

0.0 Council's Performance Improvement Order Compliance Report

Reference: 102/5
Report Author: Acting General Manager
Authoriser:
Link to Community
Strategic Plan:

PURPOSE

To seek delegation from Council to submit Council's Final Performance Improvement Order Compliance Report to the Office of Local Government, as required by the Performance Improvement Order.

RECOMMENDATION

THAT Council delegate authority to the Acting General Manager to submit Council's Final Performance Improvement Order Compliance Report to The Minister for Local Government, The Hon. Shelley Hancock, MP, as required by the Performance Improvement Order.REPORT

On 8 September 2020 The Minister for Local Government, The Hon. Shelley Hancock, MP (The Minister) issued Council with a Performance Improvement Order pursuant to section 438A of the *Local Government Act 1993* (the Act). As a part of this order two temporary advisers were appointed to Council and the following actions were required to be undertaken to improve the performance of Council (section 438A(3)(b) of the Act).

1. All councillors undergo training in relation to:
 - a. Their role as elected representatives
 - b. Their obligations under work, health and safety legislation with particular reference to bullying;
 - c. Their obligations under Council's "Councillor Access to Information and Interaction with Staff" policy;
 - d. Their obligations under Council's Code of Conduct with a focus on the proper disclosure and management of conflicts of interest and respectful behaviours; and
 - e. Meeting procedures and the respectful participation at Council and committee meetings.
2. The Mayor undergo training on the effective chairing of meetings.
3. All councillors participate in a structured mediation process to be undertaken by a temporary adviser appointed under this order.

As part of that Order, Council is required to submit a final Performance Improvement Order Compliance Report to the Minister "*on the conduct at, and of, its meetings 4 months from the date of service of this Order*".

LATE AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 09 December 2020

MAYORAL MINUTES



All training and mediation processes as required by The Minister Improvement Order has now been completed. As such, the draft Performance Improvement Order Compliance Report is included in **Attachment 1** to this Mayoral Minute.

ATTACHMENTS

1. Performance Improvement Order Compliance Report



Civic Centre, 68 Elizabeth St,
Moss Vale NSW 2577
PO Box 141, Moss Vale

02 4868 0888

mail@wsc.nsw.gov.au

ABN 49 546 344 354

DRAFT

OLG PERFORMANCE IMPROVEMENT ORDER COMPLIANCE REPORT

Performance Improvement Order issued
Period for compliance with Order
Date of progress report

8 September 2020
8 September 2020 - 8 January 2021
11 December 2020

TERMS OF THE ORDER

Compliance Report:

Council is to report to the Minister on the conduct at, and of, its meetings 4 months from the date of service of this Order.

The Office of Local Government (OLG) appointed Mr Ian Reynolds as a temporary adviser to Wingecarribee Shire Council to:

- Attend Council meetings for the purpose of providing advice and assistance to the Chair in respect of meeting procedures and dealing with acts of disorder;
- Provide advice and assistance to Council for the purpose of ensuring that it complies with the performance improvement order; and
- Monitor Council's compliance with the performance improvement order.

Meetings

Mr Reynolds held the following meetings with the Mayor, Cllr Duncan Gair:

- Wednesday 16 September 2020
- Tuesday 22 September 2020
- Wednesday 28 October 2020

Mr Reynolds held the following meetings with the Acting General Manager, Mr Barry Paull

- Wednesday 16 September 2020
- Tuesday 22 September 2020

Working with you

- Wednesday 28 October 2020
- Tuesday 1 December 2020 (phone conference)

Mr Reynolds also met with the Deputy General Manager Corporate Strategy and Development on Wednesday 28 October 2020.

Council Meetings

Mr Reynolds has attended the following Council meetings:

- Mayoral Election 16 September 2020
- Wednesday 28 October 2020

Mr Reynolds has viewed the following Council meetings online:

- Wednesday 23 September 2020
- Wednesday 14 October 2020
- Wednesday 11 November 2020
- Wednesday 25 November 2020

If you require further information please do not hesitate to contact my office on 4868 0714.

Yours sincerely



Clr Duncan Gair
Mayor



Barry W Paull
Acting General Manager