



**NORTH SYDNEY LOCAL PLANNING PANEL**

**PLANNING PROPOSAL**

**DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN THE COUNCIL CHAMBERS, NORTH SYDNEY, ON WEDNESDAY 13 JULY 2022, AT 11.00AM.**

**PRESENT**

**Chair:**

Jan Murrell in the Chair.

**Panel Members:**

Grant Christmas, Panel Member  
Gerard Turrisi, Panel Member  
Jane van Hagen, Community Representative

**Staff:**

Marcelo Occhiuzzi, Manager Strategic Planning  
Neal McCarry, Team Leader Policy  
Jayden Perry, Strategic Planner

**Administrative Support**

Hollie Whale, City Strategy Administration Officer (Minutes)

In accordance with the Covid 19 Public Health Order this meeting was conducted by remote (Zoom) means.

**1. Minutes of Previous Meeting**

The Minutes of the NSLPP Meeting of Wednesday, 8 June 2022 were confirmed following that meeting.

**2. Declarations of Interest**

Jane van Hagen – declared a perceived conflict of interest and it was agreed that in the interest of the independence of the Panel that she be excused from the meeting.

### 3. Business Items

*The North Sydney Local Planning Panel is a NSW Government mandated Local Planning Panel exercising the functions of North Sydney Council, as the Consent Authority, under Section 4.8(2) of the Environmental Planning and Assessment Act, 1979 as amended in relation to development applications, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018 in relation to Planning Proposals.*

*The Panel has considered the following Business Items and resolves to recommend each matter as described within these minutes.*

#### ITEM 1

<b>PP No:</b>	7/22
<b>ADDRESS:</b>	115, 117, 119, 121, 123, 125, 131 & 133 Holt Avenue, Cremorne
<b>PROPOSAL:</b>	To amend North Sydney Local Environmental Plan 2013 such that the properties at 115, 117, 119, 121, 123, 125, 131 & 133 Holt Avenue, Cremorne are identified as heritage items under Schedule 5 – Environmental Heritage and identification on the Heritage Map.
<b>REPORT BY NAME:</b>	Jayden Perry, Strategic Planner
<b>APPLICANT:</b>	North Sydney Council

#### Public Submissions

#### 8 Written Submissions

#### Registered Speakers

Fiona Gracie - Cremorne Conservation Group
Dr Anne Lytle Resident of Spofforth Street - Resident
Chris Cunningham-Reid – Helm
John Oultram -from John Oultram Heritage & Design
Mr W – representing a commercial firm
Stephen Davies from Urbis
Paula Mottek - Resident
Bernadette Kan - Resident
Graham Brooks – GBA Heritage
Samantha Polkinghorne – NBRS Architecture
James Phillips - Weir Phillips Heritage and Planning
Pamela Jeffery - City Plan Heritage

The Panel members have undertaken independent site inspections prior to the meeting.

**Panel Consideration:**

In making its recommendation to the Council on whether this Planning Proposal proceed to Gateway Determination the Panel is of the opinion that the options the Council may consider in its deliberations of this matter are:

- Defer consideration pending the outcome of the Court hearings on the Interim Heritage Order (IHO) in respect of certain sites. It is noted one appeal has been heard and awaiting judgment and the other is scheduled to be heard by the Court in approximately a week.
- Alternatively, if the Council is of the opinion that it make a decision now, given the six-month period contained in the IHO (issued 22 March 2022), then the Panel recommends to the Council that it not proceed with the Planning Proposal as both site specific and strategic merit has not been demonstrated.
- If the Council decides to wait for the Court decisions and defer the matter after a further inquiry, the Panel would be happy to reconsider the Planning Proposal in the fullness of time and this would also allow the planning process to take its course.

The Panel notes the Council's resolution to engage a heritage consultant to investigate a new conservation area over an extended area. The consultant's report considers that an HCA would not be warranted but instead recommends the heritage listing of 8 specific properties in Holt Avenue, Cremorne.

Based on the reports, information and submissions the Panel is not persuaded, given the extensive alterations and additions over decades, and in more recent years, that these properties would warrant listing as heritage items in their own right. Furthermore, the streetscape has been significantly altered by redevelopment over the years and the Panel agrees with the Council's heritage consultant that an HCA is not warranted.

It is also noted that these 8 sites have been zoned for many years to permit higher densities, however, the Planning Proposal does not seek to change the zoning. As noted above over the last few decades redevelopment has occurred that has changed the streetscape character in this section of Holt Avenue and the context of these sites in question. By way of comment, the Panel notes the character of this part of Holt Avenue between Spofforth St and Military Road has undergone significant change as a result of the zoning and is very different in character and form to the remainder of Holt Avenue that exhibits a much finer grain, subdivision pattern and a coherent built heritage form.

**Panel Recommendation:**

The Panel recognises its role in this matter is limited to making a recommendation only to the Council. In the opinion of the Panel the subject properties require a more thorough and lengthy inquiry to fully review and reconcile whether these 8 properties warrant being listed as heritage items and meet the necessary threshold for heritage listing under the North Sydney Local

Environmental Plan. Numerous heritage studies have been undertaken over the years by both the Council and heritage experts, suffice to say the advice differs significantly.

On the information before it, the Panel is not persuaded the properties meet the threshold for listing under the Heritage Assessment Guidelines and that the current Planning Proposal lacks both site specific and strategic merit and does not meet the objectives of the Act.

Voting was as follows:

<b>Panel Member</b>	<b>Yes</b>	<b>No</b>	<b>Community Representative</b>	<b>Yes</b>	<b>No</b>
Jan Murrell	<b>X</b>		Jane van Hagen Did not participate as Conflict of interest declared.		
Grant Christmas	<b>X</b>				
Gerard Turrisi	<b>X</b>				

The public meeting concluded at 12.25pm.

The Panel Determination session commenced at 12.35pm

The Panel Determination session concluded at 1.40pm

Endorsed by Jan Murrell

North Sydney Local Planning Panel

**13 July 2022**