

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

Our ref: IRF22/4346

Via email: cpelcz@lanecove.nsw.gov.au

Dear Mr Wrightson

Planning proposal PP-2022-4155 to amend Lane Cove Local Environmental Plan 2009

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Lane Cove LEP 2009 Clause 4.1A to permit subdivision of currently approved dual occupancies under certain circumstances.

As delegate of the Minister for Planning and Homes, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination. Some conditions require the proposal to be updated prior to the exhibition of the planning proposal.

The proposed local environmental plan (LEP) is to be finalised **within 9 months** of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal **within 3 months** of the date of the Gateway determination.

In considering the nature of the planning proposal, I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with

milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Matthew Rothwell to assist you. Mr Rothwell can be contacted on 8275 1066.

Yours sincerely



19 January 2023
Brendan Metcalfe
Director, North District
Metro Central and North

Encl: Gateway determination