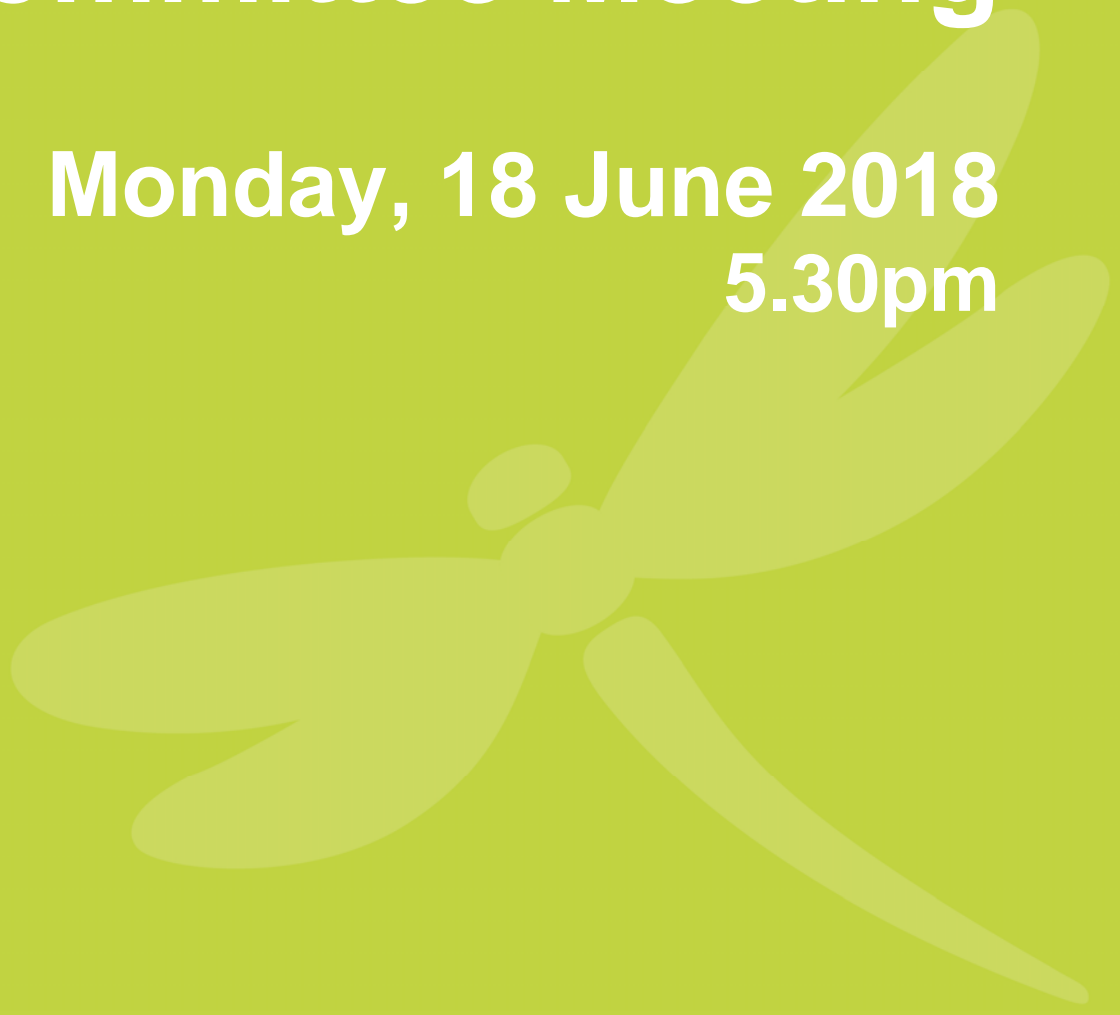


Business Papers

City Life Committee Meeting

Monday, 18 June 2018
5.30pm





Notice of Meeting

To the Lord Mayor and Aldermen

You are invited to attend a City Life Committee Meeting to be held in Meeting Room 1, Level 1, Civic Centre, Harry Chan Avenue, Darwin, on Monday, 18 June 2018, commencing at 5.30pm.

A handwritten signature in black ink, appearing to read "S. Waters", with a horizontal line underneath.

SCOTT WATERS
CHIEF EXECUTIVE OFFICER

OPEN SECTION

18/06/2018/3

LIFE

CITY OF DARWIN

CITY LIFE COMMITTEE MEETING

MONDAY, 18 JUNE 2018

MEMBERS: Member G J Haslett (Chair); The Right Worshipful, The Lord Mayor, K Vatskalis; Member A Arthur; Member P Pangquee.

OFFICERS: Chief Executive Officer, Mr S Waters; Acting General Manager City Life, Mr M Grassmayr; Acting Manager Vibrant Communities, Ms T Sellars; Acting Manager Regulatory Services, Mr C Brown; Manager Library Services, Mrs K Conway; Acting Manger Leisure and Customer Experiences, Ms C Beacham; Executive Assistant, Ms K Long.

Enquiries and/or Apologies:

E-mail: k.long@darwin.nt.gov.au - PH: 89300 633

OR Phone Meeting Room 1, for Late Apologies - PH: 89300 519

Committee's Responsibilities

THAT effective as of 26 September 2017 Council, pursuant to Section 32 (2)(b) of the Local Government Act, hereby delegates to the City Life Committee the power to make recommendations to Council and decisions relating to City Life matters within the approved budget:

- Access and Inclusion
- Arts and Culture
- Community Development
- Community Engagement
- Customer Services
- Darwin Entertainment Centre
- Darwin Safer City
- Families and Children
- Libraries
- Recreation, Leisure & Events
- Regulatory Services

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OPEN SECTION

LIFE

18/06/2018/4

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OPEN SECTION

LIFE18/06/2018/5

City Life Committee Meeting – Monday, 18 June 2018

1. MEETING DECLARED OPEN

2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

2.1 Apologies

THAT it be noted The Right Worshipful, The Lord Mayor, K Vatskalis is an apology.

2.2 Leave of Absence Granted

THAT it be noted Member G J Haslett is an apology due to a Leave of Absence previously granted on 12 June 2018 for the period 16 to 24 June 2018.

3. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

3.1 Electronic Meeting Attendance Granted

Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

4.1 Declaration of Interest by Members

4.2 Declaration of Interest by Staff

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

Common No. 1955119

5.1 Confirmation of the Previous City Life Committee Meeting Minutes

THAT the Committee resolve that the minutes of the previous City Life Committee Meeting held on Monday, 21 May 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

5.2 Business Arising

OPEN SECTION

LIFE18/06/2018/6

City Life Committee Meeting – Monday, 18 June 2018

6. DEPUTATIONS AND BRIEFINGS

Nil

7. CONFIDENTIAL ITEMS

Common No. 1944604

7.1 Closure to the Public for Confidential Items

Nil

7.2 Moving Open Items Into Confidential

7.3 Moving Confidential Items Into Open

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the City Life Committee Meeting held on Monday, 18 June 2018 be received and considered individually.

OPEN SECTION

LIFE18/06/2018/7

City Life Committee Meeting – Monday, 18 June 2018

9.1 OFFICERS REPORTS (ACTION REQUIRED)



ENCL:
YES CITY LIFE COMMITTEE/OPEN

AGENDA ITEM: 9.1.1

MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE 23 MAY 2018

REPORT No.: 18CL0057 TS:es COMMON No.: 3805042

DATE: 18/06/2018

Presenter: Acting Manager Vibrant Communities, Tania Sellers

Approved: General Manager City Life, Matt Grassmayr

PURPOSE

This report presents the minutes of the Access and Inclusion Advisory Committee from 23 May 2018 and seeks Council endorsement of an extension for current community member appointments and the revised Terms of Reference.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

1. Collaborative, Inclusive and Connected Community

Outcome

1.1 Community inclusion supported

Key Strategies

1.1.2 Develop equitable and accessible community participation opportunities

KEY ISSUES

- The minutes of the Access and Inclusion Advisory Committee meeting held on 23 May 2018 are presented at **Attachment A**.
- Request to extend three (3) Community Representatives for the term of 1 July 2018 to 30 September 2018 to ensure a fair and equitable recruitment process.
- The Access and Inclusion Advisory Committee have reviewed the terms of reference (**Attachment B**) and made changes in line with Council Policy No. 043 - Meetings, Meeting Procedures and Committees.

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 18CL0057 TS:es entitled Minutes Access and Inclusion Advisory Committee 23 May 2018, be received and noted.

PAGE: 2
 REPORT NUMBER: 18CL0057 TS:es
 SUBJECT: MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE 23 MAY 2018

- B. THAT Council extends the appointments of the following Community Representatives to the Access and Inclusion Advisory Committee for the term 1 July 2018 to 30 September 2018 in accordance with the Local Government Act to enable a recruitment process to be undertaken:
- i) Ms Debbie Bampton
 - ii) Ms Cassandra Jevdenijevic
 - iii) Ms Lynne Strathie
- C. THAT Council endorse the revised Access and Inclusion Advisory Committee Terms of Reference at **Attachment B** to Report Number 18CL0057 TS:es entitled Minutes Access and Inclusion Advisory Committee 23 May 2018.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO.21\4947 (25/10/16)

Access and Inclusion Advisory Committee Draft Terms of Reference
Report No. 16C0082 JA:kl (18/10/16) Common No. 3264071

- B. *THAT Council endorse the amended Terms of Reference for the Access and Inclusion Advisory Committee at **Attachment A** of Report Number 16C0082 JA:kl entitled Access and Inclusion Advisory Committee Draft Terms of Reference.*
- C. *THAT the Disability Advisory Committee be formally entitled Access and Inclusion Advisory Committee.*

DECISION NO.21\4567 (28/06/16)

Disability Advisory Committee Appointments 1 July 2016 to 30 June 2018 - Two Year Term
Report No. 16C0051 GP:es (20/06/16) Common No. 3292855

- B. *THAT Council appoint the following community representatives as members of the Disability Advisory Committee in accordance with the Local Government Act 2008, for a period commencing 1 July 2016 to 30 June 2018:*
- iv) *Ms Debbie Bampton*
 - v) *Ms Cassandra Jevdenijevic*
 - vi) *Ms Lynne Strathie*
- C. *THAT Council endorse representation from the following specialist service providers, in accordance with the Local Government Act 2008, for a period commencing 1 July 2016 to 30 June 2018:*

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 REPORT NUMBER: 18CL0057 TS:es
 SUBJECT: MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE 23 MAY 2018

- i) *Specialist Representative – Building Advisory Services, Department of Lands, Planning & the Environment*
- ii) *Specialist Representative – Council on the Ageing NT*
- iii) *Specialist Representative – Department of Transport*
- iv) *Specialist Representative – National Disability Services NT*
- v) *Specialist Representative – City of Darwin, Infrastructure Department*

DISCUSSION

Extension of Appointments

Community Representatives are appointed to the Access and Inclusion Advisory Committee for a term of two years. The two year term of three current Community Representatives expires on the 30 June 2018. An extension of three months to their appointment is required to recruit and appoint Community Representatives for the new term.

