



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref: EP&D:JWlb1966176

29 January 2021

Planning Policy
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

By email: localplanning@planning.nsw.gov.au

Dear Sir/Madam,

Proposed Local Character Clause

The Law Society appreciates the opportunity to comment on the Explanation of Intended Effect ("EIE"), which provides a framework for the identification and consideration of local character in the assessment of development applications. The Law Society's Environmental Planning and Development Committee contributed to this submission.

We understand it is proposed to amend the Standard Instrument Local Environmental Plan to include an optional local character provision and to adopt a map overlay which identifies the boundaries of a local character area, which will require the council to consider its Local Character Statement when assessing development applications. Changes to the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* are also proposed to provide for limited local character areas that may be excluded from the Low Rise Housing Diversity Code.

This is a welcome initiative. Great care will need to be taken, however, to ensure that Local Character Statements are clearly stated and that they reflect the scale and types of development permitted in areas undergoing transition, and it may be useful for the Department to provide guidance in this regard.

The Law Society appreciates the opportunity to participate in the reform process. If you have any questions about this submission, please contact Liza Booth, Principal Policy Lawyer, at liza.booth@lawsociety.com.au or on (02) 9926 0202.

Yours faithfully,

Juliana Warner
President