



# AGENDA

## Strategic & General Services Committee

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Wednesday, 13 October 2010, 6.00 pm

**CITY OF FREMANTLE**  
**NOTICE OF A STRATEGIC AND GENERAL SERVICES**  
**COMMITTEE MEETING**

Elected Members

A Strategic and General Services Committee Meeting of the City of Fremantle will be held on Wednesday, 13 October 2010 in the Council Chamber, Town Hall Centre, 8 William Street, Fremantle (access via stairs, opposite Myer) commencing at 6.00 pm.

Glen Dougall  
**DIRECTOR CORPORATE SERVICES**

6 October 2010

# **STRATEGIC AND GENERAL SERVICES COMMITTEE**

## **AGENDA**

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### **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

### **NYOONGAR ACKNOWLEDGEMENT STATEMENT**

"We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar people as the custodians of the greater Fremantle/Walyalup area and that their cultural and heritage beliefs are still important to the living Nyoongar people today."

### **ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

### **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **PUBLIC QUESTION TIME**

### **DEPUTATIONS / PRESENTATIONS**

### **DISCLOSURES OF INTEREST BY MEMBERS**

### **LATE ITEMS NOTED**

### **CONFIRMATION OF MINUTES**

That the Minutes of the Strategic and General Services Committee dated 8 September 2010 be confirmed as a true and accurate record.

### **TABLED DOCUMENTS**

## TABLE OF CONTENTS

ITEM NO	SUBJECT	PAGE
<b>REPORTS BY OFFICERS (committee delegation)</b>		<b>1</b>
<b>REPORTS BY OFFICERS (council decision)</b>		<b>1</b>
SGS1010-1	SGS INFORMATION ITEM - OCTOBER 2010	1
SGS1010-2	ACCEPTANCE OF FUNDING FOR A FINANCIAL COUNSELLOR FROM THE COMMONWEALTH DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES & INDIGENOUS AFFAIRS (FAHCSIA)	3
SGS1010-3	SGSC ITEM 13 OCT 2010 POLICY - SISTER CITIES FUNDING	6
SGS1010-4	WORKING GROUPS - STATEMENT OF WORKS	9
SGS1010-5	ACCEPTANCE OF FUNDING FROM AUSTRALIA COUNCIL FOR THE ARTS	12
SGS1010-6	TRANSITION OF LIVING SMART INTO ITS OWN LEGAL ENTITY	14
<b>CONFIDENTIAL MATTERS</b>		<b>18</b>
<b>AGENDA ATTACHMENTS</b>		<b>1</b>
SGS1010-1	SGS INFORMATION ITEM - OCTOBER 2010	2
SGS1010-3	SGSC ITEM 13 OCT 2010 POLICY - SISTER CITIES FUNDING	24
SGS1010-4	WORKING GROUPS - STATEMENT OF WORKS	27
<b>CLOSURE OF MEETING</b>		

## **REPORTS BY OFFICERS (COMMITTEE DELEGATION)**

The following items are subject to clause 1.1 and 2.1 of the City of Fremantle Delegated Authority Register

Nil

## **REPORTS BY OFFICERS (COUNCIL DECISION)**

### **SGS1010-1 SGS INFORMATION ITEM - OCTOBER 2010**

### **CULTURAL DEVELOPMENT WORKING GROUP MINUTES**

**DataWorks Reference:** 039/064  
**Author:** Glen Dougall, Director Corporate Services  
**Agenda Attachments:** Attachment 1 - Minutes of the Cultural Development Working Group (7 September 2010)

The Cultural Development Working Group have either commenced regular meetings. The minutes of this group is provided through this information report each month. If consideration of an action is required by Council, a specific item will be forwarded to council for consideration.

