
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 10 FEBRUARY 2016 COMMENCING AT 5.00PM

PRESENT

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

IN ATTENDANCE

Acting Chief Executive Officer, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Communications Coordinator, IT and Operations Manager and two administration staff.

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

The Mayor, Councillor Eaton OAM, delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report numbers 1.1, 1.2, 1.3, 1.4, 1.6, 2.1, 4.1, 4.2, 6.1 and 8.1 were dealt with first then the remaining reports were resolved using the exception method. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

2.2 Outcomes of the Public Exhibition of draft Wyong Local Environmental Plan (LEP) 2013 - Major Amendment 1

Councillor Eaton submitted a special declaration form for this item.

Councillor Graham submitted a special declaration form for this item.

Councillor Greenwald submitted a special declaration form for this item.

Councillor Matthews submitted a special declaration form for this item.

Councillor Troy submitted a special declaration form for this item.

Councillor Vincent submitted a special declaration form for this item.

Councillor Webster submitted a special declaration form for this item.

**Scanned copies of special declarations for item 2.2, Outcomes of the Public Exhibition of draft Wyong Local Environmental Plan (LEP) 2013 - Major Amendment 1, have been placed at the end of this minutes document.*

Councillor Best declared a pecuniary interest in the matter for the reason that he has interests in property identified in the Local Environment Plan (LEP), left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he may have an interest in a property affected in this matter. In the limited time available he could not determine this and in his regard he decided to make this declaration on precautionary basis. Councillor Taylor left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is an employee of Vales Point Power Station and land it owns is materially affected by the proposed amendments, left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

8.1 Appointment of Acting Chief Executive Officer from 14 March 2016

Rob Noble, Acting Chief Executive Officer declared a pecuniary interest in the matter for the reason that report 8.1 concerns his contract of employment by the Council and the decision by the Council in respect of that contract is a pecuniary interest as defined by s. 442(1) of the *Local Government Act 1993*, left the chamber at 7.19 pm, took no part in discussion, and did not return.

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

91/16 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Confirmation of Minutes of Previous Meeting

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

92/16 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 27 January 2016.

Business Arising

There was no business arising.

1.3 Proposed Briefings and Inspections

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

93/16 That Council receive the report on Proposed Briefings and Inspections.

1.4 Address By Invited Speakers

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

94/16 That Council receive the amended report on Invited Speakers.

95/16 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.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

96/16 That Council consider the following matters in Confidential Session, pursuant to Section 10A (2)(a) and (2)(g) of the Local Government Act 1993:

8.1 – Appointment of Acting Chief Executive Officer from 14 March 2016

97/16 That Council note its reason for considering Report No 8.1 – Appointment of Acting Chief Executive Officer from 14 March 2016, as it contains information on personnel matters concerning particular individuals (other than Councillors) and also contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

98/16 That Council request the Chief Executive Officer to report on these matters in open session of Council.

1.6 Mayoral Minute - Adoption of Employment and Economic Development Committee Minutes - 20 January 2016

RESOLVED unanimously on the motion of Councillor EATON:

99/16 That Council receive the Minutes of the Employment and Economic Development Committee Meeting held on 20 January 2016.

100/16 That Council extend the Temporary Economic Stimulus Package (TESP) scheme for a further 3 years with a varied rate of contributions that matches the current contribution rates, in accordance with the recommendation of the resolution of the Economic Development Committee Meeting held on 20 January 2016.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, LM MATTHEWS, LT TAYLOR, AT TROY, DV VINCENT AND LW WEBSTER

AGAINST: NIL

1.7 Mayoral Minute - Coast Wide Council Service Satisfaction Survey

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

101/16 That Council direct the Acting Chief Executive Officer to conduct a statistically valid survey seeking data on the views of the community, in both local government areas, in relation to the satisfaction with Wyong and Gosford Councils current services and identified need for any additional services.

102/16 That Council note that the intent of the survey is to provide baseline data to assist with the setup of the proposed Central Coast Council.

2.1 Wyong Local Environmental Plan 2013 Land Reclassifications

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

103/16 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan (LEP) 2013 to reclassify the following land parcels to operational land with interests discharged.

