

**RECOMMENDATION:**

- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation areas as identified in **Attachment A16** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- C. That those who made a submission be notified of Council's resolution.

**Resolved:**

(Moved: Councillors Ngai/Szatow)

That given the short timeframe provided to make decisions that impact over 800 properties, and the significant impact that these decisions could have on the character of Ku-ring-gai, that Council should defer the matter and spread the decision making across the next three (3) council meetings.

**CARRIED UNANIMOUSLY**

**RECOMMENDATION:**

- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation areas Telegraph Road Conservation Area, Gilroy Road Conservation Area and Mahratta Conservation Area as identified in **Attachment A7** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- C. That those who made a submission be notified of Council's resolution.

*A procedural motion moved by Councillors Citer and Spencer  
that voting on each of the  
proposed Heritage Conservation Areas in the motion for item GB.7  
be carried out seriatim was CARRIED UNANIMOUSLY.*

163

**Consideration of submissions on the draft Heritage Conservation Areas:  
Telegraph Road, Gilroy Road, Mahratta and Hillview**

File: S11437  
Vide: GB.7

**Resolved:**

[Moved: Councillors Szatow/Kelly]

That Council resolves to adopt the Planning Proposal to list the Telegraph Road Heritage Conservation Area as statutorily exhibited during the period 15/09/2017 – 23/10/2017.

**CARRIED UNANIMOUSLY**

164

**Consideration of submissions on the draft Heritage Conservation Areas:  
Telegraph Road, Gilroy Road, Mahratta and Hillview**

File: S11437  
Vide: GB.7

**Resolved:**

[Moved: Councillors Szatow/Kelly]

That Council resolves to adopt the Planning Proposal to list the Gilroy Road Heritage Conservation Area as identified in Attachment A7 in schedule 15 and the heritage map of the *Ku-ring-gai Local Environmental Plan 2015* and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012*.

*For the Resolution: The Mayor, Councillor Anderson, Councillors  
Greenfield, Smith and Szatow*

*Against the Resolution: Councillors Ngai, Pettett, Clarke, Spencer, Citer  
and Kelly*

*No decision was taken in respect of the above matter as  
the Motion when put to the vote was LOST*

165

### **Consideration of submissions on the draft Heritage Conservation Areas: Telegraph Road, Gilroy Road, Mahratta and Hillview**

File: S11437

*Vide: GB.7*

#### **Resolved:**

(Moved: Councillors Szatow/Kelly)

That Council resolves to adopt the Planning Proposal to list the Mahratta Heritage Conservation Area as identified in Attachment A7 in schedule 15 and the heritage map of the *Ku-ring-gai Local Environmental Plan 2015* and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012*.

*For the Resolution:                      The Mayor, Councillor Anderson, Councillors Greenfield, Smith and Szatow*

*Against the Resolution:                Councillors Ngai, Pettett, Clarke, Spencer, Citer and Kelly*

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

166

### **Consideration of submissions on the draft Heritage Conservation Areas: Telegraph Road, Gilroy Road, Mahratta and Hillview**

File: S11437

*Vide: GB.7*

#### **Resolved:**

(Moved: Councillors Szatow/Kelly)

That Council resolves to adopt the Planning Proposal to list the Hillview Heritage Conservation Area as statutorily exhibited during the period 15/09/2017 – 23/10/2017.

*For the Resolution:                      The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Spencer, Greenfield, Citer, Smith, Kelly and Szatow*

*Against the Resolution:                Councillor Clarke*

167

### **Consideration of submissions on the draft Heritage Conservation Areas: Telegraph Road, Gilroy Road, Mahratta and Hillview**

File: S11437

*Vide: GB.7*

#### **Resolved:**

(Moved: Councillors Szatow/Kelly)

A. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.

