

Minutes 30th September 2008



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 30th September 2008, commencing at 5.30pm.

PRESENT: Councillors Ron Swan (Mayor); Sally Dover; S. O'Brien, Frank Ward; G. Dingle; G. Francis; D. Maher, B. MacKenzie, K. Jordan; J. Nell; Peter Kafer; S. Tucker, R. Westbury; General Manager; Acting Group Manager, Corporate Excellence, Facilities and Services Group Manager; Sustainable Planning Group Manager; Acting Commercial Services Group Manager.

The Mayor, Ron Swan vacated the Chair prior to the Mayoral Election. The General Manager became the Chair for the election of the Mayoral and Deputy Mayor.

The General Manager advised he has delegated the role of Returning Officer to Council's Executive Officer, Tony Wickham.

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MAYORAL & DEPUTY MAYORAL ELECTION

Note: Council's Executive Officer, Tony Wickham and Council's Legal Officer Lisa Marshall conducted the election of Mayor and Deputy Mayor.

FILE NO: PSC2008-8806

ELECTION OF MAYOR AND DEPUTY MAYOR

1. BACKGROUND

The election of the Mayor and Deputy Mayor is to be held in accordance with the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005. The General Manager has appointed Council's Executive Officer as Returning Officer for the election.

2. NOMINATIONS FOR THE OFFICE OF MAYOR

Nominations may be made without notice and should be made in writing by two (2) or more Councillors (one of whom may be the nominee). A nomination is not valid unless the nominee has indicated consent in writing. The returning officer will announce the name(s) of the nominee(s) at the Council meeting at which the election is to be held. If more than one Councillor is nominated, an election will take place.

3. DETERMINE METHOD OF VOTING FOR ELECTION OF MAYOR

- a). Preferential Ballot
- b). Ordinary Ballot
- c). Open Voting

4. STATEMENT FROM MAYORAL CANDIDATES (OPTIONAL)

A time limit of five minutes per candidate will apply, in accordance with Council's Code of Meeting Practice.

5. ELECTION OF MAYOR

6. NOMINATIONS FOR THE OFFICE OF DEPUTY MAYOR

Nominations may be made without notice and should be made in writing by two (2) or more Councillors (one of whom may be the nominee). A nomination is not valid unless the nominee has indicated consent in writing. The returning officer will announce the name(s) of the nominee(s) at the Council meeting at which the election is to be held. If more than one Councillor is nominated, an election will take place.

7. DETERMINE METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

- a). Preferential Ballot
- b). Ordinary Ballot
- c). Open Voting

8. ELECTION OF DEPUTY MAYOR

MAYORAL ELECTION

	Councillor Nell Councillor Dingle	That the voting be by Ordinary Ballot.
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Amendment

250	Councillor Tucker Councillor Jordan	That the voting be by Open Vote.
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The amendment on being put became the motion which was put and carried.

Nominations for Office of Mayor were;

Cr Francis
Cr MacKenzie
Cr Nell

Election of Mayor

Cr Francis 1 vote
Cr MacKenzie 7 votes
Cr Nell 4 votes

Following the first round of voting, Cr Francis was eliminated.

Cr Nell was eliminated following a second round of voting. Cr Bruce MacKenzie was elected Mayor.

Cr MacKenzie 7 votes
Cr Nell 5 votes

DEPUTY MAYOR ELECTION

251	Councillor Jordan Councillor Westbury	That the voting be by Open Vote.
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MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Nominations for Deputy Mayor were;

Cr Francis
Cr Nell
Cr Westbury

Election of Deputy Mayor

Cr Francis	1 vote
Cr Nell	4 votes
Cr Westbury	7 votes

Following the first round of voting, Cr Francis was eliminated.

Cr Nell was eliminated following a second round of voting. Cr Bob Westbury was elected Deputy Mayor.

Cr Nell	5 votes
Cr Westbury	7 votes

Mayor, Cr Bruce MacKenzie chaired the meeting from the conclusion of the elections.

GENERAL MANAGER'S REPORT

**PETER GESLING
GENERAL MANAGER**

ITEM NO. 1

FILE NO: A2004-0373

COUNCIL PRAYER AND TRADITIONAL WELCOME AT COUNCIL MEETINGS

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

RECOMMENDATION IS THAT COUNCIL:

- 1) That Council continue with the current Prayer and Traditional Welcome at Council meetings.
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252	Councillor Dover Councillor Tucker	It was resolved that the recommendation be adopted.
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BACKGROUND

The purpose of this report is allow Council the opportunity to consider whether to continue with the prayer and traditional welcome at Council meetings. Council's current Code of Meeting Practice makes provision for the prayer at the commencement of all ordinary meetings of Council.

Port Stephens Council in the past commenced Council meetings with the following prayer –

“We ask Almighty God to help us serve the community to the best of our ability, and make Port Stephens a happy and healthy place in which to live, work and visit. Amen.”

Council previously passed a resolution to include a Traditional Welcome at each Council meeting. The Traditional Welcome is to follow the Prayer at the commencement of each Council meeting.

The Traditional Welcome is as follows:-

“I would like to acknowledge and pay respect to the Worimi People of Port Stephens, who are the traditional owners of this land on which we stand/meet today”.

LINKS TO CORPORATE PLANS

The links to the 2008-2012 Council Plan are:-

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

FINANCIAL/RESOURCE IMPLICATIONS

Nil

LEGAL AND POLICY IMPLICATIONS

Nil

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Nil

OPTIONS

- 1) Adopt the recommendation
- 2) Resolve to cease having the prayer and/or the traditional welcome at Council meetings

ATTACHMENTS

Nil

TABLED DOCUMENTS

Nil

ITEM NO. 2

FILE NO: A2004-0372

COUNCIL AND COMMITTEE MEETINGS CYCLE

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the meeting cycle contained in ATTACHMENT 2.
- 2) The Ordinary Council Meeting to be held on 28 October 2008 be transferred to the 21 October 2008 due to the Local Government & Shires Conference being held from 25-29 October 2008.

Motion

	<p>Councillor Dingle Councillor Dover</p>	<ol style="list-style-type: none"> 1) Adopt the meeting cycle contained in ATTACHMENT 2. 2) The Ordinary Council Meeting to be held on 28 October 2008 be transferred to the 21 October 2008 due to the Local Government & Shires Conference being held from 25-29 October 2008. 3) Meals be provided prior to Council meeting at 5.30pm
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Amendment

<p>253</p>	<p>Councillor Nell Councillor Ward</p>	<p>It was resolved that Council;</p> <ol style="list-style-type: none"> 1) Adopt the meeting cycle contained in ATTACHMENT 2. 2) The Ordinary Council Meeting to be held on 28 October 2008 be transferred to the 21 October 2008 due to the Local Government & Shires Conference being held from 25-29 October 2008
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The amendment on being put became the motion which was put and carried.

BACKGROUND

The purpose of this report is to inform Council of the current Council and Committee meetings cycle and recommend an adjustment to the starting time to allow more time for Councillors to arrive.

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Council at its meeting in September 2005 adopted this meeting cycle. Council established two Standing Committees and a number of Joint Committees. The Standing Committees are Committees of the Whole as follows:

Operations Committee – dealing with all present matters in the current work program of Council;

Strategic Committee – dealing with all future proposals or strategies.

The above Committees meet on Tuesdays in accord with the meeting cycle.

1) Week 1

Inspections and/or Briefings as required

Followed by public access and Strategic Committee, if the business paper warrants a Committee meeting. Should there not be sufficient matters to form an agenda the General Manager may convene a briefing evening for Councillors to attend. This will be at the discretion of the General Manager in accordance with the Local Government Act

1) Week 2

Inspections and/or Briefings as required

Followed by public access, Operations Committee and Ordinary Meeting (if required)

Note: As a general rule the Ordinary Meeting that may follow an Operations Committee meeting is to allow Council to deal with property matters and tenders that require a resolution of Council, which are unable to wait until the end of the month Ordinary meeting. There is also occasion when matters (such as development applications) can be considered at this time due to the nature or urgency of the development application for a particular reason. This can be brought forward by the Mayor and/or placed on the agenda by the General Manager.

2) Week 3

Inspections and/or briefings as required. Several meetings will be scheduled to occur on this Tuesday throughout the twelve month period, including Joint Venture, Access and Aboriginal Liaison Committees.

3) Week 4

Briefings followed by Council meeting.

4) Week 5

Briefings, if required.

LINKS TO CORPORATE PLANS

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

BUSINESS EXCELLENCE – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey*

FINANCIAL/RESOURCE IMPLICATIONS

Financial and Resource implications are provided for within the existing budget.

LEGAL AND POLICY IMPLICATIONS

Section 365 of the Local government Act requires Council to meet at least 10 times per year in different months. The Local Government (General) Regulation provides for Council to establish such committees, as it considers necessary. Council must specify the functions of such committees.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS SOCIAL IMPLICATIONS

This cycle will allow Councillors and the community additional time to properly consider all issues before a Council meeting.

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

General Manager

Group Manager – Corporate Services

OPTIONS

- 1) Adopt the recommendation
- 2) Reject the recommendation.

ATTACHMENTS

Meeting cycle

TABLED DOCUMENTS

Nil

ATTACHMENT 1

Meeting cycle for Tuesdays – CURRENT practice

Week 1

Inspections and/or briefings as required followed by public access and Strategic Committee meeting as determined by the General Manager.

5.00 – 5.30 pm	Afternoon Tea
5.30pm	Public Access
Followed by	Strategic Committee
Followed by	Dinner with Councillors & Staff

Week 2

Inspections and/or briefings as required followed by public access and Operations Committee meeting.

5.00 – 5.30 pm	Afternoon Tea
5.30pm	Public Access
Followed by	Operations Committee
Followed by (if required)	Ordinary meeting of Council to deal with recommendations from the Operations Committee relating to tender, property matters and development applications
Followed by	Dinner with Councillors & Staff

Week 3

5.30pm Inspections and/or briefings as required.

