

ATTACHMENTS UNDER SEPARATE
COVER

ORDINARY COUNCIL MEETING
26 APRIL 2016



PORT STEPHENS
C O U N C I L

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ATTACHMENT 1: CURRENT SCHEDULES TO 355C STANDARD CONSTITUTION

1: ABORIGINAL STRATEGIC COMMITTEE

Item 1	Name of Committee	Aboriginal Strategic Committee
Item 2	Name of Council Team	Community Development and Engagement Unit
Item 3	Functions delegated by Council to committee	<ol style="list-style-type: none"> 1) To advise Council in relation to issues of concern between Council and the Aboriginal community, 2) To promote a positive public image with respect to issues for Aboriginal people in Port Stephens, 3) To provide a consultative mechanism with respect to development issues, 4) To improve relations between the Aboriginal and non Aboriginal community of Port Stephens, 5) To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people 6) To promote mutual awareness and respect for the cultures of both Aboriginal and non Aboriginal communities, and 7) To promote an increased awareness of the needs of Aboriginal communities and to assist with the development of programs to address those needs where possible and appropriate.
Item 4	Restrictions on functions delegated	The committee may only resolve to undertake actions outlined within this constitution.
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies & legislation include:</p> <p>Work Health & Safety Act 2011 LG Act & Regulations 1993 Privacy and Persons Information Act 1998 Code of Conduct Code of Meeting Practice Accessing Information Policy Child Protection Policy Volunteers Strategy Government Information (Public Access) Act 2009 (GIPAA)</p>
Item 6	Date on which constitution concludes	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	<ol style="list-style-type: none"> 1) The Committee is to consist of up to six (6) Aboriginal Community Representatives.

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		<p>2) The Committee is to consist of the following ex-officio members: the General Manager and the Group Manager (Development Services) or their delegates</p> <p>3) Decisions of the Committee shall be by consensus.</p> <p>4) Non members may attend meetings of the Committee and may speak to the Committee by invitation only.</p> <p>5) Aboriginal Community members will be nominated according to the following formula:-</p> <ul style="list-style-type: none"> • The Chief Executive Officer of the Worimi Local Aboriginal Land Council and two nominated representatives nominated by the Worimi LALC Karuah Local Aboriginal Land Council (LALC), • The Chief Executive Officer of Karuah Local Aboriginal Land Council and two representatives nominated by Karuah LALC • Two elders nominated jointly by the Karuah and Worimi LALC's. <p>6) Casual vacancies may be filled by the Committee according to the formula outlined above.</p>
Item 8	Councillors	As resolved by Council.
Item 9	Council employees	Community Development & Engagement Coordinator or delegate and other related staff, attending on an as needed/advisory basis
Item 10	Name of financial institution and type of account	Not applicable
Item 11	Name of any account operated by the committee	Not applicable
Item 12	Area assigned to committee and/or map	Not applicable
Item 13	<p>Additional clauses or amendments to Standard Constitution or Schedule.</p> <p>To be listed in full - body of constitution not to be altered.</p>	<p>AMENDMENTS TO STANDARD CONSTITUTION</p> <p>The Aboriginal Strategic Committee is an Advisory Committee which means that some clauses of the Standard 355(c) Committee Constitution require amendment to reflect the operation of the committee.</p> <p>The general operating functions of the Aboriginal Strategic Committee are undertaken by Council Officers.</p> <p>Clause 4. Functions of the Committee</p> <p>Additional sub clause</p>

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		<p>4.7 Confidentiality And Conflict Of Interest According to Councils Code of Conduct:- "A conflict of interest arises if a person with a private or personal interest could be influenced in the performance of his or her public or professional duties".</p> <p>4.7 a) Committee members are to declare any conflicts of interest at the commencement of the meeting or as the relevant item is raised in General Business.</p> <p>4.7 b) Conflicts of interest will be noted reported in minutes and the Chairperson may request the parties involved to leave the room while the matter is decided.</p> <p>4.7 c) A majority of members may decide at any time to close the meeting and begin confidential discussions. Participants excluded from the meeting should be provided with reasons for moving into confidential session.</p> <p>4.7 d) Breach of confidentiality is grounds for dismissal.</p> <p>Clause 7 The Executive – not applicable</p> <p>Clause 9 Meetings <i>The following sub clauses replace the same numbered sub clauses in the Standard 355 (c) Constitution.</i></p> <p>9.1 The Committee will be chaired by the elected Councillor or their nominee</p> <p>a) Meetings will be held at the Port Stephens Council Administration Building, but can be held at other community venues as appropriate.</p> <p>9.1 b) All agenda items to be submitted prior to the meeting.</p> <p>9.3 Ordinary meetings shall comprise of combined quarterly meetings with representatives from Karuah and Worimi Local Aboriginal Land Councils and Port Stephens Council.</p> <p>At all ordinary meetings two aboriginal representatives from either Karuah or Worimi Local Aboriginal Land Councils, One Councillor, the General Manager and the Group Manager (Development Services) or their delegates shall constitute a quorum.</p> <p>The committee shall hold ordinary meetings at least four times a year at a time and frequency to be determined by the committee.</p>
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		<p>Clauses 10 Finances, 11 Records, 12 Reports <i>Not applicable</i></p> <p>The Community Development and Engagement Co-ordinator shall be responsible for the correct recording of all proceedings of the Committee, conduct all correspondence on behalf of the Committee, the receipt of monies and payments of accounts and all other things necessary for the proper control of the Committee's affairs.</p>
Item 14	Changes to constitution or Schedule	Adopted by Council 14 October 2014 Minute No: 264

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2: BIRUBI POINT CULTURAL HERITAGE ADVISORY PANEL

Item 1	Name of Committee	Birubi Point Cultural Heritage Advisory Panel
Item 2	Name of Council group and section	Facilities and Services Group/ Community Services Section
Item 3	Function delegated by Council to committee	<p>1. Develop a Landscape Master Plan for the Birubi Point Reserve</p> <p>2. Develop and Annual Works Plan for Birubi Point Reserve</p> <p>3. Develop and deliver alternative funding strategies for the management of Birubi Point Reserve</p>
Item 4	Restrictions on functions delegated	The panel provides advice to Port Stephens Council. Any and all recommendations from the panel to Port Stephens Council as the Trust Manager of the Crown Lands require endorsement by Port Stephens Council prior to implementation.
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies and legislation including but not limited to:</p> <p>Local Government Act 1993 and it's Regulation as amended</p> <p>Crown lands Act 1989</p> <p>Workplace Health and Safety Act 2011</p> <p>Privacy and Personal Information Protection Act 1988</p> <p>State Records Act 1998</p> <p>Port Stephens Council Code of Conduct</p> <p>Port Stephens Council Code of Meeting Practice</p> <p>Port Stephens Council Accessing Information Policy</p> <p>Port Stephens Council Volunteer Strategy</p>
Item 6	Date on which constitution concludes	September of Council election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of Committee members	<p>The panel shall consist of fourteen (14) members made up of the following representation from the following organisations or individuals:</p> <p>1. Port Stephens Council: Three (3) representatives- One (1) Councillor, General Manager, Community Services Section manager.</p> <p>2. NSW Crown Lands- one (1) representative to be</p>