B. That those who made a submission be notified of Council's resolution.

**CARRIED UNANIMOUSLY**

# **RECOMMENDATION:**

- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Athol Conservation Area as identified in **Attachment A9** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council does not proceed with the inclusion of the Lanosa Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council does not proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.
- D. That Council does not proceed with the inclusion of the Pymble Heights Conservation Area (as exhibited) in the adopted Planning Proposal.
- E. That Council does not proceed with the inclusion of the Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.
- F. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- G. That those who made a submission be notified of Council's resolution.

*A procedural motion moved by Councillors Citer and Clarke  
that voting on each of the proposed  
Heritage Conservation Areas in the motion for item GB.11  
be carried out seriatim was CARRIED UNANIMOUSLY.*

188

## **Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

Vide: GB.11

### **Resolved:**

(Moved: Councillors Citer/Spencer)

That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Athol Conservation Area as identified in **Attachment A9** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.

**CARRIED UNANIMOUSLY**

189

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

*Vide: GB.11*

**Resolved:**

[Moved: Councillors Citer/Spencer]

That Council does not proceed with the inclusion of the Lanosa Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.

*For the Resolution: Councillors Clarke, Spencer, Citer and Kelly*

*Against the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Greenfield, Smith and Szatow*

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

190

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

*Vide: GB.11*

**Resolved:**

[Moved: Councillors Citer/Spencer]

That Council does proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.

*For the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Greenfield, Smith, Kelly and Szatow*

*Against the Resolution: Councillors Clarke, Spencer and Citer*



191

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

*Vide: GB.11*

**Resolved:**

[Moved: Councillors Citer/Spencer]

That Council does not proceed with the inclusion of the Pymble Heights Conservation Area (as exhibited) in the adopted Planning Proposal.

*For the Resolution: Councillors Clarke, Spencer, Citer and Kelly*

*Against the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Greenfield, Smith and Szatow*

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

192

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

*Vide: GB.11*

**Resolved:**

[Moved: Councillors Citer/Spencer]

That Council does not proceed with the inclusion of the Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.

*For the Resolution: Councillors Clarke, Spencer, Citer and Kelly*

*Against the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Greenfield, Smith and Szatow*

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

Vide: GB.11

**Resolved:**

[Moved: Councillors Citer/Spencer]

- A. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- B. That those who made a submission be notified of Council's resolution.

*For the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Clarke, Spencer, Greenfield, Smith, Kelly and Szatow*

*Against the Resolution: Councillor Citer*

*The above was moved as an Amendment to the Original Motion.*

[Moved: Councillors Szatow/Kelly]

*For the Amendment: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Clarke, Spencer, Greenfield, Smith, Kelly and Szatow*

*Against the Amendment: Councillor Citer*

*The Amendment became the Motion*

*The Original Motion was:*

- A. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Athol Conservation Area as identified in Attachment A9 in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012.
- B. That Council does not proceed with the inclusion of the Lanosa Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council does not proceed with the inclusion of the Mona Vale Road Conservation Area (as exhibited) in the adopted Planning Proposal.
- D. That Council does not proceed with the inclusion of the Pymble Heights Conservation Area (as exhibited) in the adopted Planning Proposal.
- E. That Council does not proceed with the inclusion of the Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.
- F. That Council, using its delegated authority, proceeds to make the Plan under Section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- G. That those who made a submission be notified of Council's resolution.

**Consideration of submissions on the draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

Vide: GB.11

**Resolved:**

(Moved: Councillors Szatow/Smith)

That Council does proceed with the inclusion of the Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.

*For the Resolution: The Mayor, Councillor Anderson, Councillors Ngai, Pettett, Greenfield, Smith and Szatow*

*Against the Resolution: Councillors Clarke, Spencer, Citer and Kelly*

*At 11:51 pm, a Motion moved by Councillors Clarke and Greenfield to extend the meeting to complete all items within the Business Paper was put to the vote and*  
**CARRIED**

*For the Motion: The Mayor, Councillor Anderson, Councillors Ngai, Clarke, Spencer, Greenfield, Citer, Smith, Kelly and Szatow*

*Against the Motion: Councillor Pettett*



**RECOMMENDATION:**

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the Environmental Planning and Assessment Act to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

**Resolved:**

(Moved: Councillors Clarke/Spencer)

That the matter be deferred for a period of three months.