With the endorsement of this extension staff members from City of Darwin will call for nominations for the impending Committee vacancies. Suitable applicants will be selected and interviewed prior to recommendation for a two year term serving on the AIAC. If the revised Terms of Reference are accepted then there will be seven (7) positions available for Community Representatives.

Terms of Reference

Access and Inclusion Advisory Committee have reviewed the Terms and Reference and made changes in line with Council Policy No. 043 - Meetings, Meeting Procedures and Committees.

The current Terms of Reference is six (6) community members and four (4) organisation members. Council's Policy No. 043 states, "the number of community positions on the Committee shall be a maximum of ten (10) with four (4) additional places allocated to allow professional involvement and to ensure coverage of a broad range of disability types". The Committee has revised the Terms of Reference to allow for the maximum of ten (10) Community Representatives.

CONSULTATION PROCESS

In preparing this report, the following people were consulted:

- Access and Inclusion Advisory Committee Members

POLICY IMPLICATIONS

Review of Terms of Reference is aligned with Council Policy No. 043 - Meetings, Meeting Procedures and Committees.

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REPORT NUMBER: 18CL0057 TS:es
SUBJECT: MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE 23 MAY 2018

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

The Access and Inclusion Advisory Committee is an Advisory Committee established pursuant to Section 54 of the NT Local Government Act.

ENVIRONMENTAL IMPLICATIONS

Nil

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

TANIA SELLERS
ACTING MANAGER VIBRANT
COMMUNITIES

MATT GRASSMAYR
GENERAL MANAGER CITY LIFE

For enquiries, please contact Matt Grassmayr on 89300633 or email:
m.grassmayr@darwin.nt.gov.au.

Attachments:

- Attachment A:** Minutes Access and Inclusion Advisory Committee 23 May 2018
Attachment B: Revised Access and Inclusion Advisory Committee Terms of Reference



**DRAFT MINUTES
ACCESS AND INCLUSION
ADVISORY COMMITTEE
Wednesday 23 May 2018
1.30pm – 3.00pm**

Casuarina Library Meeting Room, Bradshaw Terrace

1. PRESENT

Members

Lynne Strathie	Deputy Chairperson, Community Representative
Cassandra Jevdenijevic	Community Representative
Liz Reid	Community Representative
Kyle Adams	Community Representative
Jennifer Harlock	Specialist Representative, Building Services Advisory
Susan Burns	Specialist Representative, National Disability Services NT
Bernie Ingram	Specialist Representative, Passenger Transport, Department of Infrastructure, Planning and Logistics
Alderman Simon Niblock	City of Darwin
Alderman Andrew Arthur	City of Darwin (Alternate)

City of Darwin Staff

Nik Kleine	Manager Capital Works, City of Darwin
Tahlia Joy	Community Inclusion Coordinator, City of Darwin

Observer / Guest

Sarah Hona	Down Syndrome Association NT
Casey Lovelock	Department of Infrastructure, Planning and Logistics
James Stanway	Department of Infrastructure, Planning and Logistics

2. APOLOGIES

Deborah Bampton	Chairperson, Community Representative
Nathan Alum	Community Representative
Sue Shearer	Specialist Representative, COTA NT
Bernie Ingram	Specialist Representative, Passenger Transport, Department of Infrastructure, Planning and Logistics

Apologies noted and quorum reached at 8 members

3. DECLARATION OF INTEREST IN ANY ITEMS ON THE AGENDA

Nil

4. ACCEPTANCE OF PREVIOUS MINUTES (28/03/2018)

4.1. Corrections have been noted. Accepted Susan Burns, Seconded Lynne Strathie

5. SHARED PATH IMPROVEMENTS NEAR HIBISCUS SHOPPING CENTRE

5.1. Presentation from Department of Infrastructure Planning and Logistics Presenters: Casey Lovelock and James Stanway

Shared path improvement plan was presented to AIAC with discussion invited for comment and feedback. Summary of feedback provided;

- Consideration for the most accessible type of spoon lip pathway entries to be built.
- The design presented has steps from the bus stop into the carpark. Request for these to be replaced with a ramp.
- Signage on shared pathway to indicate that bicycles do not take precedent over pedestrians.
- Additional shade provisions, specifically on the additional detour pathway designed for Leanyer Drive (inbound side).
- Additional shade provisions near bus stop.

ACTION	Any additional comments or feedback to be sent to Department of Infrastructure Planning and Logistics by Wednesday 31 May.
---------------	--

6. BUSINESS ARISING FROM PREVIOUS MINUTES (28/03/2018)

6.1. PDF version of Community Services Directory

Ongoing; Captovate are contracted to manage the website and this is on their task list for development.

6.2. Parap Pool – fit out accessible change room

Item to be removed from agenda, unless otherwise requested. Access Institute have conducted an official audit of the space and have provided a report to City of Darwin Recreation team to action.

6.3. Access and Inclusion Plan – consultation survey

Ongoing; contractors are working towards the end of May as a deadline for initial consultation report due.

6.4. Variety funded children’s playground equipment

No further action required.

6.5. Cavanagh Street accessibility

Community Inclusion Coordinator met with community member regarding her concerns. Community member expressed that Cavanagh street business’ accessibility will be raised with the business owners. Community member raised other concerns regarding accessible parking on The Esplanade. Manager Capital Works responded with assurance that a review is scheduled for all accessible parking bays on The Esplanade.

Also tabled as discussion was a notable absence of accessible parking bays on Wood Street, near Knuckey street intersection and Jacana House.

ACTION	Manager Capital Works to survey the area and provide information about accessible parking bays on Wood Street.
---------------	--

7. GENERAL BUSINESS

- 7.1. Membership terms for specialist organisation representatives and three community representatives.

RECOMMENDATION	THAT Council endorse the extension of the term of the three community representatives by a period of three months from 30 June.
	Moved – Liz Reid Seconded – Susan Burns
RECOMMENDATION	THAT Council endorse the term of the specialist organisation representatives as per the Access and Inclusion Terms of Reference and not for a specified time period.
	Moved – Lynne Strathie Seconded – Liz Reid

- 7.2. Terms of Reference review (**Attachment A**)

Changes have been noted and are identified through the track changes feature.

RECOMMENDATION	THAT Council endorse the revised Terms of Reference as in (Attachment A).
-----------------------	--

- 7.3. **Access and Inclusion Five Year Strategy development update**

Update provided in item number 6.3

- 7.4. **Media, promotions and summary of works achieved through AIAC**

Notable achievements of Access and Inclusion Advisory Committee was tabled as two points of significance;

- Strength in collaboration with all levels of government, evidenced by Northern Territory Government seeking advice, feedback and comment in developing stages of new projects.
- Event; Say Hi To the Dry, was hosted by Somerville Community Services under the 'umbrella' of Access and Inclusion; Diversability Collective. The event took place at Lake Alexander on Saturday 5 May. It was the highest level of attendance recorded. Unanimous Committee agreement that all anecdotal reports were positive.

- 7.5. **Taxi Subsidy Scheme**

AIAC Community Representative reported on in accessibility of real time information and financial balances on the Taxi Subsidy Scheme. There is no smart phone app available or internet portal to access information. Information is also requested regarding the effect of the National Disability Insurance Scheme on the Taxi Subsidy Scheme.

ACTION	A letter to NTG Taxi Subsidy Scheme department to be written on behalf of AIAC requesting information and advocating for a more appropriate platform of accessing individual account data.
---------------	--

7.6. Passenger transport bus shelters, water bubblers/fountains

Carried to remain on agenda for next meeting. AIAC Specialist Representative, Passenger Transport, Department of Infrastructure, Planning and Logistics has received advice regarding the provision of water bubblers/ fountains at bus stops across the municipality

7.7. Parking on Shadforth Lane Darwin (COTA)

Carried to remain on agenda for next meeting. Summary of the item is a request for some parking bays on Shadforth Lane to be quarantined for use of Senior Citizens.

8. MEMBERS UPDATE

City of Darwin Community Inclusion Coordinator and AIAC secretariat has tendered her resignation with City of Darwin effective Friday 25 May 2018. Provisions will be made by City of Darwin Vibrant Communities Team for the continuation of the work of the Committee until another person is appointed to the position.

9. ANY OTHER BUSINESS

Susan Burns tabled discussion regarding the city side entrance to botanic gardens being currently inaccessible for people using mobility equipment. Manager Capital works expressed his knowledge of the particular area and noted that repairs and upgrade to the path on City of Darwin land is due to begin shortly with completion scheduled within 2018.

Discussion ensued regarding beach access for people using mobility equipment. With an understanding that some areas of beach access are sacred land and the severity of the Darwin tides, the Committee was encouraged to take independent research of possible solutions and table it at the next AIAC meeting.

ACTION	AIAC members to conduct independent research of other practices in Australia and Internationally for creating equitable and inclusive beach access.
---------------	---

Liz Reid tabled discussion regarding the proposed new development for a Water Park in Darwin. Northern Territory Government are currently calling for submissions.

ACTION	AIAC members to submit suggestions to the relevant department in Northern Territory Government about including accessible features in the Water Park design and contracting agreements.
ACTION	Seek to invite the relevant Northern Territory Government Department to the next AIAC meeting.

Jennifer Harlock tabled discussion regarding the Northern Territory Government's Department of Infrastructure, Planning and Logistics review of the *Swimming Pool Safety Act* and Regulations. One of the areas under review is the provision of alternative access solutions for people with disability.

ACTION	Community Inclusion Coordinator to circulate information to all AIAC members for comment and distribution through individual networks.
ACTION	AIAC members to submit comments and feedback via www.haveyoursay.nt.gov.au prior to 6 July 2018.

10. NEXT MEETING

Wednesday 25 July 2018

All meetings are from 1.30pm to 3.00pm at the Casuarina Library Meeting Room.

11. MEETING CLOSED

3.02pm.