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		<p>nominated by NSW Crown lands</p> <p>3. NSW National parks and Wildlife Service- one (1) representative to be nominated by NSW National parks and Wildlife Service.</p> <p>4. Worimi Conservation Lands Board of management- two (2) representatives to be nominated by Worimi Conservation Lands Board of Management.</p> <p>5. Worimi Local Aboriginal Land Council- two (2) representatives to be nominated by Worimi Local Aboriginal Land Council.</p> <p>6. Registered Aboriginal Owners of the Worimi Conservation lands-three (3) representatives to be nominated by Registered Aboriginal Owners of the Worimi Conservation Lands.</p> <p>7. Birubi Point Surf Life Saving Club – one (1) representative to be nominated by the Birubi Surf Life Saving Club.</p> <p>8. Anna Bay community – one (1) representative from the Anna Bay community to be selected through an open recruitment process coordinated by the Panel.</p>
Item 8	Councillors	One (1) Councillor as resolved by Council
Item 9	Council employees	<p>General manager or his/her delegate</p> <p>Community Services Section Manager</p>
Item 10	Name of financial institution and type of account	Not applicable
Item 11	Name of any account operated by the committee	Not applicable
Item 12	Area assigned to the committee and/or map	The area known as Birubi Point Reserve – Lot 7325 in Deposited Plan 1156724, also known as Crown Reserve Number 91451, 73 Patterson Street Anna Bay and containing the localities known as Birubi Beach Reserve, Birubi Point Surf Life Saving Club, Birubi Beach Bottom Car Park and Robinson Reserve.
Item 13	Additional clauses or amendments to Standard Constitution or Schedule.	<p>Amendments</p> <p>1. Clause 7.1 (a) is amended to read "The Committee at a minimum must appoint a Chair and a Deputy Chair."</p>

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	To be listed in full-body of constitution not to be altered	<p>2. Clause 7.1 (b) is not applicable</p> <p>3. Clause 7.1 (c) is not applicable</p> <p>4. Clause 9.4 (a) is amended to read "The Committee shall hold ordinary meetings three times in a financial year and these shall be held in March, July and November".</p> <p>5. Clause 10 is not applicable</p> <p>6. Clause 12 is amended in its entirety to read "The Committee shall provide an annual report to Council that provides a summary of all activities undertaken by the Committee in the preceding year."</p> <p>Additions</p> <p>1. Clause 7.1 € to read "Council will provide a secretariat for the Committee and that position will be filled by a staff member of the Community Services Section Manager. The secretariat role is not a member of the committee and has no voting rights."</p> <p>2. Clause 6.9 to read "Nominated representatives from member organisations of the Committee are to be endorsed by Port Stephens Council."</p>
Item 14	Changes to constitution or schedule	Adopted by Council 26 November 2013 Minute No 349

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3: PORT STEPHENS CHOIR COMMITTEE

Item 1	Name of Committee	Port Stephens Choir Committee
Item 2	Name of Council Team	Community Planning Team
Item 3	Functions delegated by Council to committee (Objectives)	To develop a sense of community identity and belonging by involving participants in community cultural projects. To promote, organise and train. The Port Stephens Choir to be established in Raymond Terrace and be called Port Stephens Choir To assist in the development of other Choirs in Port Stephens View to Eisteddfods, other Competitions and Performances Teaching Music Literacy, Vocal Techniques and Aural Skills in a group environment. To encourage all members of the community to participate, placing an emphasis on combining individual musical skills in a choir for civic, cultural or other activities.
Item 4	Restrictions on functions delegated	All works/activities undertaken will be with the knowledge and approval of the Cultural Development & Events Officer.
Item 5	Policies, legislation the committee is required to comply with	Principle policies & legislation including but not limited to: OH&S Act, 2000 OH&S Regulations 2001 Local Government Act, 1993, Local Government Regulations 1993 PPIPA 1988 State Records Act, 1998 Code of Conduct Code of Meeting Practice Accessing Information Policy Child Protection Policy Volunteers Policy
Item 6	Date on which constitution concludes	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	Membership of the committee to comprise: 8 committee members Meetings will be open to members of the public but voting rights are limited to the Committee. The Annual General Meeting to be held in February each year to elect the Executive for a one year term.

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Item 8	Councillors	As resolved by Council.
Item 9	Council employees	Cultural Development & Events Officer
Item 10	Name of financial institution and type of account	Commonwealth Bank of Australia Cheque Account
Item 11	Name of any account operated by the committee	Port Stephens Choir Committee a S355(b) Committee of Port Stephens Council
Item 12	Area assigned to committee and/or map	Not applicable
Item 13	Additional clauses or amendments to Standard Constitution or Schedule. To be listed in full - body of constitution not to be altered.	Clause 18 All members of the choir, including musical director, accompanist are required to conform to the Choir Code of Conduct. Failure to do so may result in a member being asked to leave the choir.
Item 14	Changes to constitution or Schedule	Adopted by Council 27 May 2003 Minute No 197

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4: PORT STEPHENS HERITAGE ADVISORY COMMITTEE

Item 1	Name of Committee	Port Stephens Heritage Advisory Committee
Item 2	Name of Council Group	Sustainable Planning
Item 3	Functions delegated by Council to committee (Objectives)	<ol style="list-style-type: none"> 1. To undertake research of the built, natural and cultural heritage of the Local Government Area (LGA) and to make recommendations for additions to the Port Stephens Local Environmental Plan (LEP) schedule. 2. To act as a forum for knowledge of the built, natural and cultural environment within the LGA. 3. To alert Council to possible threats to potential and listed heritage items. 4. To promote the cause for conservation, ongoing education and enhancement of the built, natural and cultural environment throughout the LGA. 5. To make recommendations to Council on policies and plans concerning conservation of the built, natural and cultural environment covering issues such as amendment, revision or additional information to current
Item 4	Restrictions on functions delegated	All works and activities undertaken will be with the knowledge and approval of the Strategic Planner appointed by the Group Manager Sustainable Planning in consultation with

