



**KIAMA MUNICIPAL COUNCIL**  
your council, your community

**Phone enquiries:**  
(02) 4232 0444

**Reference:**  
JS:CB – 22/101204

25 October 2022

The Hon. Wendy Tuckerman MP  
Minister for Local Government  
GPO Box 5341  
SYDNEY NSW 2001

By email: [Office@Tuckerman.minister.nsw.gov.au](mailto:Office@Tuckerman.minister.nsw.gov.au)

Dear Minister

**Notice of intention to issue a performance improvement order  
under section 438A of the Local Government Act 1993**

Thank you for your letter received on 11 October 2022 in relation to the Office of Local Government's intent to issue Kiama Municipal Council with a performance improvement order.

At the 18 October 2022 Council meeting the following was resolved:

**22/0010C**

**Resolved** that Council:

1. Endorse the letter developed in response to the Minister of Local Government, The Hon. Wendy Tuckerman's notice of intention to issue a performance improvement order under section 438A of the Local Government Act 1993 and confirm the stated position.
2. Give delegated authority to the Chief Executive Officer to continue to work on and seek legal advice on the detailed responses for the items noted in the Schedule attached to the Performance Improvement Order.
3. Give delegated authority to the Mayor, Deputy Mayor and Chief Executive Officer, to approve the detailed responses to the Performance Improvement Order schedule, prior to due date of 25 October 2022.
4. Receive at the November 2022 Ordinary meeting, a complete copy of the final responses to the Performance Order Improvement Schedule and the letter (noted at recommendation one (1) above) for the public record.

(Councillors Reilly and Draisma)

Following receipt of legal advice in accordance with point 2 of the resolution, and approval by the Mayor and Deputy Mayor (point 3) I attach the letter endorsed by Council which establishes our position, together with the detailed response to the schedule provided in the Notice.

I thank you for the opportunity to respond to the concerns raised and please don't hesitate to contact me if you wish to discuss this matter.

Yours faithfully

Jane Stroud  
Chief Executive Officer

Cr Neil Reilly  
Mayor

Cr Imogen Draisma  
Deputy Mayor