*For the Motion:* Councillors Ngai, Clarke, Spencer and Kelly

*Against the Motion:* The Mayor, Councillor Anderson, Councillors Pettett, Greenfield, Smith and Szatow

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

Councillor Ngai withdrew during discussion  
Councillor Ngai returned

**RECOMMENDATION:**

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** to the report to Council of 14 August 2018 (contained within **Attachment A1** to this report), in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are proposed to this planning proposal via Council's resolutions of 12 June 2018 and 26 June 2018, and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the *Environmental Planning and Assessment Act* to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

For Council to make a determination in relation to the final composition of the Planning Proposal to include new and extended heritage conservation areas in the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) and the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP LC 2012).

*A procedural motion moved by Councillors Clarke and Spencer asking the Mayor to seek a vote on the matter as there had been 2 speakers for and 2 against was  
CARRIED UNANIMOUSLY*

## Resolved:

(Moved: Councillors Clarke/Spencer)

- A. That Council does not proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- B. That Council does not proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.
- C. That Council resolves to adopt the Planning Proposal to list the amended heritage conservation area Pymble Avenue Conservation Area as identified in **Attachment A8** to the report to Council of 14 August 2018 (contained within **Attachment A1** to this report), in Schedule 5 and the Heritage Map of the Ku-ring-gai Local Environmental Plan 2015.
- D. Due to the substantial changes that are proposed to this planning proposal via Council's resolutions of 12 June 2018 and 26 June 2018, and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the proposal.
- E. That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the *Environmental Planning and Assessment Act* to determine whether a new Gateway Determination and further consultation is required before the LEP is made. Should the Department be satisfied that a new Gateway determination and further consultation is not required, Council requests that the LEP be made.
- F. That those who made a submission be notified of Council's resolution.

*For the Resolution:*                      *Councillors Clarke, Spencer and Kelly*

*Against the Resolution:*              *The Mayor, Councillor Anderson, Councillors Pettett, Greenfield, Smith and Szatow*

*No decision was taken in respect of the above matter as  
the Motion when put to the vote was LOST*

*The above Resolution was subject to an Amendment which was LOST. The Lost  
Amendment was:*

- A. *That Council does proceed with the inclusion of the West Pymble Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.*
- B. *That Council does proceed with the inclusion of the extension to the Orinoco Heritage Conservation Area (as exhibited) in the adopted Planning Proposal.*
- C. *That Council forwards the amended Planning Proposal which includes the amendments made at this meeting and from the Ordinary Meetings of Council held on 12 June 2018 and 26 June 2018 to the Department under Section 3.35(2) of the Environmental Planning and Assessment Act and Council requests that the LEP be made.*
- D. *That those who made a submission be notified of Council's resolution.*

*No decision was taken in respect of the above matter as the Motion when put to the vote was LOST*

12

**CONSIDERATION OF SUBMISSIONS ON THE DRAFT HERITAGE  
CONSERVATION AREAS: ATHOL CONSERVATION AREA, LANOSA  
CONSERVATION AREA, MONA VALE ROAD CONSERVATION AREA,  
PYMBLE HEIGHTS CONSERVATION AREA AND FERN WALK  
CONSERVATION AREA**

**Notice of Rescission from Councillors Spencer, Clarke and Kelly dated 20 August 2018**

We, the undersigned, hereby move rescission of the following motion of the Ordinary Meeting of Council of 26 June 2018:

*That Council does proceed with the inclusion of the Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.*

Should the above rescission be resolved, we further intend to move:

- A. That those who made a submission be notified of Council's resolution.

**RECOMMENDATION:**

That the above Notice of Rescission as printed be adopted.

