Summary of Actions Arising (SOA) 2021 - Harrison Precinct

This document is North Sydney Council's response to actions arising from Precinct Committee Minutes. On receipt of the minutes, actions are numbered and allocated to relevant Council Officers for response.

To effectively manage and provide clarity, all actions are allocated a status when reporting to Precinct Committees in response to their minutes. There are three categories:

- Awaiting Response action allotted to Council Officer response awaited.
- Open/Ongoing action allocated to Council Officer, initial response provided. Matter ongoing and further response/update to be provided at later date.
- Closed for Council Council either completed related works/tasks or has taken all reasonable steps within its power to resolve issue (for example when matter is beyond its jurisdiction). If the Precinct Committee feels Council can take further steps, they can request Council reopen action.

Questions or concerns re content of this document should be directed precincts@northsydney.nsw.gov.au.

Month	Item	Actions	Council's Reply	Status
December		Development Applications - Action: meeting attendees voted unanimously for the Precinct to seek the support of the new councillors to urgently reverse the change to allow residential flat buildings in the R3 Medium Density Residential Zone made under LEP Amendment No 30 (and not wait for the "review" that was planned to be carried out once Amendment No 30 has been in operation for 1 year), and encourage the council to identify alternative and more effective ways to address the existing use rights issue (noting that LEP Amendment No 30 does nothing to address the existing use rights issue in other zones such as R2 or E4).	Council's Manager Strategic Planning has advised that Council's commitment under its <i>Local Housing Strategy</i> is that the issue of permissibility of residential flat buildings (RFBs) in the R3 zone will be reviewed June 2022. It should be noted that bulk scale etc. remains the same as permitted by controls it is only the permissibility of RFBs that has been amended. UPDATE (2 February 2022) At its meeting of 10 January 2022, Council resolved (Item 7.2 Matter of Urgency - Amendment of North Sydney LEP): 1. THAT Council urgently begins the appropriate process to amend the North Sydney LEP to remove the addition of residential flat buildings as a permissible use in the R3 Medium Density Zone in the land use table which came into force in	Closed for Council

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			Amendment 30 to the North Sydney LEP on 30 June 2021 by removing residential flat building from the R3 Land use table and updating the LEP as required to remove the residential flat buildings in the R3 Zone.	
November		Holt Avenue and Spofforth Street - Action: could Council re-examine alternative treatments for the Holt/Spofforth intersection to resolve all the safety issues for pedestrians and motorists as identified in the Zone 6 LATM studies and other recent studies carried out by Council's Traffic & Transport Operations Department.	Council's Traffic & Transport Engineer has advised that the matter concerning traffic and pedestrian safety at the intersection of Holt Avenue and Spofforth Street has been investigated on a number of occasions. The proposed pedestrian refuge and kerb extensions on the eastern side of Spofforth Street at Holt Avenue will minimise pedestrian crossing distance in Holt Avenue, prevent cars from cutting the corner, and improve driver's sight lines of oncoming vehicles on Spofforth Street. The proposed kerb extensions provide a suitable area for landscaping and incorporate a clearly defined footpath and pram ramp to enable pedestrians to cross the road safer and easier. The vegetation in the garden bed will be in low profile to maintain visibility. Additionally, Council has recently been notified that, Mosman Council also prefers the option of kerb extensions. At its Traffic Committee meeting on 9 November 2021, Mosman Council resolved to adopt the following recommendations: 1. The outcome of the Mosman Council community consultation for the different options for the Spofforth Street/Holt Avenue intersection be noted. 2. Accept the installation of kerb buildouts (Option B) and pram ramps on the eastern side of Spofforth Street as illustrated in	Closed for Council