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Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies & legislation including but not limited to:</p> <p>OH&S 2000 OH&S Regulations 2001 Local Government Act 1993 & Regulations PPIPA 1988 Code of Conduct Code of Meeting Practice Accessing Information Policy Child Protection Policy Volunteers Policy Heritage Act 1977 Disability Access Policy 2003 (Draft) Environmental Planning and Assessment Act 1979 Port Stephens Local Environmental Plan 2000</p>
Item 6	Date on which constitution concludes	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	<p>Maximum number of committee members twenty five (25) - comprising</p> <ul style="list-style-type: none"> Two (2) Councillors with an interest in heritage issues Representatives from the community including individuals and organisations with an interest in the history of the Port Stephens Local Government Area. Individuals and organisations that
Item 8	Councillors	As resolved by Council.
Item 9	Council employees	<p>Strategic Planner appointed to Committee Administration</p> <p>Assistant appointed as Secretary Council's Heritage</p>
Item 10	Name of financial institution and type of account	N/A
Item 11	Name of any account operated by the committee	N/A
Item 12	Area assigned to committee and/or map	Port Stephens Local Government Area and areas of interest in adjoining local government areas which may have an

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Item 13	<p>Additional clauses or amendments to Standard Constitution or Schedule.</p> <p>To be listed in full - body of constitution not to be altered.</p>	<p>AMENDMENTS TO STANDARD CONSTITUTION</p> <p>The Port Stephens Heritage Advisory Committee has been an advisory committee since inception. The constitution should reflect the operating structure of the committee. Council's Strategic Planning Officer undertakes the general operating functions of the Port Stephens Heritage Advisory Committee.</p> <p>Clause 10 Finances Clause 10 Finances is not applicable.</p> <p>Clause 11 Records and Record Keeping Clause 11 is not applicable.</p> <p>Clause 12 Reports Clause 12.1 is not applicable. Clause 12.2 is not applicable.</p> <p>Clause 13 Intellectual Property Delete 13.1(c) and replace with "Individual members of the Committee bring intellectual property to the Committee which they have prior claims over. Decisions on the use of this property including who retains intellectual property and whether permission is granted for the Committee (Council) to use this information are to be made by the Committee in a transparent manner and recorded in the minutes of the committee.</p> <p>As a minimum, members who bring intellectual property to the Committee grant to the Committee a non-exclusive licence to use that intellectual property. The Committee will remain cognisant of any moral or proprietorial rights attaching to such intellectual property.</p>
Item 14	Changes to constitution or Schedule	<p>Adopted by Council 27 March 2007 Minute No 68</p>

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5: PORT STEPHENS AUSTRALIA DAY COMMITTEE

Item 1	Name of Committee	Port Stephens Australia Day Committee
Item 2	Name of Council Group/Team	Development Services/ Communications Section
Item 3	Functions delegated by Council to committee (Objectives)	<p>Committee</p> <ol style="list-style-type: none"> 1. To co-ordinate and promote annual celebrations of Australia Day in Port Stephens. 2. To support the sub committees (Raymond Terrace and Nelson Bay) and community groups (where necessary) to organise the Australia Day activities. 3. To coordinate requests from sub committees and community groups for participation of the Australia Day Ambassadors and funding requests from the Australia Day budget allocation. 4. To assist in the assessment of the Port Stephens Annual Awards nominations and make recommendations to the Mayor (see PSC Annual Awards Policy and Guidelines). 5. To liaise with Council regarding civic components of event. 6. To prepare a report to be tabled at the committee's February meeting on the outcomes of Australia Day celebrations (including a financial report) to be presented to Council. 7. Australia Day Subcommittees To organise Australia Day events in accordance with Australia Day Committee recommendations and Council approved Management Plans and Procedures. 8. To develop an annual submission for the consideration of the Committee at September meeting. The report is to include: Request for funding from Australia Day budget 9.

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		<p>Proposed program of activities Risk Management Plan of the events Budget</p> <p>To provide a financial report for the Committee at the February meeting to acquit expenditure of Council funds.</p>
Item 4	Restrictions on functions delegated	<p>All works and activities undertaken will be with the knowledge and approval of the Tourism and Events Coordinator and the Risk Management Co-ordinator.</p>
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies & legislation including but not limited to:</p> <p>Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No 322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321</p>
Item 6	Date on which constitution concludes	<p>September of Council Election each four years. Council to re adopt constitution and schedule within three months following election.</p>
Item 7	Maximum number and make up of committee members	<p>Committee Three Councillors (and alternates) as appointed by Council Two members (and two alternates) from each Australia Day sub committee One Council staff member (and alternate) delegated by General Manager.</p> <p>Australia Day Subcommittees Up to 30 interested community members Two members plus two alternates to be voted as representatives on the</p>

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		<p>Committee</p> <p>Other members The Committee may invite up to one representative from up to three organisations hosting Australia Day activities in other areas of the local government area to join the committee.</p>
Item 8	Councillors	One Councillor from each Ward (and alternates) as resolved by Council.
Item 9	Council employees	<p>Tourism and Events Coordinator - Committee</p> <p>Community Development and Engagement Coordinator</p> <p>Raymond Terrace Sub Committee (for one Australia Day event after formation of the subcommittee)</p>
Item 10	Name of financial institution and type of account	N/A
Item 11	Name of any account operated by the committee	N/A
Item 12	Area assigned to committee and/or map	Port Stephens local government area
Item 13	<p>Additional clauses or amendments to Standard Constitution or Schedule.</p> <p>To be listed in full - body of constitution not to be altered.</p>	<p>Clause 9 Meetings (replaces in full)</p> <p>a) At all Committee meetings, two representatives from each Australia Day subcommittee and the majority of Councillors (including alternate Councillors) and one staff member shall constitute a quorum.</p> <p>b) At all subcommittee meetings, one third of the members shall constitute a quorum.</p> <p>c) For the committee, three meetings per year and as required: February – report on activities of Australia Day events, acquit funds September - Planning for forth coming year and disburse funds November – operational planning for forthcoming events</p> <p>d) For the subcommittees, meetings as required.</p>
Item 14	Changes to constitution or Schedule	Adopted by Council 14 April 2015 Minute Number: 076

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6: PORT STEPHENS STRATEGIC ARTS AND CULTURE COMMITTEE

Item 1	Name of Committee	Strategic Arts and Culture Committee
Item 2	Name of Council Group/Team	Sustainable Planning Group, Social Planning Team
Item 3	Functions delegated by Council to committee (Objectives)	<p>1. The Committee will fulfil the functions of an advisory body to Port Stephens Council on matters related to culture and the arts, including but not limited to:</p> <ul style="list-style-type: none"> a. Delivery of cultural priorities identified in the Community Strategic Plan within available financial and in-kind resources b. Recommendations to Council on the annual allocation of Cultural Projects Funding. c. Development of policies and procedures, programs and projects to enrich the cultural life of Port Stephens. d. Identifying the existing and future requirements for arts and cultural facilities across Port Stephens. e. Requests from the Port Stephens Council or by officers of Port Stephens Council as to the suitability of specific projects. These requests may be a result of arts applications or suggestions from various sectors of the community. f. Sub-committees, working groups or task forces of the Committee, should be formed to advise or consult with the Committee on specific matters or to take responsibility for putting into action the Committee's agenda. Membership can draw on expertise outside the committee membership. <p>2. The Committee will operate as a community partnership in the delivery of cultural priorities identified in the Community Strategic Plan, including:</p> <ul style="list-style-type: none"> a. Facilitate the 'Culture Port Stephens Network', linking those active in the arts, culture and lifestyle of Port Stephens. b. Facilitate communications between cultural organisations and the broader community c. Form strategy based working groups on an as-needs basis to assist in the planning for the delivery of cultural priorities. Membership can draw on expertise outside the committee membership. d. Form project/working groups on an as-

