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Tweed City Centre Local Environmental Plan 2012

Current version for 1 July 2013 to date (accessed 2 September 2013 at 15:31)

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6.10 Design excellence

- (1) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies.
- (2) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (3) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,
 - (d) the requirements of the Tweed City Centre DCP,
 - (e) how the development addresses the following matters:
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) solar access controls,
 - (viii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (ix) the achievement of the principles of ecologically sustainable development,
 - (x) pedestrian, cycle, vehicular and service access, circulation and requirements,

- (xi) the impact on, and any proposed improvements to, the public domain.
- (4) Development consent must not be granted to the following development on land to which this Plan applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development:
- (a) development having a capital value of more than \$2,000,000 on land identified as “Key Sites” on the Key Sites Map,
 - (b) development in respect of a building that is, or will be, higher than 35 metres,
 - (c) development for which the applicant has chosen to have such a competition.
- (5) Subclause (4) does not apply if the Director-General certifies in writing that the development is one for which an architectural design competition is not required.
- (6) Development consent may be granted for the erection or alteration of a building on land to which this clause applies that has a floor space ratio of up to 10% more than that allowed by clause 4.4 or a height of up to 10% higher than that allowed by clause 4.3 (or both), but only if:
- (a) the building has a gross floor area of not more than 10% greater than that allowed by the Floor Space Ratio Map, and
 - (b) the building has a height of not more than 10% higher than that allowed by the Height of Buildings Map.
- (7) However, development consent must not be granted under subclause (6) unless:
- (a) the design of the building or alteration is the winner of an architectural design competition, and
 - (b) after considering the matters referred to in subclause (3), the Director-General concurs with the granting of the development consent.
- (8) In determining whether to provide concurrence under subclause (6), the Director-General must take into account the matters set out in subclause (3) and whether the proposed development exhibits design excellence.
- (9) In this clause:

architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.

Design Excellence Guidelines means the Design Excellence Guidelines issued by the Director-General, as amended from time to time.

Tweed City Centre DCP means the *Tweed City Centre Development Control Plan*, as in force at the commencement of this Plan.

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