

Development Control Plan



Revitalising

Tweed City Centre

P L A N

03



Planning



TWEED
SHIRE COUNCIL





TIM THROSBY
JAN 2008

Tweed City Centre Plan
Development Control Plan
ISBN 978 1 74263 002 1

NSW Department of
Planning & Infrastructure 2011

Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

Front Cover Photograph

by Airview Aerial Photography

Coloured Drawings

by Tim Throsby

Contents

| | | | | | |
|------------|--------------------------------------------|-----------|----------|----------------------------------------------|-----------|
| 1 | INTRODUCTION | 4 | 5 | ACCESS, PARKING AND SERVICING | 52 |
| 1.1 | The Purpose of this Plan | 4 | 5.1 | Pedestrian Access and Mobility | 52 |
| 1.2 | Name of this Plan and Commencement | 4 | 5.2 | Vehicular Driveways and Manoeuvring Areas | 52 |
| 1.3 | Land and Development Covered by This Plan | 4 | 5.3 | On-Site Parking | 53 |
| 1.4 | Relationship with Other Planning Documents | 4 | 5.4 | Developments in Other Zones | 60 |
| 1.5 | Savings | 6 | 5.5 | Site Facilities and Services | 60 |
| 1.6 | Consent Authority | 6 | 6 | ENVIRONMENTAL MANAGEMENT | 64 |
| 1.7 | Explanatory Notes | 6 | 6.1 | Energy Efficiency and Conservation | 64 |
| 1.8 | Monitoring and Review | 6 | 6.2 | Water Conservation | 64 |
| 2.0 | CITY CENTRE CHARACTER AREAS | 8 | 6.3 | Climate Change and Floodplain Management | 66 |
| 2.1 | Character Statements | 8 | 6.4 | Reflectivity | 67 |
| 3 | BUILDING FORM | 16 | 6.5 | Wind Mitigation | 67 |
| 3.1 | Building Alignment and Setbacks | 16 | 6.6 | Waste and Recycling | 68 |
| 3.2 | Street Frontage Heights | 20 | 7 | RESIDENTIAL DEVELOPMENT CONTROLS | 70 |
| 3.3 | Building Depth and Bulk | 25 | 7.1 | SEPP 65 and Residential Flat Design Code | 70 |
| 3.4 | Mixed Use Buildings | 29 | 7.2 | Housing Choice and Mix | 70 |
| 3.5 | Building Design and Materials | 30 | 7.3 | Residential Design for a Subtropical Climate | 71 |
| 3.6 | Landscape Design | 31 | 7.4 | Dwelling Houses | 73 |
| 3.7 | Planting on Structures | 32 | 7.5 | Multi Dwelling Housing | 73 |
| 4 | PEDESTRIAN AMENITY | 34 | 7.6 | Residential Flat Building | 73 |
| 4.1 | Permeability | 34 | 7.7 | Dual Occupancy | 73 |
| 4.2 | Active Street Frontages | 38 | 8 | CONTROLS FOR SPECIAL AREAS | 74 |
| 4.3 | Safety and Security | 41 | 8.1 | Special Areas and Controls | 77 |
| 4.4 | Front Fences and Boundary Treatments | 42 | 8.2 | Design Excellence | 85 |
| 4.5 | Awnings | 43 | 9 | GLOSSARY | 86 |
| 4.6 | Vehicle Footpath Crossings | 46 | | | |
| 4.7 | Pedestrian Overpasses and Underpasses | 47 | | | |
| 4.8 | Advertising and Signage | 47 | | | |

Figures

| | | | | | |
|--------------|-------------------------------------------------------|----|-------------|----------------------------------------------------------------------------------|----|
| Figure 1.1: | Land to which this plan applies | 5 | Figure 4.8 | Examples of front boundary treatments | 43 |
| Figure 2.1: | Character precincts - North | 13 | Figure 4.9 | Street awning example | 43 |
| Figure 2.2: | Character precincts - South | 14 | Figure 4.10 | Street awnings - North | 44 |
| Figure 3.1: | Specific Street alignment and street setbacks - North | 18 | Figure 4.11 | Street awnings - South | 45 |
| Figure 3.2: | Specific street alignment and street setbacks - South | 19 | Figure 4.12 | Driveway crossing dimensions | 46 |
| Figure 3.3: | Generic street frontage heights | 20 | Figure 4.13 | Under awning signage | 49 |
| Figure 3.4: | Street frontage heights - North | 21 | Figure 4.14 | Signage zones | 49 |
| Figure 3.5: | Street frontage height 'A' | 22 | Figure 5.1 | Commercial core parking area - North | 56 |
| Figure 3.6: | Street frontage height 'B' | 22 | Figure 5.2 | Commercial core parking area - South | 57 |
| Figure 3.7: | Street frontage height 'C' | 23 | Figure 5.3 | Rear setbacks from exposed above ground parking structures | 58 |
| Figure 3.8: | Street frontage height 'D' | 23 | Figure 5.4 | Integrated on-site parking requirements for commercial and mixed use development | 58 |
| Figure 3.9: | Street frontage height 'E' | 24 | Figure 5.5 | Above grade parking in profile | 59 |
| Figure 3.10: | Street frontage height 'F' | 24 | Figure 5.6 | Example of above ground parking screened from public domain | 59 |
| Figure 3.11 | Building bulk and depth controls | 26 | Fig 5.7 | Examples of above ground parking screened from view by artwork | 59 |
| Figure 3.12: | Generic building separation diagram | 29 | Figure 7.1 | Examples of external adjustable and fixed shading devices | 72 |
| Figure 3.13: | Mixed use buildings sketch | 30 | Figure 8.1 | Special Areas - North | 75 |
| Figure 3.14: | Courtyard landscaping example | 33 | Figure 8.2 | Special Areas - South | 76 |
| Figure 3.15: | Planting on roof structures example | 33 | Figure 8.3 | Jack Evans Boat Harbour Special Area Plan | 78 |
| Figure 4.1: | Permeability - North | 36 | Figure 8.4 | Stuart Street/Border Area | 79 |
| Figure 4.2 | Permeability - South | 37 | Figure 8.5 | Centro Area | 81 |
| Figure 4.3 | Example of an active pedestrian link | 38 | Figure 8.6 | Southern Boat harbour Special Area Plan | 82 |
| Figure 4.4 | Active street frontage sketch | 38 | Figure 8.7 | Preferred land consolidation model for Southern Boat Harbour | 82 |
| Figure 4.5 | Active street frontage map - North | 39 | Figure 8.8 | Tweed City Shopping Centre | 84 |
| Figure 4.6 | Active street frontage sketch - South | 40 | | | |
| Figure 4.7 | Front boundary treatment controls | 42 | | | |

1.0 Introduction

1.1 PURPOSE OF THIS PLAN

This Plan has been prepared in accordance with Part 3 Division 6 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and with Part 3 of the Environmental Planning and Assessment Regulation 2000 (the EP&A Regulation). This Plan complements the provisions of the Tweed Local Environmental Plan for development in the Tweed City Centre that will:

- contribute to the growth and character of Tweed City Centre, and
- protect and enhance the public domain.

Under section 79C of the EP&A Act, the consent authority is required to take into consideration the relevant provisions of this Plan in determining an application for development in Tweed City Centre.

1.2 NAME OF THIS PLAN AND COMMENCEMENT

This Plan is called Section B2 – Tweed City Centre of the Tweed Development Control Plan 2008.

This Plan was adopted by Tweed Shire Council on <date> and came into effect on <date>.

1.3 LAND AND DEVELOPMENT COVERED BY THIS PLAN

This Plan applies to the North and South Tweed City Centre (refer to Figure 1-1).

1.4 RELATIONSHIP WITH OTHER PLANNING DOCUMENTS

The Tweed Local Environmental Plan is the principal environmental planning instrument which applies to development within the Tweed City Centre.

This Plan contains detailed provisions that supplement the provisions of the Tweed Local Environmental Plan. If there is any inconsistency between this Plan and the Tweed Local Environmental Plan, the LEP will prevail.

This Plan repeals Section B2 of the Tweed

Shire Development Control Plan. Section A of the Tweed Shire Development Control Plan continues to apply to development in the Tweed City Centre, however, in the event of an inconsistency between this section and another section of the Tweed Shire Development Control Plan, this section shall prevail.

Several State Environmental Planning Policies (SEPPs) and the North Coast Regional Environmental Plan (North Coast REP) apply to the Tweed City Centre. Unless otherwise stated, in the event of any inconsistency between this Plan and any SEPP, the relevant provisions of the SEPP prevail.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP65) and the Residential Flat Design Code shall apply to residential development more than 14 metres in height. In the event of an inconsistency between SEPP65 and the Residential Flat Design Code and this DCP, SEPP65 and the Residential Flat Design Code shall prevail.

The NSW Government's Far North Coast Regional Strategy and the North Coast Regional Environmental Plan provide the strategic planning framework and context to this Plan. The NSW Government's Far North Coast Regional Strategy and the North Coast Regional Environmental Plan provide the strategic planning framework and context to this Plan.

The Tweed City Centre Plan includes this DCP and the following documents:

- Tweed City Centre Vision; and
- Refers to Tweed Local Environmental Plan.

FIGURE 1-1: LAND TO WHICH THIS PLAN APPLIES



1.0 Introduction

1.5 SAVINGS

This Plan does not apply to any development application lodged but not finally determined before the commencement of this Plan.

1.6 CONSENT AUTHORITY

Tweed Shire Council is the consent authority for all development in the Tweed City Centre except as provided for by State Environmental Planning Policy (Infrastructure) 2007 and State Environmental Planning Policy (Major Development) 2005. Under those policies, certain infrastructure and major projects may be exempt or complying development or may be respectively determined under Part 5 and Part 3A of the EP&A Act 1979.

Compliance with the provisions of this Plan does not necessarily guarantee that consent to a development application will be granted.

Each development application will be assessed having regard to the aims and objectives of the EP&A Act, other matters listed under section 79C of the EP&A Act, the Tweed City Centre Local Environmental Plan 2011, this Plan and any other policies, by the consent authority.

Consistent application of the provisions of this Plan will be given high priority by the consent authority.

1.7 EXPLANATORY NOTES

Terms used in this Plan are defined in the Tweed City Centre Local Environmental Plan 2011 and in the Glossary in Section 9.0 of this Plan.

Council strongly encourages consultation and negotiation about each proposal before a development application (DA) is lodged.

1.8 MONITORING AND REVIEW

The consent authority is required to keep local environmental plans and development control plans under regular and periodic review under section 73 of the EP&A Act. The consent authority is committed to this process to ensure that Council's planning instruments remain applicable and relevant.

The consent authority is to review the local environmental plan and development control plan at five yearly intervals in order to:

- a) assess the continued relevance and responsiveness of the Plan's provisions,
- b) measure the achievement of the objectives of the Plan,
- c) identify the need for changes to the provisions to better achieve the objectives of the Plan, and
- d) ensure the availability of adequate development capacity under the Plan's provisions.

This page has been left blank intentionally

2.0 City centre character areas

2.1 CHARACTER STATEMENTS

The Tweed City Centre is divided into a number of character precincts under this Plan (refer to Figures 2-1 and 2-2). The character statements for these precincts and the development controls under this Plan aim to develop and reinforce the vision established for each area.

The objectives identified in the Tweed City Centre Vision are to promote sustainable growth within the Tweed City Centre and encourage a city that is vibrant and active.

2.1.1 Tweed City Centre North

Duranbah Beach and Flagstaff Hill Precinct

Duranbah Beach is a world class surfing destination and popular local landmark. The beach is defined in the south by the Tweed River northern training wall and in the north by a manmade seawall at the base of Point Danger. The beach is the most northern beach in New South Wales and lies on the State border with Queensland. Due to its orientation and landform separation from Flagstaff Hill the beach has a significantly different character to the cosmopolitan city beaches of the Gold Coast. The local surfing fraternity in particular is attracted to the informal and relaxed atmosphere of the area.

The natural character of Duranbah Beach will be maintained and its public domain area will be improved to cater for the high visitation in summer and at surf carnival events. The future development will be largely limited to the upgrading of the building currently utilised by the Volunteer Marine Rescue Service (VMR) with introduction of special function rooms, a restaurant and enhanced public domain including benches, lighting, picnic shelters and change room. The popular public walkways along the beach frontage linking New South Wales and Queensland will be also upgraded to a higher quality.

Flagstaff Hill is characterised by a major park perched on the highest point within the city centre and affords dramatic views to the east and south. The park is surrounded by residential apartment buildings of between three to seven storeys. Future development in the precinct will be of similar scale, with small scale cafes and local shops fronting the park. An increase in development intensity is anticipated for land parcels fronting both Hill and Eden Streets.

The regional museum exhibiting the cultural and riverine history of the Tweed Heads region is planned to be constructed on public land at Flagstaff Hill adjacent to the Old Pilot Station site. To minimise impacts on the culturally significant site and to protect views from residential development the future building will be partially built into the hill. The museum will incorporate east facing, elevated public forecourt and a café.

Jack Evans Boat Harbour Precinct

Jack Evans Boat Harbour is situated at the northern end of the city between the Commercial Core and the Flagstaff Hill/ Duranbah Beach Precinct.

The boat harbour area is the primary, but underutilised, open space and community focus area within the city centre. The precinct is generally flat and its protected waters are ideal for the recreation activities of older age groups and families with children. The harbour is dominated by the Twin Towns club building and the twenty four storey Seascape residential tower.

The future character of the Jack Evans Boat Harbour precinct will be as the recreational and tourism centrepiece for the Tweed City Centre. The precinct will become a major park with a series of destinations in the form of complementary mix of diverse uses that will activate the area day and night, and cater for all ages.

The land use and development controls for the precinct aim to establish a high profile point of difference to the Gold Coast beach environment. The precinct will include areas for passive and active recreation that cater for the needs of the diverse range of user groups and community desires for the land.

New development framing the harbour to the north will consist of a mixed use building along Coral Street which will have tourist uses and cafés facing the harbour, the Twin Towns Club to the north east of the harbour will have improved public address to the harbour and some active uses at ground level.

Specific public spaces within the harbour parkland will include the Indigenous Public Place project, playground areas, public plazas, market spaces, promenades, boardwalks, barbeque areas and a marina facility with associated tourist/cultural centre in the north eastern corner of the harbour.

City Centre Core Precinct

The City Centre Core Precinct is the 'heart of the city' and is well located to accommodate the bulk of future residential and business development necessary to fulfil the regional centre role of Tweed Heads while connecting with the existing urban form of Tweed Heads and Coolangatta.

The future character of the City Centre Core Precinct will be of a dynamic centre with a mix of land uses comprising retail uses at ground level activating the street frontage and podium levels comprising commercial offices topped by residential high rise buildings ranging from 10 to 14 storeys in height. The main two streets in the precinct are Bay Street and Wharf Street.

The visual and functional character of Bay Street and Wharf Street will be improved through enhancements to the public domain in the form of integrated planting, paving, lighting and street furniture schemes framed by high quality buildings. Streets will have continuous awnings to provide weather protection to pedestrian street activity.

Tweed River Precinct

The Tweed River Precinct adjoins the western bank of the Tweed River, extending from the Jack Evans Boat Harbour Precinct, to the Civic/Campus Precinct and to Powell Street in the west. The area is predominantly on reclaimed land from the former Greenbank Island and Back Channel.

The future character of the precinct will be of a high quality residential area with a small component of mixed business uses along the riverfront park. The future development will respond to the environmental and recreational qualities of the Tweed River and will reinforce the nexus between the City Centre Core and the Civic/Campus Precinct.

The built form in the precinct will maximise the view sharing with higher buildings away from the riverfront and lower along the river.

The residential buildings will have generous balconies and roof terraces and will be surrounded by landscape.

City Centre Support Precinct

The City Centre Support Precinct is located to the south of the City Centre Core and adjoins the Ridgeline and Razorback Precinct, the Tweed River Precinct and the Civic/Campus Precinct and the Southern Boat Harbour Precinct.

The objective for future development in this precinct is to allow for a similar range of land uses to the City Centre Core although at a lower density and without the extent of active street front uses as in the City Centre Core.

Future development on consolidated allotments will be up to 10 storeys fronting Wharf Street and 14 fronting Pearl Street with residential land uses only to the west of Beryl Street and Boyd Street. The objective for future development west of Beryl Street and Boyd Street is to create a residential precinct with high quality urban design and buildings that respond to the topography of the land. Buildings up to 10 storeys will be encouraged along Thomson Street on consolidated sites to reinforce the ridgeline and define the State border. Some medium density buildings between Angela Street and Florence Street will function as an interface between City Centre Support Precinct and lower density Ridgeline and Razorback Precinct..

2.0 City centre character areas

Ridgeline and Razorback Precinct

The Ridgeline and Razorback Precinct is located on the western edge of the city centre, generally west of Recreation Street. Development in the precinct is predominantly single detached dwellings stepping up the escarpment to take advantage of easterly views.

The development controls anticipate minimal changes to the precinct with a two storey height limit for the majority of the precinct and some medium density buildings on the flatter areas east of Adelaide Street.

Civic/Campus Precinct

The Civic/Campus Precinct primarily supports community related facilities such as Tweed Heads Hospital, Tweed Heads Bowling Club, Civic Centre Library, Southern Cross University, and St Cuthbert's Church. This precinct has a built form and architecture distinct from the rest of the Tweed City Centre which reflects its predominantly civic and community role and function.

It is proposed that the future character of the precinct largely maintains the existing civic character, and new buildings to contribute to the campus theme with a network of landscaped pedestrian through links and new public squares linking the Tweed River to Wharf Street. The future development should positively address the surrounding streets and define the new public squares within the precinct. Additional car parking opportunities should be sought within the precinct to reduce the on street car parking pressure on streets surrounding the precinct.

Future multi deck car parking within the precinct should have active uses on ground level facing streets and internal squares and have attractive screening to the upper levels to conceal the parked cars.

The precinct has the potential to develop some tourist accommodation and permanent residential uses to cater for the Bowling Club and the Tweed Hospital needs. In particular along the river frontage and along Wharf Street. The expansion of the university functions in this precinct would be most desirable.

Boat Harbour Precinct

The Boat Harbour Precinct is the southern gateway to Tweed Heads just north of the Boyds Bay Bridge and Terranora Terrace. The precinct has a distinctive character reflective of the former Monastery Hill and the adjoining intimate Boat Harbour which functions as a popular tourist destination and as the boat maintenance area. The objective for this precinct is to promote the maritime theme of the Boat Harbour and provide pedestrian access along the waterfront and to water based tourist activities. At the land/water interface, low scale commercial activities such as restaurants, cafés and tourist activities and facilities are encouraged.

To make an entry statement as people enter the precinct over the Boyds Bay Bridge landmark buildings up to 13 storeys are encouraged on key sites on northern side of Terranora Terrace and on Monastery Hill and could accommodate a mixture of business and residential uses and tourist accommodation.

A continuation of the mixed retail and residential development from the northern end of the City Centre along Wharf Street is promoted with buildings of eight storeys stepping down to six storeys on the eastern side of Recreation Street.

Residential Boat Harbour Precinct

The Residential Boat Harbour Precinct extends southwards from the Civic/Campus Precinct and comprises two distinct areas. South of Keith Compton Drive is predominantly newer small lot residential housing designed to take advantage of the estuarine environment with the northern area comprising older medium density housing stock.

The development controls provide for minimal intensification in this precinct with the redevelopment of older stock in the northern sector promoted through provisions that allow four storey residential buildings. Redevelopment within this precinct should be of high quality residential design and take advantage of the proximity to the Tweed River through the use of large balconies and terraces.

2.1.2 Tweed City Centre South

Tweed River Environment and Recreation Precinct

The Tweed River Environment and Recreation Precinct is the major natural area within Tweed Heads City and comprises significant wetland areas, watercourses and the golf course. It has significant biodiversity value and development should be minimised to land uses that compliment the natural qualities of the precinct, and have tourist or recreational qualities.

Southern River Precinct

It is intended that the residential character of the Tweed Southern River Precinct will be retained. Existing development controls permit three storey residential buildings on consolidated allotments in this area.

The attractiveness of these areas for tourist accommodation will be improved through the upgrading of this section of Minjungbal Drive as a boulevard and enhancements to the riverfront park on the eastern side of the Minjungbal Drive. Existing businesses in this precinct are more suited to higher exposure areas and will be encouraged to relocate southwards to the enterprise corridor on Minjungbal Drive.

Recreation and Public Use Precinct

The current role and function of this precinct will be reinforced with major upgrades to playing fields and public facilities in Arkinstall Park.

Minjungbal Drive Corridor Precinct

The precinct is intended to focus business activities that require larger footprint buildings, good vehicular access and exposure along Minjungbal Drive south of the Tweed South River Precinct.

The area will cater for businesses requiring main street frontage as well as complementary business, office, retail and light industrial uses.

The character and visual appearance of the precinct will be enhanced through controls promoting the consolidation of allotments, the coordination of the location, extent and type of advertising signage and the relocation of

car parking and storage and service areas to the rear of buildings away from street frontages. The upgrading of Minjungbal Drive will include widened footpaths where high levels of pedestrian activity occur in particular in the vicinity of the Tweed City Shopping Centre. Tree planting will define and soften the main gateway to Tweed Heads.

Tweed South East Precinct

The Tweed South East Precinct will retain a residential character, although the maximum permissible height has been increased to three storeys under the Tweed Local Environmental Plan. The development controls do not propose any change within the residential areas to the south of Kirkwood Road. The existing character of this area will remain.

Kirkwood Road West Residential Precinct

This precinct will remain a residential neighbourhood. The residential estate at the western end of the precinct will include planning controls that retain its current character and land use. New enhanced pedestrian links will better connect this precinct with surrounding areas.

Tweed South Retail Precinct

The Tweed South Retail Precinct comprises the Tweed City Shopping Centre which is the main retail centre within the region. The development controls for the precinct provide for the expansion of the existing centre up to Minjungbal Drive and Kirkwood Road frontages. Opportunities exist for Minjungbal Drive to be revitalised into a dynamic street with a mixture of new retail, showcases and articulated facades fronting Minjungbal Drive and Kirkwood Road as an extension to Tweed City Centre. As redevelopment / expansion proceeds towards the Minjungbal Drive frontage, a new public plaza that provides connectivity between the Centre and areas adjacent can be created. The pedestrian access to the shopping centre will be clearly defined. All carparking will be readily identifiable and should incorporate articulated street frontages/ screening which can enhance the future visual character of Minjungbal Drive and Kirkwood Road.

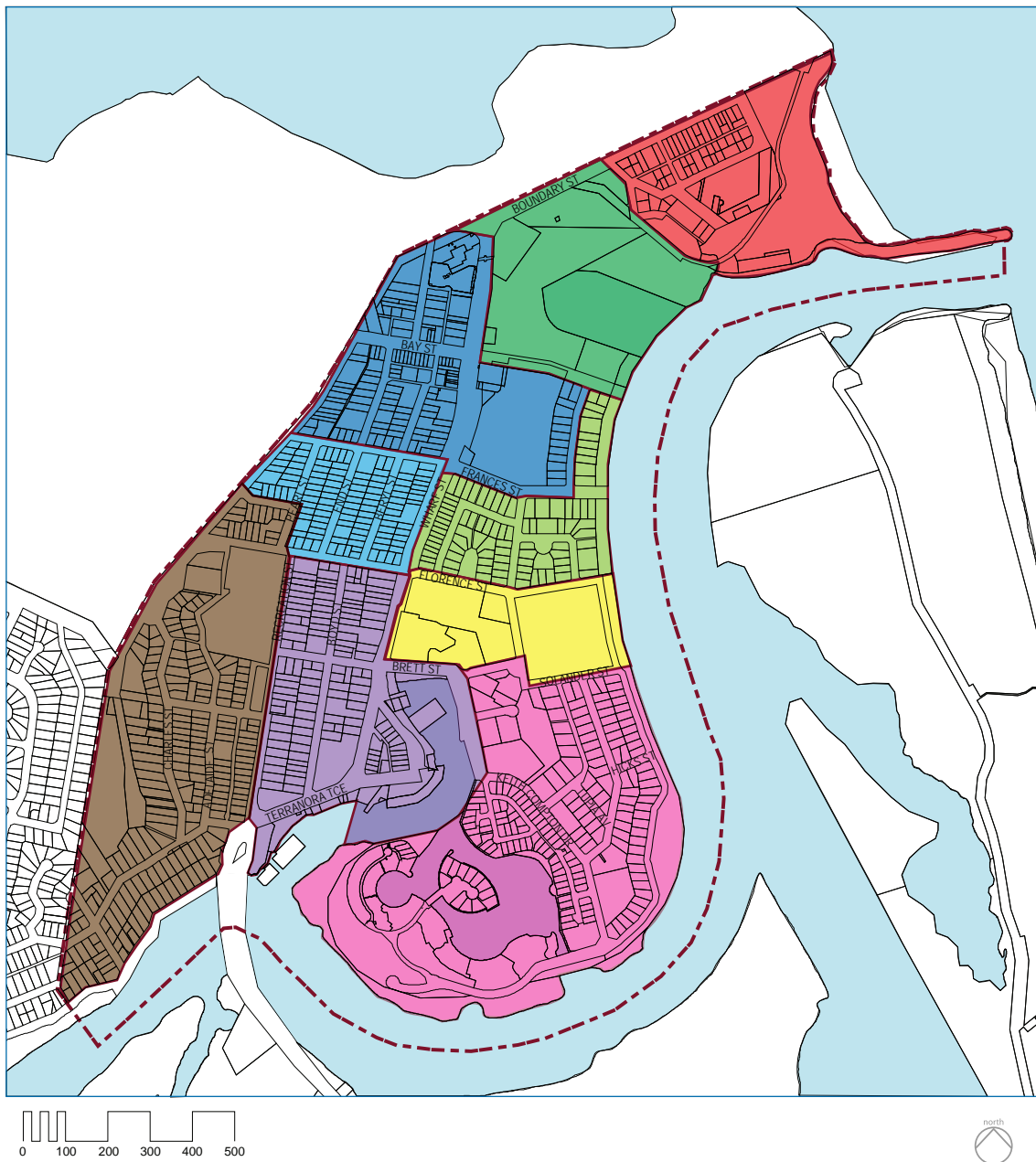
2.0 City centre character areas

Tweed South Business Core Precinct

The Business Core Precinct is an area in transition from a traditional industrial area to a mixed use business area comprising bulky goods and showroom uses interspersed with warehouses and modern light industrial unit complexes.