- 444A Main Road (Lot 22 DP 717325), Noraville
- 8 & 10 (Lot 51 DP 1154778 & Lot 2 DP 1154356) Bay Village Road, Bateau Bay
- 466 (Lot 1 DP 614688) The Entrance Road, Bateau Bay
- 191 Wallarah Road (Lot 21 DP 813270), Kanwal
- 1 Devon Lane (Lot 52 DP 1100416), Wyong
- 14 Cowan Street (Lot 1 DP 800409), Watanobbi
- 50A Gorokan Drive (Lot 41 DP 719158), Lake Haven
- 6W Kingsland Close (Lot 6 DP 246346), Tacoma South

104/16 That Council endorse the referral of the Planning Proposal to the NSW Department of Planning and Environment (DPE) accompanied by a request for a Gateway Determination pursuant to Section 56 of the EP&A Act 1979.

105/16 That Council undertake community and government agency consultation, in accordance with the requirements attached to any Gateway Determination.

106/16 That Council arrange a public hearing under Section 57 of the EP& A Act 1979 in respect of the Planning Proposal.

107/16 That Council request the NSW DPE to prepare a relevant Local Environmental Plan amendment, and that the Minister is requested to make the Plan, provided there are no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, LT TAYLOR, AT TROY AND LW WEBSTER

AGAINST: CRS KG GREENWALD, LM MATTHEWS AND DV VINCENT

2.2 Outcomes of the Public Exhibition of draft Wyong Local Environmental Plan (LEP) 2013 - Major Amendment 1

Councillor Best declared a pecuniary interest in the matter for the reason that I have interests in property identified in the Local Environment Plan (LEP), left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he may have an interest in a property affected in this matter. In the limited time available he could not determine this and in his regard he decided to make this declaration on precautionary basis. Councillor Taylor left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that I am an employee of Vales Point Power Station and land it owns is materially affected by the proposed amendments, left the chamber at 5.10 pm, took no part in discussion, did not vote and returned to the chamber at 5.25 pm.

Ms Sandra Kay, addressed the meeting at 5.10pm, answered questions and retired at 5.20pm.

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

108/16 That Council submit the Planning Proposal for Major Amendment 1 to the Department of Planning and Environment (DP&E) recommending that the Minister for Planning proceed with the steps for drafting and making of the amendment to Wyong Local Environmental Plan (LEP) 2013.

109/16 That Council advise all those who made a submission of Council's decision.

110/16 That Council defer consideration of the Crangan Bay Quarry Land for a further report from staff.

FOR: CRS DE EATON, B G GRAHAM, KG GREENWALD, LM MATTHEWS, AT TROY AND LW WEBSTER

AGAINST: NIL

3.1 Proposed Grant of Easement for Electricity Purposes over Lot 12 DP 1204397 at Tumbi Umbi

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

111/16 That Council grant an Easement for Electricity purposes over Lot 12 DP 1204397 at 2 Mingara Drive, Tumbi Umbi to provide electricity services to Lot 100 DP 1001482 at 6 Mingara Drive, Tumbi Umbi for an amount of compensation agreed at \$3,910.

112/16 That Council authorise the Common Seal of Wyong Shire Council to be affixed to related documents as required.

113/16 *That Council authorise the Acting Chief Executive Officer to execute all documents relating to the grant of easement between Wyong Shire Council and the owner of Lot 100 DP 1001482.*

3.2 Classification of Land, Lot 306 DP 1209924 at 155 Johns Road, Wadalba

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

114/16 *That Council adopt the classification of Lot 306 DP 1209924 at 155 Johns Road, Wadalba as Operational Land.*

115/16 *That Council note that:*

- a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).*
- b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.*

4.1 Update on Contract CPA/246855 - SPS WS29 and WS30 Vacuum SPS Upgrades and DV10 Installation

Councillor Vincent left the meeting at 7.03 pm and returned to the meeting at 7.05 pm during consideration of this item.

