

1280/14 That Council forward a copy of DCP 2013 containing the amended Chapters to the Secretary of the NSW Department of Planning and Environment within 28 days of the DCP becoming effective.

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

AGAINST: NIL

2.2 RZ/12/2014 - Planning Proposal in Respect of Land at Lake Munmorah & Crangan Bay

Councillor Nayna declared a non-pecuniary insignificant interest in the matter due to false claims made by the CEO of the applicant. These claims have been referred to the relevant authority, and participated in consideration of this matter.

Councillor Nayna stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because it had not influenced my consideration of this matter."

Councillor Troy declared a non-pecuniary insignificant interest in the matter for the reason that the CEO of the Darkinjung Local Aboriginal Land Council was critical of myself in a previous matter and participated in consideration of this matter.

Councillor Troy stated:

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

Councillor Taylor declared a non-pecuniary insignificant interest in the matter for the reason of a perceived conflict of interest in relation to comments and criticism made by the applicant regarding WSC Councillors and participated in consideration of this matter.

Councillor Taylor stated:

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

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason of a perceived conflict of interest in relation to comments and criticism made by the applicant regarding WSC Councillors and participated in consideration of this matter.

Councillor Best stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because as a long serving Councillor, I am used to this type of criticism."

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that the CEO of the application made comment about a recent planning proposal and participated in consideration of this matter.

Councillor Webster stated:

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

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that perception of bias due to unfair and significant criticism from the applicant and participated in consideration of this matter.

Councillor Eaton stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because the perception is not reality and I am able to remain independent."

NOTE: Councillors Greenwald, Matthews and Vincent all wished it to be noted that they did not believe they had a disclosure to declare on item 2.2 – RZ/12/2014 - Planning Proposal in Respect of Land at Lake Munmorah & Crangan Bay.

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

- 1281/14 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 rezone Lot 642 DP 1027231, Lot 100 DP 1044282 and Lot 644 DP 1027231 to enable low density residential development.**
- 1282/14 That Council forward the Planning Proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979, with the following requirements:**
- a That the R2 - Zone boundary be revised to address regional wildlife corridor planning outcomes identified in the North Wyong Shire Structure Plan (NWSSP) and that advice is sought from the Office of Environment and Heritage (OEH) on corridor widths and outcomes.**
 - b That areas identified in the Planning Proposal for development be supported by a biodiversity certification application which is "agreed in principle" with the Office of Environment and Heritage (OEH) and Council prior to public exhibition.**
- 1283/14 That Council request the assistance of the DP&E in obtaining a whole of Government approach to resolve outstanding regional planning, mining, infrastructure and biodiversity issues within the NWSSP which impact on the Planning Proposal.**
- 1284/14 That Council require, subject to the "Gateway Determination" that the landowner enter into a Funding Agreement with Council in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.**

- 1285/14 That Council authorise the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 1286/14 That Council prepare appropriate Development Control Plan provisions for the sites to be placed on public exhibition for 28 days concurrent with the planning proposal.
- 1287/14 That Council amend Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.
- 1288/14 That Council authorise the General Manager (or delegate) to sign any infrastructure, servicing agreement or application for biodiversity certification to support the rezoning. This agreement shall:
- a Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
 - c Sign any documentation associated with any future application for biodiversity certification of the lands (as this can only be made by a planning authority).
- 1289/14 That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".
- 1290/14 That Council consider a further report on results of community consultation.
- 1291/14 That Council reiterate its policy position of not placing green corridors on private property.
- 1292/14 That Council note that the attached maps to this report are indicative only and subject to a further strategic land use review.
- 1293/14 That Council write to the Minister for the Central Coast advising of Council's support for new residential housing in the shire's north and requesting his advice as to the government commitment for implementing the clinical services plan for Wyong Shire.

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

AGAINST: NIL