
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 23 JULY 2014 COMMENCING AT 5.00PM

PRESENT

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

IN ATTENDANCE

General Manager, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Communications, IT Infrastructure Administrator, IT and Operations Manager, Manager Corporate Governance, Manager Integrated Planning, Chief Financial Officer and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Nayna expressed his condolences to the victims of the MH17 tragedy. John Hardwick delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

APOLOGY

Council, at its meeting 25 June 2014;

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

665/14 That Council grant leave of absence to Councillor Vincent for the 23 July and 13 August 2014 meetings.'

There were no other apologies.

The Mayor was presented with a silver award from the Australasian Reporting Awards for Council's Annual Report.

At the commencement of the ordinary meeting report nos 1.1, 1.4, 2.1, 3.1, 3.2, 3.5, 6.15, 4.1, 6.1, 6.5, 6.6, 6.7, 6.10, 6.11, 6.12, 6.14, 6.16, 7.1, 7.3, 7.4, 7.9, 7.11, 9.1 and 6.9 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 Disclosures of Interest

3.2 Proposed Rezoning of Central Coast Wetlands - Pioneer Dairy

Councillor Nayna declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is employed by the Member for Dobell and the Federal Government is a partner in the proposed Tuggerah Sports Park and stated that:

"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."

3.4 Wyong Local Environment Plan 2013 – Major Amendment 1

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

9.1 Notice of Motion - Federal Government Pausing of Indexation to Financial Assistance Grants

Councillor Nayna declared a non-pecuniary significant conflict of interest in the matter for the reason that he is employed by the Member for Dobell and this item calls on a direct action. He left the chamber at 8.05pm, took no part in discussion, did not vote and returned to the chamber at 8.19pm.

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

723/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

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

724/14 That Council allow meeting practice to be varied.

725/14 That Council use the exception method to deal with the balance of the Agenda.

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

726/14 That with the exception of report numbers 1.4, 2.1, 3.1, 3.2, 3.5, 4.1, 6.1, 6.5, 6.6, 6.7, 6.9, 6.10, 6.11, 6.12, 6.14, 6.15, 6.16, 7.1, 7.3, 7.4, 7.9, 7.11 and 9.1 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

727/14 *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 TAYLOR:

728/14 *That Council receive the report on Invited Speakers.*

1.4 Confirmation of Minutes of Previous Meeting

Councillor Taylor left the meeting at 5.16pm and returned to the meeting at 5.17pm during consideration of this item.

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

729/14 *That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 25 June 2014.*

Business Arising

Councillor Nayna and Councillor Troy both expressed that they are in favour of item 3.4 – Terrace Towers which was resolved at Ordinary Meeting 25 June 2014. Both Councillors were absent from this meeting, however, requested that their support be noted.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

730/14 *That Council consider the following matter in Confidential Session, pursuant to Section 10 A (2) (g) of the Local Government Act 1993:*

10.1 Q67/14 - Tuggerawong Hall Update.

731/14 *That Council note its reason for considering Report No 10.1 - Q67/14 - Tuggerawong Hall Update as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

732/14 *That Council request the General Manager to report on these matters in open session of Council.*

2.1 Mayoral Minute - Invitation for Council Representative to Promote Wyong Shire to Investors in Beijing China

RESOLVED on the motion of Councillor EATON:

- 733/14 That Council authorise the Mayor to be its delegate for promotion of the Shire at the Beijing function and associated events during the visit.**
- 734/14 That Council note that the invitation includes payment for the travel, accommodation and hospitality costs for the Council representative.**
- 735/14 That Council thank the Harman Group for its generous offer and request the Harman Group to direct its contributions towards air travel, accommodation etc to Wyong Shire Community Groups.**
- 736/14 That Council authorise the General Manager to utilise reasonable funds for the travel expenses etc, production of materials promoting Wyong Shire (eg publications, translations) for the event.**

A DIVISION was called by Councillor MATTHEWS and seconded by Councillor GREENWALD:

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

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND MATTHEWS

3.1 Draft Economic Development Strategy - Report on Public Exhibition Submissions

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

- 737/14 That Council receive submissions made by the community following public exhibition of the draft Economic Development Strategy, as detailed in this report.**
- 738/14 That Council adopt the Wyong Shire Economic Development Strategy.**
- 739/14 That Council advise those who made written submissions of its decision.**

A DIVISION was called by Councillor BEST and seconded by Councillor NAYNA:

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

AGAINST: COUNCILLORS GREENWALD AND MATTHEWS

3.2 Proposed Rezoning of Central Coast Wetlands - Pioneer Dairy

Councillor Nayna declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is employed by the Member for Dobell and the Federal Government is a partner in the proposed Tuggerah Sports Park and stated that:

"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 Matthews left the meeting at 6.11pm and returned to the meeting at 6.14pm and as a result took no part in voting.

