



Wyong Shire Council has been recognised for its excellence in engineering, taking out three awards at the Institute of Public Works Engineering Australia (NSW) conference. We won - in partnership with Gosford City Council - the Innovation in Water Supply and Wastewater award for the Mardi-Mangrove Link project and in an added boost for the project, Project Director Greg McDonald won the prestigious Public Works Leader of the Year award. We also won Excellence in Road Safety Engineering.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

22 May 2013

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MEETING NOTICE

**The Ordinary Council Meeting
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
Wednesday 22 May 2013 at 5.00 pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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8 QUESTIONS ON NOTICE ASKED

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Michael Whittaker
GENERAL MANAGER

1.1 Disclosure of Interest

TRIM REFERENCE: F2013/00023 - D03331084

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

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

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2013/00023 - D03350804

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Briefings proposed for this meeting to be held in the Wilfred Barrett and Tim Farrell Committee Rooms.

Time	Topic	Summary	Presented by
12.00 pm – 12.15 pm	Hunter Valley Central Coast Research Foundation – Survey Results	Communicate to Councillors the results of the recent Hunter Valley Central Coast Research Foundation Survey.	Land Management
12.15 pm – 12.30 pm	Superannuation Report	CONFIDENTIAL	GM Unit
12.30 pm – 1.00 pm	Retail Strategy Review	To present the final findings and recommendations in the retail review which will inform the final retail strategy	Land Management
1.00 pm – 1.30 pm	IPART Final Determination on Water Pricing	Department Infrastructure Transport Regional Development Local Government A member of the High Speed Rail team will give a presentation on the key findings from the recently released report.	GM Unit
1.30 pm – 2.00 pm	Q3 – 2012/13	Presentation of Q3 financial report.	GM Unit
2.00 pm – 3.00 pm	High Speed Rail Study – Phase 2 consultations	Department Infrastructure Transport Regional Development Local Government A member of the High Speed Rail team will give a presentation on the key findings from the recently released report.	Land Management

Briefings proposed for future meetings of Council are attached.

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Proposed Future Briefings - 22 May 2013 D03364076

Proposed Briefings List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Q3 2012/13	GM Unit		22/05/2013
Retail Strategy Review	Land Management		22/05/2013
High Speed Rail Study - Phase 2 consultations	Land Management		22/05/2013
Superannuation Report	GM Unit		22/05/2013
Hunter Valley Central Coast Research Foundation - Survey Results	Land Management		22/05/2013
IPART Final Determination on Water Pricing for WSC	GM Unit		22/05/2013
Bateau Bay and Lake Haven Draft Masterplan	Land Management		05/06/2013
Inspection - The Entrance Town Centre Site and Site Inspection	Land Management		05/06/2013
Inspection - New Footpath at Tuggerawong & Marks Road, Craigie Park	Infrastructure Management		05/06/2013
Local Govt Acts Taskforce & A New Planning System for NSW - White Paper	Development and Building		05/06/2013
Organisation Structure Discussions	GM Unit		05/06/2013
Central Coast Taxis	Land Management		12/06/2013
Wallarah 2	Development and Building		12/06/2013
Special Rate Variation application - IPART	GM Unit		13/06/2013
Child Care Review Framework	Community and Recreation Services		10/07/2013
Library Strategic Plan	Community and Recreation Services		24/07/2013
Q4 2012/13	GM Unit		28/08/2013
Q1 2013/14	GM Unit		27/11/2013
Community Precinct Committees	Community and Recreation Services		
Urban Design Principles & Concepts	Land Management	June	
RZ/7/2009 Chittaway road Rezoning	Land Management	June	
Rezoning - 223 Scenic Drive Colongra	Land Management	June	
Natural Resources Management Strategy	Land Management	September	
Biodiversity Management Plan	Land Management	September	
Customer Service Review	Community and Recreation Services	July	
Long Jetty Masterplan	Land Management	June	
Tuggerah Town Centre	Land Management	August	
Affordable Housing Study - Councillor Workshop	Land Management	June	
IPART Final Determination on Water Pricing	GM Unit		

1.3 Address By Invited Speakers

TRIM REFERENCE: F2013/00023 - D03350815
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

The following person has been invited to address the meeting of Council:

SPEAKERS	REPORT	PAGE NO	DURATION
Ms Pauline Lisle, resident (in favour of motion)	6.2 Notice of Motion – Common Sense Review of Tree Application TA/170/13	223	5 mins

RECOMMENDATION

- 1 ***That Council receive the report on Invited Speakers.***
- 2 ***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.***

ATTACHMENTS

Nil.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2013/00023 - D03350818

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 8 May 2013.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 8 May 2013.

ATTACHMENTS

1 MINUTES - Ordinary Meeting Meeting - 8 May 2013 D03353629

WYONG SHIRE COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 8 MAY 2013
COMMENCING AT 5:00 PM

PRESENT

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

IN ATTENDANCE

Acting General Manager, Director Building and Development, Director Infrastructure and Operations, Director Land Management, General Counsel and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.01 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

The Mayor announced that Council has received two awards from the Institute of Public Works Australia;

- Innovation in Road Safety Engineering
- Excellence in Water Supply.

Mr Greg McDonald, Director Infrastructure and Operations won an individual award for Public Works Leader of the Year and advised that this award was given in relation to the administration and management of a significant infrastructure project or service that has had a major positive impact on a local government and/or extended community.

APOLOGY

At its meeting on 24 April 2013, Council granted leave of absence to Councillor Taylor for the 8 May 2013 as he is currently on annual leave.

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

563/13 That Council accept the apology and grant leave of absence from this meeting.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 3.8 and 5.1, 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

U5/13 Motion of Urgency – Wyong Skills Centre

Councillor Best declared a pecuniary interest in the matter for the reason that Central Coast Group Training whom he is the General Manager is tendering under a joint Council/CCGT application, left the chamber at 7.45 pm, took no part in discussion, did not vote and returned to the chamber at 8.03 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate to Central Coast Group Training 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.”

Item 3.5 Proposed Councillors' Community Improvement Grants

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training who have a grant request in this item, left the chamber at 8.24 pm, took no part in discussion, did not vote and returned to the chamber at 8.25 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate on the Board of Central Coast Group Training who are a grant recipient in this item 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 Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that his wife is significantly involved in CAFA Inc, a grant recipient, left the chamber at 8.26 pm, took no part in discussion, did not vote and returned to the chamber at 8.28 pm.

Item 3.7 Support of United Services Union Skills Shortage and Aging Workforce Campaign

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the General Manager of Central Coast Group Training that employs the coast youth, and participated in consideration of this matter.

Councillor Best 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.”

Item 3.8 Public Exhibition of draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012

All Councillors and the Director Building and Development 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 WEBSTER and seconded by Councillor NAYNA:

564/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

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

565/13 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address by Invited Speakers

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

566/13 That Council receive the amended report on Invited Speakers.

567/13 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.

PROCEDURAL MOTION

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

568/13 That Council allow meeting practice to be varied.

569/13 That Council use the exception method to deal with the balance of the Agenda.

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

AGAINST: NIL

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

570/13 *That with the exception of report numbers 1.4, 1.5, 2.1, 2.2, 3.1, 3.3, 3.4, 3.5, 3.7, 3.9 and 5.1 Council adopt the recommendations contained in the remaining reports.*

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

AGAINST: NIL

PROCEDURAL MOTION

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

571/13 *That Council consider item 5.1 – Notice of Motion – 1915-2015 ANZAC Centenary next to allow the RSL Sub Branch representatives to speak.*

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

AGAINST: NIL

1.4 Confirmation of Minutes of Previous Meeting

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

572/13 *That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 24 April 2013 with the following amendments;*

- *The Mayor delivered the opening prayer and Councillor Greenwald read an acknowledgement of country statement.*
- *Confidential Minutes - Councillor Greenwald was not in attendance and is to be removed.*

Business Arising

Councillor Nayna requested an update on the Motion of Urgency regarding the Skills Centre and the Acting General Manager provided details regarding the progress of this item.

