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**WYONG SHIRE COUNCIL**

MINUTES OF THE  
**EXTRAORDINARY MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 27 July 2011  
COMMENCING AT 7.25 PM

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**PRESENT**

Councillors D J Eaton (Chairperson), R L Graham, L A Matthews, E M McBride, J J McNamara, W R Symington, D P Vincent and L D Webster.

**IN ATTENDANCE**

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Corporate Services, Director Community and Recreation Services and General Counsel.

Manager Roads and Stormwater, Manager Development Assessment, Acting Manager of Estuary Management and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 7.25pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

**APOLOGIES**

At its meeting on 8 June 2011, Council granted leave of absence to Councillor Wynn until 8 August 2011 as she is currently on annual leave.

An apology for the inability to attend the meeting was received on behalf of Councillor Best as he is on annual leave.

***RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor MCNAMARA***

***That Council accept the apologies and grant leave of absence from the meeting.***

FOR: COUNCILLORS EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON,  
VINCENT AND WEBSTER

AGAINST: NIL

**PROCEDURAL MOTION**

***RESOLVED unanimously on the motion of Councillor SYMINGTON and seconded by Councillor VINCENT:***

- 1 That Council defer this matter in the public interest, to 7.00 pm on 10 August 2011 and that the listed confidential item be considered in open session accordingly and that appropriate public notice be given.***

- 2 *That Council allow the motion to be rescinded in 2 parts ie parts A and B then parts C and D because of the importance of the matters contained within the original resolution.*
- 3 *That Council notify the Minister for Local Government the Honourable Don Page, MP that the advice from Mayor Doug Eaton dated 14 July 2011, not be acted on as the resolution 7.2 Commercial Agreement – Confidential Session on 13 July 2011 is the subject of a Rescission Motion to be considered by Council on 10 August 2011.*
- 4 *That Council direct the General Manager formally notify Gosford City Council of Councils resolution.*

FOR: COUNCILLORS EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT AND WEBSTER

AGAINST: NIL

**This meeting was adjourned to 7.00 pm on 10 August 2011.**

### **RESUMPTION OF EXTRAORDINARY MEETING**

The Extraordinary Meeting resumed at 7.01 pm.

Councillor McNamara left at 7.00 pm returned 7.02 pm.

### **PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, E M McBride, J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

### **IN ATTENDANCE**

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Corporate Services, Director Community and Recreation Services and General Counsel.

Manager Place Management, Manager Roads and Stormwater and two administration staff.

### **1.1 Disclosures of Interest**

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#### **2.1 - Notice of Rescission – Item 7.2 Commercial Agreements (portion relating to Central Coast Mariners Football Club Pty Ltd)**

Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Football Club P/L Board of Directors left the chamber at 7.07 pm, took no part in discussion, did not vote and returned to the chamber at 7.15 pm.

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

***That Councillors receive the report on Disclosure of Interest and note advice of disclosure.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

## **1.2 Address by Invited Speakers**

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

***That Council receive the report on Invited Speakers.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

## **PROCEDURE FOR DEALING WITH MOTION OF RESCISSION**

The Mayor, with the approval of all Councillors, declared that in order to allow Councillor Graham to remain in the chamber during discussions on the proposed amalgamation, Council would consider Item 2.1 in two parts

Part 1 - points a and b relating to Central Coast Mariners Football Club P/L Agreement

Part 2 – points c and d relating to Proposed Amalgamation

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

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Councillor Graham declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a member of the Central Coast Mariners Football Club P/L Board of Directors left the chamber at 7.07 pm, took no part in discussion, did not vote and returned to the chamber at 7.15 pm.

*It was MOVED by Councillor SYMINGTON and SECONDED by Councillor MATTHEWS:*

*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.

**The MOTION was put to the vote and declared LOST.**

FOR: NIL

AGAINST: COUNCILLORS BEST, EATON, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

Councillor Graham returned to the meeting at 7:15 pm during consideration of Part 2 of the item.

**The Extraordinary meeting was adjourned until 7.25 pm on 10 August 2011.**

**The Extraordinary meeting was reconvened at 7.25 pm on 10 August 2011 and all Councillors were present.**

*It was MOVED by Councillor SYMINGTON and SECONDED by Councillor MATTHEWS:*

*That the following resolution carried at the Ordinary Meeting of Council held on 13 July 2011 be rescinded:*

Proposed Amalgamation

- 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.

**The Extraordinary meeting was adjourned until 7.42 pm on 10 August 2011.**

**The Extraordinary meeting was reconvened at 7.42 pm on 10 August 2011 and all Councillors were present.**

Councillor Vincent left the meeting at 7:42 pm and returned to the meeting at 7:44 pm during consideration of this item.

Councillor Wynn left the meeting at 7:47 pm and returned to the meeting at 07:50 pm during consideration of this item.

**MOTION BE PUT**

***RESOLVED on the motion of Councillor GRAHAM***

***That Council put the motion.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA, WEBSTER, AND WYNN

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON AND VINCENT

***RESOLVED on the motion of Councillor SYMINGTON and seconded by Councillor MATTHEWS:***

***That the following resolution carried at the Ordinary Meeting of Council held on 13 July 2011 be rescinded:***

**Proposed Amalgamation**

- 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.***

FOR: COUNCILLORS BEST, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: COUNCILLOR EATON

**THE MEETING** closed at 8.19 pm.