

Madam Mayor  
Councillors  
Members of the Community  
City of Melville staff

I, Gavin Waugh provide this

### **(250916) Deputation to Governance Framework – C25/313**

This discussion includes some rhetorical questions which I request are not answered but ask that Councillors should take these away and consider for themselves.

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In its deliberations this evening on the motion to adopt the revised Governance Framework, I ask that Council conscientiously consider, as the Local Government Act section 2.7(4) prescribes, that Council makes its decision on the basis of evidence, on the merits.

For the following reasons, it is my professional view that the Governance Framework:

- as it has been presented to Council this day, does not carry meritorious evidence from the past two years of operation, of having added or applied measurable benefit or improvement to the City's Governance as practiced.
- as presented for adoption, is deficient to the extent that it does not exhibit nor evidence any independently overlooked, merit in degree of capacity to beneficially influence the City's future governance.
- as presented for adoption, carries evidence of substantial capacity for conflict of interest to adversely affect its application and compliance performance measurement.
- as presented, provides substantive evidence of intentional disconnect or exclusion of community engagement contrary to section 1.3 (2) of the Local Government Act.

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Please also take note of the inequity to this deputation.

As a voice of community engagement concern, I am permitted ten minutes to put this case while the City's administrative officers have not only written and rewritten the Governance Framework, but have had the luxury of two years to lobby it to councillors.

In light of the restrictions placed on me I apologise ahead, if you find any errors or omissions.

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Enter centre stage, the City written Governance Framework. While having been very quietly installed eighteen months ago and now put to Council for a cut and pasted revision of its legislation references, it has never seen the light of day for substantive, diplomatic open public consumption, engagement.

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There is nothing more depressing or morale busting than to witness time and again the disrespect fettered out on community members whose only crime in life is to seek to engage

with their Local Government in encouragement of improvements to governance management in their community.

Crimes of engagement examples include: Disability Access, Moreau Mews, Esplanade, Canning Bridge, Bert Jeffery, Bull Creek, Ken Hurst, Pt Walter, Beach St, Murray St, Bicton, Canning Highway, Kardinya, Gilbertson Rd, John Connell, Farrington Rd, Wheatley Dr, Attadale, bowling clubs, volunteering, Leeming rec., Murdoch, and Melville Glades.

And these are only the examples off the top of my head.

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Councillors, please consider, what merit value does the Governance Framework carry while:

- a.) Analysis of governance management exemplified across the above listed discontent is not evidenced?
- b.) Alignment with respect for community values is not evidenced?
- c.) Absorption and simplification of policy into the Governance Framework is not evidenced?
- d.) Analysis against the principles of "*Rule of Law*," "*Better Regulation*" and "*Regulatory Impact Assessment*" are not evidenced?

Each and every one of those above listed discontents are created discontents which would have been avoided or easily resolved through having a Governance Framework aligned to actively engaging with and listening to its community.

Why, when the applied governance of some of those above listed discontents has artificially continued discontent for more than a decade, and at a huge resource burden, and without measurable benefit to the City or its governance, would Council wish to see that failure practice continue?

Since Adam was a boy, there have been two golden rules of management:

- The first being that without analysis of the evidence, the rules only benefit the power of the ruler.
- And secondly that if there is not a separation between those who write the rules and those who apply and enforce the rules then the application and enforcement of rules will only ever serve the power of the enforcer.  
This principle has been further refined and is now known as the "*Rule of Law*"  
This principle is inherently evidenced across the above listed discontents.

Across the City's modified Governance Framework and its review report, there is no evidence of past, current or future governance practice-consideration having been given against that best practice separation.

Although subtle in places, there is however, evidence in the Governance Framework, of the installation of a prejudice favouring its administrators.

In tune with the fears of the "*Rule of Law*," the Governance Framework does not carry evidence of being a guidance tenet, free from autocratic influence from the power of its administrators.

In backing up the value of the "*Rule of Law*," the West Australian Government had developed a "*Better Regulation and Regulatory Impact Assessment*" support program, for public sector organisations building regulatory instruments like policy or Governance Framework.

Neither the Governance Framework nor its review report to council identify evidence of assessment to the State Better Regulation program.

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Some of Australia's most successful business minds reside in Melville including those whom have retired. These ratepayers are available and ideally placed to support the City's governance development, oversight, and an associated entire range of high-level business and professional advisories.

Why then does the Governance Framework application, exclude these and similar readily available and low cost, resources and install in their place, high cost, high maintenance, employee positions?

Evidence of governance application events collected over the past 12 months such as; threats, coercion, misleading council, using the power of positions of employment to act without authority, suggests the standard of governance performance had in fact actually depreciated under the previous Governance Framework.

Certainly, the number and ferocity of misconduct complaints had not diminished.

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In closing, I ask Council please consider amending the Governance Framework to include in the Governance Framework, a permanent window, webpage, committee or other access portal through which members of the Community, at their own convenience, can access and leave for council's consumption, comment on any governance; framework, plan, report, policy, local law or code?

Thank-you for listening

Any councillor seeking further information should contact me at [gavinbwaugh@bigpond.com](mailto:gavinbwaugh@bigpond.com)

Are there any questions?