Councillor Cedric Spencer  
Councillor for Wahroonga Ward

Councillor Callum Clarke  
Councillor for Comenarra Ward

Councillor Peter Kelly  
Councillor for Gordon Ward



**Notice of Rescission from Councillors Spencer, Clarke and Kelly dated 20 August 2018**

We, the undersigned, hereby move rescission of the following motion of the Ordinary Meeting of Council of 26 June 2018:

*That Council does proceed with the inclusion of the Lanosa Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.*

Should the above rescission be resolved, we further intend to move:

- A. That those who made a submission be notified of Council's resolution.

*A motion was moved by Councillors Greenfield and Clarke  
that voting on this item be carried out seriatum*

*For the Motion: Councillors Ngai, Clarke, Spencer,  
Greenfield, Smith and Kelly*

*Against the Motion: The Mayor, Councillor Anderson,  
Councillors Pettett and Szatow*

01

**Consideration of Submissions on the Draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area**

File: S11437

Vide: NM.2

**Resolved:**

(Moved: Councillors Spencer/Kelly)

We, the undersigned, hereby move rescission of the following decision of the Ordinary Meeting of Council of 26 June 2018:

*That Council does proceed with the inclusion of the Lanosa Conservation Area (as exhibited) in the adopted Planning Proposal.*

	<p><i>For the Resolution:</i>                      <i>Councillors Clarke, Spencer, Greenfield, Smith and Kelly</i></p> <p><i>Against the Resolution:</i>              <i>The Mayor, Councillor Anderson, Councillors Pettett and Szatow</i></p>
02	<p><b>Consideration of Submissions on the Draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area</b></p> <p>File: S11437</p> <p>Vide: NM.2</p>
	<p><b>Resolved:</b></p> <p>(Moved: Councillors Spencer/Kelly)</p> <p>We, the undersigned, hereby move rescission of the following decision of the Ordinary Meeting of Council of 26 June 2018:</p> <p>That Council does proceed with the inclusion of the Pymble Heights Conservation Area (as exhibited) in the adopted Planning Proposal.</p> <p>For the Resolution: Councillors Clarke, Spencer and Kelly</p> <p>Against the Resolution:    The Mayor, Councillor Anderson, Councillors Pettett, Greenfield, Smith and Szatow</p> <p>No decision was taken in respect of the above matter as</p>

	the Motion when put to the vote was LOST
03	<p><b>Consideration of Submissions on the Draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area</b></p> <p>File: S11437</p> <p>Vide: NM.2</p>
	<p><b>Resolved:</b></p> <p>(Moved: Councillors Spencer/Kelly)</p> <p>We, the undersigned, hereby move rescission of the following decision of the Ordinary Meeting of Council of 26 June 2018:</p> <p>That Council does proceed with the inclusion of the Fern Walk Conservation Area (as exhibited) in the adopted Planning Proposal.</p> <p>For the Resolution: Councillors Clarke, Spencer, Greenfield, Smith and Kelly</p> <p>Against the Resolution: The Mayor, Councillor Anderson, Councillors Pettett and Szatow</p>
04	<p><b>Consideration of Submissions on the Draft Heritage Conservation Areas: Athol Conservation Area, Lanosa Conservation Area, Mona Vale Road Conservation Area, Pymble Heights Conservation Area and Fern Walk Conservation Area</b></p> <p>File: S11437</p> <p>Vide: NM.2</p>

	<p><b>Resolved:</b></p> <p>(Moved: Councillors Spencer/Clarke)</p> <p>That those who made a submission for Lanosa Conservation Area and Fern Walk Conservation Area be notified of Council's resolution.</p>

Councillor Ngai returned after the discussion on NM.2

**RECOMMENDATION:**

That the above Notice of Rescission as printed be adopted.