Note: Several meetings will be scheduled to occur on this Tuesday throughout the 12 month period.

Week 4

Briefings if required followed by Council meeting.

5.00 – 5.30 pm	Afternoon Tea
5.30pm	Council meeting to consider Mayoral Minutes, Committee recommendations and General Manager's reports. To be preceded by any formal presentations
Followed by	Dinner with Councillors & Staff

Week 5

Briefings if and when required

ATTACHMENT 2

Meeting Cycle for Tuesdays – PROPOSED practice

Week 1

Inspections and/or briefings as required followed by public access and Strategic Committee meeting as determined by the General Manager.

4.30 – 5.30 pm	Briefings & Afternoon Tea
6.00pm	Public Access
Followed by	Strategic Committee
Followed by	Dinner with Councillors & Staff

Week 2

Inspections and/or briefings as required followed by public access and Operations Committee meeting.

4.30 – 5.30 pm	Briefings & Afternoon Tea
6.00 pm	Public Access
Followed by	Operations Committee
Followed by (if required)	Ordinary meeting of Council to deal with recommendations from the Operations Committee relating to tender, property matters and development applications
Followed by	Dinner with Councillors & Staff

Week 3

5.30pm Inspections and/or briefings as required.

***Note:** Several meetings will be scheduled to occur on this Tuesday throughout the 12 month period.*

Week 4

Briefings if required followed by Council meeting.

4.30 – 5.30 pm	Briefings & Afternoon Tea
6.00 pm	Council meeting to consider Mayoral Minutes, Committee recommendations and General Manager's reports. To be preceded by any formal presentations
Followed by	Dinner with Councillors & Staff

Week 5

Briefings if and when required

ITEM NO. 3

FILE NO: A2004-0370

MEMBERSHIP OF COMMITTEES & GROUPS

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

RECOMMENDATION IS THAT COUNCIL:

- 1) Nominates membership of Standing Committees;
- 2) Elects the Chair and Deputy Chair of each Standing Committee (where applicable);
- 3) Determines the quorum for Committee meetings;
- 4) Nominates membership of Council Committees, 355(b) Committees and Regional Committees and Groups, and amends the constitutions to include new membership where applicable.
- 5) Remove the following committees/groups from the listing as the committees are either not operating or no longer require a councillor representative:
 - a) Seaham Park, Wetland & Tidy Town Committee.
 - b) Port Stephens Tidy Town & Landcare Coordinating Group.
 - c) Lower Hunter & Central Coast Regional Environmental Management Strategy Steering Committee.
 - d) Nelson Bay Town Management Inc.

BACKGROUND

In accordance with legislation Council is required to nominate delegates and adopt the list of 355(b) Committees.

As part of Council's commitment to community partnerships it provides opportunities for the community to be involved with the management of the facilities they use. Council has established over 50 community committees, which are involved in the care and management of Council's parks, reserves, services and facilities.

These committees are allowable under Section 355 and Section 377 of the Local Government Act, which allow Council to delegate certain functions.

For a 355(b) committee, the written record of delegations is contained in the **committee constitution** as prepared and adopted by Council. Functions that cannot be delegated (under Section 377) are listed in the constitution. Any change to delegations to a 355(b) committee must be effected by resolution of Council.

The key concept is that a 355(b) committee is a **Council** committee. Committees include Councillor representation and a Council staff member responsible for liaison. A 355(b) committee operates as an entity of Port Stephens Council and not as a separate entity in a commercial sense. This means that these committees use Council's Australian Business Number (ABN) when trading goods and services and are also required to report on a monthly basis as is required of Council.

Council has approximately fifty 355(b) committees with about 500 – 600 members in total.

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

A number of 355(b) Committees undertake work in areas such as dune stabilisation, weed eradication, litter removal, Tidy Towns program participation and providing environmental information and support to Council. These groups work under direction from Council staff to ensure these activities are performed in accordance with recognised practices.

The activities and projects undertaken by committees are often those not financially possible for Council without this volunteer assistance. *Examples include:*

FACILITY MANAGEMENT	MAINTENANCE & IMPROVEMENTS TO RESERVES	OTHER
Community Halls	Parks & Reserves	Band
Sporting Ovals	Foreshore Reserves	Choir
Cemeteries		Advisory Committees
		Sports Council

Council can delegate certain functions to a committee: these are listed in the committee's schedule, which forms part of their constitution. A 355(b) committee constitution consists of a standard constitution, which is applicable to all committees and a schedule customised for each individual committee. This provides the framework of how a 355(b) committee operates and is supported by procedures, systems and reporting requirements.

Council has the same responsibilities for 355(b) committee members as they do for staff including Occupational Health & Safety (OH&S), Code of Conduct and responsibility for activities.

Regional Committees and Groups

In addition to the 355(b) Committees, Councillors and Council staff participate in, and are members of a number of regional committees and groups established to promote an integrated approach to delivering and managing services and addressing issues across the Local Government Area.

Note: The previous list of Committees and Groups are shown below with previous delegates shown in *italics*.

ELECTION OF REPRESENTATIVES ON COUNCIL'S STANDING COMMITTEES

Membership:

OPERATIONS COMMITTEE

- Committee of the Whole
Current Chair: *Cr Hodges*
Current Deputy Chair: *Cr Jordan*

STRATEGIC COMMITTEE

- Committee of the Whole
Current Chair: *Cr Dingle*
Current Deputy Chair: *Cr Brown*

ELECTION OF CHAIR AND DEPUTY CHAIR OF COMMITTEES

Clause 10.7 of Council's Code of Meeting Practice provides as follows:

- a) The Chair of each Committee must be:-
 - i) The Mayor; or
 - ii) If he/she prefers, the Council may elect a Chair; or
 - iii) If the **Council** does not elect a Chair, the **Committee** may elect a Chair.
- b) A Council or Committee may elect a Deputy Chair.

QUORUM FOR COMMITTEE MEETINGS

Clause 10.2(c) of Council's Code of Meeting Practice provides as follows:-

The quorum for a meeting of a Committee of the Council is to be:-

- i) Such number of members as the Council decides; or
- ii) If the Council has not decided, then the majority of the members of the Committee.

254	Councillor Westbury Councillor Tucker	It was resolved that Cr Dover be elected Chair of the Operations Committee and Cr Jordan be elected as Deputy Chair.
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255	Councillor Westbury Councillor Tucker	It was resolved that Cr Tucker be elected Chair of the Strategic Committee
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256	Councillor Nell Councillor Francis	It was resolved that Cr Francis be elected Deputy Chair of the Strategic Committee
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257	Councillor Jordan Councillor Kafer	It was resolved that the quorum for a meeting of a Committee of the Council is to be 7.
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258	Councillor Jordan Councillor Nell	<p>It was resolved that;</p> <ol style="list-style-type: none"> 1) Delegates be elected as shown on the list below. 2) That Crs Nell and Westbury remain on the Committee of the Nelson Bay Town Management Inc until the AGM only and then withdraw. 3) That the following Committees/groups be removed from the listing as the committees are either not operating or no longer require a councillor representative: <ul style="list-style-type: none"> a) Seaham Park, Wetland & Tidy Town
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MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

		<p>Committee.</p> <p>b) Port Stephens Tidy Town & Landcare Coordinating Group.</p> <p>d) Lower Hunter & Central Coast Regional Environmental Management Strategy Steering Committee.</p> <p>e) Nelson Bay Town Management Inc.</p> <p>f) Regional Mosquito Management Working Group.</p>
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ELECTION OF REPRESENTATIVES ON COUNCIL COMMITTEES AND REGIONAL COMMITTEES AND GROUPS

2008-09 Listing

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
1 Aboriginal Strategic Committee	<p>To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people.</p> <p>To promote mutual awareness and respect for the cultures of both Aboriginal and non Aboriginal communities.</p>	<i>Monthly Meetings held alternatively with Worimi Land Council & Karuah Land Council</i>	Sustainable Planning	Cr O'Brien Cr Kafer Cr Dover Mayor (Cr MacKenzie)
2 Anna Bay, Birubi Pt Reserves, Hall & Tidy Towns Committee	<p>To assist Council in the management of Anna Bay Hall.</p> <p>To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).</p>	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr O'Brien
3 Boat Harbour Parks and Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Westbury

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
4 Bobs Farm Public Hall Committee	To assist Council in the management of Bobs Farm Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr O'Brien
5 Corlette Headland Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Ward Cr Dover
6 Corlette Reserves & Hall 355(b) Committee	To assist Council in the management of Corlette Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Ward
7 Fern Bay Public Hall, Reserves and Tidy Towns Committee	To assist Council in the management of Fern Bay Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dingle Cr O'Brien
8 Fingal Bay Parks & Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Nell Cr Dover

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
9 Hinton School of Arts Committee	To assist Council in the management of Hinton School of Arts.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Jordan
10 Karuah Community Centre Committee	To assist Council in the management of Karuah Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Kafer Cr Francis
11 Karuah Tidy Towns, Parks Reserves & Wetlands Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Kafer Cr Francis
12 Mallabula Community Centre Committee	To assist Council in the management of Mallabula Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie
13 Mallabula Parks and Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie
14 Mambo Wanda Wetlands, Reserves & Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Nell Cr Dover

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
15 Medowie Community Centre Committee	To assist Council in the management of Medowie Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dingle Cr Tucker
16 Medowie Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 1st Monday</i>	Facilities & Services	Cr Tucker Cr Dingle
17 Medowie Tidy Towns & Cycleway Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dingle
18 Nelson Bay Senior Citizens Hall Committee	To assist Council in the management of Nelson Bay Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dover Cr Ward
19 Nelson Bay West Parkcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Nell
20 Ngioka Centre Committee	To assist in the care and management of the Ngioka Centre (a facility to provide for education and therapy focusing on people with a disability and disadvantaged people)	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dover

