



Ms Monica Barone  
Chief Executive Officer  
City of Sydney Council  
GPO 1591  
SYDNEY 2001

Dear Ms Barone

**Sydney Local Environmental Plan 2012 (Amendment No 64)**

I refer to the proposal to amend Sydney Local Environmental Plan 2012 (LEP 2012) for Central Sydney.

I am pleased to advise that recently the Minister for Planning and Public Space's delegate, made the plan under section 3.36(2)(a) of the *Environmental Planning and Assessment Act 1979*, and under section 3.24(5) it will take effect when published on the NSW Legislation website.

I want to take this opportunity to congratulate you and your staff for the work they have undertaken and their dedications to help get to this important milestone. The Central Sydney Planning Strategy (the Strategy) is the largest review of Central Sydney planning controls in 45 years and has an important role in supporting the CBD's employment growth and contribute to environmental sustainability, design excellence and infrastructure.

I note the Central Sydney Planning Proposal's updates to LEP 2012 provides the legislative framework within which the strategy can be delivered. However, I would note the success of the Strategy will also be reliant on various supporting policies that provide more detailed guidance for the community and industry. This policy framework includes such things as the supporting Development Control Plan amendments, the draft Contributions Plan, the tower clusters provisions, and design excellence.

The legislative and policy frameworks must work as one. Supporting policies adopting overly prescriptive / complicated controls could undermine the broader objective of the Strategy and should be avoided. To ensure the full potential of the Strategy is realised, I encourage Council to continue collaboration and communication with industry to improve the understanding of Schedule 11 of the Development Control Plan and other elements of the policy framework.

In regards to Council's Draft Central Sydney Development Contributions Plan, the Minister supports the proposed maximum 3 percent levy, but with a staged introduction allowing a maximum levy of 2 percent on or before 30 June 2022 and 3

percent from 1 July 2022. The NSW Government's highest priority is to support the recovery from the COVID-19 pandemic. Staging the introduction of the maximum 3 percent levy will support business and market confidence and assist investment in Central Sydney as it recovers from the economic downturn.

I note Council's concerns with the change to the Martin Place View of Western Sky Public View Protection Plane. I have considered Council's response to submissions and believe the view protection plane is an unnecessary approach, being an equivalent control to the building height limit. The introduction of the public view plane acts as a prohibition to development and is more restrictive than the existing height development standard, which under existing controls could be varied through cl4.6, subject to assessment. Therefore, the instrument has been amended to allow for clause 4.6 to apply to this specific Martin Place view.

Finally, I would like to thank Council staff for their co-operation to collaboratively resolve and clarify aspects of what was a complex planning proposal and working with the Department to finalise the proposal.

Should you have any enquiries about this matter, I have arranged for Mr Malcolm McDonald to assist you. Mr McDonald can be contacted on 9274 6267.

Yours sincerely



**Grant Knoetze**  
**Acting Deputy Secretary**  
**Greater Sydney Place and Infrastructure**