
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 12 DECEMBER 2012
COMMENCING AT 5:00 PM

PRESENT

Councillors D J Eaton (Chairperson), R L Graham, K G Greenwald, L A Matthews, L R Y Nayna, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

General Manager, Acting Director Development and Building, Director Infrastructure and Operations, Acting Director Land Management, Director Community and Recreation Services, General Counsel, Executive Manager to the General Manager, Manager Development Assessment, Manager Environment and Natural Resources and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.03 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Mr John Hardwick delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

The Director of Community and Recreation Services announced the following winners of the Share Your Shire competition.

- Under 18 Category – Ms Anna Levskin for her photograph titled *‘When the sun starts to go down’*
- Open Category – Ms Erin Lawrence for her photograph titled *‘The light of Dawn’*
- Creative Writing Category – Ms Kylie McCorquodale for her story titled *‘Living the Dream’*

The Mayor presented these winners with a framed certificate and iPad.

The Mayor presented the Council with an award from the Local Government and Shires Association for the best Coastal Zone Management Plan which was accepted by Mr Greg White, Manager Environment and Natural Resources. The Mayor thanked Greg, his team and the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee for all their hard work towards achieving this award.

The Acting Director of Development and Building also advised that today is Greg’s last day at Council and thanked him for his efforts in achieving this award.

Councillor Graham, as former Chairperson of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee, also congratulated Greg and his team for all their hard work in achieving this award.

The Acting Director of Development and Building advised that she and David Lemcke, Senior Planner Environment and Natural Resources, travelled to Canberra last Thursday to accept the National Resilient Australian Award on behalf of Council for their Natural Areas Bush Fire Management Program.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Best as he is currently on a family holiday.

RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:

573/12 That Council accept the apology and grant Councillor Best leave of absence from the meeting.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

At the commencement of the ordinary meeting report numbers 1.1, 4.3 and 4.5 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

4.10 Public Exhibition of Draft Wyong Local Environmental Plan 2012, Draft Settlement Strategy and Draft Wyong Development Control Plan 2012

All Councillors declared various pecuniary interests in this matter in accordance with Section 541 (4) and made Special Disclosures (Schedule 3A). All Councillors participated in the voting on the item. Copies of the Special Disclosures are attached.

4.9 Draft Contributions Plan for the Warnervale Town Centre

Councillor Taylor declared a non-pecuniary insignificant interest in the matter for the reason that his doctor is a land owner within the Warnervale Town Centre and participated in consideration of this matter.

Councillor Taylor stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

4.11 RZ/1/2011 North Wyong Enterprise Corridor Rezoning

Councillor Eaton declared a pecuniary interest in this matter for the reason that his family company is a landowner in the affected area. Voting for this item was dealt with via the exception method and therefore Councillor Eaton has been excluded from the voting due to his declared interest in the matter

7.2 The Entrance Toukley & Wyong Town Centre Funding Agreements Extension

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is the Council's alternative delegate to the Wyong Regional Chamber of Commerce and participated in consideration of this matter.

Councillor Greenwald stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

7.2 The Entrance Toukley & Wyong Town Centre Funding Agreements Extension

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is Councillor appointee to the Wyong Chamber of Commerce and The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Eaton stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

7.2 The Entrance Toukley & Wyong Town Centre Funding Agreements Extension

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is the Wyong Shire Council delegate for Greater Toukley Vision and participated in consideration of this matter.

Councillor Nayna stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

7.2 The Entrance Toukley & Wyong Town Centre Funding Agreements Extension

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is the Director for The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Webster:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WEBSTER:

574/12 That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

PROCEDURAL MOTION

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor NAYNA:

575/12 That Council allow meeting practice to be varied.

576/12 That Council use the exception method to deal with the balance of the Agenda.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

577/12 That with the exception of report numbers 3.1, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.12, 5.1, 7.1, 7.2, 7.3, 7.4, 7.9, 7.10, 7.12, 7.14, 10.1, 10.2 and 11.1 Council adopt the recommendations contained in the remaining reports.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

1.2 Proposed Inspections and Briefings

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

578/12 That Council receive the report on Proposed Inspections and Briefings.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

1.3 Address by Invited Speakers

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

579/12 That Council receive the amended report on Invited Speakers.

580/12 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

MINUTES OF THE Ordinary Council Meeting OF COUNCIL 12 December 2012 contd

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER
AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

581/12 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 28 November 2012 and the Extraordinary Meeting of Council held on Thursday 29 November 2012.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER
AGAINST: NIL

BUSINESS ARISING

There was no business arising.

2.1 Mayoral Minute - Tuggerah Lakes Reserve Trust (Pioneer Dairy)

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

582/12 That Council extends the same arrangements to the Tuggerah Lakes Reserve Trust (Pioneer Dairy) that was offered to the Ourimbah Soccer Club in regard to the water and sewerage developer charges currently levied on the new amenities building, being a 65% contribution from General Fund and the remaining 35% paid by the Pioneer Dairy Trust over 4 equal payments with interest charged at 10% per annum.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER
AGAINST: NIL

2.2 Mayoral Minute - United Services Union Request to Confirm Provisions of Employment Protection in Relation to Central Coast Water Corporation Transfer

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

583/12 That Council advise the United Services Union that its resolutions of May 31 2012 and June 28 2012 have not been altered or rescinded and will continue to be implemented.

584/12 That Council advise the United Services Union that it should note that Wyong Shire Council is only one party in the implementation of the Central Coast Water Corporation and the extent to which it is able to implement its 28 June 2012 resolutions (which it is committed to doing) is significantly influenced by the extent to which the resolutions of the Extraordinary Meetings of Gosford City Council held on 31 May 2012 and 28 June 2012 are implemented by that Council.

585/12 That Council confirm that its resolution of 31 May 2012 (Item 3.1 4(v)) would accommodate staff employment protections beyond 1/7/2020 should the implementation phases be delayed.

