

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-7459):** to increase the minimum lot size for dual occupancy (attached) development in the R2 Low Density Residential zone.

I, the Executive Director, Metro East and South at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan (LEP) 2014 to increase the minimum lot size for dual occupancy (attached) development in the R2 Low Density Residential zone should not proceed for the following reasons:

1. The proposal would significantly reduce the number of R2 Low Density Residential zoned lots eligible for dual occupancy (attached) development via both the development application (DA) and complying development certificate (CDC) pathways, resulting in reduced potential housing supply and opportunities for housing diversity.
2. The planning proposal would reduce potential additional housing supply and diversity and is inconsistent with the relevant aims, objectives or priorities of the following:
  - (a) the Greater Sydney Region Plan (Objective 10: Greater housing supply and Objective 11: Housing is more diverse and affordable); and
  - (b) the Eastern City District Plan (Planning Priority E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport).
3. There are inconsistencies and contradictions in relation to the justification and need to increase the minimum lot size for dual occupancy (attached) development to 1,200 sqm. In particular, there are gaps and deficiencies in the scenario testing of different minimum lot sizes against building bulk and deep soil / tree canopy outcomes.
4. The proposal is inconsistent with the Department's approval of the Woollahra Local Housing Strategy, which does not support the increase in the minimum lot size for dual occupancy (attached) development to 1,200 sqm.
5. The proposal would result in negative economic impacts as it would adversely affect the viability of dual occupancy (attached) development in the R2 zone and would restrict the ability of land to be developed to provide additional and more diverse housing.
6. The proposal is inconsistent with section 9.1 Ministerial Direction 6.1 - Residential Zones and partly inconsistent with 5.1 – Integrating Land Use and Transport.
7. The Woollahra Local Planning Panel has not specifically considered this planning proposal and consistency with the section 9.1 Ministerial Direction relating to Local Planning Panels has not been met.

Dated 4 May 2022.



**Amanda Harvey**  
Executive Director, Metro East and West  
Planning and Land Use Strategies  
Department of Planning and Environment

**Delegate of the Minister for Planning and  
Homes**