

Performance Improvement Direction Imposed under Part 12B, section 214M of the *Local Government Act 1993*

I, Nic Street, Minister for Local Government:

- having considered the recommendation of the Acting Director of Local Government under section 214L of the *Local Government Act 1993* (the Act); and
- having considered the submissions made under section 214N(3)(e) of the Act; and
- being satisfied that it is appropriate to issue this Performance Improvement Direction (PID),

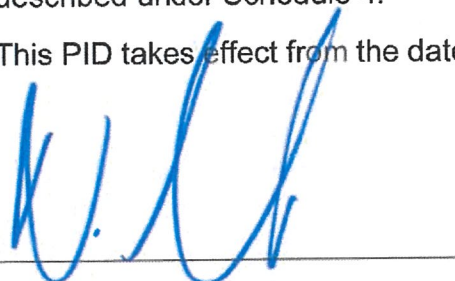
hereby issue this PID to Mayor Loueen Triffitt (the Councillor) of the Central Highlands Council (the Council).

This PID is made on the grounds described under Schedule 1.

The Councillor is required to take the actions described in Schedule 2 and 3.

If the Councillor fails to comply with this PID I may exercise the measure(s) described under Schedule 4.

This PID takes effect from the date upon which it is received, care of registered post.



The Hon Nic Street MP

Minister for Local Government

Dated: 2/8/24

Schedule 1 – Grounds for the Issue of a PID (section 214L of the Act)

No.	Grounds
1	<p>The Councillor has failed to adequately perform the following functions of mayor under section 27 of the Act, in that she:</p> <ul style="list-style-type: none"> A. failed to promote good governance by, and within, the council (section 27(1)(c)) at the 5 April 2024 Special Council Meeting; B. failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 5 April 2024 Special Council Meeting; and C. failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 16 April 2024 Council Meeting.
No.	Particulars
1	<ul style="list-style-type: none"> A. At the 5 April 2024 Special Council Meeting the Councillor made public statements alleging an <i>'abuse of power'</i> by her fellow councillors of the Council regarding their legitimate request for the convening of that Special Council Meeting. The Councillor made further public statements at the same meeting alleging <i>'collusion and possible corruption'</i> by her fellow councillors and the General Manager without providing, or making reference to, any evidence to support that allegation. B. At the 5 April 2024 Special Council Meeting the Councillor made public statements that were contrary to legal advice provided to her by Council's legal representative, to the effect that the Special Council Meeting had not been legitimately convened. C. At the 16 April 2024 Council Meeting the Councillor interjected on a number of occasions while her fellow councillors attempted to debate motions.

Schedule 2 – Actions required for improved performance (section 214M(3)(a) of the Act)

For the purpose of complying with obligations under section 27 of the Act, the Councillor must take the actions specified in column 2 of the following table, within the timeframe allocated for that action in column 3:

No.	Description of Actions	Timeframe
1	Attend specific mayoral training, by a suitably qualified provider approved by the Acting Director of Local Government, on compliance with the Act and with specific focus on: <ul style="list-style-type: none"> - the performance of mayoral functions under section 27 of the Act. 	The Councillor must complete this action within 30 days of receipt of the PID
2	Attend specific mayoral training, by a suitably qualified provider approved by the Acting Director of Local Government, on compliance with the <i>Local Government (Meeting Procedures) Regulations 2015</i> and with specific focus on: <ul style="list-style-type: none"> - convening and chairing council meetings. 	The Councillor must complete this action within 30 days of receipt of the PID
3	Refrain from making unfounded public statements alleging an abuse of power, collusion or possible corruption (or words to that effect) by councillors and/or council staff.	For the entirety of the Councillor's current term in office.
4	Refrain from making public statements that are contrary to qualified legal advice given to Council.	For the entirety of the Councillor's current term in office.

Schedule 3 - Reporting Requirements (section 214M(3)(b) of the Act)

The Councillor is required to notify the Minister for Local Government in writing and within 30 days of receipt of this PID detailing the steps the Councillor has taken, or proposes to take, to comply with the requirements of Actions 1 and 2 in Schedule 2.

The Councillor is required to provide written evidence to support the completion of Actions 1 and 2 in Schedule 2 to the Acting Director of Local Government as requested by the Acting Director.

Schedule 4 – Consequences for non-compliance (section 214O of the Act)

Should the Councillor fail to comply with any of the requirements of this PID, I may exercise the power to suspend the Councillor from the office of councillor for a period not exceeding six months as per section 214O(1)(a) of the Act.