

AGENDA BRIEFING FORUM

TO BE HELD ON

TUESDAY 4 AUGUST 2020

COMMENCING AT 6.30PM

Deputation

Item 20/8126: New Policy Customer Feedback

City of Melville Residents and Ratepayers Assoc.

City OMC - 16 June 2020 - Item CD 20/8126 - NEW COUNCIL POLICY CP-112
CUSTOMER FEEDBACK POLICY

City of Melville Residents and Ratepayers Assoc. <melville.residents@outlook.com>

Thu 11/06/2020 5:15 PM

To: Cr Clive Robartson <clive.robartson@melville.wa.gov.au>; Cr Duncan Macphail <duncan.macphail@melville.wa.gov.au>; Cr Glynis Barber <glynis.barber@melville.wa.gov.au>; Cr June Barton <june.barton@melville.wa.gov.au>; Cr Karen Wheatland <karen.wheatland@melville.wa.gov.au>; Cr Katy Mair <Katy.Mair@melville.wa.gov.au>; Cr Margaret Sandford <margaret.sandford@melville.wa.gov.au>; Cr Matthew Woodall <matthew.woodall@melville.wa.gov.au>; Cr Nicholas Pazolli <nicholas.pazolli@melville.wa.gov.au>; Cr Nicole Robins <nicole.robins@melville.wa.gov.au>; Cr Steve Kepert <steve.kepert@melville.wa.gov.au>; Cr Tomas Fitzgerald <tomas.fitzgerald@melville.wa.gov.au>; Mayor George Gear <george.gear@melville.wa.gov.au>

Dear Council,

Please refer to our messages to you as contained in our facebook post:

<https://www.facebook.com/MelvilleResidentsRatepayersAssoc/posts/2673714912955659>

At this coming 16 June OMC we ask that you accept the CEO's recommended motion to:

1. Revokes the policy: 8126_CP-107 – Managing Unreasonable Conduct by Customers.

but reject the CEO's motion to:

2. Endorses the 8126_CP-112 - Customer Feedback Policy as the overarching policy for customer feedback.

and replace it with a motion to the effect of:

2. The CEO to develop a revised Customer Feedback Policy for discussion at an EMIS prior to the August Council meeting that, at a minimum:

- provides a summary of the City's customer service delivery and culture performance indicators with quantifiable targets;
- establishes a framework for monthly performance reporting of customer feedback/complaints and corrective actions;
- provides clear and specific guidance for all elements of any envisaged operation procedures, for example such as limits on the CEO's authority to impose any additional restrictions or practices to that may cause detriment to, or adversely affect any customer or a customer's access to services;
- provides mechanisms for Council review exceptions such as:
 - unresolved/repetitive complaints from customers as opposed to the Administration directing dissatisfied customers to the WA Ombudsman or any other external oversight agency; and
 - any restrictions and or special arrangement put in place, or envisaged to be put in place, on any customer;
- mechanisms to enable Councillors to participate with City officers in detailed investigations/reviews of significant/repetitive complaints; and
- identify any specific approvals and authorities to be included in any delegated authority policy;

We are happy to provide a fulsome explanation of the rational for our request at any time or at a deputation to Council.

Yours sincerely

Committee

City of Melville Residents and Ratepayers Association (Inc.)



City of Melville Residents and Ratepayers Association Inc.
11 June

The City of Melville's 'Unreasonable conduct by customers policy' exemplifies some of the things wrong with the local government sector.

The Russell Aubrey/Shayne Silcox regime developed this 'unreasonable conduct policy' in an effort to silence irksome customers that gave negative feedback on the City's poor performance and culture.

The Aubrey/Silcox regime pushed this oppressive and draconian policy rather than actually seeking to act on customer complaints to improve the City's culture to be more efficient, effective and customer centric.

The Authorised Inquiry, Minister Templeman and the electors's response at last year's elections vindicated the community's concerns by recognising there were performance and cultural issues at the City under the Aubrey/Silcox regime.