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

- 740/14** That Council initiate the Local Environmental Plan "Gateway" process, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, by preparation of a Planning Proposal to rezone the relevant parts of the subject land from Zone E3 Environmental Management to Zone RE1 – Public Recreation under the Wyong Local Environmental Plan, 2013.
- 741/14** That Council forward the Planning Proposal to the Department of Planning and Environment requesting a "Gateway" determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act, 1979.
- 742/14** That Council undertake community consultation regarding the Planning Proposal subject to the determination of the Gateway Process.
- 743/14** That Council delegate authority to the General Manager to make minor amendments and to finalise the Local Environmental Plan process.

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

AGAINST: NIL

3.3 Planning (Rezoning) Proposal - Permit Service Station Development - 211 Wallarah Road Kanwal

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

- 744/14** That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, to permit the land use, service station, on Lot 2 DP 518378.
- 745/14** That Council forward the Planning Proposal to the Department of Planning and Environment accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP&A Act 1979.
- 746/14** That Council request the General Manager to apply to accept plan making delegations for the rezoning.

747/14 That Council undertake community and government agency consultation in accordance with the requirements of the "Gateway Determination".

748/14 That Council consider a further report on results of the community consultation.

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

AGAINST: NIL

3.4 Wyong Local Environmental Plan 2013 - Major Amendment 1

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

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

749/14 That Council initiate the Local Environmental Plan "Gateway" process by the preparation of a Planning Proposal, pursuant to Section 55 of the Environmental Planning and Assessment Act, 1979.

750/14 That Council forward the Planning Proposal to the Department of Planning and Environment requesting a "Gateway" determination, pursuant to Section 56(1) of the Environmental Planning and Assessment Act, 1979.

751/14 That Council advise the Department of Planning & Environment that it does not intend to apply for plan making delegations for the rezoning, pursuant to Section 23 of the Environmental Planning and Assessment Act, 1979.

752/14 That Council refer the project to appropriate public authorities for comment, subject to the determination of the Gateway Process, pursuant to Section 56(2) of the Environmental Planning and Assessment Act, 1979.

753/14 That Council undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process, pursuant to Section 57 of the Environmental Planning and Assessment Act, 1979.

754/14 That Council direct the General Manager to submit a further report to Council to report on the results of the public authorities' consultation and community consultation phase.

755/14 That Council update its Section 149 Certificates accordingly.

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

AGAINST: NIL

3.5 Planning (Rezoning) Proposal - Permit a service station and food and drink premises at 223 Scenic Drive Colongra & permit shops and residential development at 107-111 Scenic Drive Budgewoi

Councillor Matthews left the meeting at 6.11pm and returned to the meeting at 6.14pm during consideration of this item.

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

- 756/14 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979 requesting the rezoning of land at 107-111 Scenic Drive Budgewoi to permit shops and residential development and additional permitted uses at 223 Scenic Drive Colongra permitting a service station and a food and drink outlet.***
- 757/14 That Council forward the Planning Proposal to the Department of Planning and Environment accompanied by a request for a Gateway Determination, pursuant to Section 56 of the EP&A Act 1979.***
- 758/14 That Council implement the above resolution prior to 25 July 2014.***
- 759/14 That Council note the Resolution of 26 March 2014 authorising the General Manager to negotiate an appropriate Memorandum of Understanding (MOU) with Woolworths.***
- 760/14 That Council direct the General Manager to finalise the letter of offer and any subsequent draft Voluntary Planning Agreement (VPA) between Council and Woolworths prior to exhibition of the Planning Proposal and any VPA.***
- 761/14 That Council undertake community and government agency consultation in accordance with the requirements of the Gateway Determination. The consultation process is to include a public hearing for the reclassification of Community Land to Operational Land as required under the Local Government Act 1993.***
- 762/14 That Council develop and exhibit appropriate Development Control Plan provisions where required to provide appropriate guidelines for future development.***
- 763/14 That Council consider a further report on results of the community consultation.***

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

AGAINST: NIL

PROCEDURAL MOTION

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

764/14 That Council allow meeting practice to be varied.

765/14 That Council suspend the order of business to allow consideration of item 6.15 – Letter of Offer to Enter into a Voluntary Planning Agreement for the Potential Land Swap between Woolworths and Wyong Shire Council - Colongra and Halekulani Oval.

