

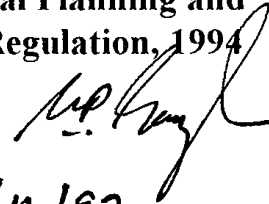
**DEVELOPMENT
CONTROL
PLAN
NO. 99**



**TAYLORS ROAD,
MACDONALDS ROAD
AND PACIFIC HIGHWAY,
LISAROW**

**Certified in accordance with the
Environmental Planning and
Assessment Regulation, 1994**

For Council:

A handwritten signature in black ink, appearing to be 'M. P. King', written over the 'For Council:' text.

Date:

00/00/99

5 Operation of the Plan

This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979, and accompanying Regulation.

This plan supersedes Development Control Plan No 8 - Lisarow as it relates to land to which this DCP applies.

6 Application of the Plan

Where a development application is lodged which relates to the land to which this plan applies, Council shall in accordance with Section 90(10)(a) of the Environmental Planning and Assessment Act take the provisions of this plan into consideration in determining that application.

Compliance with the provisions of this plan does not necessarily imply that Council will consent to any application. Council must also take into consideration those matters listed under Section 90(1) of the Environmental Planning and Assessment Act, 1979.

7 Objectives of the Plan

To guide development in this area having regard to:

- existing flood prone areas;
- protection of existing stands of native vegetation;
- transferring into this DCP existing provisions of Lisarow Development Control Plan No 8.

8 Specific Requirements

a Flooding and Development Potential

Development Applications for future development shall take into account the following matters:

- i Where flood free land is available on any individual allotment, all building works, etc are to be accommodated on that part of the site that is flood free.
- ii Floor levels for all future development to be set at a minimum of 500 mm above the 1% AEP design flood level.
- iii Subdivision of flood liable land will only be considered by Council where there exists a suitable area of flood free land for the construction of a dwelling. No development such as sheds, stables, etc are permitted in the floodplain.

- iv If construction to a specified floor level is required by Council on an existing lot, then only a filled building pad of 500m² is permitted. This fill platform must not adversely affect overland flowpaths or adjoining properties, and must be located as close as possible to a road for easy access for evacuation purposes.
- v No further subdivision will be permitted if it will increase the number of residents living in the floodplain and therefore the risk to life.
- vi Garage floor levels to be at or above the 1% AEP design flood level.
- vii Fences or home improvements (tennis courts, pool fencing and the like) of rigid panelling, chain wire or similar construction likely to collect debris and/or impair floodwaters would not be permitted.
- viii No development will be permitted unless access to and from the site during flood has been adequately addressed to Council's satisfaction.
- ix All new major development would be required to incorporate on site detention.
- x As identified under the Cutrock Creek Floodplain Management Plan all new development within the catchment of Cutrock Creek/Bangalow Creek is to be referred to Wyong Shire Council for comment upon potential increase in flood flows prior to consideration by Council for approval.
- xi Due to the extent of flood liability, the land's relationship to other flood liable areas and possible variability in the 1% line, Council considers that any development should be of a low density.

b Vehicle Access

- i No direct vehicular access is permitted onto the Pacific Highway. Any changes to current lot configurations will need to take this requirement into account as well as the location of the proposed sports field immediately to the south of the subject area.
- ii Rights of carriageway to serve lots whose only access is currently from the Pacific Highway will need to be created to the satisfaction of Council.

c Flora/Fauna

- i The accompanying plan indicates vegetation areas (rainforest, melaleuca swamp and swamp mahogany) that are required to be retained. Any development or changes to current lot configurations will need to take this requirement into account.
- ii A 50 metre buffer is to be retained immediately surrounding the rainforest area delineated on the attached map wherein which no new development is to take place.

Explanatory Notes to Provisions of Development Control Plan

Lisarow DCP No 8 specifies that no direct vehicular access is allowed onto the Pacific Highway from the subject land and this requirement is to be retained in this DCP. The Statement of Environmental Effects for the Cut Rock Creek Floodplain Management Study has highlighted stands of vegetation fronting the Pacific Highway that should be retained.

Community evidence in relation to flooding was used to identify areas suitable for the sports field/ retarding basin in the Lisarow DCP. The Cut Rock Creek Flood Study identified the extent of the 1% flood plain and looked at options available for reducing the flood risks in the area. A management plan is now in operation to provide the basis for the future management of flood liable land within the catchment.

Protection of Existing Stands of Vegetation

Studies completed as part of the Cut Rock Creek Floodplain Management Study for Lisarow have highlighted a number of areas of vegetation that should be retained. The vegetation consists of melaleuca swamp and swamp mahogany forests and a small area of rainforest.

The swamp mahogany forest is a very important vegetation community on the Central Coast being the only consistent winter flowering canopy tree and which produces copious amount of nectar and pollen. The melaleuca swamp forest is part of an isolated remnant pocket of vegetation that is poorly represented in reserves in the Gosford region. Both these sites contain the plant species, *Eucalyptus robusta*, which provides an important source of winter food source for a range of birds, bats and mammals.

The rainforest area contains two key rainforest species, Cabbage Tree Palm and Lilly Pilly which are listed in Council's rainforest policy. Under the provisions of the policy, disturbance to the rainforest is not permitted and a 50 metre exclusion zone for development applies.

Flooding Characteristics

It has been identified that the majority of the area covered by the DCP is subject to the 1% AEP line. This area has been identified in the DCP with a requirement that any development within this area be set at a minimum of 500 mm above the 1% design flood level. It should be noted that part of the land is above the 1% AEP but is zoned Restricted Development - Flood Prone. Due to the extent of flooding in this area and on the northern side of MacDonalds Road, and the extent of the 1% AEP flood event line, Council considers that this land is appropriately zoned, due to its proximity to the flood affected area, and will only allow a low intensity of development.

Adopted 4 November 1997