Whilst we are happy with the revocation of the old draconian policy, we simply do not trust CEO Marten Tieleman to develop 'operational policies and procedures' that seek to change the culture to be more performance orientated and customer centric.

Council should absolutely revoke the old policy, but should then direct the CEO to develop a more fulsome and appropriate replacement Council policy that retains Council oversight and control of the Administration's delivery and performance of the City's customer service obligations.

MELVILLE Gazette
Thursday, June 11, 2020

Unreasonable conduct by customers policy

Bin and gone

Policy, not troublemakers,
to be thrown out

MELVILLE Council appears set to consign its policy dealing with "unreasonable behaviour" by members of the new Customer Feedback Policy at its June 16 meeting. The new policy is aimed to demonstrate the impact

But Concerns remain

When the recommendations were released in June 2019, the council was asked to engage an independent person to review and act on complaints about City processes for three months from when the report was issued.

FROM PAGE 1
if they had engaged in physical or verbal abuse against staff



MELVILLE Gazette



Unreasonable conduct by customers policy

Bin and gone

Policy, not troublemakers,
to be thrown out

MELVILLE Council appears set to consign its policy dealing with “unreasonable behaviour” by members of the public to the dustbin.

Called Managing Unreasonable Conduct by Customers, the policy was created in response to an “unprecedented service demand from a small percentage of its community” two years ago.

The council is set to revoke what has been described as a “combative” policy in favour of a

new Customer Feedback Policy at its June 16 meeting.

The new policy is aimed to demonstrate the importance of customer feedback, including complaints, compliments and suggestions.

When the initial proposal was introduced in July 2018, then council chief executive Shayne Silcox said it meant people could be banned from entering council facilities

CONTINUED PAGE 3

But Concerns remain

FROM PAGE 1

if they had engaged in physical or verbal abuse against staff.

The policy was derided by many letter writers to the *Gazette* at the time and chief among its critics was the City of Melville Residents and Ratepayers Association (MRRRA).

An association spokesman said at the time that the council should wait until the recommendations of an inquiry into the City were released.

When the recommendations were released in June 2019, the council was asked to engage an independent person to review and act on complaints about City processes for three months from when the report was issued.

MRRRA president Lindie Mehan welcomed a renunciation of the policy but was not convinced by how matters would be dealt with in future.

“The CEO is seemingly moving the substance of the policy to operational policies and procedures, outside of the view and reach of council and community,” she said.

We ask

That you direct the CEO to develop a revised Customer Feedback Policy for discussion at an EMIS prior to a future Council meeting that, at a minimum:

- provides a summary of the City's customer service delivery and culture performance indicators with quantifiable targets;
- establishes a framework for monthly performance reporting of customer feedback/complaints and corrective actions;
- provides clear and specific guidance for all elements of any envisaged operation procedures, for example such as limits on the CEO's authority to impose any additional restrictions or practices to that may cause detriment to, or adversely affect any customer or a customer's access to services;
- provides mechanisms for Council review exceptions such as:
 - unresolved/repetitive complaints from customers as opposed to the Administration directing dissatisfied customers to the WA Ombudsman or any other external oversight agency; and
 - any restrictions and or special arrangement put in place, or envisaged to be put in place, on any customer;
- mechanisms to enable Councillors to participate with City officers in detailed investigations/reviews of significant/repetitive complaints; and
- identify any specific approvals and authorities to be included in any delegated authority policy;

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

[Section 2.7 amended: No. 17 of 2009 s. 4.]

- How can Council properly fulfil its role if it does not monitor the performance of its policies, CEO and the administration's service delivery.
- How does Council prevent yet another Authorised Inquiry because the Administration does not properly deal with complaints.
- Does Council have confidence that the CEO and his administration will readily admit its errors?

Ratepayers, given the rates we pay,
should be treated more like
shareholders as opposed to irksome
customers.