3.6 CDC - Change of Use and Alterations to an Existing Dwelling at Buff Point

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

766/14 That Council endorse the issue of the Complying Development Certificate by Council's Accredited Certifier subject to the conditions detailed in the schedule of the SEPP (Affordable Rental Housing) 2009.

767/14 That Council grant delegations to the General Manager to enable him to endorse the approval of Complying Development Certificates for designated persons by Council's Accredited Certifiers, and then be reported to Council by way of a Councillor Business Update.

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

AGAINST: NIL

4.1 Proposed Sale of Council Land at Hamlyn Terrace

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

768/14 That Council authorise the sale of part of Lot 284 DP 877952 at Highland Crescent, Hamlyn Terrace for an amount not less than market value as determined by an independent registered valuer.

769/14 That Council authorise the Common Seal of the Wyong Shire Council to be affixed to the formal documents for the sale and transfer of the land.

770/14 That Council authorise the Mayor and the General Manager to execute all documents in relation to the sale.

The Mayor ruled that voting would be recorded for this item

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

AGAINST: COUNCILLORS GREENWALD AND MATTHEWS

5.1 CPA/181540 - Hire of Tipping and other Trucks Contract Extension

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

771/14 That Council approve a contract extension for 12 months with current approved suppliers for the Hire of Tipping and Other Trucks.

772/14 That Council note the total estimated value of the contract extension is dependent upon the volume of hire, which has historically been in the order of approximately \$1.5M p.a.

5.2 CPA/181543 - Hire of Plant and Machinery Contract Extension

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

773/14 That Council approve a contract extension for 12 months with current approved suppliers for the Hire of Plant and Machinery.

774/14 That Council note the total estimated value of the contract extension is dependent upon the volume of hire, which has historically been in the order of approximately \$1.5M p.a.

5.3 CPA/188604 - Update on Contract - Concept and Detailed Design for the Augmentation of Wyong South Sewage Treatment Plant

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

775/14 That Council endorse the contract variations directed to date and detailed in Attachment 'A'.

776/14 That Council determine the 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 which may be disclosed after Council has resolved to accept Recommendation No. 3.

777/14 That Council approve the amended contract budget as detailed in the Attachment 'A'.

5.4 CPA/241782 - Manufacture, Supply and Delivery of Bulk Liquid Aluminium Sulphate to Council's Water and Sewerage Treatment Plants

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

778/14 That Council accept the tender from Nowra Chemical Manufacturers Pty Ltd, for a period of up to 2 years for Contract CPA/241782 - Manufacture, Supply and Delivery of Bulk Liquid Aluminium Sulphate to Council's Water and Sewerage Treatment Plants. The estimated annual expenditure against this contract is \$210,676.00 per annum (excl GST), however actual expenditure may vary significantly with fluctuations in demand.

779/14 That Council delegate the acceptance of optional yearly extensions to the General Manager based on satisfactory performance.

780/14 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

781/14 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

5.5 CPA/241789 - Manufacture, Supply and Delivery of Bulk Hydrated Lime to Council's Mardi Water Treatment Plant

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

782/14 That Council accept the tender from Sibelco Australia Limited, for a period of up to 2 years for Contract CPA/241803 - Manufacture, Supply and Delivery of Bulk Hydrated Lime to Council's Water and Sewerage Treatment Plants. The estimated annual expenditure against this contract is \$108,000.00 per annum (excl GST), however actual expenditure may vary significantly with fluctuations in demand.

783/14 That Council delegate the acceptance of optional yearly extensions to the General Manager based on satisfactory performance.

784/14 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

785/14 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

5.6 CPA/241803 - Manufacture, Supply and Delivery of Bulk Liquefied Chlorine Gas to Council's Water and Sewerage Treatment Plants

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

- 786/14** That Council accept the tender from Orica Australia Pty Ltd, for a period of up to 2 years for Contract CPA/241803 - Manufacture, Supply and Delivery of Bulk Liquefied Chlorine Gas to Council's Water and Sewerage Treatment Plants. The estimated annual expenditure against this contract is \$332,676.00 per annum (excl GST), however actual expenditure may vary significantly with fluctuations in demand.
- 787/14** That Council delegate the acceptance of optional yearly extensions to the General Manager based on satisfactory performance.
- 788/14** That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.
- 789/14** That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

6.1 Amendment to the Facilities and Expenses for Councillors Policy

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

- 790/14** That Council note that the amended Facilities and Expenses for Councillors Policy was exhibited in June and July 2014.
- 791/14** That Council adopt the Facilities and Expenses for Councillors Policy as exhibited.
- 792/14** That Council provide the Office of Local Government with a copy of the amended Policy and information concerning the submissions received.
- 793/14** That Council determine that partner attendance at community events be included under the policy.
- 794/14** That Council determine that a professional development course with a number of "sections" which contribute toward the agreed professional development outcome, be identified as a single course.