ACCESS AND INCLUSION ADVISORY COMMITTEE TERMS OF REFERENCE

Purpose

The Access and Inclusion Advisory Committee (AIAC) operates to advocate, inform, and guide Council on improved access and inclusion for all people of all abilities, living, working, studying or visiting the Darwin municipality.

Access and inclusion recognises that community attitudes, ways of doing things, how buildings, cities, and workplaces are designed and built and how services are delivered, influence the level in which people of varying abilities can engage in employment, economic participation and community life.

The AIAC is established pursuant to Section 54 of the *NT Local Government Act* and has no delegated decision making power from Council.

Objectives

- To represent the access and inclusion issues and needs of people of all abilities living, working, studying or visiting the City of Darwin.
- To provide advice to Council on access and inclusion in the development, implementation and review of policies, plans, programs and other Council activities.
- To review and monitor the progress of requests made to Council associated with access and inclusion issues.
- Identify actions that City of Darwin may take to improve access on its property.
- To assist Council communicate, consult and engage effectively and inclusively with people of all abilities in the Darwin community.
- To partner with businesses, services and organisations in the Darwin community to improve access and inclusion.
- To provide education and information to improve community awareness of the needs and rights of people with disability and those with access and inclusion issues, through positive and proactive media, social marketing, community events, festivals, forums, and other initiatives.
- To keep Council informed of developments in standards and technology which can improve access and inclusion to its services and buildings.
- To guide the development and implementation of City of Darwin's Access and Inclusion Plan and annual Action Plans.

Membership

In accordance with the *Local Government Act*, City of Darwin shall appoint suitably qualified individuals to be members of the AIAC. Membership will be representative of the diversity of the Darwin community (including age, gender, ethnicity, disability/ carer) and will reflect the skills and expertise required to meet the purpose and objectives of the AIAC. The Access and Inclusion Advisory Committee shall comprise:

- a City of Darwin Alderman
 - a representative from the City of Darwin Infrastructure Department
 - a representative of the City of Darwin City Life Department
- Up to ten (10) community members that are representative of a range of abilities and lived experiences of disability including a young person and a representative from the employment and education sector. A minimum number of six (6) community members is needed. Additional places are optional only and dependant on quality of application received.
 - four (4) organisation members that provide services and or advocate, for access and inclusion:
 - National Disability Services NT (NDS NT)
 - Council on the Ageing NT (COTA NT)
 - Department of Infrastructure, Planning and Logistics – Building Advisory Services
 - Department of Infrastructure, Planning and Logistics – Transport
 - Community Members will be appointed for a two year term being 1 July to 30 June (or part thereof).
 - Nominations for vacancies will be called as required and appointments will be to the end of the current term.
 - Membership will expire if a member does not attend three (3) consecutive regular meeting occasions without approved leave of absence.
 - The Chair and Deputy Chair will be nominated by the membership at the first meeting and recommended to Council for appointment.
 - The Chair will be nominated for the term of the Committee and may be nominated for up to three continuous terms. The Deputy Chair will be nominated on an annual basis.

Meetings

- Meetings will occur at a minimum every 2 months or earlier as required.
- A quorum will consist of the majority of its members.
- A review of the Terms of Reference will occur biennially, to time with membership appointments.

ENCL: CITY LIFE COMMITTEE/OPEN AGENDA ITEM: 9.1.2
 YES

REVIEW OF POLICY 025 – COMMUNITY ENGAGEMENT

REPORT No.: 18CL0064 SJ:kl COMMON No.: 1612461 DATE: 18/06/2018

Presenter: Manager Engagement and Participation, Sheree Jeeves

Approved: Executive Manager, Melissa Reiter

PURPOSE

The purpose of this report is to seek Council endorsement of the draft revisions to Policy No. 025 Community Engagement. The draft policy will be presented for community consultation for a period of three weeks.

LINK TO STRATEGIC PLAN

The issues addressed in this Report are in accordance with the following Goals/Strategies of the City of Darwin 2012 – 2016 as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.4 Encourage community participation by engaging, communicating and working in partnership with the community

KEY ISSUES

- Policy No. 025 - Community Engagement was reviewed and adopted in July 2017, the policy is now being reviewed in line with the new term of Council.
- The updated draft Policy 025 - Community Engagement is provided at **Attachment A**.
- Following Council endorsement the draft Policy will be released for public comment for a period of three weeks.
- The public feedback will be considered with the final endorsement of the Policy.

PAGE: 2
 REPORT NUMBER: 18CL0064 SJ:kl
 SUBJECT: REVIEW OF POLICY 025 - COMMUNITY ENGAGEMENT

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 18CL0064 SJ:kl entitled Review of Policy 025 - Community Engagement, be received and noted.
- B. THAT Council endorse the Draft Policy No. 025 - Community Engagement as contained at **Attachment B** to Report Number 18CL0064 SJ:am entitled Review of Policy 025 – Community Engagement.
- C. THAT a community engagement process at the “consult level” is undertaken for Draft Policy No. 025 – Community Engagement as contained at **Attachment B** to Report Number 18CL0064 SJ:am entitled Review of Policy 025 – Community Engagement and a further report be presented to Council following the consultation period.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO. 21\5530 (27/06/17)

Policy 025 – Community Engagement

- B. *THAT Council rescind City of Darwin Policy No. 025 – Community Consultation as contained at **Attachment A** to report number 17C0051 SJ:am entitled Policy 025 - Community Engagement.*
- C. *THAT Council adopt City of Darwin Policy 025 – Community Engagement as contained at **Attachment C** to Report Number 17C0051 entitled Policy 025 – Community Engagement.*

DECISION NO.21\5367 (16/05/17)

Review Draft Community Engagement Policy

Report No. 17C0013 SJ:kl Common No. 1612461

- B. *THAT Council endorse the Draft Policy No. 025 – Community Engagement as contained at **Attachment A** to report number 17C0013 SJ:kl entitled Review Community Engagement Policy for community engagement at the level of consult.*

PAGE: 3
 REPORT NUMBER: 18CL0064 SJ:kl
 SUBJECT: REVIEW OF POLICY 025 - COMMUNITY ENGAGEMENT

DECISION NO.20\4281 (16/08/11)

Community Consultation Policy

Report No. 11TC0047 MB:as (21/06/11) Common No. 1612461

- B. THAT Council rescinds Council Policy 025, dated 23/02/10.
- C. THAT Council adopts the Council Policy 025 Community Consultation Policy, as amended to reinforce the role of the Elected Members, contained in **Attachment B** to Report Number 11TC0047 MB:as.

DISCUSSION

The Community Engagement Policy provides a consistent approach to harness the benefits that can be provided through community engagement. The Policy includes principles and levels of engagement that will underpin Council processes.

Benefits of Community Engagement

- Allows community to have a say (basic democratic right)
- Improves decision making processes by providing Council a wider source of expertise, perspectives, and ideas
- Greater understanding of community expectations for services and policies
- Some problems and opportunities are complex and we need the community to be part of finding a way forward
- It builds trust with the community and improves organisation's reputation
- It can save money – good community engagement requires time and money, but poor engagement can cost a lot more
- Mitigate or reduces project risk factors
- Creates greater ownership and support of projects by the community
- Improves community understanding of issues behind decision making process and the related constraints or opportunities

Policy Review and Development

The Community Engagement Policy was reviewed through an extensive process of research and consultation in 2017, with the following steps undertaken:

- Literature review
- Review of other Council's engagement policies
- Council Workshop
- Individual consultation with Senior Managers
- Whole staff consultation
- Presentation to ELT
- Community consultation
- Final endorsement

PAGE: 4
REPORT NUMBER: 18CL0064 SJ:kl
SUBJECT: REVIEW OF POLICY 025 - COMMUNITY ENGAGEMENT

The Policy is now being reviewed again in line with the new term of Council. Internal staff consultation has occurred and the Draft Policy will be released to the community for comment. The proposed changes include the removal of operational detail which will be added into the Community Engagement Toolkit to guide staff processes. The policy has been revised to the new City of Darwin template. The current Policy No. 025 - Community Engagement is shown at **Attachment A**.

Once endorsed the Draft Policy will be presented for community consultation for a three week period. The feedback received will be presented to Council for final endorsement of the Policy.

CONSULTATION PROCESS

In preparing this report, the following City of Darwin officers were consulted:

- Executive Leadership Team
- Senior Managers

POLICY IMPLICATIONS

Each Council Policy is required to be reviewed once in the term of each Council. The existing Council Policy 025 Community Engagement was last reviewed in July 2017 and will be superseded by the updated policy once endorsed.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

In line with the City of Darwin Governance Framework, Council reviews all policies at least once per term of Council. The review of this policy ensures that Council is continuing to adhere to good governance practices and the principles outlined in the Governance Framework.

ENVIRONMENTAL IMPLICATIONS

Nil

PAGE: 5
REPORT NUMBER: 18CL0064 SJ:kl
SUBJECT: REVIEW OF POLICY 025 - COMMUNITY ENGAGEMENT

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

SHEREE JEEVES
SENIOR COMMUNITY
ENGAGEMENT OFFICER

MELISSA REITER
EXECUTIVE MANAGER

For enquiries, please contact Sheree Jeeves on 89300197 or email:
s.jeeves@darwin.nt.gov.au

Attachments:

Attachment A: Current Policy No. 025 - Community Engagement
Attachment B: Proposed Policy No. 025 - Community Engagement

Current Policy



Title:	Community Engagement
Policy No:	025
Adopted By:	Council
Next Review Date:	27/06/2021
Responsibility:	General Manager City Life
Document Number:	2119800

Version	Decision Number	Adoption Date	History
1	20\2501	23/02/2010	Adopted
2	20\4281	16/08/2011	Amendment Adopted
3	21\5530	27/06/2017	Adopted with amendments, including new organisational structure

1 Policy Summary

City of Darwin is committed to open, transparent and responsive community engagement. This policy will guide the delivery of community engagement processes across the organisation to better inform planning, decision making, policy development and service delivery.

2 Policy Objectives

The Community Engagement Policy aims to build the organisation's capacity to:

- Better serve the community by understanding and valuing their needs, aspirations and knowledge
- Deliver efficient and effective outcomes for the community through better, more informed planning, policy development and decision making
- Build trust and positive relationships with the community and stakeholders

3 Background

Community engagement is a planned process with the specific purpose of working across organisations, stakeholders and communities to shape the decisions or actions of the members of the community, stakeholders or organisation in relation to a problem, opportunity or outcome (*International Association for Public Participation, 2014*).

