



The Hon. Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage

Ref:
Min:
Doc ID: A524573

Clr Leigh Byron and Mr Aaron Drenovski
Mayor and General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715
Email: adrenovski@balranald.nsw.gov.au

Dear Clr Byron and Mr Drenovski

I refer to previous correspondence concerning the notice of intention to issue a Performance Improvement Order to Balranald Shire Council under section 438A of the *Local Government Act 1993 (Act)*.

On 8 November 2016, Council was invited to make submissions to the former Minister in respect of the proposed Order. Council forwarded its submission to the former Minister on 18 November 2016.

After careful consideration of Council's submission, I have decided to issue Council with a Performance Improvement Order. I have also decided to appoint a temporary adviser to assist Council in the implementation of actions required to improve its performance.

In deciding to issue the Performance Improvement Order and to appoint a temporary adviser, I have had particular regard to the following:

- that Council has not met its legislative responsibilities for some time;
- the apparently significant and serious issues facing Council; and
- Council's submission indicating that it would appoint a temporary adviser.

The terms of the Performance Improvement Order have been changed to allow for an extended implementation period, primarily to give Council the benefit of advice for a longer period.

I note that Council's submission requested that it be allowed to self-regulate in respect of these matters. However, I am not confident that the required actions will be implemented without the discipline of a Performance Improvement Order and without the assistance of a temporary adviser.

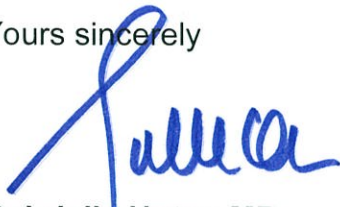
The Performance Improvement Order should be seen by Council as an opportunity to overcome its current difficulties.

It is expected that Council will table the Performance Improvement Order at an open Council meeting and place the Order on Council's website in accordance with section 438D(2) of the Act.

At my request, Mr Grant Gleeson from the Office of Local Government has made himself available on (02) 4428 4136 or by email at grant.gleeson@olg.nsw.gov.au should you require any further information.

Thank you for your ongoing cooperation in these matters.

Yours sincerely



Gabrielle Upton MP
Minister for the Environment
Minister for Local Government
Minister for Heritage

24.9.17