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

116/16 *That Council authorise the Acting Chief Executive Officer to enter into negotiations with Kerroc Constructions for the completion of WS29 in accordance with its amended design and subject to the upper amount and under the terms and conditions detailed in Confidential Attachment "A".*

117/16 *That Council determine the Report remains confidential in accordance with Section 10 A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting business.*

118/16 *That Council approve the amended contract budget detailed in Confidential Attachment "A".*

119/16 *That Council direct the Acting Chief Executive Officer to refer the significant variations in these contracts to Council's external auditor for investigation and advice, and report back to Council.*

4.2 Update on Contract CPA/249913 - Sewage Pumping Stations BB05 and BB06 Upgrades

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

- 120/16 That Council note the former General Manager's approval to enter into a contract with McNamee Constructions Pty Ltd for the lump sum amount of \$2,195,825.00 (excl. GST) for Contract CPA/249913 – Upgrade of Sewage Pump Stations BB05 and BB06.
- 121/16 That Council note the variations under the contract approved to date, costs incurred to date and costs forecast to bring the contract to completion, as detailed in Confidential Attachment "A".
- 122/16 That Council approve the amended contract budget, including contingency sum, as detailed in Confidential Attachment "A".
- 123/16 That Council determine the Report in Attachment A remains confidential in accordance with Section 10 A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting business.
- 124/16 That Council direct the Acting Chief Executive Officer to refer the significant variations in these contracts to Council's external auditor for investigation and advice and report back to Council.

5.1 Proposed Councillors' Community Improvement Grants

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

- 125/16 That Council allocate an amount of \$2400 from the 2015-16 Councillors' Community Improvement Grants as follows:

All Saints Anglican Church (\$4000)	To build an access ramp.	\$1,600
House with No Steps	For tools and a projector and screen for disability woodworking workshop	\$800

5.2 Community Subsidy Program and Sport and Cultural Sponsorship Program

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

- 126/16 That Council allocate \$635.27 from the 2015-16 Community Subsidy Program as follows:

Applicant	Project	Staff Funding Recommended
Mannering Park Country Women's Association	Rates Subsidy 2014-15	\$635.27
Total		\$635.27

127/16 That Council allocate \$4,000.00 from the 2015-16 Sport and Cultural Sponsorship Program as follows:

Applicant	Project	Staff Funding Recommended
Tami Caffyn	Disney International Youth Netball Tournament 2016, USA, team representing Central Coast	\$1,250.00
Jade-Anne Kroemer	Brazil Centre of Excellence Futsal Tour, Brazil, representing Australia	\$1,000.00
Ross Hampton	Australian Trans Tasman Oz Tag Tour 2016, New Zealand, representing Australia	\$1,000.00
Bree Akhurst	National Waterpolo Championships 2016, representing Central Coast	\$ 500.00
Jemma Caldwell	State Waterpolo Championships 2016, representing Central Coast	\$250.00
Total		\$4,000.00

128/16 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project	Staff Recommendation
Shana O'Brien	Nganmarriyanga Immersion Program, Northern Territory	Applicant doesn't reside in Wyong Shire; application is for a program not a competition

6.1 Road Capital Works Program

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

129/16 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

130/16 That Council request the Acting Chief Executive Officer to request a list of road works programs from Gosford City Council for the next 12 months.

6.2 Disclosure of Interest Returns - 1 October to 31 December 2015

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

131/16 That Council receive the report on Disclosure of Interest Returns 1 October to 31 December 2015.

6.3 Outstanding Questions on Notice and Notices of Motion

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

132/16 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Protecting Neighbourhood Properties

Mr Dennis Wild, addressed the meeting at 5.26 pm, answered questions and retired at 5.43 pm.

Councillor Troy left the meeting at 5.25 pm and returned to the meeting at 5.26 pm during consideration of this item.

Councillor Matthews left the meeting at 5.39 pm and returned to the meeting at 5.41 pm during consideration of this item.

Councillor Best left the meeting at 5.52 pm and returned to the meeting at 5.53 pm during consideration of this item.

Councillor Greenwald left the meeting at 6.11 pm and returned to the meeting at 6.12 pm during consideration of this item.

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

133/16 That Council fund an increase to the public tree risk management budget of \$250,000 to reduce the backlog of requests to remove dead, dying or dangerous trees.

134/16 That Council request a report on public tree risk management tree procedures in response to the recent significant storms in April and October 2015 and more recently 15 January 2016, as many trees on public land have fallen or been reported as being dangerous.

