



Alison McLaren
Executive Director
Metro Central and North
Planning and Land Use Strategy

By Email: metrocentralnorth@dpie.nsw.gov.au

11 October 2022

Dear Ms McLaren

Planning Proposal (PP-2022-2712) for heritage listing of 115, 117, 119, 121, 123, 125, 131 and 133 Holt Avenue, Cremorne

I refer to your letter dated 7 October 2022 regarding the Planning Proposal (PP2022-2712) for the heritage listing of various properties in Holt Avenue, Cremorne.

Council's correspondence dated 23 August 2022 acknowledged that the properties at 131-133 Holt Avenue were the subject of a successful Land and Environment Court appeal and subsequent Complying Development Certificate for demolition. In this context, the removal of these properties from the Planning Proposal is warranted and accepted.

Your rationale for the removal of the remaining six (6) sites, however, is most disappointing. The appeal for the application of the Interim Heritage Order for land at 115-119 Holt Avenue was dismissed by the Court. Council's appointed heritage expert concluded that there were clear grounds to support the inclusion of these properties in Schedule 2 of the North Sydney Local Environmental Plan 2013 as heritage items of local significance. The Court accepted Council's evidence and the investigations of the independent heritage expert, confirmed that all items identified in the Planning Proposal, were worthy of listing.

All the heritage reports that were presented to the Local Planning Panel, aside from Council's expert's report, were prepared on behalf of the affected property owners or their agents. The fact that these studies did not support the proposed listings, is hardly surprising. It was Council's GML report that was the only true independent report. In addition, citing the previous local government wide heritage studies as supporting evidence to conclude that the subject properties are not worthy of heritage listing, is flawed. By definition, a local government wide assessment clearly runs the high risk that individual properties may be missed given the wide-ranging scope of such work.

The character and heritage values of North Sydney's neighbourhood are, to a large extent, underpinned by protections afforded by the North Sydney LEP. Council continues to diligently adhere to its wider planning responsibilities of meeting jobs, dwelling and density targets and the increasing array of NSW Government imposed responsibilities. It does so responsibly and consistently. In this context, it is most disappointing that the Department of Planning chooses to impose its legislative power on such a local and detailed level. A level that really should be the domain of local decision making.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | **ABN** 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

In this context, please note that Council will be commencing the process to seek a Gateway Review from the Independent Planning Commission. Please accept this as due notice for such action.

Please call me on 9936 8300 if you would like to discuss this further.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Joseph Hill', written over a circular stamp or watermark.

Joseph Hill
DIRECTOR CITY STRATEGY

CC Brendan Metcalfe – Director North District