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		<p>needs basis to assist in the delivery of cultural projects and programs. Membership can draw on expertise outside the committee membership.</p> <ul style="list-style-type: none"> e. Oversee networks which link organisations with common interests, including but not limited to: Event Organisers Network and Galleries Network. f. Assist with the promotion of arts and culture. g. Provide cultural development opportunities, including training and programs h. Maintain relationships with peak and regional cultural organisations i. Advocate to other levels of Government on cultural matters <p>3. That the sub-committees serve as Networks to:</p> <ul style="list-style-type: none"> a. Advise Council on cultural matters relating to their area of interest/expertise b. Build the capacity of those active in the cultural fields, through provision of workshops, briefings, training and resources c. Broker relationships between external groups where there is common ground <p>4. Any funds raised by the Strategic Arts and Culture Committee and its networks shall be used to either:</p> <ul style="list-style-type: none"> a. develop projects/programmes which it undertakes in its own right subject to the approval of Council, or b. transfer to Council to be used by that body on cultural facilities and programs in the area. <p>Those participating in the committee structure are operating as representatives of organisations, separate from Council. The operations of the organisations are not covered by Council through association with the committee.</p>
Item 4	Restrictions on functions delegated	All works undertaken will be with the knowledge and approval of Community Planner for Cultural Development
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies & legislation including but not limited to:</p> <ul style="list-style-type: none"> • OH&S 2000 • OH&S Regulations 2001

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		<ul style="list-style-type: none"> • LGA & Regulations 1993 (amendments) • PPIPA 1998 • State Records Act, 1998 • Code of Conduct • Code of Meeting Practice • Accessing Information Policy • Child Protection Policy • Volunteers Policy • Government Information (Public Access) Act 2009 (GIPAA)
Item 6	Date on which constitution concludes	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	<p><u>Strategic Committee Membership</u></p> <p>The Committee consists of delegates from:</p> <ol style="list-style-type: none"> 1. Council, being three Councillors, one representing each Ward 2. Delegates from Ward-based Local Lifestyle Networks (operating as sub-committees under the Committee). Each Lifestyle Network has two delegates each from a different community/district. <ol style="list-style-type: none"> a. Central Ward Lifestyle Network (two delegates) b. West Ward Lifestyle Network (two delegates) c. East Ward Lifestyle Network (two delegates) 3. Existing council committees/ relating to culture, including but not limited to: <ol style="list-style-type: none"> a. Aboriginal Strategic Committee (one delegate from each Local Aboriginal Land Council) b. Heritage Advisory Committee (one delegate) c. Halls Forum (representing Hall 355(b) Committees) (one delegate) d. Youth Interagency (two delegates, one service provider and one youth representative) e. Port Stephens Sister Cities Committee (one delegate)

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		<p>4. Networks to link organisations with common interests (operating as sub-committees under the Committee). Including but not limited to:</p> <ol style="list-style-type: none"> Events Network (one delegate) Visual Arts Network – covering galleries, art shows & groups (two delegates) Performing Arts Network, covering music, dance & theatre groups & venues (two delegates) Cultural Economy Team (one delegate) <p>5. Peak and Regional Cultural Representatives as invited/nominated (up to 5 delegates)</p> <p><u>Network/Sub Committee Membership</u></p> <p>Each network/sub committee shall consist of a minimum of three (3) general committee members and five (5) executive members (Chair, Deputy Chair, Committee Delegate, Secretary and Treasurer).</p>
Item 8	Councillors	One Councillor per ward, as resolved by Council.
Item 9	Council employees	<p>Minimum of two Council staff to attend Committee meetings.</p> <p><u>Council Officer:</u></p> <p>Community Planner – Cultural Development</p> <p><u>Other related staff, attending on an as-needed / advisory basis:</u></p> <ul style="list-style-type: none"> • Social Planning Coordinator - Community Cultural Development, Aboriginal culture • Community Development Officer - Community Cultural Development • Community Planner Youth - Community Cultural Development, participation of young people in cultural life, liaison with schools • Volunteer Strategy Coordinator – Halls, committee governance • Strategic (land use) Planning – heritage, place making, • Heritage Advisor - heritage • Library Services Coordinator – library services and facilities • Civil Assets Engineer - art in public space (public art, busking, design of public space) • Economic Development – creative industries,

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		<p>cultural tourism, events</p> <ul style="list-style-type: none"> • Marketing and Communications Coordinator – promotion, media relationships, civic events • Others as required
Item 10	Name of financial institution and type of account	N/A
Item 11	Name of any account operated by the committee	N/A
Item 12	Area assigned to committee and/or map	N/A
Item 13	<p>Additional clauses or amendments to Standard Constitution or Schedule.</p> <p>To be listed in full - body of constitution not to be altered.</p>	<p>Clause 10 Finances – not applicable as Council staff manage finances.</p> <p>Clause 17 Strategic Arts and Culture Committee Specific Requirements</p> <p>Additional clause which does not replace or amend existing constitution.</p> <p>17.1 Roles of Committee Delegates</p> <p>a) Participate in the meetings of the committee / sub-committee they are representing, to:</p> <ul style="list-style-type: none"> a. Keep the committee informed and engaged in the opportunities and outcomes of the Committee meetings b. Tabling and speaking to the Committee meeting minutes c. Tabling and speaking to the Committee meeting recommendations d. Seek input from the committee / sub-committee on matters being considered by the Committee <p>b) Participate as a member of the Culture Port Stephens Committee, and:</p> <ul style="list-style-type: none"> e. Represent the interests and activities of the committee / sub-committee they represent, when participating in Committee discussion / decision making f. Tabling Minutes of the network/sub-committee one week prior the Committee Meeting, with matters/recommendations for consideration by the Committee to be identified for addition to the agenda g. Speaking to the committee / sub-committee meeting minutes and recommendations

