Appendix M – Liverpool Development Control Plan 2008 Compliance Table

DCP Section	Control	Comments
Part 1 – General controls for all development		
3.1 Retention of existing on site trees	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).	Tree removal was undertaken as part of the Early Works DA (DA-906/2019). No tree removal is proposed as part of the subject DA.
3.4 Landscape specifications Potentially generalise for these ones	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	Significant tree avenue plantings of deciduous trees are proposed as part of the development. Further detail is provided in the Landscape Design Report which accompanies the DA.
	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.	Landscaping contains a mix of canopy trees, shrubs and groundcovers, all of which are detailed in the Landscaping Drawings.
	Landscaping in the vicinity of a driveway entrance must not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.	The landscaping in the vicinity of the driveway entrance does not obstruct visibility, allowing for vehicles and pedestrians to safely enter and exit.
	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.	The trees planted within high use facilities will have a height of at least 1.8m.
4. Bushland and fauna habitat preservation	Bushland, particularly that identified as a threatened community or habitat for a threatened species shall be substantially retained and incorporated within a development. Clearing of bushland in association with any development shall be limited to the extent necessary to facilitate the safe and orderly use of the land.	The site does not contain bushland, threatened community or habitat.
5. Bushfire risk	All development shall comply with provisions of the Rural Fires and Assessment Act 2002 and Planning for Bushfire Protection 2006.	The site is not located on bushfire prone land, nor is it in the immediate vicinity of bushfire prone land.
6. Water cycle management	Stormwater runoff shall be connected to Council's drainage system by gravity means. Mechanical means (i.e. pump) for disposal of stormwater runoff will not be permitted except for basement car parks. Charged systems will not be permitted.	Stormwater quantity, stormwater quality (WSUD) and erosion and sediment control have been discussed within the Civil and Stormwater Engineering Report.
8. Erosion and sediment control	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.	The DA is accompanied by a Sediment and Erosion Control Plan.

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DCP Section	Control	Comments
	Table 1 Plans for stormwater soils management	
	Plan Required Area of Disturbance	
	ESCP Up to 2,500sqm	
	SWMP Greater than 2,500sqm and/or where development consent is required.	
9. Flooding risk	The controls vary depending on: 1. Sensitivity of a land use to flooding 2. Severity of flood impact on site 3. Specific Floodplain in which a site is located	The site is located outside of the flooding zone and therefore the development is not be subject to the Flood Planning Control requirements of Council's DCP.
10. Contaminated land risk	If the initial evaluation by Council finds insufficient information available, or sufficient information is available, which indicates that contamination is an issue for the site, a Preliminary Contamination Investigation (Stage 1) shall be undertaken.	A Preliminary Site Investigation prepared by Douglas Partners accompanied the Concept DA (DA-585/2019) and considered that the site is/can be made suitable for the proposed development.
12. Acid sulfate soils risk	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 equivalent.	The site is mapped as Class 5 under the Acid Sulfate Soils Map of the LEP and the Geotechnical and Environmental Investigation Report identifies the acid sulfate soil content. Accordingly, an Acid Sulfate Soils Management Plan is not required to be prepared.
16. Aboriginal archaeology	An initial investigation must be carried out to determine if the proposed development of activity occurs on land potentially containing an item of aboriginal archaeology. If any of the above features apply then the relevant Aboriginal community must be consulted, a part of the initial investigation to ensure that the potential for the land to contain Aboriginal sites, places or relics has not been overlooked by previous studies.	Application for the potential existence of any Aboriginal relics on site.
17. Heritage and archaeological sites	A Statement of Heritage Impact must be submitted with any applications for development to: Heritage items; Properties in the vicinity of heritage items where the works may impact upon the ite Properties within heritage conservation areas, including applications for demolition; and Fire upgrading of heritage items and buildings in heritage conservation areas.	
20.2 Vehicular access arrangement and manoeuvring areas	If driveways are proposed from a classified road approval is required from the Roads and Maritime Services (RMS).	Noted.
	Vehicular egress and entrances must be integrated into the building design so they are visually recessive. This can be achieved by locating the opening a small distance behinted front façade.	