6.2 Local Government NSW Annual Conference 2014

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

- 795/14 That Council authorise those interested Councillors and the General Manager to attend the Local Government NSW Annual Conference 2014.
- 796/14 That Council pay reasonable expenses incurred in Councillors attending the conference in accordance with the Policy for Facilities and Expenses for Councillors.
- 797/14 That Council determine the seven delegates with voting entitlements.
- 798/14 That Council note the deadline for any motions to be submitted for inclusion on the business paper is Friday 1 August 2014.

6.3 Councillor Attendance - Executive Certificate for Elected Members

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

- 799/14 That Council authorise Councillors to attend the Executive Certificate for Elected Members in accordance with the Council's Facilities and Expenses Policy for Councillors.
- 800/14 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.

6.4 Councillor Attendance - NSW Transport Infrastructure Conference

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

- 801/14 That Council authorise a Councillor, to attend the NSW Transport Infrastructure Conference.
- 802/14 That Council meet reasonable expenses incurred by the Councillor attending the above conference, in accordance with Council's Facilities and Expenses Policy for Councillors.

6.5 Councillor Professional Development - Chinese Language Course

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

- 803/14 That Council authorise those interested councillors to attend Language Classes that support professional development in relation to their responsibilities as a councillor.
- 804/14 That Council meet reasonable expenses incurred in councillors attending the above classes in accordance with Council's Facilities and Expenses Policy for Councillors.

6.6 Rebranding Consultation

Councillor Greenwald left the meeting at 6.37pm and returned to the meeting at 6.38pm during consideration of this item.

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

- 805/14** That Council endorse a proposal to consult with the community with regard to the potential for a new name for Wyong Shire and Wyong Shire Council.
- 806/14** That Council undertake an engagement and consultation program in accordance with the Community Engagement Policy to consider the proposals outlined in recommendation 1.
- 807/14** That Council receive a further report on the results of the consultation to determine whether or not to take further action.

6.7 Temporary Economic Stimulus Plan Voluntary Planning Agreements

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

- 808/14** That Council delegate to the General Manager the authority to execute the exhibited draft Voluntary Planning Agreements between Council and AV Jennings Properties and Vexhart Pty Ltd in respect of DA/745/2008/A and DA/455/2007/C.

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

AGAINST: NIL

6.8 Proposed Adoption of DCP 2013 - Minor Amendments Package

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

- 809/14** That Council adopt Draft Development Control Plan 2013 and appropriate public notice be given within 28 days that the draft DCP as amended will come into effect.
- 810/14** That Council forward a copy of DCP 2013 containing the amended Chapters to the Director General of the NSW Department of Planning and Environment within 28 days of the DCP becoming effective; and
- 811/14** That Council note S.149 Certificates as to the adoption of DCP 2013.

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

AGAINST: NIL

PROCEDURAL MOTION

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

- 812/14** That Council allow meeting practice to be varied.
- 813/14** That Council consider item 6.9 – Proposed Councillors' Community Improvement Grants in Confidential Session, pursuant to Section 10 A (2) (g) of the Local Government Act 1993.
- 814/14** That Council note its reason for considering Report No 6.9 – Proposed Councillors' Community Improvement Grants as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- 815/14** That Council request the General Manager to report on these matters in open session of Council.

OPEN SESSION

Council resumed in open session at 8.25pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

6.9 Proposed Councillors' Community Improvement Grants

816/14 That Council allocate an amount of \$5300.00 from the 2014-15 Councillors' Community Improvement Grants as follows:

Proposed Allocations for 23 July 2014		
Central Coast Woodturners Co op Limited (\$2640)	Application of Non slip epoxy coating to make floor surface an acceptable safe standard.	\$1900
Community Environment Network (\$4000)	Workshop on Habitat for Wildlife to residents in the Wyong Shire.	\$100
Global Care/Foodcare Charmhaven (\$2184)	Purchase of a laptop	\$200
The Lakes Singers (\$300)	Insurance and administration costs.	\$200
Toukley Torchbearers (\$1000)	Memorial Golf Day in memory of Harry Moore OAM	\$500
YMCA Lake Haven on behalf of Autism Projects Central Coast (\$4000)	Special Needs Christmas Party	\$800
Wyong District Museum and Historical Society (\$4000)	Purchase new trees, garden supplies and a stainless steel tag for each tree detailing the Pioneer family it is dedicated to.	\$1600

6.10 Local Heritage Assistance Fund 2014-2015

Councillor Best left the meeting at 6.57pm and returned to the meeting at 6.59pm during consideration of this item.