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Nayna sought leave to introduce a motion of urgency concerning the Wyong Skills Centre to allow additional time for the preparation of additional supporting information required for the submission of the application to the Federal Government.

Councillor Best declared a pecuniary interest in the matter for the reason that Central Coast Group Training whom he is the General Manager is tendering under a joint Council/CCGT application, left the chamber at 7.45 pm, took no part in discussion, did not vote and returned to the chamber at 8.03 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate to Central Coast Group Training 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."

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

573/13 That Council consider a motion of urgency requesting to seek an extension of time from the Department of Education, Employment and Workplace Relations to submit the application regarding the Wyong Skills Centre.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

The Mayor ruled that the matter was of great urgency and could be introduced as a motion of urgency.

U5/13 Motion of Urgency - Wyong Skills Centre

Councillor Best declared a pecuniary interest in the matter for the reason that Central Coast Group Training whom he is the General Manager is tendering under a joint Council/CCGT application, left the chamber at 7.45 pm, took no part in discussion, did not vote and returned to the chamber at 8.03 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate to Central Coast Group Training 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."

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

574/13 That Council direct the General Manager to urgently write to the relevant Federal Minister responsible for the Department of Education, Employment and Workplace Relations, seeking an extension of time, by 3 weeks, to allow for preparation of additional information required to support the submission of the application for the Wyong Skills Centre.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

1.5 Notice of Intention to Deal with Matter in Confidential Session

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

575/13 That Council defer this matter to the 22 May 2013 Ordinary Meeting.

2.1 CPA/203271 - Streambank Rehabilitation Detail Design and Investigation, Sites WY74 & WY82, Alison Road, Wyong

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

576/13 That Council receive the report for Contract No CPA/203271 – Streambank Rehabilitation Detail Design & Investigation, Sites WY74 & WY82, Alison Rd, Wyong.

577/13 That Council note the additional expenditure against Contract No. CPA/203271 – Streambank Rehabilitation Detail Design & Investigation, Sites WY74 & WY82, Alison Rd, Wyong to the value of \$253,560.00 (excl GST), for variations approved to date under delegations as detailed in this report.

578/13 That Council approve a revised Contract budget of \$262,560.00 (excl GST) for Contract No. CPA/203271 – Streambank Rehabilitation Detail Design & Investigation, Sites WY74 & WY82, Alison Rd, Wyong, which includes a contingency amount of \$9,000.00 (excl GST) for additional variations that may arise during the Contract as detailed in this report.

579/13 That Council note that the additional expenditures are within approved program budgets.

2.2 CPA/219153 - Construction of Timber Pile Retaining Wall at Alison Rd, Wyong

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

580/13 That Council receive the report on Contract No CPA/219153 – Construction of Timber Pile Retaining Wall at Alison Rd, Wyong.

581/13 That Council determines the 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.

3.1 Extension of Time - CPA/125834 - Provision of Effluent and Sludge Removal Services

That Council note that the Director of Infrastructure and Operations has withdrawn this report.

3.2 Wyong Shire Community Purchasing Scheme

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

582/13 That Council note the recommendation not to proceed with the establishment of a Wyong Shire Community Energy Purchasing trial.

583/13 That Council approve an alternative approach to address escalating energy costs to the community by actively communicating the utilisation of IPART's price comparison web site.

3.3 Local Preference Policy Amendment

Councillor Troy left the chamber at 8.10 pm and returned to the chamber at 8.12 pm during consideration of this item.

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

584/13 That Council approve the amendments to the Wyong Shire Council Local Preference Policy as shown in the marked up copy of the Local Preference Policy in Attachment A, except as noted in recommendation 4.

585/13 That Council note the Report on the Application of the Local Preference Policy for the Financial Year 2011/12, which is incorporated in this business paper.

586/13 That Council note the other initiatives to be undertaken for strengthening the Local Preference Policy.

587/13 That Council note that the General Manager has authority to depart from this policy only when that departure results in a significant, identified and recorded benefit to Council. After all tenders have been tested as in Clauses E1 – E10 of the Policy and found not to comply with the required standard.

3.4 Policy for Use of Mayoral Chains

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

588/13 That Council adopt the Policy for the Use of Mayoral Chains with amendments to some of the relevant clauses D4, E5 and E6 as follows;

“D4 If the Mayor supports the practice, he/she will have the discretion to determine when and where to wear the Mayoral Chain within the following limits;

a Citizenship ceremonies held in the Shire.

b Formal functions at which the Mayor has been invited to address gatherings.

- c As a representative of WSC of official functions organised by Local, State and Federal Government representatives, the Prime Minister, Governor General, NSW Governor, Premier, Ambassadors of State, Foreign dignitaries, Business Groups/Associations etc., as may be deemed appropriate.**
 - d As a representative of WSC at graduations and dedication ceremonies held by universities and institutes of education, schools, charitable organisations, churches, sporting and community groups and the like.**
 - e Australia Day ceremonies.**
 - f Ceremonies associated with state or national Local government Association Conferences and/or Assemblies.**
 - g Any Civic ceremonies that requires the formality for the Mayoral Chain to be worn by the Mayor.**
 - h Presentation of Citizen of the Year Awards and other Awards of Honour, issued by WSC.**
 - i As a representative of WSC as part of a delegation travelling outside Australia approved by Council resolution.**
 - j Or otherwise as the circumstances dictate subject to the General Manager's concurrence.**
 - k At full Council meetings and other approved meetings/receptions.**
- E5 All former Mayors on the completion of their time in office are to have their full name and period that they were Mayor inscribed once on the Mayoral Chain.**
- E6 The General Manager and/or his delegate will be responsible for ensuring the maintenance of the Mayoral Chain and arranging necessary packaging of the Mayoral Chain and appropriate insurances."**

3.5 Proposed Councillors' Community Improvement Grants

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training who have a grant request in this item, left the chamber at 8.24 pm, took no part in discussion, did not vote and returned to the chamber at 8.25 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate on the Board of Central Coast Group Training who are a grant recipient in this item 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."

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

589/13 That Council allocate an amount of \$9,172.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

Proposed allocations for 8 May 2013		
Adam Molch Hillier Memorial Surf Classic (\$1200)	To cover running costs of surfing competition.	100.00
Budgewoi Beach Dunecare Inc. (\$700) (\$50 already allocated)	Purchase a cordless 18volt 2 pack hammer drill set to replace 1200 watt generator & drill units.	650.00
Central Coast Alternative Care Group Ltd (t/a Coastlink Respite Care) (\$999.39)	To construct garden beds in the rear garden of Myrtle Brush Park Community Hall for disabled clients to use.	600.00
Central Coast Group Training (\$2000)	Awards Night	1,000.00
Chittaway Bay Public School P&C Association Incorporated (\$1898)	Stage 3 of the Special Education Unit's Sensory Garden, Fruit and Vegetable Garden/Mini Farm	600.00
Killarney Vale AFC Inc trading as Central Coast Bombers (\$1000)	Outdoor gas catering BBQ	600.00
Lions Club of Wyong (\$2000) (\$100 already allocated)	District 2013 Lions Convention - Camp Breakaway - November 2013	300.00
Northern Lakes Disability Tourism Precinct Committee Inc (\$572) (\$300 already allocated)	2 signs to be installed at Lakes Beach Café to promote the availability of beach wheelchairs for free use to the disabled to access the beach.	272.00
St Marks Uniting Church Mannering Park (\$2000)	Install new disabled toilet and storage room	700.00
Taioto Marae Association Inc. (\$500)	Grandparents 'Christmas in July'	500.00
Toukley and District Senior Citizens Club Inc. (\$750)	Purchase of table tennis tables and nets.	750.00
Tuggerah Lakes Choral Society (\$2000)	Publicity costs for the choir, insurances, accompanist fees and hall rental for proposed function to celebrate Ronald Brelsford's 100th birthday and the 40th anniversary of the choir.	600.00
Warnervale Rugby Union Club (\$2000)	Scrum Machine	2,000.00
Wyong Shire Council (\$500) (Emergency approved by GM)	Anzac Essay Competition	500.00

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that his wife is significantly involved in CAFA Inc, a grant recipient, left the chamber at 8.26 pm, took no part in discussion, did not vote and returned to the chamber at 8.28 pm.