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
21 Port Stephens Access Committee	<p>To raise awareness of and provide advice to Council and the community on universal access issues.</p> <p>To promote the integration of the entire community through universal access.</p> <p>To contribute to the development of council policies on access and monitor their implementation</p>	<i>Monthly Meetings held alternately in Raymond Terrace & Tomaree</i>	Sustainable Planning	Cr Dover
22 Port Stephens Adult Choir Committee	<p>To promote, organise and train the Port Stephens Choir.</p> <p>To develop a sense of community identity and belonging by involving participants in community cultural projects.</p>	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Sustainable Planning	Cr Tucker Cr O'Brien
23 Port Stephens Australia Day Celebrations Coordinating Committee	<p>To co-ordinate the annual celebration of Australia Day in Port Stephens in line with recommendations from Australia Day Council.</p> <p>To organise the Citizen of the Year and the Junior Citizen of the Year activity.</p>	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Sustainable Planning	Cr Westbury Cr Francis Cr Tucker
24 Port Stephens Sister Cities Committee	To promote positive and ongoing relationships between international communities providing opportunities for cultural exchange	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Corporate Services	All Councillors
25 Port Stephens Community Band Committee	<p>To promote, organise and train the Port Stephens Community Band.</p> <p>To develop a sense of community identity and belonging by involving youth and adults in community cultural projects.</p>	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Sustainable Planning	Cr MacKenzie

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
26	Port Stephens Economic Development Advisory Panel Act as a communication and advisory mechanism to Council on relevant Economic Development issues. Oversee the review and implementation of the Economic Development Strategy.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Commercial Services	Cr Tucker Cr Westbury Cr Maher
27	Port Stephens Heritage Advisory Committee This committee is run by Council and supported by funds from the Heritage Office. Community members meet to raise and make recommendation on local heritage issues	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Sustainable Planning	Cr Francis Cr Kafer
28	Port Stephens Native Flora Garden Committee To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Quarterly</i>	Facilities & Services	Cr Nell
29	Port Stephens Sports Council To provide input and forward planning, from a Council wide basis, on facilities, sporting statistics, policies and recommendations on future needs. To administer the Sports person of the Year Award.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Facilities & Services	Cr MacKenzie
30	Port Stephens Telecentre Advisory Committee To assist Council in the management and promotion of the Telecentre.		Commercial Services	Cr Francis Cr Ward
31	Raymond Terrace Parks, Reserves & Tidy Towns Committee To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Francis
32	Raymond Terrace Senior Citizens Hall Management Committee To assist Council in the management of the Raymond Terrace Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Francis

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
33 Raymond Terrace Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 2nd Monday</i>	Facilities & Services	Cr Jordan Cr Francis Cr Kafer Cr Maher
34 Rural West Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 2nd Wednesday</i>	Facilities & Services	Cr Jordan Cr Maher Cr Kafer
35 Salamander Ecology Group	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Nell
36 Salt Ash Community Hall, Reserves and Tennis Courts Committee	To assist Council in the management of Salt Ash Community Hall & Tennis Courts. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie
37 Salt Ash Sports Ground Committee	To assist Council in the management, maintenance and improvements to Salt Ash Oval.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
38 Seaham School of Arts and Community Hall Committee	To assist Council in the management of: Seaham School of Arts Seaham Community Hall	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Maher
39 Shoal Bay Beach Preservation Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Westbury
40 Soldiers Point-Salamander Bay Parks, Reserves and Hall Committee	To assist Council in the management of Soldiers Point Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dover
41 Soldiers Point-Salamander Bay Tidy Towns and Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Dover
42 Tanilba Bay Parks, Reserves & Hall Committee	To assist Council in the management of Tanilba Bay Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr Maher

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
43 Tanilba Bay Senior Citizens Hall Management Committee	To assist Council in the management of Tanilba Bay Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr Maher
44 Taylors Beach Reserves, Tidy Towns & Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Nell
45 Tilligerry Aquatic Centre Advisory Committee	To promote the Tilligerry Aquatic Centre within the community. To establish and promote links with local primary, secondary schools and the community.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie
46 Tilligerry Community Centre Committee	To assist Council in the management of Tilligerry Community Centre and surrounds.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Tucker Cr MacKenzie
47 Tilligerry Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 3rd Monday</i>	Facilities & Services	Cr Tucker Cr MacKenzie

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Current Delegate
48 Tomaree Education Complex Multi Purpose Centre Committee	To assist Council with the care, management and promotion of the facility. To make recommendation to Council as to the development, planning and management of Tomaree Education Complex Multi Purpose Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Westbury
49 Tomaree Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 3rd Wednesday</i>	Facilities & Services	Cr Dover Cr Nell Cr Ward Cr Westbury
50 West Tilligerry Tidy Towns and Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	Cr Tucker
51 West Ward Cemeteries Committee	To undertake maintenance and improvements to cemeteries in West Ward.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Francis
52 Williamstown Public Hall Committee	To assist Council in the management of Williamstown Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	Cr Dingle Cr O'Brien

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

REGIONAL COMMITTEES AND GROUPS

Name of Organisation	Purpose of Committee	Group	Current Delegate/ Member
53	Comprehensive Koala Plan of Management Implementation Committee	Sustainable Planning	Cr Dingle
54	Conduct Review Committee <i>Formerly Conduct Committee – Code of Conduct</i>	Corporate Services	Not Applicable
55	Country Public Libraries Association & Joint Library Advisory Committee	Facilities & Services	Cr Maher
56	Gloucester Coal Seam Gas Project – Community Consultative Committee	Sustainable Planning	Cr MacKenzie Cr Maher
57	Hunter Coast & Estuary Management Committee	Sustainable Planning	Cr Kafer
58	Hunter Councils (formerly Hunter Regional Organisation of Councils)	Corporate Services	Cr Maher Mayor (Cr MacKenzie) Cr Westbury
59	Hunter Water Corporation Community Consultative Committee	Corporate Services	Cr Nell

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

	Name of Organisation	Purpose of Committee	Group	Current Delegate/ Member
60	Karuah Working Together Inc.	<p>The Committee is a peak group comprising representation of key organisations, businesses and industry representatives in Karuah.</p> <p>The Committee is responsible for ensuring community and economic development activities are co-ordinated in accordance with local needs, trends and opportunities in accordance with Council's Economic Development Strategy and as specified in the <i>Karuah Strategic Plan – Beyond 2008</i> which was produced by the Committee in consultation with the community and the Dept of State & Regional Development.</p>	Sustainable Planning/Commercial Services	Cr Jordan Cr Francis Cr Kafer Cr Maher
61	Local Development Committee	Local Traffic Committee (see 83) providing advice to Council on development.	Sustainable Planning	Cr Kafer
62	Local Traffic Committee	This is an RTA-based committee which allows Council to have delegated authority to install or remove regulatory sign posting on public roads.	Sustainable Planning	Cr Kafer
63	Lower Hunter Councils Transport Group	This is a working party that coordinates projects and transport issues across local government boundaries.	Sustainable Planning	Cr Francis
64	Lower Hunter Zone Bushfire Management Committee	The committee is a legislative requirement and is to discuss direction across local government areas and across agencies in regard to bushfire management.	Sustainable Planning	Cr MacKenzie
65	Lower Hunter Zone Liaison Committee	To review the progress of the Service Level Agreement between Port Stephens Council and NSW Rural Fire Service in the Local Government Area.	Facilities & Services	Cr MacKenzie
66	Lower Tilligerry Floodplain Risk Management Committee	To oversee the Flood Studies for the Tilligerry Creek catchment	Sustainable Planning	Cr MacKenzie Cr Tucker
67	Marine Parks Advisory Panel <i>Ministerial Appointment</i>	Community Consultative Committee regarding the proposed Marine Park in Port Stephens	Sustainable Planning	Cr Westbury Cr Nell <i>Subject to Ministerial approval</i>
68	National Parks & Wildlife Service Regional Advisory Committee <i>Ministerial Appointment</i>	This is a community reference group run by National Parks & Wildlife Service. It is not a Council committee.	Sustainable Planning	Cr Nell <i>Subject to Ministerial approval</i>
69	Nelson Bay Adult Education Committee	This committee is an advisory committee for Adult Education.	Corporate Services	Cr Westbury

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Name of Organisation	Purpose of Committee	Group	Current Delegate/ Member
70	Newcastle Airport Joint Sub-Committee	The purpose of this committee is to allow Port Stephens and Newcastle City Councils the opportunity to discuss the future direction of the Airport.	Corporate Services Cr Ward Cr Westbury Cr MacKenzie
71	North Coast NSW Regional Tourism Board	To work with Tourism bodies and groups on a regional basis.	Commercial Services Cr Westbury
72	Police Accountability Community Team <i>Formerly Police Action Community Team</i>	To provide a forum for local community members, service providers and the police to discuss issues and appropriate strategies relating to crime and community safety.	Sustainable Planning Cr MacKenzie
73	Port Stephens Futures Strategy – Reference Group	Advise Council on the progressive preparation of the Futures Strategy which is a foundation for the new Comprehensive LEP for Port Stephens and expresses long term outcomes and directions for the Local Government Area.	Sustainable Planning Cr Nell Cr Maher Cr Tucker
74	Port Stephens Transport Forum	The Ministry for Transport convenes these forums which have been established in most LGAs throughout NSW. It provides the opportunity for local transport providers (eg; community transport, bus and taxi operators) and local residents to discuss local and regional transport related issues and to formulate appropriate strategies to more effectively improve the delivery of existing public transport services in meeting the community's transport needs.	Sustainable Planning Cr MacKenzie
75	Newcastle Road Freight Group	This group is coordinated by the RTA and provides Local Government the opportunity to meet with the heavy vehicle industry.	Sustainable Planning Cr Francis
76	Port Stephens Domestic Violence Committee	To raise the awareness of the issues surrounding domestic violence and enhance service provision to victims by developing and maintaining effective interagency strategies.	Sustainable Planning Cr Francis

