
WYONG SHIRE COUNCIL

**MINUTES OF THE
EXTRAORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 31 May 2012
COMMENCING AT 7.00 PM**

PRESENT

Councillors R L Graham (Chairperson), G P Best, D J Eaton, 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 Corporate Services, Director Community and Recreation Services and General Counsel.

Two administration staff.

The Mayor, Councillor Graham, declared the meeting open at 7.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Matthews read an acknowledgment of country statement and John Hardwick delivered the opening prayer.

APOLOGIES

There were no apologies.

1.1 Disclosures of Interest

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

That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

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

AGAINST: NIL

1.2 Notice of Intention to Deal with Matters in Confidential Session

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

1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A 2(d) (i) and (ii) of the Local Government Act 1993:

3.1 Implementation of the Central Coast Water Corporation

2 That Council note its reason for considering Report No 3.1 in confidential session is the report requires commercial discussion and agreement with another party (Gosford City Council) before it can be presented for Wyong Shire Council's endorsement.

3 That Council request the General Manager to report on this matter in open session of Council.

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

AGAINST: NIL

2.1 Implementation of the Central Coast Water Corporation under the Preferred Model

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

- 1 That Council convene a meeting of the Central Coast Regional Organisation of Councils to be held on 28 June 2012.**
- 2 That Council note that the CCROC meeting of 28 June 2012 will consider the following:**
 - a An implementation workplan to be referred to the Corporation and the Minister for Water in accordance with the Memorandum of Understanding (MoU).**
 - b Any necessary changes / amendments / definitions / inclusions to the CCWC Act be presented to the Minister for Water. Other consequential changes to the Constitution, Shareholders Agreement and Funding and Services Agreement be implemented to support the recommended operating model.**
 - c A proposal by Wyong Shire Council to seek an amendment to the CCWC Act to allow Gosford City Council and Wyong Shire Council to nominate 2 Directors each for appointment to the Corporation's Board thereby establishing a Board of 7 Directors made up of 4 Council nominated Directors and 3 independent Directors be enclosed.**

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

AGAINST: NIL

2.2 Project Governance - Central Coast Water Corporation

RESOLVED on the motion of Councillor EATON and seconded by Councillor MCNAMARA:

- 1 That Council adopt the project governance framework outlined in the attached report.**
- 2 That the Central Coast Regional Organisation of Councils note the following key characteristics of the new project governance arrangements;**
 - (a) The current arrangements comprising a Project Control Group - Councils and Project Control Group – Corporation to be replaced by a single Project Control Group responsible for overseeing the implementation of the Councils' adopted operating model for the Central Coast Water Corporation and the Joint Services Business.**
 - (b) The Project Control Group to include 3 representatives from Gosford City Council including the General Manager and 3 representatives from Wyong Shire Council including the General Manager, 1 representative from the Central Coast Water Corporation and 2 union representatives making a total membership of 9 representatives.**
 - (c) The Central Coast Water Corporation Project Establishment office to be replaced by a Program Management Office supporting the new governance arrangements.**
 - (d) That delegation be given to the respective General Managers to nominate the 3 Council representatives.**

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

AGAINST: NIL

CONFIDENTIAL ITEMS

3.1 Implementation of the Central Coast Water Corporation

At this stage of the meeting being 7.06 pm 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 as the items listed come within the following provisions:-

OPEN SESSION

Council resumed in open session at 7.45 pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

Councillor Best left the chamber at 7.43pm and returned to the chamber at 7.44pm and as a result took no part in voting.

3.1 Implementation of the Central Coast Water Corporation

- 1 That Council receive and note the PwC CBA report.**
- 2 That Council adopt Option N - Integrated CCWC (Long term lease) + Joint Services Business as the operating model for the implementation of the Corporation.**
- 3 That Council adopt the following:**
 - (a) An Implementation Plan be developed in consultation with the Corporation for Option N and presented to the Councils at a meeting of the CCROC in 28 June 2012.**
 - (b) That the Asset Management and Regulatory Services functions and associated staff from each Council transfer to the Corporation from 1 July 2014.**
 - (c) The General Managers be delegated the power to transfer functions, people and assets to the Corporation as required to test and trial management systems and processes prior to 1 July 2014 and up to 30 June 2017.**
 - (d) That all remaining water and sewer staff be transferred to the Corporation as soon as practically possible, but no later than 1 July 2017.**
 - (e) That a Joint Services Business(JSB), providing support services to the Councils and Corporation, be established and functional by 1 July 2017.**
 - (f) That both Councils continue to work together to provide support services to the Corporation until the JSB is established.**
- 4 The Council note that the preferred operating model ensures:**
 - (i) Job security for staff.**
 - (ii) Maintains ownership of the assets with the Central Coast Community.**
 - (iii) Provides a net benefit to the three entities (WSC, GCC & CCWC).**
 - (iv) Delivers a coordinated regional approach for the Central Coast Community for the essential services of water and wastewater.**
 - (v) Consideration of the CCWC and JSB project will be on the basis of a guarantee of job security for permanent award staff for three years after the transfer of any staff to the JSB, CCWC or those who remain at either Council. (From date of individual transfer). That this request be made of the CCWC/JSB.**

- (vi) Any major restructure would be through extensive consultation and participation with the unions and major stakeholders.*
- (vii) No employee would be financially worse off through permanent worksite/Depot/administration building changes.*
- 5. A review of the operating model, which is the Integrated CCWC (Long Term Lease) + JSB, be undertaken in 2017 prior to the next IPART determination.**
- 6. That the two Councils, being shareholders of the Central Coast Water Corporation, endorse the nomination of;**
 - A Mr Michael Whittaker the General Manager of Wyong Shire Council, for an extension to 30 September 2014 as Director of the Central Coast Water Corporation, subject to him remaining General Manager Wyong Shire Council.**
 - B Mr Stephen Glen, Acting General Manager, and following his or her appointment, the General Manager of Gosford City Council to 30 September 2014 as Director of the Central Coast Water Corporation.**
 - C That Wyong Shire Council delegates the decision of the Gosford City Council Delegate to the CCWC to be a decision of Gosford City Council.**
- 7 That Council endorse the submission of the PwC CBA report to the Minister of Water in accordance with the requirements of the Memorandum of Understanding (MoU).**

THE MEETING closed at 7.55 pm.