

Business Paper

EXTRAORDINARY MEETING
27 July 2011



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MEETING NOTICE

The EXTRAORDINARY MEETING
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 27 JULY 2011 at 7.00 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 RESCISSION MOTIONS

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Central Coast Mariners Football Club P/L) 6

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2011/00027 - D02696914
AUTHOR: Susanna Gardiner; Administration Assistant
MANAGER: Lesley Crawley; Manager Corporate Governance

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

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

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

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

RECOMMENDATION

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

1.2 Address by Invited Speakers

TRIM REFERENCE: F2011/00027 - D02699476

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the report on Invited Speakers.

To the Extraordinary Meeting

2.1 Notice of Rescission - Item 7.2 Commercial Agreements (portion relating to Central Coast Mariners Football Club P/L)

TRIM REFERENCE: F2004/07942 - D02697028

AUTHOR: Bill Symington; Councillor

Council, at the Ordinary Meeting held on 13 July 2011 gave consideration to a report regarding Item 7.2 Commercial Agreements.

At that meeting, Council resolved as follows:

"7.2.4 Central Coast Mariners Football Club P/L Agreement:

- a *That Council endorse funding for the Central Coast Mariners generally as set out in report 7.2 under a formalised commercial agreement and authorise the General Manager to negotiate, complete and execute the proposed agreement.*
- b *That Council express its support and commitment for our only national and international sporting team representing our region but note its disappointment that Wyong Council's financial support is not reciprocated by Gosford City Council and that our regional team's ability to more fully represent our region is impaired accordingly and that this lack of regional perspective is unfortunately expressed in many other areas to the detriment of our region as a whole.*
- c *That, in view of the unanimous support of both Wyong and Gosford Councils to consider consolidation as expressed in the two Mayoral Minutes and in light of the CCROC's support for this process, mirrored by Wyong Council's continued support at its extraordinary meeting of 30 June 2011 and noting that the creation and roll out of the Central Coast Water Corporation will significantly further deteriorate Wyong Council's financial sustainability by some \$9m per annum, then Council formally advise Mr Page, the Minister for Local Government, that it proposes an amalgamation with Gosford City Council and this advice is given pursuant to S.218E of the Local Government Act.*
- d *That, given the significance of this decision, it be implemented immediately by the Mayor advising the Minister with all such supporting documentation as the Mayor believes appropriate but including all relevant Council resolutions."*

A Rescission Motion has been received from Councillors Symington, McBride and Matthews to be moved at the Extraordinary Meeting of Council to be held on Wednesday, 27 July 2011, as follows:

"MOVE that the following resolution carried at the Ordinary Meeting of Council held on 13 July 2011 be rescinded:

"Central Coast Mariners Football Club P/L Agreement:

- a *That Council endorse funding for the Central Coast Mariners generally as set out in report 7.2 under a formalised commercial agreement and authorise the General Manager to negotiate, complete and execute the proposed agreement.*

- b That Council express its support and commitment for our only national and international sporting team representing our region but note its disappointment that Wyong Council's financial support is not reciprocated by Gosford City Council and that our regional team's ability to more fully represent our region is impaired accordingly and that this lack of regional perspective is unfortunately expressed in many other areas to the detriment of our region as a whole.*
- c That, in view of the unanimous support of both Wyong and Gosford Councils to consider consolidation as expressed in the two Mayoral Minutes and in light of the CCROC's support for this process, mirrored by Wyong Council's continued support at its extraordinary meeting of 30 June 2011 and noting that the creation and roll out of the Central Coast Water Corporation will significantly further deteriorate Wyong Council's financial sustainability by some \$9m per annum, then Council formally advise Mr Page, the Minister for Local Government, that it proposes an amalgamation with Gosford City Council and this advice is given pursuant to S.218E of the Local Government Act.*
- d That, given the significance of this decision, it be implemented immediately by the Mayor advising the Minister with all such supporting documentation as the Mayor believes appropriate but including all relevant Council resolutions."*

Should the above Rescission Motion be carried, further notice is given that Councillors Symington, McBride and Matthews will move the following motion:

"MOVE

- 1 That Council endorse the financial support strategy for the Central Coast Mariners Football Club P/L, which receives economic development funding from Council, under a formalised commercial agreement.*
- 2 That Council authorise the General Manager or his Delegate to negotiate, complete and execute the proposed formal agreements."*