

Table of Contents
Special Council Meeting
Tuesday 29 August 2006
Collier Park Village Community Centre

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2.	DISCLAIMER.....	4
3.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	4
5.	PUBLIC QUESTION TIME (<i>in relation to Item 7 only</i>).....	4
6.	PRESENTATIONS / PETITIONS / DEPUTATIONS.....	4
7.	REPORTS (<i>MATTERS REFERRED FROM COUNCIL MEETING 22 AUGUST 2006</i>).....	4
7.1	Proposed Facilitated Workshop Canning Mews SAT Appeal (<i>Item 11.2 referred from..... Council Meeting 22.8.06</i>).....	4
7.2	Recommendations from CEO Evaluation Committee Meeting Held.....: 24 July 2006. <i>CONFIDENTIAL REPORT (Item 13.1.1 referred Council Mtg 22.8.06)</i>	8
7.3	Local Government Sustainable Development Beyond 2030 Conference Sydney 14 and 15 September 2006.....	8
8.	OTHER BUSINESS	8
9.	CLOSURE	8



SPECIAL MEETING OF COUNCIL 29.8.06

AGENDA

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
2. **DISCLAIMER**
The Chairperson to read the City's Disclaimer
3. **RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**
4. **DECLARATION OF INTEREST**
5. **PUBLIC QUESTION TIME** (*in relation to Item 7 only*)
6. **PRESENTATIONS / PETITIONS / DEPUTATIONS**
7. **REPORTS** (*MATTERS REFERRED FROM COUNCIL MEETING 22 AUGUST 2006*)

7.1 Proposed	Facilitated	Workshop	Canning	Mews	SAT	Appeal
<i>(Item 11.2 referred from Council Meeting 22.8.06)</i>						

Location:	City of South Perth
Applicant:	Council
File Ref:	N/A
Date:	24 August 2006
Author/Reporting Officer:	Chief Executive Officer

Summary

The purpose of the report is to consider a Notice of Motion submitted by Cr Jamieson that was included on the August Council Meeting Agenda at Item 11.2 but which was not considered at the meeting.

Background

At the Council Meeting held 25 July 2006 Council resolved at Item 11.1 as follows:

That....

- (a) ***Council prepare a report on Outcomes and Lessons Learned from the Canning Mews Council Agenda Items and the subsequent SAT appeal;***
- (b) ***the report shall include a grid layout containing but not limited to:***
 - (i) ***text from the CEOs memorandum dated 25 July 2005;***
 - (ii) ***blank or Tick from the CEOs memorandum dated 25 July 2005;***
 - (iii) ***tick, cross or blank representing the SAT outcome;***
 - (iv) ***a text description of the SAT outcome; and***
 - (v) ***lessons learned.***

- (c) *the report shall include other details that make the outcomes and lessons learned readily identifiable at a high-level and with suitable content to explain the outcomes and lessons learned and how they are to be managed;*
- (d) *the lessons learned and a Management Plan be established in an internal Workshop; and*
- (e) *the report shall be on the Council meeting Agenda no later than the September 2006 Ordinary Council meeting.*

The date of Tuesday 29 August 2006 was set for the Workshop.

It is noted that resolution (d) above was added to the Motion submitted by Cr Jamieson during the course of debate. Following adoption of this resolution Cr Jamieson suggested to the Administration that a range of people should be invited to attend the Workshop including past employees, members of the KCA and anyone who assisted with the Canning Mews case development proposal. The CEO disagreed with such a wide interpretation of the expression "internal workshop" referred to in the Council resolution above.

As a result , Cr Jamieson lodged a Notice of Motion for consideration by Council at the Meeting to be held on 22 August 2006. The Motion was in the following form:

For the Facilitated Workshop on Canning Mews Lessons Learned currently scheduled for 29 August 2006:

- (a) *all people who were involved in preparing or assisting with Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend; and*
- (b) *for KCA members there shall be a maximum of two representatives that may attend.*

Because of the potential conflict with resolution (d) of the July Council Meeting and in order to facilitate Cr Jamieson's motion the Administration added two procedural parts (a) and (b) below as it appeared that a revocation was necessary as the meaning of the expression was interpreted more widely than anticipated. As a consequence, a draft Item 11.1 was prepared for consideration at the August Briefing session which related to the Notice of Motion submitted by Cr Jamieson.

At the Council briefing session held on 15 August the Notice of Motion was circulated to the Members present and the notes of the meeting are as follows:-

NOTICES OF MOTION - CR JAMIESON

The Mayor referred Members to the two Notices of Motion from Cr Jamieson proposed to be included in the August Council Agenda. Copies of the Notices were circulated to Members.

