



MINUTES

Ordinary Council Meeting

11 March 2024

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 11 MARCH 2024 AT 2PM**

PRESENT: Cr Kylie Webster (Mayor), Cr Tom Cooper (Deputy Mayor), Cr Danielle Mulholland, Cr John Burley, Cr Janet Wilson, Cr Maggie May, Cr Hayden Doolan (audio/video conferencing), Cr Robert Cullen, Cr James Murray

IN ATTENDANCE: Acting General Manager, Executive Manager Corporate Services, Acting Director Planning and Community Development, Executive Assistant to the General Manager.

1 OPEN MEETING

The Mayor declared the meeting open at 2pm and advised those present the meeting was being webcast - meetings are recorded and the recording is then uploaded to Council's website. The Mayor cautioned anyone speaking at the meeting to refrain from making defamatory statements or comments. The Mayor advised the meeting that Council accepted no liability for any damage that might result from defamatory statements made by anyone speaking at the meeting. All liability rests with the individual making the comments.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

2.1 ATTENDANCE BY AUDIO VIDEO CONFERENCING

RESOLVED CO/0324/1

Moved by Cr James Murray, seconded by Cr Danielle Mulholland

That Councillor Hayden Doolan (personal commitments) be allowed to attend the meeting via audio video conferencing

CARRIED

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

AGAINST VOTE - Cr James Murray

3 OPENING PRAYER

The Mayor read the opening prayer.

4 ACKNOWLEDGEMENT OF COUNTRY

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

5 DECLARATION OF INTERESTS

Cr James Murray declared a non-pecuniary interest in Item Number 9.2 Notice of Motion - Cr Danielle Mulholland: Sponsorship Stock Horse Challenge Charity Auction

- Reason for declaration - Friend of Auction Beneficiary

The Acting General Manager declared an interest in Item Number 9.1 Notice of Rescission – General Manager Recruitment Process

- Reason for declaration - Mentioned in the Rescission Motion

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES

7.1 COUNCIL REPORT - 12 FEBRUARY 2024

RESOLVED CO/0324/2

Moved by Cr Danielle Mulholland, seconded by Cr Maggie May

That Council confirms the minutes of the Council meeting of 12 February 2024.

CARRIED

FOR VOTE - Unanimous vote

8 MAYORAL MINUTE

Nil

Having previously declared an interest in Item 9.1, the Acting General Manager left the meeting at 2.03pm.

The Mayor advised the meeting that as the Rescission Motion involved a member of Council staff, the Council, under Section 10A subclause 2(a) (personnel matters concerning particular individuals, other than councillors) of the Local Government Act, would have to go into confidential to discuss Item 9.1.

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 moving the meeting into confidential, the Mayor asked the gallery if anyone would like to make representations to Council as to why the meeting should not be closed.

Mrs Kathryn Rodgers made representations opposing the move into confidential.

9.01 SPLITTING THE RESCISSION MOTION TO ALLOW IT TO BE DISCUSSED IN OPEN COUNCIL

RESOLVED CO/0324/3

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council remove point one from Item 9.1 so it can be considered separately in confidential.

CARRIED

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Hayden Doolan, Robert Cullen and James Murray

AGAINST VOTE - Cr Maggie May

9.02 MOVE INTO CONFIDENTIAL

RESOLVED CO/0324/4

Moved by Cr Robert Cullen, seconded by Cr Janet Wilson

That Council move into confidential to discuss point one of the rescission motion.

CARRIED

FOR VOTE - Unanimous vote

The Mayor closed the meeting to the public under Section 10A of the Local Government Act at 2.13pm.

The meeting resumed at 2.21pm. The Acting General Manager returned to the meeting at 2.21pm.

The Mayor advised the open meeting that the resolution put to the confidential meeting was lost.

9 NOTICES OF MOTION

9.1 NOTICE OF RESCISSION - GENERAL MANAGER RECRUITMENT PROCESS

MOTION

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council rescind the following three points parts of resolution No CO/0224/6 :

That Council:

1. Begin the Recruitment Process for the new General Manager immediately.
2. Reinstate the General Manager Selection/Review sub-committee to initiate the External Recruitment process and provide a candidate or candidates to Council for consideration.
3. Members of General Manager's Subcommittee to be as follows; Mayor Cr Kylie Webster, Deputy Mayor Cr Tom Cooper and Cr Rob Cullen.