Councillor Eaton vacated the chair and Councillor Webster assumed the chair for consideration of this item.

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

590/13 That Council allocate an amount of \$2,000.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

<i>Proposed allocations for 8 May 2013</i>		
<i>China Australia Friendship Association (\$2000)</i>	<i>Chinese Cooking Classes</i>	<i>2,000.00</i>

Councillor Eaton resumed the chair.

3.6 Disclosure of Interest Returns - 1 January to 31 March 2013

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

591/13 That Council receive the report on Disclosure of Interest Returns – 1 January to 31 March 2013.

3.7 Support of United Services Union Skills Shortage and Aging Workforce Campaign

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the General Manager of Central Coast Group Training that employs the coast youth, and participated in consideration of this matter.

Councillor Best 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.”

It was MOVED by Councillor NAYNA and SECONDED by Councillor BEST:

- 1 That Council support the campaign by the United Services Union to address the national skills shortage and the aging workforce of local councils.*
- 2 That Council demonstrate commitment to the issues outlined in the report through the continued implementation of the WSC Youth Employment Strategy which was endorsed by Council on 24 October 2012.*

An AMENDMENT was MOVED by Councillor VINCENT and SECONDED by Councillor MATTHEWS:

- 1 That Council support the campaign by the United Services Union to address the national skills shortage and the aging workforce of local councils.*
- 2 That Council demonstrate commitment to the issues outlined in the report through the continued implementation of the WSC Youth Employment Strategy which was endorsed by Council on 24 October 2012.*
- 3 That Council direct the General Manager to consider employing 20% of Council’s apprentices in-house for the full duration of their apprenticeships as part of the next Youth Employment Strategy Review.*

The AMENDMENT was put to the vote and declared LOST.

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

592/13 That the MOTION be put.

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

593/13 That Council support the campaign by the United Services Union to address the national skills shortage and the aging workforce of local councils.

594/13 That Council demonstrate commitment to the issues outlined in the report through the continued implementation of the WSC Youth Employment Strategy which was endorsed by Council on 24 October 2012.

3.8 Public Exhibition of draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012

All Councillors and the Director Building and Development 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.

Mr Chris Oliver, representing Optima Developments, addressed the meeting at 5.10 pm, answered questions and retired at 5.16 pm.

Ms Audrey Chee, representing Urbis Pty Ltd, addressed the meeting at 5.20 pm, answered questions and retired at 5.23 pm.

Mr Rod Wall, representing Coastal Design Link, addressed the meeting at 5.24 pm, answered questions and retired at 5.29 pm.

Mr Neil Maxwell, resident, addressed the meeting at 5.30 pm, answered questions and retired at 5.34 pm.

Mr Stephen Leathley, representing Insite Planning, addressed the meeting at 5.36 pm, answered questions and retired at 5.47 pm.

Councillor Vincent left the chamber at 6.06 pm and returned to the chamber at 6.07 pm during consideration of this item.

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

Councillor Troy left the chamber at 6.30 pm and returned to the chamber at 6.33 pm during consideration of this item.

Councillor Matthews left the chamber at 6.37 pm and returned to the chamber at 6.39 pm during consideration of this item.

It was *MOVED* by Councillor EATON and *SECONDED* by Councillor BEST:

- 1 That Council endorse the recommendations contained in Enclosures 1 and 2 and as set out within this report, and also include the additional amendments set out in Annexure 3 now added, in response to the public exhibition of the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.
- 2 That Council note the findings of the Public Hearings held under Section 29 and 47G(2) of the Local Government Act 1993 and Section 68 of the Environmental Planning and Assessment Act 1979 in relation to the reclassification of public land and the public exhibition of the draft Wyong Local Environmental Plan 2012 and draft Settlement Strategy, as detailed in Enclosure 3.
- 3 That Council endorse the recommendations in response to the Public Hearings, as detailed in this report.
- 4 That Council resolve that re-exhibition of the amended draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012 is not required as the amendments are in response to submissions made during public exhibition or to meet legislative requirements, and are not significant.
- 5 That Council resolve to submit draft Wyong Local Environmental Plan 2012, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached, to the Director-General of the Department of Planning and Infrastructure, in accordance with Section 68 of the Environmental Planning and Assessment Act 1979.
- 6 That Council request the Director-General of the Department of Planning and Infrastructure to submit a report under the provisions of Section 69 of the Environmental Planning and Assessment Act 1979 recommending that the Minister for Planning and Infrastructure make the draft Wyong Local Environmental Plan 2012.
- 7 That Council endorse the draft Wyong DCP 2012 – Development Provisions for Wyong Shire, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached, and give appropriate public notice within 28 days that the draft DCP will come into effect on the date the draft Wyong LEP 2012 comes into effect.
- 8 That Council endorse the draft Settlement Strategy, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2 and also include the additional amendments set out in Annexure 3 now attached.
- 9 That all persons who lodged a submission be advised of Council's resolution in relation to draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.
- 10 That Council forward a copy of draft Wyong Development Control Plan 2012 to the Director General of the NSW Department of Planning & Infrastructure within 28 days of the draft DCP coming into effect.
- 11 That Council note Section 149 Certificates as to the adoption of draft Wyong Development Control Plan 2012.
- 12 That Council resolve that the General Manager, in consultation with the Mayor, may make other minor alterations to the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012, as deemed

necessary.

- 13 That Council endorse a review of Policy P1 Potentially Contaminated Land to require any development application for residential, educational, recreational, child care purposes, or for a hospital to be assessed in accordance with Clause 7 of State Environmental Planning Policy 55 – Remediation of Land.

ANNEXURE 3

- 1 Ecotourism facilities be included as a permissible uses in the E2 –Environment Conservation zone as dictated by the zone objectives.
- 2 Properties currently zoned 2b Multi Dwelling Residential zone at North Entrance be zoned R1 - General Residential as a direct conversion zone and in response to numerous submissions.
- 3 All land in Precinct 16 of the NWSSP to be included in RU6 - Transition Zone including that part of No 78-92 Carters Road within precinct 16 and that the Settlement Strategy allow for flexibility in timing of development of all Precincts dependant on demand and infrastructure. This change is in response to numerous submissions.
- 4 The INI General Industrial Zone include as a permissible use Recreation Facilities (Major) in response to the submission of Darkinjung Land Council.
- 5 Nos 475-481 The Entrance Road, No 3 Lake Street and No 8 Minto Street be zoned B6(Enterprise Corridor) in response to a submission on this land.
- 6 Orchard Road Kangy Angy – note to be added that ‘subject to a significantly improved access in flooding being available, Council is prepared to remove the lot amalgamation provisions in Amendment 1 to the DLEP’ in response to numerous submissions.
- 7 No 4 Rose Street Wyong – to be zoned B4 - Mix Use noting its isolated nature as a residential zoning and its surrounding by carpark, commercial and racecourse and noting its proximity to the rail station and town centre, and in response to submissions on the site.
- 8 Nos 309-311 The Entrance Road and No 23 Anzac Road to be zoned B4 (Mix Use) noting much of this site is currently wrongly zoned part 5(a) Club (RE2 Private Recreation under the draft Plan), and this is a discrete parcel adjoining Diggers Club and fronting the Central Coast Highway and in response to submissions on the site.
- 9 Lot 2 Louisiana Road – the boundary line between the RU6 (Transition) and E2 Environmental Conservation zone be adjusted generally eastwards to reflect historic planning and conservation agreements in relation to this land and surrounds generally and in response to submissions (as shown on the attached plan).
- 10 Mingara Recreation Club – Add childcare centre and health services facilities to permissible uses in Schedule 1 in recognition of these existing permissible uses and in response to submissions.
- 11 11W Lake Haven Drive Gorokan (Alfred Greentree Reserve) not proceed with the reclassification of this land from community to operational in response to the submissions received.

