

Mr Craig Wrightson  
General Manager  
Lane Cove Council  
PO Box 20  
LANE COVE 1595

  
Dear Mr Wrightson

**Planning proposal PP\_2018\_LANEC\_002\_001 to amend Lane Cove Local Environmental Plan 2009**

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 to the planning proposal seeking to prohibit multi-dwelling housing in the R2 Low Density Residential zone and remove the development standards associated with this type of development under Lane Cove Local Environmental Plan 2009.

I understand Council has prepared this planning proposal in response to the recently released Low Rise Medium Density Housing Code, which came into effect on 6 July 2018. The Code is designed to facilitate faster housing approvals and deliver a diverse range of housing options to support NSW's changing demographics.

I acknowledge Council's desire to maintain the local character and visual amenity of the R2 Low Density Residential Zone in the Lane Cove local government area, particularly those areas adjacent to Lane Cove River.

Council will need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 3.1 Residential Zones.

Before the proposal can move to exhibition, additional information is required to support the planning proposal in relation to housing supply and diversity as follows:

- the total area of land currently zoned R2 and R3 in the local government area;
- the number of lots eligible for manor homes/multi-dwelling housing under the Low Rise Medium Density Housing Code in the R2 and R3 zone, taking into account the SEPP exclusions;
- the number of multi-dwelling housing and dual occupancy developments approved in the R2 Low Density Residential and R3 Medium Density Residential in the local government area in the last five years; and

- whether the proposal is supported by a housing strategy that has been developed in consultation with the community.

The information required to support the proposal is necessary to ensure that a full understanding of the outcomes of changing the planning controls in the R2 zone has on the future provision of housing diversity in the local government area. The proposal will need to be finalised by 1 July 2019.

I have considered the nature of this planning proposal, and given the implications this proposal may have on State policy, have decided not to issue Council with Plan-Making Authority.

Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The Department is available to discuss these matters in more detail and I have arranged for Ms Carina Lucchinelli, Senior Planner, Sydney Region East, to assist you. Ms Lucchinelli can be contacted on 9274 6563.

Yours sincerely

 6 July 2018  
**Stephen Murray**  
**Acting Deputy Secretary**  
**Planning Services**