trees. 3. Existing indigenous trees within any building setback should be retained where possible, as an integral component of the sites landscaping, and to protect local habitats. 4. It is important that all plans accompanying the development application including engineering and hydraulics plans are consistent with the landscape plan. This is particularly important where trees are to be retained. For example stormwater lines and excavation should not be within the drip line of trees to be retained.	11 low category trees are to be removed from the site as part of development works. The removal of these trees is necessary for reasonable management and is considered acceptable as they have no retention value.
Retention of existing street trees (3.2)	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.	**N/A** – No existing street trees.
Protection of existing trees during construction (3.3)	1. Trees nominated for protection must be enclosed within a 1.8m high protection fence that is installed to conform to a Tree Protection Zone (TPZ) that is consistent with current Arboriculture industry standards. 2. A report which outlines the condition, dimensions and species of existing trees contained within a development site is to be included as part of any development application documents and is to be accompanied by a Tree Retention Management Plan which shows the dimension of any proposed TPZs and outlines any other protection/enhancement methods that are appropriate to encourage the viable retention of trees. 3. All reports pertaining to trees on development sites are to be prepared by a suitably qualified person.	**Yes.** A Tree Management Plan (TMP) has been prepared by Naturally Trees (refer to the original SEE).
Landscape Specifications (3.4)	1. Landscape planting should be principally comprised of native species to 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. Environmental and noxious weeds in Liverpool shall not be used in the landscape design 2. The landscaping shall contain an appropriate mix of canopy trees, shrubs and	**Yes.** ASPECT Studios have prepared a landscaping plan and report to support the proposal. The landscaping design incorporates a mix of primarily native vegetation, including grasses, groundcovers, shrubs and trees. Landscaping will be provided to ground floor communal areas, private residential gardens, the portion of the site within the riparian zone, streetscape and laneway, and the rooftop areas. The landscaping proposal does not obstruct visibility to the driveway entrance off Shepherd Street.

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	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. 4. Trees, which are planted around high use facilities such as car parking areas, children"s, play areas and walkways should have clean trunks to a height of 1.8m. 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 beds 75mm 7. Trees shall be planted well clear of underground services or overhead wires. Trees shall be planted in general accordance with the following minimum distances from buildings: - Small trees less than 6m mature height 2m - Medium trees 6 – 15m mature height 3m - Large trees more than 15m mature height 4m 8. To maintain tree health, all trees in lawn areas are to have a 75mm deep x 1m diameter layer of mulch around its base. The mulch layer is to be reduced in depth directly around the base of the stem to form a shallow watering dish. The tree is to be staked well clear of the root ball and tied using Hessian ties as required. 9. All approved landscaping must be maintained at all times to the satisfaction of Council. 10. All trees are to be planted at not less than 45 litre pot size.	
Landscape Specifications (3.4)	1. Use low water/low maintenance plant selection by selecting drought tolerant species. 2. 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. 3. Where possible, all landscaping designs should incorporate permeable paving	**Yes.** The landscape report prepared by ASPECT Studios outlines the design principles that have guided the landscaping choices for the proposal. Species and landscaping treatments have been selected with consideration of the surrounding area and the history of the site. The landscaping proposal significantly improves riparian zones and manages stormwater runoff through the implementation of WSUD measures, and a bioswale is proposed to collect

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	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: 4. Ensuring that air and water are available to tree roots to ensure healthy and secure growth. 5. Assisting in the protection of established trees where the root system extends beyond the drip line. 6. Reducing the amount of surface water runoff entering the stormwater system. 7. Maintaining the existing natural drainage patterns. 8. 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: 9. Selection of salt tolerant plant species (generally natives). 10. Use mulch in all gardens beds. 11. Minimise large areas of lawn, as this requires large quantities of irrigation. 12. Use "water-wise" garden and landscape design. 13. Plant large native trees and shrubs.	and filter stormwater prior to discharge.
Stormwater Runoff Quality (6.4)	1. The post development water quality shall be reduced to the following targets when compared to pre development water quality: a. 45% reduction in the mean annual load of total nitrogen. b. 45% reduction in the mean annual load of total phosphorus. c. 80% reduction in the mean annual load of total suspended solids. 2. In the case of areas were 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.	**Yes.** An amended Stormwater Management Plan and MUSIC model has been prepared by Wood & Grieve Engineers in support of the development, as amended as part of this submission. Refer to **Appendix 6.** •
Environmental Flows (6.5)	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.	**Yes.** Stormwater management plans and drawings have been prepared to support the proposal demonstrating compliance with the DCP controls for Environmental Flows (refer to **Appendix 6**).
Development near a Watercourse (7)	1. If any works are proposed near a water course, the Water Management Act 2000 may apply, and you may be required to seek controlled activity approval from the	**Yes.** A controlled activity approval will be sought from the NSW Office of Water. General terms of approval have recently been provided.