An AMENDMENT was MOVED by Councillor VINCENT and SECONDED by Councillor MATTHEWS:

- 1 That Council endorse the recommendations contained in Enclosures 1 and 2 and as set out within this report, and also include the additional amendments set out in Annexure 3 now added and further amended, in response to the public exhibition of the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.
- 2 That Council note the findings of the Public Hearings held under Section 29 and 47G(2) of the Local Government Act 1993 and Section 68 of the Environmental Planning and Assessment Act 1979 in relation to the reclassification of public land and the public exhibition of the draft Wyong Local Environmental Plan 2012 and draft Settlement Strategy, as detailed in Enclosure 3.
- 3 That Council endorse the recommendations in response to the Public Hearings, as detailed in this report.
- 4 That Council resolve that re-exhibition of the amended draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012 is not required as the amendments are in response to submissions made during public exhibition or to meet legislative requirements, and are not significant.
- 5 That Council resolve to submit draft Wyong Local Environmental Plan 2012, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached and further amended, to the Director-General of the Department of Planning and Infrastructure, in accordance with Section 68 of the Environmental Planning and Assessment Act 1979.
- 6 That Council request the Director-General of the Department of Planning and Infrastructure to submit a report under the provisions of Section 69 of the Environmental Planning and Assessment Act 1979 recommending that the Minister for Planning and Infrastructure make the draft Wyong Local Environmental Plan 2012.
- 7 That Council endorse the draft Wyong DCP 2012 – Development Provisions for Wyong Shire, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached and further amended, and give appropriate public notice within 28 days that the draft DCP will come into effect on the date the draft Wyong LEP 2012 comes into effect.
- 8 That Council endorse the draft Settlement Strategy, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2 and also include the additional amendments set out in Annexure 3 now added and further amended.
- 9 That all persons who lodged a submission be advised of Council's resolution in relation to draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.
- 10 That Council forward a copy of draft Wyong Development Control Plan 2012 to the Director General of the NSW Department of Planning & Infrastructure within 28 days of the draft DCP coming into effect.
- 11 That Council note Section 149 Certificates as to the adoption of draft Wyong Development Control Plan 2012.

- 12 That Council resolve that the General Manager, in consultation with the Mayor, may make other minor alterations to the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012, as deemed necessary.
- 13 That Council endorse a review of Policy P1 Potentially Contaminated Land to require any development application for residential, educational, recreational, child care purposes, or for a hospital to be assessed in accordance with Clause 7 of State Environmental Planning Policy 55 – Remediation of Land.

ANNEXURE 3 (as further amended)

- 1 Properties currently zoned 2b Multi Dwelling Residential zone at North Entrance be zoned R1 - General Residential as a direct conversion zone and in response to numerous submissions.
- 2 All land in Precinct 16 of the NWSSP to be included in RU6 - Transition Zone including that part of No 78-92 Carters Road within precinct 16 and that the Settlement Strategy allow for flexibility in timing of development of all Precincts dependant on demand and infrastructure. This change is in response to numerous submissions.
- 3 The INI General Industrial Zone include as a permissible use Recreation Facilities (Major) in response to the submission of Darkinjung Land Council.
- 4 Nos 475-481 The Entrance Road, No 3 Lake Street and No 8 Minto Street be zoned B6(Enterprise Corridor) in response to a submission on this land.
- 5 Orchard Road Kangy Angy – note to be added that ‘subject to a significantly improved access in flooding being available, Council is prepared to remove the lot amalgamation provisions in Amendment 1 to the DLEP’ in response to numerous submissions.
- 6 No 4 Rose Street Wyong – to be zoned B4 - Mix Use noting its isolated nature as a residential zoning and its surrounding by carpark, commercial and racecourse and noting its proximity to the rail station and town centre, and in response to submissions on the site.
- 7 Nos 309-311 The Entrance Road and No 23 Anzac Road to be zoned B4 (Mix Use) noting much of this site is currently wrongly zoned part 5(a) Club (RE2 Private Recreation under the draft Plan), and this is a discrete parcel adjoining Diggers Club and fronting the Central Coast Highway and in response to submissions on the site.
- 8 Lot 2 Louisiana Road – the boundary line between the RU6 (Transition) and E2 Environmental Conservation zone be adjusted generally eastwards to reflect historic planning and conservation agreements in relation to this land and surrounds generally and in response to submissions (as shown on the attached plan).
- 9 Mingara Recreation Club – Add childcare centre and health services facilities to permissible uses in Schedule 1 in recognition of these existing permissible uses and in response to submissions.
- 10 11W Lake Haven Drive Gorokan (Alfred Greentree Reserve) not proceed with the reclassification of this land from community to operational in response to the submissions received.

- 11 7W Woodward Avenue, Wyong (Lot 10 DP 234632) to be zoned RE1 Public Recreation and removed from Schedule 4 – Classification and Reclassification of Public Land of draft Wyong LEP 2012, and remain classified as community land.
- 12 The following proposed sites be removed from Schedule 4 – Classification and Reclassification of Public Land and remain classified as community land, in response to the submissions received:
- A 43 Christopher Crescent Lake Haven
 - B 6W Kylie Close, Lake Haven
 - C 27W Irene Parade, Noraville
 - D 106 Phyllis Avenue, Kanwal (reclassified as Community Land) and zoned as RE1 Public recreation.
 - E 30W Glen Road, Ourimbah
 - F Chittaway Bay Hall and Oval
- 13 Clause 7.13 Type 3 Airport and associated maps be removed from the draft Wyong LEP 2012.
- 14 All school sites currently zoned 5(a) (Special Uses Zone) to be zoned SP2 Infrastructure – Education Establishment under the draft Wyong LEP 2012.

The AMENDMENT was put to the vote and declared LOST.