Councillor Greenwald left the meeting at 6.58pm and returned to the meeting at 7.04pm and as a result took no part in voting.

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

817/14 That Council receive the report on Local Heritage Assistance Fund 2014-2015.

818/14 That Council agree to allocate funding of \$17,500 towards the Local Heritage Assistance Fund, in accordance with the Local Heritage Assistance Fund Guidelines.

819/14 That Council note that owners and managers of heritage properties can apply for financial assistance through the Local Heritage Assistance Fund.

6.11 Central Coast Positive Ageing Strategy

Councillor Greenwald left the meeting at 6.58pm and returned to the meeting at 7.04pm during consideration of this item.

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

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

820/14 That Council adopt the Central Coast Positive Ageing Strategy.

821/14 That Council note that the implementation plan will be undertaken as part of day- to-day business as part of Service Unit Business Plans.

6.12 Transfer of Expenditure Review Committee functions to the Audit & Risk Committee

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

822/14 That Council amend the Audit and Risk Committee Terms of Reference to include the following clauses from the Expenditure Review Committee (ERC) Terms of Reference (as outlined in Attachment 3):

- **The following clauses from the ERC Terms of Reference will be transferred into the "4. ROLE of the COMMITTEE" section of the Audit and Risk Committee Terms of Reference:**

A1 To assist Council to ensure that the services and facilities provided by the Council are managed efficiently and effectively.

A2 Identify strategies to assist with the continuous improvement of the provision of services and facilities to the community.

A3 Promote continuous improvement as a vehicle for ongoing cost saving initiatives.

- **The following clauses from the ERC Terms of Reference will be transferred into the “5. RESPONSIBILITIES OF THE COMMITTEE” section of the Audit and Risk Committee Terms of Reference:**

B1 Providing strategic advice and guidance to Council on identifying, recommending and supporting initiatives that will provide cost savings to Council.

B2 To investigate material items of Council expenditure and make recommendations as to improved efficiency and cost saving measures.

B5 Engaging with community on matters of efficiencies and cost savings.

B6 Co-operatively engaging with other relevant bodies to further promote cost savings for the Wyong Shire Community.

823/14 That Council note the Audit and Risk Committee will remain closed to the public.

824/14 That Council note the Audit & Risk Committee membership, chairperson, quorum, meeting schedule and reporting functions will remain the same.

6.13 Tumbi Umbi Creek and Tuggerah Lakes Floodplain Risk Management Studies and Plans

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

825/14 That Council receive the report on the Tumbi Umbi Creek and Tuggerah Lakes Floodplain Risk Management Studies and Plans.

826/14 That Council place the Tumbi Umbi Creek Floodplain Risk Management Study and Plan on Public Exhibition.

827/14 That Council place the Tuggerah Lakes Floodplain Risk Management Study and Plan on Public Exhibition.

6.14 Engagement of Consultancy Services for Additional Morphodynamic Modelling for Tuggerah Lakes, The Entrance

Councillor Graham left the meeting at 7.07pm and returned to the meeting at 7.09pm during consideration of this item.

Councillor Webster left the meeting at 7.08pm and returned to the meeting at 7.09pm during consideration of this item.

Councillor Nayna left the meeting at 7.09pm and returned to the meeting at 7.11pm during consideration of this item.

Councillor Matthews left the meeting at 7.21pm and returned to the meeting at 7.24pm and as a result took no part in voting.

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

828/14 That Council receive the report on the Engagement of Consultancy Services for Additional Morphodynamic Modelling of Tuggerah Lakes, The Entrance.

829/14 That Council request the General Manager to engage a consultant to conduct additional morphodynamic modelling of Tuggerah Lakes, The Entrance.

Councillor Greenwald requested that his dissenting vote be recorded.

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

AGAINST: COUNCILLORS GREENWALD

6.15 Letter of Offer to Enter into a Voluntary Planning Agreement for the Potential Land Swap between Woolworths and Wyong Shire Council - Colongra and Halekulani Oval

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

830/14 That Council note that the land swap will be documented via a Letter of Offer, to enter into a Voluntary Planning Agreement in lieu of a Memorandum of Understanding.