### **CANTONMENT HILL WORKING GROUP MINUTES**

**DataWorks Reference:** 039/068  
**Author:** Lionel Nicholson, Manager City Works  
**Agenda Attachments:** Attachment 2, 3 & 4  
Minutes – Cantonment Hill Working Group – 24 August 2010  
Minutes – Cantonment Hill Working Group – 31 August 2010  
Minutes – Cantonment Hill Working Group – 14 Sept 2010

The Cantonment Hill Master Plan Working Group has commenced regular meetings. The minutes of this Working Group will be provided through an information report each month. If consideration of an action is required by Council, a specific item will be forwarded to council for consideration

### **CITY CENTRE STRATEGIC SITES WORKING GROUP MINUTES**

**DataWorks Reference:** 039/066  
**Author:** Ian James, Strategic Urban Designer  
**Agenda Attachments:** Attachments 5 and 6 – Minutes of the City Centre Strategic Sites Working Group 24 August and 21 September 2010

At the meeting held on 24 August 2010 the working group addressed target employee and resident targets for the city centre, determined potential floorspace yields in accordance with the current planning scheme, and concluded that achievement of the

targets would be unlikely under the current provisions of the scheme for the identified development sites.

At the meeting held on 21 September 2010 the group gave consideration to the city centre's urban structure, precincts, functions, linkages, spaces and desired character focussing on the general area of the strategic sites.

#### **OFFICER'S RECOMMENDATION**

**The information report for October 2010 be received.**

**SGS1010-2 ACCEPTANCE OF FUNDING FOR A FINANCIAL COUNSELLOR FROM THE COMMONWEALTH DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES & INDIGENOUS AFFAIRS (FAHCSIA)**

**DataWorks Reference:** 106/045  
**Disclosure of Interest:** None  
**Meeting Date:** Nil  
**Previous Item:** Nil  
**Responsible Officer:** Helen Emery, Manager, Community Development  
**Actioning Officer:** Helen Emery, Manager, Community Development  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**EXECUTIVE SUMMARY**

The City of Fremantle successfully submitted an application to the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) for funding to employ a financial counsellor. The funding period is from 1 October until 30 September 2011.

**BACKGROUND**

The City of Fremantle has for many years offered financial counselling to people in the region through the Department for Child Protection funding.

Recently, FaHCSIA called for expressions of interest to deliver financial counselling, focusing on compulsory and non compulsory income management clients. As well as providing financial counselling, the City of Fremantle will be required to deliver income management training to these clients.

**COMMENT**

The funds will enable the City of Fremantle to offer a financial counselling service to people in the region, focusing on those who are taking part in the income management process.

**RISK AND OTHER IMPLICATIONS**

**Financial**

The proposal does not seek any additional funding from the municipal fund. Additional funding of \$100,000 (exclusive of GST) requires amendment of the Fremantle Community Legal Centre budget in the 2010-2011 financial year.

Part of the grant funding will be carried forward to 2011-12 as the grant is funded to 30 September 2011.

**Legal**

Nil

**Operational**

There will be a financial counsellor employed to deliver the service.

**Organisational**

Nil

**CONCLUSION**

That Council accept the funding of \$100,000 (exclusive of GST) from FaHCSIA in order to provide a financial counselling service to clients in this region and in particular clients on income management.

**STRATEGIC AND POLICY IMPLICATIONS**

The funds will contribute to the strategic imperative;  
Capability: Deliver on the achievement of our strategic imperatives through good governance, strong leadership, effective communication and excellence in delivery.

**PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

**VOTING AND OTHER SPECIAL REQUIREMENTS**

Absolute majority required

**OFFICER'S RECOMMENDATION**

1. That Council accept funding of \$100,000 (exclusive of GST) from the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) to provide financial counselling through the Fremantle Community Legal Centre.
2. That the 2010-2011 revenue and expenditure budgets be amended as summarised below-:

Budget Category/Sub Category	Existing Budget Expenditure /(Revenue)	Variation to Budget Expenditure /(Revenue)	Revised Budget Expenditure /(Revenue)	Account String (Budget amount refers to this account))
<b>Revenue</b>				
Operating Revenue	0	-100,000	-100,000	32.32500.4312.00.00.18072
Grant Operating				



