

4.16 Site-Specific Controls – 18 Lambert Street, Bathurst

(Lot 12 DP 1066401)

4.16.1 Application of Controls

These controls apply to land known as 18 Lambert Street, Bathurst (Lot 12 DP 1066401), identified as Residential Precinct 1 – Medium Density under Schedule 6 of this DCP.

These controls apply in addition to provisions outlined in this DCP that relate to land zoned R1 within Residential Precinct 1. Where there is any inconsistency between these site-specific provisions and other parts of this DCP, the provisions in this section prevail to the extent of inconsistency.

4.16.2 Objectives

The objectives of this section are to:

- a) facilitate the orderly transition of the site from industrial to residential use within an established urban area;
- b) enable medium-density residential development that contributes to housing supply and diversity;
- c) ensure development responds sensitively to the Bathurst Heritage Conservation Area;
- d) require a coordinated, whole-of-site design response;
- e) manage building scale, bulk and amenity impacts on adjoining residential development;
- f) improve streetscape quality and urban greening outcomes; and
- g) ensure infrastructure, environmental and amenity impacts are appropriately addressed at development application stage.

4.16.3 Built Form and Massing

Controls

- a) Development must present as a series of articulated residential forms, not a single continuous building mass.
- b) Long elevations must be modulated through:
 - changes in building plane;
 - vertical articulation;
 - modulation of roof forms; and
 - variation in materials and finishes.
- c) Building footprints must allow for meaningful landscape areas and deep soil zones.

4.16.4 Heritage Conservation Area Response

Controls

- a) Development must demonstrate a positive and sympathetic response to the Bathurst Heritage Conservation Area.
- b) Built form must complement:
 - established residential scale;
 - vertical and horizontal rhythm of Lambert Street;
 - articulated facades and fine grain detailing.
- c) Materials must be predominantly masonry, timber, or other high-quality materials with muted, non-reflective finishes.
- d) A Statement of Heritage Impact is required to be submitted with all development applications for new buildings.

4.16.5 Landscaping and Deep Soil Zones

Controls

- a) A minimum 25% of the site must be provided as deep soil landscaping.
- b) Landscaping must include:
 - canopy trees capable of reaching mature heights;
 - planting along all street and side boundaries;
 - landscaped communal open space areas.
- c) Existing mature trees should be retained where feasible.

4.16.6 Private and Communal Open Space

Controls

- a) Each dwelling must be provided with private open space that meets minimum size and dimension requirements under section 4.7 of this DCP.
- b) Multi-dwelling development must provide usable communal open space, clearly defined and centrally located.

4.16.7 Solar Access, Privacy and Amenity

Controls

- a) Living rooms and private open space must receive a minimum of 3 hours of direct sunlight between 9am and 3pm at mid-winter, where practicable.
- b) Minimum separation distances between habitable room windows is 12m.
- c) Screening devices, setbacks and window placement must be used to minimise overlooking.

4.16.8 Acoustic and Amenity Management, Noise Attenuation – Adjoining Mechanical Workshop

Objective

- To minimise noise impacts on acoustically sensitive areas of development adjoining existing commercial or industrial uses.
- To ensure an acceptable acoustic environment for residential amenity.

Controls

- a) Development adjoining an existing mechanical workshop or similar noise-generating use must incorporate acoustic shielding to mitigate noise impacts on acoustically sensitive areas.
- b) Acoustic shielding must be designed and located to block the direct line of sight between noise sources (including workshop roller doors and similar openings) and:
 - i. rear yards and courtyards
 - ii. balconies
 - iii. habitable room windows and other operable windows.
- c) Acoustic shielding must be constructed of **solid, non-permeable materials**, such as:
 - i. timber fencing or solid timber structures
 - ii. Colorbond or similar solid metal sheeting
 - iii. masonry or other solid wall systems.
- d) Acoustic shielding must be designed to achieve a **minimum noise reduction of approximately 10 dBA** at affected receiver locations, or such other reduction as demonstrated to be satisfactory by a suitably qualified acoustic consultant.
- e) Compliance with applicable noise criteria must be demonstrated through a **Noise Impact Assessment** prepared by a suitably qualified acoustic consultant and submitted with any development application for residential development.

4.16.9 Access, Parking and Circulation

Controls

- a) Vehicle access points must be minimised and consolidated.
- b) Parking must be provided in accordance with section 4.9 of this DCP.
- c) Basement or under-croft parking is preferred to reduce the visual dominance of vehicles and vehicle openings (eg garage doors).

4.16.10 Stormwater and Servicing

Controls

- a) Development must achieve no net increase in post-development stormwater runoff.
- b) On-site detention and water quality measures are required.
- c) Existing sewer infrastructure within the site must be identified and protected.

4.16.11 Design Governance

Controls

- a) Development applications must be accompanied by:
 - an urban design statement;
 - a detailed landscape plan;
 - a site-wide built form analysis; and
 - shadow diagrams for mid-winter conditions.
- b) Council may require design review where deemed necessary.

4.16.12 Contaminated Land

Objectives

- To ensure land is suitable for its intended use and does not pose a risk to human health or the environment.
- To ensure contamination is appropriately investigated, managed and remediated prior to residential occupation.

Controls

1. As a Preliminary Site Investigation (PSI) has identified actual or potential contamination, further investigation must be undertaken to fully characterise the nature and extent of contamination across the site.
2. Additional site investigation must be carried out in areas that could not be assessed due to existing structures or hardstand (including concrete slabs), unless otherwise justified to the satisfaction of Council.
3. Any contamination investigation must be prepared in accordance with Council's Contaminated Land Policy. The investigation is to be undertaken by a suitably qualified and experienced consultant who holds a current EPA-recognised certification for the assessment of contaminated land. At the time of preparation, the EPA recognises the following certifications:
 - *Environment Institute of Australia and New Zealand* — Certified Environmental Practitioner (Site Contamination) (CEnvP (SC)); and

– *Soil Science Australia* — Certified Professional Soil Scientist (Contaminated Site Assessment and Management) (CPSS CSAM).

4. Where contaminants are identified at concentrations exceeding the Health-Based Investigation Levels (HIL A) applicable to Residential A land uses, remediation is required prior to the issue of an occupation certificate.
5. A Remedial Action Plan (RAP) must be prepared by a suitably qualified and experienced contaminated land consultant where remediation is required. The RAP must:
 - identify all known and potential contamination across the site (including contamination identified through any additional investigations);
 - specify remediation measures sufficient to remediate the site to HIL A standards; and
 - demonstrate that the site will be suitable for its intended residential use following remediation.
6. The outcomes of remediation must be validated through appropriate validation testing and reporting, to the satisfaction of Council, prior to occupation of the development.