

Madam Mayor
 Councillors
 Members of the Community
 City of Melville staff

I, Gavin Waugh provide this deputation

CP-114 Compliance and Enforcement Policy – UP25/9025/313

In this deputation, the term 'CEO' denotes the local government administrative service as managed by the Chief Executive Officer. and

I will be posing rhetorical questions, which I ask that you simply consider rather than answer during this discussion.

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If the statement leading the Council Meeting Agenda – that Council's "Mission" is "*to provide good governance and quality services for the City of Melville community*" – is to be accepted as true; why is Council even considering only half governance by adoption of Policy CP-114 with no paired implementation procedure?

The agenda then follows with; *in everything we do, we seek to adhere to our values that guide our behaviour.* etcetera, etcetera:

The City of Melville Local Government has for many years been exceptionally skilled at printing words without measure. All the while, the community has lain in wait: for the day they can witness the skill and knowledge required to demonstrate compliance beyond mere words.

At section 1.3. the Local Government Act is identified as being *a framework for the administration and financial management of local governments and for the scrutiny of their affairs.*" Including by:

- Prescribing at section 2.7. Council's responsibility for Policy; and
- Prescribing at section 5.41. the CEO's responsibility for "*determining procedures and systems for implementing the local government's policies as determined by the council*";

How can the community see value in Council's new Policy for Compliance and Enforcement (CP-114), given the Council's agenda stated mission, and the prescribed legislative framework? With no documented, day-to-day procedures the CEO themselves are currently, visibly non-compliant to their prescribed role. That dearth of documented procedure undermines the community's ability to see value in that new policy?

Such a laissez-faire Policy can at best only aid in delivering a laissez-faire practice management lacking the quality required for local government. Where are your guiding words of Council Policy wisdom, and their measure of competent adherence being demonstrated in a CEO's day-to-day Procedure?

Why, if Council's mission is to provide "*good governance*", do we have a Compliance and Enforcement Policy sitting on top of a Governance Framework which is itself purported to be a framework for Compliance and Enforcement?

Which is it to be?

That the Governance Framework is so inadequate that it requires the aid of a superimposed Policy? Or that Policy CP-114 is just superfluous to the Governance Framework?

For example, there has been much ado about Council respecting the separation between the role of Council and the role of the CEO. Yet at each opportunity for the CEO to respect Council's role in developing the likes of Policy CP-114, we have thrust in our faces, a policy written by the CEO, reviewed by the CEO, and advertised so banefully by the CEO, in abject disrespect for Council's legislated role.

How can any intellectual person argue in favour of a Compliance and Enforcement Policy; or for that matter, a Governance Framework, when neither is compliant in content or formation and neither has the mandatory matching day-to-day management procedures required by legislation?

What meaning do the words leading the agenda have when, from this compliance policy development and adoption process, the separation of roles has been removed and is itself non-compliant? Why are there no written procedures and why is the CEO being so openly encouraged to use this policy as if it were nothing more than just a procedure.

Policy CP-114 is a classic example of combining Policy and Procedure to avoid compliance requirements and enable the CEO to usurp the authority of Council Policy in contradiction of the Local Government Act's prescription for the separation of roles.

To manage the entire suite of 130 or more City policies like Policy CP-114 has been managed is unsustainable. The City just does not have those resources.

None of the City's Policies are fully compliant.

How do you think it looks to the community when Council members appear passive or unresponsive while the CEO exercises a false authority that undermines Council's governing role?

Attached is an example list of near 40 non-compliances. Each of these has been previously raised with the City of Melville Local Government, and none of which are resolved. They remain simmering, ready to embarrass the City when they re-emerge at any time, in any setting. Why endorse policy CP-114 when it does not contain the guidance capacity needed to resolve these non-compliances?

In closing, I ask Council please consider amending CP-114 Compliance and Enforcement Policy to:

- Address separation of Council and CEO roles;
- Be matched with mandatory day-to-day procedures
- Measure compliance based on benefit to community;
- Embrace community engagement.

Thank-you for listening

Upon request, I would be happy to research and report independently on any governance question a councillor might have.

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Are there any questions?