



# **MINUTES**

**Extraordinary Council Meeting**

**19 December 2023**

**MINUTES OF KYOGLE COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON TUESDAY, 19 DECEMBER 2023 AT 2PM**

**PRESENT:** Cr Kylie Webster (Mayor), Cr Tom Cooper (Deputy Mayor), Cr John Burley, Cr Janet Wilson, Cr Maggie May (via video conferencing), Cr Hayden Doolan (via video conferencing), Cr Robert Cullen, Cr James Murray.

**IN ATTENDANCE:** The General Manager, Director Planning and Community Development, Executive Manager Corporate Services, Acting Director Assets and Infrastructure Services, Manager Financial Services, Executive Assistant to the General Manager.

The Mayor declared the meeting open at 2.03pm and advised those present that the meeting was being webcast - the meetings are recorded and the recording is then uploaded to Council's website. As such, anyone speaking at the meeting was advised to refrain from making defamatory statements or comments. The Mayor advised the meeting that Council accepted no liability for any damage that may result from defamatory statements made by anyone speaking at the meeting. All liability rests with the individual making the comments.

## **1 OPENING PRAYER**

The Mayor read the opening prayer.

## **2 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Mayor acknowledged that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged elder past, present and emerging.

## **3 DECLARATION OF INTERESTS**

The General Manager declared a pecuniary interest in Item 6.1 Mayoral Minute – Interim General Manager Contract and Secondary Employment

- Reason for Declaration – Report directly relates to him

## **4 APOLOGIES**

Cr Danielle Mulholland submitted an apology and sought a leave of absence. Councillors Maggie May (travelling overseas) and Hayden Doolan (work commitments) have sought permission to attend the meeting via video conferencing.

### **4.1 APOLOGIES**

#### **RESOLVED CO/1223/1**

Moved by Cr John Burley, seconded by Cr Janet Wilson

That Council accepts Cr Danielle Mulholland's apology and grant her a leave of absence for this meeting.

**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, John Burley, Janet Wilson, Hayden Doolan, Robert Cullen and Maggie May

AGAINST VOTE – Cr James Murray

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**RESOLVED CO/1223/2**

Moved by Cr Tom Cooper, seconded by Cr Robert Cullen

That Council permit Cr Maggie May (travelling overseas) and Cr Hayden Doolan (work commitments) to attend this meeting via video conferencing.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**5 PUBLIC FORUM**

Ross Brown, of Kyogle, spoke in favour of Council's 2022-2023 financials.

Having previously declared an interest in Item 6.1 – Mayoral Minute – Interim General Manager Contract and Secondary Employment, the General Manager left the meeting at 2.17pm.

**6 MAYORAL MINUTE – INTERIM GENERAL MANAGER CONTRACT AND SECONDARY EMPLOYMENT****6.1A MOVE INTO CONFIDENTIAL****RESOLVED CO/1223/3**

Moved by Cr Tom Cooper, seconded by Cr Maggie May

That Council considers the Mayoral Minute – Interim General Manager Contract and Secondary Employment in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Crs John Burley, Janet Wilson and Hayden Doolan

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

Section 10A(4) of the Local Government Act, 1993 provides that members of the public are allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. Prior to voting on the resolution, the Mayor asked the gallery if anyone would like to make representations to Council as to why the meeting should not be closed.

Councillors Hayden Doolan and John Burley, and Mr Robyn Harley made representations opposing the move into Confidential.

The Mayor closed the meeting to the public under Section 10A of the Local Government Act and asked the gallery and members of the media to leave the Chambers.

The meeting was closed to the public at 2.26pm. The open meeting resumed at 2.55pm.

The General Manager returned to the meeting at 2.55pm.

The Mayor read the following resolution of the Confidential Meeting to the open Council meeting:

Mayoral Minute – Interim General Manager Contract and Secondary Employment

Moved by Cr Kylie Webster

That Council:

1. Amends the employment contract of the General Manager to a term of 12 months;
2. Approves the secondary employment of the General Manager as detailed in this report.

**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Crs John Burley, Janet Wilson and Hayden Doolan

ABSENT. DID NOT VOTE - Cr Danielle Mulholland

## **7 STAFF REPORTS**

### **7.1 PRESENTATION OF 2022/2023 FINANCIAL STATEMENTS**

#### **RESOLVED CO/1223/4**

Moved by Cr Janet Wilson, seconded by Cr Tom Cooper

That Council:

1. Receives and notes the report, *Presentation of the 2022/23 Financial Statements*.
2. Presents to the public the Audited Financial Reports and Independent Audit Reports for the year ended 30 June 2023 in accordance with the Local Government Act 1993.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr Danielle Mulholland

**7.2 NOTICE OF EXCLUSION OF BUSINESS**

**RESOLVED CO/1223/5**

Moved by Cr Robert Cullen, seconded by Cr James Murray

That Council receives and notes the report *Notice of Exclusion of Business*.

**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Crs John Burley, Janet Wilson and Hayden Doolan

ABSENT. DID NOT VOTE - Cr Danielle Mulholland

**8 URGENT BUSINESS WITHOUT NOTICE**

Nil

**The Meeting closed at 3.10pm.**

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Kyogle Council held on 12 February 2024.**

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**CHAIRPERSON**