Council is committed to engaging with the community to inform effective planning, policy development and decision making processes to best serve the Darwin community.

4 Policy Statement

A core principle of good governance is involving the community in decision making. City of Darwin is committed to engaging with the community to provide the opportunity for input and understanding of decision making processes, policy development and service delivery. Council values the involvement of the community to deliver better outcomes for the community.

Why will we engage?	To build positive relationships with our stakeholders and community and seek their input to improve our decision making and deliver better services to the community.
When will we engage?	We will work to embed an organisational culture of Community Engagement. Engagement is important when our decisions or activities impact on the community and when community input can improve our decisions, policy and services.
How will we engage?	Our level and methods of engagement will vary according to the decision, program or activity and the purpose of the engagement.

Principles

The following principles will underpin City of Darwin community engagement:

Open, honest and transparent: be open, honest and transparent about the process, what can be achieved and how decisions will be made.

Listen and be responsive: commitment to listen to the community, take on board feedback and use accordingly.

Clarity: ensure clarity of goals, purpose, and what the community and stakeholders can have influence over.

Timely: engage with people at the appropriate time, take the time that is required, and work within timeframes.

Good communication: provide all the information required for the community to provide feedback that's relevant and informed.

Inclusive, accessible and equitable: provide opportunities for everyone to participate and ensure all views are respected.

Accountable: provide feedback on the outcomes of the consultation and how the community’s input influenced decisions.

Impartial and objective: ensure the engagement process is delivered with an impartial view of the desired outcome or decision.

Professional and reputable: deliver the engagement process professionally supported by trained people.

Levels of Engagement

Council acknowledges that people don’t want to be engaged on everything. Generally, a person’s expectation of engagement increases with the level of impact it has on them. While it’s important to provide people with input to important decisions it’s also just as important not to waste their time on issues that are trivial, irrelevant or that they have no influence over. The level of community engagement undertaken will relate to the nature, complexity and impact of the issue, plan or strategy.

The following engagement levels are designed to suit varying engagement requirements and provide the community with an understanding of what to expect from each level of engagement. Throughout a community engagement process these levels will often complement and overlap each other.

Level	Inform (tell)	Discuss (create understanding)	Consult (ask)	Involve (work together)
What it means	One way – provides information	Two way – creates shared understanding. Work with community and stakeholders to explain and implement a decision to get the best possible outcome for all involved.	Listen to understand and learn from local knowledge. Obtaining feedback on different options, plans or proposals.	Involving people and working together to understand all needs and concerns. Work with the community in the development of options, solutions and plans.
When to	• When a routine	• When a decision	• Before making	• Before a

<p>use</p>	<p>decision has been made</p> <ul style="list-style-type: none"> • Opposition is unlikely • There is no opportunity to influence the outcome 	<p>has been made but work with community/stakeholders to explain and ensure the best delivery of the decision</p> <ul style="list-style-type: none"> • To understand and resolve any impacts of the delivery of a decision or project 	<p>a decision, to understand and learn</p> <ul style="list-style-type: none"> • When final decisions are being shaped 	<p>complex or important decision is made</p> <ul style="list-style-type: none"> • When a collaborative approach will get the best outcomes • There is a high level of interest
<p>Timeframe</p>	<p>Recommended minimum 1 week</p>	<p>Minimum 2 weeks</p>	<p>Minimum 3 weeks</p>	<p>Minimum 6 weeks</p>

The planning and design of community engagement processes will consider the appropriate timing, reach, methods and materials based on the goals and objectives of the process. This policy will be supported by a Community Engagement Toolkit which will include a procedure, stakeholder register, engagement methods, templates and evaluation requirements to support a consistent approach to community engagement across the organisation.

In circumstances where the level of involvement requires members of the public to make submissions to Council, all submissions received will be regarded as public information and available for general access unless the writer specifically requests that they want their personal details to be suppressed.

5 Legislation, terminology and references

Local Government Act

IAP2 Australasia, 2014, Engagement Essentials, Australia

City of Darwin is a corporate member of the International Association for Public Participation (IAP2) and this policy has been informed by its public participation processes.

6 Implementation and delegation

The City of Darwin Elected Members and staff will adopt the following roles and responsibilities to ensure that the Community Engagement Policy is implemented.

Elected Members will as stated by the *Local Government Act*.

- Represent the interests of all residents and ratepayers of the council area
- Facilitate communication between the members of the council's constituency and the council

The Chief Executive Officer will:

- Provide leadership to further embed an organisational culture of Community Engagement
- Advocate and be a spokesperson for good practice engagement

General Managers will:

- Lead their Department to further embed a culture of Community Engagement
- Appropriately resource Community Engagement projects

7 Evaluation and review

This Policy will be reviewed once during the term of Council.

CURRENT

DRAFT COMMUNITY ENGAGEMENT Policy No. 025

1 Purpose

City of Darwin is committed to open, transparent and responsive community engagement. This policy will guide the delivery of community engagement processes across the organisation to better inform planning, decision making, policy development and service delivery.

2 Scope

The Community Engagement Policy aims to build the organisation's capacity to:

- Better serve the community by understanding and valuing their needs, aspirations and knowledge
- Deliver efficient and effective outcomes for the community through better, more informed planning, policy development and decision making
- Build trust and positive relationships with the community and stakeholders

3 Policy Statement

A core principle of good governance is involving the community in decision making. Council is committed to engaging with the community to inform effective planning, policy development and decision making processes to best serve the Darwin community.

Why will we engage?	To build positive relationships with our stakeholders and community and seek their input to improve our decision making and deliver better services to the community.
When will we engage?	We will work to embed an organisational culture of Community Engagement. Engagement is important when our decisions or activities impact on the community and when community input can improve our decisions, policy and services.
How will we engage?	Our level and methods of engagement will vary according to the decision, program or activity and the purpose of the engagement.

Principles

Council Policy No. 025 - COMMUNITY ENGAGEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
3	21\5530	27/06/2017		27/06/2021



DRAFT COMMUNITY ENGAGEMENT Policy No. 025

The following principles will underpin City of Darwin community engagement:

Open, honest and transparent: be open, honest and transparent about the process, what can be achieved and how decisions will be made.

Listen and be responsive: commitment to listen to the community, take on board feedback and use accordingly.

Clarity: ensure clarity of goals, purpose, and what the community and stakeholders can have influence over.

Timely: engage with people at the appropriate time, take the time that is required, and work within timeframes.

Good communication: provide all the information required for the community to provide feedback that's relevant and informed.

Inclusive, accessible and equitable: provide opportunities for everyone to participate and ensure all views are respected.

Accountable: provide feedback on the outcomes of the consultation and how the community's input influenced decisions.

Impartial and objective: ensure the engagement process is delivered with an impartial view of the desired outcome or decision.

Professional and reputable: deliver the engagement process professionally supported by trained people.

Levels of Engagement

The level of community engagement undertaken will relate to the nature, complexity and impact of the issue, plan or strategy. Throughout a community engagement process these levels will often complement and overlap each other.

Council Policy No. 025 - COMMUNITY ENGAGEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
3	21\5530	27/06/2017		27/06/2021



DRAFT COMMUNITY ENGAGEMENT Policy No. 025

Level	Inform (tell)	Discuss (create understanding)	Consult (ask)	Involve (work together)
What it means	One way – provides information	Two way – creates shared understanding. Work with community and stakeholders to explain and implement a decision to get the best possible outcome for all involved.	Listen to understand and learn from local knowledge. Obtaining feedback on different options, plans or proposals.	Involving people and working together to understand all needs and concerns. Work with the community in the development of options, solutions and plans.
When to use	<ul style="list-style-type: none"> • When a routine decision has been made • Opposition is unlikely • There is no opportunity to influence the outcome 	<ul style="list-style-type: none"> • When a decision has been made but work with community/stakeholders to explain and ensure the best delivery of the decision • To understand and resolve any impacts of the delivery of a decision or project 	<ul style="list-style-type: none"> • Before making a decision, to understand and learn • When final decisions are being shaped 	<ul style="list-style-type: none"> • Before a complex or important decision is made • When a collaborative approach will get the best outcomes • There is a high level of interest
Timeframe	Recommended minimum 1 week	Minimum 2 weeks	Minimum 3 weeks	Minimum 6 weeks

In circumstances where the level of involvement requires members of the public to make submissions to Council, all submissions received will be regarded as public information and available for general access unless the writer specifically requests that they want their submission to be suppressed.

Council Policy No. 025 - COMMUNITY ENGAGEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
3	21\5530	27/06/2017		27/06/2021



DRAFT COMMUNITY ENGAGEMENT Policy No. 025

4 Definitions

Community engagement - a planned process with the specific purpose of working across organisations, stakeholders and communities to shape the decisions or actions of the members of the community, stakeholders or organisation in relation to a problem, opportunity or outcome (*International Association for Public Participation, 2014*).

5 Legislative References

IAP2 Australasia, 2014, Engagement Essentials, Australia

City of Darwin is a corporate member of the International Association for Public Participation (IAP2) and this policy has been informed by its public participation processes.

6 Procedures / Related Documents

City of Darwin Privacy Policy

7 Responsibility / Application

The Executive Manager is responsible for managing the implementation of this policy.

This Policy will be reviewed once during the term of Council or more often as required.

8 Document Control

Council Policy			Responsible Officer: General Manager City Life	
Version	Decision Number	Adoption Date	History	Next Review Date
1	20\2501	23/02/2010	Adopted	
2	20\4281	16/08/2011	Amendment Adopted	
3	21\5530	27/06/2017	Revision Adopted	30/06/2018

Council Policy No. 025 - COMMUNITY ENGAGEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
3	21\5530	27/06/2017		27/06/2021



ENCL:
YES CITY LIFE COMMITTEE/OPEN

AGENDA ITEM: 9.1.3

REVIEW OF POLICY 085 - COMPLIANCE AND ENFORCEMENT

REPORT No.: 18CL0055 CB:kl COMMON No.: 3367725

DATE: 18/06/2018

Presenter: Acting Manager Regulatory Services, Conneil Brown

Approved: Acting General Manager City Life, Matt Grassmayr

PURPOSE

The purpose of this report is to seek Council endorsement of the draft revisions to Policy No. 085 - Compliance and Enforcement. The Draft Policy will be presented for public comment for a period of three weeks.