831/14 That Council note the proposed terms of the Voluntary Planning Agreement between Wyong Shire Council and Fabcot in relation to the Halekulani Oval and Colongra Land swap.

832/14 That Council authorise the General Manager to finalise negotiations and execute the draft Voluntary Planning Agreement (VPA) between Council and Fabcot prior to exhibition of the Planning Proposal and any VPA.

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

AGAINST: NIL

6.16 Carbon Tax Repeal Bill (2013) and the Re-alignment of the Pricing structure for Waste Services

Councillor Matthews left the meeting at 7.21pm and returned to the meeting at 7.24pm during consideration of this item.

Councillor Taylor left the meeting at 7.27pm and returned to the meeting at 7.29pm during consideration of this item.

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

833/14 That Council note that, following the repeal of the Carbon Tax, Council will have no new carbon tax liability in the future under current legislation.

834/14 That Council note that Council will still have a carbon tax liability for the 2013/14 reporting year.

835/14 That Council note that reporting under the NGERS is still a requirement to be compliant with the legislation which would require future funding.

836/14 That Council note that following the repeal of the carbon tax, the carbon tax liability component of \$27.60 be removed from prices for waste going to Buttonderry Waste Management Facility.

837/14 That Council note that following the repeal of the carbon tax the carbon liability component of \$22.00 in the Domestic Waste Management Charges for 2014/15 be removed and ratepayers be refunded by means of a credit to their accounts.

838/14 That Council approve the inclusion of the amended 2014/15 Waste Fees and Charges, per Attachments 1 and 2, into the adopted Fees and Charges schedule.

839/14 That Council adopt the proposed changes to the Fees and Charges for 2014/15 as described in Attachments 1 and 2 after the exhibition period, and:

- a. That Council advertise the amended prices for a period of 28 days as per Section 610F and 705 of the Local Government Act 1993 referred to in (4) and (5).**
- b. That, subject to no objections, Council apply the proposed fees following the public notification period.**

840/14 That Council approve the use of restricted reserve funds generated by the carbon liability pricing on waste related compliance and environmental management programs.

A DIVISION was called by Councillor BEST and seconded by Councillor NAYNA:

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

AGAINST: NIL

7.1 2014-15 State Government Budget

Councillor Nayna left the meeting at 7.33pm and returned to the meeting at 7.37pm during consideration of this item.

Councillor Greenwald left the meeting at 7.44pm and returned to the meeting at 7.45pm and as a result took no part in voting.

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

841/14 That Council receive the report on the 2014-15 State Government Budget.

842/14 That Council request the General Manager write to The Hon. Rob Stokes, Minister for the Central Coast, thanking his government for the billion dollar North Connects announcement and request the Minister confirm further capital funding upgrade commitments for Wyong Hospital.

Councillor Matthews requested that her dissenting vote be recorded.

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

AGAINST: MATTHEWS

7.2 Disclosure of Interest Returns - 1 April to 30 June 2014

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

843/14 That Council receive the report on Disclosure of Interest Returns 1 April to 30 June 2014.

7.3 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 3 July 2014

Councillor Greenwald left the meeting at 7.44pm and returned to the meeting at 7.45pm during consideration of this item.

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

844/14 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 July 2014.

7.4 Draft Minutes of the Employment and Economic Development Committee Meeting - 2 July 2014

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

845/14 That Council receive the Draft Minutes of the Employment and Economic Development Committee Meeting - 2 July 2014.

A DIVISION was called by Councillor GREENWALD and seconded by Councillor MATTHEWS:

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

AGAINST: COUNCILLORS GREENWALD AND MATTHEWS

7.5 Draft Minutes of the Audit & Risk Committee Meeting - 18 June 2014

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

846/14 That Council receive and note the Draft Minutes of the Audit & Risk Committee Meeting - 18 June 2014.

7.6 Investment Report for June 2014

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

847/14 That Council receive the Investment Report for June 2014.

7.7 General Works in Progress

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

848/14 That Council receive the report on General Works in Progress.

7.8 Road Capital Works Program

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

849/14 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

7.9 Activities of the Development Assessment and Building Certification Compliance and Health Units

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

850/14 That Council receive the report on Activities of the Development Assessment and Building Certification Compliance and Health Units for the month of June 2014.

7.10 Report on Sick Leave Cash-out

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

851/14 That Council receive and note the report on Sick Leave Cash-Out.