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			North Sydney Council Drawing Number 101 as the preferred option. 3. North Sydney Council be notified that Mosman Council's preferred option is to install kerb buildouts on the eastern side of Spofforth Street as illustrated in their Drawing Number 101. 4. North Sydney Council be requested to provide detailed designs of the kerb buildout for Mosman Council's review and comments. It is expected that with kerb extensions installed on both sides of Spofforth Street at Holt Avenue, traffic and pedestrian safety will be improved at this intersection. The landscaped kerb extensions may also help enhance	
		Cammeray Golf Club - WH/BL Tunnels Impacts and TfNSW Action 1: That Council clarify and provide information to the community about the negotiations the Cammeray Golf Club has undertaken with TfNSW and to disclose what authority it has provided to the Club to proceed in negotiations with TfNSW.	driver's appreciation of the site and reduce vehicle speeds. As per response provided in CPC SOA: Council's Director Open Spaces & Environmental Services has advised that Council staff are currently negotiating with TfNSW with regards to the Cammeray Golf Course, in an attempt to mitigate the impacts of the State approved infrastructure works on existing open space, neighbours, park users and the broader community. Upon invitation by the CPC, Council staff are available to attend a future CPC meeting to discuss negotiations that have occurred or are progressing between Council staff and the TfNSW staff in relation to this park or any other park impacted by this approved State Significant Infrastructure Project.	Closed for Council

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			UPDATE (2 February 2022) Council's Director Open Space & Environmental Services will address the CPC Meeting on 15 February 2022 regarding the draft memorandum of understanding for Berry's Bay, per the Council resolution of 25 October 2021: 1. THAT Council refer the terms of the draft MOU to the Waverton Peninsula Working Group and the Combined Precincts Committee for comment and the matter be reported back to Council for further decision. 2. THAT the report be made public. 3. THAT the wider public consultation be undertaken consistent with Council's Community Engagement Protocol.	
		Cammeray Golf Club - WH/BL Tunnels Impacts and TfNSW - Action 2: That NSC request TfNSW and its contractors to place all built structures under the ground as per the Rozelle interchange design. It was noted that the NSC Neighbourhood Parks Plan of Management, 2021 (page 21) states that "Encroachments typically include fences, steps, paths, paved areas, seating, small buildings such as sheds and vegetation" and that such "Encroachments alienate public land" and "prevent the public from using public open space" (page 18)	Council's Public Projects Interface Manager has advised that Council on 24 January 2022, adopted two resolutions (Items 9.6 and 9.7) in relation to the Western Harbour Tunnel and Warringah Freeway Upgrade projects: Item 9.6: 1. THAT Council reinstate its strong opposition to the WHT/NBL projects due to the devastating impacts of the proposed projects on the North Sydney Local Government Area and the absence of any public benefit to be gained from the projects and for the following reasons: a. the lack of a business case for the project b. the lack of meaningful community consultation c. the lack of alternative transport options including public transport d. the lack of filtering in the proposed exhaust stacks e. significant and devastating loss of public open space and future open space, loss of sporting facilities, loss of trees and canopy, loss of stormwater harvesting and water	Closed for Council

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		treatment infrastructure f. significant adverse impacts on public health and wellbeing, particularly on schools, school children and residents g. devastating environmental impacts on waterways, reserves, flora and fauna h. inappropriate and untested mitigation measures i. significant adverse impacts on aboriginal heritage and maritime environment j. the substantial increase in traffic flows through arterial and surface roads in the North Sydney CBD, including Berry Street and Miller Place, and LGA more generally. 2. THAT Council continue and escalate the current campaign	
		informed by the position set out in Part 1 above. Item 9.7: 1. THAT Council notes that: a) The Detailed Site Investigation reports published by TfNSW under the development consent have identified contaminants at the construction site at Cammeray Park including the following: • lead hotspots - lead was found at TP09 at 5,300mg/kg and at TP12 at 1,900 mg/kg • Asbestos	
		 Carcinogenic benzo(a)pyrene at high levels - up to 40mg/kg in samples tested for the areas for the current construction works. b) The 2014 contamination report prepared on behalf of North Sydney Council for the remediation works for the synthetic surface at Cammeray Oval - which adjoins the current works site- noted that there will be toxic metals from respirable fly ash on the site. c) The site is surrounded by sensitive residential dwellings and schools and is part of an important regional water catchment ultimately feeding into Middle Harbour. 	