Federal				
<b>Total Funding</b>		-100,000	-100,000	
<b>Expenditure</b>				
Payroll and other support costs as advised to Finance	0	100,000	100,000	BU 32500 various Project Code 18072
<b>Total Expenditure</b>		100,000	100,000	
<b>Net Variation to Budget – Deficit/(Surplus)</b>		Nil	Nil	

## **SGS1010-3 SGSC ITEM 13 OCT 2010 POLICY - SISTER CITIES FUNDING**

<b>DataWorks Reference:</b>	070/002
<b>Disclosure of Interest:</b>	Nil
<b>Meeting Date:</b>	13 October 2010
<b>Previous Item:</b>	Nil
<b>Responsible Officer:</b>	Marisa Spaziani, Director Community Development
<b>Actioning Officer:</b>	Marisa Spaziani, Director Community Development
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Attachment No. 1 - Policy - Sister Cities Funding - listed below.

### **EXECUTIVE SUMMARY**

**A Sister Cities funding policy has been developed for the purpose of supporting community initiated cultural, artistic and sporting connections between the City of Fremantle and our Sister Cities.**

### **BACKGROUND**

The City of Fremantle currently has Sister City relationships with:

- Seberang Perai, Malaysia (1978) – to encourage trade and tourism.
- Yokusuka, Japan (1979) – to encourage trade and tourism and facilitate and participate in youth exchange programs.
- Capo d'Orlando, Italy (1983) – to encourage cultural and historical links and exchanges. To maintain family associations which now exist and to encourage trade and tourism.
- Molfetta, Italy (1984) – to encourage trade and tourism.
- Funchal, Portugal (1996) – to encourage trade and tourism.

Exchanges to the above Sister Cities have included:

Mayoral delegations.  
Student and teacher exchanges.  
Council officer exchanges.  
Business and trade delegations.

The City also has three friendship agreements with Surabaya (1996) and Padang (1996), Indonesia, and Korcula, Croatia (1999). An alternative to the formal Sister City arrangement, friendship agreements share greetings and exchanges for a particular purpose and for a specified amount of time.

Recently, the Mayor and Deputy Mayor, visited two of our Sister Cities - Capo d'Orlando, Italy and Korcula, Croatia. They have requested that a policy be developed to support community initiated cultural, artistic and sporting connections between the City of Fremantle and our Sister Cities. Organisations that support initiatives in community

development, culture, arts and performance, or sport and recreation, can apply for grants to assist with travel to a Sister City.

## **COMMENT**

The new Sister Cities funding policy will enable the City of Fremantle to support initiatives that promote and strengthen community and community group connections between Fremantle and the Sister Cities.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

The operating budget is currently included in the recurrent 2010/11 budget. The distribution of City funds, needs to be transparent and based on an agreed policy and procedure, in line with good financial management practices.

### **Legal**

Nil

### **Operational**

The funding rounds allow for ease of administration and also require objectivity with decisions being made by a panel of staff.

### **Organisational**

Nil

## **CONCLUSION**

A policy has been developed to enable the introduction of a Sister Cities funding as requested by elected members. The policy and process will be administered by Community Development staff. The budget is set annually and the application process communicated to the community via newspaper and website information.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil

## **VOTING AND OTHER SPECIAL REQUIREMENTS**

Council

**OFFICER'S RECOMMENDATION**

**Council adopt the Sister Cities Funding Policy.**

## **SGS1010-4 WORKING GROUPS - STATEMENT OF WORKS**

<b>DataWorks Reference:</b>	091/012
<b>Disclosure of Interest:</b>	Nil
<b>Meeting Date:</b>	13 October, 2010 (SGS) 27 October, 2010 (Council)
<b>Previous Item:</b>	Nil
<b>Responsible Officer:</b>	Glen Dougall, Director Corporate Services
<b>Actioning Officer:</b>	Glen Dougall, Director Corporate Services
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Statement of work template

### **EXECUTIVE SUMMARY**

**The 2010/11 Budget was adopted with an allocation of \$200,000 to implement council approved initiatives from the Working Groups. This allocation was provided this way as the Groups had only just commenced operation when the budget was being considered and this allocation would allow council the opportunity to review the initial progress of the Groups with the option of being able to action early recommendations for initiatives.**