**Resolved:**

(Moved: Councillors Smith/Spencer)

- A. That Council rescinds the part of its decision of the Ordinary Meeting of Council of 26 June 2018 to include 3 Mona Vale Road to 1a Bromley Avenue Pymble and 78 Mona Vale Road to 96 Mona Vale Road Pymble within the Mona Vale Conservation Area and the adopted Planning Proposal.
- B. That Council does not proceed with the Mona Vale Road Conservation Area as exhibited except for the properties from 98 Mona Vale Road to 102 Mona Vale Road Pymble and 55a Mona Vale Road to 117 Mona Vale Road Pymble, however, excluding Strathwood Court.
- C. That those who made a submission be notified of Council's resolution.

*For the Resolution:                      The Mayor, Councillor Anderson, Councillors Pettett,  
Spencer, Greenfield, Smith and Szatow*

*Against the Resolution:              Councillors Clarke and Kelly*

*The above Resolution was CARRIED as an Amendment to the Original Motion:*

*For the Amendment:                      The Mayor, Councillor Anderson, Councillors Greenfield,  
Smith and Szatow*

*Against the Amendment:              Councillors Pettett, Clarke, Spencer and Kelly*

*The voting being EQUAL,  
the Mayor exercised her Casting Vote  
FOR the Motion*

*The Original Motion was:*

*(Moved: Councillors Clarke/Kelly)*

*That the above Notice of Rescission as printed be adopted.*



**RECOMMENDATION:**

- A. That if Council intends to not include the draft Gilroy Road HCA in the final planning proposal then a motion to this effect should be passed.
- B. That if Council intends to not include the draft Mahratta HCA extension in the final planning proposal then a motion to this effect should be passed.
- C. That if Council intends to not include the draft Lanosa Estate HCA in the final planning proposal then a motion to this effect should be passed. If Council does intend to list the draft Lanosa Estate HCA in the final planning proposal then a motion to that effect should be passed
- D. That if Council intends to not include the draft Fernwalk HCA extension in the final planning proposal then a motion to this effect should be passed. If Council does intend to list the draft Fernwalk HCA extension in the final planning proposal then a motion to that effect should be passed
- E. That if Council does intend to list the draft West Pymble HCA with the proposed amended boundaries as shown at Attachment A7 in the final planning proposal then a motion to that effect should be passed.

**319 Finalisation of Planning Proposal for new and extended Heritage Conservation Areas in Wahroonga, Turramurra, Pymble and Gordon**

File: S11437

Vide: GB.9

**Resolved:**

(Moved: Councillors Clarke/Kelly)

- A. That Council does not proceed with the following Heritage Conservation Areas in the final adopted Planning Proposal:
  - 1. Gilroy Road HCA
  - 2. Mahratta HCA extension
  - 3. Lanosa Estate HCA
  - 4. Fernwalk HCA extension
  - 5. Orinoco HCA extension
- B. That Council adopts the Planning Proposal to list an extension to the Pymble Avenue Heritage Conservation Area identified as the yellow striped area referred to as the "Recommended to Proceed by Council Officers" in **Attachment A7** in schedule 5 and the heritage map of the Ku-ring-gai Local Environmental Plan 2015.
- C. Due to the substantial changes that are being proposed to this planning proposal and the added complexity and conflicting issues surrounding the multiple HCAs, Council returns its delegation to the Department to finalise the planning proposal.
- D. That those who made a submission be notified of Council's resolution.

*For the Resolution:*

*Councillors Ngai, Pettett, Clarke, Spencer and Kelly*

*Against the Resolution:*

*The Mayor, Councillor Anderson, Councillors Greenfield and Smith*

320

## **Mahratta Heritage Conservation Area**

File: S11437

*Vide: NM.1*

### **Resolved:**

(Moved: Councillors Clarke/Spencer)

That the above Notice of Motion be withdrawn.

*For the Resolution:*                      *Councillors Ngai, Pettett, Clarke, Spencer  
and Kelly*

*Against the Resolution:*              *The Mayor, Councillor Anderson,  
Councillors Greenfield and Smith*