

Department of Planning, Housing and Infrastructure



Our ref: Mixed Use Development Bells Boulevard Kingscliff (SSD-83069459)

Mr Dominic Biancardi

55 Miller Street

Level 5 Suite 506

PYRMONT NSW 2009

20 March 2026

Subject: Request for Information

Dear Mr Biancardi,

The exhibition of the development application and environmental impact statement (EIS) for the Mixed Use Development Bells Boulevard Kingscliff (SSD-82352708) ended on 17 February 2026.

The Department is now seeking additional information as set out in Appendix A. All agency advice received to date is available via the Major Projects page. Please note that this request is in addition to the Response to Submissions (RtS) request dated 9 March 2026.

The Department requests a single consolidated response to this RFI request and the previous RtS letter by **Monday 13 April 2026**.

Note that the time between the date of this letter and the date the Planning Secretary receives your response is not included in the 'assessment period' under section 94(1) of the Environmental Planning and Assessment Regulation 2021.

If you have any questions, please contact Fiona Dowler on 02 4904 2705 or via email at fiona.dowler@dpie.nsw.gov.au.

Yours sincerely,

Manager, Housing Delivery Assessments
as delegate for the Planning Secretary

Appendix A

1. Setbacks

To reduce the visual bulk and scale of the building the setback of Level 04 (fifth floor) is to be increased by an additional 3m from all frontages.

The setback to the rear (southern) boundary is required to be 9m minimum from habitable rooms *and* balconies to achieve compliance with the Apartment Design Guidelines.

2. Overshadowing

The solar study is required to be revised to demonstrate the impact to the townhouses to the south based on the requirement for at least three hours direct sunlight between 9am and 3pm at mid-winter. Consideration is to be given to improving solar access to the communal open space area.

3. Outdoor dining

Provide a footpath dining plan in accordance with Tweed Shire Council's Footpath Trading Policy demonstrating future ground floor tenancies can accommodate outdoor dining.

4. Wellness centre, communal spaces & walkways

Improvements to the solar access, cross ventilation and amenity of the proposed wellness centre & communal space, particularly through the western egress is required.

To improve winter solar access for the open communal space, further consideration should be given to redesigning the northeastern decorative brick façade that encloses the openair walkway on each level.

5. Privacy

There is potential for privacy impacts to the ground floor units from the communal open space and overlooking of the approved townhouses to the south. Further detail is required to demonstrate the proposal has incorporated appropriate privacy mitigation measures. The consolidated RTS/RFI response needs to address issues raised in the submission provided by Tweed Shire Council.

6. Stormwater

Further detail is required to demonstrate that the development complies with Tweed Shire Council's water management requirements. Refer to the submission provided by Tweed Shire Council.

7. Driveway access

The current position and configuration of the driveway present potential road safety risks. The safe operation of a roundabout relies on adequate sight lines, and both the adjacent building structure and driveway grades significantly restrict visibility. The driveway is also partially concealed, making its location less intuitive for approaching drivers. The requirement for waste collection vehicles to negotiate movements with exiting traffic further increases the likelihood of vehicle movement conflict.

The Department requires you to engage an independent road safety auditor to undertake a Road Safety Audit (RSA) to assess the safety implications of the proposed access and associated design features and to demonstrate that appropriate due diligence has been exercised, and potential safety risks have been independently reviewed and formally considered.

8. Waste management

The Transport Impact Assessment (TIA) identifies a customised vehicle similar to a MRV for waste collection, which suggests that collection would be undertaken by a

private operator. Confirmation is required from Tweed Shire Council whether this arrangement is acceptable, and evidence is required verifying the specific vehicle type proposed for the waste collection.

9. Agency advice

All agency advice received is available via the Major Projects page. A response to all the issues raised within the agency referrals and submission of revised documentation where relevant, is required.