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			a) whether Council should be recognised as the principal affected party with an interest in the reserve and requiring	
			compensation under the Land Acquisition (Just Terms	
			Compensation) Act 1991;	
			b) whether the early works being undertaken on Cammeray Park	
			are permitted in the context of the dedication of the site for the	
			purpose of "public recreation"; and	
			c) the processes and steps for revocation and re-dedication of	
			the reserve, including timelines, and the planning and approval	
			pathways for any modifications to the reserve including the	
			rainwater harvesting facility.	
			3. THAT in light of 1 above, Council obtain urgent legal advice in	
			relation to contamination issues and compliance with the	
			conditions of consent for the Warringah Freeway Upgrade	
			Works and WHT. In seeking such advice, Council be informed by	
			the various submissions prepared by WEPA and submitted to the	
			Department of Planning and the various expert and schools	
			submissions made to the Parliamentary Inquiry into the Impacts	
			of the Western Harbor Tunnel and Beaches Link.	
			4. THAT Council write urgently to the EPA, the Minister for the	
			Environment and the Minister responsible for Crown Lands to	
			report serious concerns in respect of contaminated land at	
			Cammeray Park and provide copies of all relevant reports	
			relating to contamination of the Park including, but not limited,	
			to the 2014 reports prepared as part of Council's work on the	
			synthetic surface at Cammeray Oval. 5. THAT Council urgently write to the Minister for Roads, the	
			Minister for the Environment and the Minister for Planning	
			demanding a halt to all destruction and removal of vegetation	
			and trees in Cammeray Park, Anzac Park and St Leonards Park.	
			6. THAT Council write to Department of Planning and TfNSW to	
			request that:	
			a) The conditions of consent are tightened to ensure that:	

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			i. Site Inspection reports are completed and issued before work commences; ii. that the land is classified as recreational land not industrial land; iii. that controls are put into place to assure the safety of surrounding land and not just the construction site itself, as the current conditions are oriented to the construction areas and not the surrounding community; and iv. an undertaking that the land will be able to be returned for recreational use following the completion of any works. b) That TfNSW halt negotiations with the Cammeray Golf Club until strategic planning processes are completed. c) TfNSW develop a design for trafficable routes. d) TfNSW engage with North Sydney Council in developing the open space and active transport plan for the area. 7. THAT Council take all steps necessary to require the Sydney Project Alliance and TfNSW: (a) protect Cammeray Park and the surrounding residential premises and schools from the construction works including the movement of trucks carrying contaminated fill; and monitor contaminants within the broader water catchment from Cammeray Park to Middle Harbour and take all measures to prevent contamination of the water catchment. These resolutions reflect the direction that the new term of Council will take regarding the projects. It is understood that Council is seeking to lobby the relevant NSW government Ministers for the undergrounding of the WHT operations buildings.	
		DA 111/2021, 233-237 Military Road Cremorne - Motion: that the Precinct lodge an objection to the amended DA	Comments noted by Council's Manager Development Services.	Closed for Council

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		Heritage and Conservation - Motion: That Council conduct an urgent review of heritage and conservation in Cremorne, including identifying dwellings that contribute to the character and heritage value, and examining how local planning controls could be strengthened to protect the existing character of our area".	Council's Manager Strategic Planning has advised that Council has resolved to conduct a comprehensive, LGA-wide review of its heritage inventory and possible inclusions/exclusions through the endorsed North Sydney Local Strategic Planning Statement (LSPS). This work will be required to be funded and properly resourced given its magnitude and extent of consultation required.	Closed for Council
		126 Holt Ave (DA 343/17) - It was noted that sections of the "heritage" sandstone kerb has sustained damage as a result of the construction work at 126 Holt. Action: That Council ensures that the developer restores the sandstone kerb accordingly.	Council's Manager Environment & Building Compliance has advised that staff are investigating this matter and will take the appropriate regulatory actions in accordance with the relevant conditions of approval. UPDATE (2 February 2022) Council's Compliance Officer has reviewed the matter and the Development Consent Condition C17 states C17 Required Infrastructure Works - Roads Act 1993 requires prior to CC plans prepared for - b) Construction of a new replacement kerb and gutter is required across the entire site frontage in Holt Avenue. At this stage, construction remains to be completed and inspection of the kerb and gutter will be required prior to the issuance of a final occupation certificate for the development.	Closed for Council
		219 Military Road - Concerns were raised about the unkept appearance of the Telstra Exchange at 219 Military Road Cremorne. Question for NSC: Who is responsible for maintaining the streetscape presentation	Council's Corporate Contracts Manager has advised that Council has contacted Telstra, on behalf of the Precinct Committee, to report the site's maintenance matter. Service Request # 10165733 for CREMORNE TE (ESM)	Closed for Council

