

**TITLE: [NOR-PC] Development Application DA13/0591 - Erection of Four Townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36 and 38 Enid Street, Tweed Heads**

**NOTICE OF RESCISSION:**

Councillor B Longland, G Bagnall and M Armstrong move at the next Ordinary Planning Committee meeting that Council resolution from the Planning Committee Meeting held on 1 May 2014, Minute No 254 Item No 14 being:

*"... that Development Application DA13/0591 for the erection of four townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36-38 Enid Street, Tweed Heads:*

- a. grant in principle support; and*
- b. the Director Planning and Regulation seeks better outcomes on design including but not limited to concerns raised in the current Council report."*

**be rescinded.**

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**TITLE: [NOR-PC] Development Application DA13/0591 - Erection of Four Townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36 and 38 Enid Street, Tweed Heads**

**NOTICE OF MOTION:**

**Councillor B Longland moves that**

**That Development Application DA13/0591 for the erection of four townhouses at Lots 25 and 26 Section 5 DP 4043 Nos. 36-38 Enid Street, Tweed Heads be refused for the following reasons:**

- 1. In accordance with Section 79C(1)(a)(i) of the Environmental Planning & Assessment Act 1979 (as amended) the proposed development is not considered to be compliant with Environmental Planning Instruments.**

**It is Council's view that the proposed development is inconsistent with the vision and objectives contained within:**

**The Tweed City Centre LEP 2012:**

- Clause 1.2: Aims of this plan - – proposed density of the site is not consistent with the desired future character of the area**
  - Clause 2.3: Land Use Table - the proposal does not meet the requirements for medium density residential development within the context of the locality.**
  - Clause 4.3: Height of Buildings - the proposal does not maximise density on the site commensurate with the objectives of the clause.**
  - Clause 4.4: Floor Space Ratio - the proposal does not incorporate increased building height and site amalgamation at a key location in the area of Tweed City Centre.**
- 2. Pursuant to Section 79C (1) (c) of the Environmental Planning & Assessment Act 1979 (as amended) the proposed site is not considered suitable for the proposed development.**

**The proposal represents a significant variation to building height and floor space ratio for the locality as prescribed within the Tweed City Centre Local Environmental Plan 2012.**

**The proposal is inconsistent with the future desired character of the City Centre Support Precinct as defined within Development Control Plan B2 – Tweed Heads.**

- 3. In accordance with Section 79C (1) (e) of the Environmental Planning & Assessment Act 1979 (as amended) the proposed development is not considered to be in the public interest.**

**It is in the broader general public interest to enforce the standards contained within the Development Control Plan 2008 and Tweed City Centre LEP 2012 specifically as it relates to residential development controls and density objectives of the R3 Medium Density Residential zone.**

### **Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

### **Management Comments:**

Delivery Program:



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- |       |  |
|-------|--|
| 1     | Civic Leadership   |
| 1.2   | Improve decision making by engaging stakeholders and taking into account community input       |
| 1.2.1 | Council will be underpinned by good governance and transparency in its decision making process |
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Budget/Long Term Financial Plan:

Not Applicable.

Legal Implications:

Dependent upon resolution of this item.

Policy Implications:

Code of Meeting Practice Version 2.4.

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