586/12 That Council endorse the wording in the attached response to the United Services Union (attachment 2).

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

3.1 Deferred Payment of Section 94 Contributions

Councillor Taylor left the meeting at 6.04 pm and returned at 6.05 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor NAYNA:

587/12 That Council adopt the Proposed Policy for the deferred payment of Section 94 development contributions provided in this report, for up to two years deferment.

588/12 That Council approve the necessary changes to the contributions plans which allows Council to delegate the consideration and approval of application for deferment in accordance with the adopted policy.

589/12 That Council request that the Department of Planning & Infrastructure make the necessary legislative changes as part of its planning reform process that confirms and supports Council's ability to record deferred Section 94 contribution as a debt against the land pursuant to section 603 of the Local Government Act 1993.

590/12 That Council refer the policy to the Employment and Economic Development Committee for further refinement.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.1 Proposed purchase of Lot 3 DP 657514 - 30 Manns Rd, Fountaindale

RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

- 591/12 That Council authorise the General Manager to negotiate with the Vendor the transfer of the subject land at the most advantageous outcome for the community.
- 592/12 That Council authorise \$10,000 for associated costs, using restricted funds generated by Clause 14 of Wyong LEP 1991.
- 593/12 That Council authorise the affixing of the Common Seal of Wyong Shire Council to all documents relating to the acquisition of the land by Council.
- 594/12 That Council authorise the Mayor and the General Manager to execute all documents relating to the acquisition of the land by Council.
- 595/12 That, Council classify Lot 3 DP 657514 30 Manns Rd, Fountaindale as Community Land – Bushland following purchase.
- 596/12 That Council rezone Lot 3 DP 657514 as E2 – Environmental Conservation under draft Wyong LEP 2012.
- 597/12 That, Council approve a budget of \$55,000.00 (excl. GST) for a capital upgrade of Lot 3 DP 657514 including vegetation management, improved access, interpretive signage, fencing as needed, undertake community engagement and related actions using restricted funds generated by Clause 14 of Wyong LEP 1991.
- 598/12 That, Council authorise the Mayor and the General Manager to execute all documents relating to entering into a Memorandum of Understanding (MOU) with the Office of Environment and Heritage to establish a Biobank site on Lot 3 DP 657514.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.2 DA/48/2012 - Proposed Demolition of Existing Structures and Construction of Two Dual Occupancy Buildings at North Entrance

Councillor Vincent left the meeting at 6.09 pm and returned at 6.13 pm and as a result took no part in voting on this item.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GRAHAM:

- 599/12 That Council grant consent subject to the conditions detailed in the schedule attached to this recommendation, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

600/12 *That Council advise those who made submissions of be advised Council's decision.*

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: NIL

4.3 DA/82/2012 -Proposed Seniors Living Development Consisting of 26 Dwellings at Wadalba

Mr Kent Levander addressed the meeting at 5.18 pm, answered questions and retired at 5.26 pm.

It was MOVED by Councillor EATON and seconded by Councillor WEBSTER:

- 1 *That Council grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.*
- 2 *That Council advise those who made written submissions of its decision.*

An AMENDMENT was moved by Councillor GREENWALD and seconded by Councillor NAYNA:

- 1 *That Council defer this matter to allow the General Manager to prepare a further report in relation to Clause 30.*
- 2 *That Council request the General Manager to carry out the Community Engagement, especially in relation to traffic management conditions.*

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS GRAHAM, GREENWALD, NAYNA AND VINCENT

AGAINST: COUNCILLORS EATON, MATTHEWS, TAYLOR, TROY AND WEBSTER

RESOLVED on the motion of Councillor EATON and seconded by Councillor WEBSTER:

601/12 *That Council grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.*

602/12 *That Council advise those who made written submissions of its decision.*

FOR: COUNCILLORS EATON, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND VINCENT

4.4 DA/125/2012 - Proposed Rural Subdivision at Jilliby

Councillor Vincent left the meeting at 6.09 pm and returned at 6.13 pm and as a result took no part in voting on this item.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor EATON:

603/12 That Council note the withdrawal of the development application by the Applicant, AWD Johnson.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: NIL

4.5 DA/222/2012/A - Dwelling & Inground Pool including Demolition of Existing Dwelling at Wyong

Ms Kerrie Chisholm addressed the meeting at 5.45 pm, answered questions and retired at 5.55 pm.

RESOLVED on the motion of Councillor GRAHAM and seconded by Councillor TAYLOR:

604/12 That Council grant consent subject to the conditions detailed in the schedule attached to this recommendation, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLOR VINCENT

4.6 DA/322/2012 - Proposed Supermarket at Wyong

Councillor Vincent left the meeting at 6.09 pm and returned at 6.13 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:

605/12 That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report.

606/12 That Council waive the Section 94A Contribution of \$41,000 in return for the net public benefit provided by the provision of an awning along the Pacific Highway frontage, mature landscaping and feature wall on the corner of Pacific Highway and North Road, Wyong.

607/12 That Council vary Development Control Plan 2005 Chapter 81 – Retail Centres to permit the development.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

PROCEDURAL MOTION

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

608/12 That Council allow meeting practice be varied to consider items 4.7, DA/686/2012 Proposed Dwelling and an Attached Secondary Dwelling at Wyong, in conjunction with item 4.8, DA/717/2012 Proposed Secondary Dwelling at Wyong.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.7 DA/686/2012 Proposed Dwelling and an Attached Secondary Dwelling at Wyong

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

609/12 That Council grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

610/12 That Council waive Section 94 Contributions.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.8 DA/717/2012 Proposed Secondary Dwelling at Wyong

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

611/12 That Council grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

612/12 That Council waive Section 94 Contributions.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.9 Draft Contributions Plan for the Warnervale Town Centre

Councillor Matthews left the meeting at 6.29 pm and returned to the meeting at 6.30 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WEBSTER:

613/12 That Council adopt the draft Contributions Plan for Warnervale Town Centre with the amendments recommended in this report.