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		<p>17.2 Role of Council Officer</p> <ul style="list-style-type: none"> a) The Council Officer supporting the Committee shall be the Port Stephens Council's Community Planner, Cultural Development, or other officer as determined by the General Manager. b) The Council Officer will be there in an advisory capacity and is not entitled to vote. c) The Council Officer shall fulfil an advisory and administrative role and be authorised to implement and execute policy recommendations made by the Strategic Arts and Culture Committee. d) Elections for Office Bearers shall be conducted by the Council Officer. <p>17.3 Committee Meetings</p> <ul style="list-style-type: none"> a) The Committee shall meet no less than four (4) times per annum to consider policy matters concerning cultural development and promotion for Port Stephens. The Committee will set the times and places of the meetings, however they should be held on a regular basis wherever possible. The Committee shall determine its own meeting procedures. b) At a meeting of the Committee, a quorum shall constitute half the membership plus one. c) The Executive shall consist of a Chairperson, Two (2) Deputy Chairpersons, who shall be members of the Culture Port Stephens Committee and be elected from the members present at the Annual Meeting. Elections for Office Bearers shall be conducted by the Council Officer. The Treasurer and Secretary functions will be managed by Council staff. d) Committees, Networks, Sub-committees and Peak organisations will advise the Secretary in writing within fourteen (14) clear days from the participating organisation Annual General Meeting of the name and address of their appointed delegates, plus two (2) alternates for the ensuing year. Any alteration to such representative must be given in writing to the Secretary of the Committee. e) Only one (1) appointed delegate has at any one meeting the power to speak and vote.
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ITEM 7 - ATTACHMENT 1 ADOPTED CURRENT 355(C) SCHEDULES TO STANDARD CONSTITUTION.

		<p>f) In the event of the absence of a delegate, an alternate delegate may attend on behalf of that committee/sub-committee/organisation, and have the power to vote. On the absence of no delegate attending for three consecutive weeks, that committee/sub-committee/organisation be requested to nominate a new delegate to attend.</p> <p>g) Each Committee member may vote only once regardless of the number of organisations they represent.</p> <p>h) The Committee meetings are open to the public and all Councillors are may attend.</p> <p>i) The Committee shall hold a minimum of one (1) public forum per year. All members of the local community, who have expressed an interest in arts and culture, shall be invited to the forum.</p> <p>17.4 Networks/Sub-Committees</p> <p>a) The objective of the networks/sub-committees shall be to deliver cultural development projects and programs in partnership.</p> <p>b) Membership/Executive of networks / sub-committees shall consist of the Executive, being a Chair, Deputy Chair, Committee Delegate, Secretary and Treasurer; who are duly elected at an annual general meeting. A minimum of three (3) general committee members make the balance of the committee.</p> <p>17.5 Networks/Sub Committee Meetings</p> <p>a) At a meeting of the network/sub-committees, half plus one shall constitute a quorum.</p> <p>b) Should any member of the network/sub-committee not attend three (3) consecutive meetings without leave of absence their position shall be declared vacant.</p> <p>c) Any vacancy in the network/sub-committee shall be filled at the next meeting.</p> <p>d) The Office Bearers shall be elected at the Annual General Meeting of the network/sub-committee.</p> <p>e) A representative from Port Stephens Council shall attend meetings as necessary, but shall have no voting rights.</p> <p>f) The meetings are open to the public and all</p>
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**ITEM 7 - ATTACHMENT 1 ADOPTED CURRENT 355(C) SCHEDULES TO
STANDARD CONSTITUTION.**

		<p>Councillors are entitled to attend.</p> <p>g) Minutes of the network/sub-committee are to be tabled one week prior the Committee Meeting, with matters/recommendations for consideration by the Committee to be identified for addition to the agenda.</p>
Item 14	Changes to constitution or Schedule	Adopted by Council 28 October 2014 Minute No: 281

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**ATTACHMENT 2****Draft 355(C) Committee Terms of Reference Appendices****1. ABORIGINAL STRATEGIC COMMITTEE****APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE**

Item 1	Name of Committee	Aboriginal Strategic Committee
Item 2	Purpose of Committee	6.1.1 Council will engage it's citizens in developing plans for the future of the Port Stephens Local Government Area 7.1.1 Plan for and promote multiculturalism and Port Stephen's heritage, arts and culture
Item 3	Functions delegated by Council to committee (Objectives)	1) To advise Council in relation to pertinent issues between Council and the Aboriginal community, 2) To promote a positive public image of Aboriginal people in Port Stephens, 3) To provide a consultative mechanism with respect to development matters, 4) To improve relations between Aboriginal and non-Aboriginal communities of Port Stephens, 5) To exchange information between the Aboriginal community and Council on issues affecting Aboriginal people, 6) To promote mutual awareness and respect for the cultures of both Aboriginal and non-Aboriginal communities, 7) To promote an increased awareness of the needs of Aboriginal communities and to assist with the development of programs to address those needs where possible and appropriate, and 8) To assist Council manage the Aboriginal Projects Fund by developing procedures that ensure the process is clearly defined, transparent and accessible to make recommendations on the allocation of Council's Aboriginal Project Funds.
Item 4	Restrictions on functions delegated	The committee may only resolve to undertake actions outlined within the Terms of Reference and Appendix.
Item 5	Policies, legislation the committee is required to comply with	Principle policies & legislation including but not limited to: Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

		PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321
Item 6	Term of Committee	September of Council Election each four years. Council to re adopt Terms of Reference within three months following election.
Item 7	Maximum number and make up of committee members	1) The Committee is to consist of up to six (6) Aboriginal Community Representatives. 2) The Committee is to consist of the following Council members: the General Manager, the Group Manager (Development Services), Coordinator Community Development and Engagement or their delegates. 3) Decisions of the Committee shall be by consensus. 4) Non-members may attend meetings of the Committee and may speak to the Committee by invitation only. 5) Aboriginal community members will be nominated according to the following formula:- • The Chief Executive Officer of the Worimi Local Aboriginal Land Council and two nominated representatives nominated by the Worimi LALC Board and two secondary delegates in their absence. • The Chief Executive Officer of Karuah Local Aboriginal Land Council and two representatives nominated by Karuah LALC. 6) Casual vacancies may be filled by the Committee according to the formula outlined above.
Item 8	Executive and Advisory members	Not applicable
Item 9	Councillors	As resolved by Council
Item 10	Council employees	General Manager Group Manager Development Services Section Manager Communications Section Manager Community Services Coordinator Community Development & Engagement or delegate Other related staff, attending on an as needed/advisory basis
Item 11	Name of financial institution and type of account/s	Not applicable
Item 12	Name of any account operated by	Not applicable

