



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

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

23 August 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 - Gateway Determination Request

I refer to your letter dated 11 August 2022 regarding the Planning Proposal (PP2022-2712) for the heritage listing of various properties in Holt Avenue, Cremorne.

It is acknowledged that several properties included in this Planning Proposal were the subject of legal proceedings. The Land and Environment Court decision for Helm No. 18 Pty Ltd v North Sydney Council [2022] NSWLEC 1406 (29 July 2022) relating to 131 and 133 Holt Avenue, was issued following lodgement of the Planning Proposal for Gateway determination. It is acknowledged that the Court upheld the appeal and the Interim Heritage Order was revoked by the court as it applies to those properties.

Further to this, a Complying Development Certificate was lodged on 29 July 2022 for the demolition of 131 Holt Avenue. In this context, it is very conceivable that this dwelling will be demolished in the short term.

With regard to the Court proceedings (2022/81791) relating to 115-119 Holt Avenue, however, it is noted that the Land and Environment Court has dismissed the applicant's appeal against the issue of the Interim Heritage Order. We maintain that as per Council's Planning Proposal submission, these items should therefore remain as proposed heritage items under schedule 5 of the North Sydney LEP 2013.

The most efficient manner in which to resolve the Planning Proposal pathway of this process, would be for the Department to consider a Gateway Determination based on the available information before it, including the two Court judgments discussed above.

Council looks forward to the Department's determination.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Joseph Hill', with a stylized flourish at the end.

Joseph Hill
DIRECTOR CITY STRATEGY