**Working Groups have been asked to present their early progress at an informal meeting on Monday 25<sup>th</sup> October, 2010. At this presentation meeting it is anticipated that Working Groups Chairs will provide an outline on how the Groups are working towards achieving their goals in accordance with the Instruments of Appointment and also highlight any possible recommendations for initiatives that would aid in this. It is not considered that the Groups would have concluded their work, but may be in a position to seek actions to be undertaken to aid in progress towards achievement.**

**Council is being sought to establish a framework on how these actions/recommendations might be proposed so that they can be considered by council with consistency.**

### **BACKGROUND**

Council has established nine working groups as part of its formulation of the 2010 Strategic Plan. Generally these Working Groups have been provided to support the progress of the key strategic imperatives from the Strategic Plan.

Now that all Working Groups have been established a date of 25<sup>th</sup> October has been set for Chairs of the Groups to bring back reports on the initial progress and any early recommendations that might be forming.

### **COMMENT**

Of the nine Working Groups appointed, only seven will be invited to provide submissions at the end of October, these being the seven that are aligned to the strategic imperatives;

1. Climate Adaptation and Mitigation,

2. Economic Development
3. City Centre Strategic Sites
4. Cantonment Hill
5. Cultural Development
6. South Terrace, and
7. Community Safety.

The other two Working Groups, Boo Park and Differential Rate, are more operational working groups which already have budget allocations to support any recommendations which may come from their discussions. Also, these two groups have not yet met and it would be too onerous for them to come up with a stated position at short notice.

Of the seven working groups to provide input at the end of October, it is anticipated that the funds from the differential rate will also support the Economic Development Working Group and the City Centre Strategic Sites Working Group is supported by some budget funding in the planning projects area.

The presentation by the groups should focus on the main directions of the Groups up to the present time and how this supports the outcomes established under the Instrument of Appointment that they were appointed under. The presentation should also outline recommendations that the Group is preparing to present to council for consideration.

It is anticipated that officers supporting the Working Groups will complete a Statement of Works document (as attached with this agenda) to support any recommendations from Working Groups. Whilst these statements will not be presented at the 25<sup>th</sup> October presentations they will be provided when council determines the recommendations. This statement is the framework council is being sought to adopt for determination of the first recommendations and consideration of allocation of the \$200,000 budget that has been provided for Working Group initiatives.

Any recommendation for initiatives which requires financial support will need to be “ready to go” or be able to be implemented within a six month timeframe. Anything further than this would see council into the new financial year, therefore the project could be considered in the next budget deliberations.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

There is \$200,000 provided within the budget for Working Group initiatives. This budget has not determined any specific projects and the presentations to be provided by the Working Group Chairs on 25<sup>th</sup> October will allow them to raise the early work and context for any initial projects from Council.

### **Legal**

Council will need to formally accept any recommendation from a Working Group prior to any action being undertaken.

### **Operational**

As the Working Groups were established at the time the budget was being finalised an allocation of general funding was provided to allow the Groups to seek support for initiatives. It is recommended that Council support the use of the "Statement of Works" document from its Project Management Framework to support the level of information needed for council to determine whether to proceed with a request from the Working Groups. By ensuring any action being recommended can be achieved within the financial year the "Statement of Works" form will allow council to compare the requests coming forward from each group.

Preference should also be given to projects that deliver result within a financial year timeframe rather than consultancies.

### **Organisational**

Nil.

### **CONCLUSION**

That the presentations made by the Working Groups on 25<sup>th</sup> October, 2010 are followed up with formal Statement of Works (as attached) for any proposed initiatives by the Groups so that Council may formally assess them.

### **STRATEGIC AND POLICY IMPLICATIONS**

Working Group initiatives should support the 2010-15 City of Fremantle Strategic Plan.

### **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

Nil.

