



NSW GOVERNMENT  
**Department of Planning**

Ms Julie Bindon  
JBA Urban Consultants Pty Ltd  
Level 7, 77 Berry Street  
**NORTH SYDNEY NSW 2060**

Dear Ms Bindon,

**Director General's Requirements for refurbishment works and hotel extension to the Novotel Hotel, Brighton-Le-Sands – MP 08\_0239.**

Thankyou for your request for Director-General's environmental assessment requirements (DGRs) for the above project.

The DGRs were prepared from the information provided within your application and in consultation with relevant Government agencies, including Council (attached).

Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. If the Director-General considers that the Environmental Assessment does not adequately address the DGR's, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. Please contact the Department at least two weeks before you propose to submit the Environmental Assessment to determine the fees applicable to the application.

Please also find attached with this letter, copies of submissions from other agencies addressing their key issues for the proposal. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the Environmental Assessment.

While the provision of key issues and assessment requirements means you are now able to commence preparation of your Environmental Assessment, I would like to take this opportunity to remind you of the Departments concerns regarding excessive bulk and scale and lack of articulation of the envelope proposed for the Princess Street properties (Nos. 6-14) and the potential impact on the surrounding area.

In this regard, the failure to amalgamate with those residential properties to the west in Princess Street to achieve a more appropriate relationship with surrounding buildings and the desired future character for the locality is a major concern and should be addressed in the EA.



Accordingly, it is recommended that these matters should receive particular attention in the Environmental Assessment, and different alternatives be investigated to aid the justification of any final scheme.

If you have any enquiries about these requirements, please contact Mr Tim Hogan on 02 9228 6236 or via e-mail at [timothy.hogan@planning.nsw.gov.au](mailto:timothy.hogan@planning.nsw.gov.au).

Yours sincerely



Jason Perica  
**Executive Director** 25/2/09  
**(as delegate for the Director General)**



# Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application No.	MP 08_0239
Project	Major refurbishment works and an extension to the existing Novotel Hotel, Brighton Le Sands
Location	The Novotel Hotel, 70 The Grand Parade, and 6-14 Princess Street, Brighton Le Sands. Lots 101 and 102 in DP 773760, Lots 3 to 8 in DP 435253, and Lot 1 in DP 200686.
Proponent	Thakral Holdings Pty Ltd
Date issued	28/2/09
Expiry date	2 years from date of issue
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> <li> <b>1. Relevant EPI's policies and Guidelines to be Addressed</b>  Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>• Objects of the EP&amp;A Act</li> <li>• Commonwealth Civil Aviation (Buildings Control) Regulation 1988 and the Airport (Protection of Airspace) Regulation 1996 (Civil Aviation Regulation)</li> <li>• Draft South Subregional Strategy</li> <li>• SEPP 55 Remediation of Land</li> <li>• Draft SEPP 66 Integration of Land Use and Transport</li> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP (Major Projects) 2005</li> <li>• SEPP (Building Sustainability Index: BASIX) 2004</li> <li>• Rockdale Local Environmental Plan 2000, relevant Development Control Plans</li> <li>• Rockdale City Council Parking and Loading Code</li> <li>• Destinations Rockdale 2005+</li> <li>• Cook Park Plan of Management</li> <li>• Draft Rockdale Parking Strategy 2009 by Bitzios</li> <li>• Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> </ul> </li> <li> <b>2. Built Form</b> <ul style="list-style-type: none"> <li>• The proposal shall address the height, bulk and scale of the proposed development within the context of the locality, including the landmark status of the existing hotel building. In this regard, there is a concern relating to the stepping of the new building and the relationship with buildings to the east. The form of the new building should be read separately to the existing hotel, and these matters shall be addressed in the EA.</li> <li>• The EA shall demonstrate that the proposal does not have unacceptable levels of impacts on views and overshadowing of adjoining sites and public domain and address the impacts on existing residential units adjacent to the development site and fronting Bay Street.</li> </ul> </li> <li> <b>3. Site Amalgamation</b> <ul style="list-style-type: none"> <li>• The proposal should seek to amalgamate with the Princess Street properties to the west so that a more appropriate relationship is established with surrounding buildings and the desired future character for the locality, and details shall be included in the EA.</li> <li>• If this is demonstrated to be not possible, the EA shall assess possible alternative options for the Princess Street envelope with regard to issues relating to excessive bulk and scale, and lack of articulation, and the potential impact on the surrounding locality and a consideration of the viable future development potential of the isolated cottages site at Nos. 16-20 Princess Street.</li> </ul> </li> </ol>



#### **4. Urban Design**

The EA shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design and public domain.

The EA shall address the interface with the Grand Parade including façade and awning treatment. In addition, active street frontages should be provided to all street frontages, including Princess Street.

The EA shall provide the following documents:

- Comparable height study to demonstrate how the proposed height relates to the height of the existing development surrounding the subject site;
- View analysis to and from the site from key vantage points; and
- Options for building massing and articulation.

#### **5. Environmental and Residential Amenity**

The EA must address acoustic and visual privacy impacts on adjoining residential uses and contribute to a high level of environmental and residential amenity.

#### **6. Public Domain**

The EA shall provide details of the interface between the proposed uses and the public domain, specifically the relationship to and impact upon the existing public domain, including compliance with CPTED Principles, and including the following matters:

- Potential improvements to the public domain;
- Interface of the proposed development and public domain;
- The impact of isolating the public pathway from the ground floor of the proposed extension on Princess Street;
- The interface with Cook Park and The Grand Parade; and,
- Provision of street lighting, underground power lines and CCTV.