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Name of Organisation	Purpose of Committee	Group	Current Delegate/ Member
77	Port Stephens East Local Health Advisory Committee	Sustainable Planning	Cr Dover Cr Ward
78	Port Stephens West Local Health Advisory Committee	Sustainable Planning	Cr Francis Cr Dingle
79	Port Stephens Tidy Town & Landcare Co-ordinating Group	Sustainable Planning	No Longer Exists. To be removed
80	Port Stephens Tourism Joint Venture Committee	Commercial Services	Cr Westbury Cr Tucker Cr Jordan
81	Port Stephens/Myall Lakes Estuary and Coastal Zone Management Committee	Sustainable Planning	Cr Nell
82	Regional Mosquito Management Working Group	Sustainable Planning	No Longer Exists. To be removed
83	Urban Animal Management Committee	Sustainable Planning	Council called for further information.
84	Williams River Floodplain Risk Management Committee	Sustainable Planning	Cr Maher

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

	Name of Organisation	Purpose of Committee	Group	Current Delegate/ Member
85	Tilligerry Creek Catchment Committee	To develop and implement the Tilligerry Catchment management Plan which will result in improved water quality in Tilligerry Creek.	Sustainable Planning	Cr Nell Cr MacKenzie
86	Windeyers Creek Catchment Committee	To develop catchment plans that when implemented, result in catchment improvements.	Sustainable Planning	Cr Maher
87	Worimi Conservation Lands Board of Management <i>Ministerial Appointment</i>	To oversee the management of the lands owned by the Aboriginal owners and leased back to the NSW Government.	Corporate Services	Cr Dover Cr MacKenzie

BACKGROUND

In accordance with legislation Council is required to nominate delegates and adopt the list of 355(b) Committees.

As part of Council's commitment to community partnerships it provides opportunities for the community to be involved with the management of the facilities they use. Council has established over 50 community committees, which are involved in the care and management of Council's parks, reserves, services and facilities.

These committees are allowable under Section 355 and Section 377 of the Local Government Act, which allow Council to delegate certain functions.

For a 355(b) committee, the written record of delegations is contained in the **committee constitution** as prepared and adopted by Council. Functions that cannot be delegated (under Section 377) are listed in the constitution. Any change to delegations to a 355(b) committee must be effected by resolution of Council.

The key concept is that a 355(b) committee is a **Council** committee. Committees include Councillor representation and a Council staff member responsible for liaison. A 355(b) committee operates as an entity of Port Stephens Council and not as a separate entity in a commercial sense. This means that these committees use Council's Australian Business Number (ABN) when trading goods and services and are also required to report on a monthly basis as is required of Council.

Council has approximately fifty 355(b) committees with about 500 – 600 members in total.

A number of 355(b) Committees undertake work in areas such as dune stabilisation, weed eradication, litter removal, Tidy Towns program participation and providing environmental information and support to Council. These groups work under direction from Council staff to

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

ensure these activities are performed in accordance with recognised practices.

The activities and projects undertaken by committees are often those not financially possible for Council without this volunteer assistance. *Examples include:*

FACILITY MANAGEMENT	MAINTENANCE & IMPROVEMENTS TO RESERVES	OTHER
Community Halls	Parks & Reserves	Band
Sporting Ovals	Foreshore Reserves	Choir
Cemeteries		Advisory Committees
		Sports Council

Council can delegate certain functions to a committee: these are listed in the committee's schedule, which forms part of their constitution. A 355(b) committee constitution consists of a standard constitution, which is applicable to all committees and a schedule customised for each individual committee. This provides the framework of how a 355(b) committee operates and is supported by procedures, systems and reporting requirements.

Council has the same responsibilities for 355(b) committee members as they do for staff including Occupational Health & Safety (OH&S), Code of Conduct and responsibility for activities.

Regional Committees and Groups

In addition to the 355(b) Committees, Councillors and Council staff participate in, and are members of a number of regional committees and groups established to promote an integrated approach to delivering and managing services and addressing issues across the Local Government Area.

Note: The previous list of Committees and Groups are shown below with previous delegates shown in *italics*.

ELECTION OF REPRESENTATIVES ON COUNCIL'S STANDING COMMITTEES

Membership:

OPERATIONS COMMITTEE

- Committee of the Whole
Current Chair: *Cr Dover*
Current Deputy Chair: *Cr Jordan*

STRATEGIC COMMITTEE

- Committee of the Whole
Current Chair: *Cr Tucker*
Current Deputy Chair: *Cr Francis*

ELECTION OF CHAIR AND DEPUTY CHAIR OF COMMITTEES

Clause 10.7 of Council's Code of Meeting Practice provides as follows:

- a) The Chair of each Committee must be:-
 - i) The Mayor; or
 - ii) If he/she prefers, the Council may elect a Chair; or
 - iii) If the **Council** does not elect a Chair, the **Committee** may elect a Chair.
- b) A Council or Committee may elect a Deputy Chair.

QUORUM FOR COMMITTEE MEETINGS

Clause 10.2(c) of Council's Code of Meeting Practice provides as follows:-

The quorum for a meeting of a Committee of the Council is to be:-

- i) Such number of members as the Council decides; or
- ii) If the Council has not decided, then the majority of the members of the Committee.

ELECTION OF REPRESENTATIVES ON COUNCIL COMMITTEES AND REGIONAL COMMITTEES AND GROUPS

The previous 2007/08 membership is listed below
(previous delegates are denoted in italics)

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
1 Aboriginal Strategic Committee	To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people. To promote mutual awareness and respect for the cultures of both Aboriginal and non Aboriginal communities.	<i>Monthly Meetings held alternatively with Worimi Land Council & Karuah Land Council</i>	Sustainable Planning	<i>Cr Dover Cr Brown Mayor (Cr Swan)</i>	8 7 4
2 Anna Bay, Birubi Pt Reserves, Hall & Tidy Towns Committee	To assist Council in the management of Anna Bay Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan Cr Dover</i>	No record available
3 Boat Harbour Parks and Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dover</i>	No record available
4 Bobs Farm Public Hall Committee	To assist Council in the management of Bobs Farm Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan</i>	No record available
5 Corlette Headland Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Westbury</i>	1

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Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
6 Corlette Reserves & Hall 355(b) Committee	To assist Council in the management of Corlette Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Westbury</i>	No record available
7 Fern Bay Public Hall, Reserves and Tidy Towns Committee	To assist Council in the management of Fern Bay Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dingle Cr Swan</i>	No record available
8 Fingal Bay Parks & Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Nell Cr Dover</i>	No record available
9 Hinton School of Arts Committee	To assist Council in the management of Hinton School of Arts.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Jordan</i>	No record available
10 Karuah Community Centre Committee	To assist Council in the management of Karuah Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Francis Cr Brown</i>	No record available

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Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
11 Karuah Tidy Towns, Parks Reserves & Wetlands Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Brown Cr Francis</i>	No record available
12 Mallabula Community Centre Committee	To assist Council in the management of Mallabula Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Tucker Cr Swan</i>	No record available
13 Mallabula Parks and Reserves Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Tucker Cr Swan</i>	No record available
14 Mambo Wanda Wetlands, Reserves & Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Dover Cr Nell</i>	1 1
15 Medowie Community Centre Committee	To assist Council in the management of Medowie Community Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dingle Cr Tucker</i>	No record available
16 Medowie Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 1st Monday</i>	Facilities & Services	<i>Cr Swan Cr Dingle</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
17 Medowie Tidy Towns & Cycleway Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dingle</i>	No record available
18 Nelson Bay Senior Citizens Hall Committee	To assist Council in the management of Nelson Bay Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dover</i>	No record available
19 Nelson Bay West Parkcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Nell</i>	No record available
20 Ngioka Centre Committee	To assist in the care and management of the Ngioka Centre (a facility to provide for education and therapy focusing on people with a disability and disadvantaged people)	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dover</i>	No record available
21 Port Stephens Access Committee	To raise awareness of and provide advice to Council and the community on universal access issues. To promote the integration of the entire community through universal access. To contribute to the development of council policies on access and monitor their implementation	<i>Monthly Meetings held alternately in Raymond Terrace & Tomaree</i>	Sustainable Planning	<i>Cr Brown Cr Dover</i>	6 3

