

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 21 AUGUST 2025

PRESENT: Mayor P Culhane (Chairperson), Cr R Cameron, Cr V Flanagan, Cr G Harris, Cr M Meggitt, Cr S Peirce, Cr S Reynolds, Cr J Searl, Cr T Yallouris, Mr A Croke (Acting Chief Executive Officer), Mr S Arkinstall (Director of Environment & Planning), Mr K Mahmud (Director Infrastructure), Ms A Stons (Communications Officer) and Mrs K McCarthy (Executive Assistant)

THE MAYOR DECLARED THE MEETING OPEN AT 13:30pm

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

Mayor Culhane read an Acknowledgement of Country and notice of meeting/webcast to the meeting.

Mayor Culhane also welcomed the public gallery.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received by Ms A Waldron.

122/25

RESOLVED by Cr Searl and Cr Harris

1. That the apology of Ms A Waldron be received and a leave of absence granted.

- CARRIED

Councillors who voted for:-

Crs R Cameron, P Culhane, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 3: DECLARATIONS OF INTEREST

Cr R Cameron declared a non-pecuniary interest in Item 16.1 Reports from Committees specifically to the Crookwell Art and District Gallery Committee as his wife is the secretary of the committee and will make a declaration, stay in the chamber, participate in the debate and vote on this item.

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SECTION 4: CITIZENSHIP CEREMONY

Nil

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Searl and Cr Flanagan
123/25

1. That the minutes of the Ordinary Council Meeting held on 17 July 2025 be adopted.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

A motion was moved by Cr Searl and Cr Cameron that –

1. Council move forward Item 17.5 Notice of Motion - Willis Reserve (off-leash dog park) in the order of business.

On being put to the meeting the motion was carried.

124/25 **RESOLVED** by Cr Searl and Cr Cameron that –

1. Council move forward Item 17.5 Notice of Motion - Willis Reserve (off-leash dog park) in the order of business.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 17.5 **NOTICE OF MOTION - WILLIS RESERVE (OFF-LEASH DOG PARK)**
RESOLVED by Cr Cameron and Cr Meggitt that –

1. Work on LOT 174 DP753042 known as Willis Reserve and located at Hay Street Crookwell (the off-leash dog park) be paused until the Office of Local Government, to which a community member representing a large number of ratepayers objecting to the nature of the works has referred the matter, investigates the referral and communicates the outcome.

- LOST

Councillors who voted for:- Crs R Cameron, A Meggitt and
T Yallouris

Councillors who voted against:- Crs P Culhane, V Flanagan, G
Harris, S Peirce, S Reynolds and
J Searl

SECTION 7: MAYORAL MINUTES

ITEM 7.1 **MAYORAL MINUTE**
125/25

RESOLVED by Mayor Culhane and Cr Searl that -

1. That Council receive and note the activities attended by the Mayor for July and August.
2. Mayor Culhane noted his attendance to a local Binda, No more Windfarms in Upper Lachlan Shire (NMWULS) meeting on Sunday 17 August 2025 with Cr Meggitt, Cr Yallouris, Cr Harris and Cr Reynolds.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

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SECTION 8: CORRESPONDENCE

Cr Simon Peirce left the meeting, the time being 14:19pm.

Cr Simon Peirce returned to the meeting, the time being 14:22pm.

ITEM 8.1 CORRESPONDENCE FOR THE MONTHS OF JULY AND AUGUST 2025

126/25 **RESOLVED** by Cr Searl and Cr Harris

That Item 8.1 - Correspondence/Information listed below be received:

1. Office of Local Government – Circular 25-16 – End of Year – Reporting Requirements.
2. Office of Local Government – Circular 25-17 – Quarterly Budget Review Statement Guidelines.
3. Transport for NSW - Local Transport Forum Function and responsibilities fact sheet.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

127/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 10.2-10.8 INFORMATION ONLY REPORTS

