

Chapter 1

Lismore Urban Area



1 Lismore Urban Area

This Chapter applies to land in the Lismore urban area that is zoned:

- 2(a) Residential Zone
- 2(f) (Residential (Flood Liable) Zone
- 3(a) Business Zone
- 3(b) Neighbourhood Business Zone
- 3(f) Services Business (Flood Liable) Zone
- 5 Special Uses Zone
- 6(b) Private Recreation Zone

under the Lismore Local Environmental Plan 2000, but excludes:

- Certain Land at West Goonellabah
- The Lismore Cultural Precinct
- Airport Industrial Estate
- Wyrallah Road Industrial Estate

which is covered in separate chapters of Part B of this DCP.

1.1 Objectives of this Chapter

1. To ensure that subdivision design takes into account the particular constraints and characteristics that apply to land in Lismore such as slope, bushfire hazard and urban bushland.
2. To integrate the future road network servicing the DCP area with the existing surrounding road network.
3. To ensure that sufficient neighbourhood parks are provided to service the needs of residents in new release areas.

1.2 Roads

1.2.1 Strategic Road Network

Population growth and new development will contribute to significant increases in traffic flows on Lismore's urban roads. The predicted increase in trip generation for each major land use category has been established by traffic modeling undertaken in the Road Contributions Study prepared by TEC Consultants and the Lismore City Wide Road Study prepared by PPK Consultants.

The predictive model indicates that existing urban roads will not be able to cope with the predicted increases in traffic movements without substantial upgrading of existing roads and the construction of new road links. It identifies what works would be required for the existing network to cater for the existing traffic volumes. The strategic road network also takes into account the demand that will be generated by new residential development both in existing zoned but undeveloped areas and in future release areas identified in the Lismore Urban Strategy.

The primary objective of the strategic road program is to facilitate the safe and efficient movement of traffic between major trip generators within the city and to provide better access to the main road network that services the city. The Plan identifies the need for further investigations of route options to ensure that the transport system is designed in an environmentally, socially and economically sustainable manner.

The proposed strategic road network is shown on Map 1. New development will contribute to the funding of the strategic road network in accordance with the relevant works programmes of Councils adopted Contributions Plans.

Where subdivision is proposed on any lot on which a strategic road corridor is shown on Map 1, Council will require the dedication of the road reserve for the full length of the strategic road corridor on that lot. Where the proposed subdivision fronts or adjoins the strategic road corridor, Council will require the construction of the strategic road to an appropriate standard.

Credit towards section 94 contributions for strategic urban roads may be given where the strategic road is required to be constructed to a higher standard than that required to service the proposed development (as well as other existing and/or future development in the area) in order to meet Council's requirement for the strategic road. In this case the credit will be based on the difference in cost required to upgrade the road to the higher standard.

1.2.2 Local road network

Local road networks should provide a high level of internal accessibility and good external connections for local vehicle, pedestrian and cycle movement. Chapter 5 of Part A sets out Council's standards for urban roads and drainage.

Adequate provision must be made in the design of subdivisions for road connections to existing and future residential areas. Map 1 indicates where future local road connections will be required.

1.3 Open Space

1.3.1 Citywide and Regional Open Space

Citywide and regional open space includes sporting fields as well as major parks and open space corridors that service either the local government area or the whole of the Lismore urban area. New development will contribute to the acquisition and/or embellishment of citywide and regional open space in accordance with Council's adopted Section 94 Contributions Plan.

Citywide and regional open space is shown on Map 2. Where development is proposed on land that includes an area identified as citywide or regional open space in Council's Contributions Plan, section 94 contributions for recreation and community facilities may be satisfied, in whole or in part, by the dedication of that land and the provision of such works in kind as identified in the relevant works program of the Contributions Plan. Credit given towards the relevant section 94 contribution will be in accordance with the provisions set out in Council's Contributions Plan.

Where residential subdivision occurs on land that includes part of the proposed Tucki Creek open space corridor, the land so identified must be cleared of environmental weeds and rehabilitated in accordance with a plan approved by Council prior to Council accepting dedication of the land.

1.3.2 Neighbourhood Parks

Neighbourhood parks are to be provided in subdivisions where there is no existing neighbourhood park within 400m accessible walking distance of any lot in the subdivision or where existing land set aside for park is not suitable for development as a functional neighbourhood park. The location of existing neighbourhood parks is shown on Map 2.