The Chief Executive Officer referred to the Notice of Motion in relation to the Facilitated Workshop on Canning Mews and sought advice in relation to arranging the facilitated workshop. He said he believed that he had correctly interpreted part (d) of the relevant Council resolution from the July meeting:

- (d) *the lessons learned and a Management Plan be established in an internal Workshop.....*

and that an internal workshop should be just that except for the facilitator. The CEO then asked for clarification from Members in order that he could notify the appropriate people. The CEO further stated that the other concern was that if the Motion as proposed was adopted at the next Council meeting and people outside the organisation are to attend the Workshop then there would not be a lot of time to invite these people.

Note: There was no response to the request for clarification of the membership of the proposed 'internal workshop' sought by the CEO from Council Members present.

The motion was therefore referred to the Council meeting for decision.

At the August Council meeting there was some degree of confusion about the context of the Motion and consideration of the Motion was deferred. The Motion that appeared on the Agenda is repeated as follows:-

MOTION

That....

- (a) *consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:*
 - (d) ***the lessons learned and a Management Plan be established in an internal Workshop; and***
**** Note: Support of a Minimum of One Third of The Members is Required***
- (b) *Item 11.1 part (d) insofar as it relates to the Minutes of the Ordinary Council Minutes dated 25 July 2006 be revoked;*
**** Note : An Absolute Majority is Required);***
- (c) *for the Facilitated Workshop on Canning Mews Lessons Learned currently scheduled for 29 August 2006:*
 - (i) *all people who were involved in preparing or assisting with Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend; and*
 - (ii) *for KCA members there shall be a maximum of two representatives that may attend.*

The matter is therefore referred to the Special Meeting to resolve. The supporting information relating to the August Notice of Motion is contained as **Attachment 7.1(a)**

Comment

Discussions have been held with Cr Jamieson regarding his concerns with the Notice of Motion as it appeared on the Agenda and it has been agreed to take a different course of action to facilitate the intent of this Motion. The following Motion has therefore been developed in conjunction with Cr Jamieson for consideration by Council.

Cr Jamieson's comments in support of the new Motion are contained at **Attachment 7.1(b)**.

The new Motion is as follows:-

MOTION

That the expression "internal workshop" referred to in the Council resolution 11.1(d) of 25 July 2006 be interpreted to include the following:

- (1) *all people who were involved in preparing or assisting with the 2005 Canning Mews Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend and who may assist the city in learning from the application to provide better processes for the city, the applicants and the community;*
- (2) *the KCA be invited to send a maximum of two representatives to the Workshop; and*
- (3) *Canning Mews be invited to send a maximum of two representatives to the workshop.*

Consultation

Cr Jamieson has been involved in framing the Motion which is based on the previous Notice of Motion.

Policy and Legislative Implications

nil

Financial Implications

Nominal costs involved with conducting a workshop, ie engaging an independent facilitator and catering costs etc. Additional costs will be incurred if external professionals are invited to attend and payment approved. Total costs involved in any event unlikely to exceed \$3,000.

Strategic Implications

nil

OFFICER RECOMMENDATION ITEM 7.1
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That Council consider the following recommendation from Cr Jamieson:

That the expression "internal workshop" referred to in the Council resolution 11.1(d) of 25 July 2006 be interpreted to include the following:

- (1) all people who were involved in preparing or assisting with the 2005 Canning Mews Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend and who may assist the city in learning from the application to provide better processes for the city, the applicants and the community;
- (2) the KCA be invited to send a maximum of two representatives to the Workshop; and
- (3) Canning Mews be invited to send a maximum of two representatives to the workshop.

7.2 Recommendations from CEO Evaluation Committee Meeting Held: 24 July 2006. CONFIDENTIAL REPORT (Item 13.1.1 referred Council Mtg 22.8.06)

Location: City of South Perth
Applicant: Council
Date: 4 August 2006
Author: Kay Russell
Reporting Officer: Cliff Frewing, Chief Executive Officer

Confidential

This report has been designated as ***Confidential*** under the *Local Government Act* Sections 5.23(2)(a) as it relates to a matter affecting an employee.

Note: *Confidential* Report Circulated Separately

7.3 Local Government Sustainable Development Beyond 2030 Conference Sydney 14 and 15 September 2006

Note: Report on this Item will be circulated at the Special Council Meeting.

8. OTHER BUSINESS

9. CLOSURE