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
22 Port Stephens Adult Choir Committee	To promote, organise and train the Port Stephens Choir. To develop a sense of community identity and belonging by involving participants in community cultural projects.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Sustainable Planning	<i>Cr Brown Cr Hodges</i>	1 1
23 Port Stephens Australia Day Celebrations Coordinating Committee	To co-ordinate the annual celebration of Australia Day in Port Stephens in line with recommendations from Australia Day Council. To organise the Citizen of the Year and the Junior Citizen of the Year activity.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Sustainable Planning	<i>Cr Francis Cr Westbury Cr Tucker</i>	4 4 1
24 Port Stephens Sister Cities Committee	To promote positive and ongoing relationships between international communities providing opportunities for cultural exchange	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Corporate Services	<i>All Councillors</i>	No record available
25 Port Stephens Community Band Committee	To promote, organise and train the Port Stephens Community Band. To develop a sense of community identity and belonging by involving youth and adults in community cultural projects.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Sustainable Planning	<i>Cr Swan Cr Brown</i>	1 1
26 Port Stephens Economic Development Advisory Panel	Act as a communication and advisory mechanism to Council on relevant Economic Development issues. Oversee the review and implementation of the Economic Development Strategy.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Commercial Services	<i>Cr Swan Cr Westbury Cr Hodges (one from each Ward)</i>	No record available
27 Port Stephens Heritage Advisory Committee	This committee is run by Council and supported by funds from the Heritage Office. Community members meet to raise and make recommendation on local heritage issues	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Sustainable Planning	<i>Cr Brown Cr Francis</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances	
28	Port Stephens Native Flora Garden Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Quarterly</i>	Facilities & Services	<i>Cr Nell</i>	1
29	Port Stephens Sports Council	To provide input and forward planning, from a Council wide basis, on facilities, sporting statistics, policies and recommendations on future needs. To administer the Sports person of the Year Award.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee</i>	Facilities & Services	<i>Cr Swan</i>	No record available
30	Port Stephens Telecentre Advisory Committee	To assist Council in the management and promotion of the Telecentre.		Commercial Services	<i>Cr Francis Cr Brown</i>	No record available
31	Raymond Terrace Parks, Reserves & Tidy Towns Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Brown</i>	No record available
32	Raymond Terrace Senior Citizens Hall Management Committee	To assist Council in the management of the Raymond Terrace Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Francis</i>	No record available
33	Raymond Terrace Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 2nd Monday</i>	Facilities & Services	<i>Cr Jordan Cr Hodges Cr Francis Cr Brown</i>	No record available
34	Rural West Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administering sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 2nd Wednesday</i>	Facilities & Services	<i>Cr Hodges Cr Jordan Cr Brown</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
35 Salamander Ecology Group	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Nell</i>	No record available
36 Salt Ash Community Hall, Reserves and Tennis Courts Committee	To assist Council in the management of Salt Ash Community Hall & Tennis Courts. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Tucker Cr Swan</i>	No record available
37 Salt Ash Sports Ground Committee	To assist Council in the management, maintenance and improvements to Salt Ash Oval.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan Cr Tucker</i>	No record available
38 Seaham School of Arts and Community Hall Committee	To assist Council in the management of: Seaham School of Arts Seaham Community Hall	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Jordan</i>	No record available
39 Shoal Bay Beach Preservation Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Westbury</i>	No record available
40 Soldiers Point-Salamander Bay Parks, Reserves and Hall Committee	To assist Council in the management of Soldiers Point Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dover</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
41 Soldiers Point-Salamander Bay Tidy Towns and Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Dover</i>	No record available
42 Tanilba Bay Parks, Reserves & Hall Committee	To assist Council in the management of Tanilba Bay Hall. To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Tucker Cr Swan</i>	No record available
43 Tanilba Bay Senior Citizens Hall Management Committee	To assist Council in the management of Tanilba Bay Senior Citizens Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan Cr Tucker</i>	No record available
44 Taylors Beach Reserves, Tidy Towns & Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Nell</i>	No record available
45 Tilligerry Aquatic Centre Advisory Committee	To promote the Tilligerry Aquatic Centre within the community. To establish and promote links with local primary, secondary schools and the community.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan Cr Tucker</i>	No record available
46 Tilligerry Community Centre Committee	To assist Council in the management of Tilligerry Community Centre and surrounds.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Swan Cr Tucker</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Meeting Cycle	Group	Former Delegate	No of attendances
47 Tilligerry Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 3rd Monday</i>	Facilities & Services	<i>Cr Swan Cr Tucker</i>	No record available
48 Tomaree Education Complex Multi Purpose Centre Committee	To assist Council with the care, management and promotion of the facility. To make recommendation to Council as to the development, planning and management of Tomaree Education Complex Multi Purpose Centre.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Westbury</i>	No record available
49 Tomaree Sports Council	To facilitate communication between the sporting public and Council in order to ensure that the existing and future needs and requirements of those persons participating and administrating sports are accurately identified and brought to the attention of Council.	<i>Every 4 months– February, June, October 3rd Wednesday</i>	Facilities & Services	<i>Cr Westbury Cr Nell Cr Dover Cr Robinson</i>	No record available
50 West Tilligerry Tidy Towns and Landcare Committee	To undertake maintenance and improvements to designated parks & reserves (as per map included in committee constitution).	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services /Sustainable Planning	<i>Cr Tucker</i>	No record available
51 West Ward Cemeteries Committee	To undertake maintenance and improvements to cemeteries in West Ward.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Francis</i>	No record available
52 Williamstown Public Hall Committee	To assist Council in the management of Williamstown Hall.	<i>Committees are required to hold meetings at least quarterly at a time to be decided by the committee.</i>	Facilities & Services	<i>Cr Dingle Cr Swan</i>	No record available

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

REGIONAL COMMITTEES AND GROUPS

	Name of Organisation	Purpose of Committee	Group	Former Delegate/ Member
53	Comprehensive Koala Plan of Management Implementation Committee	Responsible for overseeing the implementation of the Port Stephens Council Comprehensive Koala Plan of Management.	Sustainable Planning	<i>Cr Brown</i>
54	Conduct Review Committee <i>Formerly Conduct Committee – Code of Conduct</i>	This committee is convened at the discretion of the Mayor and General Manager to consider breaches of the Code of Conduct.	Corporate Services	<i>Mayor & (General Manager & Legal Rep) – No representative required as this appointment is external</i>
55	Country Public Libraries Association & Joint Library Advisory Committee	Country Public Libraries Association constitution requires a Councillor representative. This Association provides support for country public libraries. The Joint Library Advisory Committee's constitution also requires a Councillor representative in line with the Newcastle Regional Library agreement.	Facilities & Services	<i>Cr Brown</i>
56	Gloucester Coal Seam Gas Project – Community Consultative Committee	The purpose of the Committee is to provide a forum for representatives to discuss the Project with the Company (Lucas Energy)	Sustainable Planning	<i>New Committee</i>
57	Hunter Coast & Estuary Management Committee	This Committee includes representatives from Port Stephens, Maitland and Newcastle Councils and is responsible for long term planning for the estuary and Newcastle coastline.	Sustainable Planning	<i>Cr Brown Cr Westbury</i>
58	Hunter Councils (formerly Hunter Regional Organisation of Councils)	To discuss regional issues in the Hunter	Corporate Services	<i>Cr Swan (Mayor) Cr Robinson (alternate) Cr Brown</i>
59	Hunter Water Corporation Community Consultative Committee	This committee is an advisory committee to Hunter Water Corporation.	Corporate Services	<i>Cr Nell</i>

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

	Name of Organisation	Purpose of Committee	Group	Former Delegate/ Member
60	Karuah Working Together Inc.	<p>The Committee is a peak group comprising representation of key organisations, businesses and industry representatives in Karuah.</p> <p>The Committee is responsible for ensuring community and economic development activities are co-ordinated in accordance with local needs, trends and opportunities in accordance with Council's Economic Development Strategy and as specified in the <i>Karuah Strategic Plan – Beyond 2008</i> which was produced by the Committee in consultation with the community and the Dept of State & Regional Development.</p>	Sustainable Planning/Commercial Services	<p><i>Cr Hodges</i> <i>Cr Francis</i> <i>Cr Brown</i> <i>Cr Jordan</i></p>
61	Local Development Committee	Local Traffic Committee (see 83) providing advice to Council on development.	Sustainable Planning	<p><i>Cr Dingle</i> <i>Cr Hodges (alternate)</i></p>
62	Local Traffic Committee	This is an RTA-based committee which allows Council to have delegated authority to install or remove regulatory sign posting on public roads.	Sustainable Planning	<p><i>Cr Dingle</i> <i>Cr Hodges (alternate)</i></p>
63	Lower Hunter Councils Transport Group	This is a working party that coordinates projects and transport issues across local government boundaries.	Sustainable Planning	<p><i>Cr Francis</i></p>
64	Lower Hunter Zone Bushfire Management Committee	The committee is a legislative requirement and is to discuss direction across local government areas and across agencies in regard to bushfire management.	Sustainable Planning	<p><i>Cr Dover</i> <i>Cr Brown (alternate)</i></p>
65	Lower Hunter Zone Liaison Committee	To review the progress of the Service Level Agreement between Port Stephens Council and NSW Rural Fire Service in the Local Government Area.	Facilities & Services	<p><i>Cr Dover</i> <i>Cr Brown (alternate)</i></p>
66	Lower Tilligerry Floodplain Risk Management Committee	To oversee the Flood Studies for the Tilligerry Creek catchment	Sustainable Planning	<p><i>Cr Baumann</i> <i>Cr Tucker</i> <i>Cr Swan</i> <i>Cr Dingle</i></p>
67	<p>Marine Parks Advisory Panel</p> <p><i>Ministerial Appointment</i></p>	Community Consultative Committee regarding the proposed Marine Park in Port Stephens	Sustainable Planning	<p><i>Cr Westbury</i> <i>Ministerial Appointment</i></p>
68	<p>National Parks & Wildlife Service Regional Advisory Committee</p> <p><i>Ministerial Appointment</i></p>	This is a community reference group run by National Parks & Wildlife Service. It is not a Council committee.	Sustainable Planning	<p><i>Cr Brown</i> <i>Ministerial Appointment</i></p>
69	Nelson Bay Adult Education Committee	This committee is an advisory committee for Adult Education.	Corporate Services	<p><i>Cr Westbury</i></p>

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Group	Former Delegate/ Member
70	Newcastle Airport Joint Sub-Committee	Corporate Services	<i>New Committee (Mayor & 2 Councillors)</i>
71	North Coast NSW Regional Tourism Board	Commercial Services	<i>Cr Westbury</i>
72	Police Accountability Community Team <i>Formerly Police Action Community Team</i>	Sustainable Planning	<i>Mayor</i>
73	Port Stephens Futures Strategy – Reference Group	Sustainable Planning	<i>Cr Brown - West Ward Cr Swan – Central Ward Cr Nell – East Ward</i>
74	Port Stephens Transport Forum	Sustainable Planning	<i>Mayor</i>
75	Newcastle Road Freight Group	Sustainable Planning	<i>Cr Robinson</i>
76	Port Stephens Domestic Violence Committee	Sustainable Planning	<i>New delegate required.</i>