DCP Section	Control	Comments
	Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicular access points so that they are capable of shared access at a later date.	Both buildings will gain vehicular access from the shared basement.
	Access ways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.	The underground parking has been designed to minimise noise impacts to the residential units contained within the adjoining development at 300 Macquarie Street.
20.3 Parking provision in Liverpool City Centre	 Car parking in Liverpool City Centre Car parking rates in Liverpool City Centre are set out in Clause 7.3 of the Liverpool LEP 2008. Clause 7.3 requires that: at least one car parking space is provided for every 200m² of any new GFA that is on the ground floor level of the building; at least one car parking space is provided for every 100m² of any new GFA that is to be used for the purposes of retail premises; at least one car parking space is provided for every 150m² of any new GFA that is to be used for any other purpose. 	Based on the proposal's GFA and split of GFA at ground level and on all other levels, the proposal requires at least 145 car parking spaces to accommodate the proposed office and retail uses, given that this provision does not factor in residential uses as part of a building's gross floor area. As such, the proposed development complies with the car parking rates in the Liverpool LEP 2008 as it includes 145 car parking spaces to accommodate the proposed retail and office uses.
	Bicycle parking and cycling facilities 1 bicycle space per 200sqm of leasable floor area. 15% of this requirement is to be accessible to visitors.	This development proposes a total of 147 bicycle parking spaces. Accordingly, the proposed development complies with the required rates outlined.
	Bicycle parking is to be signposted and located in an area that is convenient to access from within the building(s) and from the street/public path.	The bicycle spaces will be signposted and conveniently located.
	In multi-storey developments, bicycle parking and cycling facilities for residents and staff shall be located on the ground floor, or first basement level close to entry/exit points, to ensure they are secure and easily accessible by staff and tenants. The design of buildings must ensure:	Complies. The bicycle parking and end of trip facilities are located on the first level of the basement and are easily accessible from the entrance and exit ramps.
	 areas between bicycle parking and the street have a courtesy ramp, if stairs are the primary means of access, 	
	 paths between the entry point and bike parking and cycling facilities shall be wide enough to accommodate a person walking a bike (particularly around corners) 	
	 paths adjacent to a driveway are visually or physically separated and marked, bike cages or lockers within basement car parks are not located in, or create, concealed spaces. 	

DCP Section	Control	Comments
	Any bicycle parking for visitors or customers shall be located adjacent to the main entry point. In developments with multiple entry/exit points, the share of bicycle parking can be divided between each entry point, as per expected demand and design of the development.	The bicycle parking spaces are located adjacent to lifts which directly lead to the main entrance points to the two buildings.
	End-of-trip facilities (showers and change rooms) are to be provided at the rate of 1 per 10 employee bicycle spaces. Where less than 4 facilities are proposed, they should be unisex. End-of-trip facilities are optional for residential uses or for visitors to other developments.	Compliant.
	Where shower facilities and change rooms are provided, they should be located adjacent to the employee bicycle parking. This may be near the main entrance/lobby of the building, or in some instances the service entry.	The proposed end-of-trip facilities are located directly adjacent to the provided bicycle parking.
	At least one personal locker is to be provided for each Class 1 or 2 bicycle parking space.	The proposed development includes 148 secure lockers, therefore providing a locker for all 147 bicycle parking spaces.
20.6 Loading facilities	Adequate facilities for servicing developments shall be provided on-site to ensure loading/unloading activities do not occur on street and compromise the safety, amenity and capacity of the public road system.	The proposed development includes one loading dock within the lower ground level of the commercial office building. This loading dock will be capable of accommodating two medium rigid vehicles and two small rigid vehicles. These facilities will be adequate for the servicing of the proposed development.
	Provision for loading facilities shall be provided for development in accordance with AS 2890.2 – 2002.	Complies.
	Service facilities shall be conveniently located close to service entrances (or other building entrances) to discourage loading/unloading in other than the designated areas.	The loading dock and service facilities are located within proximity to both the service and building entrances.
	Areas where heavy vehicles are manoeuvring shall be separated from areas of car parking or pedestrian movement with safety being the over-riding consideration.	The loading dock is located on the lower ground level of the commercial office building, with the main car park located in the basement levels. As such, the loading area is segregated from other areas of car parking and pedestrian movement.
20.9 Transport impact	For major developments a Transport Management Plan shall be submitted with the development application. The Transport Management Plan shall address the following: 1. The existing traffic environment.	The DA is accompanied by a Traffic Impact Assessment.
	 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. 	