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	NSW Office of Water. Please consult with the NSW Office of Water regarding your proposal. Section 4 Bushland and Fauna Habitat Preservation of this DCP should also be addressed when pertinent.	
Erosion and Sediment Control (8)	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. 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.	**Yes.** An Erosion and Sediment Control Plan is located within the Stormwater Management Plan prepared by Wood & Grieve Engineers.
Flooding Risk (9)	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.	**Yes.** The site is identified as a flood prone site under LLEP 2008. A flood impact statement obtained from Council by Wood & Grieve Engineers has shown that the 1% AEP flood level for the site is RL9.9. Accordingly, appropriate design controls have been implemented into the proposal. All finished floor levels to ground floors and basement entries are provided with at least 500mm of free board.

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Contaminated Land Risk (10)	Objectives a) To identify the presence of contamination at an early stage of the development process and to manage the issues of land contamination to ensure protection of the environment and that of human health is maintained. b) Ensure that proposed developments or changes of land use will not increase the risk to human health or the environment; c) Avoid inappropriate restrictions on land use; d) Ensure that all stakeholders are aware of their responsibilities for the ongoing management of contaminated land.	**Yes.** Contamination investigations have been undertaken by Environmental Investigations Australia including a review of previous site testing, previously submitted to Council. A number of potential chemical hazards and onsite contaminations sources have been identified. As such, Environmental Investigations Australia have prepared a Remediation Action Plan to effectively remediate areas of concern including: ™ Remaining in-situ underground petroleum storage tanks; ™ Asbestos fibres located within fill; ™ Copper, lead and zinc within fill; and ™ B(α)P within fill soils. It is anticipated that Council will impose conditions of consent relating to the remediation of the land.
Acid Sulfate Soils Risk (12)	1. If acid sulfate soils are present and not likely to be disturbed, best practice measures employed to manage the quality of water leaving the site shall be detailed in the SEE or equivalent. 2. If acid sulfate soils are present and likely to be disturbed a soil and water analysis and an assessment of the potential risk from disturbance of the acid sulfate soils shall be undertaken. The analysis and assessment shall be approved by Council prior to the issuing of development consent. 3. If acid sulfate soils are present and likely to be disturbed an acid sulfate soils management plan shall be prepared in accordance with the guidelines. The acid sulfate soils management plan shall be approved by Council prior to the issuing of development consent. 4. Any acid sulfate soils analysis, assessments and management plans shall be undertaken or prepared by an appropriately qualified professional with experience in acid sulfate soils analysis and assessments as well as the preparation of acid sulphate soils management plans. 5. Council may require monitoring reports on the implementation of an acid sulfate soils management plan to be submitted.	**Yes.** The site is identified on the Acid Sulfate Soils Map as Class 5. No works are proposed which are likely to lower the water table below 1m AHD on adjacent Class 1 land.
Demolition of Existing	1. All demolition work must comply with the *Australian Standard AS2601 - 1991, The*	**Yes.** The demolition of the existing structures on site will be in compliance with

