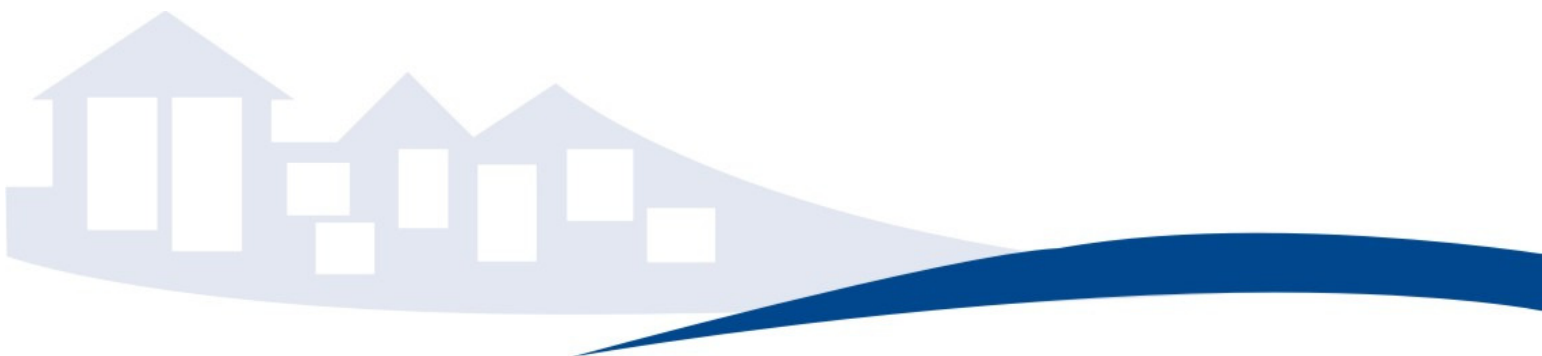


Business Paper

EXTRAORDINARY COUNCIL MEETING
21 March 2012



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MEETING NOTICE

The EXTRAORDINARY COUNCIL MEETING
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
Wednesday 21 March 2012 at 4.00 pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

1 PROCEDURAL ITEMS

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2 KEY ISSUES

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Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2012/00026

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; Team Leader Governance and Councillor Services

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

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

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

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

RECOMMENDATION

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

2.1 Notice of Rescission – Wyong Skills Centre

TRIM REFERENCE: F2010/02334

AUTHOR: Jacquie Elvidge; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

Council, at the Ordinary Meeting held on 14 March 2012, gave consideration to a report regarding Item 4.9 - Wyong Skills Centre.

At that meeting, Council resolved as follows:

- "1 That Council respectfully decline the offer to make application to the Federal Governments Community Infrastructure Grants – Youth Commitments Program, due to the strict criteria which Council believes does not deliver on the objectives of meeting the needs of a full service skills centre for the community.*
- 2 That council direct the General Manager to write to the Department of Education Employment and Workplace Relations and Central Coast Group Training advising them of Council's decision."*

A Rescission Motion has been received from Councillors McNamara, Eaton and Webster to be moved at the Extraordinary Meeting of Council to be held on Wednesday, 21 March 2012, as follows:

"MOVE that the following resolution carried at the Ordinary Meeting of Council held on 14 March 2012 be rescinded:

- "1 That Council respectfully decline the offer to make application to the Federal Governments Community Infrastructure Grants – Youth Commitments Program, due to the strict criteria which Council believes does not deliver on the objectives of meeting the needs of a full service skills centre for the community.*
- 2 That council direct the General Manager to write to the Department of Education Employment and Workplace Relations and Central Coast Group Training advising them of Council's decision."*

Should the above Rescission Motion be carried, further notice is given that Councillors McNamara, Eaton and Webster will move the following motion:

"MOVE

- 1 That Council submit a joint application with Central Coast Group Training by 27 March 2012 for the Wyong Skills Centre based on the criteria provided by the Federal Government.*
- 2 That Council develop documentation prior to the application being submitted that outlines the agreement between Central Coast Group Training and Wyong Shire Council for the Wyong Skills Centre is based on:*

2. Notice of Rescission – Item 4.9 – Wyong Skills Centre (contd)

- *The funds being provided by the Federal Government*
 - *The land being transferred to Council ownership*
 - *A commercial lease being signed before funds are released from Council.*
- 3 *That Council note that the following will be the base arrangements for the development of the funding application:*
- *Council be the auspice of the funding and identified as the lead agency*
 - *It be located at Bounty Close, Tuggerah and Central Coast Group Training gift the site to Council*
 - *Central Coast Group Training provide minimum 300m2 (warm shell) net lettable area in the building to Council*
 - *Council is responsible for the outgoings only associated with the 300m2*
 - *Central Coast Group Training is responsible for all costs associated with the building including all structural, maintenance and outgoings*
 - *Central Coast Group Training are required to 'make good' the site prior to the end of life*
 - *Central Coast Group Training receive peppercorn rent from Council for the life of the building of 40 years*
 - *Changes to the use or sub letting of the building must receive Council permission*
 - *Using equity of the building requires Council permission.*
- 4 *That Council nominate two Council representatives (one Councillor and the General Manager or his delegate) to sit on the Board of Central Coast Group Training should the Wyong Skills Centre application be successful."*