



Mrs Joanne Kay
Town Planner
Shopping Centres Australasia Property Group Re Limited
45 River Street
BALLINA 2478

18 December 2020

Dear Mrs Kay

Cabarita Mixed Use Development-6 (MP07_0179-Mod-6)
Request for Response to Submissions

The notification of the Cabarita Mixed Use Development-6 (MP07_0179-Mod-6) ended on 17th December 2020. A submission received by the Department from Tweed Shire Council is available on the Department's website at <https://www.planningportal.nsw.gov.au/major-projects/project/40631>. A separate submission received from a community member is enclosed with this letter.

The Department requires that you provide a response to the issues raised in those submissions, in accordance with clause 82(2) of the Environmental Planning and Assessment Regulation 2000. Please also provide additional information in response to the Department's comments provided in Attachment 1.

Please provide a response by Monday, 25 January 2021. If you are unable to provide the requested information within this timeframe, you are requested to provide, and commit to, a timeframe detailing the provision of this information.

If you have any questions, please contact Tahlia Sexton, who can be contacted on 02 9860 1560 or via email at tahlia.sexton@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'K T' followed by a long horizontal stroke.

Keiran Thomas
Director Regional Assessments
Regional Assessments

Enclosed: Public Submission

ATTACHMENT 1

DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT

PRIMARY ISSUES

Level 1 Landscape Podium

- The Department understands that the modification includes the reallocation of the Level 1 landscaped podium to eight individual courtyards accessible by Units 1-8. In the approved plans, this landscaped podium was intended to function as a landscaped buffer between the units and the surrounding properties in terms of visual amenity, noise and privacy in line with the objectives and design guidance of SEPP 65.

The impacts of the change of this space from a mostly inaccessible, landscaped open space to private balconies have not been adequately addressed for the surrounding properties, having only considered internal impacts in the submitted SEE. Please provide an adequate assessment of the impacts of this change on neighbouring properties, specifically on Hastings Road and the properties opposite.

The Department recommends reconsidering the design to provide open space, potentially remaining accessible by Units 1-8 to be used primarily as a passive communal area, with potential for west orientated seating and walkways connecting seating areas, in line with the objectives and design guidance of SEPP 65 and the Apartment Design Guide.

Lightwells

- Please provide further information regarding the proposed lightwells including a section figure to understand how they function.
- Please address whether the lightwells on Level 2 will be openable to residents and how/if they provide light to Level 1 units.

Tweed Coast Road Elevation

- There appear to be a number of changes proposed to the Tweed Coast Road elevation. It seems the balconies of these units have been reduced in depth by up to 1 metre (m), compromising their functionality and reducing residential amenity. Stepping in the balconies across the units has also been deleted, and the south eastern corner which was previously recessed has now been filled with a balcony area both of which reduce articulation of the façade.

The submitted modification report indicates that to satisfy conditions B3 and B4, the units facing Hastings Road were shifted to the west. There is no discussion of these apparent changes to the Tweed Coast Road façade. Please explain the reasoning for these changes and address both the amenity impacts for the residents, and the visual impacts arising from this change.

Floor to Ceiling Heights

- Please clearly indicate the floor ceiling heights for the units located on Level 2. The approved plans indicate these units achieve a floor to ceiling height of 2.7m, consistent with SEPP 65, the then relevant Residential Flat Design Code and current Apartment Design Guide. The proposed modification appears to reduce the floor to ceiling for Level 2 to 2.55m or less. Given that the depth and narrow width of the units limit opportunities for penetration of solar access, a minimum of 2.7m floor to ceiling height should be maintained.

Unit Naming

To avoid confusion and ensure assessment against approved plans is consistent, please provide plans with the original naming conventions of the units (Unit 1, Unit 2 etc and Type A, Type B etc) rather than using the term 'Lot'.