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Developments (14)	*Demolition of Structures*. 2. Security fencing such as hoardings must be provided around the perimeter of the demolition site prior to work commencing to prevent access by unauthorised persons at all times during the demolition period. Approval of the fencing by Council must be received prior to erection. 3. Demolition must not be conducted in high winds to ensure dust does not spread beyond the site boundaries. 4. All lead contaminated materials identified in the building must be handled and disposed of in accordance with the *NSW Environment Protection Authority's* requirements. 5. Dust Controls must be implemented on site prior to and during demolition. 6. Asbestos, if identified in the building, must be removed and disposed of in accordance with the requirements of Work Cover. 7. All trucks/trailers entering or leaving the site must have their loads adequately covered. A sign indicating this should be placed at the entry to and exit from the site. 8. Temporary toilet facilities must be provided on the site until all demolition work is completed. 9. Demolition activities on site must be limited to the following hours: a. Monday to Friday 7:00am to 6:00pm b. Saturday 8:00am to 1:00pm c. No work on Sunday and Public Holidays 10. Sound pressure levels emanating from the site must not exceed levels established by the *NSW Environment Protection Authority*. 11. Liverpool Development Control Plan Demolition of Existing Developments Part 1 64 12. A Waste Management Plan (WMP) is to be submitted with the Development Application. The WMP must include volume or area estimates and information about reuse, recycling and disposal options for all types of waste produced on-site, including excavation materials. 13. A Dilapidation Report for any demolition within the zone of influence of any other building.	*AS2601-1991 - The Demolition of Structures.* A Waste Management Plan (WMP) has been prepared by MRA Consulting Group, which details the specific requirements to be undertaken during the demolition phase of the development (refer to the original SEE). The WMP includes an estimate of the total amount of waste material to be generated, and how this waste will be managed.
Aboriginal Archaeology (16)	1. If any of the features apply, then an Aboriginal Heritage Impact Assessment (AHIA) must be prepared in accordance with the NSW Department of Environment and Climate Change Draft Guidelines for Aboriginal Heritage Impact Assessment and submitted with the initial investigation report.	**Yes.** An Aboriginal Cultural Heritage Due Diligence Assessment has been prepared by City Plan Services, which consisted of a site survey to record any physical evidence of Aboriginal land uses or Aboriginal objects within the area (refer to the original SEE). It has been recommended that further archaeological investigations be undertaken prior to the determination of the

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	2. An AHIA will also be required if the relevant local Aboriginal community provides sufficient information to the Council that leads it to conclude that the site may have Aboriginal heritage significance. 3. Once the AHIA is submitted, the Council will send copies to representatives of the relevant local Aboriginal communities and the NSW Department of Environment and Climate Change for comment.	Aboriginal Cultural Heritage Assessment is being prepared and will be submitted to Council in due course. Refer to Section 4.2.2 (Page 44) in SEE for further discussion.
Heritage and Archaeological Sites (17)	1. Development in the vicinity of a heritage item shall be designed to respect and complement the heritage item in terms of: a. Scale; b. Materials, colours and finishes; c. Building and street alignment; d. Landscaping and fencing. 2. Development in the vicinity of heritage items is to minimise the impact on the setting of the heritage item by: a. Retaining and respecting significant views to and from the heritage item; b. Retaining original or significant landscaping (especially plantings associated with the heritage item); c. Providing an adequate area around the place to allow interpretation of the heritage item.	**Yes.** A Heritage Impact Statement (HIS) has been prepared by City Plan Services to identify the proposal's impact on the nearby heritage item to the north, known as the McGrath Services Centre Building (Heritage Item No. 104 in LLEP 2008). The HIS demonstrates that the proposal's impact on the McGrath Services Centre Building is acceptable (refer to the original SEE).
Transport Impact (20.7)	For major developments a Transport Management Plan shall be submitted with the development application. The Transport Management Plan shall address the following: • The existing traffic environment. • Traffic generation anticipated from the proposed development. • The cumulative impact of traffic in the locality. • The need for traffic improvements in the locality. • The need for public transport works on site and in the locality. • Proposed traffic egress/ingress to Classified/Sub Arterial Roads. • Sight distance and other safety issues.	**Yes.** Traffix has prepared a Traffic Impact Assessment, which is contained in the original SEE The assessment confirms that impacts of the development on the local area infrastructure will be negligible and that the proposed vehicular access, servicing and parking areas are in accordance with the Australian Standard requirements. No external infrastructure improvements are required. Additionally, this was later accompanied by a Traffic Letter prepared by InRoads Group, prepared in response to a previous Council information request. It addressed the interaction between pedestrians and vehicular traffic on the private access way connecting from Shepherd Street to the river foreshore. Refer to further discussion in SEE.
Strata subdivision (21.7)	Applications for strata subdivision of buildings, space or land will need to ensure that the strata plan is consistent with the development consent particularly the allocation of private and common property. In particular visitor or customer car parking identified in a development consent shall remain as common property.	**N/A** – No strata subdivision proposed.