614/12 That Council request the Minister for Planning & Infrastructure to exempt the Warnervale Town Centre from capping by including the area/plan in Schedule 2 of the Section 94E Direction.

615/12 That Council request the Minister to reduce the Special Infrastructure Contributions that apply within the Shire in accordance with Government's June announcement.

616/12 That Council request that the Minister impose the following conditions in the Woolworths Major Project Development:

- a) A condition requiring the payment of section 94 contributions prior to the release of the construction certificate in accordance with adopted Contributions Plan.**
- b) A condition requiring the provision of a civic square that is 2,700m² in area without any traversing roads be provided in the vicinity of the proposed civic square and that the land be dedicated to Council.**
- c) A condition requiring the construction and dedication of the main street (W06) at no cost to Council.**

617/12 That Council organise a briefing for interested Councillors on the Warnervale Town Centre Contributions Plan.

618/12 That Council refer the Warnervale Town Centre Contributions Plan to the Employment and Economic Development Committee for review.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.10 Public Exhibition of Draft Wyong Local Environmental Plan 2012, Draft Settlement Strategy and Draft Wyong Development Control Plan 2012

All Councillors declared various pecuniary interests in this matter in accordance with Section 541 (4) and made Special Disclosures (Schedule 3A). All Councillors participated in the voting on the item. Copies of the Special Disclosures are attached.

RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

619/12 That Council endorse the draft Wyong LEP 2012 and supporting documentation, as certified (Attachment 1), to be placed on public exhibition for a minimum of 6 weeks pursuant to Section 66 of the Environmental Planning and Assessment Act 1979 (EP&A Act), commencing 9 January, 2013.

620/12 That Council endorse the community engagement strategy for the public exhibition of the certified draft Wyong LEP 2012 set out in this report.

621/12 That Council receive a further report on the draft Wyong LEP 2012 and supporting documentation, under the provisions of Section 68 of the EP&A Act, following public exhibition, and prior to forwarding to the Department of Planning & Infrastructure for the Minister's consideration, under section 68 of the EP&A Act.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.11 RZ/1/2011 - North Wyong Enterprise Corridor Rezoning

Councillor Eaton declared a pecuniary interest in this matter for the reason that his family company is a landowner in the affected area. Voting for this item was dealt with via the exception method and therefore Councillor Eaton has been excluded from the voting due to his declared interest in the matter

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

622/12 That Council note the information.

623/12 That Wyong Development Control Plan 2005 (Chapter 36- North Wyong Industrial Estate) be revised and publicly exhibited to ensure consistency with the Planning Proposal and provide guidelines for future development.

FOR: COUNCILLORS GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.12 Supplementary Report for Item 4.10, Public Exhibition of Draft Wyong Local Environmental Plan 2012, Draft Settlement Strategy and Draft Wyong Development Plan 2012

RESOLVED on the motion of Councillor NAYNA and seconded by Councillor GRAHAM:

624/12 That Council endorse the attached revised map indicating a strategic location for a Type 3 airport (Central Coast Airport) including footnotes as the document to be displayed in the material to be placed on public exhibition with Draft LEP 2012, commencing 9 January 2013 to 20 February 2013.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLOR VINCENT

5.1 Classification of Land, Lot 229 DP 1175020 at Grasstree Avenue, Woongarra

Councillor Webster left the meeting at 7.01 pm and returned to the meeting at 7.02 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor NAYNA:

625/12 That Council propose classification of Lot 229 DP 1175020, Grasstree Avenue, Woongarra, as Operational Land.

626/12 That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.

627/12 That Council adopt the classification if no adverse submissions are received.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

6.1 CPA/185309 - Provision of Routine Tree Services

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

628/12 That Council accept the tenders from the two companies nominated as Tender No 12 (No. 1 ranked company) and Tender No 4 (No. 2 ranked company) in the attached Tender Evaluation Report, to form a ranked panel for Contract CPA/185309 - Provision of Routine Tree Services for a period of three years.

- 629/12 *That Council determines the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.*
- 630/12 *That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.*

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

6.2 CPA/186620 - Construction of a Solar Tower at Scaddens Ridge

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

- 631/12 *That Council accept the tender from the company nominated as Tenderer '8' in the attached Tender Evaluation Report, for the lump sum amount of \$150,000 (excl GST) for Contract CPA/186620 – Construction of a Solar Tower at Scaddens Ridge.*
- 632/12 *That Council determines the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.*
- 633/12 *That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.*

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

6.3 CPA/199536 - In Situ Stabilisation Works

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

- 634/12 *That Council accept the tender from Tenderer 2 for a period of three years with a two year option as the first ranked supplier for Contract CPA/199536 – In Situ Stabilisation.*
- 635/12 *That Council accepts the tender from Tenderer 1 for a period of three years with a two year option as the second ranked supplier for Contract CPA/199536 – In Situ Stabilisation.*
- 636/12 *The Council note the estimated annual expenditure against this contract is \$3,370,000.00) (excl GST) based on the past three years average expenditure, however actual expenditure may vary significantly with fluctuations in demand.*

637/12 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

6.4 CPA/213807 - Provision of effluent and sludge removal and disposal services

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

638/12 That Council decline to accept any of the tenders.

639/12 That Council cancel the proposal for the contract.

640/12 That Council approve an extension of the existing contract up to June 30 2013.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

6.5 CPA/186318 - Inspection, Testing, Maintenance, Survey and Reporting of Council's Fire Protection Systems and Equipment

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

641/12 That Council accepts the tender from the company nominated as Tender No 3 in the attached Tender Evaluation Report in the estimated total amount of \$555,771.00 (excl. GST) for Contract CPA/186318 – Inspection, Testing, Maintenance, Survey & Reporting of Council's Fire Protection Systems & Equipment at various Council facilities for a period of three years.