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

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

- 595/13 That Council endorse the recommendations contained in Enclosures 1 and 2 and as set out within this report, and also include the additional amendments set out in Annexure 3 now added, in response to the public exhibition of the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.**
- 596/13 That Council note the findings of the Public Hearings held under Section 29 and 47G(2) of the Local Government Act 1993 and Section 68 of the Environmental Planning and Assessment Act 1979 in relation to the reclassification of public land and the public exhibition of the draft Wyong Local Environmental Plan 2012 and draft Settlement Strategy, as detailed in Enclosure 3.**
- 597/13 That Council endorse the recommendations in response to the Public Hearings, as detailed in this report.**
- 598/13 That Council resolve that re-exhibition of the amended draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012 is not required as the amendments are in response to submissions made during public exhibition or to meet legislative requirements, and are not significant.**

- 599/13 That Council **resolve** to submit draft Wyong Local Environmental Plan 2012, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached, to the Director-General of the Department of Planning and Infrastructure, in accordance with Section 68 of the Environmental Planning and Assessment Act 1979.
- 600/13 That Council **request** the Director-General of the Department of Planning and Infrastructure to submit a report under the provisions of Section 69 of the Environmental Planning and Assessment Act 1979 recommending that the Minister for Planning and Infrastructure make the draft Wyong Local Environmental Plan 2012.
- 601/13 That Council **endorse** the draft Wyong DCP 2012 – Development Provisions for Wyong Shire, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2, and also include the additional amendments set out in Annexure 3 now attached, and give appropriate public notice within 28 days that the draft DCP will come into effect on the date the draft Wyong LEP 2012 comes into effect.
- 602/13 That Council **endorse** the draft Settlement Strategy, as amended in accordance with the matters raised in this report and within Enclosures 1 and 2 and also include the additional amendments set out in Annexure 3 now attached.
- 603/13 That all persons who lodged a submission be **advised** of Council's resolution in relation to draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012.
- 604/13 That Council **forward** a copy of draft Wyong Development Control Plan 2012 to the Director General of the NSW Department of Planning & Infrastructure within 28 days of the draft DCP coming into effect.
- 605/13 That Council **note** Section 149 Certificates as to the adoption of draft Wyong Development Control Plan 2012.
- 606/13 That Council **resolve** that the General Manager, in consultation with the Mayor, may make other minor alterations to the draft Wyong Local Environmental Plan 2012, draft Settlement Strategy and draft Wyong Development Control Plan 2012, as deemed necessary.
- 607/13 That Council **endorse** a review of Policy P1 Potentially Contaminated Land to require any development application for residential, educational, recreational, child care purposes, or for a hospital to be assessed in accordance with Clause 7 of State Environmental Planning Policy 55 – Remediation of Land.

ANNEXURE 3

- 1 Ecotourism facilities be included as a permissible uses in the E2 – Environment Conservation zone as dictated by the zone objectives.
- 2 Properties currently zoned 2b Multi Dwelling Residential zone at North Entrance be zoned R1 - General Residential as a direct conversion zone and in response to numerous submissions.

- 3 **All land in Precinct 16 of the NWSSP to be included in RU6 - Transition Zone including that part of No 78-92 Carters Road within precinct 16 and that the Settlement Strategy allow for flexibility in timing of development of all Precincts dependant on demand and infrastructure. This change is in response to numerous submissions.**
- 4 **The INI General Industrial Zone include as a permissible use Recreation Facilities (Major) in response to the submission of Darkinjung Land Council.**
- 5 **Nos 475-481 The Entrance Road, No 3 Lake Street and No 8 Minto Street be zoned B6(Enterprise Corridor) in response to a submission on this land.**
- 6 **Orchard Road Kangy Angy – note to be added that ‘subject to a significantly improved access in flooding being available, Council is prepared to remove the lot amalgamation provisions in Amendment 1 to the DLEP’ in response to numerous submissions.**
- 7 **No 4 Rose Street Wyong – to be zoned B4 - Mix Use noting its isolated nature as a residential zoning and its surrounding by carpark, commercial and racecourse and noting its proximity to the rail station and town centre, and in response to submissions on the site.**
- 8 **Nos 309-311 The Entrance Road and No 23 Anzac Road to be zoned B4 (Mix Use) noting much of this site is currently wrongly zoned part 5(a) Club (RE2 Private Recreation under the draft Plan), and this is a discrete parcel adjoining Diggers Club and fronting the Central Coast Highway and in response to submissions on the site.**
- 9 **Lot 2 Louisiana Road – the boundary line between the RU6 (Transition) and E2 Environmental Conservation zone be adjusted generally eastwards to reflect historic planning and conservation agreements in relation to this land and surrounds generally and in response to submissions (as shown on the attached plan).**
- 10 **Mingara Recreation Club – Add childcare centre and health services facilities to permissible uses in Schedule 1 in recognition of these existing permissible uses and in response to submissions.**
- 11 **11W Lake Haven Drive Gorokan (Alfred Greentree Reserve) not proceed with the reclassification of this land from community to operational in response to the submissions received.**

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

PROCEDURAL MOTION

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

608/13 That Council adjourn the Ordinary Meeting at 7.06 pm for a period of 5 minutes to allow the public to exit the gallery.

3.9 Toukley Town Centre Public Domain Masterplan

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

609/13 That Council adopt the draft Toukley Town Centre Public Domain Masterplan.

610/13 That Council note relevant Section 149 Certificates.

611/13 That Council request the General Manager to advise residents who made submissions to the exhibition of the draft Masterplan of the decision.

4.1 Road Capital Works Program

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

612/13 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

4.2 Estuary Management Financial Statement to the Australian Government

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

613/13 That Council note the report on Estuary Management Financial Statement to the Australian Government.

4.3 Outstanding Questions on Notice and Notices of Motion

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

614/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

5.1 1915-2015 ANZAC Centenary

Councillor Nayna left the chamber at 7.26 pm and returned to the chamber at 7.27 pm during consideration of this item.

Councillor Vincent left the chamber at 7.29 pm and returned to the chamber at 7.30 pm during consideration of this item.

Mr Bob Wilson, representing Toukley RSL Sub Branch, addressed the meeting at 7.21 pm, answered questions and retired at 7.26 pm.

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

- 615/13 That Council acknowledge the outstanding success of the 2013 ANZAC day events in Wyong Shire.**
- 616/13 That Council recognise the need to assist our community in the preparation of the upcoming 2015 ANZAC centenary commemorations, marking 100 years since the Gallipoli landings.**
- 617/13 That Council facilitate an ANZAC Centenary Working Group to develop an overview of possible activities and community events that will respectfully mark such a significant national commemoration and invite the following:**
- one representative from each RSL sub-branch in the Wyong Shire
 - each of the local state and federal members or their delegates
 - all Councillors
- 618/13 That Council staff support centenary events organised by the Shire's RSL Sub branches through the following:**
- Facilitation of the working party
 - Development of an ANZAC Centenary day calendar of events and other promotional material for the Shire
 - To advise groups of available funding through Council, State and Federal government funding programs and provide assistance where appropriate
 - To provide one point of contact to navigate Council processes and provide advice where required
 - Assist in developing an engagement program to ask the community its preference for events and utilise the Consultation Hub and e-panel where appropriate.
- 619/13 That Council direct the General Manager to investigate what State and Federal Funding is being allocated to the 2015 Centenary Commemorations.**
- 620/13 That further to the outcomes of 3, 4 and 5 above, Council recognises there may be a need to make appropriate budgetary allocations.**

QUESTIONS ON NOTICE

Q18/13 Response to Q37/12

Councillor Robert Graham

F2004/06909

"It is now six months since I asked the question Q37/12 of the members of the Save Tuggerah lakes Party regarding their election promise to eradicate feral pests from Wyong Shire.

These Councillors won an election promising to eradicate rabbits, foxes and Indian mynas from our area, when they went to the election they must have known how they were going to make good their promise, either that or they have misrepresented themselves to the electorate, if this is so then they have been elected under false pretences and should apologise to the voters and resign immediately.

Council staff have contacted these Councillors on a least six occasions to get their response to the question to no avail.

I demand an immediate response to my question, could you please advise when this will be provided?"

THE MEETING closed at 8.54 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 *8th day of May 2013*.

