



# MINUTES

of the

## Extraordinary Meeting of Council

held remotely using audio visual link and open to members of the  
community via webcast

on

**Monday 24 August 2020**

The meeting commenced at 4.30pm

*File No. 100/2020*



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<b>1. OPENING OF THE MEETING</b>	
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**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD REMOTELY USING AUDIO VISUAL LINK ON MONDAY 24 AUGUST 2020 COMMENCING AT 4.30PM**

**Present:** Clr T D Gair (Mayor)  
Clr G J Andrews\*  
Clr K J Halstead OAM\*  
Clr G McLaughlin\*  
Clr P W Nelson\*  
Clr I M Scandrett\*  
Clr G M Turland\*  
Clr L A C Whipper\*

<b>In Attendance:</b>	Acting General Manager	Mr Barry W Paull
	Acting Deputy General Manager	
	Operations, Finance and Risk	Mr Richard Mooney
	Deputy General Manager Corporate	
	Strategy and Development Services	Mr Mark Pepping
	Group Manager Corporate and	
	Community	Ms Danielle Lidgard
	Group Manager Project Delivery	Mr Ned Tripkovic
	Chief Information Officer	Mr John Crawford
	Coordinator Media and Communications	Mr David Sommers*
	Administration Officer	Ms Michelle Richardson

**NOTE:** Due to current government requirements around social distancing due to the COVID-19 pandemic, some Councillors and some staff attended the meeting remotely via zoom audio visual link. This is indicated by \*. The Mayor and remaining staff were present in the Council Chambers for this meeting.

## 1. OPENING OF THE MEETING

The Mayor Clr T D Gair opened the meeting and welcomed members of the public and the press.

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## 2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor Clr T D Gair acknowledged country:

*“I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”*

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### **3. PRAYER**

The meeting was led in civic prayer by The Mayor Clr T D Gair .

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### **4. APOLOGY**

There were no apologies at this Meeting.

PERS

### **5. DECLARATIONS OF INTEREST**

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

There were no declarations of interest raised at this meeting.

## 6. GENERAL MANAGER

### 6.1 Notice of Intention from the Minister for Local Government to Issue Council a Performance Improvement Order Under Section 438A of the Local Government Act 1993

Reference:	101; 102; 103/6
Report Author:	Group Manager Corporate and Community
Authoriser:	Acting General Manager
Link to Community	
Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

#### PURPOSE

To consider correspondence from the Minister for Local Government, The Hon. Shelley Hancock, MP advising of her intention to issue Council with a Performance Improvement Order.

The Acting General Manager addressed Council on this item.

The Acting General Manager left the meeting, the time being 5.09pm

The Acting General Manager returned to the meeting, the time being 5.13pm

**MN 334/20**

**MOTION** moved by Mayor Clr T D Gair and seconded by Clr G McLaughlin

1. **THAT** Council acknowledges the Minister for Local Government's correspondence, dated 19 August 2020, notifying Council of the Minister's intention to issue a Performance Improvement Order on Council under Section 438A of the *Local Government Act 1993*.
2. **THAT** Council advise the Minister that it accepts the "*Reasons for the Order*" as detailed in Schedule 1, accepts the "*Action required to improve performance*" in Schedule 2, and accepts the proposal for "Appointment of temporary advisers" in Schedule 3, as proposed in the Draft Order.
3. **THAT** Council provide all necessary assistance to the proposed "Temporary Adviser" when appointed, including access to relevant documents and video files for the term of this Council.
4. **THAT** the Wingecarribee Shire Council agrees with the intent of the proposed Performance Improvement Order to be issued under the provisions of Section 438B(2) of the Local Government Act 1993 and Clauses 413D and 413DA of the Local Government (General) Regulation 2005 as listed (a) – (f). Particular emphasis should be placed upon (a) with regard to legislative responsibilities.
5. **THAT** the Minister for Local Government ensure that any 'investigation' undertaken by any representative of her be comprehensive and include both elected representatives of the Shire and members of staff of the Council.

**PASSED**

**AMENDMENT** moved by Deputy Mayor G M Turland and seconded by Clr I M Scandrett

1. **THAT** Council acknowledges the Minister for Local Government's correspondence, dated 19 August 2020, notifying Council of the Minister's intention to issue a Performance Improvement Order on Council under Section 438A of the *Local Government Act 1993*.
2. **THAT** Council advise the Minister that it accepts the "*Reasons for the Order*" as detailed in Schedule 1, accepts the "*Action required to improve performance*" in Schedule 2, and accepts the proposal for "Appointment of temporary advisers" in Schedule 3, as proposed in the Draft Order.
3. **THAT** Council provide all necessary assistance to the proposed "Temporary Adviser" when appointed, including access to relevant documents and video files for the term of this Council.
4. **THAT** the Wingecarribee Shire Council agrees with the intent of the proposed Performance Improvement Order to be issued under the provisions of Section 438B(2) of the Local Government Act 1993 and Clauses 413D and 413DA of the Local Government (General) Regulation 2005 as listed (a) – (f). Particular emphasis

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should be placed upon (a) with regard to legislative responsibilities.

5. THAT the Minister for Local Government ensure that any 'investigation' undertaken by any representative of her be comprehensive and include both elected representatives of the Shire and members of staff of the council and community representatives.

**LOST**

**7. CLOSED COUNCIL**

There was no Closed Council at this meeting.

**8. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.23 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Monday 24 August 2020 number M/N 334/20 were signed by me hereunder at the Council Meeting held on Wednesday 9 September 2020.

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CHAIRMAN

**READ AND CONFIRMED ON WEDNESDAY 9 SEPTEMBER 2020**

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CHAIRMAN

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PUBLIC OFFICER