



Mr Troy Green
General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Dear Mr Green

Planning proposal PP_2019_TWEED_004_00 to amend Tweed Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone Lot 1747 DP 1215252, Seabreeze Estate, Pottsville from R2 Low Density Residential to SP2 Infrastructure – School and make associated map changes.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should not proceed for the reasons outlined in the enclosed Gateway determination.

In making the decision, I have noted that the land is currently zoned R2 Low Density Residential, which permits the intended use of the site as a school.

I consider that the planning proposal does not include appropriate evidence to justify the need for the proposal as a school is current permitted within the current zoning. I also determined that the proposal does not justify its inconsistencies with section 9.1 Direction 3.1 Residential Zones and the Department's Practice Note PN 10-001 Zoning for Infrastructure in LEPs, which encourages schools to be zoned as per the adjoining residential zoning.

Should you have any enquiries about this matter, I have arranged for Ms Rebecca Carpenter to assist you. Ms Carpenter can be contacted on 6643 6421.

Yours sincerely

6/3/2020
Monica Gibson
Executive Director
Local and Regional Planning

Encl: Gateway determination