LINK TO STRATEGIC PLAN

The issues addressed in this report are in accordance with the following Goals/Strategies as outlined in the 'Evolving Darwin Towards 2020 Strategic Plan':-

Goal

5 Effective and Responsible Governance

Outcome

5.3 Good governance

Key Strategies

5.3.1 Demonstrate good corporate practice and ethical behaviour

KEY ISSUES

- Policy No. 085 - Compliance and Enforcement was adopted in October 2016, the policy is now being reviewed in line with the new term of Council.
- Draft Enforcement Guidelines have been developed to provide a framework for Council to achieve effective compliance and enforcement.
- The Draft Policy No. 085 - Compliance and Enforcement and the Draft Enforcement Guidelines are detailed in **(Attachment B and C)** respectively.
- Following Council endorsement the Draft Policy and Enforcement Guidelines will be released for public comment for a period of three weeks.
- The public feedback will be considered with the final endorsement of the Policy and Guidelines.

PAGE: 2
 REPORT NUMBER: 18CL0055 CB:kl
 SUBJECT: REVIEW OF POLICY 085 - COMPLIANCE AND ENFORCEMENT

RECOMMENDATIONS

THAT it be a recommendation to Council:-

- A. THAT Report Number 18CL0055 CB:kl entitled Review of Policy 085 - Compliance and Enforcement, be received and noted.
- B. THAT Council endorse the Draft Policy No. 085 - Compliance and Enforcement as contained at **Attachment B** to Report Number 18CL0055 CB:kl entitled Review of Policy 085 – Compliance and Enforcement.
- C. THAT Council endorse the Draft Enforcement Guidelines as contained at **Attachment C** to Report Number 18CL0055 CB:kl entitled Review of Policy 085 – Compliance and Enforcement.
- D. THAT a community engagement process at the “consult level” is undertaken for Draft Policy No. 085 - Compliance and Enforcement and the Draft Enforcement Guidelines as contained at **Attachments B and C** to Report Number 18CL0055 CB:kl entitled Review of Policy 085 – Compliance and Enforcement and a further report be presented to Council following the consultation period.

BACKGROUND

PREVIOUS DECISIONS

DECISION NO. 22\0305 (12/12/17)

Policy Management – 22nd Council

Report No. 17CP0049 VG:ph (12/12/17) Common No. 2078949

- C. *THAT Council endorse the principles outlined in the Policy Framework document at **Attachment B**, as amended, to Report Number 17CP0049 VG:ph entitled Policy Management – 22nd Council.*
- D. *THAT Council endorse the Council Policy Review Schedule at **Attachment C** to Report Number 17CP0035 VG:ph entitled Policy Management – 22nd Council.*

DECISION NO. 21\4953 (25/3/16)

Compliance and Enforcement Policy

Report No. 16A0111 SG:je (17/10.16) Common No. 3367725

- B. *THAT Council adopt City of Darwin Policy No. *** - Compliance and Enforcement at **Attachment A** to Report Number 16A0111 SG:je entitled Compliance and Enforcement Policy.*

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REPORT NUMBER: 18CL0055 CB:kl
SUBJECT: REVIEW OF POLICY 085 - COMPLIANCE AND ENFORCEMENT

DISCUSSION

Council policies are reviewed once per term of Council or in response to changes in legislation or other circumstances which affect its effectiveness and validity. The existing Council Policy No. 085 - Compliance and Enforcement is being reviewed in line with the new term of Council. The review of the Policy has included the development of Draft Enforcement Guidelines to provide an understanding of how Council will approach enforcement.

Draft Policy No. 085 - Compliance and Enforcement

The changes made in the Draft Policy No. 085 - Compliance and Enforcement, **Attachment B**, are primarily the removal of information which has now been included in the Draft Enforcement Guidelines. In addition policy definitions, scope and related documents have been updated. The policy has been revised to the new City of Darwin template.

Draft Enforcement Guidelines

The Draft Enforcement Guidelines, **Attachment C**, were developed to provide a framework for Council to achieve effective compliance and enforcement. The Draft Enforcement Guidelines have been reviewed by both the NT Ombudsman's Office and the Office of Information Commissioner.

While the Draft Enforcement Guidelines provide a framework, the full circumstances and facts of each case will always be considered and a decision made on the cumulative of evidence and individual matters.

Under the Draft Enforcement Guidelines the approach Council will undertake to achieve compliance will be:

- Verbal warning; (information/education) and/or
- Warning/enforcement letter; (information/education) and/or
- Regulatory notice; (information/education) and/or
- Infringement notice (enforcement)
- Prosecution (enforcement).

External Review

The Draft Compliance and Enforcement policy and Draft Enforcement Guidelines were referred to the Office of the Ombudsman Northern Territory and the Office of the Information Commissioner for an external review. These agencies have provided assistance in ensuring Council's framework for compliance and enforcement is within legislative requirements, transparent and accountable.

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 REPORT NUMBER: 18CL0055 CB:kl
 SUBJECT: REVIEW OF POLICY 085 - COMPLIANCE AND ENFORCEMENT

CONSULTATION PROCESS

The Draft Policy No. 085 - Compliance and Enforcement will be open for public feedback for a period of three weeks in accordance with City of Darwin Policy No. 025 – Community Engagement at the level of Consult.

This report was considered by the Executive Leadership Team on Tuesday 12 June 2018 and now referred to the City Life Committee for consideration.

In preparing this report, the following City of Darwin officers were consulted:

- Regulatory Services Operations Supervisor - Animals
- Regulatory Services Operations Supervisor - Parking
- Regulatory Services Operations Supervisor - Generals
- Regulatory Services Operations Supervisor - Administration
- Manager Engagement & Participation

In preparing this report, the following External Parties were consulted:

- Office of the Ombudsman Northern Territory
- Office of the Information Commissioner

POLICY IMPLICATIONS

Each Council Policy is required to be reviewed once in the term of each Council. The existing Council Policy No. 085 - Compliance and Enforcement was adopted in October 2016 and will be superseded by the updated Policy once endorsed.

BUDGET AND RESOURCE IMPLICATIONS

Nil

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Compliance and Enforcement actions are undertaken in accordance with legislation and under the authority provided through the Local Government Act and City of Darwin By-laws

ENVIRONMENTAL IMPLICATIONS

Nil

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REPORT NUMBER: 18CL0055 CB:kl
SUBJECT: REVIEW OF POLICY 085 - COMPLIANCE AND ENFORCEMENT

COUNCIL OFFICER CONFLICT OF INTEREST DECLARATION

We the Author and Approving Officers declare that we do not have a Conflict of Interest in relation to this matter.

CONNEL BROWN
ACTING MANAGER
REGULATORY SERVICES

MATT GRASSMAYR
ACTING GENERAL MANAGER
CITY LIFE

For enquiries, please contact Matt Grassmayr on 89300633 or email:
m.grassmayr@darwin.nt.gov.au.

Attachments:

- Attachment A:** Current Policy No. 085 - Compliance and Enforcement
- Attachment B:** Proposed Draft Policy No. 085 - Compliance and Enforcement
- Attachment C:** Proposed Draft Enforcement Guidelines

Current Policy



Title:	Compliance and Enforcement
Policy No:	085
Adopted By:	Council
Next Review Date:	25/10/2020
Responsibility:	General Manager City Life
Document ID:	3417136

Version	Decision Number	Adoption Date	History
1	21\4953	25/10/2016	Policy adopted

1 Policy Summary

Council's role is to uphold its statutory responsibilities for regulatory activities in accordance with legislation.

This policy provides the framework for the investigation and enforcement of regulated activities and Council's response to unlawful activities.

The policy also provides a level of confidence that Council's Regulatory Compliance Program demonstrates:

- That Council values those that voluntarily comply with the law.
- Proportionality in decision making.
- Transparency in the process of investigation and enforcement.
- Council is open to scrutiny.

2 Policy Objectives

City of Darwin acknowledges that it has an obligation under Chapter 13 of the *Local Government Act* to ensure the exercise of its regulatory power is carried out with consistency and without bias.

The objectives of this policy are to provide confidence that Council will:

- Provide consistency in enforcement action in matters of non-compliance.
- Ensure transparency, procedural fairness and natural justice principles are applied.
- Ensure that enforcement action is proportionate to the alleged offence in each case.
- Empower authorised persons to seek compliance in line with applicable legislative standards.
- Support an agency, corporation or person to achieve compliance with lawful requirement.
- Expect its residents, businesses and visitors to comply with the intent of the Acts, Regulations, By-Laws, taking into consideration community expectations.

3 Background

The purpose of this policy is to summarise City of Darwin's general approach to compliance and enforcement. The community and those working at Council have a high expectation that Council will comply with applicable legislation. The policy explains how City of Darwin manages activities to achieve compliance.

4 Policy Statement

This policy relates to the activities undertaken in accordance with legislation or Council policy and may include activities related to control of animals, parking, environmental protection, advertising signs and other regulatory activities within Council's area of responsibility.

Council will establish clear guidelines for the management of Council's regulatory activities and implementation of enforcement action which may include:

- Targeted programs for regulated activities such as animal management.
- Education and awareness prior to the adoption of an enforcement response.
- Investigation of customer requests for action relating to regulatory matters based on risk, prioritisation and community interest.
- Determining whether or not enforcement action is warranted.
- The exercise of discretion in dealing with regulatory action by Council.
- Options for dealing with unlawful activities and regulatory breaches.

The policy ensures that Council's enforcement practices are lawful, safe, fair, practical and consistent and that Council discharges its statutory obligations in the investigation and enforcement of unlawful activities.

4.1 Principles

Enforcement actions are taken within the context of both a legal and policy framework. Council staff will carry out their enforcement related work with due regard to the following principles.

- **Proportionality**
- **Consistency**
- **Transparency**

4.2 Working with other Regulators

Council will liaise with other external agencies to minimise duplication, avoid inconsistencies and to ensure that any proceedings instituted are for the most appropriate offence for example Northern Territory Police Service, Environmental Protection Agency and Northern Territory Health etc.

4.3 Works in default

Under some legislation Council may execute works in default instead of, or as well as, taking legal action. In such cases the expenses of default work may be recovered by Council and can be charged against the land, or in the case of a negotiated cost, met by the defaulter on completion of the works.

Where Council takes such action it will take all reasonable steps to notify the interested parties.

Council may consider exercising its work in default power where it is legally possible, reasonably practicably and/or there is a will on behalf of the defaulter. For example, in the interest of community health, safety, amenity or environmental harm, Council may consider an immediate remedy by agreement, or by seeking compliance without prosecution.