The development controls for the Tweed South Business Core Precinct seek to manage this transition by encouraging the redevelopment of older factory premises into modern showroom and bulky goods premises similar to those on Greenway Drive to the south of the Pacific Highway. The visual and functional qualities of the precinct will be enhanced through the provision of unified landscaping throughout the precinct, the relocation of car parking from front setbacks and a reduction in advertising signage and clutter. Options for the construction of a new road linking Rivendell Drive and Machinery Drive, will also be encouraged.

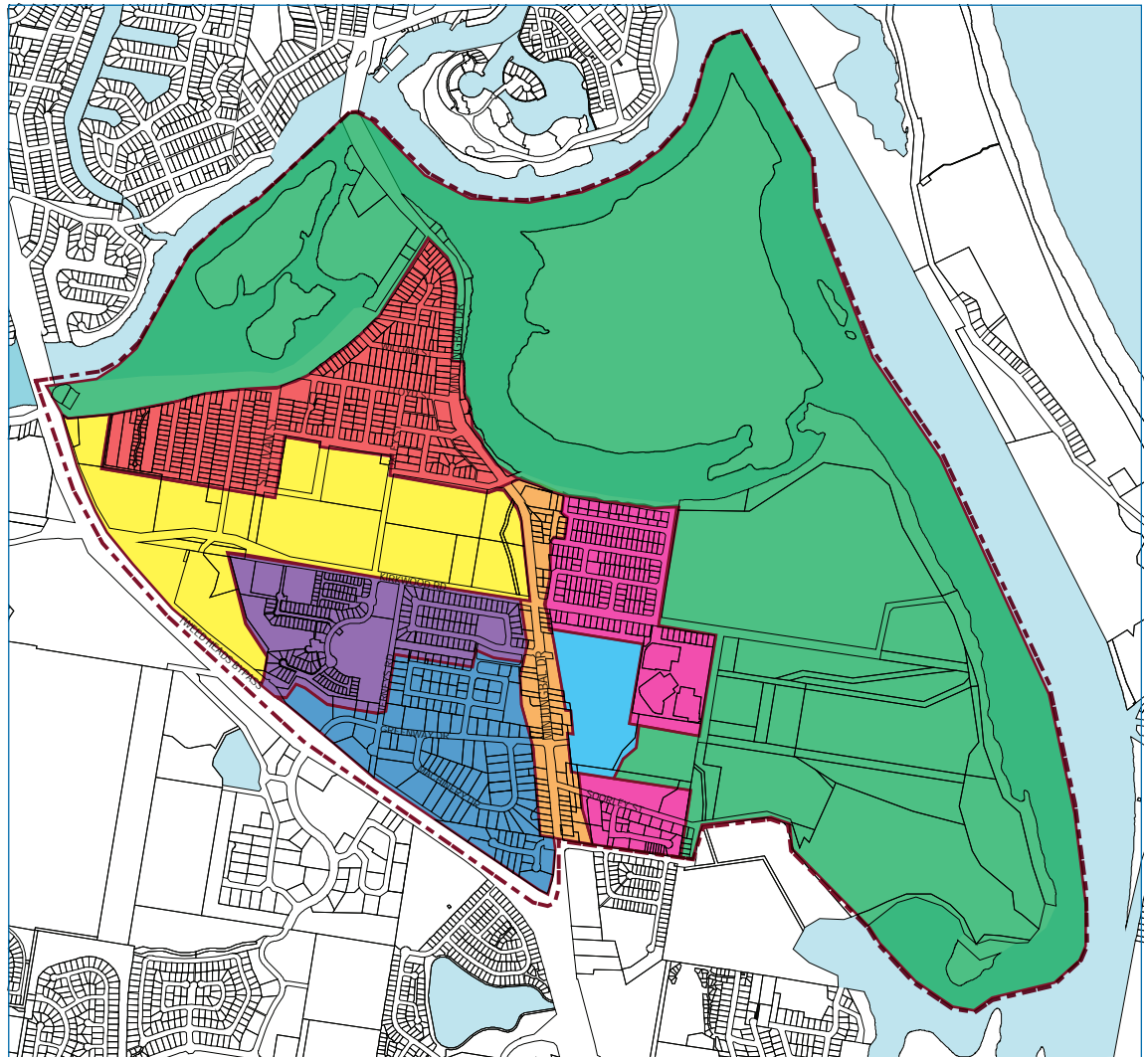
FIGURE 2-1: CHARACTER PRECINCTS – NORTH



- Duranbah Beach & Flagstall Hill Precinct
- Jack Evans Boat Harbour Precinct
- City Centre Core Precinct
- Tweed River Precinct
- City Centre Support Precinct
- Ridgeline & Razorback Precinct
- Civic/Campus Precinct
- Boat Harbour Precinct
- Residential Boat Harbour Precinct
- DCP Area

2.0 City centre character areas

FIGURE 2-2: CHARACTER PRECINCTS – SOUTH



- Tweed River Environmental & Recreation Precinct
- Southern River Precinct
- Recreation & Public Use Precinct
- Munjungbal Drive Enterprise Corridor Precinct
- Tweed South East Precinct
- Kirkwood Road West Residential Precinct
- Tweed South Retail Precinct
- Tweed South Business Core Precinct
- DCP Area

This page has been left blank intentionally

3.0 Building form

Building form and character refers to the individual elements of building design that collectively contribute to the character and appearance of the built environment. The Tweed Local Environmental Plan includes provisions for land use, building heights, floor space and design excellence.

The provisions of Part 3.0 of this Plan are intended to encourage high quality design for new buildings, balancing the character of the Tweed City Centre with innovation and creativity. The resulting built form and character of new development should contribute to an attractive public domain in the Tweed City Centre and produce a desirable setting for its intended uses.

The controls in Part 3.0 of this Plan aim to:

- 1) Establish the scale, dimensions, form and separation of buildings appropriate for development in the Tweed City Centre,
- 2) Achieve attractive and sustainable built form within the Tweed City Centre,
- 3) Provide a strong definition of the public domain,
- 4) Achieve active street frontages with good physical and visual connections between buildings and the street,
- 5) Ensure there is consistency in the main street frontages of buildings having a common alignment,
- 6) Achieve an articulation and finish of buildings that contributes to a high quality of design excellence,
- 7) Provide for pedestrian comfort and protection from weather conditions,
- 8) Define the public domain to provide spaces that are clear in terms of public accessibility and safety, and are easy to maintain,
- 9) Provide for a high quality landscape that contributes to the amenity of the city centre and a sustainable urban environment,
- 10) Contribute to the legibility of the city,
- 11) Ensure building depth and bulk is appropriate to the environmental setting and landform, and allows for view sharing and provides good internal building amenity,
- 12) Ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments, and
- 13) Encourage mixed use development with residential components that achieve active street fronts and maintain good residential amenity.

3.1 BUILDING ALIGNMENT AND SETBACKS

Street setbacks and building alignments establish the front building line. They help to create the proportions of the street and can contribute to the public domain by enhancing streetscape character and the continuity of street façades. The way in which buildings address the street has important implications for the quality of the public domain. In general terms, streets should be fronted by buildings that respond to the street alignment by the orientation of their main entrances and façades.

Street setbacks can also be used to enhance the setting and address for the building. They provide for landscape areas, entries to ground floor apartments and deep soil zones.

Along the main commercial and retail areas, buildings are to be built to the street alignment to reinforce the urban character and improve pedestrian amenity and activity at street level. Above street frontage height, buildings are to be setback to provide sunlight access to streets, comfortable wind conditions, view corridors, an appropriate building scale for pedestrians, and growing conditions for street trees.

The definition of building line and setback are defined in the Tweed Local Environmental Plan.

Objectives

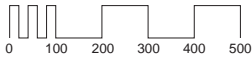
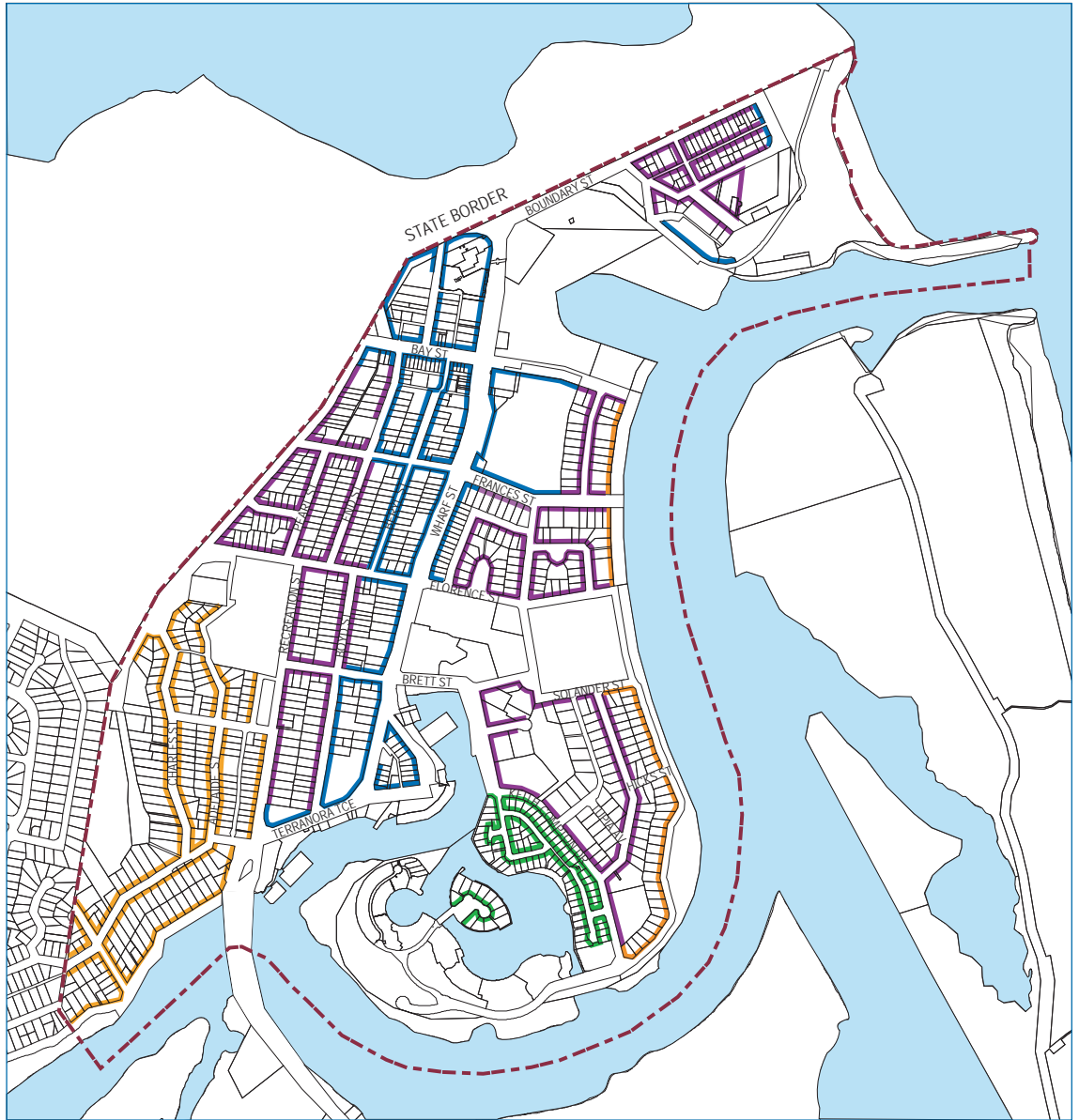
- 1) To provide a clear and consistent definition of the public domain.
- 2) To provide a hierarchy of street edges from commercial core with no street setbacks to residential locations with landscaped setbacks.
- 3) To establish the desired spatial proportions of the street and define the street edge.
- 4) To create a clear transition between public and private space.
- 5) To locate active uses, such as shopfronts, closer to pedestrian activity areas.
- 6) To assist in achieving visual privacy to dwellings from the street.
- 7) To create good quality entry spaces to lobbies, foyers or additional dwelling entrances.
- 8) To allow an outlook to, and surveillance of, the street.
- 9) To allow for street landscape character, where appropriate.
- 10) To maintain shared views to the ocean and Tweed River.
- 11) To maintain sun access to the public domain.

Controls

- a) Street building alignment and setbacks requirements are to comply with Figures 3-1 and 3-2.
- b) The external façade of buildings are to be aligned with the streets that they front.
- c) Balconies may project up to 1.2m into the front building setback in the Medium Density Residential Zone and up to 600mm in all other zones, provided that the cumulative width of all balconies at that particular level has a total of no more than 50% of the horizontal width of the building façade, measured at that level.
- d) Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible (see also Building Design and Materials at Section 3.5 of this Plan).
- (e) Notwithstanding the setback controls, where development must be built to the street alignment (see Figures 3.1 and 3.2), it must also be built to the site boundaries (0m setback) where fronting the street. The minimum height of development built to the site boundary must comply with the minimum street frontage height requirement.

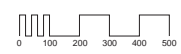
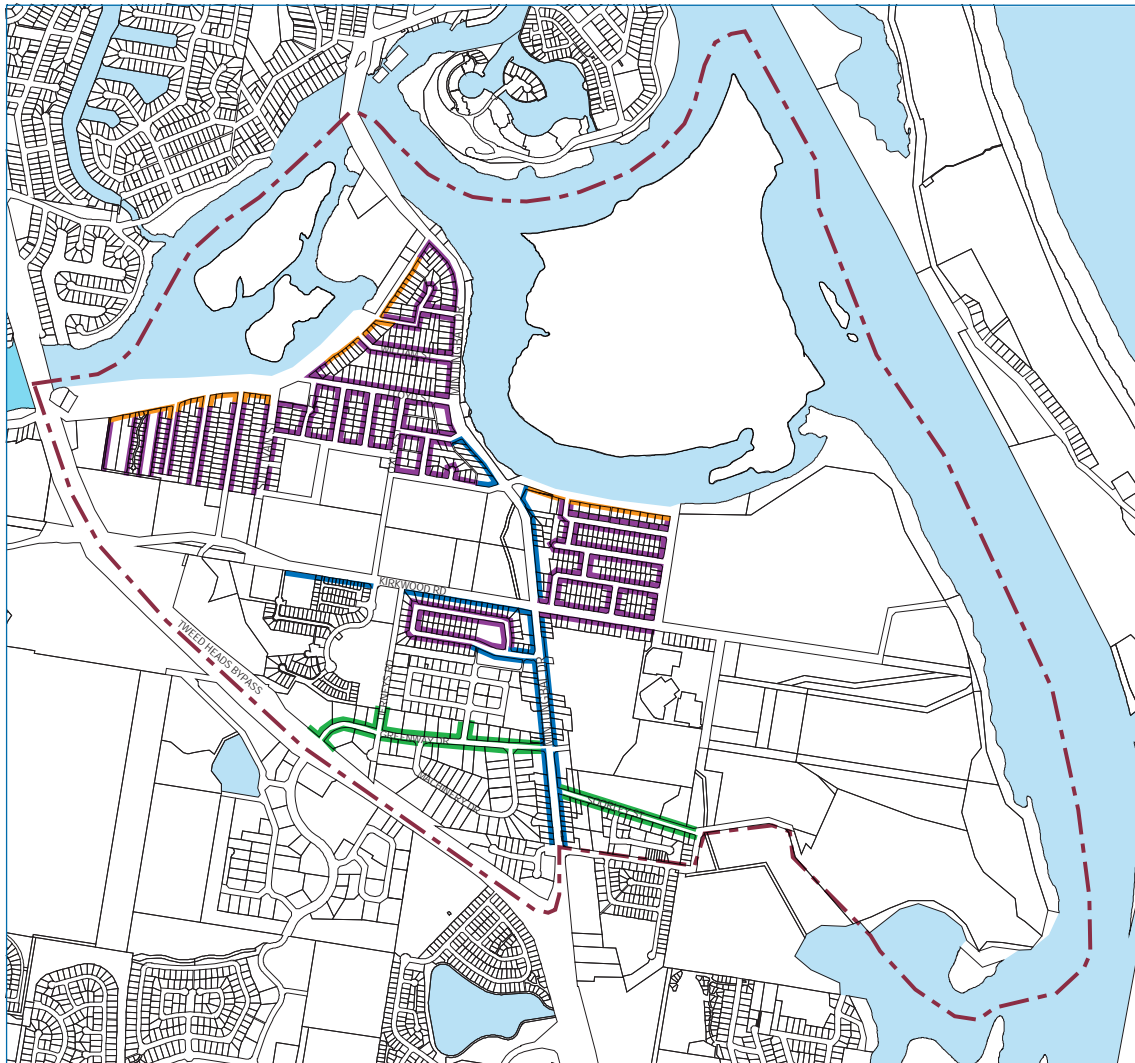
3.0 Building form

FIGURE 3-1: SPECIFIC STREET ALIGNMENT AND STREET SETBACKS – NORTH



- DCP Area
- 0 metres
- 4 metres - Predominant building line
- 6 metres - Predominant building line
- Maintain existing building line

FIGURE 3-2: SPECIFIC STREET ALIGNMENT AND STREET SETBACKS – SOUTH



- 0 metres
- 4 metres - Predominant building line
- 6 metres - Predominant building line
- Maintain existing building line
- DCP Area

3.0 Building form

3.2 STREET FRONTAGE HEIGHTS

It is important that buildings within Tweed City Centre contribute to a strong definition of the street and public domain. Built form should reflect the city's status as a regional centre and delineate between different precincts of the city. Well framed streets are an important characteristic of a city centre.

The desired street frontage heights are specified in this section to ensure a sense of street enclosure that is appropriate to Tweed Heads' natural setting and status as a regional centre.

Street frontage heights refer to the height of the building that directly addresses the public street from the ground level up to the first (if any) upper setback (refer to Figure 3-3).

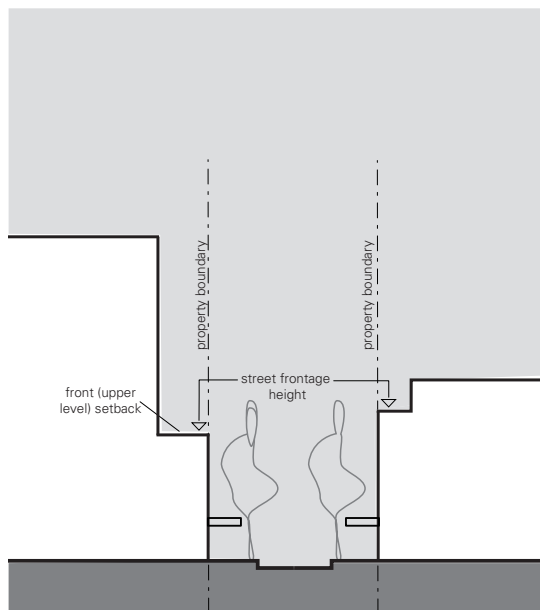


Figure 3-3 Generic Street Frontage Heights

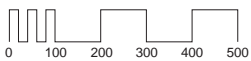
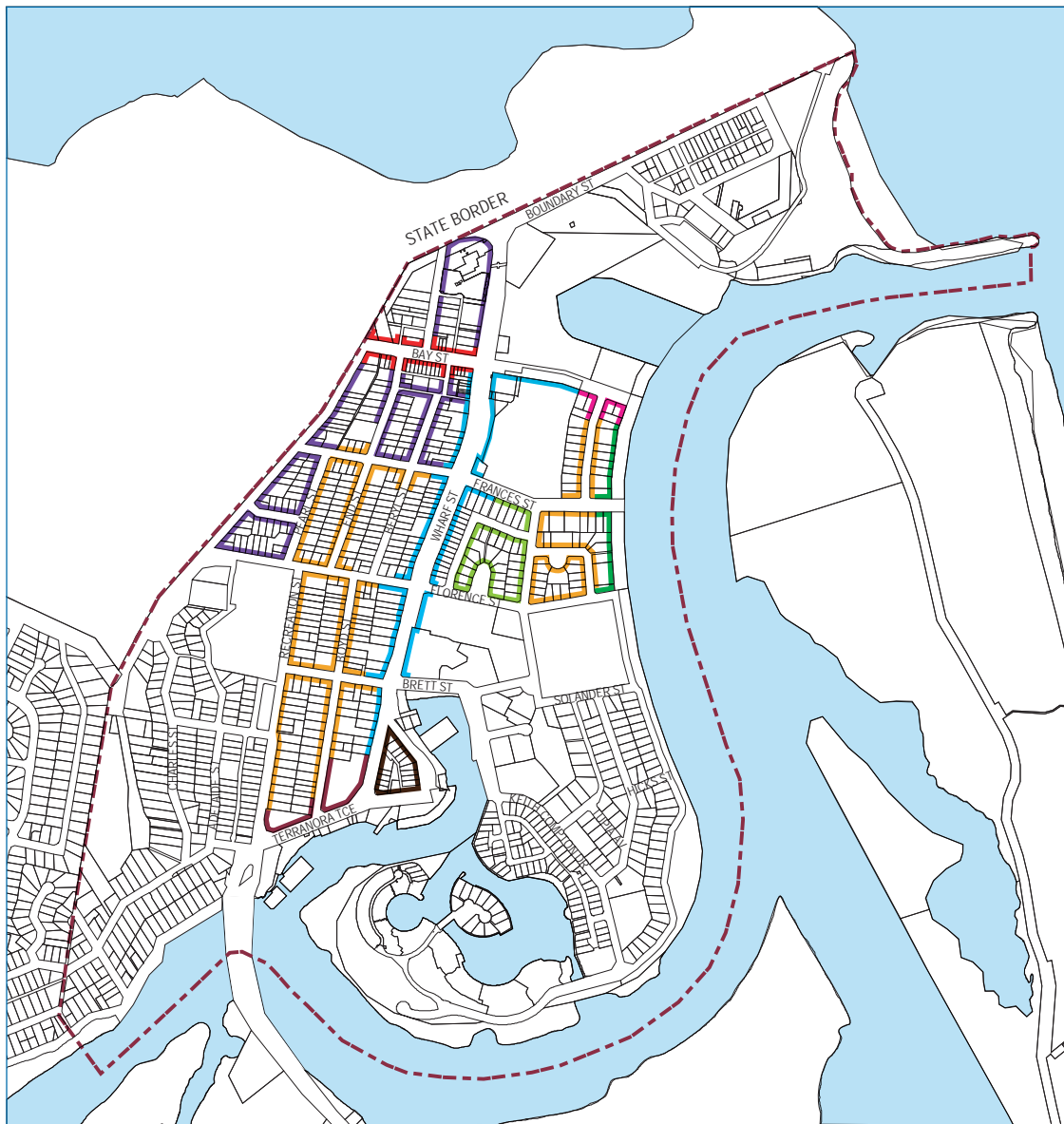
Objectives

- 1) To provide a strong, consistent and appropriate definition of the public domain.
- 2) To achieve comfortable street environments for pedestrians in terms of daylight, scale, sense of enclosure and wind mitigation as well as healthy environments for street trees.
- 3) To allow sunlight access to key streets and public spaces.

Controls

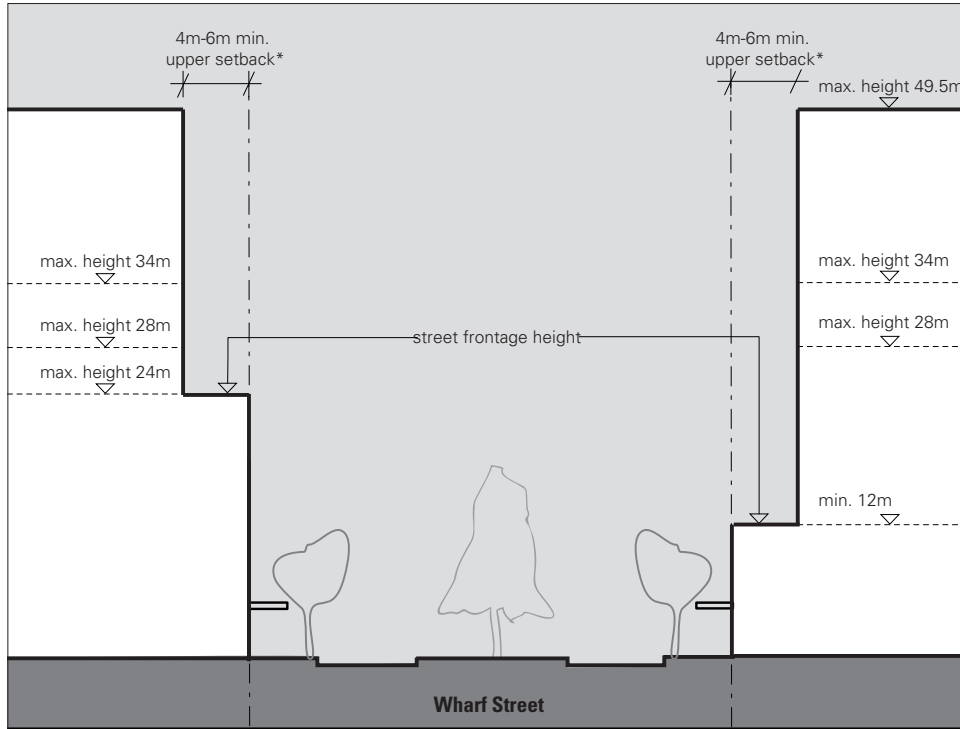
- a) Buildings are to comply with Figure 3-4 street frontage heights and as illustrated in Figures 3-5 to 3-10.