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Water Conservation (22)	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 – Building Sustainability Index (BASIX*).	The proposal complies with the requirements of SEPP (BASIX), and amended BASIX Certificates have been submitted (see **Appendix 5**).
Energy Conservation (23)	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 – Building Sustainability Index (BASIX)*. A complying BASIX report is to be submitted with all development applications containing residential activities.	The proposal complies with the requirements of SEPP (BASIX) with respect to Energy Conservation. Amended BASIX certificates have been prepared (see **Appendix 5**).

Part 4 – Development in Liverpool City Centre

Building Form (2.1)

- 4-4.5m landscaped setback from the street frontage. Balconies may project up to 1.2m into front building setbacks provided the cumulative width of all balconies at that level totals no more than 50% of the horizontal width of the building façade. Minor projections into front building lines and setbacks for sun shading devices are permissible.
- Street frontage height between 15-20m is required.
- Above 25m in height, the GFA permitted above this height is 20% of the total GFA of the development, up to the maximum permitted height.
- Setback requirements outlined in table below:

Zone	Building height & uses	Front (upper level) setback	Side setback	Rear setback
High Density Residential	**All uses up to 12m height:**			
	– non-habitable rooms	Street setback†	3 m	6m
	– habitable rooms	Street setback†	6m	6m
	All uses between 12 – 25m height:			
	– non-habitable rooms	n/a	4.5m	6m
	– habitable rooms	n/a	9m	9m
	All uses between 25 – 35m height:			
	– non-habitable rooms	see Figure 6	6m	6m
	– habitable rooms	see Figure 6	12m	12m

Largely Complies. The proposed setbacks are outlined below and are largely consistent with the requirements. The buildings' sides are blank facades and are therefore treated as 'non-habitable' rooms. Where any windows are proposed in habitable rooms on building boundaries, these are inoperable and treated with an opaque glazing, ensuring there are no distance separation issues.

FRONT

Balconies are set back at 600mm to the street frontage, with the building façade line set back at approximately 3m. The balcony setback is reduced to a minimum of 0m at a point encroachment, closest to 32 Shepherd Street, where the lot boundary is angled.

SIDE (NORTH – 26 SHEPHERD STREET)

Ground Floor ('Up to 12m' control): Min 3m at Building C2 to 4.4m at Building C1 (Complies)
Level 1 (Up to 12m control): Min 3m at Building C2 to 4.4m at Building C1 (Complies)
Levels 2-3 ('Up to 12m' control): Min 5.2m at Building C2 to 6.4m at Building C1 (Complies)
Levels 4-5 ('12m-25m' control): Min 5.2m at Building C2 to 6.4m at Building C1 (Complies)
Level 6 ('12m-25m' control): Min 6m at Building C1 (Complies)

SIDE (SOUTH – 32 SHEPHERD STREET)

Ground Floor ('Up to 12m' control): Min 6m at Building C1 to 9.4m at Building C2 (Complies)
Level 1 ('Up to 12m' control): Min 6m to both buildings (Complies)
Levels 2-3 ('Up to 12m' control): Min 6m to both buildings (Complies)
Levels 4-5 ('12m-25m' control): Min 6m to both buildings (Complies)
Level 6/Roof ('12m-25m' control): Min 6m at Building C1 (Complies)

REAR SETBACK

Ground Floor ('Up to 12m' control): Min 19m (Complies)
Level 1 ('Up to 12m' control): Min 16.6m (Complies)
Levels 2-3 ('Up to 12m' control): Min 16.6m (Complies)
Levels 4-5 ('12m-25m' control): Min 15m (Complies)
Level 6/Roof ('12m-25m' control): Min 11.2m (Generally Complies – minor variation of 800mm closest to southern boundary)