Council's policies, the CEO's
performance and the administration's
culture
should reflect this.

Inquiry to address governance issues at City of Melville

29/11/2017 12:15 PM

- Minister for Local Government announces authorised inquiry into City of Melville
- Nearly 300 complaints have been made against the City since 2014
- Inquiry to examine the council's relationship with administration and council policies and procedures

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2017/11/Inquiry-to-address-governance-issues-at-City->

- What make up the 300 complaints from 68 individuals?
- What about the 719 service complaints in the 3 years?
- Why did Council ignore the community's wishes.



Hon David Templeman Dip
Tchg BEd MLA
Minister for Local
Government; Heritage;
Culture and the Arts



MINUTES - SPECIAL MEETING OF ELECTORS
12 AUGUST 2019

9.2 *The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations continued*

Substantive Motion as Amended

At 7:50pm Mr C Ross of Applecross moved, seconded Mr M McLerie of Bicton –

The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City's recent response to the Minister. The Addendum to:

1. **acknowledge and accept that Minister Templeman's call for cultural change is appropriate and fully supported by the City;**
2. **contain a list of the City's Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a "direct interest";**
3. **acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints, of which there are 719 service complaints in the three year period, and therefore the City is still required to address those underlying complaints;**
4. **acknowledge the City's failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken.**

At 7:56pm the Presiding Member declared the substantive motion as amended

CARRIED

more Russell Aubrey untruths



Russell Aubrey shared a link.

Conversation Starter · 21 mins

Thank you to former CEO's and good elected members of the City of Melville for your excellent guidance and compliance in providing outstanding governance for the City of Melville during my 28 years on Council.

The community view was often that you were too pedantic in insisting in complying with the Act but after 18 months of Inquiry there were no significant findings against the City of Melville
Congratulations in preserving the good name of our City!



Like

Daniel Earl
Kathleen Memesana
Dean Knowles
Kate Goldie
John Allanson
Tristram Fletcher
Sandra West
Guy Wieland
Mark A Smith
Kieren Smith

PERTHNOW.COM.AU

'Poorly led' council facing charges

The inquiry into the scandal-plagued City of Perth, sparked by the Lisa



Department of
Local Government, Sport
and Cultural Industries

Report of the Inquiry into the City of Melville

Finding 3: The City and Council were not open and transparent regarding the current management of public question time by failing to advise the community of a change in the City's policy.

Finding 5: The Presiding Member did not comply with regulation 7(2) of the Administration Regulations.

Finding 13: That the Mayor and/or the City of Melville failed to respond to requests from individuals or organisations based on the status of the organisation or individual until such time legal advice had been provided to them therefore breaching s5.96 of the LG Act.

former mayor Russell Aubrey and then

Finding 15: The CEO did not have Council's approval to purchase 50-52 Kishorn Road, Applecross which in turn caused the administration to seek retrospective approval from council.

Finding 9: There was no legislative basis for the City to request the identity of Complainant A office bearers prior to the processing of the request for information, and more professional and reasonable efforts should have been made by the City to facilitate this request through more effective means of communication.



Announcements
Rooms
Members
Events
Videos
Photos



Russell Aubrey shared a link.
Conversation Starter · 14 hrs

Compelling viewing for all Melville ratepayers.
The Honourable Mike Nahan spells out how the Minister for Local Government, David Templeman, used tax payer funds to orchestrate a Labor takeover of the City of Melville and, in the process, destroyed the public image of the highest performing local government in Western Australia.