FIGURE 3-4: STREET FRONTAGE HEIGHTS – NORTH



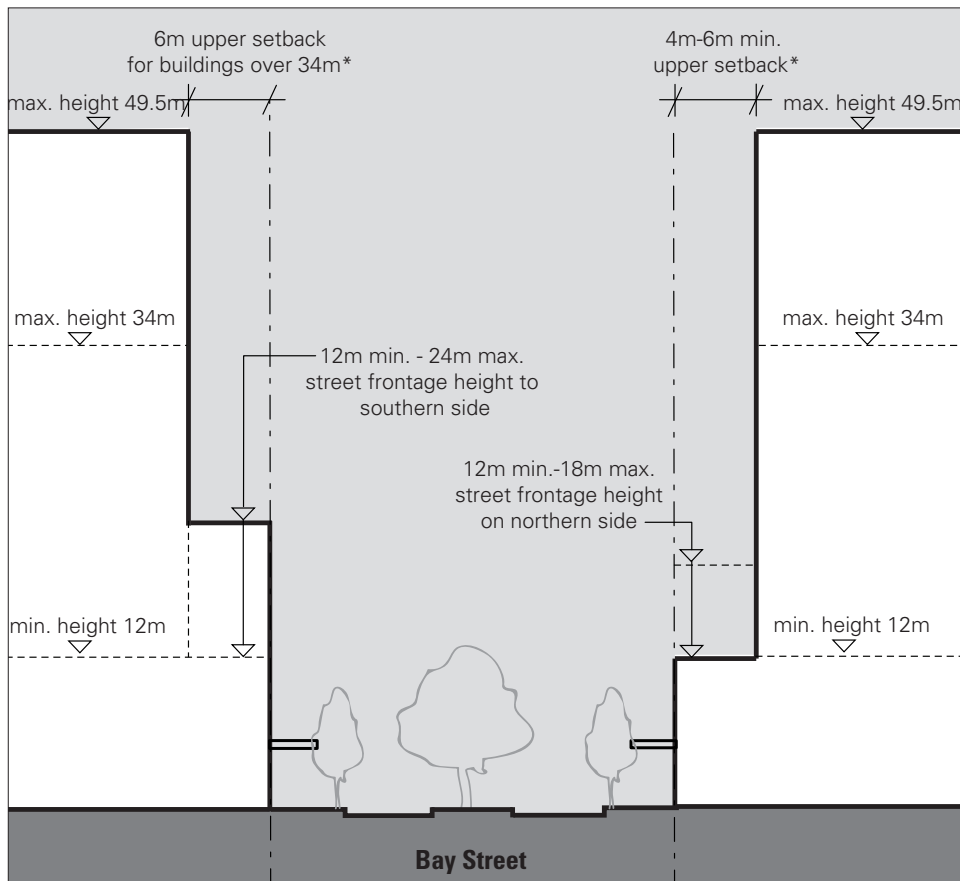
- Street Frontage Height A applies (See Figure 3.5)
- Street Frontage Height B applies (See Figure 3.6)
- Street Frontage Height C applies (See Figure 3.7)
- Street Frontage Height D applies (See Figure 3.8)
- Street Frontage Height E applies (See Figure 3.9)
- Street Frontage Height F applies (See Figure 3.10)
- Minimum Street Frontage Height of 12m applies
- Minimum Street Frontage Height of 12m and maximum of 16m applies
- DCP Area

3.0 Building form



*4m min. upper setback for buildings with a total height of 34m or less, and 6m min upper setback for buildings a total height greater than 34m.

Figure 3-5: Street frontage height 'A'



*4m min. upper setback for buildings with a total height of 34m or less, and 6m min upper setback for buildings a total height greater than 34m.

Figure 3-6: Street frontage height 'B'

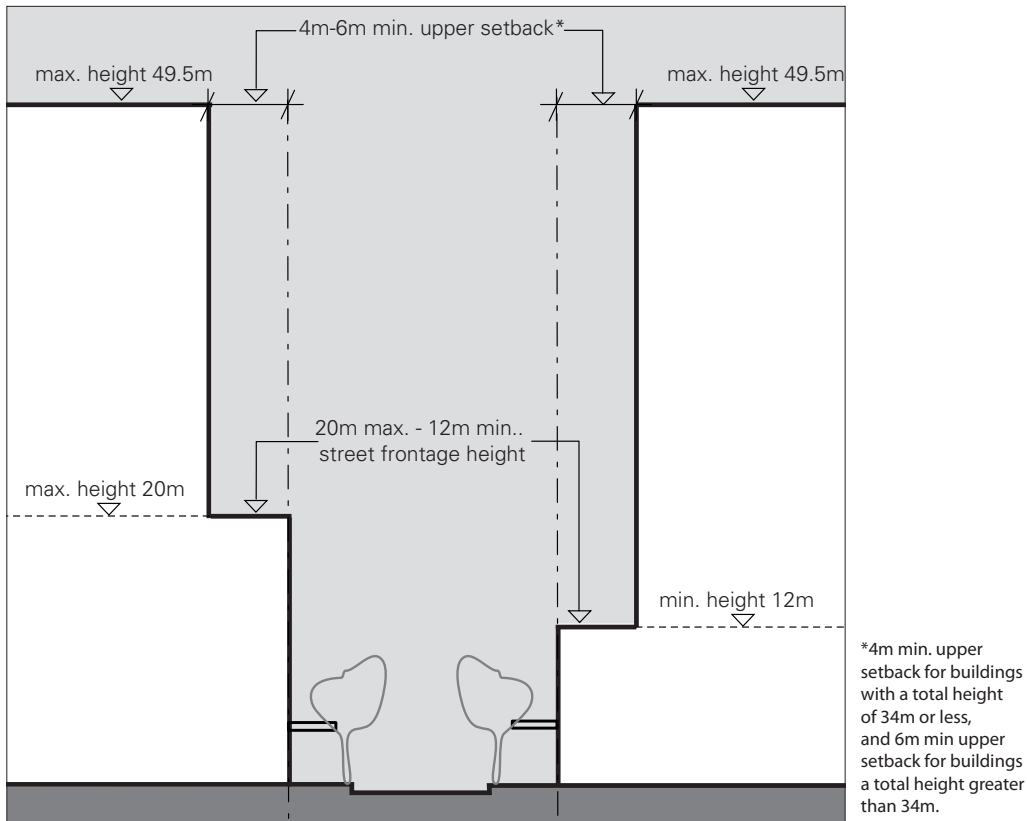


Figure 3-7: Street frontage height 'C'

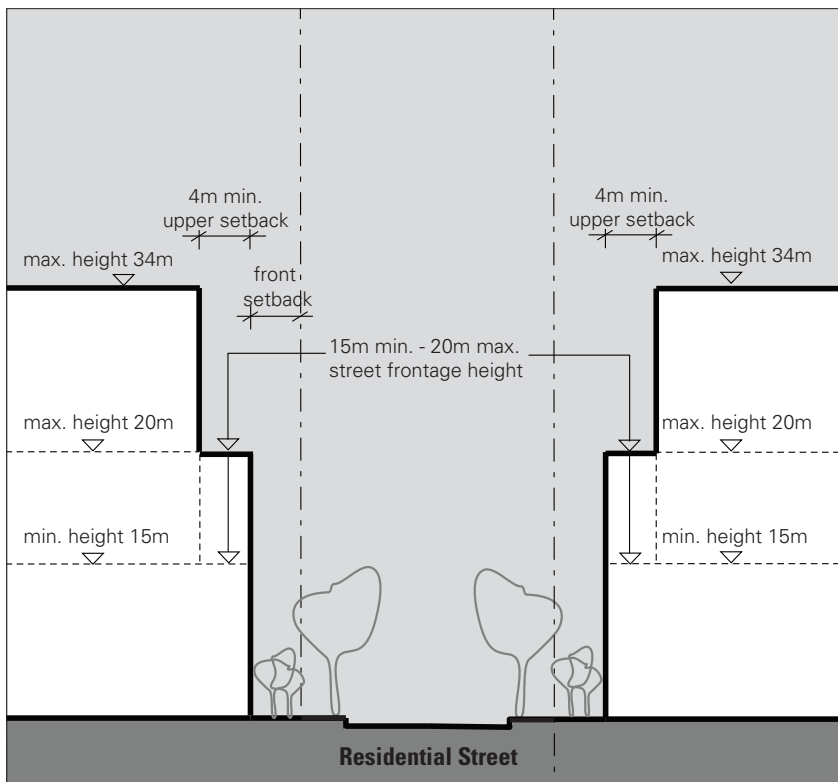


Figure 3-8: Street frontage height 'D'

3.0 Building form

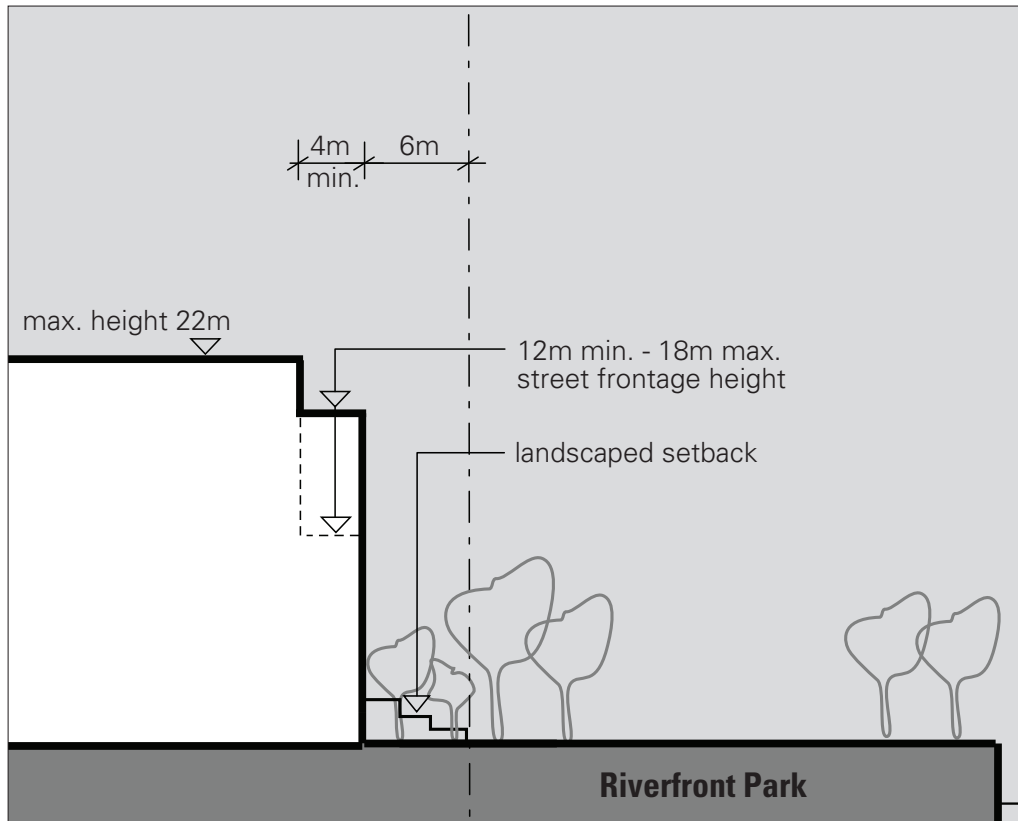


Figure 3-9: Street frontage height 'E'

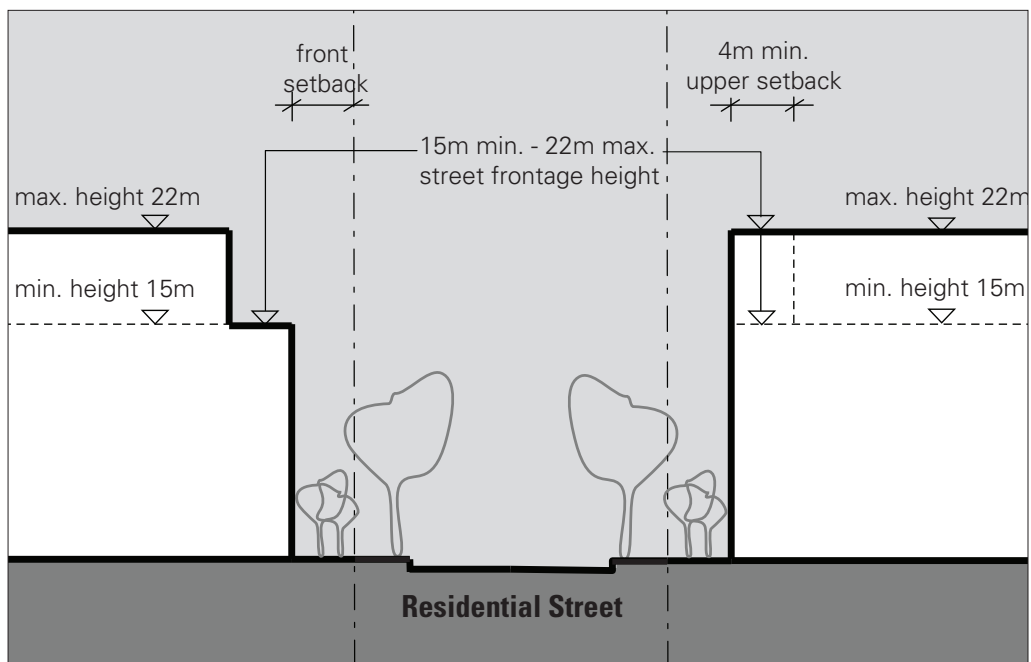


Figure 3-10: Street frontage height 'F'

3.3 BUILDING DEPTH AND BULK

The Tweed City Centre features a subtropical climate and pleasant outdoor conditions for most of the year. Controlling the size of upper level floorplates in new buildings allows for good internal amenity, access to natural light and ventilation, and mitigates potential adverse effects that tall and bulky buildings may have on the public domain.

Building depth is related to building use. Commercial and retail floorplates are typically larger than residential floorplates. The following controls are therefore classified into residential or commercial at the detailed level.

Objectives

- 1) To promote the design and development of sustainable buildings.
- 2) To achieve the development of living and working environments with good internal amenity, and minimise the need for artificial, heating, cooling and lighting.
- 3) To provide viable and useable commercial floor space.
- 4) To achieve a usable and pleasant public domain at ground level by controlling the size of upper level floorplates of buildings.
- 5) To achieve a city skyline sympathetic to the topography and context.
- 6) To allow for view sharing and view corridors.
- 7) To reduce the apparent bulk and scale of buildings by breaking up expanses of building walls with modulation of form and articulation of façades.
- 8) To encourage building designs that meet the broadest range of occupants' needs possible, and which can accommodate whole or partial changes of use.

Controls

- a) The maximum floor plate size and depth of buildings are specified in Table 3-1 and illustrated in Figure 3-11.
- b) Notwithstanding control (a) above, no building above 24 metres in height in the Commercial Core and 22 metres in height in all other zones, is to have a building length in excess of 45 metres.
- c) Where no street frontage is specified in Figure 3-4 and the building height exceeds 22 metres, the maximum GFA per floor must comply with Table 3-1.
- d) All points on an office floor should be no more than 10 metres from a source of daylight (eg windows, atria or light wells in buildings less than 24 metres in height, and no more than 12.5 metres from a window in buildings over 24 metres in height.
- e) Use atria, light wells and courtyards to improve internal building amenity and achieve cross ventilation and/or stack ventilation.

3.0 Building form

TABLE 3-1: TABLE OF MAXIMUM BUILDING DEPTH AND GFA PER FLOOR

| LAND USE ZONE | BUILDING USE | CONDITION | MAXIMUM GFA PER FLOOR | MAXIMUM BUILDING DEPTH (EXCLUDES BALCONIES) |
|-----------------------------|-------------------------------------|-----------|-----------------------|---------------------------------------------|
| Commercial core | Non-residential | Above SFH | 1,200m ² | 25m |
| | Residential and serviced apartments | Above SFH | 900m ² | 18m |
| Mixed use | Non-residential | Above SFH | 900m ² | 25m |
| | Residential and serviced apartments | Above SFH | 700m ² | 18m |
| Residential and other zones | All uses | Above SFH | 700m ² | 18m |

SFH: Refers to maximum permissible Street Frontage Height

Note: On large, consolidated allotments, where multiple structures may be constructed above the street frontage height, development applications need to demonstrate appropriate building bulk, scale and separation. .

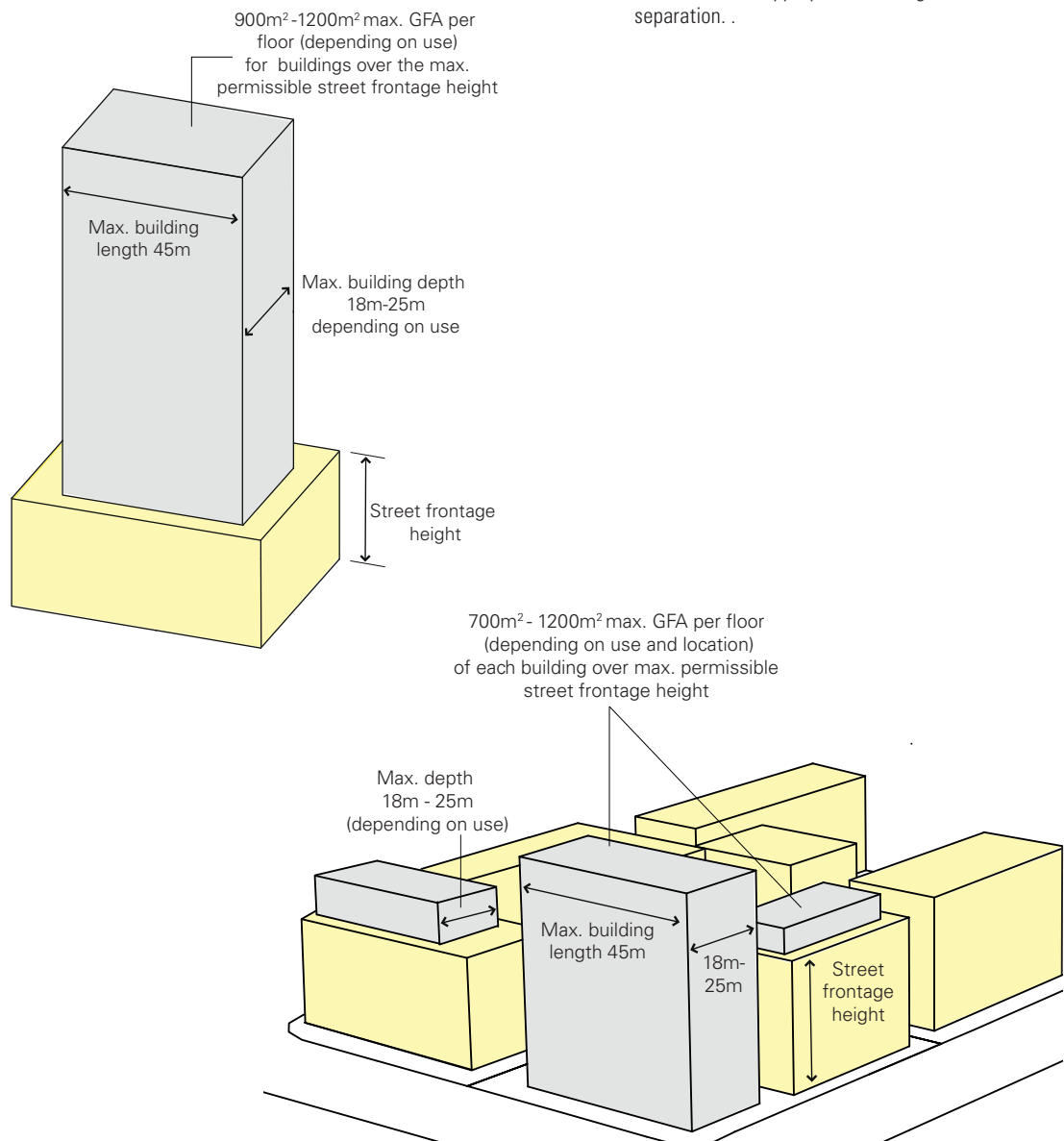


Figure 3-11: Building bulk and depth controls

3.2.1 Side and rear building setbacks and building separation

Side and rear setbacks, where provided, allow ventilation, daylight access and view sharing; increase privacy; and reduce adverse wind effects. Building separation increases in proportion to building height to ensure appropriate urban form, amenity and privacy for building occupants. In residential buildings and serviced apartments, separation between windows on side and rear façades and other buildings is particularly important for privacy, acoustic amenity and view sharing. Setbacks for residential development in the commercial core are different to other zones to reflect the different settings and forms of buildings in different zones.

For commercial buildings, separation distances are smaller due to the reduced requirement for privacy, noise and daylight access. Separation for mixed use buildings containing residential and commercial uses are to be in accordance with specified distances for each component use. The definition of building line and setback are provided in the Tweed Local Environmental Plan.

Objectives

- 1) To ensure an appropriate level of amenity for building occupants in terms of daylight, outlook, view sharing, ventilation, wind mitigation and privacy.
- 2) To achieve usable and pleasant streets and public domain areas in terms of wind mitigation and daylight access.

Controls

Note: For the purposes of this section, commercial uses mean all non-residential buildings (including hotel accommodation, but not serviced apartments).

- a) The minimum building setbacks from the front, side and rear property boundaries are specified in Table 3-2, and the associated explanatory notes, and illustrated generically in Figure 3-12.

Note: The explanatory notes outline development that may depart from the minimum setback distances outlined in Table 3-2.

- b) In mixed use buildings, setbacks for the residential component are to be the distances specified in the table below for residential development in the specified zone.
- c) If the specified setback distances cannot be achieved when an existing building is being refurbished or converted to another use, appropriate visual privacy levels are to be achieved through other means. These will be assessed on merit by the consent authority.
- d) In exceptional circumstances where the required setback distances are not possible, proposals for tall buildings (over 40 metres in height) may be considered on merit by the consent authority so long as the minimum separation distance between these buildings, or potential future tall buildings are adhered to.

3.0 Building form

TABLE 3-2: MINIMUM SETBACK DISTANCE FROM PROPERTY BOUNDARY

| LAND USE ZONE | BUILDING USE | CONDITION | UPPER FRONT SETBACK | SIDE SETBACK | REAR SETBACK |
|-------------------------------|--------------|--------------------------------|---------------------|-------------------|------------------|
| Commercial core and mixed use | Commercial | Up to SFH | n/a | 0m ¹ | 0m |
| | | Above SFH up to 40m | 6m ² | 6m | 6m |
| | Residential | Over 40m | 6m ² | 12m ³ | 12m ³ |
| | | Up to 12m in height | n/a | 0m ¹ | 6m |
| | | Uses between 12-25m in height: | | | |
| | | - non-habitable rooms | 6m ² | 4.5m ¹ | 6m |
| | | - habitable rooms/balconies | 6m ² | 9m ¹ | 9m |
| | | Uses between 25-40m in height: | | | |
| | | - non-habitable rooms | 6m ² | 6m | 6m |
| | | - habitable rooms/balconies | 6m ² | 12m ³ | 12m ³ |
| Minjungbal Drive | Commercial | Up to SFH | n/a | 3m ⁴ | 6m ⁵ |
| | | Retail | Above SFH | n/a | 3m |

SFH: Refers to permissible maximum Street Frontage Height

Table 3-2: Explanatory Notes;

Note: The 'Upper Front Setback' is also applicable to corner sites that are bounded by two streets (excluding service lanes)

¹ Notwithstanding the setback controls, where development must be built to the street alignment (as identified in Figure 3-1), it must also be built to the side boundaries (0m) where fronting the street. The minimum height of development built to the side boundary is to comply with the minimum street frontage height requirement.

² 4m minimum is permissible if total building height is 34 metres or less.

³ 10 metre minimum for residential uses, or 8 metres minimum for commercial uses, is permissible where the site is bounded to the rear or side by another street or lane.

⁴ 3 metres minimum if abutting a residential or mixed use zone.

⁵ 8 metres minimum if abutting a residential or mixed use zone.

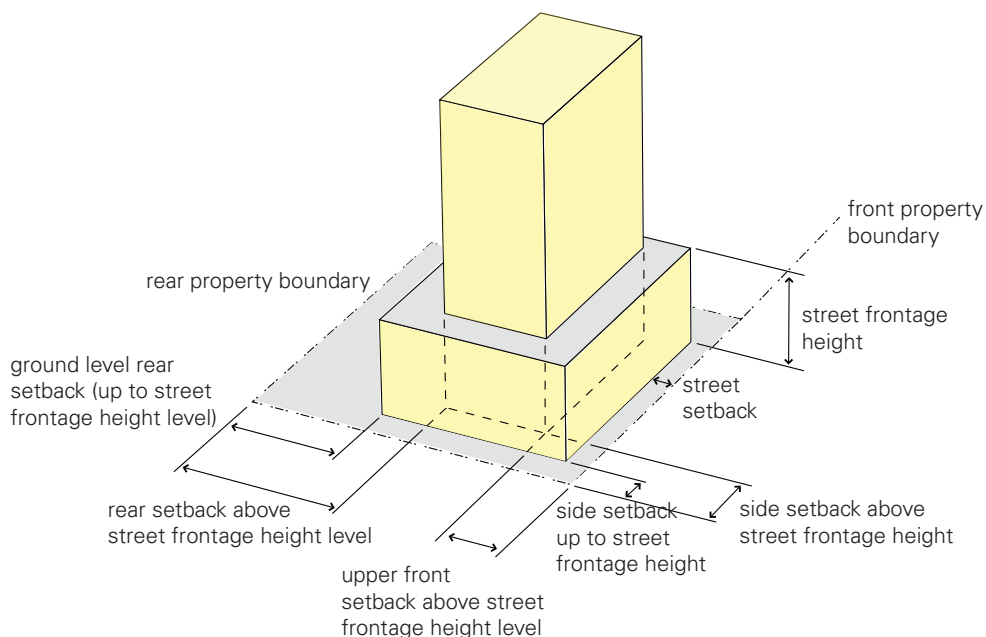


Figure 3-12: Generic building separation diagram

3.4 MIXED USE BUILDINGS

Mixed use developments provide for a variety of uses and activities within city centres, encouraging the use of the city outside the working day, adding vibrancy and life to the city streets. Different uses within the same building are best located to a pattern and layout suitable to the mix of uses, with retail and business activity at ground level to assist street activation and residential uses, requiring privacy and noise mitigation, located above street level.

Mixed use development within the city centre is preferred in sustainable locations, close to transport and recreational areas.

Objectives

- 1) To encourage a variety of mixed use developments in the city centre.
- 2) To create lively streets and public spaces in the city centre.
- 3) To increase the diversity and range of shopping and recreational activities for workers, residents and visitors.
- 4) To enhance public safety by increasing activity in the public domain on weeknights and on weekends.

