

29 January 2021

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

Online submission

To whom it may concern

**Re: draft Local Character Clause which is proposed to be included in the Standard Instrument Local Environmental Plan**

I write regarding the draft Local Character Clause to be included in the Standard Instrument Local Environmental Plan (LEP) proposed by the Department of Planning, Industry and Environment (the Department).

The Urban Taskforce **strongly opposes** the inclusion of the proposed clause in the Standard Instrument LEP on the basis of it allowing for repeated consideration of local character, having the consequence of giving legal effect to a “no change sentiment” favoured by NIMBYs and ultimately stymying the delivery of new housing and jobs needed for the younger generation.

**The inclusion of an LEP clause setting out local character areas and desired future character is a duplicated layer of strategic planning consideration**

The objectives of the proposed clause for inclusion in the Standard Instrument LEP are:

- (a) to identify local character areas,*
- (b) to promote the desired future character of local character areas.*

Local character areas and “Desired future character” should have been expressed by local Councils in their Local Strategic Planning Statement (LSPS) - the 20-year strategic plan for their LGA.

The Department's 2019 document - *Local Strategic Planning Statements – Guidelines for Councils* sets out that an LGA's LSPS “will be the primary resource to express the desired future for the LGA as a whole and for specific areas”. The community consultation and consideration of local character should have been comprehensively undertaken as part of Council's LSPS drafting and then given effect through zone objectives, development control tables and development standards in the subsequent LEP update.

To have an additional clause in an LEP to give effect to Local Character Statements in addition to the local character outcomes already identified in a Council's LSPS is repetitive and unnecessary.

Further, the Urban Taskforce is concerned about the poor use of rate/taxpayer money for repeated public consultation on local character. Additional consultation by some Councils on their draft Local Character Statements is particularly alarming in the context of them receiving up to \$2.5 million of taxpayer funded grants to complete their LSPS and submit their subsequent LEPs for plan-making.

**The inclusion of an LEP clause setting out local character areas will give legal effect to a “no change sentiment” favoured by NIMBYs**

Most Local Character Statements drafted by local councils to date fail to reflect the future character aspirations of the broader existing and future local communities and instead reflect the no change sentiments favoured by NIMBYs.

A review of Council community consultation reports suggests a successful community engagement program is one where 1% of the community is engaged. These consultation reports also illustrate the narrow socio-economic and demographic breadth of respondents. Councils are preparing LSPSs, LEPs and now Local Character Statements largely on the views of a vocal few who do not reflect the needs and aspirations of the broader and future community.

**The inclusion of an LEP clause setting out local character areas will stymie the delivery of new jobs and housing and exacerbate existing intergenerational inequity**

Inserting this ‘no change sentiment’ clause into LEPs will give Councils a legal tool to ignore the need to plan for longer term population increases and the subsequent delivery of new housing and jobs. When governments fail to plan for the new homes and jobs needed by future generations this will further drive up the price of, and capacity to pay for, housing.

To give legal effect to a ‘no change sentiment’ will exacerbate the growing issue of intergenerational inequity.

Baby boomers with privileged un-earned wealth (the home they bought cheaply and is now worth many multiples of their income) are increasingly the cohort who oppose growth and change. Young people won’t be able to afford a new home because the baby boomers oppose “change in the character of their suburbs” and Councils will utilise the new clause to stop the development of new housing.

Sydney, more than Melbourne, Perth or Brisbane, is constrained by geography and topography. Growth in Sydney therefore requires lateral thought and necessarily dictates changes to the local character of suburbs. The reality is that well designed, well built, high rise development will be increasingly needed to house Sydney’s growing population.

The local character of each and every locality, suburb, district and the region will change over time particularly in response to the yet to be fully understood consequences of the pandemic. What is known is that the local character of suburbs

needs to change – or they will change by themselves – as a result of the progressive decay of the city arising from the decline in the economy.

Urban Taskforce asserts that while there is a legitimate need to preserve genuine items on heritage and cultural significance, the protection of local character per se will kill off economic growth right at the time when the very opposite approach is required (post COVID-19).

The Urban Taskforce is always willing to work closely with the Government to provide a development industry perspective on proposed policy and planning changes.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Forrest', with a long horizontal flourish extending to the right.

**Tom Forrest**  
Chief Executive Officer