7.11 Results of Water Quality Testing for Beaches and Lake Swimming Locations

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

852/14 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

7.12 Works in Progress - Water Supply and Sewerage

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

853/14 That Council receive the report on Works in Progress - Water Supply and Sewerage.

7.13 Outstanding Questions on Notice and Notices of Motion

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

854/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

9.1 Notice of Motion - Federal Government Pausing of Indexation to Financial Assistance Grants

Councillor Nayna declared a non-pecuniary significant conflict of interest in the matter for the reason that he is employed by the Member for Dobell and this item calls on a direct action. He left the chamber at 8.05pm, took no part in discussion, did not vote and returned to the chamber at 8.19pm.

It was MOVED on the motion of Councillor GREENWALD and seconded by Councillor MATTHEWS:

- 1 *That Council oppose the pausing of the indexation applied to the Financial Assistance Grant Program to councils.*
- 2 *That Council request the General Manager to write to the Federal Member for Dobell, Karen McNamara calling upon her to support this matter and ask for the indexation of the Financial Assistance Grants to be reinstated on behalf of the Council and Wyong Shire ratepayers.*
- 3 *That Council request the General Manager to write to the Minister for Infrastructure and Regional Development, the Hon Warren Truss, stating Council's opposition to the pausing of the Financial Assistance Grants and calling upon him to reverse this decision.*

An AMENDMENT was MOVED by Councillor BEST and seconded by Councillor TAYLOR:

That Council note the Mayor's correspondence on this matter and commend the Mayor on his prompt and efficient response in seeking to have this decision reversed.

The AMENDMENT was put to the vote and declared CARRIED.

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

The AMENDMENT became the MOTION.

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

855/14 That Council note the Mayor's correspondence on this matter and commend the Mayor on his prompt and efficient response in seeking to have this decision reversed.

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

CONFIDENTIAL SESSION

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

856/14 That Council move into Confidential Session.

At this stage of the meeting being 8.19pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

QUESTIONS ON NOTICE

Q73/14 Annual Gardening Competition
Councillor Greg Best
F2004/00028

“Mr Mayor,

I understand the 41st Annual Gardening Competition for 2014 will be announced on 17 September 2014.

This outstanding community event that recognises some 21 categories of horticultural endeavours is an iconic event.

I understand this event is partially funded by Council through an annual budgetary process.

Mr Mayor I would appreciate if you could advise how this organisation can seek a permanent and ongoing budgetary allocation?”

Q74/14 Open Pile Burning
Councillor Lloyd Taylor
F2004/06929

“Council adopted a new Policy for Control of Open Burning in 2013 and advertised the Notice of Approval to burn dead and dry vegetation in December last year. I am interested to learn of the effectiveness of this strategy as hazard reduction is an important key to limiting damage during the bushfire season.

Could the General Manager please advise how many residents have notified the RFS regarding their intention to burn and how many times has the RFS responded to a pile burn where the resident has not notified the RFS?”

THE MEETING closed at 8.29pm.

**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 Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	6 Roslyn Place NORAVILLE (Lot 2 DP 229263)
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 2013 R2 Low Density Residential
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 R2 Low Density Residential
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No change.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	2 London Drive WYONG NSW 2259 (Lot 38 DP 1100416)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 B6 Enterprise Corridor 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]	Wyong LEP 2013 – Major Amendment 1 B6 Enterprise Corridor 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 change.
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3. 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)
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 type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 B7 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]	Wyong LEP 2013 – Major Amendment 1 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"]	No change.

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

4. 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 [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 B7 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]	Wyong LEP 2013 – Major Amendment 1 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"]	No change.

Councillor's signature:



Date: 23/7/14

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

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

- 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 Doug Eaton
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

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

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

[Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	1 - 10 Naples Place, WYONG NSW 2259 (Lots 41 – 50 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 [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 B6 Enterprise Corridor
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 B6 Enterprise Corridor

**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 change.
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3. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	464 Ruttleys Road MANNERING PARK NSW 2259 (Lot 11 DP 1091396)
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 2013 SP2 Infrastructure 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>	Wyong LEP 2013 – Major Amendment 1 SP2 Infrastructure 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 change.

4. 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)

**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 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 2013 B6 Enterprise Corridor
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 B6 Enterprise Corridor
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No change.

5. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	500 Pacific Highway, WYONG NSW 2259 (Lot A DP 403153)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input checked="" type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³	<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 <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	Wyong LEP 2013 B6 Enterprise Corridor
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>	Wyong LEP 2013 – Major Amendment 1 B6 Enterprise Corridor
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 change.