Site Cover and Deep Soil Zones (2.3)	™ Maximum 50% site coverage permitted. Deep soil zone must be at least 15% of the total site area, with no dimension less than 6m. ™ Deep soil zones must accommodate existing mature trees as well as allowing for the planting of trees that will grow to be mature plants. No structures, works or excavations that may restrict vegetation growth are permitted in this zone (including but not limited to car parking, hard paving, patios, decks and drying areas).	**Generally compliant.** Site coverage is approximately 50%, with a range of communal open spaces provided to 66% of the site. The proposed deep soil zone covers 23.4% of the site. The deep soil zone will allow for the planting of trees that will grow to be mature plants.
Landscape Design (2.4)	1. Landscaped areas are to be irrigated with recycled water. 2. Landscape species are to be selected in accordance with Council"s schedule of Preferred Landscape Species. 3. Commercial and retail developments are to incorporate planting into accessible outdoor spaces. 4. Remnant vegetation must be maintained throughout the site wherever practicable. 5. A long-term landscape concept plan must be provided for all landscaped areas, in particular the deep soil landscape zone. The plan must outline how landscaped areas are to be maintained for the life of the development. 6. Any new public spaces are to be designed so that at least 50% of the open space provided has a minimum of 3 hours of sunlight between 10am and 3pm on 21st June (Winter Solstice).	**Yes.** A landscaping proposal has been designed in accordance with Council's controls featuring a mix of native and exotic grasses, shrubs and trees.
Front Fences (3.3)	1. Front fences include fences to the primary and secondary street frontages, and side boundary fences forward of the building alignment. 2. Front fences are to be designed in accordance with Figures 14 and 15, and must not present a solid edge to the public domain greater than 1.3m above the footpath/public domain level (refer to Section 3.2 regarding Street Address). 3. The use of varied materials is preferred. The use of sheet metal is not permitted as a front fence material.	**Yes.** Front fencing is compliant with the controls and does not present a solid edge to the public domain. No sheet metal fencing is proposed.
Safety and Security (3.4)	1. Address „Safer-by-Design" principles to the design of public and private domain, and in all developments (including the NSW Police „Safer by Design" crime prevention though environmental design (CPTED) principles). 2. Ensure that the building design allows for passive surveillance of public and communal spaces, accessways, entries and driveways. 3. Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and car parks. 4. Maximise the number of residential „front door" entries at ground level.	**Yes.** The proposal is consistent with the DCP controls for safety and security and has been designed incorporating CPTED principles. Balconies overlook large areas of open communal and public areas, encouraging passive surveillance. A number of ground level entries are included, blind corners are minimised, and the development boundary is clearly defined through the provision of landscaping and raised terraces.

	5. Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering. 6. Clearly define the development boundary to strengthen the transition between public, semi-private and private space. This can be actual or symbolic and can include landscaping, fences, change in paving material, etc. 7. Provide adequate lighting of all pedestrian access ways, parking areas and building entries. 8. Provide clear lines of sight and well-lit routes throughout the development.	
Vehicle Footpath Crossings (3.6)	™ Where practicable, vehicle access is to be from lanes and minor streets rather than primary street fronts or streets with high pedestrian priority routes identified in Figure 18 (marked yellow). ™ 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 vehicle access points so that they are capable of shared access at a later date. ™ Wherever practicable, vehicle access is to be a single lane crossing with a maximum width of 2.7m over the footpath, and perpendicular to the kerb alignment. In exceptional circumstances, a double lane crossing with a maximum width of 6m may be permitted for safety reasons (refer to Figure 18). ™ Vehicle access ramps parallel to the street frontage will not be permitted. ™ Ensure vehicle entry points are integrated into building design. ™ Doors to vehicle access points are to be roller shutters or tilting doors set back from the building facade. ™ Vehicle 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.	**Yes.** 1 vehicle footpath crossing is proposed at the southern boundary of the site onto Shepherd Street. No opportunity for the sharing of driveways is possible at this time, although the location of the driveway does allow for amalgamation in the future. The vehicle entry point is integrated into the building design and is designed with a high quality finish.
Building Exteriors (3.8)	™ Adjoining buildings are to be considered in the design of new buildings in terms of appropriate alignments and street frontage heights, setbacks above street frontage heights, appropriate materials and finishes, façade proportions and corner treatments. ™ Articulate facades so that they address the street and add visual interest. Buildings are to be articulated to differentiate between the base, middle and top in design. ™ 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. ™ Finishes with high maintenance costs, those susceptible to degradation or	**Yes.** The building exterior is a high quality design that has incorporated a palette of materials and colours inspired by the archaeology of the site and the surrounding area, such as the Heritage Mill Building. Facades are articulated and address both Shepherd Street and the Georges River frontages, and are designed with multiple materials. Expanses of single materials have been avoided.