- 5) To minimise potential conflicts and achieve compatibility between different uses.
- 6) To encourage building designs that meet the broadest range of occupants' needs possible, and which can accommodate whole or partial changes of use.
- 7) To ensure that the design of mixed use buildings addresses residential amenity.
- 8) To create separate, legible and safe access and circulation in mixed use buildings.
- 9) To ensure that mixed use buildings address the public domain and the street.

Controls

- a) Provide flexible building layouts which allow variable tenancies or uses on the first two floors of a building above the ground floor.
- b) Minimum floor to ceiling heights are 3.3 metres for commercial offices, 3.6 metres for active public uses, such as retail and restaurants, and 2.7 metres for residential.
- c) Separate commercial service requirements, such as loading docks so as not to interfere with residential access, servicing needs and primary outlooks.

3.0 Building form

- d) Locate clearly demarcated residential entries directly from the public street.
- e) Clearly separate commercial and residential entries and vertical circulation.
- f) Provide security access controls to all entrances into private areas, including car parks and internal courtyards.
- g) Provide safe pedestrian routes through the site, where required.
- h) Front buildings onto major streets with active uses.
- i) Avoid the use of blank building walls at the ground level.



Figure 3-13: Mixed use buildings sketch

3.5 BUILDING DESIGN AND MATERIALS

The Tweed Heads cityscape and public domain is defined by its buildings, streets and public places. The maintenance and improvement of the public domain is dependent on a consistent approach to the design of new development including the articulation and finish of building exteriors.

Objectives

To ensure that new buildings in the Tweed City Centre:

- 1) Contribute positively to the streetscape and public domain by means of high quality architecture and robust selection of materials and finishes.
- 2) Provide richness of detail and architectural interest especially at visually prominent parts of buildings such as lower levels and roof tops.
- 3) Present appropriate design responses to nearby development that complement the streetscape.
- 4) Clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security.
- 5) Maintain a pedestrian scale in the articulation and detailing of the lower levels of the building.
- 6) Contribute to a visually interesting skyline.

Controls

- a) Adjoining buildings are to be considered in the design of new buildings in terms of:
 - Appropriate alignment and street frontage heights,
 - Setbacks above street frontage heights,
 - Appropriate materials and finishes selection,
 - Façade proportions including horizontal or vertical emphasis, and
 - The provision of enclosed corners at street intersections.

- b) Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged.
- c) Articulate façades so that they address the street and add visual interest. Buildings are to be articulated to differentiate between the base, middle and top in design.
- d) External walls should be constructed of high quality and durable materials and finishes with 'self cleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.
- e) Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or urban environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.
- f) To assist articulation and visual interest, avoid expanses of any single material.
- g) Limit opaque or blank walls for ground floor uses to 30% of the street frontage.
- h) Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass.
- i) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level (see Section 6-4 of this Plan).
- j) A material sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge.
- k) Minor projections up to 450 millimetres from building walls in accordance with those permitted by the Building Code of Australia may extend into the public space providing it does not fall within the definition of gross floor area and there is a public benefit, such as:
 - Expressed cornice lines that assist in enhancing the streetscape, and
 - Projections such as entry canopies that add visual interest and amenity.
- l) The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.
- m) Communication towers, such as mobile phone towers (but not satellite dishes), are not to be located on residential buildings or mixed use buildings within residential zones.

3.6 LANDSCAPE DESIGN

Landscape design includes the planning, design, construction and maintenance of all public open space, urban places and garden areas. Quality landscape in city centres provides breathing space, passive and active recreational opportunities and enhances environmental quality. The landscape character and qualities of the city centre help shape the image of the place, comfort and amenity. The Tweed City Centre is located in a subtropical climate and has a diversity of microclimates created by the sandy riverfront and beachside environments, contrasting to the rainforested hilly areas with rich soils. This diversity provides opportunity for developing the character of the landscape.

Landscape within the public domain will be implemented within the framework established by future streetscape guidelines to be prepared by Tweed Shire Council.

In the private domain of residential flats and multi-housing it is important that a strong and consistent approach to the landscape is achieved in order to contribute to both a high level of amenity and cohesive image for the city centre.

Appropriate landscape design in subtropical climates such as Tweed Heads not only adds to the nature and character of development, but can also lead to considerable energy efficiency and water conservation measures.

Objectives

- 1) To add value and quality of life for residents and occupants within a development in terms of privacy, outlook, views and recreational opportunities.
- 2) To enhance the character and setting of the subtropical city of Tweed Heads.
- 3) To ensure landscaping is integrated into the design of development.
- 4) To ensure that the use of potable water for landscaping irrigation is minimised.
- 5) To improve stormwater quality and control run-off.
- 6) To improve the microclimate and solar performance within the development.
- 7) To improve urban air quality and contribute to biodiversity.

3.0 Building form

Controls

- a) Provide shade to all outdoor spaces through the use of shade trees, pergolas, shade cloth and other shading measures.
- b) Remnant vegetation must be maintained throughout the site wherever practicable, particularly significant trees.
- c) Landscaped areas are to be irrigated with recycled water.
- d) To enhance the subtropical character of landscaping, the planting of native tree and palm species and subtropical understorey is encouraged.
- e) A long-term landscape concept and management plan must be provided for all private landscaped areas in residential flats and multi-housing developments. This plan must outline how landscaped areas are to be maintained for the life of the development.
- f) All developments, including commercial and retail developments, are to incorporate landscape planting into accessible outdoor spaces.
- g) Relevant Council landscape guideline documents must be considered for site planning and landscape design.
- h) Council's Tree Preservation Order outlines requirements for the protection of trees.
- i) For residential flat building developments, the minimum area of communal open space should be 30% of the site area.
- j) For residential flat building developments, a minimum 25% of the open space area of a site shall be a deep soil zone.

3.7 PLANTING ON STRUCTURES

The following controls apply in the City Centre Core Precinct and within the Minjungbal Drive Enterprise Corridor Precincts and City Centre Support Precinct for planting on roof tops or over carpark structures, particularly for communal open space required as a component of mixed use residential development, and in non-residential developments where the landscaping proposed is not on natural ground.

Objectives

- 1) To contribute to the quality and amenity of open space on roof tops and internal courtyards.

- 2) To encourage the establishment and healthy growth of trees in urban areas.

Controls

- a) Design for optimum conditions for plant growth by:
 - providing soil depth, soil volume and soil area appropriate to the size of the plants to be established,
 - providing appropriate soil conditions and irrigation methods, and
 - providing appropriate drainage.
- b) Design planters to support the appropriate soil depth and plant selection by:
 - ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure tree growth, and
 - providing square or rectangular planting areas rather than narrow linear areas.
- c) Increase minimum soil depths in accordance with:
 - the mix of plants in a planter for example where trees are planted in association with shrubs, groundcovers and grass,
 - the level of landscape management, particularly the frequency of irrigation,
 - anchorage requirements of large and medium trees, and
 - soil type and quality.
- d) Provide sufficient soil depth and area to allow for plant establishment and growth. The minimum standards in **Table 3-3** are recommended:

TABLE 3-3: MINIMUM SOIL DEPTHS AND VOLUMES FOR DEEP SOIL ZONES

| PLANT TYPE | MINIMUM SOIL DEPTH | MINIMUM SOIL VOLUME |
|-----------------------------------|--------------------|---------------------|
| Large trees (over 8 metres high) | 1.3 metres | 150 cubic metres |
| Medium trees (2 to 8 metres high) | 1.0 metres | 35 cubic metres |
| Small trees (up to 2m high) | 800 millimetres | 9 cubic metres |
| Shrubs and ground cover | 500 millimetres | N/A |



Figure 3-14: Courtyard landscaping example

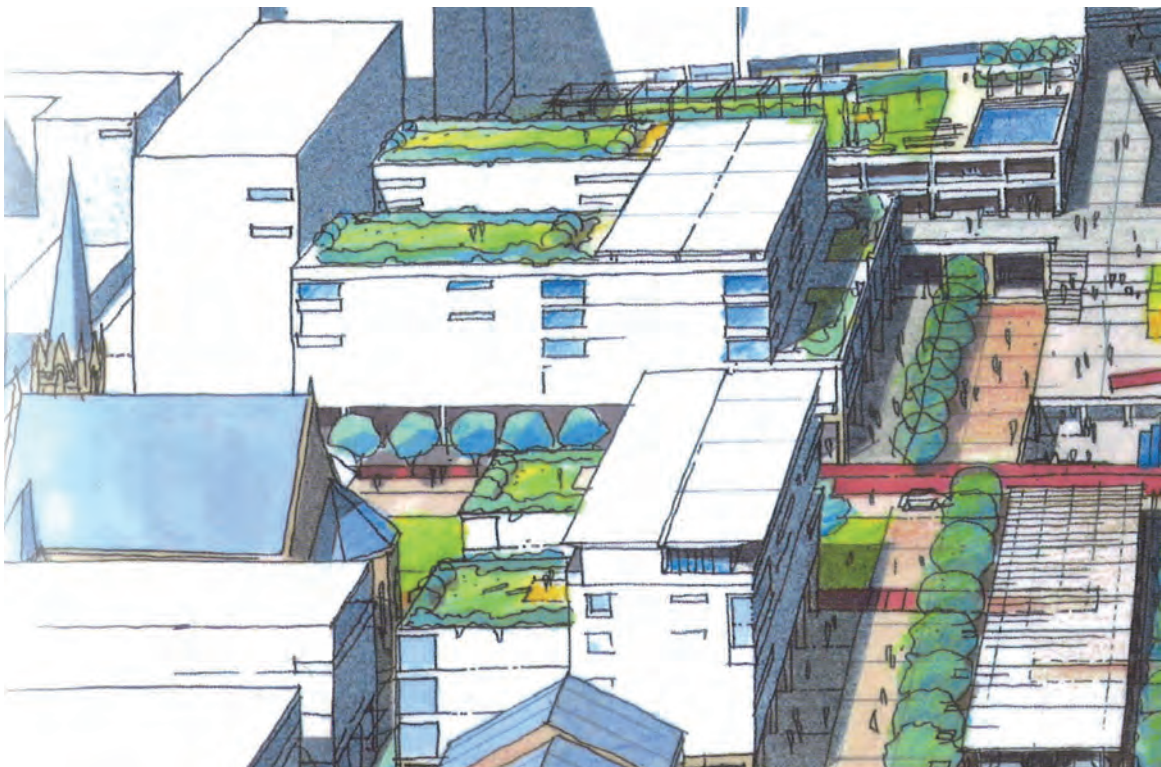


Figure 3-15: Planting on roof structures example

4.0 Pedestrian amenity

Pedestrian amenity incorporates all those elements of individual developments that directly affect the quality and character of the public domain. The pedestrian amenity provisions are intended to achieve a high quality of urban design and pedestrian comfort in the public spaces of the city centre. The pedestrian environment provides people with their primary experience of and interface with the city. This environment needs to be safe, functional and accessible to all. It should provide a wide variety of opportunities for social and cultural activities.

The pedestrian environment is to be characterised by excellence of design, high quality materials and a standard of finish appropriate to a city centre. The city's lanes and through site links should form an integrated pedestrian network providing choice of routes at ground level for pedestrians.

The controls in this section aim to increase the vitality, safety, security and amenity of the public domain by:

- Encouraging future through site links at ground level,
- Ensuring active street frontages and positive building address to the street,
- Ensuring provision of awnings along the commercial core street frontages, and retail and tourism areas, and
- Mitigating adverse impacts on the street arising from driveway access crossings.

4.1 PERMEABILITY

Through site links provide connections between the long sides of street blocks. The existing lanes and through site links are an integral component of the pedestrian movement system, providing direct access between the street frontage and rear parking areas. With the north/south oriented grid of the northern portion of the city centre, through site links are important to improve accessibility. Additionally, lanes also provide for site servicing in a manner that protects the public domain quality of the main street frontages of the city centre.

Objectives

- 1) To improve access in the city centre by providing through site links as redevelopment occurs.
- 2) To ensure that through site links have active frontages along their length where possible.
- 3) To provide for pedestrian amenity and safety.
- 4) To encourage the removal of vehicular entries from primary street frontages.
- 5) To retain and develop lanes as useful and interesting pedestrian connections as well as for service access.

Controls

- a) Through site links, arcades, shared ways and laneways are to be provided as shown in Figures 4-1 and 4-2.
- b) Where possible, existing dead end lanes are to be extended through to the next street as redevelopment occurs.
- c) New through site links should be connected with existing and proposed through block lanes, shared zones, arcades and pedestrian ways, and opposite other through site links.
- d) Existing publicly and privately owned lanes are to be retained.

Pedestrian links

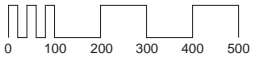
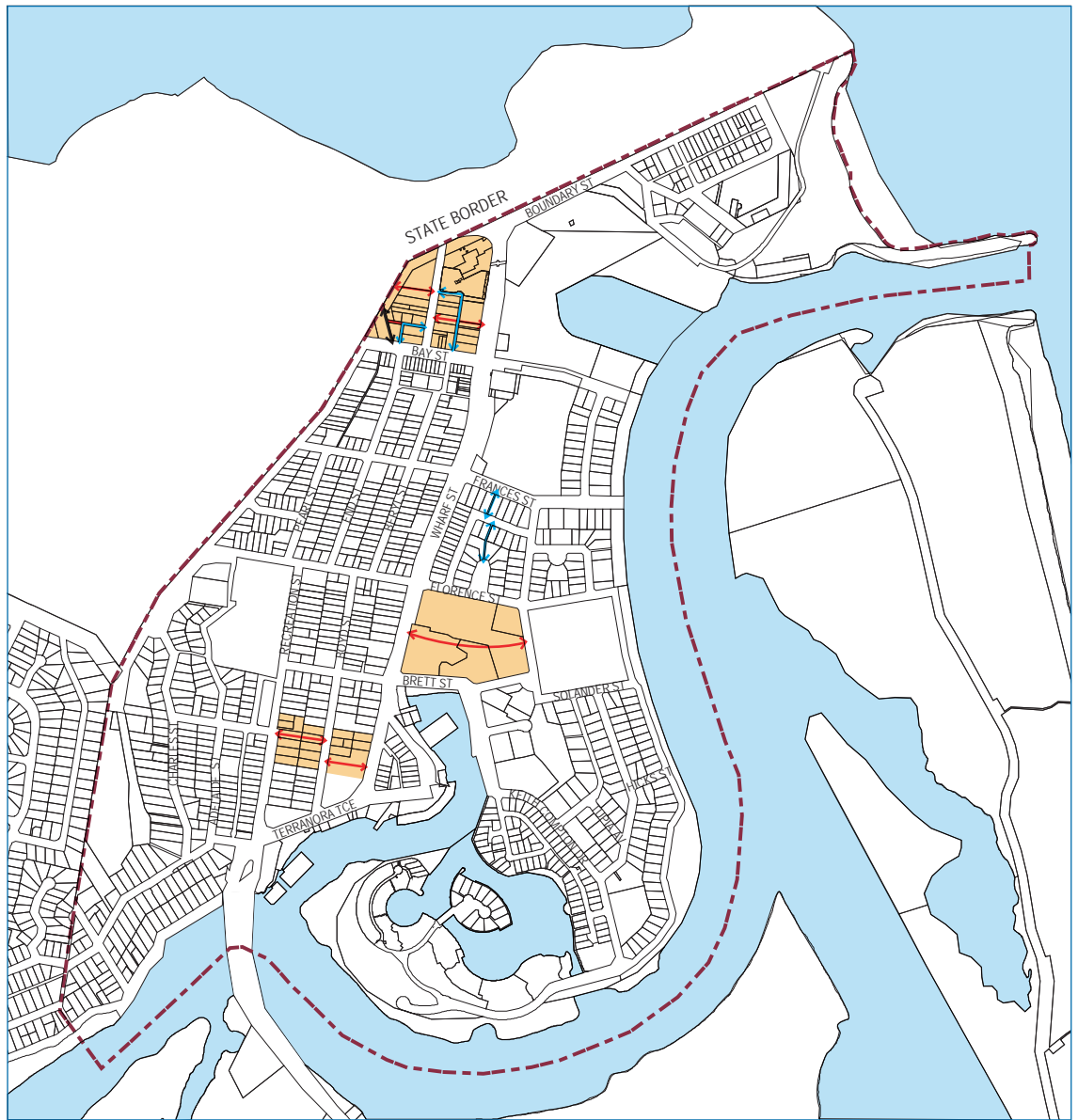
- e) Through site links for pedestrians are to be provided as shown in Figures 4-1 and 4-2, and:
- are to be open to the air and publicly accessible (refer to Figure 4-3),
 - have active frontages or a street address,
 - be clear and direct thoroughfares for pedestrians,
 - have a minimum width of 4m clear of all obstructions (including columns, stairs, etc), and
 - have signage at street entries indicating public accessibility and the street to which the through site link connects.
- Arcades
- f) Arcades are to:
- have active frontages for their length,
 - be clear and direct thoroughfares for pedestrians,
 - provide public access at all business trading times,
 - have a minimum width of 4m clear of all obstructions (including columns, stairs and escalators),
 - where practical, have access to natural light for at least 30% of their length,
 - where air conditioned, have clear glazed entry doors comprising at least 50% of the entrance, and
 - have signage at street entries indicating public accessibility and the street to which the through site links.
- g) Internal arcades will not be approved in preference to the activation of an existing or required pedestrian link or lane.

Lanes

- h) New through site laneways for pedestrians and vehicles are to be provided as indicated in Figures 4-1 and 4-2.
- i) Lanes are to:
- have active frontages
 - be clear and direct thoroughfares for pedestrians
 - provide public access at all times or as otherwise stipulated by Council's conditions of consent,
 - have a minimum width of 6m clear of all obstructions, and
 - have signage indicating public accessibility and the street to which the lane connects.
- j) Where lanes are primarily used for building access and servicing, **Crime Prevention Through Environmental Design** principles must be demonstrated (refer to Section 4-3 of this Plan).

4.0 Pedestrian amenity

FIGURE 4-1: PERMEABILITY – NORTH



- Encourage provision of new links
- Desirable mid-block pedestrian connection
- Enhanced existing links required
- Encourage provision of new service legible lanes
- DCP Area

FIGURE 4-2: PERMEABILITY – SOUTH



- Encourage provision of new links
- Desirable mid-block pedestrian connection
- Enhanced existing links required
- Encourage provision of new service legible lanes
- Shared / vehicular link required
- DCP Area

4.0 Pedestrian amenity



Figure 4-3: Example of an active pedestrian link

4.2 ACTIVE STREET FRONTAGES

Active street frontages promote an interesting and safe pedestrian environment. Busy pedestrian areas and non-residential uses such as shops, studios, offices, cafés, recreation and promenade opportunities promote the most active street frontages (refer to Figure 4-4).

Residential buildings contribute positively to the street by providing a clear street address, direct access from the street and outlook over the street.



Figure 4-4: Active street frontage sketch

Objectives

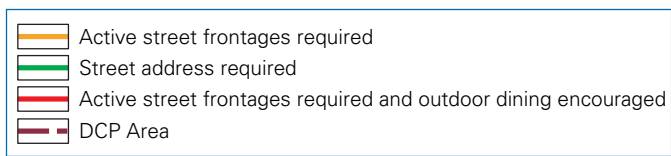
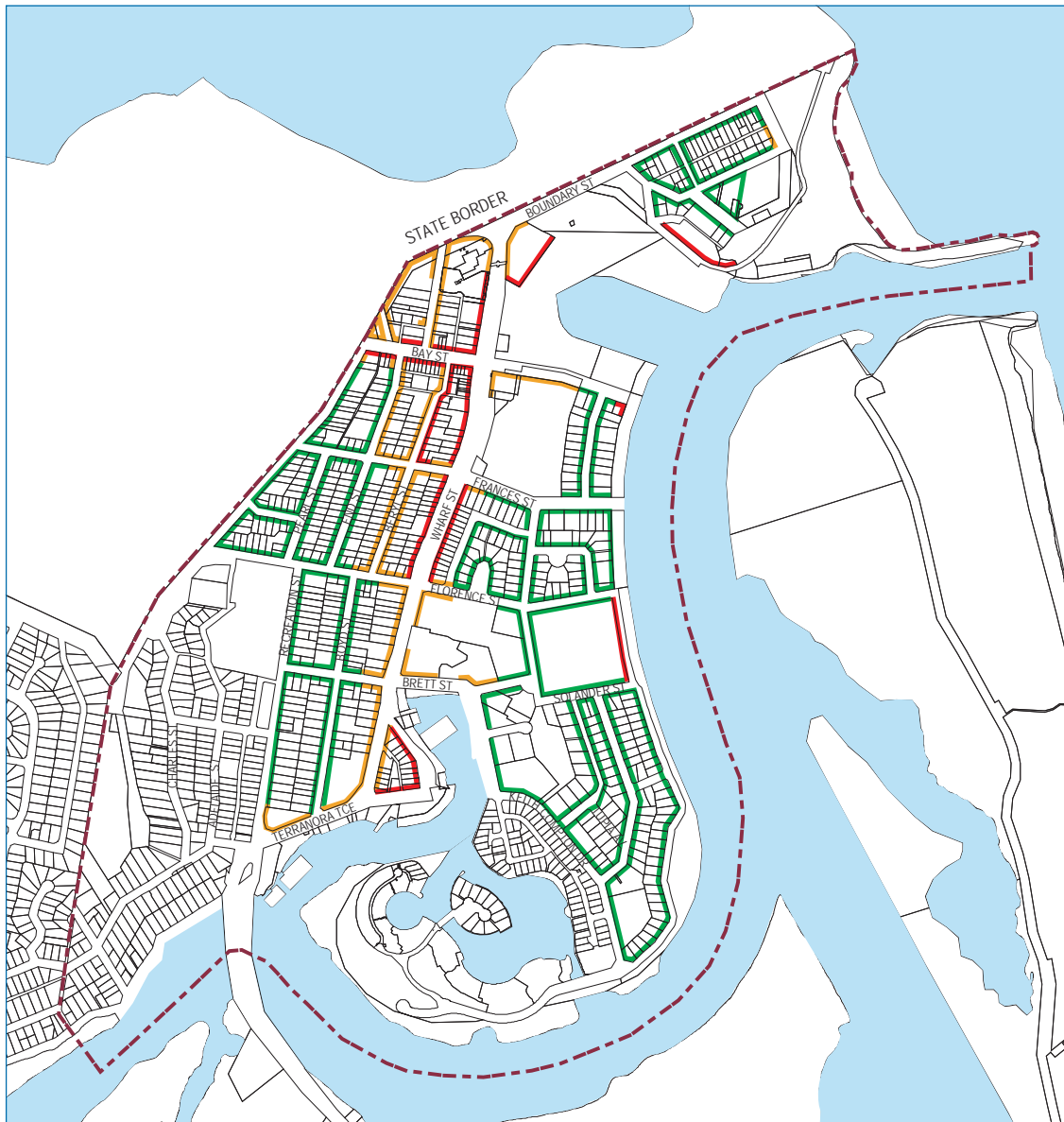
- 1) To promote pedestrian activity and safety in the public domain.
- 2) To maximise active street frontages in the Tweed city centre.
- 3) To define areas where active street frontages are required or desirable.
- 4) To encourage a positive address to the street outside of areas where active street frontages are required.

Controls

Active street frontages

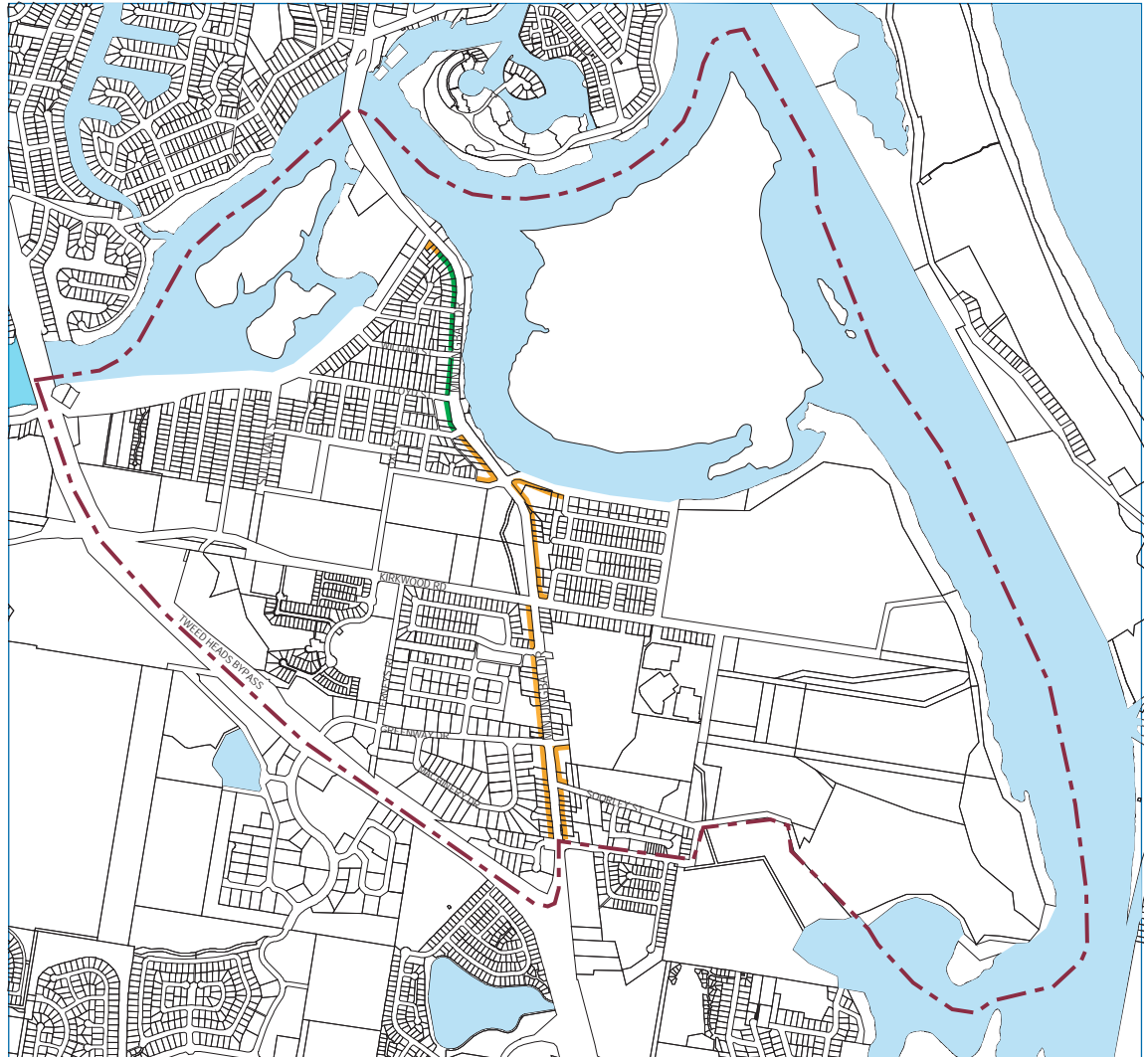
- a) Active frontage uses are defined as one of a combination of the following at street level:
 - entrance to retail and shopfront (with clear glazing),
 - glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12 metres frontage,
 - café or restaurant if accompanied by an entry from the street,
 - active office uses, such as reception, if visible from the street, and
 - public building if accompanied by an entry.
- b) Active street frontages are required on the ground level of all areas identified in Figures 4-5 and 4-6, including adjacent through site links.
- c) In the Commercial Core and Mixed Use zones and within the Minjungbal Drive Enterprise Corridor Precinct, active street frontages are required in the form of non-residential uses on the ground level. In addition to the ground level, non-residential active uses are also required at the first floor level in the Commercial Core and along Wharf Street.
- d) Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street.
- e) Restaurants, cafés and the like are to consider providing permeable shopfronts.
- f) Only open grille or transparent security shutters (at least 50% visually transparent) are permitted on retail frontages.