Duncan Macphail 1-State Opp. Leader Liza Harvey in her address to the WALGA AGM (Aug 2019) "Now I was quite disturbed when I saw the outcome of the Inquiry into the CoM for example. What we found was a very small number of vexatious complainants complaining in a profligate manner, causing a disproportionate burden of not only stress, but also time and effort- on behalf of all the bureaucracy and the elected members in the CoM. 2- LG Min. Templeman (The West, Wed.Feb.27, 2019,p28) " Bullying of local government councillors is unacceptable and bullies should be called out.....I'm disturbed by the abuse that is occurring against elected members and CEO's and other staff of councils...It is really not only unnecessary, it is un Australian....I think the mob mentality."3- LG Min. Templeman (Community News,Sept. 12, 2019.p5) wherein he is quoted "Mayors and councillors being personally targetted"...and says " There's been a number of examples where people have been villified and it currently goes unchallenged". So back to Liza's address" But the other failing too is that there is no mechanism to target vexatious complainantsHowever, the vexatious complainants like those who have hounded and hounded those Councillors and officers at the CoM and made their lives a misery, there has to be a way to manage people like that so that LG's can get on with the job that they want to do for their community".

Cr Macphail parroting Liza Harvey's statements to WALGA he, and others, should have known where incorrect and/or misguided.

MOTIONS – MR M McLERIE**Proposed Motion - Improving Council oversight of complaints**

At 8.51pm Mr M McLerie of Booragoon moved, seconded Mr A Syed of Attadale –

Council adopt a Complaints Policy that at a minimum requires:

1. The City CEO to provide a report on all written complaints to Council at least monthly. The report should include at a minimum:
 - 1.1. Complainant name.
 - 1.2. A summary of the nature of the complaint.
 - 1.3. Date complaint received and if resolved a summary of the outcome.
 - 1.4. If not resolved whether escalated and/or referred to an external body.
2. If a Complaint has been escalated to any external body the CEO must inform Council as soon as possible.
3. A Council member can request the City administration to provide a briefing on any specific complaint at any time. A Council member may meet with the complainant and relevant City officers at any time to better understand the nature and detail of the complaint.
4. Council must form a specific complaints committee to investigate and provide a report with recommendations back to Council (Complaints Committee) in the event a complaint is about the CEO or Mayor, is referred to an external body or at least 2 Councillors request to do so for any complaint or series of complaints.
5. The Complaints Committee, supported by independent advisers as required by the committee, must consist of at least 2 independent Council members for any complaint other than those about the City CEO or Mayor in which case the committee must consist of at least 3 independent Council members.
6. Any Council member can elect to join any Complaint Committee.

Note:

- motion was developed with the support of former mayors, councillors, other experts and the then Minister for Local Government Tony Simpson's Chief of Staff, Mr Nic Sloan; who is now WALGA's CEO.
- Mr Sloan was the same ministerial staffer that in May 2016 encouraged our Association to get more complaints from more ratepayers to demonstrate the systemic issues at the City in order to convince the Minister and the Department of Local Government to instigate an Inquiry into the City.

Many, many complaints that have required Council intervention.

City of Melville Residents and Ratepayers Association Inc.
18 June · 🌐

City of Melville CEO Marten Tieleman has been made aware of the safety concerns about the school crossing on Riseley Street Ardross.


We will let you know if, when and how Mr Tieleman responds to these safety concerns. See the video at https://www.linkedin.com/posts/melvilleresidentsratepayers_waterquality-watermanagement-environmentalcompliance-activity-6679154288184442880-W3QT

City of Melville Residents and Ratepayers Assoc Inc.
City of Melville Residents and Ratepayers Association Inc.
3h · 🌐

We have written to the City of Melville's CEO Marten Tieleman and Council on this possible safety issue. ...see more

Craig Rothleitner · 1st
Director / Founder at ARI Water Solutions Pty Ltd
6d · 🌐

What are your thoughts on this video? I can not sit back and watch it anymore, an accident in the making, brought about by inaction. How many people from City of Melville drive past or through this every day ...see more



City of Melville Residents and Ratepayers Association Inc.
4 December 2019 · 🌐

Melville CEO Marten Tieleman needs to be held to account by Council for the Veteran TPI free parking removal fiasco. This is yet another example of the City's administration messing up, then trying to cover it up with scant regard for the community.