	result in unacceptable amenity impacts, are to be avoided. ™ To assist in articulation and visual interest, expanses of any single material is to be avoided. ™ Limit sections of opaque or blank walls greater than 4m in length along the ground floor to a maximum of 30% of building frontage. ™ Highly reflective finishes and glazing are not permitted above ground floor level.	
Pedestrian Access and Mobility (4.1)	1. Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity. 2. The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (*AS 1428 Pt 1 and 2*, or as amended) and the *Disability Discrimination Act 1992* (as amended). 3. Barrier free access is to be provided to not less than 20% of dwellings in each development and associated common areas. 4. The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor. 5. The development must provide accessible internal access, linking to public streets and building entry points. 6. Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.	**Yes.** The proposal is generally compliant with the controls for Pedestrian Access and Mobility. The buildings have been designed to have clearly visible and barrier free entry points from Shepherd Street and from any future waterfront development along the Georges River. Access to the building is compliant with AS1428 and durable materials such as brick and ceramic tiling has been used.
Vehicular Driveways and Maneuvering Areas (4.2)	1. Driveways should be: a. provided from lanes and secondary streets rather than the primary street, wherever practical, b. located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees, c. located a minimum of 10m from the perpendicular of any intersection of any two roads, and d. Located to minimise noise and amenity impacts on adjacent residential development. 2. Vehicle access is to be integrated into the building design so as to be visually recessive. 3. All vehicles must be able to enter and leave the site in a forward direction without the	**Yes.** The proposal is compliant with the relevant vehicular driveway and maneuvering controls. 1 shared accessway is proposed, providing vehicular access from Shepherd Street. This has been designed to integrate with the building design and is not visually dominant. All car spaces, driveway widths and grades are compliant with the relevant Australian Standards.

	need to make more than a three point turn. 4. Design of driveway crossings must be in accordance with Council"s standard Vehicle Entrance Designs, with any works within the footpath and road reserve subject to a Section 138 Roads Act approval. 5. Driveway widths must comply with the relevant Australian Standards. 6. Car space dimensions must comply with *Australian Standard 2890.1*. 7. Driveway grades, vehicular ramp width/ grades and passing bays must be in accordance with the relevant Australian Standard, (*AS 2890.1*). 8. Access ways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.	
On-site Parking (4.3)	Parking rates are provided below. **Table 3 Car parking** **Car Parking For Residential Development** - 1 Space per two studio apartments - 1 space per one bedroom or two bedroom apartments - 1.5 spaces per three of more bedroom units - 1 space per 10 units or part thereof, for visitors - 1 space per 40 units for service vehicle (including removalist vans (and car washing bays, up to a maximum of 4 spaces per building. ™ Car parking above the required rates is calculated towards gross floor area. Car parking above ground level is to have a minimum floor to ceiling height of 2.8m so it can be adapted to another use in the future. ™ Provision is to be made for motorcycle parking at the rate of 1 motorcycle space per 20 car spaces ™ A minimum of 2% of the required parking spaces is an appropriately designated disabled parking space. ™ Bicycle parking is to be in secure and accessible locations with weather protection. ™ Onsite parking for residential flat buildings is to be wholly in basement parking unless Council is satisfied that unique site conditions prevent achieving all parking in basements. ™ The impact of any on grade car parking must be minimized by locating parking at the side or rear of the lot away from the street frontage, providing	**Yes.** Car parking provided is compliant with Council's controls as outlined within the SEE. The proposal includes 161 below-ground car parking spaces, inclusive of 14 visitor car parking spaces and 14 accessible car parking spaces. Parking is also provided for 8 motorcycle parking spaces and 73 secure bicycle racks located on basement level 1. This is above the requirement of 7 and 60 spaces respectively.