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

**That Working Groups recommendations are supported with formal Statement of Works (as attached) for any proposed initiatives by the Groups so that Council may formally assess them.**

**SGS1010-5 ACCEPTANCE OF FUNDING FROM AUSTRALIA COUNCIL FOR THE ARTS**

**DataWorks Reference:** 106/024;Australia Council  
**Disclosure of Interest:** Nil  
**Meeting Date:** SGSC - 13 October 2010  
**Previous Item:** Nil  
**Responsible Officer:** Marisa Spaziani, Director, Community Services  
**Actioning Officer:** Jim Cathcart, Fremantle Arts Centre, Director  
**Decision Making Authority:** Council  
**Agenda Attachments:** Nil

**EXECUTIVE SUMMARY**

**To accept a grant of \$15,000 (GST exclusive) from the Music Board, Australia Council for the Arts to present Soft Soft Loud 2011, the annual contemporary chamber concert series at Fremantle Arts Centre.**

**BACKGROUND**

The Arts Centre has been presenting Soft Soft Loud for four years. A grant application to the Australia Council for the Arts, Music Board, Presentation and Promotion category was successful. The series will be presented in March 2011.

**COMMENT**

The grant will enable the Arts Centre to present a more ambitious program supported by increased publicity and marketing.

**RISK AND OTHER IMPLICATIONS**

**Financial**

The proposal does not seek any additional funding from the municipal fund. Additional funding of \$15,000.00 (GST exclusive) requires the amendment of the Fremantle Arts Centre budget in the 2010-2011 financial year.

**Legal**

Nil

**Operational**

Nil

**Organisational**

Nil



## CONCLUSION

To accept the grant from the Australia Council for the Arts.

## STRATEGIC AND POLICY IMPLICATIONS

Nil

## PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION

Nil

## VOTING AND OTHER SPECIAL REQUIREMENTS

Absolute Majority

## OFFICER'S RECOMMENDATION

1. That Council accept the grant of \$15,000 (GST exclusive) from the Music Board, Australia Council for the Arts, to present the 2011 Soft Soft Loud series at Fremantle Arts Centre.
2. That the 2010/2011 Budget be amended as summarised below:-

Budget Category/Sub Category	Existing Budget Expenditure/(Revenue)	Variation to Budget Expenditure/(Revenue)	Revised Budget Expenditure/(Revenue)	Account String (Budget amount refers to this account)
<b>Revenue</b>				
Operating Revenue - Grant Operating Federal	Nil	-15,000	-15,000	34.34700.4312.00.00.18057
<b>Total Funding</b>				
<b>Expenditure</b>				
Operating Expenditure – Contracted Services Artists	10,000	15,000	25,000	34.34700.6823.00.00.18057
<b>Total Expenditure</b>				
<b>Net Variation to Budget – Deficit/(Surplus)</b>		Nil		

**SGS1010-6 TRANSITION OF LIVING SMART INTO ITS OWN LEGAL ENTITY**

<b>DataWorks Reference:</b>	078/015
<b>Disclosure of Interest:</b>	Nil
<b>Meeting Date:</b>	13 October 2010
<b>Previous Item:</b>	Nil
<b>Responsible Officer:</b>	Manager Planning Projects and Policy
<b>Actioning Officer:</b>	Sustainability Officer
<b>Decision Making Authority:</b>	Council
<b>Agenda Attachments:</b>	Nil

**EXECUTIVE SUMMARY**

**Living Smart is a sustainability education program that was co-founded by the City. The program has been popular and effective and is now operating well beyond the City's borders. The community supporting the program has requested that it be transitioned to its own legal entity so that it can continue to effectively expand. This will require the City to transfer its share of the trademark to this separate entity. This report recommends Council to support this transition, subject to ongoing recognition of the City's founding role in Living Smart and the City being given the option of appointing a representative onto the management structure of the new Living Smart entity.**

**BACKGROUND**

Living Smart (LS) is a sustainability education program that started as an idea from one of the City's community development staff. The program material and method was developed through a Murdoch University PhD and has been implemented largely through the assistance of The Meeting Place and the Southern Metropolitan Regional Council (SMRC).