Cr Janet Wilson foreshadowed a motion:

That Council recommend to an incoming Council to re-instate the GM Selection Review Sub Committee to undertake the external recruitment process and provide a short list of candidates to Council for consideration and that the recruitment process for a permanent GM be deferred until after the September elections to allow a new council to undertake the recruitment and employment of a GM.

9.1 NOTICE OF RESCISSION - GENERAL MANAGER RECRUITMENT PROCESS**MOTION**

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council rescind the following three points of resolution No CO/0224/6:

That Council:

1. Begin the Recruitment Process for the new General Manager immediately.
2. Reinstate the General Manager Selection/Review sub-committee to initiate the External Recruitment process and provide a candidate or candidates to Council for consideration.
3. Members of General Manager's Subcommittee to be as follows; Mayor Cr Kylie Webster, Deputy Mayor Cr Tom Cooper and Cr Rob Cullen.

LOST

FOR VOTE - Crs Danielle Mulholland, John Burley, Janet Wilson and Hayden Doolan

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

9.12 RECRUITMENT OF GM**MOTION**

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council recommend to an incoming Council to re-instate the GM Selection Review Sub Committee to undertake the external recruitment process and provide a short list of candidates to Council for consideration and that the recruitment process for a permanent GM be deferred until after the September elections to allow a new council to undertake the recruitment and employment of a GM.

LOST

FOR VOTE - Crs Danielle Mulholland, John Burley, Janet Wilson and Hayden Doolan

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

9.2 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: SPONSORSHIP STOCK HORSE CHALLENGE CHARITY AUCTION**RESOLVED CO/0324/5**

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council sponsor the 2024 Stockmen's Challenge auction to the amount of \$1000, which raises funding for Tommy Johnston and Abigail Sweeper, and that the General Manager identify funding for the sponsorship.

CARRIED

FOR VOTE - Unanimous vote

Cr Hayden Doolan left the meeting at 2.47pm.

9.3 NOTICE OF MOTION - CR TOM COOPER: GPS TRACKING SYSTEM**RESOLVED CO/0324/6**

Moved by Cr Tom Cooper, seconded by Cr James Murray

That Council staff prepare a report on the cost benefit of a GPS tracking system for all Council mobile equipment and operators and that we seek guidance from neighbouring councils and other councils in NSW who are doing this and our peak bodies.

CARRIED

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

AGAINST VOTE - Cr Janet Wilson

ABSENT DID NOT VOTE - Cr Hayden Doolan

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS WITH NOTICE****RESOLVED CO/0324/7**

Moved by Cr James Murray, seconded by Cr Danielle Mulholland

That Council receives and notes the responses to the Question with Notice from Councillors James Murray and Danielle Mulholland.

CARRIED

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Cr Hayden Doolan

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - FEBRUARY 2024****RESOLVED CO/0324/8**

Moved by Cr Maggie May, seconded by Cr Robert Cullen

That Council receives and notes the information contained in the report, *Monthly Finance Report – February 2024*.**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Cr Hayden Doolan

12.2 WORKS PROGRAM PROGRESS REPORT - FEBRUARY 2024**RESOLVED CO/0324/9**

Moved by Cr Tom Cooper, seconded by Cr John Burley

That Council receives and notes the information contained in the report, *Works Program Progress Report – February 2024* and pass on congratulations and thanks to all staff.**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Cr Hayden Doolan

12.3 STRATEGIC PROJECTS UPDATE REPORT - MARCH 2024**RESOLVED CO/0324/10**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

That Council receives and notes the information contained in the report, *Strategic Projects Update Report – March 2024*.**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Cr Hayden Doolan

13 STAFF REPORTS**13.1 POPULARLY ELECTED MAYOR****RESOLVED CO/0324/11**

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council:

1. Puts the following referendum question to electors at the 2024 Kyogle Council Election:

Do you favour the election of the Mayor by electors for a four (4) year term with the number of Wards reduced from three (3) to two (2), each Ward comprising of four (4) Councillors, plus a popularly elected Mayor?

2. Endorses the attached education pamphlet to be made available to electors.

CARRIED

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May and James Murray

AGAINST VOTE - Cr Robert Cullen

ABSENT DID NOT VOTE - Cr Hayden Doolan

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 CONFIDENTIAL BUSINESS PAPER

Nil

16 CLOSE OF MEETING

The Meeting closed at 3.41pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 April 2024.

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CHAIRPERSON