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		of the Telstra site? Does Council have any jurisdiction to ask Telstra to improve the visual amenity of the property at the interface with Military Road?		
October	No ac	ctions arising requiring Council's response		
September		Development Applications - That Council conduct its own Heritage Impact Study to determine the heritage significance of the group of houses at 115, 117, 119, 121, 123, 125, 131 and 133 Holt Avenue, and that the assessment include the three remaining original dwellings in Holt Avenue (121, 123 and 125). Meeting attendees agreed unanimously for the Precinct to make a DA submission in response to DA243/21 and DA239/21. It was noted that Council's Manager Development Services has advised that the end date for submissions has been informally extended to 10 September 2021. 125 Holt Avenue Cremorne - That Council review the 2007 removal of the Local Heritage Listing from 125 Holt Avenue with a view to reinstating the listing, in light of the very similar Heritage Inventory descriptions of 1992, 1998 and 2007.	Council's Manager Strategic Planning has advised that in March 2021 the Council considered a related Notice of Motion No. 4/21 (Item 9.4) which was lost. Council's Local Strategic Planning Statement identifies that Council is to conduct an LGA wide heritage study to review this aspect of the built and natural environment more holistically. Council receives many individual requests for site specific new heritage listings or removal of existing listings. Whilst such review will require to be resourced, it represents a more efficient and less ad hoc way of conducting such work. It should also be remembered that for a relatively small LGA, as North Sydney LGA has a very high rate of heritage listed properties and general level of recognition with over 1,000 individual listings as well as 26 Heritage Conservation Areas.	Closed for Council
		The DA 111/2021 - for the 2nds World site on Military Road had been refused but the reason is unknown. Action: Precinct requests for an update.	Council's Manager Development Services has advised that this application for a boarding house has been appealed by the applicant as "deemed refused" i.e. more than 40 days since lodgement. The application was subject to a S34 conciliation process on 25 September 2021. Possible amended plans were discussed. If they are formally	Closed for Council

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			tendered to the Court they will be advertised to submitters. Further notification will occur in due course.	
August		Holt Avenue, damage to nature strip - It was noted that the nature strip on Holt Avenue near the corner of Spofforth Street has been left in an unsatisfactory state after works undertaken to install a new stormwater pipe to an apartment building that is being built at 126 Holt Avenue by the developer associated with DA 343/17.	Item allocated to Manager Council's Environmental & Business Compliance Department for investigation. UPDATE (7 September 2021) Council's Manager Environmental & Business Compliance has advised that a letter has been sent to the owner/developer reminding them of the obligations to comply with Condition G14 of Development Consent No. D 343/17, dated 12 April 2018: "Unpaved Verge - G14. The unpaved verge area must be constructed/reconstructed with an appropriate species of grass prior to completion of the works at no cost to Council. (Reason: To ensure that community assets are presented in accordance with reasonable community expectations)"	Closed for Council
		Community Noticeboard - At the 'Hampden Avenue' bus stop on Military Road it was noted that this is still not operational. Update from Council requested.	Council's Community Information Officer has advised that the last noticeboard changeover was cancelled due to COVID PHO 'lockdown', however the next noticeboard changeover will proceed in September with a COVID-safe plan in place. It is intended that the noticeboard will then be able to be used for community notices. UPDATE (2 September 2021) Council's Community Information Officer has advised regarding the Hampden Ave noticeboard that there is a	Closed for Council

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			problem with the noticeboard's lock. Council staff are working to rectify the problem. Note: the current COVID PHO is impacting/delaying site visits i.e. prioritisation of essential services and staff remote working.	
			UPDATE (4 November 2021) Council's Community Information Officer has advised that Hampden Ave noticeboard is still inaccessible. Council has been advised that it is going to be replaced in the first quarter of 2022 with a more suitable board.	
			UPDATE (17 January 2022) Council's Community Information Officer has advised that upon further investigation, the board that was installed at Hampden bus shelter was the bus timetable style of board which is keyless and we therefore can't access it as it uses a special suction system to remove.	
			Council's Works Engineering Department is in the process of ordering new boards for various bus shelters to standardise them with the same lockable keys as many are in poor condition and need replacing.	
			Council aim to replace the boards in the first quarter of 2022 and will keep the Precinct Committee updated on the progress.	
		Update on Cycleway - A meeting attendee requested an update from Council on the Harrison Street/Rangers Road cycleway. Update from Council requested.	UPDATE (6 October 2021) Council's Traffic & Transport Engineer has advised that the majority of residents in Harrison Street and Rangers Road	Closed for Council