DCP Section	Control	Comments
	6. Proposed traffic egress/ingress to Classified/Sub Arterial Roads.7. Sight distance and other safety issues.	
	A Construction Transport Plan may also be required where it is likely that the construction phase of a development will have a significant impact on traffic movement in the locality. A Construction Transport Plan shall address the following:	Can be provided prior to CC.
	The existing traffic environment.	
	Traffic generation anticipated from the construction of the proposed development.	
	3. The impact on traffic in the locality.	
	4. Proposed heavy vehicle routes.	
	The need for transport management and hours of operation and access in the locality.	
	6. Sight distance and other safety issues.	
22. Energy conservation	All Class 5 to 9 non-residential developments are to comply with the Building Code of Australia energy efficiency provisions.	Complies.
23. Reflectivity	New buildings and facades must not result in glare that causes discomfort or threatens safety of pedestrians or drivers.	The proposal is expected to comply.
	Visible light reflectivity from building materials used on the facades of new buildings must not exceed 20%.	
	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, motorists or aircraft may be required.	
25. Waste disposal and re-use facilities	Non-residential development Note: Council does not provide waste services to non-residential premises. Owners and operators of non-residential premises must engage a private commercial waste contractor to remove and legally dispose of the waste their premises generates.	Refer to the WMP prepared.
	Development applications for all non-residential development must be accompanied by a waste management plan that addresses:	
	 best practice recycling and reuse of construction and demolition materials, use of sustainable building materials that can be reused or recycled at the end of their life, 	

DCP Section	Control	Comments
	 handling methods and location of waste storage areas, such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper, including estimated volumes, required bin capacity and on-site storage requirements. 	
	The waste management plan is to be prepared by a specialist waste consultant and is subject to approval by Council.	Complies.
	Waste Management Plan A Waste Management Plan (WMP) shall be submitted with a Development Application for any relevant activities generating waste. The WMP is provided in three sections: - demolition; - construction; and - on-going waste management.	Complies.
	The WMP shall show: - Estimated volumes of waste generated according to type; and - Details of whether each type of waste material that will be produced on site are to be reused, recycled or disposed of and the recycling or waste facilities to which those materials will be taken.	
	Waste Management Facilities Waste management facilities shall be provided for in all new buildings (except dwelling houses, Attached dwellings, Semi-Detached Dwellings and Dual Occupancy). These shall be designed to ensure that the storage and collection of waste and recyclables is user friendly for both the occupant and the waste collection contractor.	Complies.
27 Social impact assessment	A social impact assessment in the form of a social impact comment is to be provided for various types of development.	A Social Impact Assessment has been prepared by Ethos Urban.
	Any social impact assessment shall be prepared in accordance with Council's Social Impact Assessment Policy.	Complies.
29. Safety and security	Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage and high quality architectural detail.	The main building entry points are all clearly visible from the primary Scott Street frontage and the entry points are enhanced by the high quality architectural detail included in the two proposed buildings.

DCP Section	Control	Comments
	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).	Complies.
	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.	The proposed landscaping and public domain works have been designed in accordance with the surrounding public domain and will use durable materials that are safe and hazard free.
Part 4 – Liverpool City Centre	e	
4.2.1 Building form	Perimeter block typology is to be adopted as the site is located in the Midrise precinct. This is with the exception of those Midrise sites developed pursuant to clause 7.5A of LLEP 2008 (which may also be developed with a tower on podium typology).	The site is developed pursuant to clause 7.5A of Liverpool LEP 2008 and therefore it is subject to the building envelopes developed in the approved Concept DA.
4.2.5 Controls for sites that require the submission of a site specific DCP or concept DA	Sites that require the submission of a DCP are to be developed pursuant to the adopted site specific DCP or a concept development application consistent with Division 4.4 of the EP&A Act 1979 and clause 7.5A of LLEP 2008.	The proposed development has been developed pursuant to the approved Concept DA.
4.2.6 Building floor plates	Provide a maximum GFA of 1,000m ² per level for commercial towers with maximum length of elevation of 45m. Where sites are greater than 2,000m ² a proportionally larger GFA per floor may be considered.	This control provides an opportunity for larger floor plates to be provided on the site, as proposed.
4.2.7 Street alignments and street setbacks	Buildings to comply with the front setbacks: 3m Scott Street; 2.5m Terminus Street; and Upper level frontages to a lane/serviceway must be setback 6 metres from the centre line of the lane/serviceway.	The approved Concept DA (prepared pursuant to Section 4.23 of the EP&A Act) provides an alternative solution to setbacks. This is discussed further in the Statement of Environmental Effects.
4.2.8 Side and rear boundary setbacks	All residential and commercial buildings to comply with the separation distances in SEPP 65 and the ADG unless otherwise agreed with Council in an approved concept development application.	The proposed separation distances accord with those approved in the Concept DA for the site under DA-585/2019. For further discussion regarding separation distances, refer to the Clause 4.6 Variation prepared by Ethos Urban and the Statement of Environmental Effects.
4.2.9 Minimum floor to ceiling heights	The minimum floor to ceiling heights are: 1. Ground floor: 3.6m. 2. Above ground level: a) Commercial office 3.3m. b) Capable of adaptation to commercial uses 3.3m. c) Residential 2.7m. d) Active public uses, such as retail and restaurants 3.6m. 3. Car Parks: Sufficient to cater to the needs of all vehicles that will access the car park and, if aboveground, adaptable to another use, as above.	The proposed development includes ceiling heights that comply with this control.