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

	the committee	
Item 13	Reporting	Not applicable
Item 14	Changes to Terms of Reference or Appendix – Adopted by Council Meeting Date Minute No Resolution	Constitution Adopted at Council Meeting Minute No
Item 15	Additional clauses or amendments to Standard Terms of Reference	<p>The Aboriginal Strategic Committee is an Advisory Committee which means that some clauses of the Standard 355(c) Committee Terms of Reference require amendment to reflect the operation of the committee.</p> <p>The general operating functions of the Aboriginal Strategic Committee are undertaken by Council Officers.</p> <p>Clause 3. Functions of the Committee Additional sub clause</p> <p>3.7 Confidentiality and Conflict of Interest According to Councils Code of Conduct:- "A conflict of interest arises if a person with a private or personal interest could be influenced in the performance of his or her public or professional duties".</p> <p>3.8 a) Committee members are to declare any conflicts of interest at the commencement of the meeting or as the relevant item is raised in General Business.</p> <p>3.9 b) Conflicts of interest will be noted reported in minutes and the Chairperson may request the parties involved to leave the room while the matter is decided.</p> <p>3.10 c) A majority of members may decide at any time to close the meeting and begin confidential discussions. Participants excluded from the meeting should be provided with reasons for moving into confidential session.</p> <p>4.7 d) Breach of confidentiality is grounds for dismissal from the Committee.</p> <p>Clause 7 The Executive – not applicable</p> <p>Clause 8 Meetings</p>

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

		<p>The following sub clauses replace the same numbered sub clauses in the Standard 355 (c) Constitution.</p> <p>8.1 The Committee will be chaired by the elected Councillor or their nominee.</p> <p>a) Meetings will be held at the Port Stephens Council Administration Building, but can be held at other community venues as appropriate.</p> <p>b) All agenda items to be submitted prior to the meeting.</p> <p>8.2 At all ordinary meetings two aboriginal representatives one Councillor, the General Manager, the Group Manager (Development Services), Coordinator Community Development and Engagement or their delegates shall constitute a quorum.</p> <p>8.3 Ordinary meetings will be held quarterly, including the Annual Joint Dinner.</p> <p>8.4 One meeting for the assessment and recommendation of the funding from the Aboriginal Projects Fund.</p> <p>Clauses 9 Finances, 10 Records & Record Keeping, 11 Reports Not applicable</p> <p>The Community Development and Engagement Co-ordinator shall be responsible for the correct recording of all proceedings of the Committee, conduct all correspondence on behalf of the Committee, the receipt of monies and payments of accounts and all other things necessary for the proper control of the Committee's affairs.</p>
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ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**2. BIRUBI POINT CULTURAL HERITAGE ADVISORY PANEL****APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE**

Item 1	Name of Committee	Birubi Point Cultural Heritage Advisory Panel
Item 2	Purpose of Committee	6.1.1 Council will engage it's citizens in developing plans for the future of the Port Stephens Local Government Area 7.1.1 Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture
Item 3	Functions delegated by Council to committee (Objectives)	1. Develop a Landscape Master Plan for the Birubi Point Reserve 2. Develop and Annual Works Plan for Birubi Point Reserve 3. Develop and deliver alternative funding strategies for the management of Birubi Point Reserve 4. The area known as Birubi Point Reserve – Lot 7325 in Deposited Plan 1156724, also known as Crown Reserve Number 91451, 73 Patterson Street Anna Bay and containing the localities known as Birubi Beach Reserve, Birubi Point Surf Life Saving Club, Birubi Beach Bottom Car Park and Robinson Reserve. See Map attached.
Item 4	Restrictions on functions delegated	The panel provides advice to Port Stephens Council. Any and all recommendations from the panel to Port Stephens Council as the Trust Manager of the Crown Lands require endorsement by Port Stephens Council prior to implementation.
Item 5	Policies, legislation the committee is required to comply with	Principle policies & legislation including but not limited to: Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321
Item 6	Term of Committee	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	The panel shall consist of fourteen (14) members made up of the following representation from the following organisations or individuals: 1. Port Stephens Council: Three (3) representatives-One (1)

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

		<p>Councillor, General Manager, Community Services Section manager;</p> <p>2. NSW Crown Lands- one (1) representative to be nominated by NSW Crown lands;</p> <p>3. NSW National parks and Wildlife Service- one (1) representative to be nominated by NSW National Parks and Wildlife Service;</p> <p>4. Worimi Conservation Lands Board of management- two(2) representatives to be nominated by Worimi Conservation Lands Board of Management;</p> <p>5. Worimi Local Aboriginal Land Council- two (2) representatives to be nominated by Worimi Local Aboriginal Land Council;</p> <p>6. Registered Aboriginal Owners of the Worimi Conservation lands-three(3) representatives to be nominated by Registered Aboriginal Owners of the Worimi Conservation Lands;</p> <p>7. Birubi Point Surf Life Saving Club – one (1) representative to be nominated by the Birubi Surf Life Saving Club; and</p> <p>8. Anna Bay community – one (1) representative from the Anna Bay community to be selected through an open recruitment process coordinated by the Panel.</p>
Item 8	Executive and Advisory members	N/A
Item 9	Councillors	One (1) Councillor as resolved by Council
Item 10	Council employees	Facilities and Services Community Services Community Services Section Manager Administration Officer as secretariat
Item 11	Name of financial institution and type of account/s	N/A
Item 12	Name of any account operated by the committee	N/A
Item 13	Reporting	N/A
Item 14	Changes to Terms of Reference or Appendix – Adopted by Council Meeting Date	Constitution Adopted at Council Meeting Minute No

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

	Minute No Resolution	
Item 15	Additional clauses or amendments to Terms of Reference or Appendix To be listed in full – body of constitution not to be altered	<p>Amendments</p> <ol style="list-style-type: none"> 1. Clause 7.1 (a) is amended to read "The Committee at a minimum must appoint a Chair and a Deputy Chair." 2. Clause 7.1 (b) is not applicable 3. Clause 7.1 (c) is not applicable 4. Clause 9.4 (a) is amended to read "The Committee shall hold ordinary meetings three times in a financial year and these shall be held in March, July and November". 5. Clause 10 is not applicable 6. Clause 12 is amended in its entirety to read "The Committee shall provide an annual report to Council that provides a summary of all activities undertaken by the Committee in the preceding year." <p>Additions</p> <ol style="list-style-type: none"> 1. Clause 7.1 to read "Council will provide a secretariat for the Committee and that position will be filled by a staff member of the Community Services Section Manager. The secretariat role is not a member of the committee and has no voting rights." 2. Clause 6.9 to read "Nominated representatives from member organisations of the Committee are to be endorsed by Port Stephens Council."