135/16 That Council seek the assistance of the State Government, through the local members, to support Council's initiative to improve public safety through matching Council's initiative dollar for dollar.

7.2 Notice of Motion - Chinese Theme Park Confidential

Mr Martin Axe, addressed the meeting at 6.19pm and retired at 6.19pm.

Councillor Matthews left the meeting at 6.19 pm and returned to the meeting at 6.20 pm during consideration of this item.

RESOLVED on the motion of Councillor BEST and seconded by Councillor TROY:

- 136/16 *That the Council note recent media reports that the Minister for Local Government, the Hon Paul Toole, has requested an urgent report on proposed \$500 million Chappypie China Theme Park development at Warnervale.*
- 137/16 *That the Council further note that the Minister and the NSW Office of Local Government (OLG) have investigative powers under the Local Government Act that may be exercised, and that it is prudent that the Council take no action that might complicate or frustrate any review the Minister or OLG may take.*
- 138/16 *That Council also confirms that no Ratepayer Funds have been invested in the development of this proposal & that it is not Council's intention to invest any funds into the construction of the proposal.*
- 139/16 *That Council notes that Council's main roles in respect to the proposed development are:*
- a. As the "relevant planning authority" under Part 3 Division 4 of the Environmental Planning and Assessment Act, which is a statutory function that the Council is required to undertake in respect to the pending Planning Proposal to be determined by the Minister for Planning and the Environment; and*
 - b. To assist the Hunter and Central Coast Joint Regional Planning Panel in the determination of pending and future development applications in respect to the development site, that Panel being an independent statutory body to consider and determine such development applications.*

FOR: CRS GB BEST, DE EATON, LT TAYLOR, AT TROY AND LW WEBSTER

AGAINST: CRS B G GRAHAM, KG GREENWALD, LM MATTHEWS AND DV VINCENT

PROCEDURAL MOTION

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

- 140/16 *That Council allow meeting practice to be varied.*
- 141/16 *That Council use the exception method to deal with the balance of the Agenda.*

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

142/16 That with the exception of report numbers 1.6, 2.1, 4.1, 4.2, 6.1 and 8.1 Council adopt the recommendations contained in the remaining reports.

CONFIDENTIAL SESSION

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

143/16 That Council move into Confidential Session.

At this stage of the meeting being 7.19 pm council moved into Confidential Session with the members of the press, public and Council staff excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

OPEN SESSION

Council resumed in open session at 7.37 pm and the Mayor, Councillor Eaton OAM, reported on proceedings of the confidential session of the ordinary meeting of council as follows:

8.1 Appointment of Acting Chief Executive Officer from 14 March 2016

144/16 That Council note this Report.

145/16 That the Council determine that this Report remain confidential after the closing of this meeting, for the reasons that the Report includes personnel matters concerning individuals (s. 10A(2)(a) of the Local Government Act 1993) and/or includes advice that would be privileged from production in legal proceedings on the ground of legal professional privilege (s. 10A(2)(g)) of the Local Government Act 1993.)

146/16 That pending further resolution, the Council resolve that the position of "Acting General Manager" be titled "Acting Chief Executive Officer" (ACEO).

147/16 That the Council appoint Mr Robin Noble to the position of Acting General Manager of the Council from 15 March 2016 to 14 June 2016 (inclusive).

148/16 That pursuant to the delegation to the governing body of the Council dated 6 February 2016, the Council resolve to exercise option 1 in clause 2.2 of the contract of employment of Mr Noble.

149/16 That pursuant to the delegation to the governing body of the Council dated 6 February 2016, the Council advise Mr Noble it is not intending on exercising option 2 due to the expected merger proclamation due in the middle of this year.

150/16 *That Council vary its organisational structure to create a position of Operations Manager to assist the ACEO by managing day to day operations of Council so that the ACEO can continue to concentrate on the merger.*

QUESTIONS ON NOTICE

Q1/16 **Purchase of 7 Anzac Avenue, Wyong**
Councillor Lisa Matthews
F2011/01493

Can the Acting Chief Executive Officer please provide a report on the purchase of 7 Anzac Avenue, Wyong including cost of purchase and any plans for the dwelling?

