



New South Wales

Lane Cove Local Environmental Plan 2009 (Amendment No 41)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**CRAIG WRIGHTSON, GENERAL MANAGER
LANE COVE COUNCIL**
As delegate for the local plan-making authority

Lane Cove Local Environmental Plan 2009 (Amendment No 41)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Lane Cove Local Environmental Plan 2009 (Amendment No 41)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to land in Zone R2 Low Density Residential under *Lane Cove Local Environmental Plan 2009*.

4 Amendment of Lane Cove Local Environmental Plan 2009

Clause 4.1A Subdivision of dual occupancies

Insert at the end of the clause—

- (2) Despite subclause (1), development consent may be granted for the subdivision of land in Zone R2 Low Density Residential on which a dual occupancy is erected or proposed to be erected if—
 - (a) the subdivision would result in each dwelling comprising the dual occupancy being located on separate lots, and
 - (b) the dual occupancy was erected, or the building work for the erection of the dual occupancy commenced, before 16 June 2022, and
 - (c) the erection was, or is being carried out, under a development consent granted before 16 June 2022, and
 - (d) the consent authority is satisfied—
 - (i) the dual occupancy was originally intended to consist of 2 dwellings to be separately occupied, and
 - (ii) the resulting lots substantially correspond to the intended 2 separately occupied dwellings, and
 - (e) each resulting lot is not less than 375m².