642/12 That Council determines the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.

643/12 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.1 Minutes and Membership of the Employment and Economic Development Committee

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

- 644/12 That Council receive the minutes of the Employment and Economic Development Committee meeting held on 21 November 2012.
- 645/12 That the Council amend the Wyong Shire Employment Study and Industrial Land Audit to qualify the actual available land and detail of the degree of constraints.
- 646/12 That Council remove the proposed Jilliby West long term industrial area from the Wyong Shire Employment Study and Industrial Land Audit as potential employment land, due to the existing Council resolution to support this land as rural residential.
- 647/12 That Council on behalf of the Committee thank Dart Energy for their presentation on coal seam gas and request Dart Energy and AGL to provide the Employment and Economic Development Committee a thorough benefits analysis including employment opportunities.
- 648/12 That Council undertake a review of its DCP's and standard conditions of development consent and that key industry stakeholders be invited to make written submissions.
- 649/12 That Council underwrite the Central Coast Mariners bid to secure David Beckham's recruitment to a maximum of \$100,000, subject to matching funding from Gosford City Council and subject to satisfactory agreements maximising the benefits to Wyong LGA.
- 650/12 That Council note the draft Incentive Policy for Iconic Development on Key sites was endorsed by the EEDC.
- 651/12 That Council exhibit the draft Incentive Policy for Iconic Development on Key sites.
- 652/12 That Council request the current Economic Development strategies from Ipswich City Council, City of Ryde Council, Parramatta City Council, Hills District Council and Mandurah Council to be reported to its EED Committee.
- 653/12 That Council undertake a survey of community attitudes towards development, employment and related issues with the survey topics to be determined by the General Manager and Mayor and report on the results of the survey to the EEDC.
- 654/12 That Council elect Councillor Eaton as an additional member of the Employment and Economic Development Committee.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.2 The Entrance, Toukley and Wyong Town Centres Funding Agreements Extension

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is the Council's alternative delegate to the Wyong Regional Chamber of Commerce and participated in consideration of this matter.

Councillor Greenwald stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is Councillor appointee to the Wyong Chamber and The Entrance Town Centre and participated in consideration of this matter.

Councillor Eaton stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is the Wyong Shire Council delegate for Greater Toukley Vision and participated in consideration of this matter.

Councillor Nayna stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is the Director for The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Webster:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

655/12 That Council extend the funding agreements with each of the town centre management entities for The Entrance, Toukley and Wyong Town Centres for a further four years commencing 1 July 2013.

656/12 That Council direct the General Manager to review and negotiate the terms of each extended agreement with each town centre management entity and report back to Council on the results by 30 June 2013.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.3 Investigation of Recreational Vehicle Dump Points

It was MOVED by Councillor NAYNA and seconded by Councillor WEBSTER:

- 1 *That Council notes the contents of the report.*
- 2 *That Council better utilise the existing facilities located within existing holiday parks and the 2 dump points at the twin Caltex Service Stations on the F3 Highway, through further advertising.*

An AMENDMENT was moved by Councillor VINCENT and seconded by Councillor GREENWALD:

- 1 *That Council notes the contents of the report.*
- 2 *That Council conduct a briefing for those interested Councillors, in conjunction with the Northern Lakes Regional Business Chamber and the Caravan and Motor Home Club of Australia, to discuss the installation of a trial dump site at Osborne Park, Toukley.*

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

AGAINST: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

RESOLVED on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:

657/12 That Council notes the contents of the report.

658/12 That Council better utilise the existing facilities located within existing holiday parks and the 2 dump points at the twin Caltex Service Stations on the F3 Highway, through further advertising.

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

7.4 Draft Wyong Shire Employment Land Study and Industrial Land Audit

Councillor Greenwald left the meeting at 7.25 pm and returned to the meeting at 7.26 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor NAYNA:

659/12 That Council note the draft study and delegate authority to the General Manager to make revisions to the draft Wyong Shire Employment Land Study.

660/12 That Council consider a further report be submitted to Council which includes amendments to the Wyong Shire Employment Land Study.

661/12 That Council note the draft Wyong Shire Employment Land Study is not a binding plan.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.5 Grants Advisory Group - 22 November 2012

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

662/12 That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 22 November 2012.

663/12 That Council allocate \$71,006.20 from the 2012-13 Community Benefit Grants Program Round 1 as follows:

Applicant	Project	Amount
Coastal A Cappella Inc	Purchase of a set of 'Choral Riser Steps'	\$2,700.00
Coastal Lakes Indoor Bowls Association	Purchase of new indoor bowls mats to meet new design requirements. Program for young people based at Wyong High School	\$5,913.60
Compass Housing Services - Central Coast	Project to target graffiti on boundary wall of Compass Housing over 50's village at Kanwal. Stage 1 planting native trees	\$600.00
Ekta Mandir Inc	India-Australia Cultural Events. Five events over 12 months	\$2,344.00
Impact 4 Life Church	Generate Youth. Bi monthly youth engagement activity in Budgewoi	\$2,427.20
Killarney Vale AFC Australian Football Club Inc	Non-competition Australian Football League games with modified rules, to introduce non players to the sport	\$3,600.00
Learning Links	Understanding Bullying program. Workshops for parents and carers	\$1,900.00