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**

<p>[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]</p>	<p>Wyong LEP 1991 2(b) (Multiple Dwelling Residential Zone)</p>
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Draft Wyong LEP 2012 R2 Low Density Residential Zone</p>
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	<p>Appreciable financial loss – Down-zone. Down zone proposed due to flood liability and impact on development potential.</p>
<p>2. Pecuniary interest</p>	
<p>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.]</p>	<p>44A Warner Avenue WYONG NSW 2259 (Lot 7 DP 636218) 1507 MANDARONG RD DOORARONG <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.</p>
<p>Matter giving rise to pecuniary interest²</p>	
<p>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]</p>	<p><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.</p>
<p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p>	<p>Wyong LEP 1991 2(e) (Residential Zone) R20A 1A.</p>
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Draft Wyong LEP 2012 R2-Low-Density-Residential Zone R20A R11</p>

**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 <i>(Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss")</i>	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 <i>[Tick or cross one box.]</i>	<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 <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>	Wyong LEP 1991 4(a) (General Industrial Zone)
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>	Draft Wyong LEP 2012 IN1 General Industrial Zone
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	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)

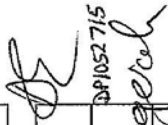
**Schedule 3A Form of special disclosure of pecuniary interest
Section 451 of the Local Government Act 1993**

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**

<i>[Tick or cross one box]</i>	
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	Wyong LEP 1991 4(a) (General Industrial Zone)
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>	Draft Wyong LEP 2012 IN1 General Industrial Zone
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	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 <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 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 <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>	Wyong LEP 1991 4(a) (General Industrial Zone)
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>	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 Relationship of identified land to Councillor [Tick or cross one box]	<p>3a-Pioneer Avenue TUGGERAH NSW 2259 (Lot 302 DP 1007368) Lot 2073 DP1052715  3 Bondy Cl Tuggerah</p> <p><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. Council Member. delegate</p>
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]	<p><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.</p>
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.


6/5/13

Councillor's signature:
Date:
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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 Greg Best
in the matter of *draft Wyong Local Environmental Plan 2012*
which was considered at a Council meeting held on the 8th day of May 2013.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	49 Main Road, TOUKLEY NSW 2263 (Pt Lot 72 DP 14731)
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 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**

<p>[Tick or cross one box]</p> <p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p> <p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p> <p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	<p>Wyong LEP 1991 2(a) (Residential Zone)</p> <p>Draft Wyong LEP 2012 R2 Low Density Residential Zone</p> <p>No Appreciable financial gain or loss. Equivalent zone and development potential.</p>
<p>2. Pecuniary interest</p> <p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p> <p>Relationship of identified land to Councillor [Tick or cross one box.]</p> <p>Matter giving rise to pecuniary interest²</p> <p>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]</p> <p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p> <p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	
<p>6 Reliance Drive, TUGGERAH NSW 2259 (Lot 3222 DP 1078063)</p> <p><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.</p>	<p><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.</p> <p>Wyong LEP 1991 4(C) (Business Park Zone)</p> <p>Draft Wyong LEP 2012 B7 Business Park Zone</p>

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 <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	Appreciable financial gain – Up-zone. Change from Industrial to a business zone with greater emphasis on office related functions. Similar light industrial uses permitted.
3. 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 <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 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. 3012 2012
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 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>	Wyong LEP 1991 4(c) (Business Park Zone)
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>	Draft Wyong LEP 2012 B7 Business Park Zone
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	Appreciable financial gain – Up-zone. Change from Industrial to a business zone with greater emphasis on office related functions. Similar light industrial uses permitted.
4. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	12 Reliance Drive TUGGERAH NSW 2259 (Lot 307 DP 1007368)

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

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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
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.
5. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	3 Bounty Close, Tuggerah NSW 2259 (Lot 2073 DP 1052715)
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(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: 

Date: 02.05.13

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

- 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" 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.
- 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).
- 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*.
- 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.
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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 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 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**

<p><i>[Tick or cross one box]</i></p> <p>Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i></p>	<p>Wyong LEP 1991 2(a) (Residential Zone)</p>
<p>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></p>	<p>Draft Wyong LEP 2012 R2 Low Density Residential 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>
<p>2. Pecuniary interest</p>	
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p>	<p>121 Church Road, TUGGERAH NSW 2259 (Lots 61-64, Lots 71-73 & Lots 80-89, DP 4008)</p>
<p>Relationship of identified land to Councillor <i>[Tick or cross one box.]</i></p>	<p><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.</p>
<p>Matter giving rise to pecuniary interest²</p>	
<p>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></p>	<p><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.</p>
<p>Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i></p>	<p>Wyong LEP 1991 5(a) (Special Uses Zone – Sewerage Buffer)</p>
<p>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></p>	<p>Draft Wyong LEP 2012 SP2 Infrastructure Zone – Sewerage System</p>

**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 <i>(Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss.")</i>	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 <i>[Tick or cross one box.]</i>	<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 <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>	Wyong LEP 1991 5(a) (Special Uses Zone – Sewerage Buffer)
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>	Draft Wyong LEP 2012 SP2 Infrastructure Zone – Sewerage System
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	No Appreciable financial gain or loss. Equivalent zone and development potential.

Councillor's signature: 

Date: 2-5-13

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 Ken Greenwald
in the matter of Draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 8th day of May 2013.

1. Pecuniary interest	57 Dunrossil Avenue, WATANOBBI NSW 2259 (Lot 1212 DP 262111)
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 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.

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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:

6/4/2013

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

- 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.
- 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).
- 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*.
- 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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- 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 Lisa Matthews
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 8th day of May 2013.

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: *Ana Matthews*

Date: *2nd May 2013*

[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) (i) 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
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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 8th day of May 2013.

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 182266)
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.
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Councillor's signature: 

Date: 6th MAY 2013

[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 8th day of May 2013.

1. Pecuniary interest	31 Warner Avenue, Tuggerawong NSW 2259 (Lot 155 DP 13019)
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 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: 
Date: 8/5/2013

[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 1992* 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.

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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 8th day of May 2013.

1. Pecuniary interest	147 Scenic Drive, BUDGEWOI NSW 2262 (Lot 396 DP 22793)
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 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**

<p>[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]</p>	<p>Wyong LEP 1991 2(a) (Residential Zone)</p>
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Draft Wyong LEP 2012 R2 Low Density Residential Zone</p>
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	<p>No Appreciable financial gain or loss. Equivalent zone and development potential.</p>
<p>2. Pecuniary interest</p>	
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p>	<p>62 Narambi Road, BUFF POINT NSW 2262 (Lot 86 DP 13209)</p>
<p>Relationship of identified land to Councillor [Tick or cross one box.]</p>	<p><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.</p>
<p>Matter giving rise to pecuniary interest²</p>	
<p>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]</p>	<p><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.</p>
<p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p>	<p>Wyong LEP 1991 2(a) (Residential Zone)</p>
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Draft Wyong LEP 2012 R2 Low Density Residential Zone</p>

**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 <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	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	222 Buff Point Avenue, BUFF POINT NSW 2262 (Lot 86 DP 13209)
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>	Wyong LEP 1991 2(a) (Residential Zone)
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>	Draft Wyong LEP 2012 R2 Low Density Residential Zone
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	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	265 Scenic Drive, COLONGRA NSW 2259 (Lot 420 DP 755266 & Lot 425 DP 755266)

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

	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 [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Draft Wyong LEP 2012 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
Effect of proposed change of zone/planning control on councillor	No Appreciable financial gain or loss.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"] Equivalent zone and development potential.

Councillor's signature: *DWd*

Date: 8/5/13.

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- 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.