FIGURE 4-5: ACTIVE STREET FRONTAGE MAP – NORTH



4.0 Pedestrian amenity

FIGURE 4-6: ACTIVE STREET FRONTAGE MAP – SOUTH



- Active street frontages required
- Street address required
- Active street frontages required and outdoor dining encouraged
- DCP Area

Street Address

- g) Street address is defined as entries, lobbies, and habitable rooms with clear glazing to the street not more than 1.2m above street level where habitable rooms do not have to be raised due to flooding concerns. Where habitable rooms are raised about ground level due to flooding concerns, opportunities for casual surveillance from the building to the street must be maintained, and the visual impact at street level of the raised ground level minimised.
- h) Street address is required on the ground level of buildings as identified in Figures 4-5 and 4-6.
- i) Residential developments are to provide a clear street address and direct pedestrian access off the primary street frontage, and allow for residents to overlook all surrounding streets.
- j) Provide multiple entrances for large developments including an entrance on each street frontage.
- k) Provide direct 'front door' access from ground floor residential units.
- l) Residential buildings are to provide not less than 65% of the lot width as street address.

4.3 SAFETY AND SECURITY

The design of buildings and public spaces has an impact on perceptions of safety and security, as well as actual opportunities for crime. A safe and secure environment encourages activity, vitality and viability, enabling a greater level of security.

Objectives

- 1) To ensure developments are safe and secure for pedestrians.
- 2) Reduce opportunities for crime through environmental design.
- 3) To contribute to the safety of the public domain.
- 4) Encourage a sense of ownership over public and communal open space.

Controls

- a) Address 'Safer-by-Design' principles to the design of public and private domain, and in all development (in accordance with the NSW Police 'Safer by Design': Crime Prevention Through Environmental Design (CPTED) guidelines.
- b) Ensure that the building design allows for passive surveillance of public and communal space, accessways, entries and driveways.
- c) Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carpark.
- d) Maximise the number of residential 'front door' entries at ground level.
- e) Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering.
- f) Clearly define the development boundary to strengthen the transition between public, semi-private and private space. This can be actual or symbolic and can include landscaping, fences, changes in paving material, etc.
- g) Provide adequate lighting of all pedestrian accessways, parking areas and building entries.
- h) Provide clear lines of sight and well-lit routes throughout the development.
- i) Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway.
- j) For large scale retail and commercial development with a gross floor area of over 5,000 square metres, provide a 'safer by design' assessment in accordance with the CPTED guidelines from a suitably qualified consultant.

4.0 Pedestrian amenity

4.4 FRONT FENCES AND BOUNDARY TREATMENTS

The design of front fences and boundary walls impacts significantly on the quality of the public domain and adjoining properties. Appropriate design of front fences promotes casual surveillance and defines the interface between the public and private domain.

Objectives

- 1) To clearly define the interface between the public and the private domain.
- 2) To ensure front fences allow for passive surveillance of the street.
- 3) To encourage the preservation and/or construction of fences and walls that contribute to the character of the locality.
- 4) To adequately screen at-grade carparking areas from the public domain.

Controls

- a) Front fences include fences to the primary and secondary street frontages, and side boundary fences forward of the building alignment.
- b) Front fences and boundary treatments are not to have a greater height to public domain than one metre in height (Figures 4.7 and 4.8).
- c) The use of varied materials is preferred. The use of sheet metal is not permitted as a front fence material.
- d) Front fences should:
 - Be integrated with the building and landscape design through the use of materials and detailing;
 - Highlight building entrances and allow for outlook and street surveillance; and
 - Conform with the predominant line of fences in the street.

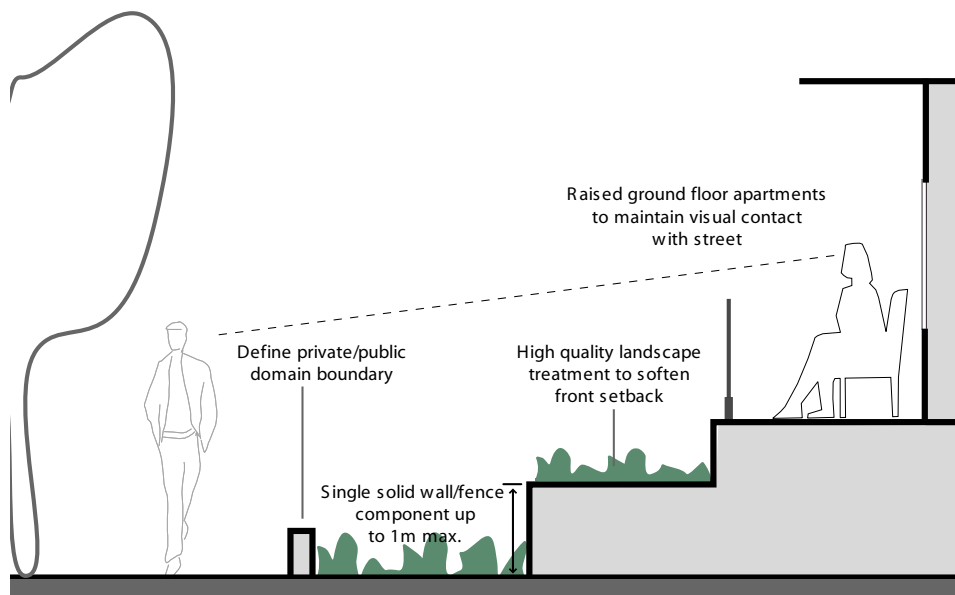


Figure 4-7: Front boundary treatment controls



Figure 4-8: Examples of front boundary treatments

4.5 AWNINGS

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and, in conjunction with active edges such as retail frontages, support and enhance the vitality of the local area. Awnings, like building entries, provide a public presence and interface within the public domain and contribute to the identity of a development.

Objectives

- 1) To provide shelter for public streets where most pedestrian activity occurs.
- 2) To address the streetscape by providing a consistent street frontage in the city centre.

Controls

- a) Continuous street frontage awnings are to be provided for all new developments as indicated in Figures 4-10 and 4-11. Outside these areas weather protection is to be provided at the main entrance to each building.
- b) Awning design must match building façades and be in design and height to those of adjoining buildings.
- c) Wrap awnings around corners for a minimum of 6m from where a building is sited on a street corner.
- d) Awning dimensions should generally be:
 - Minimum soffit height of 3.3 metres,
 - Low profile, with slim vertical facias or eaves (generally not to exceed 300 millimetres in height),
 - Setback a minimum of 1.2 metres from the kerb, and
 - Generally a minimum of 2.4 metres deep.
- e) To control solar access, vertical blinds may be permitted along the outer edge of awnings.
- f) Signage on blinds is not permitted.
- g) Provide under awning lighting to facilitate night use and to improve public safety. Lighting is to be recessed into the soffit of the awning or wall mounted.



Figure 4-9: Street awning example

4.0 Pedestrian amenity

FIGURE 4-10: STREET AWNINGS – NORTH

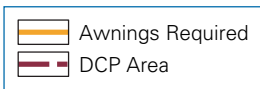
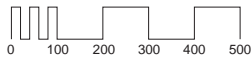
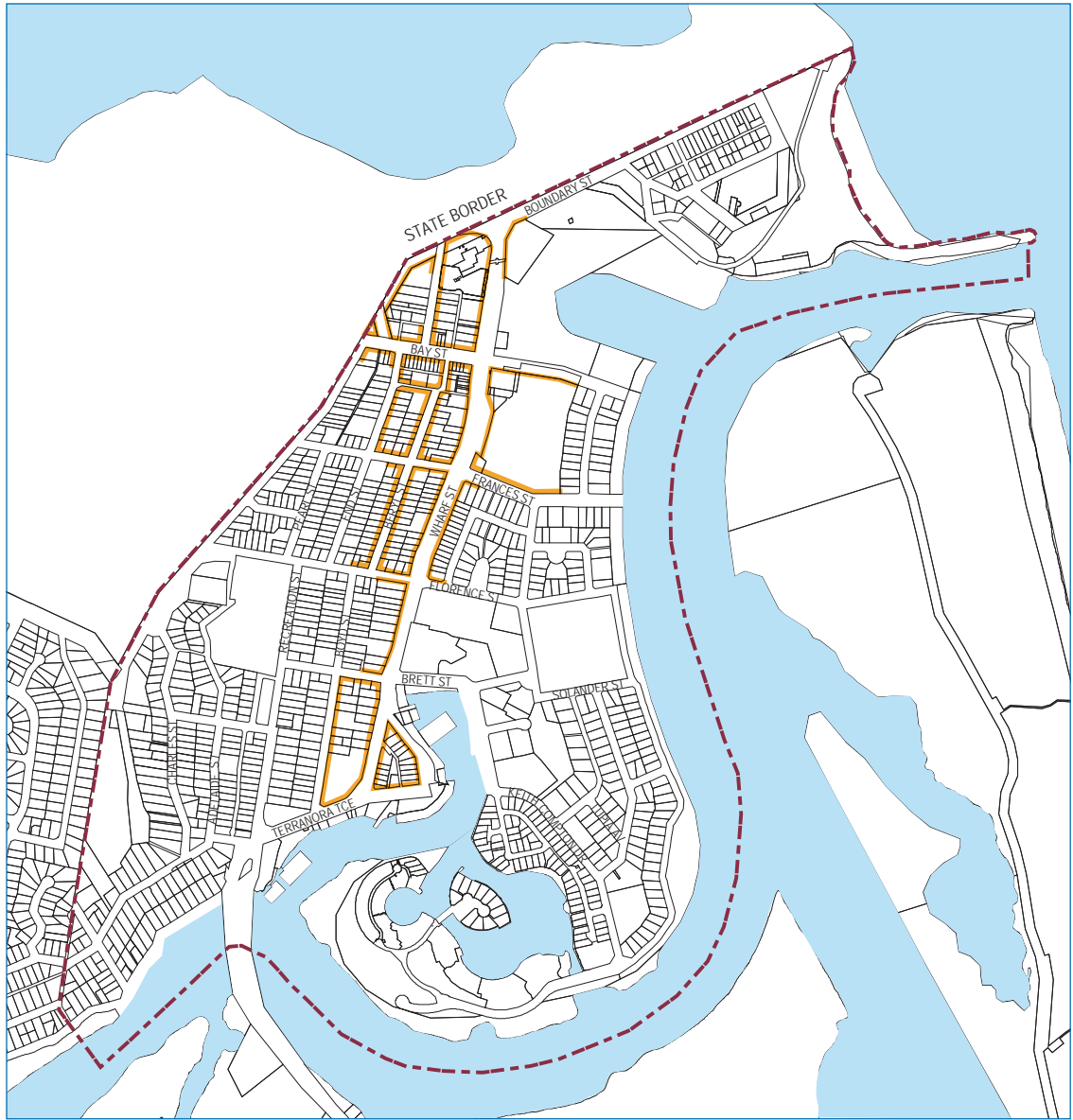
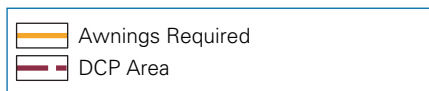
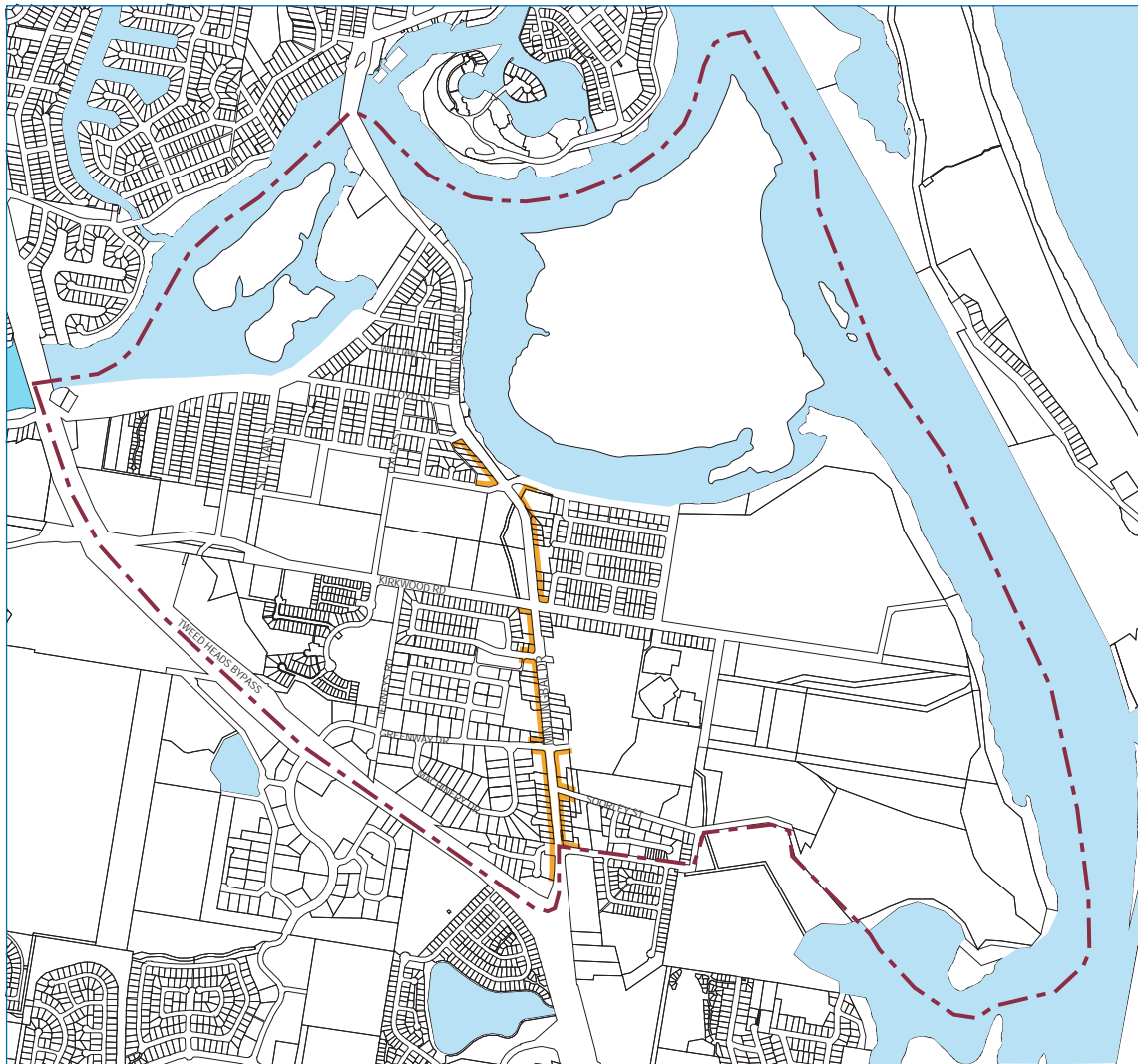


FIGURE 4-11: STREET AWNINGS – SOUTH



4.0 Pedestrian amenity

4.6 VEHICLE FOOTPATH CROSSINGS

Vehicle crossings over footpaths disrupt pedestrian movement and threaten safety. The design of vehicle access to buildings also influences the quality of the public domain. Overly wide and high vehicle access points detract from the streetscape and the active use of street frontages.

The design and location of vehicle access to developments should both minimise conflicts between pedestrians and vehicles on footpaths (particularly along pedestrian priority walkways), and visual intrusion and disruption of streetscape continuity.

Design of driveways and vehicle access is to be in accordance with the provisions of Section 5-2 of this Plan.

Objective

- 1) To make vehicle access to buildings more compatible with pedestrian movements and the public domain.
- 2) Reduce the impact of vehicular access on the public domain.
- 3) To ensure vehicle entry points are integrated into building design and contribute to high quality architecture.

Controls

Location of vehicle access

- a) One vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.
- b) Vehicular access is to be limited from major streets including Wharf Street and Bay Street. Where practicable, vehicle access is to be from lanes and minor streets rather than primary street frontages or streets with major pedestrian activity.
- c) Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on-site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicle access points so that they are capable of shared access at a later date.

Design of vehicle access

- d) Wherever practicable, vehicle access is to be a single lane crossing with a maximum width of 2.7 metres over the footpath, and perpendicular to the kerb alignment. In exceptional circumstances, a double lane crossing with a maximum width of 5.4 metres may be permitted for safety reasons (refer to Figure 4-12).
- e) Ensure vehicle entry points are integrated into building design.
- f) Vehicle access ramps parallel to the street frontage will not be permitted.
- g) Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building façade.
- h) Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.

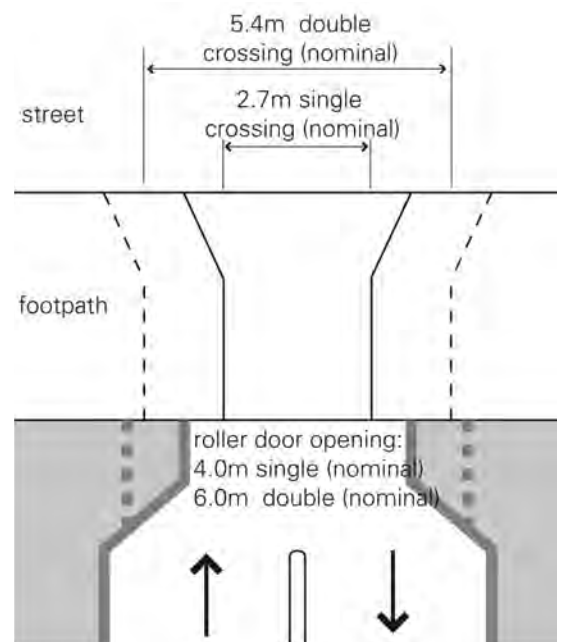


Figure 4-12: Driveway crossing dimensions

Porte cochères

- i) Porte cochères disrupt pedestrian movement and do not contribute to active street frontage. They may only be permitted in exceptional circumstances for hotels and major tourist venues subject to urban design, streetscape, heritage and pedestrian amenity considerations.
- j) If justified, porte cochères should preferably be internal to the building with one combined vehicle entry and exit point, or one entry and exit point on two different street frontages of the development.
- k) In exceptional circumstances for buildings with one street frontage only, an indented porte cochère with separate entry and exit points across the footpath may be permitted, as long as:
 - it is constructed entirely at the footpath level,
 - provides active street frontage uses in addition to any hotel entry or lobby at its perimeter,
 - is of high quality design and finish, and
 - provides for safe and clear pedestrian movement along the street.

4.7 PEDESTRIAN OVERPASSES AND UNDERPASSES

Streets represent important components of the public domain and provide the best potential amenity and safety when activated by pedestrians. Streets offer sky exposure, sunlight and air, a sense of orientation and direct access to the main frontages of buildings. A successful city street provides a comfortable interface between pedestrians and exposure for business.

Generally, pedestrians should be encouraged to use the street level to:

- enhance and contribute to street life,
- promote activity and interest, and
- maximise the safety and security of the public domain.

The Tweed City Centre's climate does not warrant pedestrian isolation from the street, and any conflicts between pedestrians and vehicles are to be resolved at the street level.

Pedestrian overpasses are discouraged as they have a negative impact on the streetscape quality and on vistas along streets. New pedestrian underpasses will only be considered where they would directly connect to major transport nodes, such as bus interchanges, and substantially improve pedestrian safety and access.

Objectives

- 1) To promote pedestrian activation of streets and public places.
- 2) To promote the 'safer by design' and crime prevention principles.
- 3) To encourage pedestrian circulation at street level.
- 4) To protect vistas along streets.

Controls

- a) New overpasses over streets, and underpasses, will generally not be approved. In exceptional circumstances, new overpasses over service lanes may be considered by the consent authority subject to an assessment of impacts on safety and crime prevention, streetscape amenity, and the activation of the public domain. In such circumstances, overpasses are to be fully glazed, not greater than 6m wide or more than one level high.

4.8 ADVERTISING AND SIGNAGE

Advertisements and advertising structures are an important element of the built environment. These provisions are intended to protect the significant characteristics of buildings, streetscapes, vistas and the city skyline and to encourage well designed and well positioned signs which contribute to the vitality and legibility of the Tweed City Centre and which respect the amenity of residents and pedestrians and the safety of motorists.

In considering innovative design proposals for signs not envisaged by these provisions or where there are issues of interpretation, the consent authority will consider the design quality of the proposed advertising and the degree to which it meets the objectives of this section.

4.0 Pedestrian amenity

Objectives

- 1) To ensure that all advertising achieves a very high level of design quality in terms of graphic design, its relationship to the architectural design of buildings and the character of streetscapes.
 - 2) To limit the overall amount of advertising through the provision of fewer, more effective signs, to avoid the creation of visual clutter on buildings and streetscapes.
 - 3) To promote signs that add character to the streetscape and assist with way finding and the pedestrian useability of the city.
 - 4) To promote signs that complement the architectural style and use of buildings.
 - 5) To consider the amenity of residential development and the visual quality of the public domain.
 - 6) To encourage corporate logos and colours in signs that achieve a high degree of compatibility with the architecture of the building.
 - 7) To ensure that the location and design of signs are consistent with road safety principles.
- b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products eg soft drinks, brewers, photographic film, etc) are not permitted.
 - c) Signs painted on or applied on the roof are prohibited.
 - d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.
 - e) In considering applications for new signs the consent authority must have regard to the number of existing signs on the site and in its vicinity and whether that signage is consistent with the provisions of this section and whether the cumulative impact gives rise to visual clutter.

Illuminated signs

- f) Illuminated signs are not to detract from the architecture of the supporting building during daylight.
 - g) Illumination (including cabling) of signs is to be:
 - concealed, or
 - integral with the sign, or
 - provided by means of carefully designed and located remote or spot lighting.
 - h) The ability to adjust the light intensity of illuminated signs is to be installed where the consent authority considers necessary.
 - i) Limitation on hours of operation may be imposed for illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other visitor accommodation, or have other adverse environmental effects.
 - j) Uplighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.
- General location and design of signs**
- a) Signs are to be designed and located to:
 - relate to the use of the building
 - be visually interesting and exhibit a high level of design quality,
 - be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes, and colours, and ensure that architectural features of the building are not obscured (refer to Figures 4-13 and 4-14),
 - have regard to the view of the sign and any supporting structure, cabling and conduits from all angles, including visibility from the street level and nearby higher buildings, and against the skyline, and
 - have only a minimal projection from the building.

Signs and Road Safety

- k) Signs are regarded as prejudicial to the safety of the travelling public if they:
- obscure or interfere with road traffic signs and signals or with the view of a road hazard, oncoming vehicles, or any other vehicle or person, or an obstruction which should be visible to drivers or other road users,
 - give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs,
 - are of such a design or arrangement that any variable messages or intensity of lighting impair drivers' vision or distract drivers' attention, and
 - are situated at locations where the demands on drivers' concentration due to road conditions are high such as at major intersections or merging and diverging lanes.

Signage in the Minjungbal Drive Precinct Enterprise Corridor

- l) The total allowable area of all signs should not exceed one square metre of advertising per three metres of street frontage.
- m) Controls for specific sign types are identified in Table 4-1. Multiple identification signs and pole signs are generally only permissible in the Enterprise Corridor Zone and Business Development Zone.



Figure 4-13: Under awning signage

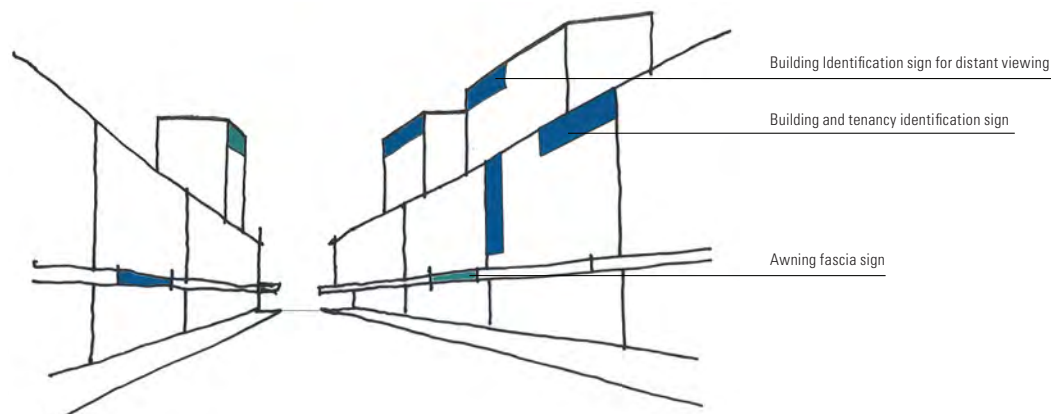


Figure 4-14: Signage zones

4.0 Pedestrian amenity

TABLE 4-1: TYPICAL SIGNAGE TYPES IN ENTERPRISE CORRIDOR ZONE

| SIGN TYPE | MAXIMUM SIZE | QUANTITY |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Awning fascia sign | 1.5 square metres | 1 per occupancy fronting the street at ground level No repetition of the same sign for multiple occupancy sites or along the fascia of single occupancy sites |
| Flush wall sign | 2 square metres | As above |
| Under awning sign | 1.5 square metres | 1 per occupancy fronting the street at ground level and no closer than 3 metres apart |
| Top hamper sign | 2.5 square metres | Not projecting more than 100 mm from the face of the building |
| Multiple identification sign | 2 square metres per occupancy for premises with up to 3 occupancies and 1 square metre per occupancy for premises with more than 3 occupancies | 1 multiple identification sign per multiple occupancy premise where main building is set back 3 metres or more from the street alignment. |
| Pole sign | 4 square metres, with a maximum height of 8 metres or no taller than the height of the building, whichever is lower. | 1 per occupancy, and wholly within the property boundary. Where multiple occupancies are proposed in one building, no more than 3 pole signs shall be installed and must comply with the objectives of this part. |

This page has been left blank intentionally

5.0 Access, parking and servicing

This section contains detailed objectives and controls on pedestrian access, vehicular access, on-site parking and site facilities, including refuse collection and removal.