Long Jetty District Senior Citizens' Club	Replacement of unsafe indoor bowls mat. Mat currently unusable which limits number of players	\$4,250.00
Nga Waka E Whitu Maori Culture Group NSW Inc	Purchase of Maori uniforms and guitar to perform at Wyong Local Government Area (LGA) functions	\$5,640.00
Northern Settlement Services	Playing Around the World. Multicultural play group for the local 'Cultural and Linguistically Diverse' community based at The Entrance Community Centre	\$670.40
Ocean Coastal Care Initiatives	Marine ecology education and displays at local libraries. Guided rock pool walks on local marine platforms	\$3,923.00
Samaritans Foundation - Updated application	Christmas 'Lunch on the Coast'. Free lunch at Wyong Racecourse on Christmas Day for the lonely or disadvantaged	\$2,000.00
San Remo Neighbourhood Centre - GOATS	Going Off At The Swamp' family festival. Annual youth focussed event, at Koala Park, San Remo	\$12,000.00
Sculpture on the Greens Inc	Sculpture on the Greens. Outdoor exhibition of sculptures at Kooindah Waters Resort. Includes visits to schools and workshops	\$4,450.00
Toukley District Senior Citizens	Central Coast Conservatorium Youth Orchestra and Central Dance Company, two performances of Peter and the Wolf for students; European based classical ensemble 'The Streeton Trio' - one performance	\$3,800.00

Uniting Care Burnside	Family activity days. Six sports based mini olympic style events across Wyong LGA during school holidays	\$5,808.00
Uniting Care Burnside - Northern Lakes Family Centre	Dad's Day Out. Lake Munmorah Reserve. One day annual event celebrating the role that dads, uncles, grandfathers and male care givers play in children's lives	\$3,380.00
Warnervale Annual Fair Committee	Warnervale Annual Fair. Event aimed to promote local community connectedness	\$5,600.00
TOTAL		\$71,006.20

664/12 That Council decline the following Community Benefit Grant applications for the reasons as indicated in the table below, the applicants advised and where relevant, directed to alternate funding programs:

Applicant	Project	Funding Sought	Reason
Impact 4 Life Church - for 4 Hope Ministries	Meals 4 Hope. Soup kitchen and BBQ trailer for disadvantaged in Gwandalan area	\$9,485.90	NOT RECOMMENDED. Budget and proposal lacks specific detail. Applicant advised to reapply next round after further consultation. (Guideline item 4.3)
Australian Seabird Rescue Central Coast	PROJECT NOT STATED	NOT STATED	INELIGIBLE. Incomplete application

Applicant	Project	Funding Sought	Reason
Central Coast CC Australian Italian Friendship Society Inc	Italian-Australian Community Celebrations. Four events over 12 months	\$5,526.50	NOT RECOMMENDED. Core business of organisation. Recommend ongoing discussions with WSC cultural planner before reapplying. (Guideline item 2.7)
Compass Housing Services	No Interest Loan Scheme for tenants of Compass Housing, Housing NSW and Pacific Link	\$5,000.00	NOT RECOMMENDED. Duplicates a project already existing within Wyong Shire. Applicant to be advised to link with St Vincent de Paul. (Guideline item 2.11)
Lifeline Central Coast	Expand existing phone support program (Care-ring) into a Social Activities Program to increase community connectedness	\$48,000.00	INELIGIBLE - Late application
Northern Women's Health Centre - Wyong	The Whole Woman. Physical, mental and emotional wellbeing therapeutic program	\$9,360.00	NOT RECOMMENDED. Need to review core business of NSW Health. Better funded by NSW Health. (Guideline item 2.1)
Skate Australia Inc	Program to build participation and awareness in skateboarding. Lake Haven, The Entrance and Wadalba skate parks	\$2,760.00	NOT RECOMMENDED. Application indicates core business. Group to liaise with Sport and Recreation and reapply next round if unable to self fund. (Guideline item 2.7)

<i>Applicant</i>	<i>Project</i>	<i>Funding Sought</i>	<i>Reason</i>
<i>Tuggerah Lakes Potters Association Inc</i>	<i>Upgrade electrical wiring to permit installation of second kiln in shed at Beryl St Community Centre Gorokan</i>	<i>\$2,850.00</i>	<i>INELIGIBLE. Capital expenditure. (Guideline item 2.6)</i>
<i>Wyong Regional Chamber of Commerce</i>	<i>Welcome to Wyong banners/flags. Currently along Tuggerah Straight, funding to expand banners along Pacific Highway Wyong</i>	<i>\$10,000.00</i>	<i>NOT RECOMMENDED. Organisation's core business. Ability to fund from other sources. (Guideline item 2.7)</i>
<i>Youth Connections</i>	<i>Program to establish a community garden at Gravity Youth Centre Lake Haven</i>	<i>\$16,913.50</i>	<i>NOT RECOMMENDED. Budget and proposal lacks specific detail. Applicant advised to reapply next round after further consultation. (Guideline item 4.3)</i>
<i>Youth Tunes 2013 - Roadcase Parties Productions</i>	<i>Unspecified youth music program</i>	<i>NOT STATED</i>	<i>INELIGIBLE. Not incorporated or auspiced. Incomplete application</i>
TOTAL		\$109,895.90	

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.6 Central Coast Joint Service Project October Status Report

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

665/12 That Council receive and note the information.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.7 Community Strategic Plan review

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

666/12 That Council note the contents of the report and endorse the recommended Community Engagement Plan for the review of the Community Strategic Plan

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.8 Enterprise Risk Management Framework

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

667/12 That Council endorse in principle the Enterprise Risk Management Framework comprising the Enterprise Risk Management Strategy and the Risk Policy.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.9 Iconic Development Sites - Maximum Building Heights in Wyong Local Environmental Plan 2012

Councillor Vincent left the meeting at 7.32 pm and returned to the meeting at 7.33 pm during consideration of this item.

RESOLVED on the motion of Councillor GRAHAM and seconded by Councillor NAYNA:

668/12 That the motion be put.

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

RESOLVED on the motion of Councillor EATON and seconded by Councillor WEBSTER:

669/12 That Council endorse the maximum building heights and floor space ratios as shown on the amended Table 1 attached to this report for inclusion in draft Wyong Local Environmental Plan 2012.

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

7.10 Modification to The Art House Wyong Shire Performing Arts and Conference Centre Concept Design and Capital Cost

Councillor Taylor left the meeting at 7.51 pm returned to the meeting at 7.52 pm during consideration of this item.

