

2 [AM] Design Review Panel

Submitted by Administrator Turnbull

RECOMMENDATION:

That Council creates a Design Review Panel to act in an advisory capacity for significant developments in the Tweed. The Design Review panel members are to be experienced architectural and urban design practitioners that are not involved in development projects in the Tweed. The panel is to comprise six (6) members from which three (3) members can be called upon as required by Council to provide advice on the architectural and urban design merits of particular development applications prior to consideration by Council

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3 [AM] Delegations to Planning and Development

Submitted by Administrator Turnbull

RECOMMENDATION:

That the Tweed Shire Council's delegations of power, authority and duty policy to Planning and Development be amended as follows:-

1. That paragraph 4.1.37 – be amended to read

“Approve and/or set conditions for development consent and complying development certificates where the proposal as lodged or amended complies or significantly complies with Council's planning instruments, policies and guidelines and where the stated value of the proposal is \$1,000,000 (\$1M) or less.

2. Paragraph 4.1.38 – be amended to read

“Refuse development applications and complying development certificate applications that are not consistent with local environmental plans, development control plans, Council policy, State Government legislation or policies or s.79(c) assessment clearly warrants refusal unless any non-compliance is of a trivial or of an inconsequential nature.”

3. Paragraph 4.1.39 – be amended to read

“Determine applications under Part 5 of the *Environmental Planning & Assessment Act* 1979 where such applications comply with Council's planning instruments, policies and guidelines except in instances where a Species Impact Statement is required, where such applications will be determined by the full Council.”

4. Paragraph 4.1.41 – be amended to read

“Determine modification applications under s.87 & s.96 of the *Environmental Planning & Assessment Act* 1979 where such applications comply with Council's planning instruments, policies and guidelines unless such applications rely on existing and/or continuing use rights, in which case such applications shall be determined by the full Council.

5. That the following clauses be inserted after 4.1.55 and subsequent clauses be renumbered:

- No determination under delegated authority shall be made unless an application has been the subject of a report to Councillors/Administrators from the Director of Planning and Development. The report shall provide a summary of relevant information about the proposed development including
 - The address of the proposed development
 - The monetary value of the development
 - A brief description of the development including wherever possible a summary plan in diagrammatic form

 - No determination under delegation is to be made within five working days of the date of such report. The report shall be provided in written and electronic form.

 - An Administrator or Councillor may call up the application for determination by full Council.
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4 [AM] Cost - Development Applications

Submitted by Administrator Turnbull

RECOMMENDATION:

That the Director Planning & Development provides a report by 30 May to Council which provides options for ensuring that the stated cost development provided in development applications is consistent with the real cost of that development so that any scope for underreporting of development cost in development applications is minimised.

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5 [AM] Development Applications - Process

Submitted by Administrator Turnbull

RECOMMENDATION:

That the Administrators of Tweed Shire Council resolve:

At the request of a Councillor or Administrator a development application may be required to be brought to the full Council for determination irrespective of delegated authority within Council's delegation of power, authority and duty policy.

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