

Attachment 7.1(a)

11.2 Facilitated Workshop - Lessons Learned from Canning Mews SAT Appeal : Cr Jamieson 15.8..06
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I hereby give notice that I intend to move the following Motion at the Council Meeting to be held on 22 August 2006.

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.

COMMENT

Refer to Attachments 1, 2 and 3 hereunder. I want the maximum possible business benefit from the lessons learned workshop. KCA and other people were key members of the SAT outcome in Council's favour, and if we do not involve them then valuable lessons will be lost. Inviting KCA and others involved in the Canning Mews issue will also demonstrate Council's commitment to community consultation and involvement.

ATTACHMENT 1

From: Jamieson To: requests@southperth.wa.gov.au Sent: Wednesday, July 26, 2006 8:25pm

Subject: Lessons Learned Meeting Proposal

Following the outcome from Agenda Item 11.1 at the 25 July 2006 Council meeting I would like to make the following proposal as a way forward.

1. The meeting be facilitated by a paid outside independent professional facilitator.
2. The meeting invitees should include:
 - (a) City officers that worked on the Canning Mews evaluation;
 - (b) Council Members;
 - (c) a senior member of the City that was not involved in the Canning Mews evaluation.
My suggestion would be Michael Kent because of his involvement in Business Excellence; and
 - (d) one or two members of KCA.

3. Direct contact by phone or in person to Councillor Doherty and Councillor Trent inviting them to the meeting.
4. We contact and offer to receive lessons learned from previous employees of the COSP that have worked on the Canning Mews evaluation (eg Ross Povey).
5. We provide a method for all people invited to submit written and/or anonymous lessons learned.
6. Allowing two hours for the meeting.
7. Holding the meeting during normal work hours unless all or almost all participants are happy to have the meeting outside normal work hours.
8. Providing some form of light morning or afternoon tea, or if out of work hours a dinner.

I think it is important that one or both of Councillor Doherty and Councillor Trent attend, and that if we invite them we would seem obliged to invite all Council Members. Whether Council Members attend or not would be up to them. I suggest that lookbacks and lessons learned may be something that the City could adopt into its Business Excellence programme following completion of major, high-risk or high-visibility projects or activities. This would give an added bonus for my suggestion in 2(c) above.

(**Note:** I am NOT proposing that all lookbacks and lessons learned should be externally facilitated NOR am I suggesting that they should be on the same large scale as this one.)

I would appreciate contact to discuss my proposal and suggestion. If you have questions or comments please give me a call.

ATTACHMENT 2

From: Cliff Fewing "Toni Weber" <toniw@southperth.wa.gov.au>

To: "Jamieson" <jamieson@conceptual.net.au> Sent: Wednesday, August 02, 2006 9:50am

Subject: Council Workshop

Thank you for your suggestion as to how to conduct the workshop recently agreed to by Council. You may recall that at the Council meeting, it was resolved 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.*

CARRIED (8/2)

Importantly, the Minutes of the meeting highlight that resolution (d) was added to your original Notice of Motion with your consent (and the consent of the seconder). Resolution (d) is quite specific in that it refers to an "internal workshop". The expression "internal workshop" can only be interpreted one way and that is that the participants should only include staff and Elected Members. Whilst an independent facilitator is obviously a sensible suggestion as the role of that person is simply to facilitate an outcome and not be part of any deliberate process, some of the other suggestions you have made are not consistent with the Council resolution.

These include, suggestion 2(d): KCA members and suggestion 4: Previous City employees

It is therefore my intention not to invite persons to the workshop who are not "internal" to the City consistent with Councils resolution. I agree that it would be useful to have Crs Doherty and Trent present at the workshop, but all Councillors will be invited to attend in the normal course of business. I am attempting to finalise a date for the workshop and it is anticipated that a date will be finalised and included in the Councillors' calendar to be released this week.

ATTACHMENT 3

From: "Jamieson" <jamieson@conceptual.net.au>

To: "Cliff Frewing" <cliff@southperth.wa.gov.au>

Sent: Sunday, August 06, 2006 11:58am Subject: Re: Council Workshop

I have sent this email directly to you on this occasion rather than through requests to allow direct communication without involving others. In my original email I included *"I would appreciate contact to discuss my proposal and suggestion. If you have questions or comments please give me a call."* I observe that you yet again make your own decision without taking up the option of picking up the phone. Your email includes the following: "The expression "internal workshop" can only be interpreted one way and that is that the participants should only include staff and Elected Members." This statement is factually incorrect because I interpret "internal workshop" a different way thereby making your assertion wrong. Possibly you actually meant that you personally refuse to accept and/or acknowledge any other interpretation.

My interpretation is that "internal workshop" would be any person that assisted with the Canning Mews case and does not request to be paid to attend the workshop. This interpretation is consistent with my argument as presented during the Council Meeting, and in particular during my argument I specifically mentioned including KCA. Personally I would have no trouble with McLeod also attending to provide and listen to lessons learned, as long as he does not want payment for attending (I did not present this argument as part of the debate but it is my position), particularly as he received a substantial share of the payment for legal advice which we subsequently found was not consistent with the SAT outcome.

In your comment in regard to my Motion you said it would require the expertise of a very experienced town planner or lawyer (something which the City does not have on staff). I did not see the need for such formal expertise and was supported by Council. The KCA was a major player in this case. They were consistent with their advice to Council that the application did not comply with the TPS, they persuaded Council to vote against the staff recommendation, the SAT granted them approval to make a submission at the final hearing, the KCA highlighted that the applicant lodged its appeal for deemed refusal too late, engaged the community to find out their wishes, conducted meetings with the applicant to resolve issues, and the SAT appeared to be using the KCA submission as a reference

document. The SAT decision was consistent with almost all of the KCA submission. Consequently KCA will have a lot they can contribute to establishing business value lessons learned - i.e. how can we all work better for the benefit of residents and ratepayers.

I urge you to reconsider your position, and to make a phone call to me to discuss the situation. As CEO I expect you to show leadership and to interpret Council decisions in an appropriate manner. Will it require a Council decision to layout the framework of a two hour workshop? I am sure the Council is capable of doing so if the task is beyond you. If you maintain your current position my prediction is that you may face a divided Council when the report on lessons learned is presented.

You have already provided a checklist that was wrong. You have been in charge of the City which ignored, what are we up to now, is it 8 requests for lessons learned. Your comments on my Motion were horribly wrong, and were made without a simple activity of picking up the phone to discuss the intent of my Motion first before spending an inordinate amount of time heading in the wrong direction. Are you now going to extend your position with your personal interpretation thereby reducing the potential business outcomes and business benefits for the City, Council, residents and ratepayers? I want to maximise the business outcome for the residents and ratepayers of COSP. What is the possible gain and business benefit from your personal narrow interpretation of "internal workshop"?

I ask for you to follow the intention that Council wants to see an open and visible workshop to determine the lessons learned that will have ongoing business value. Playing around with fancy interpretation of words will not maximise the business outcome and will not help bring Council together as a unified body. I hope you will call to discuss the matter.

COMMENT CHIEF EXECUTIVE OFFICER

In accordance with Clause 3.6(d)(iii) of Standing Orders Local Law the Chief Executive Officer comments as follows:

As detailed in the information above, the CEO believes the expression 'internal workshop' is clear and cannot reasonably be interpreted to include members of an external organisation or a former employee. Cr Jamieson has a different interpretation.

Given the different opinion on this matter the CEO would appreciate clear direction on Council's intention on who should be invited to participate at the Workshop.