Councillor Nayna left the meeting at 7.56 pm and returned to the meeting at 7.57 pm during consideration of this item.

Councillor Matthews left the meeting at 7.58 pm and returned to the meeting at 8.03 pm during consideration of this item.

RESOLVED on the motion of Councillor EATON and seconded by Councillor GRAHAM:

670/12 That Council authorise the General Manager to develop a design option and reviewed Business Plan of The Art House based on a maximum \$12M capital cost in consultation with The Art House Working Party and report back to Council.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS MATTHEWS AND VINCENT

7.11 Central Coast Regional Cultural Framework

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

671/12 That Council endorse the Central Coast Regional Cultural Framework

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.12 Australian Chinese Theme Park Purchase of Council Land

It was MOVED by Councillor TAYLOR and seconded by Councillor NAYNA:

- 1 *That Council receive this update on the resolutions of the Mayoral minute made at the 28 November 2012 Council meeting.*
- 2 *That Council enter into negotiations with Australia Chinese Theme Park Pty Ltd for a joint Memorandum of Understanding to encourage Chinese investment in Wyong to promote the theme park, trade and tourism.*
- 3 *That Council authorise the Mayor to represent Council in China to engage in discussions on trade, investment and tourism matters with a report to be presented back to Council.*

- 4 That Council establishes a delegation which will travel to China in late May 2013 consisting of interested Councillors and their spouses, the General Manager or his delegate and other significant interested local stakeholders to further develop trade, investment and tourism relationships and provide a different perspective on development, transportation and government.
- 5 That Council notes that travel costs, apart from the General Manager's and/or his delegate are to be met by the delegates and not Council.
- 6 That Council note the amended page one (1) to the business paper dated 28 November 2012 regarding the Australia Chinese Theme Park Pty Ltd (D03197491).

An AMENDMENT was moved by Councillor VINCENT and seconded by Councillor MATTHEWS:

- 1 That Council receive this update on the resolutions of the Mayoral minute made at the 28 November 2012 Council meeting.
- 2 That Council enter into negotiations with Australia Chinese Theme Park Pty Ltd for a joint Memorandum of Understanding to encourage Chinese investment in Wyong to promote the theme park, trade and tourism.
- 3 That Council establishes a delegation which will travel to China in late May 2013 consisting of interested Councillors and their spouses, the General Manager or his delegate and other significant interested local stakeholders to further develop trade, investment and tourism relationships and provide a different perspective on development, transportation and government.
- 4 That Council notes that travel costs, apart from the General Manager's and/or his delegate are to be met by the delegates and not Council.
- 5 That Council note the amended page one (1) to the business paper dated 28 November 2012 regarding the Australia Chinese Theme Park Pty Ltd (D03197491).

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

AGAINST: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER'

RESOLVED on the motion of Councillor TAYLOR and seconded by Councillor NAYNA:

- 672/12 That Council receive this update on the resolutions of the Mayoral minute made at the 28 November 2012 Council meeting.**
- 673/12 That Council enter into negotiations with Australia Chinese Theme Park Pty Ltd for a joint Memorandum of Understanding to encourage Chinese investment in Wyong to promote the theme park, trade and tourism.**
- 674/12 That Council authorise the Mayor to represent Council in China to engage in discussions on trade, investment and tourism matters with a report to be presented back to Council.**
- 675/12 That Council establishes a delegation which will travel to China in late May 2013 consisting of interested Councillors and their spouses, the General Manager or his delegate and other significant interested local stakeholders to further develop trade, investment and tourism relationships and provide a different perspective on development, transportation and government.**

676/12 That Council notes that travel costs, apart from the General Manager's and/or his delegate are to be met by the delegates and not Council.

677/12 That Council note the amended page one (1) to the business paper dated 28 November 2012 regarding the Australia Chinese Theme Park Pty Ltd (D03197491).

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

7.13 Proposed Councillors' Community Improvement Grants

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

678/12 That Council allocate an amount of \$1,000.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

<i>Proposed Allocations for 12/12/2012</i>		
<i>San Remo Neighbourhood Centre (\$1000)</i>	<i>Security for San Remo/Blue Haven Community Christmas Celebration</i>	<i>1,000</i>

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

7.14 Service Standards Review - Results of Stage 2 Community Consultation

RESOLVED on the motion of Councillor EATON and seconded by Councillor NAYNA:

679/12 That Council note the report on the Service Standards Review Stage 2 community consultation.

680/12 That Council not proceed with consideration of Option 3 (12.5% increase per year for 7 years).

681/12 That Council delegate to the General Manager the authority to take necessary action to comply with Independent Pricing and Regulatory Tribunal deadlines and guidelines to apply for a Special Rate Variation application in 2013/14. Noting that the application will be up to 9.5% (including the capped rate increase approved by the NSW government which is 3.4% in 2013/14, which means up to a maximum of 6.1% in 2013/14) to ordinary general rates each year for 7 years from 2013/14 under S508A of the Local Government Act.

682/12 That Council direct the General Manager to undertake further community consultation during January and February 2013. This will focus on the specific impacts on the community of Options 1 and 2, to clarify and identify community preference for services to be enhanced or reduced if the full rate increase is not progressed, and to assess the community's ability to pay.