To satisfy the aims and zoning objectives of the Tweed Local Environmental Plan, controls in this section aim to:

- facilitate the development of building design excellence appropriate to a regional city,
- require parking and servicing provisions to be contained within development sites to an amount and rate adequate for the economic and sustainable growth of the city centre,
- provide for safe and secure access,
- minimise impacts on city amenity, the public domain and streetscape, and
- ensure that access is provided for the disabled and mobility impaired.

5.1 PEDESTRIAN ACCESS AND MOBILITY

Any new development must be designed to ensure that safe and equitable access is provided to all, including people with a disability.

Objectives

- 1) To provide safe and easy access to buildings to enable better use and enjoyment by people regardless of age and physical condition, whilst also contributing to the vitality and vibrancy of the public domain.
- 2) To ensure buildings and places are accessible to people with a disability.
- 3) To provide a safe and accessible public domain.

Controls

- a) Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.

- b) The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, AS 2890 Pt 1, or as amended) and the Disability Discrimination Act 1992.
- c) Barrier free access is to be provided to not less than 20% of dwellings in each development and associated common areas.
- d) The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor.
- e) The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.
- f) Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.

5.2 VEHICULAR DRIVEWAYS AND MANOEUVRING AREAS

The location, type and design of vehicle access points to a development can have significant impacts on the streetscape, site layout and building façade design.

Objective

- 1) To minimise the impact of vehicle access points on the quality of the public domain.
- 2) To minimise the impact of driveway crossovers on pedestrian safety and streetscape amenity.
- 3) Minimise stormwater runoff from uncovered driveways and parking areas.

Controls

- a) Driveways should be:
 - provided from the lanes and secondary streets rather than the primary street, wherever practical,
 - located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees,
 - located a minimum of 6 metres from the perpendicular of any intersection of any two roads, and
 - located to minimise noise and amenity impacts on adjacent residential development.
- b) Vehicle access is to be integrated into the building design so as to be visually recessive.
- c) All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn.
- d) Design of driveway crossings must be in accordance with Council's standard Vehicle Entrance Designs. Works within the footpath and road reserve will be subject to an approval under section 138 of the Roads Act 1993.
- e) Driveway widths must comply with the relevant Australian Standards.
- f) Car space dimensions must comply with the Australian Standards 2890.1.
- g) Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard (AS 2890.1).
- h) Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 5 (20%). Ramp widths must be in accordance with AS 2890.1.
- i) Accessways to underground parking should be sited to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.
- j) For development in Medium and Low Density Residential zones, use semi-pervious materials for all uncovered parts of driveways and parking areas to assist with stormwater infiltration.

5.3 ON-SITE PARKING

On-site parking includes underground (basement), surface (at-grade) and above ground parking, including parking stations.

There are particular constraints in certain areas of Tweed City Centre on the provision of car parking in underground structures. Due to the high watertable, excavation on certain sites may become difficult beyond one level of basement parking. This may necessitate site design which locates the parking above ground. In these cases, minimising the impacts of above ground parking on the public domain is important.

Objectives

- 1) To facilitate an appropriate level of on-site parking provision in the city centre to cater for a mix of development types.
- 2) To minimise the visual impact of on-site parking.
- 3) To provide adequate space for parking and manoeuvring of vehicles (including service vehicles and bicycles).
- 4) To encourage economic growth in the city centre.
- 5) To enable the conversion of above ground parking to other future uses.
- 6) To recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking.

Controls

General (all development)

- a) Car parking rates for land uses are to be provided for in accordance with the Table 5-1.
- b) Car parking and associated internal manoeuvring areas provided over and above that required by this DCP and the Tweed Local Environment Plan is to be calculated towards gross floor area.

5.0 Access, parking and servicing

- c) On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended).
- d) A minimum of 2% of the required parking spaces, or minimum of 1 space per development, (whichever is the greater) is to be appropriately designated and signposted for use by persons with a disability.
- e) Bicycle parking is to be provided in accordance with Table 5.1, in secure and accessible locations, with weather protection. Where no rates are specified, bicycle parking is to be provided at a rate of 1 space per 200m² of GFA.
- f) Motorcycle parking is to be provided in accordance with Table 5.1.
- g) Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.
- h) Natural ventilation should be provided to underground parking areas where possible, with ventilation grilles and structures:
 - Integrated into the overall façade and landscape design of the development,
 - Not located on the primary street façade, and
 - Oriented away from windows of non-habitable rooms and private open space areas.
- i) Above ground parking structures are to be artistically and imaginatively screened from view from the public domain (refer to Figures 5-5 and 5-6 for examples).
- m) Car parking above ground level is to have a minimum floor to ceiling height of 2.7m so it can be adapted to another use in the future.
- n) Within the Commercial and Mixed Use Zones, exposed, but screened natural parking ventilation may be permitted fronting onto service lanes if agreed to by Council.
- o) The impact of any at-grade parking is to be minimised by:
 - locating parking on the side or rear of the lot away from the street frontage,
 - provision of fencing or landscape to screen the view of cars from adjacent streets and buildings,
 - allowing for safe and direct access to building entry points, and
 - incorporating car parking into the landscape design of the site (such as plantings between parking bays to improve views, selection of paving material and screening from communal and open space areas).

Parking above ground level

- i) All car parking is to be below ground level, except where site physical constraints prevent all of the required parking to be provided below ground level. Where parking is demonstrated to be required to be provided above ground level due to site physical constraints, above ground car parking may be excluded from gross floor area calculations, where development complies with the built form controls in section 3.0 of this Plan.
 - j) Above ground parking is not to address the primary street frontage where active street frontages are required under this Plan.
 - k) Above ground parking structures are to comply with rear setbacks where relevant as shown in Figures 5-3 and 5-4.
- Bicycles lockers and shower facilities**
- p) For non-residential development providing employment for 40 persons or more, adequate change and shower facilities are to be provided for cyclists. Facilities should be conveniently located close to bike storage areas.

TABLE 5-1: PARKING RATES

| USE | CARS | BICYCLES | MOTORBIKES |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------|
| Commercial | | | |
| General office development | 1 space per 70m ² in the areas shown in Figures 5-1 and 5-2; 1 space per 40m ² elsewhere | 1 space per 100m ² GFA per employee; | 1 space per 25 employees |
| Educational establishments | | | |
| Schools and tertiary colleges | 1 space per employee of classroom; 1 space per 10 students over 17 years | 0.5 spaces per student | 1 space per 25 car spaces |
| Health, medical and aged care | | | |
| Health consulting rooms | 1 space per 35m ² ; 1 space per employee | 2 spaces per consulting room | 1 motorbike space per 25 car spaces |
| Hospital | 1 space per 2 bedrooms | 1 space per bed | 1 motorbike space per 25 car spaces |
| Nursing home | 1 space per 4 beds | 1 space per 5 beds | 1 motorbike space per 25 car spaces |
| Recreational, tourist and entertainment | | | |
| Clubs, lounges and bars | 1 space per 5m ² | 1 space per 5 car parking spaces | 1 motorbike space per 25 car spaces |
| Motel and hotels | 1 space per hotel room 1 space per 4 employees | 1 space per 4 car parking spaces | 1 motorbike space per 25 car spaces |
| Recreation facility | 1 space per 5m ² or 1 space per 4 seats (whichever is greater) | | 1 motorbike space per 25 car spaces |
| Retail | | | |
| Supermarkets, department stores or retail complexes | 1 space per 25m ² | 2 spaces per 100m ² up to 100m ² and 1 space per 200m ² thereafter | 1 motorbike space per 25 car spaces |
| Showrooms, wholesale and bulky good stores | 2 spaces per 100m ² | 0.5 spaces per staff member | 1 motorbike space per 25 car spaces |
| Other retail | 1 space per 40m ² in the areas shown in Figure 5-6 and 1 space per 25m ² elsewhere | 2 spaces per 100m ² up to 100m ² and 1 space per 200m ² thereafter | 1 motorbike space per 25 car spaces |
| Residential | | | |
| Attached dwellings | Maximum rates: 1 space per 1 and 2 bedroom dwelling; 1.5 spaces per 3 bedroom dwelling; 1 space per 10 dwellings (visitors in multi unit developments) | 2 spaces per dwelling | 1 motorbike space per 25 car spaces |
| Detached dwellings | Minimum rates: 1 covered space per dwelling | | |

Other development

Generally in accordance with RTA guidelines and Section A2 of the Tweed Shire Development, whichever is the lesser.

5.0 Access, parking and servicing

FIGURE 5-1: COMMERCIAL CORE PARKING AREA – NORTH

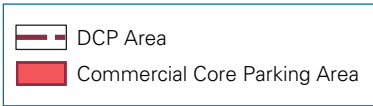
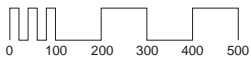
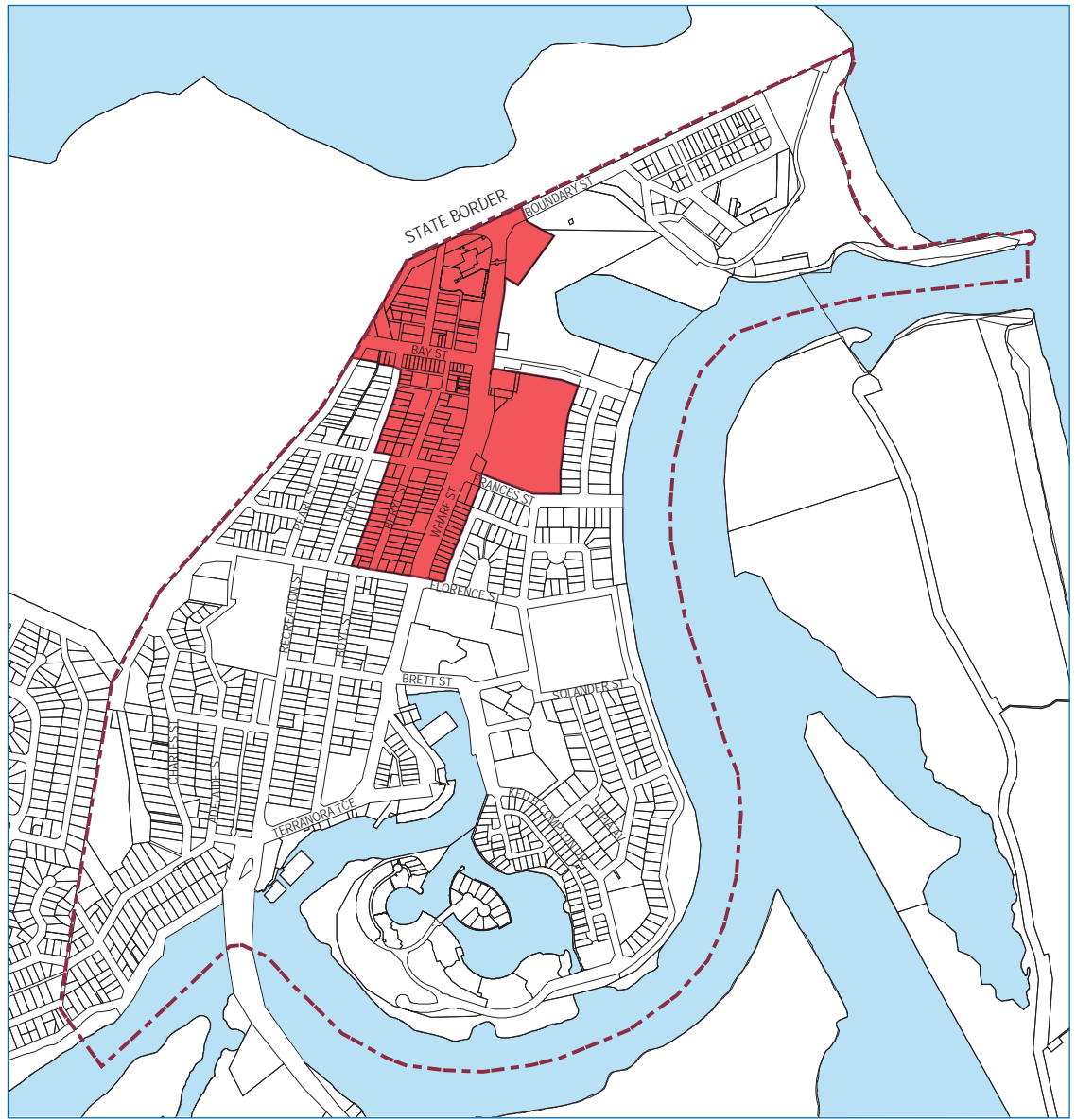
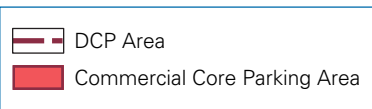
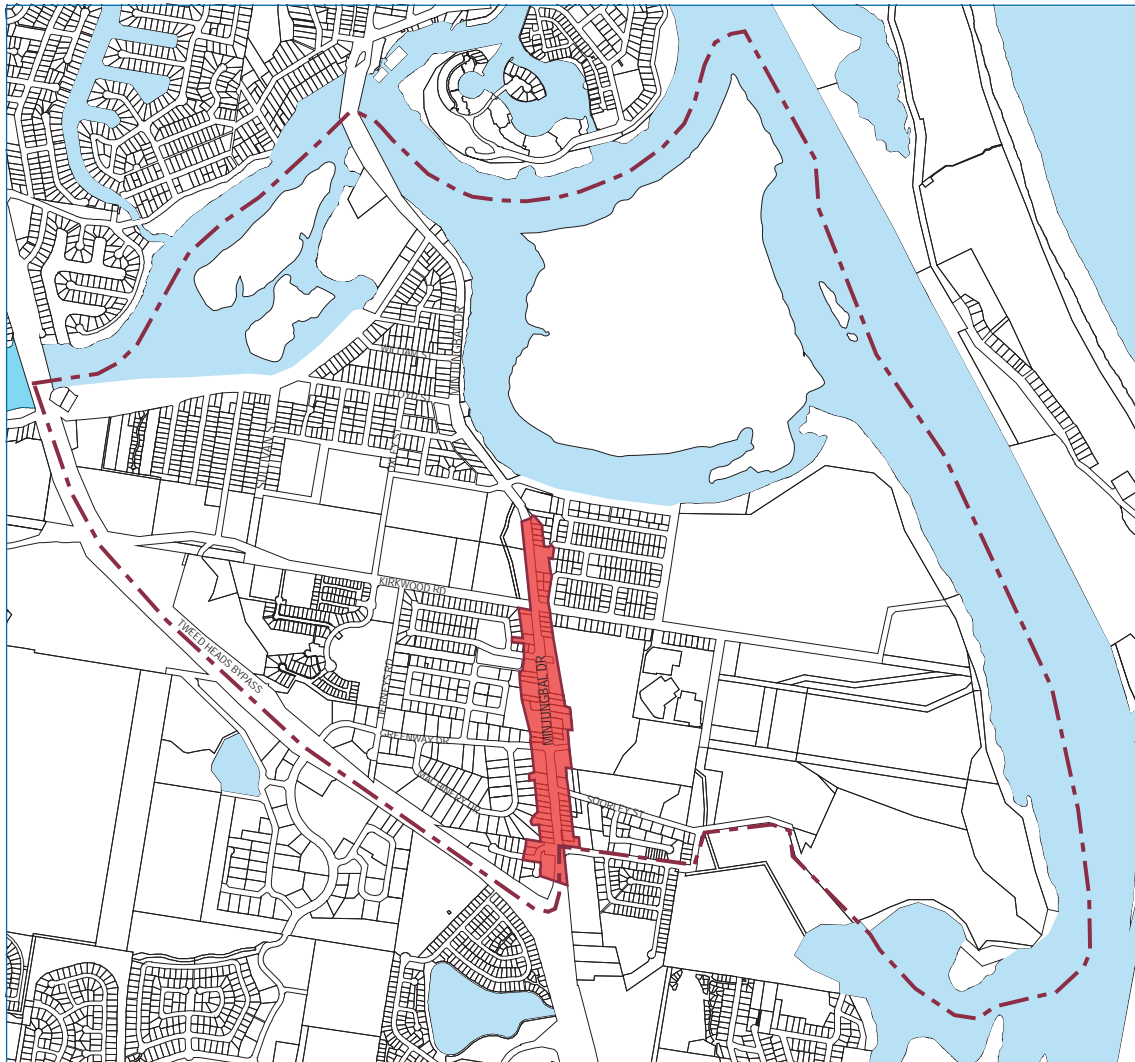
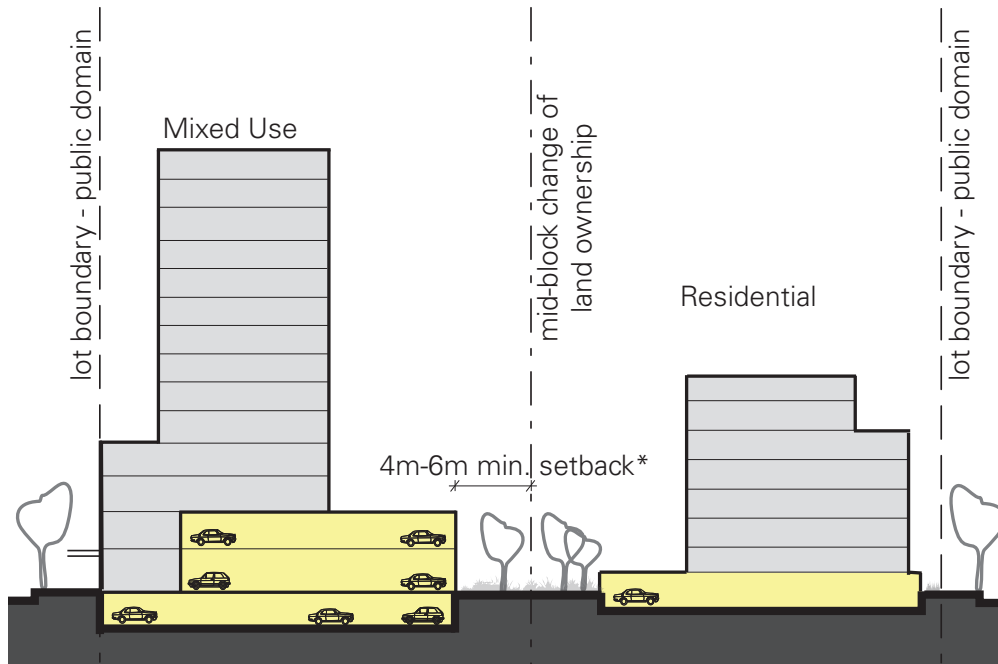


FIGURE 5-2: COMMERCIAL CORE PARKING AREA – SOUTH



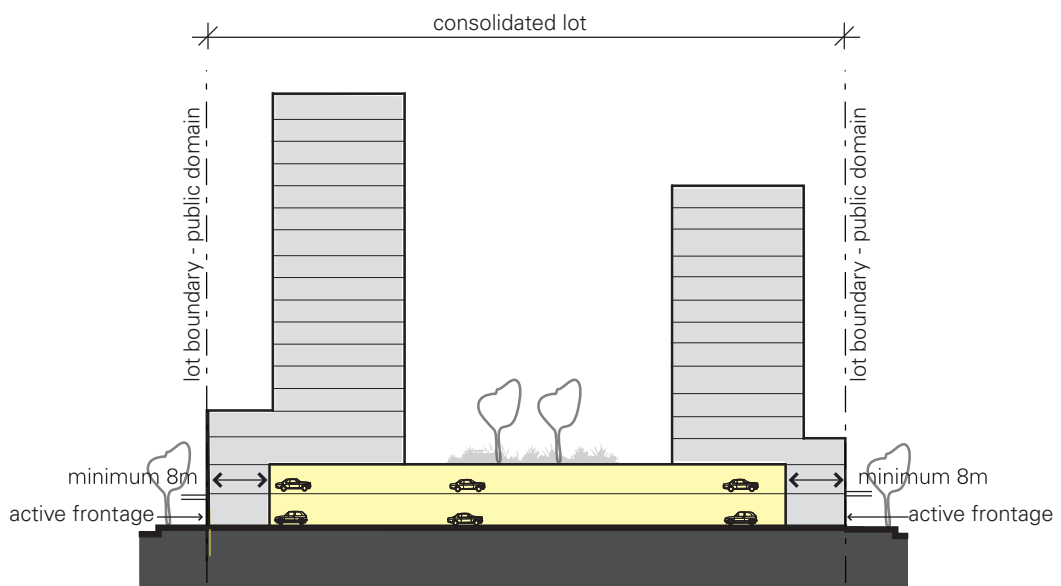
5.0 Access, parking and servicing



*4m setback in the Commercial Core; 6m setback in all other zones (from the rear property boundary).

Exposed parking structures and internal lighting to be screened.

Figure 5-3: Rear setbacks from exposed above ground parking structures where land ownership changes mid block



Minimum 8m setback distance between parking areas and a building facing onto a street or public space. This setback distance is to allow for active uses fronting onto the street and to minimise the impact of parking on the public domain.

Figure 5-4: Integrated on-site parking requirements for commercial and mixed use development

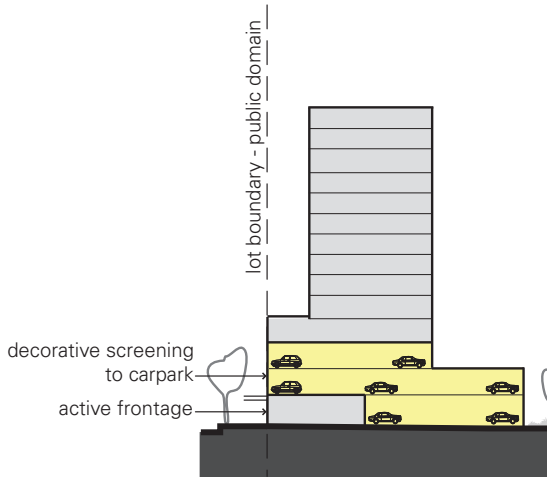


Figure 5-5: Above ground car parking in profile

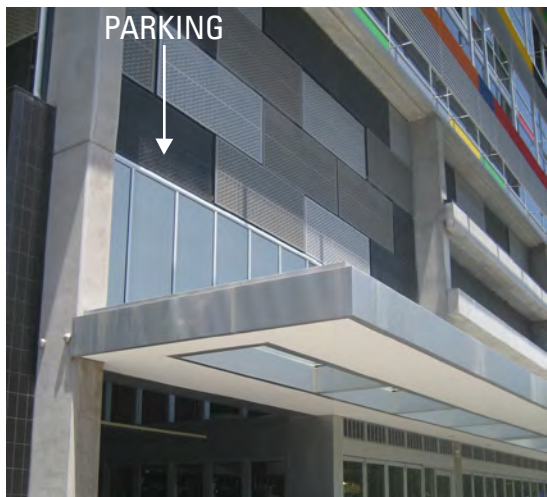
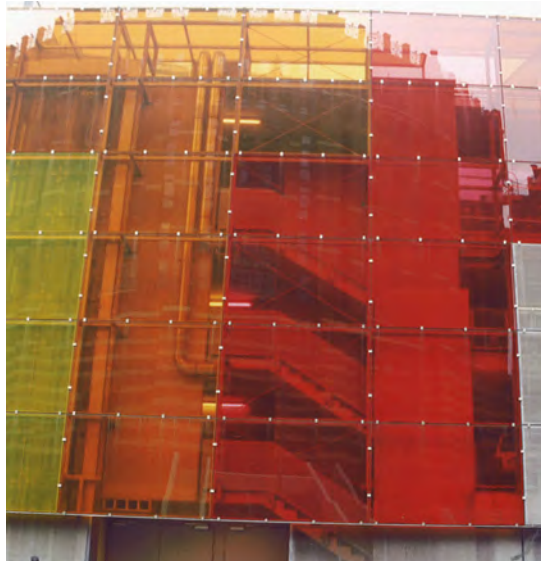


Figure 5-6: Example of above ground parking screened from public domain as a recessive element in the overall building design



Figure 5-7: Examples of above ground parking screened from view by artwork

5.0 Access, parking and servicing

5.4 DEVELOPMENTS IN OTHER ZONES

The impact of any on-grade car parking is to be minimised by:

- locating parking on the side or rear of the lot away from the street frontage,
- provision of fencing or landscaping to screen the view of cars from adjacent streets and buildings,
- allowing for safe and direct access to building entry points, or
- incorporating car parking into landscaping design of the site (such as plantings between parking bays to improve views, selection of paving material and screening from communal and open space areas).

5.5 SITE FACILITIES AND SERVICES

Objectives

- 1) To ensure that site facilities (such as clothes drying areas, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units and communication structures) are effectively integrated into the development and are unobtrusive.
- 2) To ensure that site services and facilities are adequate for the nature and quantum of development.
- 3) To establish appropriate access and location requirements for servicing.
- 4) To ensure service requirements do not have adverse amenity impacts.

Controls

Mail boxes

- a) Provide mailboxes for residential buildings and/or commercial tenancies in one accessible location adjacent to the main entrance to the development.
- b) Mailboxes should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.
- c) Mailboxes are to be secure and large enough to accommodate articles such as newspapers.

