

Gateway Determination

Planning proposal (Department Ref: PP_2019_TWEED_004_00): to rezone Lot 1747 DP 1215252, Seabreeze Estate, Pottsville from R2 Low Density Residential to SP2 Infrastructure – School and make associated map changes.

I, the Executive Director, Local and Regional Planning at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Tweed Local Environmental Plan (LEP) 2014 to rezone Lot 1747 DP 1215252, Seabreeze Estate, Pottsville from R2 Low Density Residential to SP2 Infrastructure – School and make associated map changes should not proceed for the following reasons:

1. the site is already appropriately zoned to enable Council's desired future use as a school;
2. the proposal is inconsistent with Department Practice Note PN 10-001 Zoning for Infrastructure in LEPs;
3. the proposal's inconsistency with section 9.1 Direction 3.1 Residential Zones has not been sufficiently justified; and
4. the proposal does not:
 - provide sufficient evidence for the need for a school in the locality and justification for the proposed restrictive zoning;
 - explain the conditional temporary zoning and how the 'alternative net community benefit' will be determined to allow its removal; and
 - outline how it will be effective in preventing the owner from land banking the site until the zoning returns to residential.

Dated 6th day of March 2020.



Monica Gibson
Executive Director
Local and Regional Planning
Department of Planning, Industry and
Environment

**Delegate of the Minister for Planning
and Public Spaces**