683/12 That Council direct the General Manager to report the results of the community consultation during January and February 2013 to Council by March 2013.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS MATTHEWS AND VINCENT

8.1 Information Reports

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

684/12 That Council receive the report on Information Reports.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

8.2 Road Capital Works Program

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

685/12 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

8.3 Minutes of the Estuary Management, Coastal and Floodplain Management Committee

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

686/12 That Council receive the report on Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 1 November 2012.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

8.4 Investment Report for November 2012

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

687/12 That Council receive the Investment Report for November 2012.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

8.5 Outstanding Questions on Notice and Notices of Motion

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor GREENWALD:

688/12 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

10.1 Notice of Motion - Council to Purchase Land in Wadalba Hill Wildlife Corridor Area

It was MOVED by Councillor VINCENT and seconded by Councillor MATTHEWS:

- 1 *That Council acknowledge the significant importance of the Wadalba Hill Wildlife Corridor area to both biodiversity and the Powerful Owl's habitat.*
- 2 *That Council undertake a review of the State and Federal funding options available to purchase sections of 10a zoned land that could be potentially for sale in the Wadalba Urban Release Area (WURA) that connect to the established Wadalba Hill Wildlife Corridor area.*
- 3 *That Council direct the General Manger to prepare a report to purchase 10a zoned land, and other land not easily developed into residential allotments due to environmental and other constraints on and around the Wadalba Hill corridor area, using funding from State or Federal government sources.*
- 4 *That Council direct the General Manger to consult with relevant community members, groups and organisations as part of the report preparation process.*
- 5 *That Council direct the General Manager to develop procedures for the purchase and long term management of the Wadalba Hill Wildlife Corridor area in consultation with relevant community members, groups and organisations.*

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

AGAINST: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

10.2 Notice of Motion - Council to Investigate Dog Poo Bag Dispensers for Local Beaches and Shared Pathways

RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor MATTHEWS:

689/12 That Council acknowledge the significant amount of dog owners that enjoy walking their pets on shared pathways and approved dog walking beach areas within the Wyong Shire.

690/12 That Council receive a report identifying additional and existing sites for the installation of dog poo collection bag dispensers in appropriate high usage locations within the Wyong Shire including costs and benefits.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

11.1 Notice of Rescission - Disability Friendly Miniature Railway in the North of the Wyong Shire

RESOLVED on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

691/12 That Council rescind the following resolution carried at the Ordinary Meeting of Council held on 22 August 2012:

190/12 That Council support in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.

191/12 That Council request the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.

192/123 That Council request the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

RESOLVED on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

692/12 That Council support in principle the Pioneer Dairy Model Railway Group in its endeavours to establish a disability friendly miniature railway system in the north of Wyong Shire.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

QUESTIONS ON NOTICE

Q45/12 Impact of Wrack Harvesting on the White Seahorse

Councillor Ken Greenwald

F2004/11674

"Mr General Manager, before deciding to double the rate of the wrack harvesting, can you please inform Council of what the imposition may be on the White Seahorse, which is a threatened species?"

Q46/12 Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee Quorum

Councillor Robert Graham

F2004/07986

"Mr Mayor, why did you allow the meeting of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on Thursday 6 December 2012 to proceed when a quorum was not present?"

The second part of my question is what will happen to the decisions made at that illegal meeting?"

Q47/12 Community Representations on Advisory Committees

Councillor Robert Graham

F2004/07986

"Mr General Manager, could you please explain to me the anomaly between community representations on various advisory committees of Council?"

For example, the Women's Advisory Committee consists of one Councillor plus six to eight community representatives appointed by the General Manager, and it monitors no projects.

Whilst the Estuary Coastal and Floodplain Management Committee consists of three Councillors plus three community representatives appointed by Council, and it monitors dozens of work programs across the Shire and has delivered in excess of required targets under a \$20million dollar "Caring for our Country" grant over the last five years."

The Mayor thanked all the Councillors for conducting the business of Council in a professional manner and on behalf of Council wished all staff a Merry Christmas and Happy New Year.

THE MEETING closed at 8.56 pm.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

- 1 The particulars of this form are to be written in block letters or typed.
- 2 If any space is insufficient in this form for all the particulars required to complete it, an appendix is to be attached for that purpose which is properly identified and signed by you.

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Doug Eaton
in the matter of draft Wyong Local Environmental Plan 2012
which **was** considered at a Council meeting held on the 12th day of December 2012.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	23 Jennings Road WYONG NSW 2259 (Lot 1 DP 24783)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(b) (Multiple Dwelling Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Appreciable financial loss – Down-zone. Down zone proposed due to flood liability and impact on development potential.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	(Lot 7) 1705 Mungahong Rd Agnesbank 44A Warner Avenue WYONG NSW 2259 (Lot 1 DP 1046294) Delete sold
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone) 1(a) Rural
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone RU 1

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	4 & 6 London Drive, WYONG NSW 2259 (Lots 39 & 40 DP 1100416) 1 - 10 Naples Place, WYONG NSW 2259 (Lots 41 – 50 DP 1100416)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 4(a) (General Industrial Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 IN1 General Industrial Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
4. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	464 Rutleys Road MANNERING PARK NSW 2259 (Lot 11 DP 1091396)

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 5(a) (Special Uses Zone - Power Station)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 SP2 Infrastructure Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

5. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	Amsterdam Circuit, WYONG NSW 2259 (Lots 1-37 DP 1100416)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 4(a) (General Industrial Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 IN1 General Industrial Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

6. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	500 Pacific Highway, WYONG NSW 2259 (Lot A DP 403153)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 4(a) (General Industrial Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 IN1 General Industrial Zone

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
7. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	3a Pioneer Avenue TUGGERAH NSW 2259 (Lot 302 DP 1007368)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land. <i>Note: Not currently a Central Coast Group Training (CCGT) board member.</i>
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 4(c) (Business Park Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 B7 Business Park Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Appreciable financial gain – Up-zone. Change from Industrial to a business zone with greater emphasis on office related functions. Similar light industrial uses permitted.

Councillor's signature:



12/12/12

Date:

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- 2 Section 442 of the Local Government Act 1993 provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- 3 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.
- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

- 1 The particulars of this form are to be written in block letters or typed.
- 2 If any space is insufficient in this form for all the particulars required to complete it, an appendix is to be attached for that purpose which is properly identified and signed by you.