Q2/16 **Toilets at Frank Balance Park**
Councillor Lisa Matthews
CPA/250224

Can staff please provide information as to when toilet/s including an accessible toilet be provided/built on the Frank Balance Park site?

Q3/16 **Cost to Council to Hold/Participate in Events on Australia Day**
Councillor Ken Greenwald
F2004/06176

Can the Acting Chief Executive Officer of Wyong answer a question asked to me by a ratepayer?

Can you advise how much it cost Council to hold or participate in events held in Wyong Shire on Australia Day?

THE MEETING closed at 7.39pm.

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. **The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence.** 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 **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th day of February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) 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 interest ²	

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

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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 interest ²	
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]	

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

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

Schedule 3A Form of special disclosure of pecuniary interest

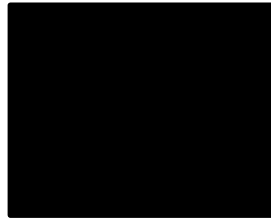
Section 451 of the Local Government Act 1993

Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	
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Councillor's signature:

Date:

10/2/16



[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. **The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence.** 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 Robert (Bob) Graham**
in the matter of **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th day of February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	38 Gregory Street Berkeley Vale (Lot 39 DP202428)
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	

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

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	

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

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

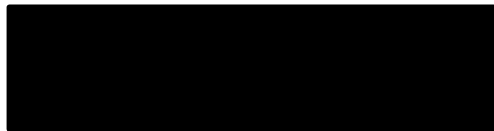
ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

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"]	
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Councillor's signature:



Date:

10.2.16

[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. **The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence.** 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 **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th Day of February 2016**.

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 Ave Watanobbi (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	

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	

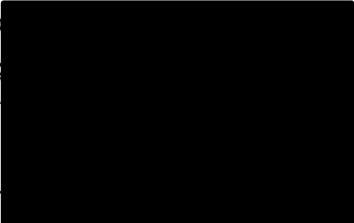
**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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 interest ²	
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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

Schedule 3A Form of special disclosure
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"]	
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Councillor's signature:

Date:

[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).
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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)

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Special disclosure of pecuniary interests by: **Councillor Lisa Matthews**
in the matter of **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	77 Kalua Drive Chittaway Bay (Lot 168 DP27390)
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	

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

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	560 Lakedge Ave Chittaway Bay NSW 2261
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]	

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

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

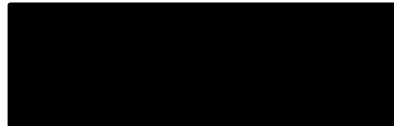
ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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 interest ²	
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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

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"]	
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Councillor's signature:



Date: 10/2/16

[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).
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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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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 Adam Troy**
in the matter of **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10 day of February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	31 Warner Ave Tuggerawang (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 interest²	

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

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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 interest ²	
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]	

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

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

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"]	
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Councillor's signature:



Date: 10/2/2016

[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. **The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence.** 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 Lynne Webster**
in the matter of **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th day of February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	2a Castlereagh Crescent, BATEAU BAY
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.

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

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 2013 R1 General 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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.

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

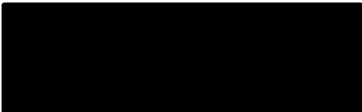
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
Relationship of identified land to Councillor <i>[Tick or cross one box.]</i>	<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 <i>[Tick or cross one box]</i>	<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 <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	

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

<i>control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

Councillor's signature: 

Date: 10-02-2016

[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. **The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence.** 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 Vincent**
in the matter of **Wyong Local Environmental Plan 2013 Amendment No 1**
to be considered at a *Council meeting* held on the **10th day of February 2016**.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	62 Narambi Road Buff Point (Lot 1 DP 547145)
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	

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

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 2013 R2 Low Density 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]	As per Amendment No 1.
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	Minor changes to permissible heights and uses

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	
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]	

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

control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

ADDITIONAL INTERESTS DECLARED an interest of another person (whose interests are relevant under section 443 of the Act) in that person's principal place of residence

3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	
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 <i>subject land</i>) 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]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	

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"]]	Appreciable financial gain
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Councillor's signature:



Date: 10/2/16

[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).
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