5. Address of Land - ~~to~~ All public schools in the LGA
 Relationship - to Councillor - ^A - Associated person of Councillor has interest in Land

Current Zone -> see attached
 Proposed Zone -> DWd 8/5/13

PUBLIC SCHOOLS (Primary)

#	SCHOOL	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Bateau Bay PS	Waratah Ave, Bateau Bay	Lot 382 DP 755263	2a Residential	2a Residential Zone	R2 Low Density Residential	Direct conversion.
2	Berkeley Vale PS	Pindarri St, Berkeley Vale	Lot 1 DP 731542	5a Special Uses	2a Residential Zone	R2 Low Density Residential	PN10_001
3	Blue Haven PS	Colorado Dr, Blue Haven	Lot 1 DP 1089656	2b Multiple Dwelling & 7g Wetlands Management	2b Multiple Dwelling & 7g Wetlands Management Zone	R1 General Residential & E2 Environmental Conservation	Direct conversion.
4	Brooke Ave PS	Brooke Ave, Killarney Vale	Lot 466 DP 44382	2b Multiple Dwelling	2b Multiple Dwelling Zone	R1 General Residential	Direct conversion.
5	Budgewoi PS	Woolana Ave, Budgewoi	Lot 10 DP 1101984, Lots 1049-1057, Lots 1116-1124 DP 24050 and Lot 2 DP 233616	5a Special Uses	2a Residential Zone	R2 Low Density Residential	PN10_001
6	Chittaway PS	Chittaway Rd, Chittaway Bay	Lot 2 DP 829719	5a Special Uses	2a Residential & 6a Open Space & Recreation	R2 Low Density Residential & E2 Environmental Conservation	PN10_001 EEC's located on land zoned E2
7	Dooralong PS	Dooralong Rd, Dooralong	Lots 218-219 DP 755271	5a Special Uses	1a Rural	SP2 Infrastructure (Educational Establishments)	PN10_001
8	Gorokan PS	Dudley St, Gorokan	Lot 101 DP 838668	5a Special Uses	2b Multiple Dwelling	R1 General Residential	PN10_001
9	Gwandalan PS	Kanangra Dr, Gorokan	Lot 63-65 Sec 9 DP 27782, Lot 1 DP 220889	5a Special Uses	2a Residential & R2 Low Density Residential	R2 Low Density Residential	PN10_001
10	Jilliby PS	Jilliby Rd, Jilliby	Lot 1 DP 578580, Lot 1 DP 755271	5a Special Uses	1a Rural	SP2 Infrastructure (Educational Establishments)	PN10_001
11	Kanwal PS	Craigie Ave, Kanwal	Lot 1 DP 363337, Lot 1 DP 392224, Lot 1 DP 850212, Lots 12-17 DP 26179, Lot 213 DP 810491, Lot 215 DP 806475, Lot A DP 354699	5a Special Uses	2b Multiple Dwelling Residential	R1 General Residential	PN10_001
12	Killarney Vale PS	Henricks Rd, Killarney Vale	Lots 1-2 DP 845889, Lot 24 DP 839496	5a Special Uses	2a Residential & 6a Open Space and Recreation	R2 Low Density Residential	PN10_001

13	Lake Munmorah PS	Pacific Hwy, Lake Munmorah	Lot 22 DP 1117984	5a Special Uses	7b Scenic Protection	SP2 Infrastructure (Educational Establishments)	PN10_001
14	Manning Park PS	Vales Rd, Manning Park	Lot 1 DP 214857	5a Special Uses	2a Residential	R2 Low Density Residential	PN10_001
15	North Lakes PS	Goorama Ave, San Remo	Lot 173 DP 728997	5a Special Uses	2a Residential	R2 Low Density Residential	PN10_001
16	Ourimbah PS	Pacific Hwy, Ourimbah	Lot 13 DP 1097319, Lot 110 DP 1129450	5a Special Uses	2a Residential & 7a Conservation	R2 Low Density Residential	PN10_001
17	Tacoma PS	Hillcrest Ave, Tacoma	Lot 1 DP 227276, Lot 1 DP 523708, Lots 1 DP 771679, Lots 1-10 DP 29364, Lots 144-151 DP 205160	5a Special Uses & 10a Investigations Precinct	2a Residential & 10a Investigations Precinct	R2 Low Density Residential	PN10_001
18	The Entrance PS	Oakland Ave, The Entrance	Lot 1 DP 715415	5a Special Uses	2c Medium Density Residential	R3 Med. Density Residential	PN10_001
19	Toukley PS	Main Rd, Toukley	Lot 1 DP 782524, Lot 1 DP 613072, Lots 71-83 DP 27833, Pt Lot 70 DP 27883	5a Special Uses	2a Residential	R1 General Residential	PN10_001 - Adjoining 2a zone was converted to R1 under Toukley Strategy
20	Tuggerah PS	Pacific Hwy, Tuggerah	Lot 517 DP 821088, Pt Lot 62 DP 755263, Pt Lot 66 DP 755263	5a Special Uses	7f Environmental Protection & 6a Open Space and Recreation	SP2 Infrastructure (Educational Establishments)	PN10_001
21	Tuggerawang PS	Tuggerawang Rd, Tuggerawang	Lot 23-34 Sec 2 DP 11710, Pt Lot 29-33 Sec 2 DP 11710	2a Residential	2a Residential	R2 Low Density Residential	Direct conversion.
22	Woongarra PS	Mataram Rd, Woongarra	Lot 1 DP 1104475	2e Urban Release Area	2e Urban Release Area	R2 Low Density Residential & E2 Environmental Conservation	PN10_001 2e zone converted to R2 as part of draft Wyong LEP 2012. EEC's located on land zoned E2
23	Wyong Creek PS	Yarramalong Rd, Wyong Creek	Lots 1-2 DP 795369	5a Special Uses	1a Rural	SP2 Infrastructure (Educational Establishments)	PN10_001
24	Wyong Grove PS	North Rd, Wyong	Lot 1 DP 123075, Lot 18 DP 219825	5a Special Uses	2a Residential	R2 Low Density Residential	PN10_001
25	Wyong PS	Cutler Dr, Wyong	Lot 1 DP 576538, Lot 3 DP 242538	5a Special Uses	2a Residential	R2 Low Density Residential	PN10_001

26	Yarramalong PS	Yarramalong Rd, Yarramalong	Lot 1 DP 782407, Lots 15-16 DP 755224, Lot 60 DP 755224, Pt Lot 91 DP 755244	5a Special Uses	1d Village & 6a Open Space and Recreation	RU5 Village	PN10_001
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PUBLIC SCHOOLS (Secondary)

#	SCHOOL	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Gorokan HS	Goobarabah Ave, Gorokan	Lots 11-12 DP 88194	5a Special Uses	2a Residential & 6a Open Space and Recreation	R2 Low Density Residential Zone	PN10_001
2	Lake Munmorah HS	Carters Road, Lake Munmorah	Lot 21 DP 1117984	7b Scenic Protection	7b Scenic Protection	SP2 Infrastructure (Educational Establishments)	PN10_001
3	North Lakes HS	Brava Ave, San Remo	Lot 170 DP 727766, 173 DP 728997	5a Special Uses	2a Residential	R2 Low Density Residential	PN10_001
4	Berkeley Vale HS	Berkeley Rd, Glenning Valley	Lot 10 DP 729013, Lots 1-2 DP 774172	1c Non Urban Constrained Lands	1c Non Urban Constrained Lands, 6a Open Space and Recreation, 7a Conservation & 7c Scenic Protection Small Holdings	SP2 Infrastructure (Educational Establishments)	PN10_001 EEC's located on land zoned E2.
5	The Entrance HS	The Entrance Rd, Long Jetty	Lot 385 DP 755283, Lot 334 DP 755283	5a Special Uses	2b Multiple Dwelling & 6a Open Space and Recreation	R1 General Residential	PN10_001
6	Tumbi Umbi HS	Bellevue Rd, Tumbi Umbi	Lot 2 DP 567984	7c Scenic Protection Small Holdings	7c Scenic Protection Small Holdings	E4 Environmental Living	Direct conversion
7	Wyong HS	Alison Road, Wyong	Lot 101 DP 878443	5a Special Uses	2c Medium Density Residential, 2b Multiple Dwelling & 6a Open Space & Recreation	R1 General Residential	PN10_001

PUBLIC SCHOOLS (Kindergarten - Year 12)

#	SCHOOL	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Wadalba CS	Van Stappen Rd, Valley	Lot 821 DP 1113752	2a Urban Release	2a Urban Release Area,	R2 Low Density Residential	Direct conversion.