Our view is best summarised by Mr O'Neill's recent email to all Councillors:

"I trust we can have our Disabled Veterans parking concession reinstated quickly as the last thing I and those of my two hundred fellow Diggers need or expected over the last eighteen months was turning up at the public counter of Melville Council to renew our concession and being told :

You don't get a parking concession now.
We don't need to consult with you on the issue.
We don't need to inform you beforehand. And.
We don't need to give you any explanation."

We trust Council will let CEO Mr Tieleman and his administration know that their dismissive attitude to the community is not acceptable by passing a Council motion to re-instate the free parking without delay at next Tuesday's meeting.

<https://www.communitynews.com.au/melville-times/news/war-veteran-disappointed-with-decision-to-remove-parking-permits>



COMMUNITYNEWS.COM.AU
City removes parking permits for TPI war veterans
A City of Melville administration decision to remove parking permits for Totally and Per...

Veterans TPI Parking raised by Mr Frank, Jock O'Neill, Ardross

MELVILLE CITY HERALD

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www.fremantleherald.com

Your local, *INDEPENDENT* newspaper

Letterboxed to: Applecross, Ardross, Booragoon, Brentwood, Mt Pleasant, Myaree, Bateman, Bullcreek and Winthrop Street Press: Murdoch, Bicton, Kardinya, Leeming, Attadale, Willagee and Willetton
Pr Email: n

Giant win for council

by STEVE GRANT

MELVILLE council is claiming victory after forcing a developer to dismantle a giant crane looming over homes in Applecross.

The crane went up at 21 Kishorn Road last week ready for construction of a controversial five-storey apartment block on the fringe of the Canning Bridge development area.

But after complaints from neighbours about its heavy concrete counterweights hanging over their homes during strong winds, the council ordered it to be pulled down and replaced with something which didn't jut out over the property's boundaries.

Builder Danmar Homes initially dug its heels in after receiving advice from the WA Building Commission that the crane constituted a "tool" and wouldn't need a specific permit.

Scary

But Melville mayor George Gear said the council decided to "take it that one step further" and ran the commission's advice past their own lawyers, who quickly demolished it.

Danmar agreed on Monday to find an alternative crane.

"This is one where the council went in to bat for the ratepayer, which to be honest doesn't always happen in councils," Mr Gear told the *Herald*.

Anna Martelli lives two doors down from the construction site and said hearing the crane clanking in the wind was scary.

"I have not been able to sleep because I'm constantly ready to hear a big crash," Ms Martelli told the *Herald*.

"It's also taken our privacy; we can't swim in our pool."

Sarah Young lives with her parents in the house right next door to the controversial site and is also angry about the invasion of her privacy.

"It's looking right into your home, your backyard, your windows," she said.

Ms Young said the family's driveway was constantly being blocked by trucks and trailers from next door and her parents were considering selling up, despite the hit to their property value from having five-storey apartments next door. Their property lies just outside the Canning Bridge development area.

Ms Martelli also gets no bonus from the density increase in the area, but cops a double-whammy: "We've got one going up right behind us as well, so we're going to have to go through the whole thing again," she says angrily.

Ms Martelli said the previous council had "ruined" their leafy and attractive suburb by allowing too much development.



• Sarah Young and Anna Martelli say living with a crane hanging over your home is a nightmare. Photo by Steve Grant

Too much effort was required for what should have been a simple building control matter

But no other Council's require cranes to have building permits..



Compacted sand \neq retaining wall



An unresolved complaint since early 2015:

City building surveyors have determined this to be an adequate boundary limestone retaining wall.

An experienced structural engineer thinks not.

CEO Tieleman inspected this on 8 July 2020 and when asked if it was a retaining wall, he responded along the lines of:

“I can’t say I am only an accountant, I would need an expert to tell me.

**dodgy
screen
Fence**



**2+ years of
complaints**

>2.1 m