Where Council takes such action it will notify the interested parties, seek agreement where possible and carry out the works.

4.4 Injunctions

An injunction may be sought where there are sufficient grounds and in particular where the circumstances present a potential and/or immediate threat to community health, safety, amenity, environmental harm or are causing extreme distress. Consideration at this time will be given to the possibility that Council may face a damages claim in the event that the eventual prosecution is not proven.

4.5 Authorised Officers

Council will appoint staff as authorised persons to regulate in accordance with By-Laws and Council Policy and maintain a register of authorised persons. Authorised persons will be provided with the appropriate training and attain qualifications required to perform their role.

In the majority of cases, decisions about the most appropriate course of enforcement action are made by authorised persons. Decisions are made following referral to approved enforcement manuals, enforcement guidelines, standard operating procedures, professional judgment, legal guidelines, statutory codes of practice and priorities set by Council.

The role of the authorised person is to mitigate, guide, educate and enforce in order to uphold community standards and reflect the values and culture of Council. The primary duty of Council is to govern in the wider public interest of the community as a whole.

For serious offences (where the nature of the offence points towards prosecution or seizure), decisions about enforcement action are collaborative.

5 Legislation, terminology, references

Legislation

Local Government Act NT

Terminology

Appeal Process means all Council decisions including enforcement actions are reviewable where the legislation allows.

Authorised Person means a person who is authorised by the local government under an Act, Regulation or by Law to exercise appropriate powers under an Act, Regulation, by Law.

Best Community Outcomes include one or more of the following solutions:

- All parties agree and commit to a positive outcome.
- Social networks are enhanced.
- Community, health and safety is not compromised.
- The built, social and environmental amenity are enhanced.
- Harm or nuisance is reduced or abated.

Business means the supply of goods or services wherein the proprietor requires an approval, licence or permit from the local government to operate the activity.

Complaints Process means a formal complaint management process, in accordance with the requirements prescribed in the *Local Government Act*.

Compliance refers to an agency, corporation, or person meeting or taking steps to comply with relevant laws and regulations.

Council means the City of Darwin.

Enforcement means a range of procedures and actions taken by Council to ensure that a person or organisation complies with their statutory obligations.

Individual Responsibility means that the primary responsibility for compliance rests with individuals and businesses.

Proportionality means relating enforcement action to the risks and costs. Council will be considerate of cost, ensuring that any enforcement action is proportionate to the risk. As far as the law allows, Council will take into consideration the circumstances of the concern, behaviours and risk when deciding an action.

Prosecution means the institution and conduct of legal proceedings against a person, organisation or corporation, as defined in Corporations Law for alleged unlawful activity.

Public Interest means the interests of the community as a whole.

Reviewable Decision means a decision that is capable of being the subject of judicial review.

Risk means a potential impact that may cause physical, financial, environmental or other harm resulting in loss of value of goods, loss of life or loss of amenity.

Statutory Obligation means an obligation that is created under a law.

Systematic Approach to Risk means to identify and manage risks (i.e. identify, assess and control).

Unlawful Activity means any activity or work that has been or is being carried out;

- contrary to the terms or conditions of a licence, permit, registration, approval, permission or other written authorisation from Council;
- contrary to a legislative provision regulating a particular activity or work; or
- Without a licence, permit, registration, approval, permission or the like.

Voluntary Compliance generally means a person or business that manages their activity within the law and/or condition of approval, licence or permit.

References

Office of the Northern Territory Ombudsman

6 Related documents

City of Darwin Policy No 026 - Complaints Handlings and Review of Decisions

City of Darwin Policy No 032 - Policy and Procedures Framework

City of Darwin Policy No 047 - Regulatory – Miscellaneous

City of Darwin Policy No 033 – Privacy Policy

7 Implementation and delegation

The Council, Chief Executive Officer and General Manager City Performance are responsible for ensuring that this policy is adhered to and understood.

Regulatory Services are accountable for maintaining the currency and accuracy of this policy, associated procedures and guidelines.

Regulatory Services will enforce compliance activities within the Darwin municipality in line with this policy.

8 Evaluation and review

This Policy will be reviewed once per term of Council or in response to significant changes in legislation or other circumstances which affect its effectiveness and validity.

PROPOSED COMPLIANCE AND ENFORCEMENT

Policy No. 085

1 Purpose

The purpose of this policy is to summarise City of Darwin's general approach to compliance and enforcement. The community has a high expectation that Council will comply with applicable legislation. The policy explains how City of Darwin manages activities to achieve compliance.

Council's role is to uphold its statutory responsibilities for regulatory activities in accordance with legislation. This policy provides the framework for the investigation and enforcement of regulated activities and Council's response to unlawful activities.

The policy also provides a level of confidence that Council's compliance and enforcement practices demonstrate:

- That Council values those who voluntarily comply with the law.
- Proportionality in decision making.
- Transparency in the process of investigation and enforcement.

2 Scope

City of Darwin acknowledges that it has an obligation under Chapter 13 of the *Local Government Act* to ensure the exercise of its regulatory power is carried out with consistency and without bias.

The objectives of this policy are to provide the framework so that Council will:

- Provide consistency in enforcement action.
- Ensure transparency, procedural fairness and natural justice principles are applied.
- Ensure that enforcement action is proportionate to the alleged offence.

3 Policy Statement

This policy relates to the activities undertaken in accordance with legislation or Council policy and includes activities related to the control of animals, parking, environmental protection, advertising signs and other regulatory activities.

Council has established Enforcement Guidelines for the management of Council's regulatory activities and implementation of enforcement actions.

Council Policy No. 085 - COMPLIANCE AND ENFORCEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
1	21\4953	25/10/16		25/10/2020



PROPOSED COMPLIANCE AND ENFORCEMENT

Policy No. 085

The policy ensures that Council’s enforcement practices are lawful, safe, fair, practical, and consistent and that Council discharges its statutory obligations in the investigation and enforcement of unlawful activities.

3.1 Principles

Enforcement actions are taken within the context of both a legal and policy framework. Council staff will carry out their enforcement related work with due regard to the Enforcement Guidelines and the following principles –

- Proportionality
- Consistency
- Transparency
- Evidence based decision making

3.2 Working with other Regulators

Council will liaise with other external agencies, for example Northern Territory Police Service, Environmental Protection Agency and Northern Territory Health, to minimise duplication, avoid inconsistencies and to ensure that any proceedings instituted are for the most appropriate offence.

3.3 Works in default

Under some legislation Council may execute works in default instead of, or as well as, taking legal action. In such cases the expenses of default work may be recovered by Council and can be charged against the land, or in the case of a negotiated cost, met by the defaulter on completion of the works.

Where Council takes such action it will take all reasonable steps to notify the interested parties.

Council may consider exercising its work in default power where it is legally possible, reasonably practicably and/or there is a will on behalf of the defaulter. For example, in the interest of community health, safety, amenity or environmental harm, Council may consider an immediate remedy by agreement, or by seeking compliance without prosecution.

Where Council takes such action it will notify the interested parties, seek agreement where possible and carry out the works.

Council Policy No. 085 - COMPLIANCE AND ENFORCEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
1	21\4953	25/10/16		25/10/2020



PROPOSED COMPLIANCE AND ENFORCEMENT Policy No. 085

4.4 Injunctions

An injunction may be sought where there are sufficient grounds and in particular where the circumstances present a potential and/or immediate threat to community health, safety, amenity, environmental harm or are causing extreme distress. Consideration at this time will be given to the possibility that Council may face a damages claim in the event that the eventual prosecution is not proven.

4.5 Authorised Officers

Council will appoint staff and maintain a register of authorised persons to regulate in accordance with By-Laws, Council Policy, and Enforcement Guidelines. Authorised persons will be provided with the appropriate training and attain qualifications required to perform their role.

The role of the authorised person is to mitigate, guide, educate and enforce in order to uphold community standards and reflect the values and culture of Council.

For serious offences (where the nature of the offence points towards prosecution or seizure), decisions about enforcement action are collaborative.

4 Definitions

Authorised Person means a person who is authorised by an Act, Regulation or By-Law to exercise prescribed powers.

Compliance refers to an agency, corporation, or person meeting or taking steps to comply with relevant laws and regulations or is penalised for non-compliance.

Council means the City of Darwin.

Enforcement means a range of procedures and actions taken by Council to ensure that a person or organisation complies with their statutory obligations.

Proportionality means Council will be considerate of cost, ensuring that any enforcement action is proportionate to the risk. As far as the law allows, Council will take into consideration the circumstances of the concern, behaviours and risk when deciding on an enforcement action.

Prosecution means conduct of legal proceedings against a person, organisation or corporation, for alleged unlawful activity.

Statutory Obligation means an obligation that is created under a law.

Council Policy No. 085 - COMPLIANCE AND ENFORCEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
1	21\4953	25/10/16		25/10/2020



PROPOSED COMPLIANCE AND ENFORCEMENT Policy No. 085

Unlawful Activity means any activity or work that has been or is being carried out;

- contrary to the terms or conditions or in the absence of a licence, permit, registration, approval, permission or other written authorisation from Council;
- contrary to a legislative provision regulating a particular activity or work; or

Voluntary Compliance generally means a person or business that manages their activity within the law and/or condition of approval, licence or permit.

5 Legislative References

Local Government Act NT

6 Procedures / Related Documents

City of Darwin Policy No 026 - Complaints Handlings and Review of Decisions

City of Darwin Policy No 033 - Privacy Policy

City of Darwin Policy No 047 - Regulatory – Miscellaneous

City of Darwin Enforcement Guidelines

7 Responsibility / Application

The Council, Chief Executive Officer and General Manager City Life are responsible for ensuring that this policy is adhered to and understood.

The Manager of Ranger Services is accountable for maintaining the currency and accuracy of this policy, associated procedures and guidelines.

Regulatory Services will enforce compliance activities within the Darwin municipality in line with this policy.

This Policy will be reviewed once per term of Council or in response to significant changes in legislation or other circumstances which affect its effectiveness and validity.

8 Document Control

Council Policy			Responsible Officer: General Manager City Life	
Version	Decision Number	Adoption Date	History	Next Review Date
1	21\4953	25/10/16	Adopted	25/10/2020
2				
3				

Council Policy No. 085 - COMPLIANCE AND ENFORCEMENT				
Version	Decision Number	Adoption Date	Responsible Officer: General Manager City Life	Next Review Date
1	21\4953	25/10/16		25/10/2020





DRAFT Enforcement Guidelines

Administrative framework
Ranger Services Section

June 2018

To be authorised by:
Acting General Manager City Life

DRAFT

Contents

Overview

Local governments have been granted power to administer and enforce a wide range of issues through the Local Government Act, Council's By-laws and associated Legislation. City of Darwin through its Regulatory Services Program is the local authority for the administration of policies, strategies and legislation.