Where the need for a new neighbourhood park is created by a new subdivision, the land is to be dedicated to Council and embellished with landscaping and park furniture to Council's satisfaction prior to the release of the subdivision certificate. In instances where suitable Council owned land for a park already exists in the locality, Council may require landscaping and embellishment work only.

Where several landowners are involved in a subdivision proposal, Council will consider preparing a locality based Section 94 Contributions Plan so that the cost of dedicating and embellishing the neighbourhood is apportioned equitably.

Council will only accept land for dedication as a neighbourhood park where:

- The site has a minimum area of 2500m²
- The site is centrally located in terms of the residential area that it will service
- The site is readily accessible from most lots within its catchment area
- At least 90% of the site has a gradient of less than 5%
- The site has a minimum frontage to a public road of 20 metres (preferably located on a corner lot)
- The site has a high level of visibility from surrounding lots and public roads and so that community surveillance of the park is facilitated
- The site is capable of accommodating the appropriate level of playground equipment and other park furniture to service the catchment area
- The primary purpose of the park is for recreational purposes
- The site preferably supports some mature trees or shrubs that can be integrated into the overall landscaping of the park
- All landscaping is carried out in accordance with Council's Landscaping Guidelines

Council will require the following embellishments be carried out on neighbourhood parks before dedication to Council:

- Signage - one Council ordinance sign with pole per street frontage.
- One picnic setting (table and two benches) on concrete slab
- Two bench seats with backs on concrete slab
- One bin surround and wheelie bin on concrete slab
- Six 75L trees planted at a distance of 5 meters from any underground or aboveground service and 10m from any neighbouring property.
- Playground equipment - one set of double swings including one strap and one toddler safety seat. One play unit that includes a slide, a deck, climbing and activity panels or equivalent. One piece of spring equipment. All manufactured to relevant Australian Standard generally located away from any road.
- Softfall area being rubber wetpour and installation of equipment to relevant Australian Standard.
- One copper water line from the main into the centre of the park including a water tap and bubbler attached.

1.4 Constraints to Development

There are a number of constraints to development in the urban area that must be addressed in any application for development on land on which such constraints may occur. Such constraints may mean that part of the site cannot be developed and/or that the design of the development will need to be modified to take account of such constraints. Some of the major constraints in the urban area include:

1.4.1 Flooding

Chapter 8 (Flood Prone Lands) of Part A of this DCP indicates the extent of the urban area that is potentially affected by flooding in the probable maximum flood (PMF) and the degree of flooding hazard that has been determined for the 1 in 100 year ARI flood. Development controls on flood prone land in the urban area, are based both on the type of development and the predicted degree of flooding hazard and are set out in Chapter 8.

1.4.2 Bushfire hazard

Part of the Lismore urban area is identified as bushfire prone land on the Lismore Bushfire Prone Land Map. Map 3 shows the extent of Category 1 and Category 2 bushfire vegetation on the site together with the buffer requirements for each category.

Subdivision of bush fire prone land for residential purposes requires a bush fire safety authority from the Commissioner under section 100B of the *Rural Fires Act 1997* and is integrated development under the *EP&A Act*. All forms of development on bush fire prone land must conform to the specifications and requirements of the document *Planning for Bushfire Protection*.

A bushfire threat assessment must form part of all development applications that relate to bushfire prone land. Preparation of an assessment of threat from bushfire should include reference to:

- *Planning for Bushfire Protection* - NSW Rural Fire Service – a guide for land use planners, fire authorities, developers and home owners; and
- Consultation with Council and RFS staff.

For subdivisions, the threat assessment is an integral part of the subdivision design, and may affect lot shape, size, orientation, and road layout. Bushfire protection measures also have the potential to affect vegetation, fauna, views watercourses, soil erosion, amenity and access. In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported.

Measures for the protection against bushfire include subdivision road design, the provision of asset protection zones, compliance with the relevant construction standards for buildings, the provision of an adequate water supply and access for firefighting vehicles. Details of each of these requirements are set out in *Planning for Bushfire Protection*. Adequate bushfire protection is based upon compliance with all these measures and compliance with one or more should not be used as justification for non-compliance with another.

1.4.3 Potential Koala habitat

Map No.4 shows the extent of primary, secondary and marginal koala habitat as mapped in 2001. Primary koala habitat is defined as vegetation communities that contain more than 35% of species preferentially utilised by koalas in the locality. Core koala habitat as defined in State Environmental Planning Policy No. 44 (SEPP 44) means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (ie. females with young) and recent sightings of and historical records of a population. Core koala habitat has not identified in this DCP. This would involve ground surveys to determine evidence of koala usage and is a requirement of any subdivision application relating to land on which potential koala habitat has been identified.