128/25 RESOLVED by Cr Searl and Cr Peirce

1. Council receive and note the reports 10.2-10.8 as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 REVIEW OF ENFORCEMENT POLICY

129/25 RESOLVED by Cr Searl and Cr Peirce

1. Council adopt the reviewed Enforcement Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS UNDER THE CODE OF CONDUCT

130/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council receives the report on the tabling of the Disclosure of Interests Returns by Councillors and Designated Persons for year ending 30 June 2025, and notes they are made publicly available to view on Council's website.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

<https://upperlachlan.nsw.gov.au/council/governance/returns-of-interests/>

ITEM 13.2 REVIEW OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

131/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council in accordance with Sections 252-254, of the Local Government Act 1993 adopts the Payment of Expenses and Provision of Facilities Policy.
2. Council respond to the public submission received.

-CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, G Harris, A Meggitt, S Peirce, J Searl and T Yallouris

Councillors who voted against:- Crs V Flanagan and S Reynolds

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An amendment was moved by Cr Flanagan and Cr Searl that –

1. Council in accordance with Sections 252-254, of the Local Government Act 1993 adopts the Payment of Expenses and Provision of Facilities Policy with the included amendment.
2. Council respond to the public submission received
3. Travel claims to meetings be from Councillors residential address within the Upper Lachlan Shire or from a nominated address within the Shire.

On being put to the meeting the amended Motion was lost.

- LOST

Councillors who voted for:- Crs P Culhane, V Flanagan, S Reynolds and J Searl

Councillors who voted against:- Crs G Harris, A Meggitt, R Cameron S Peirce, and T Yallouris

**ITEM 13.3 2024/2025 BUDGET REVOTES TO CARRY FORWARD TO
INTERNAL RESTRICTED RESERVE**

132/25 RESOLVED by Cr Flanagan and Cr Harris

1. Council approves the 2024/2025 transfers to the Council internal restricted reserve fund totalling \$5,008,128 including revote of uncompleted works projects and prepayment of the 2025/2026 Financial Assistance Grants.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 13.4 **REVIEW OF PRE-PLACEMENT HEALTH ASSESSMENT POLICY**
133/25 **RESOLVED** by Cr Searl and Cr Yallouris

1. Council adopt the reviewed Pre-Placement Health Assessment Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, G Harris, A Meggitt, S Peirce, J Searl and T Yallouris

Councillors who voted against:- Crs V Flanagan and S Reynolds

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

ITEM 13.5 **REVIEW OF ALCOHOL AND OTHER DRUGS POLICY**
134/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council adopt the reviewed Alcohol and Other Drugs Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 13.6
135/25

ARIC STRATEGIC PLAN

RESOLVED by Cr Searl and Cr Cameron

1. Council adopts the Audit, Risk and Improvement Committee (ARIC) Strategic Plan 2025-2029 in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

SECTION 15: LATE REPORTS

Nil

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**SECTION 16: REPORTS FROM OTHER COMMITTEES, SECTION 355
COMMITTEES AND DELEGATES**

**ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF JULY AND
AUGUST 2025**

136/25 RESOLVED by Cr Peirce and Cr Searl

That Item - Minutes of Committee/Information listed below be received:

1. Crookwell and District Art Gallery, Section 355 Committee – Minutes from meeting held 10 July 2025.
2. Tourism and Economic Development Committee, Section 355 Advisory Committee – Minutes from meeting held 30 July 2025.
3. Binda Community Progress and Memorial Hall Committee – Minutes from meeting held 5 August 2025.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

137/25 RESOLVED by Cr Cameron and Cr Reynolds that –

1. Council accepts the resignation of Cristy O'Sullivan from The Tourism and Economic Development Section 355 Committee and a letter of thanks be provided to her.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Cr Alexandra Meggitt left the meeting, the time being 15:37pm.

Cr Alexandra Meggitt returned to the meeting, the time being 15:42pm.