Communication structures, air conditioners and service vents

- d) Locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures:
 - away from the street frontage,
 - integrated into the roof scape design and in a position where such facilities will not become a skyline feature at the top of any building, and
 - adequately setback from the perimeter wall or roof edge of buildings.
- e) A master antenna must be provided for residential apartment buildings. This antenna shall be sited to minimise its visibility from surrounding public areas.

Waste (garbage) storage and collection

General (all development)

- f) All development is to adequately accommodate waste handling and storage on-site. The size, location and handling procedures for all waste, including recyclables, is to be determined in accordance with Council waste policies and advice from relevant waste handling contractors.
- g) Access for waste collection and storage is preferred from rear lanes, side streets or rights of ways.

h) Waste storage areas are to be designed to:

- ensure adequate driveway access and manoeuvrability for any required service vehicles,
- located so as not to create any adverse noise impacts on the existing developments or sensitive noise receptors such as habitable rooms of residential developments, and
- screened from the public way and adjacent development that may overlook the area.

i) The storage facility must be well lit, easily accessible on grade for movement of bins, free of obstructions that may restrict movement and servicing of bins or containers, and designed to minimise noise impacts.

j) Waste storage areas are to be designed to:

- Ensure adequate driveway access and manoeuvrability for any required service vehicles,
- Located so as not to create any adverse noise impacts on existing development or sensitive noise receptors such as habitable rooms of residential developments, and
- Screened from the public way and adjacent development that may overlook the area.

Location requirements for waste storage areas and access

k) Where waste volumes require a common storage and handling area, this is to be located:

- for residential flat buildings, enclosed within a basement or enclosed car park,
- for multi-unit housing, at ground behind the main building setback and façade, or within a basement or enclosed car park, and
- for commercial, retail and other development, on-site in basements or at ground within discrete service areas not visible from main street frontages.

l) An above ground collection storage area is to be provided within the property boundary situated to provide easy access for the collection vehicles designed in accordance with the requirements of this Plan.

m) Where a mobile compaction vehicle is required to enter the site, the access and circulation area shall be designed to accommodate a vehicle with the dimensions in Table 5-2.

TABLE 5-2: SERVICE DOCKS AND LOADING/UNLOADING AREA DIMENSIONS

| POSITION | DIMENSION |
|----------------------------|--------------------|
| Vehicle length | 12,300 millimetres |
| Vehicle width | 3,500 millimetres |
| Vehicle height – travel | 3,800 millimetres |
| Vehicle height – operation | 6,100 millimetres |

a) Provide adequate space within any new development for the loading and unloading of service/delivery vehicles.

b) Screen all service doors and loading docks from street frontages and from active overlooking from existing developments.

c) Design circulation and access in accordance with AS 2890.1.

Fire service and emergency vehicles

d) For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and manoeuvring must be provided to, from and on the site in accordance with the NSW Fire Brigades Code of Practice – Building Construction – NSWFB Vehicle Requirements.

e) Generally, provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where:

- NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants, or
- The site has an access driveway longer than 15m.

5.0 Access, parking and servicing

Utility Services

- f) The provision of utility services and access for regular servicing and maintenance must be considered at the concept stage of site development.
- g) Development must ensure that adequate provision has been made for all essential services including water, sewerage, electricity and telecommunications and stormwater drainage to the satisfaction of all relevant authorities.
- h) The applicant must liaise with the relevant power authority with regard to the need for a conduit to be installed within the footway area for the future provision of an underground power supply and extension of the conduit up to the wall of the existing or proposed building.
- i) The development must ensure that ready connection of the building(s) can be made in future when underground power is installed and the overhead line connection is replaced with a connection to the underground line.
- j) The applicant must liaise with the power authority with regard to the retention, relocation, or removal of any existing power pole.

This page has been left blank intentionally

6.0 Environmental management

This section addresses energy efficiency for buildings, water use and conservation, climate change and floodplain management, wind and solar impacts, and waste management.

To satisfy the aims and zoning objectives of the Tweed Local Environmental Plan, controls in this section aim to:

- Facilitate the development of building design excellence appropriate to a regional city,
- Ensure the environmental impact of new development is managed in a sustainable and economic way,
- Ensure a healthy environment,
- Provide an adequate and renewable supply of resources, and
- Ensure the application, where appropriate, of the BASIX or Australian Greenhouse Ratings (AGR) certification systems.

6.1 ENERGY EFFICIENCY AND CONSERVATION

The ability of development to optimise thermal performance, thermal comfort and day lighting will contribute to the energy efficiency of the buildings, provide increased amenity to occupants and reduce greenhouse emissions and the cost of supplying energy.

Objectives

- 1) To reduce the necessity for mechanical heating and cooling.
- 2) To minimise greenhouse gas emissions.
- 3) To benefit from the natural climatic advantages of the coastal location such as cooling summer breezes, and exposure to unobstructed winter sun.

Controls

Residential

- a) New dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX).

Non-residential

- b) All non-residential development Classes 5-9 must comply with the Building Code of Australia energy efficiency provisions.
- c) Improve the control of mechanical space cooling by designing cooling systems to target only those spaces which require cooling, not the whole building.
- d) Improve the efficiency of hot water systems by:
 - i) insulating hot water systems, and
 - ii) installing water saving devices, such as flow regulators, 3 stars rated shower heads, dual flush toilets and tap aerators.
- e) Reduce reliance on artificial lighting by designing lighting systems to target only those spaces which require lighting at any particular 'off-peak' time, not the whole building.
- f) All commercial development over \$5 million is to provide an Energy Efficiency Report from a suitably qualified consultant that demonstrates a commitment to achieve no less than a 4 stars under the Australian Building Greenhouse Rating Scheme.

6.2 WATER CONSERVATION

Building design can contribute to environmental sustainability by integrating measures for improved water quality and efficiency of use. Water can be conserved in a number of ways, including: reducing water demand from the mains and re-using water, which would otherwise be lost, as run off or waste water.

By integrating water use efficiency, water collection and water reuse measures into building and associated infrastructure design, development can contribute to environmentally sustainable outcomes.

All mains water is treated to drinking water standard, however, only 1% of domestic water consumption is actually used for drinking. Uses such as toilet flushing, laundry and outdoor uses do not require water to be treated to such a high standard. Such uses can be satisfactorily supplied using rainwater collected from roofs and stored in tanks. Benefits include significant water cost savings and substantial reductions in stormwater charges.

Objectives

- 1) To reduce per-capita mains consumption of potable water.
- 2) To harvest rainwater and urban stormwater runoff for use.
- 3) To reduce wastewater discharge.
- 4) To capture, treat and reuse wastewater where appropriate.
- 5) To safeguard the environment by improving the quality of water run-off.
- 6) To ensure infrastructure design is complementary to current and future water use.

Controls

Residential

- a) New dwellings, including a residential component within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with **State Environmental Planning Policy - Building Sustainability Index (BASIX)**.

Non-residential

- b) The following water saving measures are to be incorporated into non-residential building:

Water consumption reduction

- c) Use an alternative to mains water source for the irrigation of public or private open space.
- d) Provide all irrigation of public and private open space by sub-surface, drip irrigation systems controlled by timers and soil moisture or rainfall sensors.
- e) All water fixtures in non-residential buildings including public facilities should be rated to deliver maximum water flows of:
 - 6 litres per minute for hand basins, and
 - 9 litres per minute for showers

- f) Provide other water efficiency measures in non-residential buildings and public facilities including:

- all toilets to be provided with dual flush systems of no more than 6 litres per full flush and 3 litres per half flush.
- manual or sensor operated, low volume flush systems fitted to all urinals (excluding waterless, or ultra water-efficient urinals),
- trigger nozzles on all hoses and kitchen dishwashing facilities, and
- automatic shut off for all public hand basin taps.

- g) Locate all non-residential hot water systems as close as practical to the hot water end-use (for example, shower facilities)

- h) Appliances (dishwashers, clothes washers etc) are to be 3 stars or better rated with respect to water use efficiency. Demonstrate, if necessary, how these requirements will be achieved for replacement appliances, appliances not installed at construction, or bought in by occupants following construction.

- i) Stormwater runoff control, capture and reuse, including water quality management in accordance with Council's guidelines.

- j) Select water efficient plants and/or, indigenous vegetation for landscape in accordance with Council's recommendations.

- k) Use non-potable water for watering gardens and landscape features.

- l) Specifying operating details for swimming pools and water features including filling, draining and maintenance activities. Covers are to be included in the design and operational aspects of swimming pool installations.

- m) Alternatives to the above water savings methods can be presented to Council and will be assessed on merit.

6.0 Environmental management

Alternative water supply and treatment options

- n) Potable water must not be drawn on for the following uses in non-residential development, unless as a backup supply:
- toilet and urinal flushing,
 - fire service testing,
 - clothes laundering,
 - hosing-down, and
 - car washing.
- o) As long as 'fit for purpose' treatment measures, appropriate to the water source and the water end uses, are applied, alternative water sources for non-potable uses may include:
- rainwater harvested from roofs, or
 - treated waste water, stormwater or greywater (such as collected from showers, hose-down, car wash or laundry facilities).

Cooling towers

- p) Cooling towers, or other forms of evaporative coolers for the provision of cooled air to, or the rejection of heat from, heating, ventilation, air conditioning, chilling or refrigeration systems, must (except in the case of emergency, such as failure of the particular water supply), draw 100% of their water use from an alternative water supply. Suitable alternative water supplies include harvested rainwater or appropriately treated waste water, stormwater or greywater (such as collected from showers, hose-down, carwash or laundry facilities).

6.3 CLIMATE CHANGE AND FLOODPLAIN MANAGEMENT

The Tweed Valley Flood Study 2005 confirmed that much of the Tweed Heads City Centre is on flood prone land (defined as land subject to inundation by the Probable Maximum Flood, or PMF, in accordance with the NSW Floodplain Development Manual).

Habitation of flood prone land area requires consideration of flood emergency responses to minimise loss of life, and limit damage to property and infrastructure.

Local emergency response agencies are not resourced to carry out widespread rescue efforts in the Lower Tweed in the event of a flood, and as such new habitable development or development that otherwise increases the density of flood affected occupants in the City Centre area must demonstrate that measures are in place to ensure self sufficiency in a flood emergency situation.

Council has commenced a Floodplain Risk Management process, in accordance with the NSW Floodplain Development Manual, and has adopted measures to ensure new development addresses the issues arising from habitation of the floodplain. The measures have been incorporated into Council's Shire wide Development Control Plan Section A3 - Development of Flood Liable Land and its Flood Risk Management Policy.

Council is also considering various climate change scenarios in its current flood modelling analysis, in accordance with the Department of Environment, Climate Change and Water (DECCW) Guideline "Practical Consideration of Climate Change" (October 2007). Modelled scenarios are accounting for potential raised sea levels and increased rainfall intensities due to climate change. In consultation with State Government agencies, additional measures will need to be considered in Council's planning documents as part of the Floodplain Risk Management process, to address the increased flood risks associated with climate change on new and existing developments on flood prone land.

Objectives

- 1) Prescribe development of flood prone land in accordance with Development Control Plan Section A3 - Development of Flood Liable Land, and the Flood Risk Management Policy;
- 2) Implement the New South Wales Flood Prone Land Policy and Floodplain Development Manual;
- 3) Implement Council's Floodplain Risk Management Study and Plans (currently in progress);
- 4) Minimise the impact of new development on the resources of emergency services agencies during flood events;

- 5) Consider climate change variables (increased sea levels and rainfall intensities) in new developments on flood liable land, in consultation with State Government agencies.

Controls

- a) Design flood levels for the city centre shall be consistent with the requirements of Section A3 – Development of Flood Liable Land in Tweed Shire Council’s Development Control Plan.

6.4 REFLECTIVITY

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and potentially hazardous glare for motorists. Reflective materials can also impose additional heat load on other buildings.

The excessive use of highly reflective glass should be discouraged. Buildings with a glazed roof, façade or awning should be designed to minimise hazardous or uncomfortable glare arising from reflected sunlight.

Objectives

- 1) To restrict the reflection of sunlight from buildings to surrounding areas and buildings.

Controls

- a) New buildings and façades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.
- b) Visible light reflectivity from building materials used on the façades of new buildings should not exceed 20%.
- c) Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.

6.5 WIND MITIGATION

Windy conditions can cause discomfort and danger to pedestrians, and downdrafts from buildings can inhibit the growth of street trees. Conversely, moderate breezes that penetrate the streets can enhance pedestrian comfort and disperse vehicle emissions and air conditioning plant exhausts. The future growth of the city centre may necessitate the management of the microclimatic influence of built form.

Objectives

- 1) To ensure that new developments satisfy nominated wind standards and maintain comfortable conditions for pedestrians.
- 2) To ensure that breezes are able to penetrate the streets of Tweed City Centre.

Controls

- a) To ensure public safety and comfort the following maximum wind criteria are to be met by new buildings:
 - 10 metres/second in retail streets,
 - 13 metres/second along major pedestrian streets, parks and public places, and
 - 16 metres/second in all other streets
- b) Site design for tall buildings (towers) should:
 - Set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of the tower,
 - Ensure that tower buildings are well spaced from each other to allow breezes to penetrate city centre,
 - Consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level, and
 - Ensure useability of open terraces and balconies.
- c) A Wind Effects Report is to be submitted with the development application for all buildings greater than 35m in height.
- d) For buildings over 50m in height, results of a wind tunnel test are to be included in the report.

6.0 Environmental management

6.6 WASTE AND RECYCLING

The minimisation of waste from development can reduce impacts on the public domain, contribute to the amenity of the building and limit the potential harmful impacts to the environment. Waste management refers to all stages of development from construction and use through to demolition. It also includes the way in which waste is stored and collected.

Objectives

- 1) To minimise waste generation and disposal to landfill with careful source separation, reuse and recycling.
- 2) To avoid the generation of waste through design, material selection and building practices.
- 3) To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development.
- 4) To ensure efficient storage and collection of waste and quality design of facilities.

Controls

- a) All development must comply with Council's building site waste management policy.

Non-residential development

- b) Development applications for all non-residential development must be accompanied by a waste management plan that addresses:
 - best practice recycling and reuse of construction and demolition materials.
 - use of sustainable building materials that can be reused or recycled at the end of their life.
 - handling methods and location of waste storage areas in accordance with the provisions of Section 5.4 of this Plan, such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians, and
 - procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper, including estimated volumes, required bin capacity and on-site storage requirements.

- c) The waste management plan is to be prepared by a specialist waste consultant and is subject to approval by Council.

Residential development

- d) Provision must be made for the following waste generation:
 - In developments not exceeding six dwellings, individual waste storage facilities may be permitted.
 - In development of more than six units or dwellings, or where the topography or distance to the street collection point makes access difficult for individual occupants, a collection and storage area is required. The storage area must be located in a position which is:
 - not visible from the street,
 - easily accessible to dwelling occupants,
 - accessible by collection vehicles (or adequately managed by the body corporate to permit relocation of bins to an approved collection point),
 - has water and drainage facilities for cleaning and maintenance, and
 - does not immediately adjoin private open space, windows or clothes drying areas.
- e) Subject to Council collection policy, common garbage storage areas must be sized to either accommodate the number of individual bins required or to accommodate sufficient larger bins with the minimum dimensions in Table 6-1.

TABLE 6-1: MINIMUM GARBAGE STORAGE AREA DIMENSIONS

| BIN SIZE | DIMENSIONS |
|------------|------------------------------|
| 660 litres | 1070 x 910 x 635 millimetres |
| 240 litres | 1180 x 740 x 570 millimetres |

- f) The size and number of the waste bins shall be determined having regard to the need for either on-site access by collection vehicles or the requirement for bins to be wheeled to the street for collection by a contractor. If transferred to the street for collection, the body corporate or a caretaker must be responsible for the movement of bins to their collection point.

This page has been left blank intentionally

7.0 Residential development controls

7.1 SEPP 65 AND RESIDENTIAL FLAT DESIGN CODE

In addition to other controls in this Plan, the provisions in the Residential Flat Design Code associated with State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) are adopted in this Plan to apply to residential development in the Tweed City Centre including flats, multi dwelling housing, any residential component of a mixed use development, and serviced apartments that are strata titled. In particular, Parts 2 and 3 of the Code are to apply to the city centre and include provisions for the following:

- Site configuration including deep soil zones, fences and walls, landscape design, open space, orientation, planting on structures, and stormwater management,
- Site amenity including safety and visual privacy,
- Site access including building entries, parking, pedestrian and vehicle access,
- Building configuration including apartment layout, balconies, ceiling heights, flexibility, ground floor apartments, internal circulation, mixed use and storage,
- Building amenity including acoustic privacy, daylight access and natural ventilation,
- Building form including awnings and signage, façades and roof design, and
- Building performance including energy efficiency, maintenance, waste management and water conservation.

Where there is an inconsistency between other provisions in this Plan and the Residential Flat Design Code, this Plan prevails to the extent of the inconsistency.

7.2 HOUSING CHOICE AND MIX

A choice of apartment types and mix of sizes in the city centre should be provided to cater for a variety of socioeconomic groups.

Objectives

- 1) Ensure that residential development provides a mix of dwelling types and sizes to cater for a range of household types.

- 2) Ensure that dwelling layout is sufficiently flexible for residents' changing needs over time.
- 3) Ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.
- 4) Ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.

Controls

- a) To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following mix and size:
 - studio and one bedroom units must not be less than 10% of the total mix of units within each development,
 - three or more bedroom units must not be less than 10% of the total mix of units within each development, and
 - For smaller developments (less than six dwellings) achieve a mix appropriate to the locality.
- b) For development built by (or on behalf of) the Department of Housing, an alternative mix of unit types may be approved, subject to housing needs being demonstrated by the Department.
- c) For residential apartment buildings and multi-unit housing, 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved.
- d) Where possible, adaptable dwellings shall be located on the ground floor, for ease of access. Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access from the basement to allow access for people with disabilities.

- e) The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).
- f) Car parking and garages allocated to adaptable dwellings must comply with the requirements of the relevant Australian Standard for disable parking spaces.

7.3 RESIDENTIAL DESIGN FOR A SUBTROPICAL CLIMATE

7.3.1 Natural ventilation

Ventilation is required for cooling dwellings and to avoid stale air. The BCA requires all habitable rooms to have adequate flow through or cross ventilation which can be natural or mechanical.

Natural ventilation is preferable for a high quality living environment and energy efficiency, and is particularly important in a subtropical climate. Where natural ventilation is not available to all rooms, such as in a loft style conversion, mechanical ventilation may be necessary.

Adequate natural ventilation requires cross ventilation. Cross ventilation is easily achieved in apartments that extend the full building depth and have window and door configurations that allow unimpeded air movement through the full depth of the apartment. Changes in height between incoming and existing air also encourage cross ventilation.

In situations where apartments cannot extend the full width of the building, ventilation shafts and courtyards can make it possible for cross ventilation to occur.

Objective

- 1) To ensure development can be naturally ventilated.
- 2) To ensure high quality internal amenity.
- 3) To enhance energy efficiency through passive thermal control.

Controls

- a) All new residential development to demonstrate how sufficient natural ventilation can be achieved in principal habitable rooms.
- b) Natural ventilation is to be provided via doors or openable windows:
 - The aggregate opening size should not be less than 5 percent of the floor area of the room to be ventilated, where such openings face the sky or a suitably sized courtyard or verandah which is open to the sky.
 - Natural ventilation may be provided from an opening in a wall shared with an adjoining room: the size of that opening should not be less than 5 percent of the floor area of the room to be ventilated, and the size of the window or other openings in the adjoining room should not be less than 5 percent of the combined floor areas.
 - Where dependent on natural ventilation, dwellings should not have sole access to outside air via lightwells or enclosed building setbacks.
 - When mechanical ventilation is incorporated it should only be used as a supplementary measure in the following situations:
 - high noise,
 - high levels of air pollution or odour, and
 - where site constraints prohibit apartment layout that facilitates natural ventilation.

7.3.2 Shading

Housing design should take advantage of winter sun and provide protection from the severity of summer sun. The most effective way of controlling the overheating of a dwelling, is to prevent summer sun from reaching glazed areas through external shading.

Objectives

- 1) Integrate external window shading into the design of the building to improve the comfort and energy efficiency of housing.

7.0 Residential development controls

Controls

- Provide for external shading to a dwelling's north, east and west facing windows.
- For north facing windows, use horizontal shading devices (adjustable or fixed) that maximise winter sun penetration and reduce summer sun penetration. Examples of horizontal shading devices are deep awnings, upper floor balconies, pergolas, eaves and overhangs.
- For east and west facing windows, use vertical shading devices to block the low rays of the rising and setting summer sun. Examples of vertical, shading devices are blinds, shutters, adjustable external awnings and landscaping. Where practical, and without compromising the design elements, reduce the extent and size of east and west facing windows to reduce low summer sun penetration into the dwelling.
- Use landscaping to reduce summer heat gain, by controlling sun penetration and shading dwellings and outdoor spaces, without reducing solar access in winter.

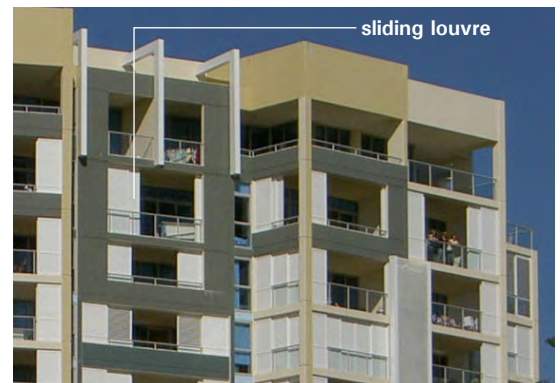


Figure 7-1: Examples of external adjustable and fixed shading devices that increase comfort and encourage a greater indoor/outdoor lifestyle through amenable balconies and terraces.

7.3.3 Balconies and terraces

Well designed balconies and terraces have the potential to improve residential amenity and the lifestyle of residents. Outdoor living can be enjoyed in higher density housing developments if the balcony design carefully considers size, proportions and environmental issues such as sunlight access and controlled protection from strong wind.

Detailed balcony design also has a significant effect on the architectural character of a residential development.

Objectives

- 1) To encourage well designed balconies to provide the enjoyment of outdoor living for all residents.

Controls

- a) Balconies are to:
 - have a minimum depth of:
 - 2 metres for 1 and 2 bedroom dwellings, and
 - 2.4 metres for 3 bedroom dwellings.
 - have a minimum area of:
 - 6 square metres for 1 and 2 bedroom dwellings, and
 - 7 square metres for 3 + bedroom dwellings.
 - include sun screens, pergolas, shutters, openable walls and other devices for the control of sunlight and wind to increase the usefulness of balconies, particularly in the upper levels of high rise buildings, and
 - in certain circumstances, allow fully enclosed balconies with openable louvres or screens to become outdoor rooms and extensions of the living area.

7.4 DWELLING HOUSES

The Tweed Shire Development Control Plan 2008 applies to dwelling house development in the Low Density and Medium Density Residential Zone in the Tweed City Centre.

7.5 MULTI DWELLING HOUSING

Section A1 of the Tweed Shire Development Control Plan 2008 applies to multi dwelling and shop-top housing development of 3 storeys or less.

7.6 RESIDENTIAL FLAT BUILDING

State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP65) and the Residential Flat Design Code apply to residential flat buildings in all relevant zones in the Tweed City Centre.

7.7 DUAL OCCUPANCY

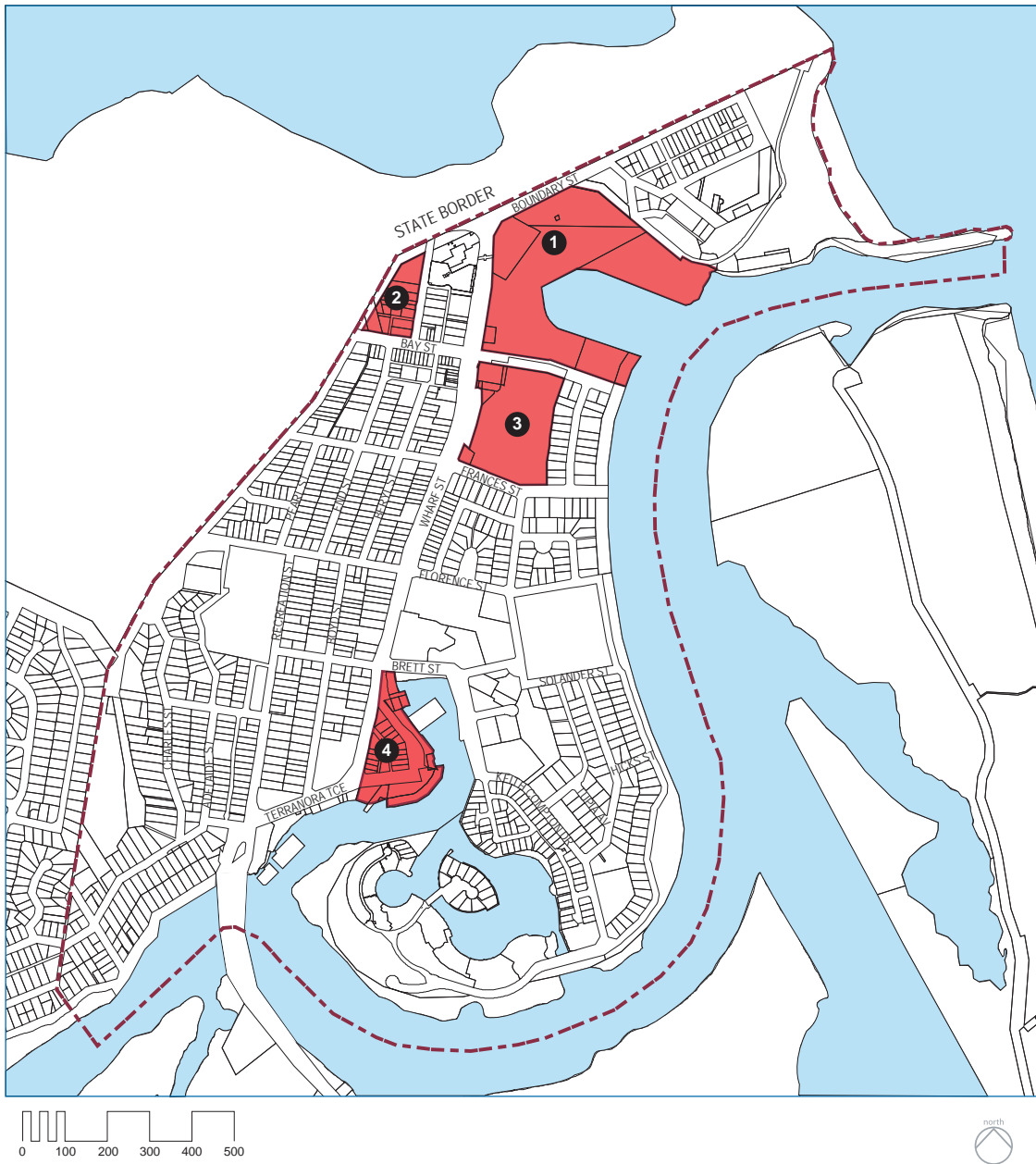
The Tweed Shire Development Control Plan 2008 applies to dual occupancy development in the Low Density and Medium Density Residential Zone in the Tweed City Centre.