Wadalba	Area & 5d Arterial Road	6a Open Space and Recreation & 10a Investigation Precinct	& SP2 Infrastructure -- Roads & Traffic Facility	2e zone converted to R2 as part of draft Wyong LEP 2012.
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PUBLIC SCHOOLS (Special)

#	SCHOOL	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Hopetown School	Pollock Ave, Wyong	Lot 2 DP 562445	1c Non Urban Constrained Lands and 7g Wetlands Management Zone	1c Non Urban Constrained Lands Zone	SP2 Infrastructure (Educational Establishments) and E2 Environmental Conservation	No appropriate adjoining zone. EEC's located on land zoned E2
2	Nth Entrance Campus of Glenvale	Hutton Road, Nth Entrance	Lot 1-2 DP 17615, Lot 272 DP 755266, Lot 337 DP 42567	2b Multiple Dwelling Residential Zone and 6a Open Space and Recreation Zone	2b Multiple Dwelling Residential	R2 Low Density Residential	Adjoining 2b zone was converted to R2 due to potential flood hazard.

TAFE INSTITUTES

#	ESTABLISHMENT	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Wyong Campus	Alison Road, Wyong	Lot 5 DP 877558	5a Special Uses	2c Medium Density Residential, 2b Multiple Dwelling, & 2e Urban Release Area Zone	R1 General Residential	PN10_001

UNIVERSITIES

#	UNIVERSITY	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	University of Newcastle, Ourimbah Campus	Chittaway Road, Ourimbah	Lot 1 DP 837937	5a Special Uses	7a Conservation	SP2 Infrastructure (Educational Establishments)	PN10_001

SURPLUS LAND

#	UNIVERSITY	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Warnervale Public School	Warnervale Road, Warnervale	Lot 71 DP 7091	5a Special Uses	10a Investigations Precinct	SP2 Infrastructure (Educational Establishments)	PN10_001. Precinct 7A Planning Proposal proposes R1 General Residential Zone.
2	Summerland Pt School Site	Cams Boulevard, Summerland Pt	Lot 1 DP 555602	5a Special Uses	2b Multiple Dwelling Residential	R2 Low Density Residential and E2 Environmental Conservation	Site Compatibility Certificate.
3	The Entrants Infant Site	Oakland Avenue, The Entrance	Lot 61-75 DP 18372, Lot 523 DP 821676	5a Special Uses	2c Medium Density Residential	R3 Medium Density Residential and E2 Environmental Conservation	Site Compatibility Certificate. EEC's located on land zoned E2, R3 adjacent zone. * Private Ownership

STRATEGIC SITES

#	UNIVERSITY	ADDRESS	LOT & DP	CURRENT ZONE	ADJOINING ZONE	PROPOSED ZONE	COMMENTS
1	Warnervale Education Precinct	Jack Grant Avenue, Warnervale	Lot 2 DP 1047484	5a Special Uses	5a Special Uses / 7a Conservation	SP2 Infrastructure (Educational Establishments)	PN10_001. Precinct 7A Planning Proposal proposes B7 Business Park and E2, Environmental Conservation zone. * WSC ownership

* Denotes site in ownership other than Department of Education & Communities.

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.

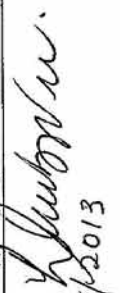
This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes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

Special disclosure of pecuniary interests by: Councillor Lynne Webster
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 8th day of May 2013.

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

<p>[Insert name of current planning instrument and identify relevant zone/planning control] [3(d) (Tourist Business Zone)]</p>	<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	<p>Draft Wyong LEP 2012 B2 Local Centre Zone</p>	<p>No Appreciable financial gain or loss. Equivalent zone and development potential.</p>
<p>2. Pecuniary interest</p>				
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>)¹</p>	<p>7 Reliance Drive, TUGGERAH NSW 2259 (Lot 105 DP 8668815)</p>			
<p>Relationship of identified land to Councillor [Tick or cross one box.]</p>	<p><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.</p>			
<p>Matter giving rise to pecuniary interest²</p>				
<p>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]</p>	<p><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.</p>			
<p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p>	<p>Wyong LEP 1991 4(C) (Business Park Zone)</p>			
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>Draft Wyong LEP 2012 B7 Business Park Zone</p>			
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	<p>No Appreciable financial gain or loss. Equivalent zone and development potential.</p>			

Councillor's signature: 
Date: 06/05/2013

**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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- 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.

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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: Lin Armstrong - Director, Development & Building
in the matter of draft Wyong Local Environmental Plan 2012
which was considered at a Council meeting held on the 8th day of May 2013.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	<u>Woodlark Shops (carpark)</u> <u>Palmcote Memorial Gardens (permissibility of cemetery)</u>
Relationship of identified land to Councillor [Tick or cross one box] <u>I prepared submissions in response to the OLEP on behalf of my previous employer Stevens Group, Palmcote</u>	<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	<u>N/A</u>
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<input 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**

<p>[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]</p>	
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	<p>dLEP 2012 / dDCP 2012</p>
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	
<p>2. Pecuniary interest</p>	
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p>	<p>Wadulba Shops / Palmdale</p>
<p>Relationship of identified land to Councillor [Tick or cross one box.]</p>	<p><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.</p>
<p>Matter giving rise to pecuniary interest²</p>	
<p>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]</p>	<p><input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.</p>
<p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p>	
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	

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

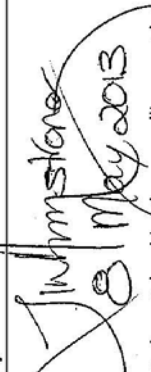
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	
3. Pecuniary interest	
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p>	<p><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 type="checkbox"/> Associated company or body of councillor has interest in the land.</p>
Matter giving rise to pecuniary interest²	
<p>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]</p>	<p><input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.</p>
<p>Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</p>	
<p>Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</p>	
<p>Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</p>	
4. Pecuniary interest	
<p>Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)¹</p>	

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

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 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 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>	
Effect of proposed change of zone/planning control on councillor <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	
5. 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 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 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]	
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"]	

Signature: 
 Date: 8 May 2013

[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.

1.5 Notice of Intention to Deal with Matter in Confidential Session

TRIM REFERENCE: F2013/00023 - D03331122

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(a) of the Local Government Act 1993:**
 - 7.1 Superannuation**
 - 7.2 Mayoral Minute – General Manager’s Employment Contract**
- 2 That Council note its reasons for considering item 7.1 – Superannuation as it contains as it contains information concerning particular individuals (other than Councillors).**
- 3 That Council note its reasons for considering item 7.2 – Mayoral Minute – General Manager’s Employment Contract as it contains information concerning particular individuals (other than Councillors).**
- 4 That Council request the General Manager to report on this matter in open session of Council.**

Note: Explanation - Section 10A of the Local Government Act 1993 states:

“2(a) personnel matters concerning particular individuals (other than Councillors),

2(b) the personal hardship of any resident or ratepayer,

2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

2(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it, or

1.5 Notice of Intention to Deal with Matter in Confidential Session (contd)

(ii) confer a commercial advantage on a competitor of the Council, or

(iii) reveal a trade secret,

2(e) information that would, if disclosed, prejudice the maintenance of law,

2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,

2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”