With power comes responsibility. In some cases, particular responsibilities and duties are specified in the relevant provisions granting the power. However, common law also imposes certain duties upon Councils with respect to the exercise of the power to investigate offences and take enforcement action.

Effective complaint management provides clarity as to what individuals or businesses may expect from Council, if subject to enforcement action.

Regulatory Services has established specialist investigation teams, to provide a strong and consistent enforcement response to non-compliance. As such it is important to have a clear guideline for the selection of matters for enforcement. Regulatory Services endeavours to advance a culture of positive action, consultation and co-operation with the community.

The Enforcement Guideline aims are general in nature to provide a broad understanding of how Council will approach enforcement.

To the extent possible in the circumstances, it is the goal of Regulatory Services enforcement responses to:

- Reinforce the legal obligations required;
- Achieve good community outcomes; and
- Deter non-compliant behaviour by others.

Introduction

Council has focused its attention on compliance and is working with the community to achieve good issue management through provision of advice and technical assistance. However, in appropriate cases, Council will pursue enforcement action against those who ignore their legal obligations with respect to their legislated responsibilities.

Consistency and transparency are integral to Council's aim in regulating fairly. These values assist those who are regulated to understand what is expected of them and why Council intends to take enforcement action. In addition, the principles of natural justice are followed in any investigation to ensure a fair decision is reached.

This guideline explains how Regulatory Services determines the enforcement action it will take in any given situation. As far as possible, it provides guidance on what behaviour will result in prosecution or other enforcement action. This Guideline has been developed to ensure that Rangers' enforcement responses are:

The enforcement pyramid demonstrates the path of escalation in the enforcement response that has been adopted by Regulatory Services.

- Proportionate to the conduct;
- Consistent with past responses for similar conduct; and
- Timely.



If the impact of the conduct is of a minor or trivial nature, enforcement action from lower down the pyramid is more likely. Higher level enforcement action, such as prosecution, may be the preferred option for unlawful conduct.

Enforcement approach

Council advocates firm but fair regulation that provides positive community outcomes. The underlying principles in achieving this objective are outlined in Council's Compliance and Enforcement Policy.

Formal action

Formal action may be required where the criteria for issuing informal actions are not available. Formal actions can include the issue of a;

- Verbal warning; and/or
- Warning/enforcement letter; and/or
- Regulatory notice; and/or
- Prescribed infringement notice.

Council has adopted a triage or rating system for common non-compliance incidents, Table 1 below is to assist with the rating of issues.

Table 1

Severity/seriousness	Public interest	Aggravating or mitigating factors	Significance of breach
Low to moderate environmental harm	Public interest low due to minimal cost to the community and the "one-off" nature of the breach with minimal need for deterrence against further breaches	No significant aggravating factors; Offender co-operated with investigation	LOW
Moderate, short-term loss of amenity; Low environmental harm	Public interest likely to be moderate due to the need to deter the offender from further breaches of this nature but little public perception of the breach	No significant aggravating factors; Offender rectified breach quickly when notified.	LOW
Moderate or high degree of environmental harm	Public interest high due to the breach impacting on the amenity of several residential neighbours and the need to deter against further breaches of this nature	Significant aggravating circumstances due to offender knowingly committing the breach despite likely impacts	HIGH
Large magnitude of exceedance; High level of unjust benefit; Low to moderate risk of environmental harm	Public interest moderate due to the need to deter the offender against further breaches of this nature	Aggravating circumstances due to offender knowingly committing the breach for significant financial gain	HIGH
Low environmental harm	Public interest moderate due to the need to deter the offender against further breaches of this nature	Significant aggravating circumstances due to offender submitting false and misleading information about the breach	MEDIUM
High environmental harm	Public interest low due to the low public perception of the breach and unlikelihood of the offender committing further breaches	Significant mitigating circumstances due to offender immediately rectifying the breach and instigating measures to prevent re-occurrence	MEDIUM

Table 2 and 3 below are to assist with the rating of issues for enforcement action

Table 2

Severity	H	H	H	H	H	H	H	H	H	M	M	M	M	M	M	M	M	M	L	L	L	L	L	L	L	L	L	L
Public interest	H	H	H	M	M	M	L	L	L	H	H	H	M	M	M	L	L	L	H	H	H	M	M	M	L	L	L	
Aggravating or mitigating factors	H	M	L	H	M	L	H	M	L	H	M	L	H	M	L	H	M	L	H	M	L	H	M	L	H	M	L	
Significance of Breach	H	H	H	H	M	M	H	M	M	H	M	M	M	M	M	M	M	M	H	H	H	M	M	M	M	L	L	

Table 3

Enforcement Action	Significance of Breach		
	High	Medium	Low
Prosecution	*		
Court Order	*		
Penalty Notice	*	*	
Statutory Notice	*	*	
Letter requesting undertaking	*	*	*
Negotiated outcome		*	*
Warning letter/caution		*	*
Record breach			*

Public interest considerations

Regulatory Services may take into account the following public interest considerations when deciding on an appropriate enforcement response:

- The seriousness, the triviality, or ‘technical nature’ of the offence
- The harm or potential harm to the environment caused by the offence
- Any mitigating or aggravating circumstances
- The degree of culpability of the alleged offender
- The availability and effectiveness of any alternatives to enforcement action
- Whether the offender has been dealt with previously without enforcement action and, if so, what level of enforcement action
- Whether the breach is a continuing or second offence
- Whether the offence is ongoing
- Whether the administrative action or court orders are necessary to prevent a recurrence of the offence
- The prevalence of the alleged offence and the need for deterrence of the offence
- Whether there are counter-productive features of the proposed enforcement tools

The following are further factors that should be considered specifically in the case of considering prosecution:

- The length and expense of any court hearing
- The likely outcome in the event of a conviction having regard to the sentencing options available to the court
- Any precedent which may be set by not instituting proceedings
- Whether the consequences of a conviction would be unduly harsh or oppressive
- Whether proceedings are to be instituted against others arising out of the same incident
- Whether wider compliance will be achieved if a conviction is obtained.

Council adopts the overriding principle that enforcement tools must not be instituted (or not instituted) for improper purposes. A decision whether or not to use an enforcement tool will not be influenced by:

- Any elements of discrimination against the person, such as ethnicity, nationality, political association, religion, sex or beliefs
- Personal feelings towards one or more of the parties
- Possible political advantage or disadvantage to a government, political group or party
- The possible effect of the enforcement on the personal or professional circumstance of those responsible for the decision.

Table 4 provides examples in triage or rating system for common non-compliance incidents, such as, critical, high, medium and low can be developed to help with prioritising action. This will assist councils with managing people’s expectations and allocating resources.

Table 4

RISK CATEGORY			
CRITICAL	HIGH	MEDIUM	LOW
FEATURES OF CATEGORY			
Permanent serious damage to health, likely or very likely Large scale impacts Very serious offences Very high priority issue for Council and community	Moderate, major or severe consequences likely or very likely Medium-large scale impacts Serious offences High priority issue for Council and community	Moderate consequences are likely, serious impacts are very unlikely Small-medium scale impacts Moderate offence severity Priority issue for Council or community	Consequences are minor or moderate and are unlikely or very unlikely to occur Small scale, isolated impacts Low level offence severity Priority issue for Council and community
INDICATIVE TIMEFRAME OF INITIAL RESPONSE			
Immediate and urgent response	Response within 24 hours	Response within 5 working days	Response within 10 working days
EXAMPLE REPORT TYPES/ISSUES			
Abandoned vehicles in an unsafe location Dog attacks	Roaming dogs Dangerous/restricted dog complaints	Abandoned vehicles Noxious weeds Noise nuisance affecting several people (eg barking dogs)	Minor consent breaches Unauthorised signage Overgrown Aesthetic issues

Principles of Achieving Effective Compliance and Enforcement

Infringement notices

Infringement notices are a way of dealing with common breaches of the law where the impacts are not serious enough for court action. Some of these could be failure to register or control an animal.

An infringement notice is served because it appears an offence has been committed. However, payment of the penalty does not lead to the recording of a criminal conviction. Non-payment of the fine is not dealt with by a jail sentence but is recoverable as a civil debt. On the other hand, if a person elects to have the matter heard, proceedings are commenced in the criminal jurisdiction of the Magistrates Court.

Infringement notices can be issued by authorised officers.

Just as there is discretion to use any other enforcement tool, there is discretion whether to serve an infringement notice. Any discretion by individual officers must take into account the intention of the legislation to penalise those breaches that, in the past, might have gone unpunished.

Infringement notices are designed primarily to deal with one-off breaches that can be remedied easily. They are usually a first response when a breach is discovered. Since serving a notice might be the first notification a person has of an alleged breach, it should be issued promptly out of fairness and courtesy.

Issuing successive infringement notices for multiple statutory breaches is generally inappropriate, unless the breaches are unrelated. In such circumstances, even though each breach might be comparatively minor, there is probably a major and continuing compliance problem.

Such a problem needs to be dealt with through other enforcement measures if a past infringement notice has not motivated the recipient to successfully address the underlying issue.

Conclusion

This Guideline is not intended to have legal status. The matters outlined in this guideline are not legally binding on the City of Darwin and do not confine, restrain or limit the discretion of the City of Darwin to take any action. However, they provide general guidance on how enforcement decision-making is approached. More specific guidance can be obtained by reference to guidelines addressing specific pieces of legislation.

OPEN SECTION

LIFE18/06/2018/8

City Life Committee Meeting – Monday, 18 June 2018

9.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

10. INFORMATION ITEMS

10.1 Draft Notes Youth Advisory Committee 7 June 2018 Document No. 3821183 (18/06/2018)

*The item is **Attachment A**.*

DRAFT NOTES

Thursday 7 June 2018
5.30pm – 7.30pm
Library Hub

1. MEETING OPENED

The meeting of the Youth Advisory Committee was opened at 5.40pm by Coordinator Youth Engagement Aimee Biskup.