#### **7. Transport and Accessibility (Construction and Operational)**

The EA shall address the following matters:

- Provide a Transport & Accessibility Impact Study prepared in accordance with the RTA's *Guide to Traffic Generating Developments*, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages.
- The provision of appropriate car parking spaces, based on the accessibility of the site to public transport and the operational requirements of the proposed development, with a focus on minimising on-site car parking provision.
- Provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling).
- Identify measures to mitigate potential impacts for pedestrians and cyclists during and after the construction stage of the project.

#### **8. Construction Impacts**

Address measures to ameliorate potential impacts arising from the construction of the proposed development, and provide a Construction Management Plan.

#### **9. Ecologically Sustainable Development (ESD)**

The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water and energy usage, waste minimisation and recycling strategies. All waste management activities are to be located underground.

#### **10. Contributions**

The EA shall address provision of public benefit, services and infrastructure having regard to the Council's Section 94 Contribution Plan and/or a Planning Agreement or other legally binding instrument which would be required for a development of this size.



	<p><b>11. Consultation</b> Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>
<p><b>Key Issues</b> (Optional) – to be applied where relevant.</p>	<p><b>Heritage</b> The EA shall provide assessment of potential archaeology of the site and address the heritage significance of the terraces on the corner of Princess Street and The Grand Parade.</p> <p><b>Drainage</b> The EA shall address stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures and include a drainage capacity study with solutions to manage deficiencies.</p> <p><b>Groundwater</b> The EA shall take into account the objects and water management principles of the <i>Water Management Act 2000</i>, relevant policies, and satisfy any licence requirements under State water legislation.</p> <p>The assessment is required to identify groundwater issues and potential degradation to the groundwater source and provide the following, as applicable:</p> <ul style="list-style-type: none"> <li>• Details of any works likely to intercept, connect with or infiltrate the groundwater sources.</li> <li>• Details of any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected extraction volumes.</li> <li>• Details of the existing groundwater users within the area (including the environment) and include details of any potential impacts on these users.</li> <li>• Details of how the proposed development will not potentially diminish the current quality of groundwater, both in the short and long term.</li> <li>• Details on preventing groundwater pollution so that remediation is not required.</li> <li>• Details of proposed method of disposal of any extracted water from the dewatering process and approval from the relevant authority.</li> </ul> <p><b>Flooding</b> The EA shall provide an assessment of any flood risk on site in consideration of relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity.</p> <p><b>Utilities</b> In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p> <p><b>Staging</b> The EA must include details regarding the staging of the proposed development (if proposed).</p>
<p><b>Deemed refusal period</b></p>	<p>60 days</p>



## Plans and Documents to accompany the Application

<p><u>General</u></p>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment;</li> <li>3. A thorough description of the proposed development;</li> <li>4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed, including an assessment against the objectives of the EP&amp;A Act;</li> <li>5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>6. The plans and documents outlined below;</li> <li>7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is complete and neither false nor misleading;</li> <li>8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP)</li> <li>9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> <li>10. Details demonstrating that any fill brought onto the site is contamination free, and from where obtained.</li> <li>11. Details of where all excavated material leaving the site is to be placed.</li> </ol>
<p><u>Plans and Documents</u></p>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> <li>1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of the land, boundary measurements, area (sq.m) and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</li> <li>• all levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).</li> <li>3. A <b>locality/context plan</b> drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas;</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul> </li> <li>4. <b>Architectural drawings</b> at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>• detailed floor plans, sections and elevations of the proposed buildings;</li> <li>• elevation plans providing details of external building materials and colours proposed;</li> <li>• fenestrations, balconies and other features;</li> <li>• accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>• the height (lowest floor, the level of any area to be developed adjacent to or around the AHD) of the proposed development in relation to the land;</li> <li>• the level of the building and the level of the ground;</li> </ul> </li> </ol>



	<ul style="list-style-type: none"> <li>any changes that will be made to the level of the land by excavation, filling or otherwise.</li> </ul> <p>5 Other plans (to be required where relevant):</p> <ul style="list-style-type: none"> <li><b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management;</li> <li><b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li><b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li><b>View Analysis</b> - Visual aids such as a photomontage and scaled model must be used to demonstrate visual impacts of the proposed development in particular having regard to the siting, bulk and scale relationships from key areas;</li> <li><b>Landscape plan</b> - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.</li> <li><b>Shadow Diagrams</b> - showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</li> <li><b>Arborist Report</b> - detailing protective measures for the trees to be retained on or in the vicinity of the site.</li> <li><b>Heritage impact statement</b> – prepared in accordance with the NSW Heritage Manual and illustrating the impact of the proposed re-use of the building on its heritage value.</li> <li><b>Access Report</b> – to be prepared demonstrating compliance with the various Discrimination and Disability regulations for the building and open space areas, as well as access to the surrounding public spaces.</li> </ul>
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> <li>1 copy of the EA, plans and documentation for the <b>Test of Adequacy (TOA)</b>;</li> <li>12 hard copies of the EA (<b>once the EA has been determined adequate</b>);</li> <li>12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>
<b>Electronic Documents</b>	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:</p> <ul style="list-style-type: none"> <li>Adobe Acrobat PDF files and Microsoft Word documents must be no bigger than 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files;</li> <li>File names will need to be logical so that the Department can publish them in the correct order. Avoid sending documents that are broken down in more than 10 files;</li> <li>Image files should not be bigger than 2Mb. The file names will need to be clear and logical so the Department can publish them in the correct order;</li> <li>Graphic images will need to be provided as [.gif] files;</li> <li>Photographic images should be provided as [.jpg] files;</li> <li>Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each; and</li> <li>Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Department can publish them in the correct order.</li> </ul> <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>