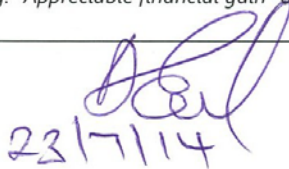
6. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	1507 Mandalong Road, DOORALONG NSW 2259 (Lot 7 DP 826268)
Relationship of identified land to Councillor <i>[Tick or cross one box.]</i>	<input checked="" 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 2013 RU1 Primary Production
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>	Wyong LEP 2013 – Major Amendment 1 RU1 Primary Production

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 change.
---	------------

Councillor's signature:

Date:



Handwritten signature and date: 23/7/14

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

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

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

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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

Important Information

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

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

Special disclosure of pecuniary interests by: Councillor Bob Graham
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

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**

[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 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

Councillor's signature:

Date:

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

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

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

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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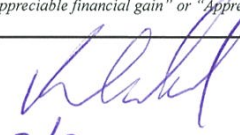
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Special disclosure of pecuniary interests by: Councillor Ken Greenwald
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹ [Tick or cross one box]	57 Dunrossil Avenue, WATANOBBI NSW 2259 (Lot 1212 DP 262111)
Relationship of identified land to Councillor [Tick or cross one box]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the <i>subject land</i>) ³ [Tick or cross one box]	The identified land. Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

Councillor's signature:

Date:


22/7/2014

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

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

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

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Important Information

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Special disclosure of pecuniary interests by: Councillor Lisa Matthews
in the matter of *Wyong Local Environmental Plan 2013 – Major Amendment 1*
which was considered at a *Council meeting* held on the 23rd day of July 2014.

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 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

Councillor's signature: *Ava Matthews*

Date: *23/7/14*

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

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

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

(Clause 195A)

Form of Special Disclosure of Pecuniary Interest

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Special disclosure of pecuniary interests by: Councillor Luke Nayna
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which **was** considered at a Council meeting held on the 23rd day of July 2014.

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 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	130 Ocean Parade, BLUE BAY NSW 2261 (Lot 5 DP 18266)
Relationship of identified land to Councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input checked="" type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest²	
Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) ³ [Tick or cross one box]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	Wyong LEP 2013 R1 General Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.
---	------------

Councillor's signature:



Date: 23 - July - 2014

[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)

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Special disclosure of pecuniary interests by: Councillor Lloyd Taylor
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	390 Bruce Crescent Wallarah NSW 2259 (Lot 21 DP 26912)
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	<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 2013 RU6 Transition
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 RU6 Transition
Effect of proposed change of zone/planning control on councillor [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	No change.

Councillor's signature: 

Date: 23/7/14

[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.
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- Relative** is defined by the Local Government Act 1993 as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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

(Clause 195A)

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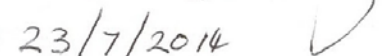
Special disclosure of pecuniary interests by: Councillor Adam Troy
in the matter of Wyong Local Environmental Plan 2013 – Major Amendment 1
which was considered at a Council meeting held on the 23rd day of July 2014.

1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	31 Warner Avenue, Tuggerawong NSW 2259 (Lot 155 DP 13019)
Relationship of identified land to Councillor [Tick or cross one box.]	<input checked="" type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of Councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary 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 2013 R2 Low Density Residential Zone
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	Wyong LEP 2013 – Major Amendment 1 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 change.

Councillor's signature: 

Date: 23/7/2014 

[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 Lynne Webster
in the matter of *Wyang Local Environmental Plan 2013 – Major Amendment 1*
which was considered at a *Council meeting* held on the *23rd* day of *July* 2014.

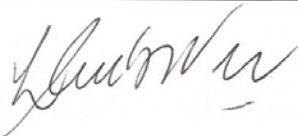
1. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	616/89-95 The Entrance Road, THE ENTRANCE NSW 2261 (Lot 0 DP 63341)
Relationship of identified land to Councillor [Tick or cross one box.]	<input 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 <i>subject land</i>) ³ [Tick or cross one box.]	<input checked="" type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control	Wyang LEP 2013

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

<i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	B2 Local Centre 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>	Wyong LEP 2013 – Major Amendment 1 B2 Local Centre 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 change.

2. Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) ¹	7 Reliance Drive, TUGGERAH NSW 2259 (Lot 105 DP 866815)
Relationship of identified land to Councillor <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 2013 B7 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>	Wyong LEP 2013 – Major Amendment 1 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>	No change.

Councillor's signature:



23-07-2014.

Schedule 3A Form of special disclosure of pecuniary interest

Section 451 of the Local Government Act 1993

Date:

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

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- 2 Section 442 of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
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