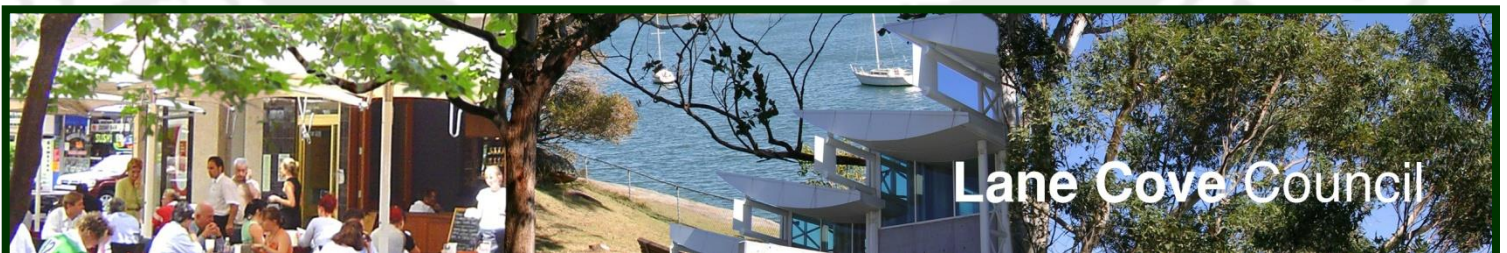


Minutes  
Lane Cove Local Planning Panel Meeting  
8 November 2022,



**Lane Cove Local Planning Panel 8 November 2022  
MINUTES**

**PRESENT:** Hon David Lloyd, KC, Mr Eugene Sarich, Planning Expert, Mr Kevin Hoffman, Planning Expert and Ms Maria Linders, Community Representative

**ALSO PRESENT:** Mr Mark Brisby, Executive Manager, Environmental Services, Mr Christopher Pelcz, Co-Ordinator Strategic Planning, Mr Terry Tredrea, Strategic Planner, Ms Angela Panich, Panel Secretary

**DECLARATIONS OF INTEREST:** Nil

**APOLOGIES**

Nil

**WEBCASTING OF COUNCIL MEETING**

The Chairperson advised those present that the Meeting was being webcast.

**LANE COVE LOCAL PLANNING PANEL REPORTS**

**PLANNING PROPOSAL NO. 40 - COMPANY-TITLED DUAL OCCUPANCIES**

**RECOMMENDATION**

The Local Planning Panel at its meeting of 8 November 2022 in its advice to Council, recommends that Council endorse Planning Proposal No. 40 in the following amended form for the purposes of a Gateway determination:

- (a) That Clause 4.1A of the Lane Cove Local Environmental Plan 2009 regarding the subdivision of dual occupancy development, be amended to read as follows:

***“4.1A***

*(1) despite any other provision of this Plan, development consent must not be granted to the subdivision of land on which a dual occupancy is erected or proposed to be erected, if the subdivision would result in the dwellings that comprise the dual occupancy being located on separate lots, except in accordance with subclause (2).*

*(2) Development consent may be granted to the subdivision of land on which a dual occupancy is erected or being erected subject to meeting the following conditions:-*

- (a) the land is in Zone R2 Low Density Residential; and*
- (b) the dual occupancy had been erected, or the building work for the erection of the dual occupancy had commenced, on or before 16 June 2022; and*
- (c) the erection was, or is being carried out, under a development consent or complying development certificate granted on or before 16 June 2022; and*
- (d) the plans approved by the development consent or complying development certificate show parts of the building as being intended for separate occupation; and*
- (e) the subdivision would create lots that substantially correspond with the parts shown on those plans as being for separate occupation; and*

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- (f) *the size of each lot resulting from the subdivision is not to be less than 375 square metres.*
- (b) *That the Planning Proposal be forwarded to the Department of Planning and Environment to request the issuing of a Gateway determination on behalf of the Council.*
- (c) *That the Council grant delegated authority to the general manager to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.*
- (d) *That Council gives consideration to revising its Local Strategic Planning Statement and its Local Housing Strategy to bring those policies into harmony with Planning Proposal No. 40.*

**Reasons for the Recommendation**

1. The Panel is concerned that the Planning Proposal in its original form is limited to those dual occupancies under Company Title under the Corporations Act 2001, thereby disadvantaging those dual occupancies which have not gone down that path.
2. The Planning Proposal as recommended above introduces equity to the owners of all existing and approved dual occupancy developments (i.e. approved on or before 16 June 2022).
3. The Planning Proposal as proposed in its original form fails to meet the strategic merit test.
4. The Planning Proposal as recommended above will not lead to an influx of dual occupancy development applications generally, since it is limited to existing dual occupancy developments or to those falling under the proposed sub clause 4.1A(2).

The decision of the Panel was unanimous

The meeting closed at 4.30 pm

\*\*\*\*\* **END OF MINUTES** \*\*\*\*\*