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Group	Former Delegate/ Member
77	Port Stephens East Local Health Advisory Committee To ensure that the population of the Tomaree Peninsula has appropriate access to a suitable baseline level of health services and facilities to meet their existing and future health needs.	Sustainable Planning	<i>Cr Dover</i> <i>Cr Robinson</i>
78	Port Stephens West Local Health Advisory Committee To ensure that the population of the Western area of Port Stephens (ie; east of Tomaree Peninsula) has appropriate access to a suitable baseline level of health services and facilities to meet their existing and future health needs.	Sustainable Planning	<i>Cr Francis</i> <i>Cr Dingle</i>
79	Port Stephens Tidy Town & Landcare Co-ordinating Group To provide a forum for volunteers working within Council's bushland, parks and reserves to discuss relevant issues and ideas relating to current and potential projects, problems they experience, and additional training and resources they require.	Sustainable Planning	<i>Cr Dingle</i> <i>Cr Brown</i> <i>Cr Dover</i> <i>Cr Swan</i> <i>(alternate)</i>
80	Port Stephens Tourism Joint Venture Committee This Committee is the liaison between Port Stephens Council and Port Stephens Tourism for the promotion of tourism in the Port Stephens Shire. Note: A Tourism Strategy is currently being developed which may influence the nature of Council's relationship with the tourism sector in the future.	Commercial Services	<i>Cr Westbury</i> <i>Cr Hodges</i> <i>Cr Swan</i>
81	Port Stephens/Myall Lakes Estuary and Coastal Zone Management Committee This Committee includes representatives from Great Lakes Council and is responsible for long term planning for the estuary and the coastline.	Sustainable Planning	<i>Cr Nell</i> <i>Cr Westbury</i>
82	Regional Mosquito Management Working Group This is a regional committee initiated by the Premiers Department to develop strategies to manage our interaction with mosquitoes.	Sustainable Planning	<i>Cr Brown</i>
83	Urban Animal Management Committee This committee seeks to develop local strategies to better manage domestic dogs.	Sustainable Planning	<i>Cr Brown</i> <i>Cr Swan</i>
84	Williams River Floodplain Risk Management Committee To oversee the Flood Studies for the Williams River catchment including Dungog shire	Sustainable Planning	<i>Cr Jordan</i> <i>Cr Brown</i>

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

Committee Name	Purpose of Committee	Group	Former Delegate/ Member
85 Tilligerry Creek Catchment Committee	To develop and implement the Tilligerry Catchment management Plan which will result in improved water quality in Tilligerry Creek.	Sustainable Planning	<i>Cr Tucker Cr Dingle (as alternate)</i>
86 Windeyers Creek Catchment Committee	To develop catchment plans that when implemented, result in catchment improvements.	Sustainable Planning	<i>Cr Brown</i>
87 Worimi Conservation Lands Board of Management <i>Ministerial Appointment</i>	To oversee the management of the lands owned by the Aboriginal owners and leased back to the NSW Government.	Corporate Services	<i>Cr Swan Ministerial Appointment Cr Dover Alternate delegate</i>

Committees to be removed from listing by Council:-

- 1) Seaham Park, Wetland & Tidy Town Committee – This Committee has been disbanded however a new Committee will be former at the end of 2008.
- 2) Port Stephens Tody Town & Landcare Coordinating Group – This Group has been amalgamated with the Parks & Tidy Towns Forum.
- 3) Lower Hunter & Central Coast Regional Environmental Management Strategy Steering Committee – no longer requires Council delegate.
- 4) Nelson Bay Town Management Inc. – no longer requires Council delegate.

LINKS TO CORPORATE PLANS

The links to the 2008-2012 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

BUSINESS EXCELLENCE – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey*

FINANCIAL/RESOURCE IMPLICATIONS

Financial and Resource implications are provided for within the existing budget.

LEGAL AND POLICY IMPLICATIONS

Council has a legal obligation under the Local Government Act 1993.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 5) **CONTINUOUS IMPROVEMENT** – *Develop agility, adaptability and responsiveness based on a culture of continual improvement, innovation and learning.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

General Manager
Group Manager – Corporate Services

OPTIONS

- 1) Note the report and endorse existing appointments.
- 2) Review committee appointments.

ATTACHMENTS

Nil

COUNCILLORS ROOM

Nil

TABLED DOCUMENTS

Nil

ITEM NO. 4

FILE NO: PSC2005-2892

LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE

REPORT OF: PETER GESLING – GENERAL MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Nominates four (4) delegates for the Local Government Association Conference.

259	Councillor Francis Councillor Jordan	It was resolved that Crs Francis, Jordan, Nell and Westbury be nominated to attend the Local Government Association Annual Conference.
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BACKGROUND

The purpose of this report is to advise Council that Local Government Association Annual Conference is scheduled to be held in Broken Hill from 25 October to 29 October 2008.

This year the theme of the conference is *“Inspiration in the Silver City”*.

As a member of the Association, Council is eligible to have four voting delegates attend. Council has four (4) registrations available for Councillors to attend this years conference and is asked to consider the nomination of four Councillors to attend.

This Conference establishes policy of the Local Government Association, which is the principle advocate for Port Stephens Council in the State sphere of government.

LINKS TO CORPORATE PLANS

Through Council's involvement with the Local Government Association Conference Council is able to ensure that Council has a voice in the industry and provide the avenue to implement the community services and organisational function contained in the Council Plan.

The links to the 2008-2012 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY –

Council will protect and enhance the environment while considering the social and economic ramifications of decisions.

BUSINESS EXCELLENCE –

Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey

FINANCIAL/RESOURCE IMPLICATIONS

Attendance by Councillors and the General Manager is determined by the Council. Budget provision is available.

LEGAL AND POLICY IMPLICATIONS

Nil

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 8) **SUSTAINABLE RESULTS** – *Focus on sustainable results, value and outcomes.*

SUSTAINABILITY IMPLICATIONS

SOCIAL & ECONOMIC IMPLICATIONS

The opportunity to debate policy issues, including sustainability, to meet with elected and senior staff from other Councils, and to provide a further perspective when considering decisions at a local level.

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

Not applicable

OPTIONS

- 1) Adopt the Recommendation
- 2) Amend the Recommendation

ATTACHMENTS

- 1) The draft program for the 2008 Local Government Association Conference.

COUNCILLORS ROOM

Nil.

TABLED DOCUMENTS

Nil

ATTACHMENT 1

Conference Program

NOTE: Program content correct at time of printing. Changes may occur without notice.

Saturday 25 October

12.00pm – 5.00pm Registration opens at Entertainment Centre
 2.00pm – 4.00pm Forum: Entertainment Centre
 Local Government Forum: – Constitutional Recognition of Local Government – Mr Adrian Beresford-Wylie, Australian Local Government Association

Sunday 26 October

9.00am – 5.30pm Registration opens at Entertainment Centre
 2.00pm- 3.00pm Church Service – Wesley Uniting Church
 3.00pm – 4.00pm Afternoon tea, trade display marquee, Entertainment Centre
 4.00pm – 5.30pm Official Opening Ceremony, Entertainment Centre
 Mayoral procession
 National Anthem
 Indigenous welcome
 Welcome from Administrator, Mr Ken Boyle
 Welcome address by Cr Genia McCaffery, President LGA
 Presentation of Outstanding Service Awards by the Minister of Local Government
 5.30pm – 7.00pm President's Welcome Reception, Trades Hall

Monday 27 October

8.30am Ballot for the election of President opens
 9.00am Conference Opening of Business Session
 Hon Paul Lynch MP, Minister for Local Government
 9.30am Hon Kristina Keneally MP, Minister for Ageing and Disability services (invited)
 10.00am Keynote Address: Ms Tanya Ha, The Business Sector and 'Natural Capitalism'
 10.30am Adoption of Standing Orders
 Presentation and Adoption of Treasurer's Report
 (Morning tea concurrent)
 Consideration of Motions
 Ballot for the election of President closes
 11.00am Liberal Leader Mr Barry O'Farrell (invited)
 11.30am Case Study: Ms Monica Barone, CEO, City Strategy on City of Sydney' Sustainable Sydney 2030 project
 Ballot for the election of Treasurer opens
 12.00 noon Consideration of Motions
 12.30pm Lunch
 1.00pm Ballot for the election of Treasurer closes
 1.30pm Case Study: Ms Lorna Bussell, Divisional Manager, Bondi Junction, Waverley Council, Public Works and Services
 Ballot for the election of Vice Presidents opens
 1.45pm Case Study: Cr Reg Kidd, Orange City Council, The Environmental Learning Facility (ELF)

2.00pm Consideration of Motions
 (Afternoon tea concurrent)
 3.00pm Ballot for the election of Vice Presidents closes
 3.30pm LGA Conference Host Contenders for 2010:
 Conference adjourns for Happy Hour in trade exhibition
 4.05pm
 5.00pm Happy Hour concludes
 8.30pm Optional Social Night – Club WSN
 – Priscilla Show
 Proudly sponsored by WSN



Tuesday 28 October

8.30am Ballot to host 2010 LGA Conference opens
 Ballot for election of Executive Committee opens
 9.00am Mr Ken Kanofski, WSN, Reduction of Greenhouse Gas from Waste/climate change
 9.30am Case Study: Mr Frank Zaknich, General Manager, Broken Hill City Council 'Managing and Sustaining Infrastructure'
 10.00am Commissioner Jerrold Cripps, Commissioner ICAC (invited)
 10.30am Ballot election of executive committee and 2010 conference host closes
 (Morning Tea concurrent)
 11.00am Consideration of motions
 12.30pm Lunch
 1.30pm Mr Rod Geer, Managing Director, StateCover
 1.45pm Case Study: Mr Nick Tobin, General Manager, Willoughby City Council, 'Clever Solutions for Key Community Infrastructure'
 2.00pm Consideration of motions
 4.00pm Conference adjourns for Country Energy Mad Max drinks in trade display
 Draw Prizes from trade display
 Happy Hour concludes
 4.30pm
 7.00pm Conference Dinner - Silverton
 Proudly sponsored by Country Energy



Wednesday 29 October

9.00am Opening of Business Session
 Tamworth 2009 presentation
 9.15am Consideration of motions
 10.30am (Morning Tea concurrent)
 12 noon Submission of conference evaluation forms closed.
 12.15pm Closing ceremony

ITEM NO. 5

FILE NO: A2004-0169

REVIEW OF THE MAYOR AND GENERAL MANAGER'S DELEGATIONS

REPORT OF: PETER GESLING – GENERAL MANAGER

RECOMMENDATION IS THAT COUNCIL:

- 1) Delegate the functions as shown in ATTACHMENT 1 to the General Manager; and
 - 2) Delegate the functions as shown in ATTACHMENT 2 to the Mayor.
 - 3) Approve the affixing of the Common Seal to the General Manager's and Mayor's delegations.
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260	Councillor Dover Councillor Nell	It was resolved that this matter be deferred for further consideration.
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BACKGROUND

The purpose of this report is to review the General Manager's and Mayor's delegation as required in Section 380 of the Local Government Act 1993. The Act requires that Council must review its delegations during the first 12 months of each term of office.