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SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT

MOVED by Cr Harris and Mayor Culhane

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, such as the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council writes to the NSW and Federal Members of Parliament representing the Shire to advocate that renewable energy companies be required to notify local councils and provide public disclosure of the geographic areas under consideration *prior* to negotiating with landowners, in a manner consistent with disclosure requirements in the mining sector.
3. Council investigates the feasibility of requiring all future subdivision Development Applications to include a declaration from the applicant stating, to the best of their knowledge, whether the land is likely to be affected by a renewable energy development or related infrastructure.
4. Council seeks legal advice on the Council's obligations and risks in relation to the disclosure of material facts that may affect land values or amenity, in the context of large-scale infrastructure project.

- MOVED

An Amendment to the Motion was moved by Cr Culhane and Cr Harris That -

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, including the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council supports ongoing state and federal efforts to improve community engagement and transparency in renewable energy projects, including those led by the Australian Energy Infrastructure Commissioner.
3. Council write to NSW and Federal members of Parliament representing the shire to encourage policies promoting early notification and consultation by renewable energy companies with affected communities.
4. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights.

On being put to the meeting the Amended motion was carried.

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138/25

RESOLVED by Cr Harris and Cr Culhane that -

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, including the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council supports ongoing state and federal efforts to improve community engagement and transparency in renewable energy projects, including those led by the Australian Energy Infrastructure Commissioner.
3. Council write to NSW and Federal members of Parliament representing the shire to encourage policies promoting early notification and consultation by renewable energy companies with affected communities.
4. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, and J Searl

Councillors who voted against:-

Cr T Yallouris

ITEM 17.2

NOTICE OF MOTION - PLANNING NSW - AMENDMENT TO SEPP 2021

139/25

RESOLVED by Mayor Culhane and Cr Flanagan That -

1. Council writes to Planning NSW seeking an urgent amendment to State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 - 2.42 (1) & (2) to expand exclusions from consent where an LGA has an excessive accumulation of windfarm developments, including Upper Lachlan Shire Council LGA.

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 17.3 NOTICE OF MOTION - ENHANCING TRANSPARENCY AND ACCESSIBILITY OF PUBLIC FORUMS

140/25

RESOLVED by Cr Harris and Cr Peirce That -

Upper Lachlan Shire Council resolves to enhance the transparency, inclusivity, and public engagement of its public forums, held prior to ordinary meetings under Clause 4 of the Code of Meeting Practice, by implementing the following measures effective from the next scheduled public forum:

1. Webcasting and Recording of Public Forums:

- a. All public forums shall be recorded by means of an audio-visual device, consistent with the principles and practices applied to council meetings under Clauses 5.34–5.39 of the Code of Meeting Practice.
- b. The recording shall be made publicly available on the Council's website as soon as practicable after the forum (ideally at the same time if live-streamed, or within 24 hours if not), and retained for at least 12 months.
- c. Where feasible, public forums shall be live webcast on the Council's website.
- d. At the start of each public forum, the Chairperson shall inform attendees that the forum is being recorded and/or webcast, and that participants should refrain from making defamatory statements, per Clause 5.35.

2. Sharing of Links on Social Media:

- a. Links to the webcast (live or recorded) of each public forum shall be shared on Council's website no later than the commencement of the forum or as soon as the recording is available, with a brief description of the forum's purpose and agenda items.

3. Notification of Rejected Requests to Speak:

- a. The Chief Executive Officer (CEO) (or their delegate) shall provide a written report to all Councillors, via email detailing any applications to speak at a public forum that were rejected or not selected (per Clauses 4.5–4.10),

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including the applicant's name (if not confidential), the agenda item, their stance ('for' or 'against'), the reason for rejection, and applicable guidelines.

- b. This notification shall be provided within 48 hours after the public forum.

4. Implementation and Funding:

- a. The CEO is directed to implement these measures under their delegated authority per section 335 of the Local Government Act 1993 and Clause 19.12 of the Code of Meeting Practice, utilizing existing resources for meeting recordings and communications.
- b. If implementation requires expenditure beyond the Council's current operational plan, the CEO is to prepare a report under Clause 3.13, to be included in the business papers for the next ordinary meeting, identifying available funding sources or recommending budget adjustments.