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			do not support the Proposed Bike Works on Harrison Street and Rangers Road Intersection (feedback was open 19 November 2020 - 10 January 2021). This matter will be revisited as part of the future cycle network program works in this area as stated in the response from Council's Sustainable Transport Project Co-ordinator. Council's Sustainable Transport Project Co-ordinator has advised that Harrison Street and Rangers Road are identified as part of the cycling network in the North Sydney Integrated Cycling Strategy (2014), however no design or construction works are currently scheduled in this area as Council's cycle network program is currently focussed in areas that have greater higher usage rates and	
July		Spofforth Street Intersection Improvements - Subsequently it was discovered that the Mosman Council Traffic Committee is to consider, following community consultation, a recommendation on Tuesday, 6 July 2021 that it accept the installation of kerb buildouts and pram rams on the eastern side of Spofforth Street and that North Sydney Council be notified of this and requested to provide detailed designs of the kerb buildout to Mosman Council review and comments. If Mosman Council's Traffic Committee adopts the recommendations on its agenda, should our Precinct accept the option of kerb buildouts and pram ramps? - unanimous - yes (vote by show of hands on camera)	Council's Manager Traffic & Transport Operations has advised that the North Sydney Traffic Committee made the following recommendation at its meeting on 11 June 2021 which was subsequently adopted by Council on 28 June 2021: 1. THAT this matter be deferred until a report be brought back to the Traffic Committee as soon as possible on the viability of a pedestrian refuge on the North Sydney Council/western side of Holt Avenue at the intersection of Spofforth Street with costings and the suitability of the refuge. 2. THAT Council request our State Member, Felicity Wilson liaise with the Chairperson of the Mosman Traffic Committee and resolve this long term for the benefit of the community.	Closed for Council

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		3. THAT that Council acknowledge Ms Clarke for attending the meeting with this issue.	
	Communicating with Council - Precinct members have expressed concern about whether or not their written submissions made to Council are being read prior to the relevant meeting e.g. Traffic Committees and Council Meetings. It was noted that the community (residents) feel they have limited scope to convey feedback to NSC Committee meetings other than in person. This is despite the fact that written feedback to Council Committees is stated as being welcome and is to be submitted via the Governance Officer. However, precinct members report that their written submissions do not appear to warrant recognition yet alone hold any weight. Also discussed was the role of Precinct Committees in facilitating communication with Council. It was noted that Precincts were originally established by former Mayor Ted Mack to encourage and facilitate communication between the community and Council. The Precinct Guidelines document confirms that: Precinct Committees encourage resident involvement in Council decisions; enhance community awareness and social interaction; generate consultative information, ideas and opinions; support Council's inter-governmental and related dealings; imbue planning programs and policies with a physical, social and historic insight; facilitate resident-initiated expenditure on care of public land. It was also noted that the Precinct Review Stage 2 was presented at 28 June 2021 meeting of Council. The majority of Councillors voted to defer public exhibition	Council's Manager Council & Committee Services has noted the Precinct Committee's comments and has advised that any submissions received by 'Governance@' prior to the meeting are distributed to the Committee members for their information. Council's Manager Traffic & Transport Operations has advised that submissions are forwarded to Traffic Committee members ahead of the meeting. At the meeting on 23 July 2021, some matters where of a high community interest were deferred until such time that the community can address the committee. Where feasible we are postponing reports to the Traffic Committee where there is a high community interest. Council's Manager Strategic Planning and Manager Corporate Planning & Engagement have noted the comments about the role of Precinct Committees.	Closed for Council