It is recommended that the best approach for the efficient and effective management of Council's day to day operations is to delegate most of Council's functions to the General Manager. This general delegation is then subject to statutory and other exceptions as detailed in the delegation document. The alternative approach is to specify each particular function and any limitation that may it may be subject to. The problem with this approach is that the functions of Council are many and varied and the probability is that something will be missed. The advantage of the general delegation is that it is less likely to be subject to a successful challenge.

In respect of the delegations to the Mayor, the revised delegation is aimed at ensuring the Mayor has adequate authority to carry out his/her statutory function. Council may delegate other functions to the Mayor if it wishes, provided such functions are not restricted by legislation from being delegated.

The delegations for both the General Manager and the Mayor have been reviewed and no changes are proposed.

The reviewed delegation for the General Manager is contained in ATTACHMENT 1 and the Mayor's reviewed delegation is contained in ATTACHMENT 2.

LINKS TO CORPORATE PLANS

The delegations are aimed at helping Council to achieve the governance objective of providing stable and democratic Local Government representing the interests of the local community, acting in the best interests of the community.

The links to the 2008-2012 Council Plan are:-

SOCIAL SUSTAINABILITY – *Council will preserve and strengthen the fabric of the community, building on community strengths.*

CULTURAL SUSTAINABILITY – *Council will assist to inspire a sense of pride and place as well as enhancing quality of life and defining local identity.*

ECONOMIC SUSTAINABILITY – *Council will support the economic sustainability of its communities while not compromising its environmental and social well being.*

ENVIRONMENTAL SUSTAINABILITY – *Council will protect and enhance the environment while considering the social and economic ramifications of decisions.*

BUSINESS EXCELLENCE – *Council will use the Business Excellence Framework to innovate and demonstrate continuous improvement leading to long-term sustainability across operational and governance areas in a Business Excellence Journey*

FINANCIAL/RESOURCE IMPLICATIONS

An effective system of delegations is necessary to ensure that Council's operations are carried out with the optimum use of resources. The General Manager will sub-delegate specific functions to appropriate staff to ensure they have the authority to perform their duties effectively and to achieve their performance targets.

LEGAL AND POLICY IMPLICATIONS

Section 355 of the Local Government Act provides that function of a council may, subject to the Act, be exercised:

- by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- by a committee of the council , or
- partly or jointly by the council and another person or persons, or
- jointly by the council and another council or councils (including by means of a Voluntary Regional Organisation of Councils of which the councils concerned are members), or
- by a delegate of the council (which may, for example, be a Voluntary Regional Organisation of Councils of which the council is a member).

Under Section 377 of the Local Government Act a Council may, by resolution, delegate to the General Manager or other person or body (not including another employee of the Council) any of the functions of the Council, other than those listed in Section 377. The General Manager may than sub-delegate any of the functions to any person or body including employees of Council.

All delegations are subject to the requirements of any law as well as any express policy of Council.

Business Excellence Framework

Port Stephens Council is a quality driven organisation. We use the Business Excellence Framework as a basis for driving organisational excellence. The Framework is an integrated leadership and management system that describes elements essential to organisational excellence. It is based on eight (8) principles.

These outcomes align with the following Business Excellence principles:-

- 1) **LEADERSHIP** – *Lead by example, provide clear direction, build organisational alignment and focus on sustainable achievement of goals.*
- 3) **SYSTEMS THINKING** – *Continuously improve the system.*
- 4) **PEOPLE** – *Develop and value people’s capability and release their skills, resourcefulness and creativity to change and improve the organisation.*
- 6) **INFORMATION AND KNOWLEDGE** – *Improve performance through the use of data, information and knowledge to understand variability and to improve strategic and operational decision making.*
- 7) **CORPORATE AND SOCIAL RESPONSIBILITY** – *Behave in an ethically, socially and environmentally responsible manner.*

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

CONSULTATION

- General Manager
- Acting Corporate Services Group Manager
- Executive Officer

OPTIONS

1. Approve the delegations as recommended;
2. Amend the delegations as required;

3. Defer for further consideration.

ATTACHMENTS

1. Reviewed Delegation of the General Manager
2. Reviewed Delegation of the Mayor

TABLED DOCUMENTS

- 1) Nil

ATTACHMENT 1



INSTRUMENT OF DELEGATION TO THE GENERAL MANAGER

Review Date: 20 June 2000
27 July 2004

STATUTORY FUNCTIONS

The functions of the General Manager are defined in Section 335 of the Local Government Act 1993 as:

335 (1) General responsibilities

The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

(2) Particular functions

The General Manager has the following particular functions:

- the day to day management of the Council;
- to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- to appoint staff in accordance with an organisation structure and resources approved by Council;
- to direct and dismiss staff;
- to implement the Council's equal employment opportunity management plan.

(3) Further functions

The General Manager has such other functions as may be conferred or imposed on the General Manager by or under this or any other Act.

Section 337 of the Act provides that the General Manager may appoint or dismiss senior staff only after consultation with the Council.

Section 378 of the Local Government Act, 1993, further provides that:

1. The General Manager may delegate any of the functions of the General Manager, other than this power of delegation;
2. The General Manager may sub-delegate a function delegated to the General Manager by the Council to any person or body (including another employee of the Council).

Local Government (General) Regulation, 2005 - Clause 209
Particular Responsibilities of the General Manager.

1. The General Manager of a Council must ensure that:-
 - a) the provisions of the Act, the regulations and any other written law relating to Council's financial obligations or the keeping of accounts by Council are complied with; and
 - b) effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the Council's administration; and
 - c) authorising and recording procedures are established to provide effective control over the Council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, including a proper division of accounting responsibilities among the Council's staff; and
 - d) lines of authority and the responsibilities of members of the Council's staff for related tasks are clearly defined.

The General Manager is also the Responsible Accounting Officer of Council for the purposes of the Regulation unless the General Manager designates a member of staff to be so.

Delegations.

Pursuant to Section 377 of the Local Government Act, 1993, Port Stephens Council hereby delegates the following powers, authorities, duties or functions to the person holding the position of General Manager of Port Stephens Council. These delegations are to be exercised according to:

- the requirements of the Local Government Act, 1993, and Regulations thereunder ;
- the requirements of any other relevant Act, law or regulation;
- any expressed resolution or policy of Port Stephens Council.

Specifically, Council hereby delegates, in accordance with Section 377(1) of the Local Government Act 1993, relating to affixing the Council corporate seal the following:-

To affix the corporate seal of Port Stephens Council to all documents necessary for Port Stephens Council to enter into or be a party to any property or commercial transaction, provided that the transaction has already been authorised by specific resolution of Council.

Pursuant to Clause 14 of the Local Government (Rates and Charges) Regulation, Council delegates the function of writing off rates and charges by the General Manager, to the fixed amount stated in the Council resolution.

These delegations revoke all previous delegations to the General Manager and recognise that certain functions are conferred on the General Manager by the Local Government Act 1993.

1. All powers and functions of Council under the Local Government Act. 1993, and regulations thereunder except:
 - those powers and functions under Section 377 of the Act which cannot be delegated being:-
 - the appointment of a general manager
 - the making of a rate
 - a determination under section 549 as to the levying of a rate
 - the making of a charge
 - the fixing of a fee
 - the borrowing of money
 - the voting of money for expenditure on its works, services or operations
 - the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
 - the acceptance of tenders which are required under this Act to be invited by the council
 - the adoption of a management plan
 - the adoption of a financial statement included in an annual financial report
 - a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
 - the fixing of an amount or rate for the carrying out by the council of work on private land
 - the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
 - the review of a determination made by the council , and not by a delegate of the council , of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
 - the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
 - a decision under section 356 to contribute money or otherwise grant financial assistance to persons
 - the power of the council under section 455 in relation to attendance at meetings
 - the making of an application, or the giving of a notice , to the Governor or Minister
 - this power of delegation
 - any function under this or any other Act that is expressly required to be exercised by resolution of Council

In addition the following functions of Council are excluded from this delegation:

- Adoption of a plan of management for community land;
- The granting of a lease or licence or other estate over community land except where the lease or licence is for a period of less than five (5) years and is consistent with an adopted Plan of Management for the relevant community land;
- Consent to the carrying out of development on community land prescribed by section 47E(1) of the Local Government Act 1993, except developments exempted under Section 47E(2) of the Local Government Act 1993;
- Adoption, amendment or revocation of a local approvals and orders policies;
- Abolition, alteration and naming of Wards (s210 LGA);
- Initiate a proposal to amalgamate or alter boundaries under s218E of the Local Government Act;
- The fixing of annual fees for Councillors and Mayor;
- The determination of the organisation structure and senior staff positions;
- Adoption and amendment of a Code of Meeting Practice (s362/3 LGA)
- Adoption or amendment to Council's Code of Conduct (s440 LGA)
- Sell land for unpaid rates and charges (s713 LGA)
- Any variation to approved expenditure votes except the authority to transfer votes up to a maximum of \$5,000 between Budget components and programs.

