



Department of
**Local Government, Sport
and Cultural Industries**

Our ref E23018562
Enquiries Mustafa Yildiz
Phone (08) 6552 1788
Email mustfa.yildiz@dlgsc.wa.gov.au

Mr Marten Tieleman
Chief Executive Officer
City of Melville
10 Almondbury Road
BOORAGOON WA 6954

via email: Marten.Tieleman@melville.wa.gov.au

Dear Mr Tieleman

GOVERNANCE CONCERNS AT THE CITY OF MELVILLE

I refer to your meeting with Department of Local Government Sport and Cultural Industries (DLGSC) representatives on 31 January 2023 (the Meeting) regarding the ongoing issues with the governance practices at the City of Melville (the City).

We note that the purpose of the meeting, which was part of DLGSC's early intervention actions, was to discuss DLGSC's concerns with various matters, noting that additional issues of concern were identified and also discussed during the meeting.

The DLGSC's concerns in relation to the City's governance include:

- lack of formalised process for dealing with council member behavioural complaints
- inappropriate questioning of staff by council members during council meetings and at other times
- inappropriate council member conduct and behaviour toward other council members, and administration staff
- council members involvement in operational matters
- number of items for council meetings being deferred by Council
- inappropriate interactions from members of the community with council members and administration staff
- appropriateness of council member motions
- increasing costs for legal advice and legal services
- duration of council meetings

As noted during the meeting, DLGSC applies a risk based holistic approach in consideration of the factors that indicate a local government's risk profile. This means that no one factor is determinative.

However, due to the number and nature of the concerns and issues identified at the City (as monitored by DLGSC, and raised during the Meeting), we remain concerned that these issues are adversely impacting the relationships between council members

Gordon Stephenson House, 140 William Street
PO Box 8349 Perth Business Centre, WA 6849
Telephone (08) 6552 7300
Email info@dlgsc.wa.gov.au
Web www.dlgsc.wa.gov.au

and administration staff, leading to further dysfunction and council decision making that will likely not be in the best interests of the City's community.

Accordingly, DLGSC has formed the view that the City and its Council must now consider and determine an appropriate course of action to ensure that they function effectively, and provide good government to the district.

To this end, DLGSC requests that the City provides a response to this letter by close of business 28 April 2023 that:

1. responds to, and provides information addressing DLGSC's concerns as outlined during the Meeting, and subsequently in this letter;
2. identifies an approach and strategy for the City to prioritise and improve its governance practices, including but not limited to:
 - a. procedures for managing council member behavioural complaints;
 - b. protocols for communication, council member queries and requests for information, including ensuring that council adhere to respectful discussion and debate, and appropriate and professional interactions with the CEO and administration staff;
 - c. ensuring that meeting procedures, standing orders and behavioural codes of conduct are understood and followed by all persons attending meetings of Council and other such forums;
 - d. ensuring there is clarity and understanding of the distinction between the functions and roles of the Council, council members, the CEO and City administration staff; and
 - e. a commitment from Council to 'buy in' and work collegiately for the betterment of the City's community and district, and
3. the Council commits to release the final Weir Legal and Consulting Report on the Review of Building and Planning Complaints at the City of Melville in entirety and the City's progress in implementing the recommendations.

Considering the real potential for the current situation to escalate, DLGSC requires the City to develop a clear plan to address the above. It would be an unacceptable situation for the City and Council to determine otherwise and would result in the DLGSC considering all necessary actions to prevent further Council dysfunction.

Please note that DLGSC is available to discuss this matter further with yourself or members of the City's Council, as deemed appropriate.

If you have any queries relating to the above, please contact Director Local Government Support and Engagement, Mustafa Yildiz on (08) 6552 1788 or by email to mustafa.yildiz@dlgsc.wa.gov.au

Yours sincerely,



Mustafa Yildiz
A/Executive Director Local Government

28 February 2023