SEPP 44 provides that development consent cannot be granted for the development of any land with an area greater than one hectare that contains core koala habitat unless a Koala Plan of Management (KPOM) has been prepared. The KPOM must be prepared in accordance with SEPP 44 guidelines and approved by the Director of Planning.

Some sites may also contain individual or scattered habitat trees that are not identified on Council's mapping layer. More detailed mapping will be required at the subdivision application stage to identify such trees as well as any potential koala movement corridors on the land.

Development on sites that contain Primary, Secondary or Marginal/Unsuitable Koala Habitat and/or land containing preferred koala food trees, should be designed so as to:

1. Avoid the removal or degradation of native vegetation within primary koala habitat.

2. Minimize the removal of individual preferred koala food trees wherever they occur on a development site. In the DCP area these species include Forest Red Gum (*Eucalyptus tereticornis*), Tallowwood (*Eucalyptus microcorys*), Swamp Mahogany (*Eucalyptus robusta*), Brush Box (*Lophostemon confertus*), Grey Ironbark (*Eucalyptus siderophloia*), Flooded Gum (*Eucalyptus grandis*), White Mahogany (*Eucalyptus acmenoides*), Forest She-oak (*Allocasuarina torulosa*), and Pink Bloodwood (*Corymbia intermedia*).
3. Maximize retention and minimize degradation of native vegetation within marginal/unsuitable koala habitat;
4. Make provision for restoration or rehabilitation of areas identified as primary koala habitat including the removal of exotic weeds such as camphor laurel and privet without adversely impacting on native species.
5. Make provision for long-term management and protection of koala habitat including both existing and restored habitat.
6. Not compromise the potential for safe movement of koalas across the site. This should include maximizing tree retention generally and minimizing the likelihood that the proposal would result in the creation of barriers to koala movement, such as may be imposed by certain types of fencing.
7. Identify building envelopes which contain all buildings, ancillary structures and required fire fuel reduction zones. Generally there should be no clearing on the site outside these envelopes. Such envelopes should be registered as a restriction on the title of the lots.
8. Include measures to effectively minimize the threat posed to koalas by dogs, motor vehicles and swimming pools through restrictions on dog ownership, restrictions on motor vehicle speeds and appropriate design of pools and pool fencing.

The following information should be submitted with applications for all development on sites that contain Primary, Secondary or Marginal/Unsuitable Koala Habitat and/or land containing preferred koala food trees.

1. An assessment of koala habitat prepared by a suitably qualified person.
2. Clear details concerning which vegetation is to be cleared or disturbed and which is to be retained.
3. Details of any proposed building envelopes and fire fuel reduction zones and the means by which they are to be enforced.
4. Proposed measures to restore or rehabilitate koala habitat, including measures which will result in the net gain of koala habitat.
5. Proposed measures to allow the safe movement of koalas across the site including road designs and speed management measures, fence construction details where fencing is proposed, and swimming pool specifications.
6. Proposed measures to mitigate the impacts on koalas by dogs.

7. Details of any proposed program to monitor koalas and koala habitat, during and following development activity on a site. Monitoring programs would not be required for single lot developments. Rather, they would be expected for subdivisions. The developer is expected to assume responsibility for monitoring for a minimum 5-year period.

The following information must be submitted with applications for development on sites that are adjacent to primary or marginal/unsuitable koala habitat and/or land containing preferred koala food trees.

1. Proposed measures to mitigate the impacts by dogs on koalas which occupy adjacent habitat. This should include measures that reduce the likelihood of domestic dogs straying into koala habitat.
2. Proposed measures to mitigate the impact on koalas of motor vehicles traveling to the site. This should include appropriate traffic control measures on roads that run through or adjacent to nearby koala habitat and which are subject to increased traffic volumes due to the development on the site.

1.4.5 Potential land use conflicts

Certain existing land uses may pose a constraint on the development of adjacent land because of their potential incompatibility with other forms of development. Such land uses include the Lismore Airport, the South Lismore and East Lismore Sewerage Treatment Works, the Lismore Tip, quarries and former dip sites. Existing land uses that may have impacts that potentially affect development in their locality are shown on Map 5. Refer to Chapter 11 of Part A of this DCP for detailed buffer requirements.