DCP Section	Control	Comments
4.2.11 Deep soil zones and site cover	The maximum permitted site coverage for development: a) Commercial Core, Fine Grain and Mid Rise: Up to 100%	Complies.
4.2.12 Public open space and communal open space	2. Dedicate open space to Council, where required, as part of an approved concept development application if the space meets the requirements of Council in terms of: a) location; b) aspect; c) accessibility; d) safety; and e) solar access. The open space must be located and designed so that at least 50% of the open space provided has a minimum of 3 hours of sunlight between 10am and 3pm on 21 June (Winter Solstice).	Community open space is included in the approved Concept DA and detail regarding this open space has been provided as part of this detailed DA.
4.3.1 Pedestrian permeability	Design through-site links to have direct sight lines.	Complies.
	Locate through-site links within "through site link encouragement areas" (as identified in Figure 4-12) opposite other through site links.	
	Extend existing dead end lanes (as identified in in Figure 4-12) through to the next street as redevelopment occurs.	
	Connect new through site links with existing and proposed through site links, serviceways, shared zones, arcades and pedestrian ways.	
	The siting of new through site links may be varied where new links cannot be directly aligned with existing links.	
	Retain existing, publicly and privately owned, through-site links.	
	Locate active uses on through site links where possible.	
	Nominate sites for through-site links, shared zones etc. that may be acquired by Council or may be dedicated to Council at no cost as part of a concept development application.	
	Vehicular access shall be provided from secondary streets or laneways only. Vehicular access will not be allowed from the primary street.	There are no other alternative access points available on the site. Therefore, vehicular access will be via Scott Street. Vehicular access is discussed in detail within the Traffic Impact Assessment and the Statement of Environmental Effects.
	Pedestrian Arcades and Through Site Links must:	The proposed through site links are shown in detail in the Design
	 a) Be a minimum width of 5m and clear of all obstructions (including columns, stairs, and escalators). b) Provide public access at all business trading times. c) Be at least 2 storeys high. d) Have access to natural light for at least 50% of their length, where appropriate. 	Report.

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DCP Section	Control	Comments
	 e) Incorporate clear glazed entry doors comprising at least 50% of the entrance where air conditioned, and to be accessible at least 18 hours per day, 7 days per week. f) Display signage at street entries indicating public accessibility and the street to which the through site link connects 	
4.3.3 Active street frontages	Locate active street frontages on the ground level of all commercial or mixed use buildings, including adjacent through-site links.	Active street frontages are included on the ground level of both buildings.
	Locate active street frontages in the Mixed Use, Commercial Core, Enterprise Corridor and Neighbourhood zones (as identified in Figure 4-2), on ground level. This does not preclude servicing activities particularly in the service ways.	Complies.
	Locate active street frontages at first floor level in addition to ground for sites addressing major roads as depicted in Figure 4-16.	Complies. The proposed development includes active frontages at both lower and upper ground levels.
	Locate street fronts at the same level as the footpath and with direct access from the street.	The landscaping and public domain works are accessible from the street.
	Use only open grill or transparent security (at least 50% visually transparent) shutters to retail frontages.	The retail frontages utilise glazing that is fully transparent.
4.3.4 Street address	Provide a clear street address and direct pedestrian access off the primary street frontage in mixed use and residential developments.	The proposed development will provide clear street address and pedestrian access off the primary street frontages.
	Provide multiple entrances to large developments on all street frontages.	The proposed development includes one vehicle entrance for normal vehicles and a separate loading entrance. Each building has a lobby entrance of their own.
4.3.5 Street and building interface	Design the area between the building and the public footpath so that it: - provides visibility to and from the street (if non-residential use); - introduces paving and/or landscaping between the street and the building; and/or - screens any above ground car parking.	The commercial office building provides visibility to and from the street. Moreover, the proposed development has been designed with all car parking integrated into the basement levels.
4.3.8 Building design and public domain interface	Design new buildings that adjoin existing buildings, particularly heritage buildings and those of architectural merit so that they consider: a) the street 'wall' alignment and building envelope; b) the 'depth' within the façade; c) facade proportions; and d) the response to the corners at street intersections.	The proposed development has been designed accordingly to respect nearby properties of heritage significance and architectural merit.
	Articulate façades to address the street, proportion the building, provide 'depth' in the street wall when viewed obliquely along the street and add visual interest.	The proposed development has been designed accordingly to respect the street and provide visual interest through podiums and setbacks throughout the building.
	Use high quality robust finishes and avoid finishes with high maintenance costs, and those susceptible to degradation due to a corrosive environment. Large expanses of rendered concrete finish is discouraged.	The proposed development includes high quality robust finishes and does not include a rendered concrete finish.