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Bob Graham
in the matter of *draft Wyong Local Environmental Plan 2012*
which **was** considered at a *Council meeting* held on the *12th* day of *December 2012*.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	38 Gregory Street, BERKELEY VALE NSW 2261 (Lot 39 DP 202428)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest ²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	121 Church Road, TUGGERAH NSW 2259 (Lots 61-64, Lots 71-73 & Lots 80-89, DP 4008)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 5(a) (Special Uses Zone – Sewerage Buffer)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 SP2 Infrastructure Zone – Sewerage System

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	8 Titania Avenue, TUGGERAH NSW 2259 (Lot 3A DP 367658 & Lot 3 DP 650650)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 5(a) (Special Uses Zone – Sewerage Buffer)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 SP2 Infrastructure Zone – Sewerage System
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

Councillor's signature:



Date:

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

- 1 The particulars of this form are to be written in block letters or typed.
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Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

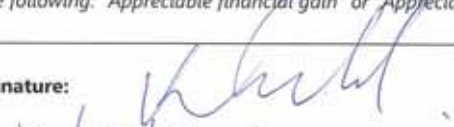
Special disclosure of pecuniary interests by: Councillor Ken Greenwald
in the matter of *draft Wyong Local Environmental Plan 2012*
which **was** considered at a *Council meeting* held on the *12th* day of *December 2012*.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	57 Dunrossil Avenue, WATANOBBI NSW 2259 (Lot 1212 DP 262111)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 Z(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

Councillor's signature:



Date:

12/12/2012

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- 2 Section 442 of the Local Government Act 1993 provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- 3 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.
- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Lisa Matthews
in the matter of *draft Wyong Local Environmental Plan 2012*
which **was** considered at a *Council meeting* held on the *12th* day of *December 2012*.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	77 Kalua Drive, CHITTAWAY BAY NSW 2261 (Lot 168 DP 27390)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

Councillor's signature: *Lisa Matthews*

Date: *12/12/12*

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- 2 Section 442 of the Local Government Act 1993 provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- 3 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.
- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Important Information

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This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Luke Nayna
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 12th day of December 2012.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	133 Dudley Street, LAKE HAVEN NSW 2259
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	130 Ocean Parade, BLUE BAY NSW 2261 (Lot 5 DP 18266)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input checked="" type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(b) (Multiple Dwelling Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R1 General Residential Zone

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
---	--

Councillor's signature:



Date: 12/12/12

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative^a or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- 2 Section 442 of the Local Government Act 1993 provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- 3 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.
- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

- 1 The particulars of this form are to be written in block letters or typed.
- 2 If any space is insufficient in this form for all the particulars required to complete it, an appendix is to be attached for that purpose which is properly identified and signed by you.

Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Lloyd Taylor
in the matter of *draft Wyong Local Environmental Plan 2012*
which **was** considered at a *Council meeting* held on the *12th* day of *December 2012*.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	188 Mountain Road, HALLORAN NSW 2259 (Lot 5 DP 240205)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest ²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	SEPP (Major Developments) 2005 IN1 General Industrial Zone E2 Environmental Conservation Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 IN1 General Industrial Zone E2 Environmental Conservation Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

Councillor's signature:



Date:

12.12.12

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
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- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Special disclosure of pecuniary interests by: Councillor Adam Troy
in the matter of *draft Wyong Local Environmental Plan 2012*
which **was** considered at a *Council meeting held on the 12th day of December 2012.*

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	31 Warner Avenue, Tuggerawong NSW 2259 (Lot 155 DP 13019)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest ²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential. ✓

Councillor's signature:



Date:

12/12/12

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- 2 Section 442 of the Local Government Act 1993 provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- 3 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.
- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Cly Vincent

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by: Councillor Doug Vincent
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 12th day of December 2012.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	147 Scenic Drive, BUDGEWOI NSW 2262 (Lot 396 DP 22793)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	222 Buff Point Avenue, BUFF POINT NSW 2262 (Lot 86 DP 13209)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input checked="" type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 2(a) (Residential Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 R2 Low Density Residential Zone

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	265 Scenic Drive, COLONGRA NSW 2259 (Lot 420 DP 755266 & Lot 425 DP 755266) 301 Scenic Drive, COLONGRA NSW 2259 (Various allotments) 200 Vales Road, MANNERING PARK NSW 2259 (Lot 102 DP 1065718) 220 Vales Road, MANNERING PARK NSW 2259 (Various allotments) 240 Tall Timbers Road, MANNERING PARK NSW 2259 (Lot D DP 349733) 2 Highview Avenue, SAN REMO NSW 2262 (Lot 2 DP 1068216) 80 Highview Avenue, SAN REMO NSW 2262 (Lot 4 DP 734739) 100 Highview Avenue, SAN REMO NSW 2262 (Lot 1 DP 1068216)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 1(c) (Non-Urban Constrained Lands Zone) 2(a) (Residential Zone) 5(a) (Special Uses – Power Station) 6(a) (Open Space and Recreation Zone) 7(g) (Wetlands Management Zone)
Proposed change of zone/planning control	Draft Wyong LEP 2012

**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

<p><i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i></p>	<p>E1 National Parks & Nature Reserves Zone E2 Environmental Conservation Zone E3 Environmental Management Zone RU6 Transition Zone RE1 Public Recreation Zone RE2 Private Recreation Zone SP2 Infrastructure Zone</p>
<p>Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i></p>	<p>No Appreciable financial gain or loss. Equivalent zone and development potential.</p>

Councillor's signature:

D.V.

Date:

12/12/12

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- 1 Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
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- 4 **Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Special disclosure of pecuniary interests by: Councillor Lynne Webster
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 12th day of December 2012.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	616/89-95 The Entrance Road, THE ENTRANCE NSW 2261 (Lot 0 DP 63341)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993


[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 3(d) (Tourist Business Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 B2 Local Centre Zone
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	7 Reliance Drive, TUGGERAH NSW 2259 (Lot 105 DP 866815)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 1991 4(c) (Business Park Zone)
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 B7 Business Park Zone

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No Appreciable financial gain or loss. Equivalent zone and development potential.
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Councillor's signature: 

Date: 12-12-2012

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

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