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

**3. COMMUNITY CHOIR COMMITTEE
APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE**

Item 1	Name of Committee	Community Choir Committee
Item 2	Purpose of Committee	7.1.1 Plan for an promote multiculturalism and Port Stephens heritage, arts and culture
Item 3	Functions delegated by Council to committee (Objectives)	Encourage members of all ages of the community to participate, placing an emphasis on combining individual musical skills in a choir for civic and cultural events that enhance local identity.
Item 4	Restrictions on functions delegated	All work and activities undertaken will be with the knowledge and approval of relevant council officers.
Item 5	Policies, legislation the committee is required to comply with	Principle policies & legislation including but not limited to: Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No 322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321
Item 6	Term of Committee	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	Minimum number of General Committee members (including Executive and Advisory Membership) who perform publicly is 12 members. There is no maximum number of General Committee Members.
Item 8	Executive and Advisory members	Executive: Chairperson Secretary Treasurer Advisory: Choir Director Accompanist
Item 9	Councillors	As resolved by Council
Item 10	Council employees	Development Services Communications Community Development and Engagement Coordinator

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

		Senior Community Development and Engagement Officer
Item 11	Name of financial institution and type of account/s	Commonwealth Bank of Australia
Item 12	Name of any account operated by the committee	Port Stephens Community Choir
Item 13	Reporting	<p>Financial Reporting</p> <ol style="list-style-type: none"> 1. Committees must spend their annual allocation from Council only on items and works that enable them to exercise their Functions delegated to them from Council pursuant to Clause 3 and outlined in Item 3 of the Appendix. 2. With the introduction of the Goods and Services Tax effective from 1 July 2000, all Section 355 Committees are obliged to comply with the new tax system. <ol style="list-style-type: none"> a) All committees are covered under Council's Australian Business Number. b) Committees are responsible for administering the requirements of GST Legislation that is, charging GST on taxable supplies and correctly identifying input tax credits claimable from ATO. c) Accordingly each committee must supply Council with details of GST applicable to all financial transactions for inclusion in Council's monthly Business Activity Statements (BAS). d) Compliance with this request will ensure Council's obligation is met on time and will avoid any interest or penalty chargeable by Australian Taxation Office. 3. The Treasurer shall be responsible for ensuring: <ol style="list-style-type: none"> a) The proper keeping of the books and accounts of the Committee, which shall be kept as directed by the General Manager and made available to the Council when required for that purpose by the General Manager. b) Accounts must be accessible by the General Manager who must be able to authorise, in his or her own right, withdrawals from any account held by the Committee. c) Forwarding monthly financial and GST reporting to Council's designated Responsible Officer each month in a format as directed by the General Manager. <ol style="list-style-type: none"> i. This includes a cash book style financial

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

		<p>record keeping system (manual or electronic) supplied by Council, which is set up to record income, expenditure, GST and reconciliations in a simple format.</p> <p>ii. The cash book is completed each month and the original forwarded to Council with copies of tax invoices, tax input receipts and bank statements.</p> <p>iii. The totals of each month is entered onto the Annual Summary Reporting page which is forwarded to Council annually.</p> <p>d) Receiving monies on behalf of the Committee and maintaining accurate records of the receipt of such monies.</p> <p>e) Attending to the payment of accounts and other expenses approved by the Committee on behalf of the Committee, and maintaining an accurate record of such payments.</p> <p>f) Issuing of tax invoices.</p> <p>4. All monies received by the Committee shall be deposited, within seven (7) days of receipt into an account in the financial institution set out in Item 11 of the Appendix. Any such account must have the names of the account/s set out in Item 12 of the Appendix.</p> <p>a) All financial accounts held by the Committee must include the words "A 355c Committee of Port Stephens Council" in the account name.</p> <p>5. The Committee may only operate those accounts set out in Item 11 and 12 of the Appendix or as directed in writing by the General Manager.</p> <p>a) Any cheques drawn on behalf of the Committee or withdrawals from any account operated by the Committee shall be signed by any two (2) of the Executive as determined by the Committee.</p> <p>b) All financial accounts must have two Council staff signatories, including all term deposit accounts in accordance with Item 10 of the Appendix.</p> <p>c) All Committees are required to advise Council of the details of the persons who are authorised signatories of the Committee's bank account, when a new account is opened, and when changes to the signatories occurs.</p>
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ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

		<p>d) The Committee is also required to provide documentation at the Annual General Meeting, from the financial institution, listing the current signatories, on each account held. This documentation will form part of the Minutes of the Annual General Meeting.</p> <p>6. The Committee must not, at any time, incur any expenditure in excess of the amount held in the Committee's credit in the account operated by the Committee. In any event, no expenses of any member of the Committee or the Committee shall be paid unless authorised by resolution of the Committee.</p> <p>7. The Committee may authorise the transfer of an amount not exceeding the sum of \$50.00, to be known as "petty cash", which shall be held by the Treasurer subject to any direction by the Committee.</p> <p>8. The financial year shall be the period from the 1 January to 31 December in a calendar year.</p> <p>General Reporting</p> <p>1. Monthly - Financial Reporting and attachments To be forwarded to Council's Responsible Officer for finance each month in a format as provided by Council.</p> <p>2. Annual - Financial Summary Statement To be forwarded prior to 31 January each year to Council's Responsible Officer for finance, for submission to Council in a format as provided by Council.</p> <p>3. Annual Reports To be forwarded prior to 31 March each year to Council's Responsible Officer for Volunteers and must include;</p> <ul style="list-style-type: none"> • Committee Annual Report - a summary of activities and projects undertaken by the Committee during the previous financial year and proposed projects and activities to be undertaken by the Committee during that current financial year. • Elected Executive Updated list of all Committee Members, including notification of the elected Executive and account signatories. • Updated List of Account Signatories • Completed AGM checklist <p>4. Recommendations for Fees and Charges to be forwarded to Council by 1st December each year.</p>
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**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

		<p>a) The fees and charges is set by Council, taking into consideration the recommendations of the Committee and the operating requirements of the facility.</p> <p>b) The Committee is not able to provide subsidies or waive hire fees as specified in Item 4 of the Appendix.</p>
Item 14	Changes to Terms of Reference or Appendix – Adopted by Council Meeting Date Minute No Resolution	Constitution Adopted at Council Meeting Minute No
Item 15	Additional clauses or amendments to Terms of Reference or Appendix To be listed in full – body of constitution not to be altered	Nil

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**4. HERITAGE ADVISORY COMMITTEE
APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE**