2. PRESENT

Alderman George Lambrinidis	Elected Member (Alternate)
Aimee Biskup	Coordinator Youth Engagement
Alicia Kent	Youth Services Trainee
Sau-Ching Leung	YAC Member
Emmanuel Khemis	YAC Member
Kyaw Naing John Yusuf	YAC Member
Andy Leung	Observer

APOLOGIES

Alderman Robin Knox	Elected Member
Zakelli Xie	YAC Member
Jane Alia	YAC Member
Emily Ford	YAC Member
Rebecca Jennings	YAC Member
Kailey Coble	YAC Member

Apologies noted and quorum not reached

WELCOME OBSERVERS AND GUESTS

Welcome new alternate Aldermen representative Alderman George Lambrinidis and observer Andy Leung.

3. MINUTES OF PREVIOUS MEETING

Due to no quorum, the minutes of the 5 May 2018 will be endorsed at the 5 July 2018 meeting.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 Youth Charter

Feedback was sought from members around the design of the Youth Charter, which is based on Council's Young Darwin Strategy. Members chose a preferred design and gave some comments/edits for the designer.

ACTION	Youth Services Trainee will send feedback to designer and get the final version finalised for the next YAC meeting.
---------------	---

4.2 Youth Info Cards

Feedback was sought from members around the concept art for re-design of the Youth Info Cards. Members chose a preferred design and gave some comments/edits for the designs of each. Members mentioned that accessibility guidelines should be utilised for the design to ensure the resource is accessible for everyone in the community.

ACTION	Youth Services Trainee will send comments and feedback to designers, including notes for accessibility guidelines to be implemented into the design.
---------------	--

4.3 Action for Change Fundraiser

Quiz4Dili fundraiser will be held on Thursday 28 June at Darwin Trailer Boat Club. Members were given an update about fundraiser event and asked to share the newly posted event on their social media accounts and with friends.

ACTION	Members are to contact their allocated stakeholders/contacts from the list we developed together to enquire about prize donations and ticket sales. Coordinator Youth Engagement to send request for support letter via email ASAP to members for distribution.
---------------	--

5. GENERAL BUSINESS

5.1 December School Holiday Activities

Members were consulted about some potential ideas for December School Holiday Workshops. Members gave some suggestions for the school holidays and workshopped what the events may look like and how they may be promoted. Some of the suggestions were: learn to play chess, maths quiz, inter-suburb sports competitions, music lessons, leadership workshops, computer game design, tourist guide, photography, bush tucker cooking, learning magic and Indigenous arts and crafts workshop.

6. OTHER BUSINESS

6.1 Youth Services Trainee Final Meeting

Members acknowledged it was the final meeting for Alicia Kent, Youth Services Trainee and thanked her for her service to YAC as both as a previous member for two years and for her role in YAC for the period of her employment.

7. MEETING CLOSED

7.30pm.

Next YAC meeting scheduled:

5.30pm – 7.30pm, Thursday 5 July 2018
Library Hub, City of Darwin Civic Centre

Contact Person:

Aimee Biskup

Coordinator Youth Engagement

08 8930 0635

0400 779 066

OPEN SECTION

LIFE18/06/2018/9

City Life Committee Meeting – Monday, 18 June 2018

11. QUESTIONS BY MEMBERS

12. GENERAL BUSINESS

13. CLOSURE OF MEETING



PREVIOUS MINUTES

OPEN

City Life Committee

21 May 2018

OPEN SECTION

LIFE

21/05/2018/1

CITY OF DARWIN

MINUTES OF THE CITY LIFE COMMITTEE MEETING OF THE TWENTY-SECOND COUNCIL HELD IN MEETING ROOM 1, CIVIC CENTRE, HARRY CHAN AVENUE ON MONDAY, 21 MAY 2018 COMMENCING AT 5.30PM.

MEMBERS: Member G J Haslett (Chair); Member A Arthur; Member P Pangquee, Member J Bouhoris

OFFICERS: Chief Executive Officer, Dr D Leeder; Acting General Manager City Life, Mr M Grassmayr; Acting Manager Vibrant Communities, Ms T Sellers; Acting Manager Library Services, Ms L Loone; Acting Manager Ranger Services, Mr C Brown; Arts and Cultural Development Coordinator, Ms R Higgins; Executive Assistant, Ms K Long.

APOLOGY: The Right Worshipful, The Lord Mayor, K Vatskalis

GUESTS: Nil

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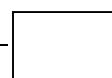


OPEN SECTION

LIFE

21/05/2018/2

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OPEN SECTION

LIFE21/05/2018/3

City Life Committee Meeting – Monday, 21 May 2018

1. MEETING DECLARED OPEN

The Chair declared the meeting open at 5.30 pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Common No. 2695036

2.1 Apologies

Nil

2.2 Leave of Absence Granted

(Panguqee/Arthur)

- A. THAT it be noted The Right Worshipful, The Lord Mayor, K Vatskalis is an apology due to a Leave of Absence previously granted on 15 May 2018 for the period 18 May 2018 to 4 June 2018.

DECISION NO.22\0721 (21/05/18)

Carried

3. ELECTRONIC MEETING ATTENDANCE

Common No. 2221528

3.1 Electronic Meeting Attendance Granted

Nil

4. DECLARATION OF INTEREST OF MEMBERS AND STAFF

Common No. 2752228

4.1 Declaration of Interest by Members

(Arthur/Panguqee)

THAT Council note that pursuant to Section 73 & 74 of the Local Government Act, Member G J Haslett, declared a Conflict of Interest in Item C17.1.1.

DECISION NO.22\0722 (21/05/18)

Carried

4.2 Declaration of Interest by Staff

Nil



OPEN SECTION

LIFE21/05/2018/4

City Life Committee Meeting – Monday, 21 May 2018

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING/S

Common No. 1955119

5.1 Confirmation of the Previous City Life Committee Meeting Minutes

(Pangquee/Arthur)

COMMITTEE'S DECISION

THAT the Committee resolve that the minutes of the previous City Life Committee Meeting held on Monday, 16 April 2018, tabled by the Chair, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.22\0723 (21/05/18) Carried

5.2 Business Arising

Nil

6. DEPUTATIONS AND BRIEFINGS

Nil

7. CONFIDENTIAL ITEMS

Common No. 1944604

7.1 Closure to the Public for Confidential Items

(Arthur/Pangquee)

COMMITTEE'S DECISION

THAT pursuant to Section 65(2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C15.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person
C17.1.1	8(c)(iv)	information that would, if publicly disclosed, be likely to prejudice the interests of the council or some other person



OPEN SECTION

LIFE21/05/2018/5

City Life Committee Meeting – Monday, 21 May 2018

C17.1.2 8(b) information about the personal circumstances of a resident or ratepayer

DECISION NO.22\0724 (21/05/18) Carried

7.2 Moving Open Items Into Confidential

Nil

7.3 Moving Confidential Items Into Open

Nil

8. WITHDRAWAL OF ITEMS FOR DISCUSSION

(Pangquee/Arthur)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the City Life Committee Meeting held on Monday, 21 May 2018 be received and considered individually.

DECISION NO.22\0725 (21/05/18) Carried



OPEN SECTION

LIFE21/05/2018/6

City Life Committee Meeting – Monday, 21 May 2018

9.1 OFFICERS REPORTS (ACTION REQUIRED)

9.1.1 Minutes Bombing of Darwin and Military History Advisory Committee 11 April 2018

Report No. 18CL0041 MG:kl (21/05/18) Common No. 3789733

(Arthur/Pangquee)

THAT it be a recommendation to Council:

- A. THAT Report Number 18CL0041 MG:kl entitled Minutes Bombing of Darwin and Military History Advisory Committee 11 April 2018, be received and noted.
- B. THAT City of Darwin hosts a Lord Mayor reception for Back to the Track 2020 as part of events to commemorate the 75th Anniversary of the end of World War II in 2020.

Carried

9.1.2 Petition - Upgrade of Exercise Station at East Point

Report No. 18CL0047 CB:kl (21/05/18) Common No. 3354460

(Arthur/Pangquee)

THAT it be a recommendation to Council:-

- A. THAT Report Number 18CL0047 CB:kl entitled Petition To Upgrade East Point Exercise Station, be received and noted.
- B. THAT an audit is undertaken to develop a replacement strategy for existing exercise equipment in the municipality.
- C. THAT the replacement strategy for existing exercise equipment is developed in consultation with community and stakeholders.

Carried



OPEN SECTION

LIFE21/05/2018/7

City Life Committee Meeting – Monday, 21 May 2018

9.1.3 Minutes Youth Advisory Committee 5 April 2018 and 3 May 2018

Report No. 18CL0033 AB:es (21/05/18) Common No. 3779332

(Bouhoris/Pangquee)

COMMITTEE'S DECISION

THAT the Committee resolve under delegated authority:-

- A. THAT Report Number 18CL0033 AB:es entitled Minutes Youth Advisory Committee 5 April 2018 and 3 May 2018, be received and noted.
- B. THAT Council endorse the new logo for the Youth Advisory Committee at **Attachment B** to Report Number 18CL0033 AB:es entitled Minutes Youth Advisory Committee 5 April 2018 and 3 May 2018.

DECISION NO.22\0726

(21/05/18)

Carried

ACTION: COORDINATOR YOUTH ENGAGEMENT

NOTE: DIGITAL COMMUNICATION OFFICER

9.2 OFFICERS REPORTS (RECEIVE & NOTE)

Nil

10 INFORMATION ITEMS

Nil



OPEN SECTION

LIFE21/05/2018/8

City Life Committee Meeting – Monday, 21 May 2018

11. QUESTIONS BY MEMBERS

(Pangquee/Arthur)

THAT the following Questions by Members be received and noted.

DECISION NO.22\0728 (21/05/18)

Carried

11.1 Karama Library Update

Common No. 3790315

Member G Haslett queried the status of the Karama Library re-opening.

The Acting General Manager Matt Grassmayr responded and advised an on-site meeting was held this morning to assess the facility and determine a schedule for re-opening. The Karama Library will be re-opened on Tuesday 22 May 2018.

12. GENERAL BUSINESS

Nil



OPEN SECTION

LIFE21/05/2018/9

City Life Committee Meeting – Monday, 21 May 2018

13. CLOSURE OF MEETING
Common No. 2695131

(Arthur/Pangquee)

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

DECISION NO.22\0729 (21/05/18) Carried

The meeting moved to the Confidential Section at 5.53 pm.

MEMBER G J HASLETT (CHAIR)
– CITY LIFE COMMITTEE MEETING
– MONDAY, 21 MAY 2018

Confirmed On: **Monday, xx xxxx xxxx**

Chair: _____