LS involves a small group of participants attending a series of workshops covering a range of topics, such as water, waste, energy, edible gardens and transport. Some of the aspects of LS that make it distinctive are:

- It covers a broad variety of topics
- It focuses on goal setting and behaviour change, rather than technological responses or even information sharing
- It is very interactive, with lots of hands on activities
- Most importantly, it has been rigorously evaluated and modified to maximise effectiveness.

To date, the operational side of LS has been supported by the City and, especially in the last few years, the SMRC. Several thousand people have attended LS courses and there is a growing body of trained facilitators that are capable of rolling out further courses. There are currently 15-20 courses delivered each year, each with 10-70 participants. Courses have been run in New South Wales and there is lots of interest coming from locations as diverse as Denmark (WA), Davenport (Tas) and Vancouver (Canada).

There has also been an enormous amount of volunteer effort from passionate individuals to help promote the course and its objectives. A prime example of this is the “Living Smarties” group that has formed in Fremantle, which holds monthly events to support the Living Smart message.

A workshop was held last year to consider the future direction of LS. This was attended by course participants, facilitators and other stakeholders. One of the workshop outcomes that had broad consensus was that LS should be a more independent entity. The reasons for this are:

- It could seek additional sources of funding;
- It has grown beyond the Founders’ geographical location;
- It would allow the facilitators and other key stakeholders to have more explicit input into the strategic direction and development of the program.

The copyright of the course material is currently owned by Dr Peter Dingle and Ms Lucy Sheehy. The trademark on the LS name is jointly owned by Dr Peter Dingle, the City of Fremantle and the SMRC. The Department of Transport also has a licensing agreement to use the name as part of its household coaching program, which is a separate program with a different methodology, but is also called Living Smart.

As part of the process to get ‘permission to deliver’ a course, a facilitator needs to acknowledge the founding partners – i.e. those that currently co-own the trademark.

## **COMMENT**

The City should be proud that it has been a key player in the creation of such an effective and popular program. As a part owner of the intellectual property behind Living Smart, the City now needs to decide whether it will support the proposed transition of LS into an independent organisation.

The City’s officers recommend that the transition to an independent entity be supported.

The main benefits that the City has derived from Living Smart are:

- Recognition as a LS Founder – both within Fremantle and whenever a course is run elsewhere;
- Significant influence over operational and strategic decisions regarding LS.

The costs that the City incurs are:

- A direct financial cost, typically \$5,000 - 20,000 pa from the Sustainability Initiatives budget. Most of this cost is for direct funding of courses in Fremantle and is independent of the City’s status as a co-founder of LS.
- Some officer time involved in attending meetings regarding planning and delivery of LS activities.

It should also be noted that since Living Smart is now running beyond the City and the SMRC’s borders, the City is putting administrative resources into a program that does not solely benefit City ratepayers.

It is envisaged that transition of LS into an independent entity would not materially change the benefits or costs to the City, although there could be a reduced impact on the

City's financial and staff resources. It is recommended that the City support the transition of LS to an independent non-profit incorporated association. In return for transfer of its part ownership of the trademark, it is recommended the City should require ongoing recognition as a Founder of LS in relevant material produced under the trademark, and have the option to appoint a representative to the new association's management structure (Committee or Board).

The trademark is currently owned by three separate entities and all will have to agree to the transition if it is to happen. The SMRC is currently undertaking officer level discussions about the matter and although these will take some time, it is expected that the SMRC will be supportive of the transition. Dr Peter Dingle is also understood to be supportive of the transition.

## **RISK AND OTHER IMPLICATIONS**

### **Financial**

Since most of the costs incurred by the City for Living Smart relate to funding local courses delivered through The Meeting Place, the cost to the City will not materially change. To date the cost of supporting locally-run courses has been met through the approved Sustainability Initiatives budget, so there would be no additional budget impact.

### **Legal**

The trademark will have to be signed over to an independent entity.

### **Operational**

In the short term, some officer level logistical support would need to be offered to aid the transition. In the medium and long term, it is expected that Living Smart as an independent association would develop its own resource base and require less input from the City.