2. Powers and Legislative Responsibilities

Authority to exercise all of the functions conferred or imposed on, or delegated to the Council pursuant to any law, Act including all by-laws, Ordinances and Regulations or instrument of delegation including but not limited to:

A New Tax System (Goods And Services Tax) Act 1999 (Cth)
Anti-Discrimination Act 1977
Coastal Protection Act 1979
Community Land Development Act 1989
Community Land Management Act 1989
Companion Animals Act, 1997
Contaminated Land Management Act, 1997
Crimes Act 1900
Crown Lands Act 1989
Disability Discrimination Act 1992 (Cth)
Disability Services Act 1993
Dividing Fences Act 1991
Dog Act 1966
Dog Regulation 1981
Drainage Act 1939
Environmental Planning & Assessment Act, 1979
Environmental Planning & Assessment Model Provisions 1980
Environmental Planning and Assessment Regulation 1980
Fair Trading Act 1987
Food Act 1989
Food (General) Regulation 1992
Food Production (Safety) Act 1998
Freedom of Information Act 1989
Geographical Names Act 1966
Heritage Act 1977
Impounding Act 1993
Independent Commission Against Corruption Act 1988
Interstate Road Transport Act 1985
Land Acquisition (Just Terms Compensation) Act 1991
Library Act 1939
Local Government Act 1993 and Regulations
Motor Accident Act 1988
Motor Traffic Regulations 1935
National Parks & Wildlife Act 1974
Native Vegetation Conservation Act 1997
Noxious Weeds Act 1974
Noxious Weeds Regulation 1993
Occupational Health & Safety Act, 1988
Ombudsman Act 1974
Ombudsman Amendment (Child Protection And Community Services) Act 1998
Privacy and Personal Information Protection Act 1998
Police Offences Act 1993
Protected Disclosures Act 1994
Protection of the Environment Operations Act 1997
Public Health Act 1991
Public Health Regulation 1991
Public Works Act 1912

Recreation Vehicles (General) Regulation, 1985
Recreation Vehicles Act 1983
Rivers and Foreshores Improvement Act 1948
Roads Act 1993
Rural Fire Act, 1997
Rural Lands Protection Act 1989
State Emergency and Rescue Management Act 1989
State Emergency Services Act and Regulations 1989
State Records Act 1998
Strata Title Act 1973
Summary Offences Act 1988
Swimming Pools Act 1992
Threatened Species Conservation Act 1995
Trade Practices Act 1974 (Cth)
Traffic Act 1909
Transport Administration Act 1988
Unclaimed Money Act 1977
Valuation Act 1916
Valuation Regulation 1991
Waste Minimisation and Management Act 1995
Waste Minimisation and Management Regulation 1996
Workers Compensation Act 1987

The delegation to the General Managers is effective from the date of this Instrument of Delegation as authorised by Council.

The common seal of the Port Stephens Council)

Was hereto affixed pursuant to a Resolution of the) _____
Mayor

Council at its meeting of * Min *) _____
Councillor

ATTACHMENT 2



INSTRUMENT OF DELEGATION TO THE MAYOR

Review Date: 26 June 2001
27 July 2004

STATUTORY FUNCTIONS

The functions of the Mayor are defined in Section 226 of the Local Government Act 1993 as:

The role of the Mayor is:

- to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council
- to exercise such other functions of the council as the council determines
- to preside at meetings of the council
- to carry out the civic and ceremonial functions of the mayoral office.

Delegations.

Pursuant to Section 377 of the Local Government Act, 1993, Port Stephens Council hereby delegates the following powers, authorities, duties or functions to the person holding the position of Mayor of Port Stephens Council. These delegations are to be exercised according to:

- the requirements of the Local Government Act, 1993, and Regulations thereunder ;
 - the requirements of any other relevant Act, law or regulation;
 - any expressed resolution or policy of Port Stephens Council.
-
- To approve expenditure from the Mayor’s Office Component of Council’s approved Budget;
 - To authorise the attendance of Councillors at seminars and conferences in accordance with budgetary limitations and Council’s Policy on Councillors Reimbursement;
 - To determine who should represent Council at civic, ceremonial and social functions where the Mayor is unable to attend and Council has not determined its representative(s)
 - To approve use of the Council Chambers and Councillors Rooms by other persons
 - To represent Council to the community generally and to be its spokesperson in accordance with Council’s policies and decisions;
 - In concurrence with the General Manager, to declare a person a “vexatious complainant” in accordance with Council’s Complaints Policy ;

MINUTES FOR EXTRA ORDINARY MEETING – 30 SEPTEMBER 2008

- To approve or refuse public access applications in accordance with Council’s policy and Code of Meeting Practice.
- In the cases of emergency, where it is not practical to wait for the next scheduled meeting of Council, to exercise such functions of the Council as is necessary in the situation, except those functions listed under Section 377 of the Local Government Act 1993 and those regulatory functions under Chapter 7 of the Act. This delegation applies only to those functions properly held by the Council and does not extend to the statutory functions of the General Manager under Section 335 of the Local Government Act 1993.
- **To make community awards on the recommendation of the Port Stephens Community Awards Panel and after appropriate consultation with all Councillors.**

Specifically, Council hereby delegates, in accordance with Section 377(1) of the Local Government Act 1993, relating to affixing the Council corporate seal the following:-

To affix the corporate seal of Port Stephens Council to all documents necessary for Port Stephens Council to enter into or be a party to any property or commercial transaction, provided that the transaction has already been authorised by specific resolution of Council.

These delegations revoke all previous delegations to the Mayor.

The delegation to the Mayor is effective from the date of this Instrument of Delegation as authorised by Council.

The common seal of the Port Stephens Council)

Was hereto affixed pursuant to a Resolution of the) _____
Councillor

Council at its meeting of * Min *) _____
Councillor

ITEM NO. 6

INFORMATION PAPERS

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 30 September, 2008.

No:	Report Title	Page:
1	Local Government Association of NSW 2008 - Election of the Executive Committee	53

261	Councillor Francis Councillor Nell	It was resolved that the information paper be received and noted.
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GENERAL MANAGERS INFORMATION PAPERS



INFORMATION ITEM NO. 1

**LOCAL GOVERNMENT ASSOCIATION (LGA) OF NSW 2008
ELECTION OF THE EXECUTIVE COMMITTEE**

**REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
FILE: PSC2006-1672**

BACKGROUND

The purpose of this report is to inform Council that the Electoral Commission NSW have requested that ATTACHMENT 1 be tabled at a Council Meeting.

Nominations are being invited for candidates for the Executive Committee of the Local Government Association of NSW. Nominations opened on Monday 8 September 2008 and will close at 12.00 noon on Friday 17 October 2008.

As Council is an Ordinary Member of the LGA, as opposed to an associate member, Councillors may nominate if they choose. Should Council resolved to support the nomination of any Councillor, nomination forms and statutory declaration in support of the candidature are available from Council's Executive Officer.

ATTACHMENTS

- 1) Local Government Association of NSW 2008 Election of the Executive Committee

ATTACHMENT 1



ELECTION NOTICE
LOCAL GOVERNMENT ASSOCIATION OF NSW
2008 ELECTION OF THE EXECUTIVE COMMITTEE

Pursuant to the Industrial Relations Act 1996 and the Regulations thereunder, the Electoral Commissioner for New South Wales will be the Returning Officer for the election of the Executive Committee of the Local Government Association of NSW.

Nominations:

Nominations are hereby invited from Monday 8 September 2008 for the following positions:

- President (1 from a country council or from the incumbent president)
- Treasurer (1 from a country council or metropolitan council)
- 2 Vice-Presidents (1 from a country council, 1 from a metropolitan council)
- 20 Committee Members (10 from country councils, 10 from metropolitan councils)

Nomination forms and Statutory Declarations in support of candidature are attached. They may be photocopied as required, or additional copies may be obtained from the NSW Electoral Commission, telephone (02) 9290 5947.

Nomination Qualifications:

Nominations on the prescribed form must be in writing, signed by the candidate and at least two nominators other than the candidate. No person may nominate more candidates than the number to be elected for each position.

Candidates must be serving members of councils which are financial ordinary members (not associate members) of the Association. Nominators must be elected members of councils which are financial ordinary members (not associate members) of the Association.

Rule 22(a) requires that the office of President alternates between members of country councils and members of metropolitan councils. To be eligible to be elected, candidates for the position of President at this election must be members of country councils but may also include the incumbent President.

Candidates for the positions of Vice-President and Committee Member must be from the respective country or metropolitan councils for which the nomination is made.

Lodgement of Nominations:

Lodgement of a correctly completed nomination form, by the specified time, is the responsibility of the candidate.

Nomination forms can only be lodged with the Returning Officer:

- by hand: NSW Electoral Commission, Level 25, 201 Kent Street, Sydney; or
- by post: GPO Box 832 Sydney NSW 2001; or
- by fax: (02) 9290 5939

and must be received by the Returning Officer no later than **NOON, FRIDAY 17 OCTOBER 2008**. Any anomaly in the form must be rectified before this time. The original of a faxed nomination must be received by the Returning Officer by Noon, Monday 20 October 2008.

Should the election be contested a draw will be conducted to determine the order of candidates' names on the ballot paper at the NSW Electoral Commission at 2.00pm, Monday 20 October 2008. Candidates and or their representatives are invited to witness the draw.

Withdrawal of Nominations:

A candidate may only withdraw his/her nomination in writing so as to be received by the Returning Officer prior to Noon, Monday 20 October 2008.

Candidate Profiles:

Candidates will be given the opportunity to provide details of Local Government service, in the form of a Statutory Declaration, information from which will be forwarded to constituent councils before the Annual Conference. Any defect in a Statutory Declaration must be rectified by the candidate prior to the close of nominations.

Voting:

Councils must be financial ordinary members of the Association as at the close of roll Monday, 8 September 2008 to be eligible to vote in the election.

Voting will be conducted at the Annual Conference of the Local Government Association of NSW. Voting for President, Vice-Presidents and Treasurer will be conducted on Monday, 27 October 2008 and for Executive Committee on Tuesday, 28 October 2008. The method of voting to be observed for this election will be optional preferential for the election of President, Treasurer and Vice-Presidents, and proportional representation for the election of Executive Committee members.

Any enquiries concerning this election should be directed to Karen Whale at the NSW Electoral Commission on telephone (02) 9290 5947.

Colin Barry
Electoral Commissioner and Returning Officer

There being no further business the meeting closed at 6.33pm.