1.5 Services

1.5.1 Sewer

Subdivision applications (other than for minor subdivision) should be accompanied by a sewer modelling report which identifies augmentation works required for Council's sewer mains. The cost of any augmentation works will be borne by the developer.

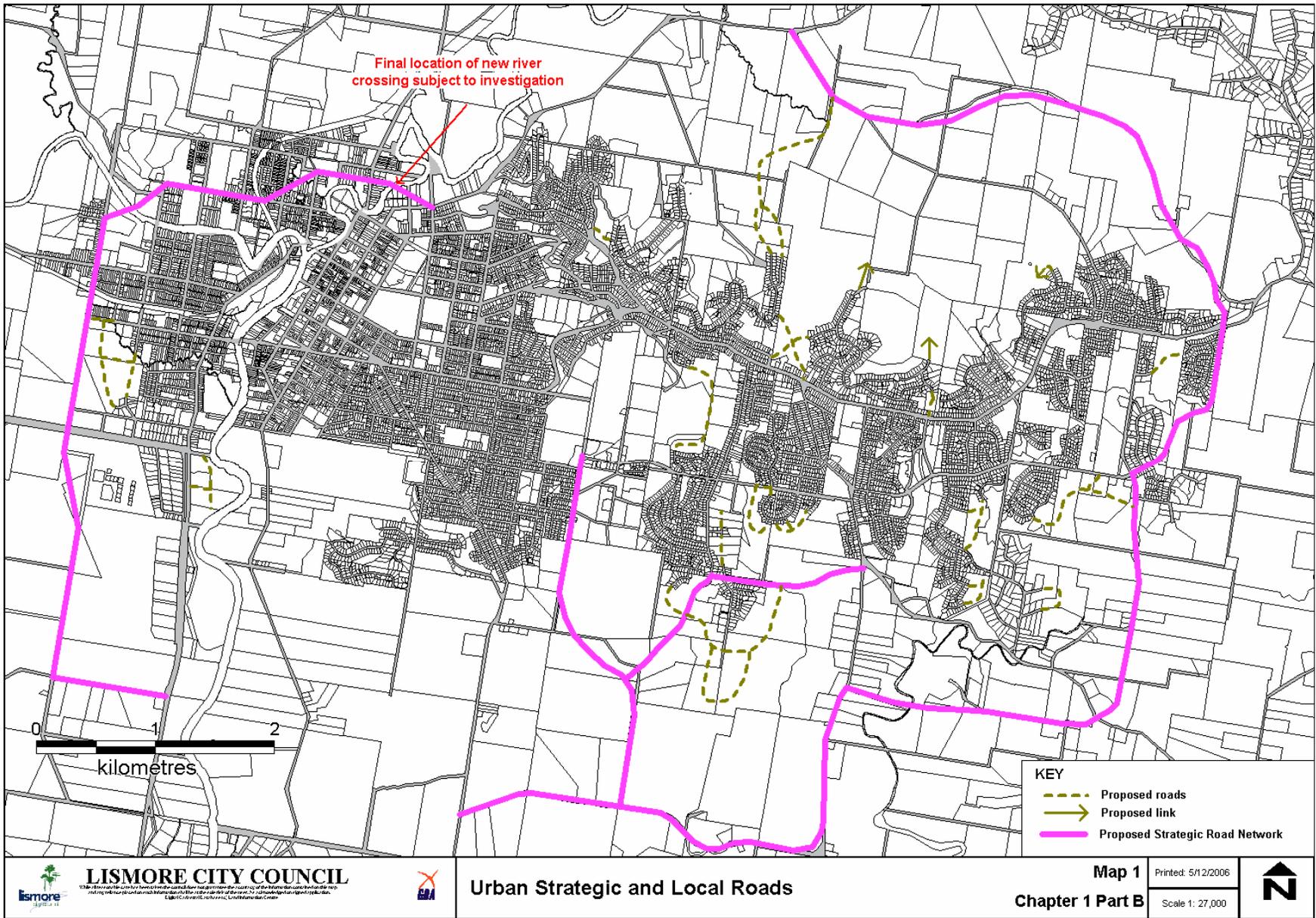
1.5.2 Water Supply

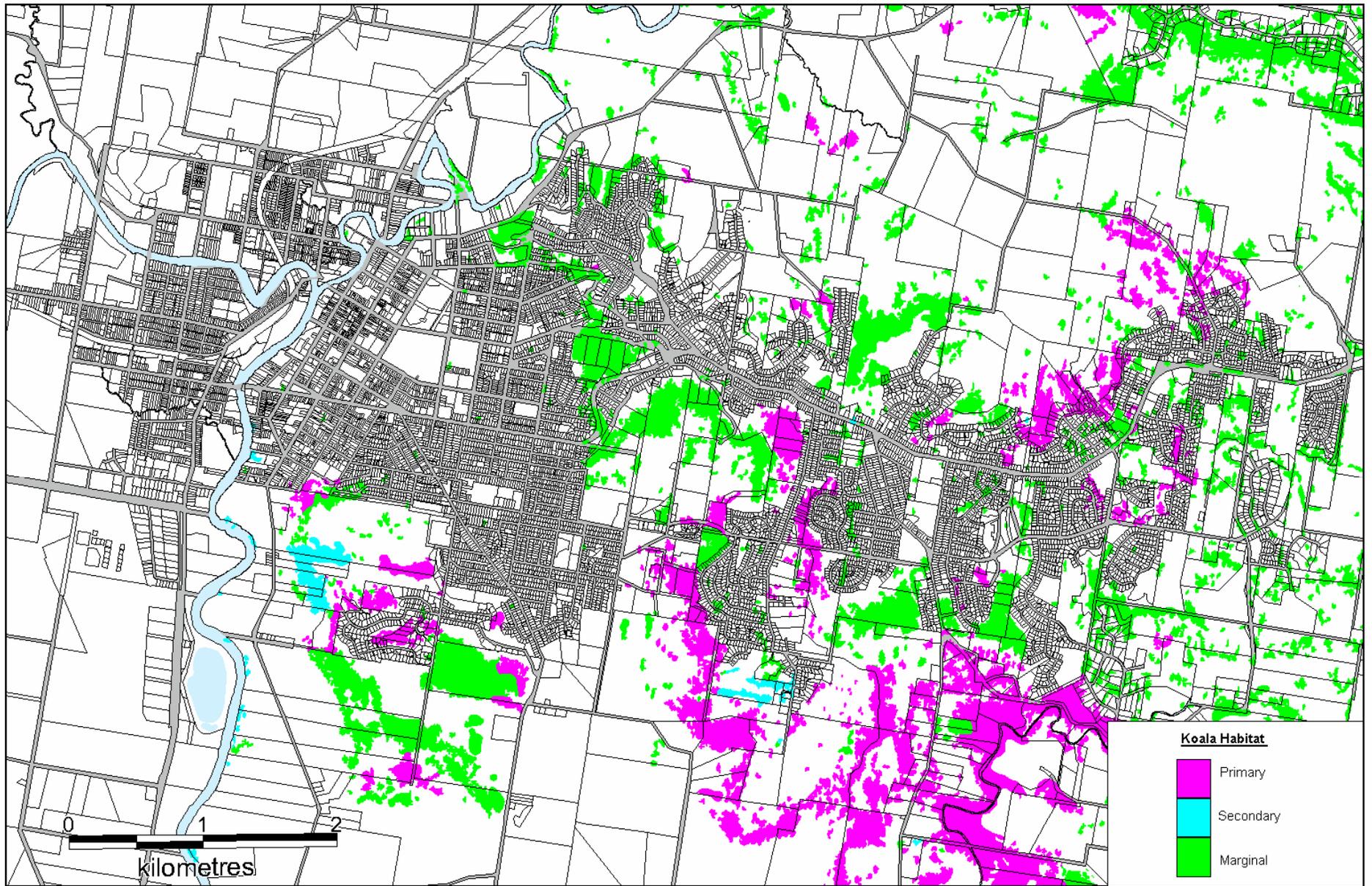
Subdivision applications (other than for minor subdivision) should be accompanied by a water supply modelling report. The cost of any required augmentation of trunk mains supplying this site will be borne by the developer.

1.5.3 Stormwater management

Urban development leads to greater runoff and increased pollution load. Runoff volumes and peak flows are higher in urban areas compared to rural areas because the increase in impervious areas and the introduction of gutters and stormwater pipes in urban catchments result in less storage and shorter lag times for runoff.

There is also generally more pollution from urban areas as a result of increased contamination from roads, motor vehicles, residential, commercial and industrial areas etc. A stormwater management plan is required for subdivisions and large development proposals. The stormwater management plan is to demonstrate how pollution levels are to be managed and how runoff quantities are to be restricted to pre-development levels.





Koala Habitat

- Primary
- Secondary
- Marginal