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 17.4 NOTICE OF MOTION - TRANSPARENCY OF DEVELOPER MEETINGS – STATE SIGNIFICANT PROJECTS

MOVED by Cr Meggitt and Cr Yallouris That -

1. All meetings — formal or informal — between Council representatives, namely Mayor and /or Chief Executive Officer including their delegates, and developers regarding current or proposed State Significant Project, be accurately minuted.
2. These minutes shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the minutes of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

- MOVED

A foreshadowed amendment was moved by Cr Cameron and Cr Yallouris that –

1. All meetings — formal or informal — between Council representatives, specifically the Mayor and /or Chief Executive Officer, and developers regarding current or proposed State Significant Project, be accurately reported.
2. These reports shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the reports of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

On being put to the meeting the motion was carried.

A motion was moved by Cr Flanagan and Cr Cameron that Council meeting be extended by 30 minutes in line with the Code of Meeting Practice.

On being to the meeting the motion was carried.

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141/25 **RESOLVED** by Cr Flanagan and Cr Cameron That -

1. Council meeting be extended by 30 minutes in line with the Code of Meeting Practice.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

142/25 **RESOLVED** by Cr Cameron and Cr Yallouris That -

1. All meetings — formal or informal — between Council representatives, specifically the Mayor and /or Chief Executive Officer, and developers regarding current or proposed State Significant Project, be accurately reported.
2. These reports shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the reports of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

ITEM 17.5 **NOTICE OF MOTION - WILLIS RESERVE (OFF-LEASH DOG PARK)**
This item was addressed within the earlier part of the Council meeting.

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SECTION 18: QUESTIONS WITH NOTICE

ITEM 18.1 QUESTION WITH NOTICE - BUDGET TRACKING AND STAFFING
Refer to the business paper for 21 August 2025 Council Meeting for the CEO's comments.

ITEM 18.2 QUESTION WITH NOTICE - ABSENCE OF CEO MINUTES
Refer to the business paper for 21 August 2025 Council Meeting for the CEO's comments.

Council took a short break at 16:41pm, the public, staff and press left the chambers and live streaming ceased.

Council resumed the meeting and returned to live streaming at 16:47pm.

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CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) of the Act and should be dealt with in a part of the meeting closed to the public and the media.

Note: Pursuant to Clause 25(1) of the Local Government (Meetings) Regulation, Council invites verbal representation by members of the public about whether the items listed below should not be considered by Council in a Closed Meeting. The items are:

143/25 **RESOLVED** by Cr Peirce and Cr Cameron

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to of the Local Government Act 1993: the press and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2)2a) as outlined above.
3. That the report relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Council closed its meeting at 16:47pm and the public, staff and press left the chambers and live streaming ceased.

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144/25 **RESOLVED** by Cr Peirce and Cr Searl

That Council move out of closed Council and into open Council.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

Open Council resumed at 17:24pm live streaming returned to the public prior to the meeting closing.

Resolutions from the Closed Council Meeting

The following resolutions of Council, while the meeting was closed to the public, were read to the meeting by the Mayor.

SECTION 19: CONFIDENTIAL SESSION

ITEM 19.1 CEO PERFORMANCE REVIEW 2024/2025

145/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

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ITEM 19.2 TOURISM AND ECONOMIC DEVELOPMENT SECTION 355
ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVE
APPLICATION

146/25 RESOLVED by Cr Peirce and Cr Reynolds

1. Council accepts the appointment of three community representatives to the Tourism and Economic Development Section 355 Advisory Committee being Mr Russ Plummer, Mr Peter Cottrell and Ms Dianna Nixon.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V
Flanagan, G Harris, A Meggitt, S
Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

THE MEETING CLOSED AT 17:25pm

Minutes confirmed 18 SEPTEMBER 2025

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Mayor