### **Organisational**

Nil

## **CONCLUSION**

Living Smart is a popular and effective sustainability program that has been developed jointly by the City, SMRC and Dr Peter Dingle. Living Smart course facilitators and other stakeholders have expressed the view that an appropriate time has come to transition the program into its own legal entity. This would have minimal (positive or negative) short term impact on the City but may reduce the demand on the City's resources in the medium and long term, and allow the program to expand more readily.

## **STRATEGIC AND POLICY IMPLICATIONS**

Nil

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## **PRECINCTS AND OTHER COMMITTEES RECOMMENDATIONS PLUS OTHER CONSULTATION**

A workshop in 2009 with a broad representation of interested parties decided that it would be a good outcome for Living Smart to establish its own identity as an independent legal entity.

### **VOTING AND OTHER SPECIAL REQUIREMENTS**

Simple Majority Required.

### **OFFICER'S RECOMMENDATION**

- 1. That Council support the establishment of an independent legal entity for the purpose of managing activities and programs operated under the Living Smart trademark and approve the transfer of the City's current share of ownership of the trademark to an entity properly constituted for this purpose subject to:**
  - a) the City of Fremantle being acknowledged as a co-founder of Living Smart in relevant material produced under the Living Smart trademark; and**
  - b) the City being offered the option of nominating a representative onto the managing body of the new independent entity.**
  
- 2. That the Chief Executive Officer be authorised to negotiate and finalise the detailed terms of an agreement with relevant parties for the purposes of (1) above.**

**CONFIDENTIAL MATTERS**

Nil.

Summary Guide to Citizen Participation and Consultation

**SUMMARY GUIDE TO CITIZEN PARTICIPATION & CONSULTATION**

The Council adopted a Participation Policy in August 2001 to give effect to its commitment to involving citizens in its decision-making processes.

The City values citizen participation and recognises the benefits that can flow to the quality of decision-making and the level of community satisfaction.

Effective participation requires total clarity so that Elected Members, Council officers and citizens fully understand their respective rights and responsibilities as well as the limits of their involvement in relation to any decision to be made by the City.

<b>How consultative processes work at the City of Fremantle</b>	
<b>The City's decision makers</b>	1 The Council, comprised of Elected Members, makes policy, budgetary and key strategic decisions while the CEO, sometimes via on-delegation to other City officers, makes operational decisions.
<b>Various participation opportunities</b>	2 The City provides opportunities for participation in the decision-making process by citizens via its Advisory Committees and Task Forces, its Community Precinct System, and targeted consultation processes in relation to specific issues or decisions.
<b>Objective processes also used</b>	3 The City also seeks to understand the needs and views of the community via scientific and objective processes such as its annual Community Survey.
<b>All decisions are made by Council or the CEO</b>	4 These opportunities afforded to citizens to participate in the decision-making process do not include the capacity to make the decision. Decisions are ultimately always made by Council or the CEO (or his/her delegated nominee).
<b>Precinct focus is primarily local, but also city-wide</b>	5 The Community Precinct System establishes units of geographic community of interest, but provides for input in relation to individual geographic areas as well as on city-wide issues.
<b>All input is of equal value</b>	6 No source of advice or input is more valuable or given more weight by the decision-makers than any other. The relevance and rationality of the advice counts in influencing the views of decision-makers.
<b>Decisions will not necessarily reflect the majority view received</b>	7 Local Government in WA is a representative democracy. Elected Members and the CEO are charged under the Local Government Act with the responsibility to make decisions based on fact and the merits of the issue without fear or favour and are accountable for their actions and decisions under law. Elected Members are accountable to the people via periodic elections. As it is a representative democracy, decisions may not be made in favour of the majority view expressed via consultative processes. Decisions must also be made in accordance with