	of fencing or landscaping, or incorporating car parking into landscape design of the site. ™ Natural ventilation should be provided to underground car parking areas where possible.	
Reflectivity (5.3)	1. New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers. 2. Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%. 3. Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.	**Able to comply.**
Wind Mitigation (5.4)	™ To ensure public safety and comfort, the following maximum wind criteria are to be met by new buildings: o 6m/second in all other streets. ™ Site design for tall buildings (towers) should: o set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower, o ensure that tower buildings are well spaced from each other to allow breezes to penetrate city centre, o consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level, and o ensure useability of open terraces and balconies. ™ A Wind Effects Report is to be submitted with the DA for all buildings greater than 35m in height. ™ For buildings over 48m in height, results of a wind tunnel test are to be included in the report	**N/A.** Neither building is greater than 35m in height.
Waste (5.6)	Provision must be made for the following waste generation	**Yes.** Provision has been made for general waste, recycling, and green waste as outlined in the WMP and in accordance with the DCP provisions. The body corporate will engage a waste caretaker system to ensure garbage bins are assembled in the waste storage and recycling area on the Ground Floor and arrange for collection by Liverpool Council. Green waste collection will be

	Table 4 Waste **Type of Waste** / **Residential Flats** / **Multi-dwelling Housing** General Waste / 80 litres/week/dwelling / 120 litres/week/dwelling Recycling / 80 litres/week/dwelling / 120 litres/week/dwelling Green Waste / A communal waste bin of sufficient capacity to accept waste from landscaped areas. / 120 litres/fortnight/dwelling The size and number of the waste bins shall be determined having regard to the need for either on-site access by collection vehicles or the requirement for bins to be wheeled to the street for collection by a 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.	organized by the Body Corporate.
Flood Plain and Water Cycle Management (5.7)	™ Habitable floor level of dwellings, services to be located at least 0.5m above the 1% flood level. Car parking areas to be protected from inundation by flood. ™ Development to comply with Council's adopted Floodplain Management Studies and Plans and the NSW Governments current Floodplain Management Manual. ™ Development not to worsen existing flooding. ™ Any Statement of Environmental Effects to identify the flood impact and risk of flooding to residents as a result of the development. ™ Development to provide effective flood access and evacuation routs from flood prone areas. ™ Exits from car parking areas to be located such that pedestrian evacuation paths provide safe routs above the PMF.	**Yes.** Wood & Grieve Engineers have confirmed that the proposal incorporates the necessary provisions and complies with Council's controls, as the site is located within the 1% AEP flood level. All finished floor levels to ground floors and basement entries are provided with at least 500mm of free board.
Housing Choice and Mix (6.1)	In addition to the provisions for apartment mix as per Part 3 of the *Residential Flat Design Code*, the following additional controls apply. 1. To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size: a. studio and one bedroom units must not be less than 10% of the total mix of units within each development, b. three or more bedroom units must not be less than 10% of the total mix of units within each development, and 2. For smaller developments (less than six dwellings) achieve a mix appropriate to the locality.	**Generally Complies.** The proposal is generally compliant with the Housing Choice and Mix Controls. A mix of unit typologies are proposed including one bedroom, two bedroom and three bedrooms, which in themselves contain options with and without studies. This is discussed further in the amended SEE.

	3. For development built by (or on behalf of) the Department of Housing, an alternative mix of unit types may be approved, subject to housing needs being demonstrated by the Department 4. For residential flat buildings and multi-unit housing, 10% of all dwellings (or at least one dwelling – whichever is greater) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved. 5. Where possible, adaptable dwellings shall be located on the ground floor, for ease of access. Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access from the basement to allow access for people with disabilities. 6. The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (*AS 4299-1995*). 7. Car parking and garages allocated to adaptable dwellings must comply with the requirements of the relevant Australian Standard for disabled parking spaces	