8.0 Controls for special areas

Throughout the city centre, a number of “special areas” have been identified in recognition of their location, attributes, size and development potential.

This DCP has identified 5 special areas (see Figures 8-1 and 8-2), each of which has its own set of objectives linked to the relevant development controls. These controls must be considered in addition to the general controls addressed previously in this Plan.

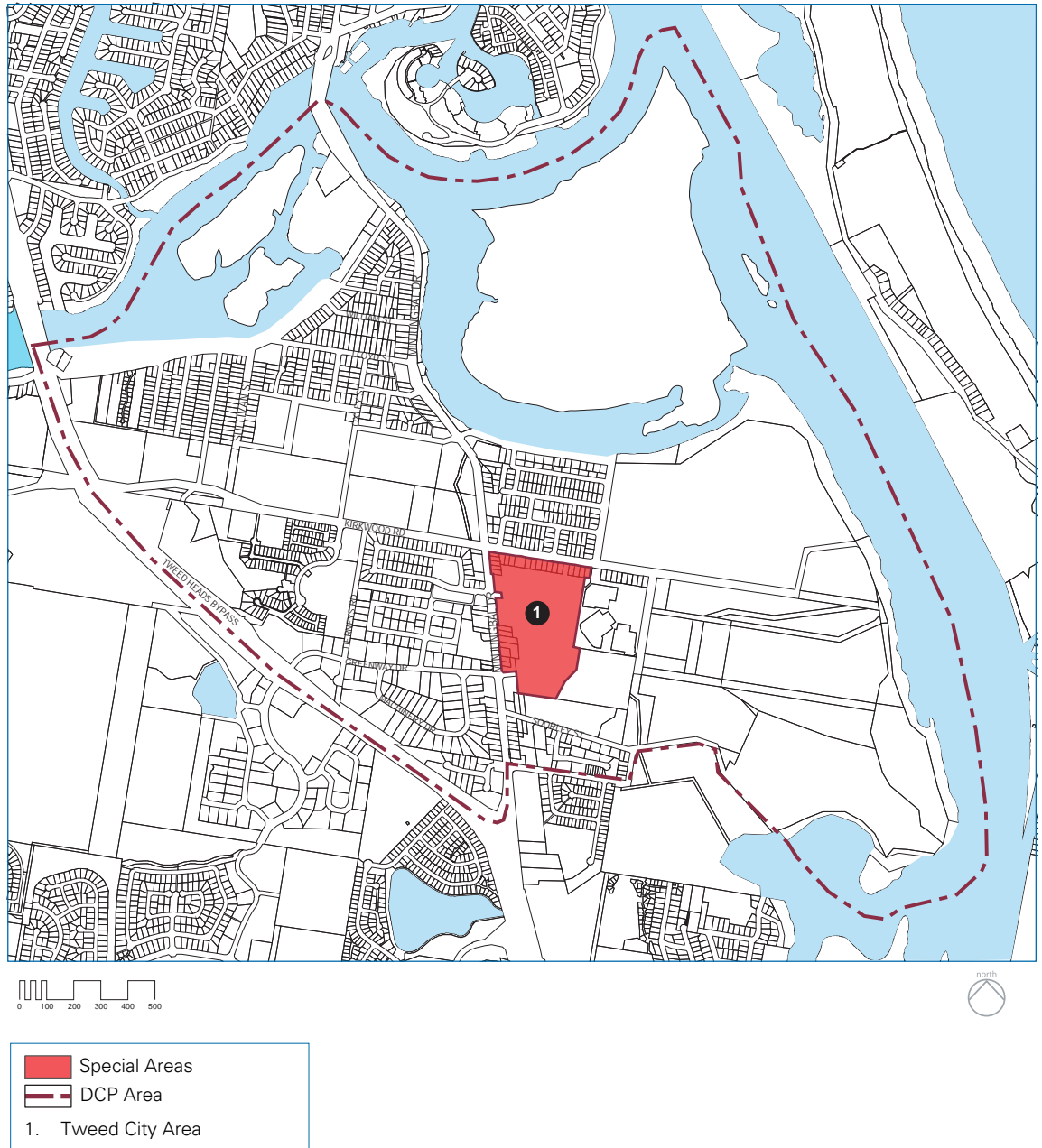
FIGURE 8-1: SPECIAL AREAS – NORTH



- Special Areas
 - DCP Area
1. Jack Evans Boat Harbour
 2. Stuart Street / Border Area
 3. Centro Area
 4. Southern Boat Harbour Area

8.0 Controls for special areas

FIGURE 8-2: SPECIAL AREAS – SOUTH



8.1 SPECIAL AREAS AND CONTROLS

8.1.1 Jack Evans Boat Harbour

Objectives

Jack Evans Boat Harbour will be the recreational and tourism centrepiece for the Tweed City Centre. This currently underutilised but strategically located public space will be transformed into a lively and diverse leisure hub for Tweed Heads, that provides a focus for activities for residents and visitors of all age groups, both day and night.

Controls

Land ownership

Except for a small number of private land holdings, Jack Evans Boat Harbour (JEBH) is primarily in the ownership of the NSW Government, which will be retained as operational land and dedicated as public open space Figure (8.3).

Links and connections

- a) Access to and around the harbour is to be significantly improved.
- b) A new high quality pedestrian walkway and boardwalk is to be provided all the way around the harbour, including a new pedestrian link over the harbour opening where it joins the Tweed River.
- c) New better quality pedestrian connections will be provided from the adjacent street network into the JEBH area, including disabled access.

Public space

- d) The existing underutilised public space is to be transformed into a series of high quality destinations along the harbour, ensuring that a range of experiences can be enjoyed. These will include the Indigenous Place project, playground areas, public plazas and market spaces, promenades, BBQ areas, cafés and restaurants, a marina facility and associated tourist/cultural centre along Coral Street.

Built form

- e) New buildings adjoining the JEBH are to be of high architectural design quality.
- f) Buildings along Coral Street are to be a maximum of four storeys with roof gardens and active frontages to Coral Street.
- g) Architectural and servicing improvements are to be made to the Twin Towns Club in order to improve its visual impact, public domain interface and pedestrian connections with the harbour.

Public domain interface

- h) Existing surface car parking areas are to be consolidated to the edges of the park along surrounding streets and landscaped to improve pedestrian amenity.
- i) Active street frontages are to be provided around all new buildings.
- j) The visibility of the Harbour is to be improved from Bay Street.
- k) The interface between Twin Towns Club and the harbour needs to be significantly improved. This should include new active uses at ground level to replace the existing car parking area facing onto the water, and the improvement of access to the Club from JEBH.

8.0 Controls for special areas



Figure 8-3: Jack Evans Boat Harbour Special Area Plan

8.1.2 Stuart Street/Border Area

Objectives

This strategic site lies at the heart of both Tweed Heads and Coolangatta, and presents an excellent opportunity to interlink the two urban areas in a more seamless way. It is envisaged that, in the longer term, the existing school and old fire station site will be the focal point of the business core of Tweed Heads, with new lively pedestrian laneways, a light rail stop and a new public open space with existing established fig trees.

Controls

Links and connections

a) Due to the strategic positioning of these sites, improved opportunities for movement around and through the site will be important to a successfully functioning cite centre. A number of new shared pedestrian and service lanes are to be provided (as indicated in Figure 8-4), and the existing laneways are provide streetscape improvements to enhance pedestrian amenity.

b) The public transport interchange could be incorporated to the east of the old fire station site on the Council’s operational land that provides for rapid transit route, pedestrian and cyclist connections at grade.

On 19 July 2011, Council resolved not to include the southerly extension of light rail south of the Coolangatta Airport Hub in any medium/long term Tweed Shire Public Transport Strategy. Accordingly, the preservation of the identified rapid transit route through Lot 1 DP 880816 may not be mandated as part of this Plan. Prior to lodgement of any application, applicants are encouraged to investigate design opportunities for public transport movement and interchange/ stops for the site and discuss with Council officers to establish Council’s position and requirements for public transport at the time.



Figure 8-4: Stuart Street/Border Area

Public space

- c) Provide a new public space running along the western edge of Stuart Street (as identified as 'Fig Tree Park' in Figure 8-4) that retains as many of the existing established fig trees as possible.
- d) The width of the park, and the distance to any new buildings, are to be carefully considered to allow for the necessary distance from the fig tree canopies to ensure their ability to survive and thrive.

Built form

- e) Building typologies are to include street defining courtyard style blocks with tower elements (as indicated in Figure 8-4). The courtyard/podium buildings are to be 4-6 storeys, reducing in scale to 3-4 storeys when fronting new pedestrian laneways.
- f) A maximum of four well separated towers are permitted, (as indicated in Figure 8-4).
- g) Buildings directly to the north of the new Fig Tree Park are to be a maximum height off 16m to minimise lunchtime overshadowing in winter, and to maintain a human scale to the park.

Public domain interface

- h) Active street frontages are to be provided along all streets at ground level. Active street frontages are to be provided along the majority of laneways (service functions are permissible but must be well designed and screened with public artwork).
- i) Parking structures above ground level are to be attractively and imaginatively designed as artwork screens.

8.0 Controls for special areas

8.1.3 Centro Shopping Centre

Objectives

- 1) To transform the area from a mono-functional shopping centre with blank façades and service areas fronting adjoining streets, to a welcoming and attractive mixed use precinct based on active street frontages to Bay, Wharf and Frances Street. This will involve the redevelopment of the existing shopping centre site and the incorporation of new mixed use buildings with new street frontages of retail/commercial functions.
- 2) To create a new pedestrian friendly and active street along Bay Street which complements proposed improvements to Jack Evans Boat Harbour.

Controls

Links and connections

- a) Provide improved pedestrian connections from Bay, Wharf and Frances Street into the Shopping Centre. The existing entrances on Wharf Street and Frances Street are to be enhanced by new public plazas enabled by the consolidation and relocation of some surface parking.
- b) Resolve existing conflicts between the currently dominant vehicular movement and more vulnerable pedestrian movement.

Public space

- c) Currently the shopping centre is dominated by surface car parking on Wharf and Frances Streets. Consolidating parking into new multideck levels within existing carparks would enable the creation of new attractive pedestrian entry plazas lined with shops and cafés.
- d) New active uses along Bay Street will reinforce the importance of Jack Evans Boat Harbour as a key public space in Tweed Heads.
- e) Streetscape improvements around the shopping centre and new pedestrian crossings will encourage further pedestrian movement.

Built form

- f) New 3-6 storey buildings are to be built to the street edge along Wharf, Bay and Frances Streets. Taller buildings may be considered setback from the street frontage level.
- g) The existing surface parking areas should be relocated behind new street defining active use buildings and consolidated into multideck parking stations, as indicated in Figure 8-5.

Public domain interface

- h) Active street frontages are to be provided along Wharf, Bay and Frances Streets. On the corner of Bay and Wharf Street, the existing Woolworths supermarket and service areas are to be redeveloped into a new active frontage and attractive corner building that is appropriate to the very important and highly visible location. On Wharf Street, the existing colonnade should frame a new entry plaza.
- i) Continuous awnings should be provided along Wharf, Bay and Frances Street.
- j) Parking and service areas exposed to the public domain are to be minimised and attractively screened. Primary servicing is to take place from the rear servicing lane along the western edge of the site. Smaller internal service areas may be considered along Bay and Frances Street.

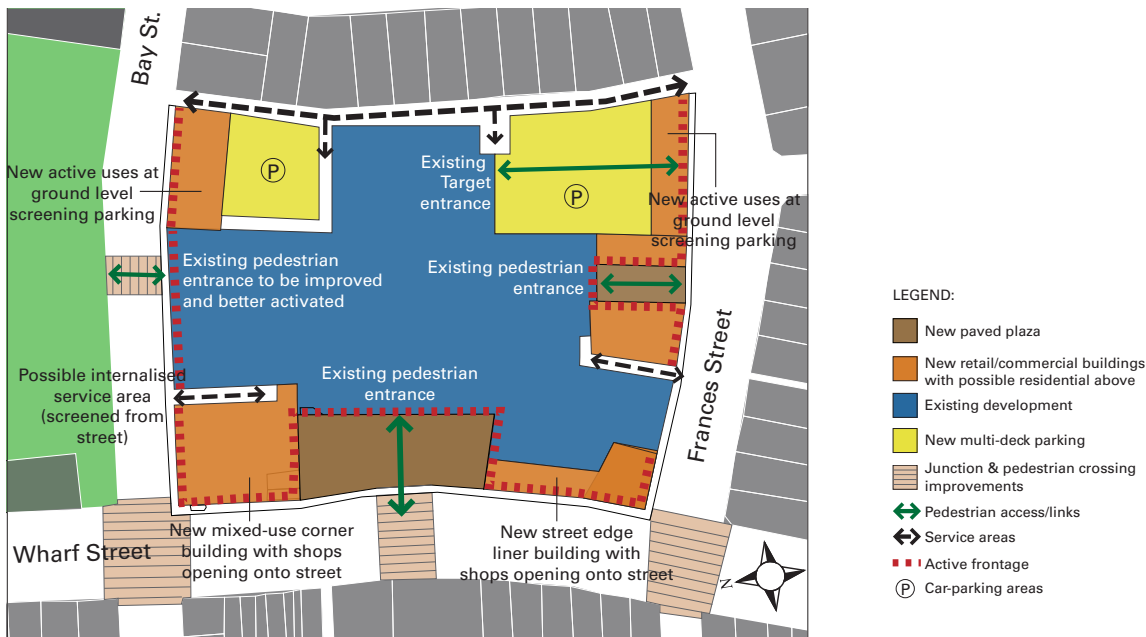


Figure 8-5: Centro Area

8.1.4 Southern Boat Harbour

Objectives

- 1) To create a revitalised southern gateway to Tweed City Centre. This highly attractive location has good exposure to the main street and boat harbour. There is an opportunity to rejuvenate this intimate boat harbour and tourist area into a mixed-use destination containing residential uses, tourist activities and accommodation, a function centre, and restaurants and cafés addressing the boat harbour frontage (as indicated in Figure 8-6).
- 2) To promote the maritime theme of the boat harbour, and to encourage and facilitate tourism and boating on the Tweed River.

Controls

Land ownership

- a) Rationalise existing opportunities to consolidate and rationalise land ownership on Monastery Hill so that more desirable development outcomes are achieved (see Figure 8-7).

Links and connections

- b) Provide new walking and cycle links around the harbour that connect to regional walking and cycle links to the north and south.

Public space

- c) Provide a new paved shared plaza along River Terrace where tourist uses can spill out onto, and connect directly with, the harbour activities. The shared space allows vehicular access to the harbour and to adjacent buildings, but within a pedestrian priority environment.

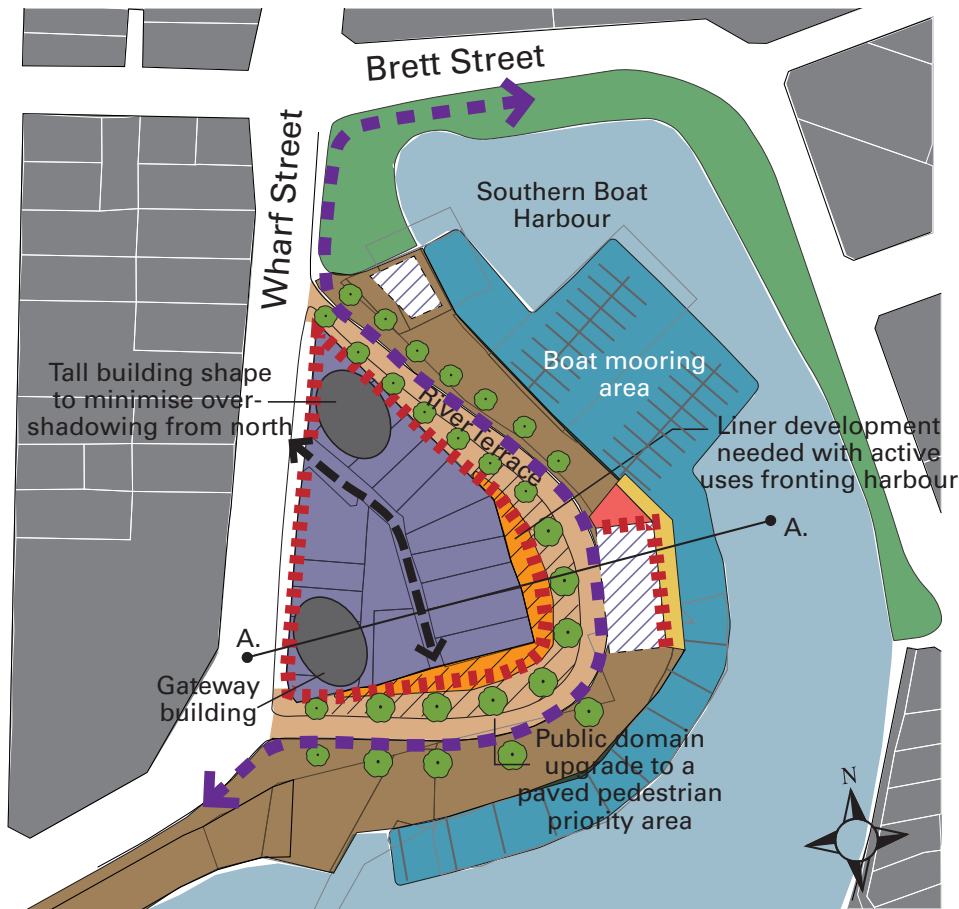
Built form

- d) It is envisaged that the redevelopment of this area will allow for up to two tall buildings of high architectural quality that can mark this important city gateway site. The taller buildings are envisaged to be slim-line with a maximum gross floor area (per floor) of 700-900 square metres, depending on land use, and located at the northern and southern tip of the River Terrace. Vehicular access to the development should be off Wharf Street, or from an internal laneway system.

Public domain interface

- e) Active street frontages are to be provided along the length of the River Terrace and along the corners with Wharf Street. Lively active uses are encouraged fronting the harbour including restaurants and cafés with outdoor dining areas.
- f) Car parking is to be entirely accommodated within the block with active frontages at ground level and the first floor level.

8.0 Controls for special areas



LEGEND:

- Parks and greenery
- Land needed to make positive edge to public domain
- Paved shared street surface
- Public access to foreshore
- Waterfront activity area
- Public outdoor eating area (indicative location)
- Possible future development (zoned land)
- Indicative footprint of potential future development
- Taller building elements
- Regional cycleway & walkway
- Ground floor active frontage
- Potential vehicle/service access

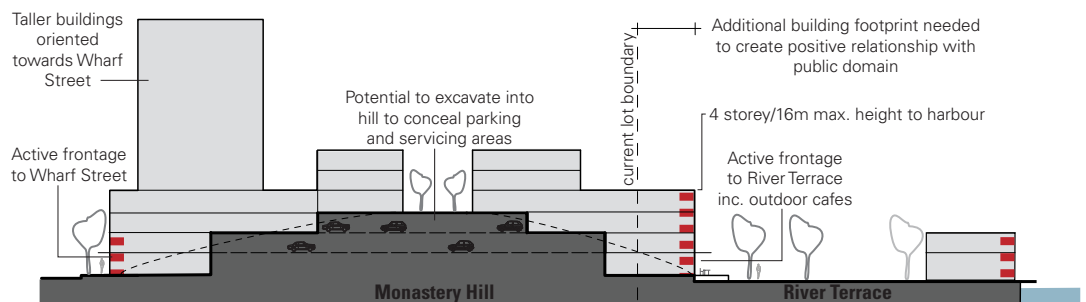


Figure 8-6: Southern Boat Harbour Special Area Plan

Figure 8-7: Preferred land consolidation model for Monastery Hill

8.1.5 Tweed City Shopping Centre

Objectives

To allow for the long term growth and staged expansion of Tweed City Shopping Centre, transitioning the existing shopping centre into a precinct that engages both Minjungbal Drive and Kirkwood Road. This may involve the expansion of the existing shopping centre and/or construction of new retail/commercial buildings, rationalisation of parking and service areas so as not to dominate the public domain, and the creation of a public plaza.

Controls

Land ownership

- a) The majority of the land necessary to revitalise this area is in the ownership of Tweed City Shopping Centre. In order to ensure that the desired built form outcome is achieved, a number of small land holdings should be rationalised and consolidated.

Links and connections

- b) Provide multiple, direct, legible and safe pedestrian connections into and through the site, from both Kirkwood Road and Minjungbal Drive to the Shopping Centre.
- c) Resolve existing conflicts between the currently dominant vehicular movement and more vulnerable pedestrian movement.

Public space

- d) Provide a public plaza along Minjungbal Drive associated with primary pedestrian access points to the existing shopping centre (as indicated in Fig 8-8). The plaza is to contain active street frontages and consist of high quality materials, finishes and street furniture. Outdoor dining areas will be encouraged.
- e) Streetscape improvements and safe pedestrian crossing points will be required, particularly where adjacent to the public plaza.

Built form

- f) Any extensions to the shopping centre are to address their respective street frontages
- g) New buildings should address Minjungbal Drive.
- h) Parking including a mixture of surface, multi-deck and where appropriate, basement level parking areas are to provide appropriate urban responses to both Minjungbal Drive and Kirkwood Road in the form of articulated street frontages as indicated in Figure 8-8
- i) Service areas are to be located at rear of buildings where practical or appropriately screened from the public domain.

Public domain interface

- j) Active or articulated street frontages are to be provided along all buildings on Minjungbal Drive on at least the ground and first floor, along the ground floor at Kirkwood Road, and around the new public plaza
- k) Uses associated with a high level of activity, such as cafés and restaurants with outdoor dining areas, are encouraged in the public plazas.
- l) Where future retail areas have an active street frontage, pedestrian awnings should be provided.
- m) Parking areas should be clearly identifiable to ensure safe and efficient access and incorporate articulated street edge treatments to enhance streetscape and visual character.

8.0 Controls for special areas



LEGEND:

- Existing development
- Future development
- New public plaza (indicative location)
- Pedestrian link to existing entries and possible future connections
- Active frontage
- Articulated street frontage / screening

Figure 8-8: Tweed City Shopping Centre

8.2 DESIGN EXCELLENCE

8.2.1 *Architectural design competitions*

Good building design should positively contribute to the overall architectural quality of the city and provide buildings appropriate to their context. In some circumstances, this contribution may be as an iconic or landmark building, but more typically it is as a well mannered building that fits sensitively into the streetscape.

Objectives

To improve the design quality of city buildings, the Tweed Local Environmental Plan requires all buildings proposed to be 35m or higher, to be designed as a result of an architectural design competition.

Provisions

In determining a development application, the Tweed Local Environmental Plan requires the consent authority to consider whether the proposed development is the result of an architectural competition that facilitates design excellence.

The architectural design competition is to be in accordance with the Director General of the Department of Planning & Infrastructure procedures (advice available from Council).

An architectural competition can be undertaken at either the development plan stage or the development application stage.

9.0 Glossary

Above awning sign – A projecting sign on top of an awning.

Awning – An awning is a predominantly horizontal structure that projects over a footpath from the host building to provide weather protection for pedestrians

Awning fascia sign – A sign on the fascia of an awning or verandah.

Fascia sign – A sign on the fascia of an existing awning or verandah.

Habitable room – Any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, study, kitchen, sun room and play room.

Identification sign – A sign used to identify a site, building, building use or tenant.

Illuminated sign – A sign which is internally or externally lit by artificial lighting whether that lighting is integral to or separate from the sign, include signs that have flashing or sequenced lighting, spotlighting, directional, projected or laser lighting.

Lane – An external space which is uncovered and open to the sky and which provides permanent pedestrian and/or vehicle connections through the city fabric at all hours.

Non-habitable room – Spaces of a specialised nature not occupied frequently or for extended periods, including bathrooms, toilets, pantries, walk-in wardrobes, corridors, lobbies, photographic darkrooms and clothes drying rooms.

Porte cochère – A porch, often used in hotel development, large enough for vehicles such as tourist coaches to pass through.

Projecting wall sign – A sign projecting in either a horizontal or vertical direction from the wall of a building.

Promotional sign – A sign on land or a building that advertises either:

- goods or services not provided by an occupier of a significant portion of the premises on which the sign is attached, or
- an event or activity not conducted on the land or in the building.

Roof sign – A sign above parapet level of a building on the uppermost structural elements and attached to lift motor and plant rooms.

Silhouette – A building outline viewed against the sky.

Street alignment – The boundary between land allotments and a street or lane.

Street frontage height – The vertical distance measured in metres at the centre of the street frontage from the average of the street levels at each end of the frontage to the parapet level of the frontage. The parapet level is the horizontal plane in which at least two thirds of the length of the top of the façade is situated. No part of the façade is to be less than 80 per cent of the height.

Through site link – An enclosed or partly enclosed arcade within development that has a public character, provide right of way and are open and accessible at each end.

Top hamper sign – An advertisement attached to the transom of a doorway or display window of a building.

Under awning sign – A sign located below or otherwise supported from the underside of an awning.

View – An extensive or long range prospect of particular objects or geographic features.

Vista – A view along a street terminated by a building or structure such as an obelisk.

This page has been left blank intentionally