<b>How consultative processes work at the City of Fremantle</b>	
	any statute that applies or within the parameters of budgetary considerations. All consultations will clearly outline from the outset any constraints or limitations associated with the issue.
<b>Decisions made for the overall good of Fremantle</b>	8 The Local Government Act requires decision-makers to make decisions in the interests of “the good Government of the district”. This means that decision-makers must exercise their judgment about the best interests of Fremantle as a whole as well as about the interests of the immediately affected neighbourhood. This responsibility from time to time puts decision-makers at odds with the expressed views of citizens from the local neighbourhood who may understandably take a narrower view of considerations at hand.
<b>Diversity of view on most issues</b>	9 The City is wary of claiming to speak for the ‘community’ and wary of those who claim to do so. The City recognises how difficult it is to understand what such a diverse community with such a variety of stakeholders thinks about an issue. The City recognises that, on most significant issues, diverse views exist that need to be respected and taken into account by the decision-makers.
<b>City officers must be impartial</b>	10 City officers are charged with the responsibility of being objective, non-political and unbiased. It is the responsibility of the management of the City to ensure that this is the case. It is also recognised that City Officers can find themselves unfairly accused of bias or incompetence by protagonists on certain issues and in these cases it is the responsibility of the City’s management to defend those City officers.
<b>City officers must follow procedures</b>	11 The City’s consultative processes must be clear, transparent, efficient and timely. City officers must ensure that policies and procedures are fully complied with so that citizens are not deprived of their rights to be heard.
<b>Consultation processes have cut-off dates that will be adhered to.</b>	12 As City officers have the responsibility to provide objective, professional advice to decision-makers, they are entitled to an appropriate period of time and resource base to undertake the analysis required and to prepare reports. As a consequence, consultative processes need to have defined and rigorously observed cut-off dates, after which date officers will not include ‘late’ input in their analysis. In such circumstances, the existence of ‘late’ input will be made known to decision-makers. In most cases where citizen input is involved, the Council is the decision-maker and this affords citizens the opportunity to make input after the cut-off date via



How consultative processes work at the City of Fremantle	
	<p>personal representations to individual Elected Members and via presentations to Committee and Council Meetings.</p>
<p><b>Citizens need to check for any changes to decision making arrangements made</b></p>	<p>1 The City will take initial responsibility, via 3 'Consultation Process notifications', for making . citizens aware of expected time-frames and decision making processes, including dates of Standing Committee and Council Meetings if relevant. However, as these details can change, it is the citizens responsibility to check for any changes by visiting <b><a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b>, checking the Port City Column in the Fremantle Herald or inquiring at the Service and Information Desk by phone or in-person.</p>
<p><b>Citizens are entitled to know how their input has been assessed</b></p>	<p>1 In reporting to decision-makers, City officers will in 4 all cases produce a Schedule of Input received . that summarises comment and recommends whether it should be taken on board, with reasons.</p>
<p><b>Reasons for decisions must be transparent</b></p>	<p>1 Decision-makers must provide the reasons for 5 their decisions. .</p>
<p><b>Decisions posted on <a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b></p>	<p>1 Decisions of the City need to be transparent and 6 easily accessed. For reasons of cost, citizens . making input on an issue will not be individually notified of the outcome, but can access the decision at <b><a href="http://www.freofocus.com/projects/html/default.cfm">www.freofocus.com/projects/html/default.cfm</a></b> or at the City Library or Service and Information counter.</p>

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**Issues that Council May Treat as Confidential**

Section 5.23 of the new Local Government Act 1995, Meetings generally open to the public, states:

1. Subject to subsection (2), the following are to be open to members of the public -
  - a) all council meetings; and
  - b) all meetings of any committee to which a local government power or duty has been delegated.
2. If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:
  - a) a matter affecting an employee or employees;
  - b) the personal affairs of any person;
  - c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - e) a matter that if disclosed, would reveal –
    - i) a trade secret;
    - ii) information that has a commercial value to a person; or
    - iii) information about the business, professional, commercial or financial affairs of a person.Where the trade secret or information is held by, or is about, a person other than the local government.
  - f) a matter that if disclosed, could be reasonably expected to -
    - i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - ii) endanger the security of the local government's property; or
    - iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety.
  - g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
  - h) such other matters as may be prescribed.
3. A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