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		until after the election. Harrison members are encouraged to watch the Webcam proceedings of that meeting to gain insights into the level of support for Precinct Committees by the various Councillors who spoke to the Agenda item.		
		Draft Environmental Sustainability Strategy - It was noted that public submissions to the Draft Environmental Sustainability Strategy closed on 28 June. However as the Harrison Precinct meeting is being held after this date, Harrison Precinct would like to submit a response based on discussions at its meeting.	Council's Senior Sustainability Programs Coordinator has advised that the Precinct Committee's responses were been treated as a submission and included in the submissions summary attached to the post exhibition report adopted by Council on 26 July 2021.	Closed for Council
June	DA	DA 111/2021 - 233-237 Military Road - Motion: That the Precinct submit an objection to the DA in its current form based on the height limit being exceeded, anticipated parking problems and impacts on streetscape with the building at the Gateway to Cremorne and impacts on adjacent buildings (in particular no 231) and lack of setback in line with other adjacent buildings (239 Military and 148 Holt Ave). The motion was passed unanimously.	Comments noted by Council's Senior Assessment Officer.	Closed for Council
		Boarding Houses Enquiry - One attendee requested that Council be asked what follow up procedures it had to ensure that the number of room occupants within Boarding Houses were in accordance with the maximum occupancy requirements.	Council's Manager Development Services has advised that due to resourcing constraints we do not have a policy of following up on the occupancy rates of boarding houses or indeed any form of other residential use. We do however respond to concerns raised by nearby residents if/when those concerns are raised. In his experience this is rare and cannot think of any recent example of a "new" boarding house being over occupied. The planning controls around	Closed for Council

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			new boarding house accommodation are somewhat complex with State-based policy taking precedent over Councils own Controls. Given the level of submission alone this application will go to the NSLPP for determination.	
May	PM	Matters arising from Minutes - To follow up with the guest speaker (Manager Strategic Planning) as to whether the full report of the 2007 heritage review has been located	Council's Manager Strategic Planning has advised that Council officers are following up this matter and will contact the Precinct Committee once they have more information. UPDATE (22 July 2021) Email was sent to Precinct Committee with information regarding the property at 125 Holt Avenue, Cremorne, particularly regarding the 2007 study which led to the "delisting" of this property form Council's LEP heritage list.	Closed for Council
	OI	Variable Speed Indicator - That the illuminated Variable Speed indicator sign be returned to Spofforth Street as requested in previous meeting minutes.	Council's Traffic & Transport Engineer has advised that a Variable Speed Indicator was placed in Spofforth Street close to No. 92 on 25 May 2021.	Closed for Council
April	SS	Spofforth Street Intersection - Motion: Harrison/Bennett Precinct wishes to express its appreciation to North Sydney Council for its effort in liaising with Mosman Council and advancing this project to this final stage. Action needed - To return the illuminated Variable Speed indicator sign to Spofforth Street	See response to item OI from the Precinct Committee's May 2021 Minutes.	Closed for Council
March		Precinct System Review - That Harrison Precinct express disappointment with the draft "proposed model" of engagement for the CPC in response to the Precinct Review summary provided by the external consultant	Comments noted by Council's Manager Corporate Planning & Engagement.	Closed for Council

Month	Item	Actions	Council's Reply	Status
		which was presented at the CPC meeting of 23 March 2021.		
February	PSR	Precinct System Review - That Harrison Precinct invite Bennett Precinct (which no longer has a Convenor) to temporarily merge with Harrison Precinct until the outcome of the Precinct System Review is announced by Council.	Comments noted by Council's Manager Corporate Planning & Engagement.	Closed for Council
		Local Character and Place Guidelines - Harrison Precinct has a number of dwellings and residential streetscapes that are distinct and fall within the definition of "significant, characteristic buildings" and elements that are currently undocumented or are no longer referenced in the DCP. For example, 125 Holt Avenue previously was listed as an item with local heritage value, but this property was removed in Council's 2007 Heritage Review for unknown reasons. Why?	Council's Manager Strategic Planning has advised that the Harrison Precinct Committee is correct in that 125 Holt Street property was delisted in 2013 as per the recommendations of the North Sydney Heritage Review (2007). Unfortunately, staff have been unable to locate any information on its records as to why it was recommended for delisting. Notwithstanding this, the LEP amendment to remove the listing (in accordance with the Heritage Review of 2007) was exhibited and adopted by Council and ultimately gazetted in 2013. Council's Manager Strategic Planning has confirmed attendance at the Precinct Committee's April 2021 meeting.	Closed for Council