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DCP Section	Control	Comments
	Select lighter-coloured materials for external finishes including roofs and avoid the use of darker-coloured materials (e.g. black, charcoal) to reduce the urban heat island effect.	The proposed development comprises a careful selection of materials and finishes that will assist in reducing the impacts of the urban heat island effect. The external materials and finishes are shown in detail in the Design Report.
	Construct only minor projections up to 600mm from building walls into the public space. These must not add to the GFA and must provide a benefit, such as:	Complies.
	a) expressed cornice lines that assist in enhancing the definition of the street; orb) projections such as entry canopies that add visual interest and amenity.	
	Incorporate roof top structures, such as air conditioning and lift motor rooms, into the architectural design of the building.	Complies.
4.3.9 Street intersections and corner buildings	Address all street frontages in the design of corner buildings.	The proposed public domain and landscaping has been incorporated in the design at all street frontages.
	Design the corner buildings to respond to the character of the intersection by recognising the different hierarchies of the street typologies.	The proposed development has been carefully designed to respond to the surrounding roads that the site is bounded by.
4.4.1 Vehicular access and manoeuvring areas	Vehicular access shall be restricted to the secondary street (other than along a High Pedestrian Priority Area) where possible.	Vehicular access will be restricted to Scott Street.
	Design of vehicle entry points must be of high quality and relate to the architecture of the building, including being constructed of high quality materials and finishes.	The vehicle entry points are consistent with the remainder of the architectural design of the buildings and will be designed with high quality materials and finishes. The Design Report provides further details on the materials and finishes.
4.4.2 On-site parking	All required car parking is to be provided on site in an underground (basement) carpark except to the extent provided below: a) On Fine Grain and Midrise sites, a maximum of one level of surface (at grade) parking may be provided where it is fully integrated into the building design; and b) On sites requiring the lodgement of a concept DA, a maximum of one level of surface (at grade) and one additional level of above ground parking may be provided where it is fully integrated into the building design.	All car parking proposed is included in the underground basement carpark.
	Service and delivery vehicle parking Sufficient service and delivery vehicle parking adequate to provide for the needs of the development.	The proposed development includes a loading dock with adequate heavy vehicle accessibility and parking.
	Motorcycle parking for all development Provision is to be made for motorcycle parking at the rate of 1 motorcycle space per 20 car spaces.	The proposed development includes 12 motorcycle parking spaces, which is compliant with the provision.
	Disabled off-street car parking	Complies.

DCP Section	Control	Comments
	No less than 2% of the total parking demand generated by development shall be accessible parking spaces, designed and appropriately signposted for use by persons with a disability.	
4.5.1 Wind mitigation	Design all new buildings to meet the following maximum wind criteria: a) 10m/second in retail streets; b) 13m/second along major pedestrian streets, parks and public places; and c) 16m/second in all other streets.	Complies.
	Submit a Wind Effects Report with the DA for all buildings greater than 35m in height.	A Wind Impact Assessment has been prepared.
	Submit results of a Wind Tunnel Testing report for buildings over 48m in height.	Wind tunnel testing was undertaking for the purposes of this DA. Further detail is provided in the Wind Impact Assessment.