Item 1	Name of Committee	Heritage Advisory Committee
Item 2	Purpose of Committee	6.1.1 Council will engage it's citizens in developing plans for the future of the Port Stephens Local Government Area 7.1.1 Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture.
Item 3	Functions delegated by Council to committee (Objectives)	<p>1. Monitor the Port Stephens Heritage Policy;</p> <p>2. To undertake research of the built, natural and cultural heritage of the Local Government Area (LGA) and to make recommendations for additions to the Port Stephens Local Environmental Plan (LEP) schedule;</p> <p>3. To act as a forum for knowledge of the built, natural and cultural environment within the LGA;</p> <p>4. To alert Council to possible threats to potential and listed heritage items;</p> <p>5. To promote the cause for conservation, ongoing education, awareness and enhancement of the built, natural and cultural environment throughout the LGA;</p> <p>6. To make recommendations to Council on policies, guidelines and plans concerning the heritage implications and conservation of the built, natural and cultural environment covering issues such as amendment, revision or additional information to current and draft documents;</p> <p>7. To assist Council's Heritage Advisor in local knowledge;</p> <p>8. To undertake activities and site inspections as deemed appropriate;</p> <p>9. Assist with identification of projects eligible for Local Heritage Assistance Funding and other funding.</p> <p>10. Within Port Stephens Local Government Area and areas of interest in adjoining local government areas which may have an impact upon the Port Stephens Local Government Area.</p>
Item 4	Restrictions on	All works and activities undertaken will be with the knowledge

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

	functions delegated	and approval of the Strategic Planner appointed by the Section Manager Strategy and Environment in consultation with Council's Heritage Advisor.
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies & legislation including but not limited to:</p> <p>Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321</p> <p>Port Stephens Heritage Policy 2015 Port Stephens Cultural Plan 2014-2018 NSW Heritage Act 1977 Port Stephens Heritage Strategy Port Stephens Local Environmental Plan 2013 Port Stephens Development Control Plan 2013 Australia ICOMOS Burra Charter 1999 Environmental Planning and Assessment Act 1979 Code of Conduct Port Stephens Council Heritage Signs and Trails Guidelines 2015 Any adopted Heritage Advisory Committee protocols</p>
Item 6	Term of Committee	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	<p>Maximum number of committee members twenty five (25) – comprising</p> <ul style="list-style-type: none"> • Two (2) Councillors with an interest in heritage issues • Representatives from the community including individuals and organisations with an interest in the heritage of the Port Stephens Local Government Area. • Individuals and organisations that reside outside of the Port Stephens LGA are eligible to be on the Committee on the provision that that they can demonstrate the ability to carry out the Functions of the Committee, and contribute specialist knowledge in a particular field of interest as agreed to by the Committee.
Item 8	Executive and Advisory members	N/A
Item 9	Councillors	As resolved by Council
Item 10	Council employees	Development Services Strategy and Environment Section Manager

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

		Strategic Planner appointed to Committee Administration Assistant appointed as Secretary Council's Heritage Advisor as appointed by Council
Item 11	Name of financial institution and type of account/s	N/A
Item 12	Name of any account operated by the committee	N/A
Item 13	Reporting	N/A
Item 14	Changes to constitution or Schedule – Adopted by Council Meeting Date Minute No Resolution	Constitution Adopted at Council Meeting Minute No
Item 15	Additional clauses or amendments to Standard Constitution or Schedule To be listed in full – body of constitution not to be altered	<p>The Port Stephens Heritage Advisory Committee has been an advisory committee since inception. The Terms of Reference should reflect the operating structure of the committee. Council's Strategic Planning Officer undertakes the general operating functions of the Port Stephens Heritage Advisory Committee.</p> <p>Clause 5 Clause 5.1, Clause 5.2 are not applicable</p> <p>Clause 6 Clause 6.1, Clause 6.3, Clause 6.5, Clause 6.6, Clause 6.7 are not applicable</p> <p>Clause 8 Clause 8.4, Clause 8.8 are not applicable</p> <p>Clause 9 Clause 9 Finances is not applicable</p> <p>Clause 10 Clause 10.2, is not applicable</p> <p>Clause 12 Intellectual Property Delete 12.1 (C) and replace with "Individual members of the Committee bring intellectual property to the Committee which they have prior claims over. Decisions on the use of this property including who retains intellectual property and whether permission is granted for the Committee (Council) to</p>

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
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		use this information are subject to the agreement of the individual members of the Committee in a transparent manner and recorded in the minutes of the committee"
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ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

5. PORT STEPHENS AUSTRALIA DAY COMMITTEE
APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE

Item 1	Name of Committee	Port Stephens Australia Day Committee
Item 2	Purpose of Committee	6.1.1 Council will engage its citizens in developing plans for the future of the Port Stephens Local Government Area
Item 3	Functions delegated by Council to committee (Objectives)	<p>Port Stephens Australia Day Committee</p> <ol style="list-style-type: none"> 1. To co-ordinate and promote annual celebrations of Australia Day in Port Stephens. 2. To support the subcommittees (Nelson Bay) and community groups (where necessary) to organise the Australia Day activities. 3. To coordinate requests from subcommittees and community groups for participation of the Australia Day Ambassador and funding requests from the Australia Day budget allocation. 4. To assist in the assessment of the Port Stephens Annual Awards nominations and make recommendations to the Mayor (see PSC Annual Awards Policy and Guidelines). 5. To liaise with Council regarding civic components of Australia Day events. 6. To prepare a report to be tabled at the committee's February meeting on the outcomes of Australia Day celebrations (including a financial report) to be presented to Council. 7. Australia Day Subcommittees and community groups 8. To organise Australia Day events in accordance with Australia Day Committee recommendations and Council approved Management Plans and Procedures. 9. To develop an annual submission for the consideration of the Committee at September meeting. The report is to include: <ul style="list-style-type: none"> • Request for funding from Australia Day budget • Proposed program of activities • Risk Management Plan of the events • Budget 10. To provide a financial report for the Committee at the February meeting to acquit expenditure of Council funds.
Item 4	Restrictions on functions delegated	All works and activities undertaken will be with the knowledge and approval of the Tourism and Events Coordinator and the Risk Management Co-Ordinator.

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

		Council will not subsidise or waive fees.
Item 5	Policies, legislation the committee is required to comply with	<p>Principle policies and legislation including but not limited to:</p> <p>Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321</p>
Item 6	Term of Committee	For the term of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	<p>Committee Three Councillors (and alternates) as appointed by Council Two members (and two alternates) from each Australia Day subcommittee and community group. Two Council staff members (and alternate) delegated by General Manager.</p> <p>Australia Day Subcommittee Up to 30 interested community members Two members plus two alternates to be voted as representatives on the Committee</p> <p>Other members The Committee may invite up to one representative from up to three organisations hosting Australia Day activities in other areas of the local government area to join the committee.</p>
Item 8	Executive and Advisory members	Not applicable
Item 9	Councillors	One Councillor from each Ward (and alternates) as resolved by Council.
Item 10	Council employees	<p>Development Services Strategy and Environment Section and Communications Section Tourism and Events Coordinator Community Development and Engagement Coordinator</p>
Item 11	Name of financial institution and type of account/s	Not applicable

**ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF
REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.**

Item 12	Name of any account operated by the committee	Not applicable
Item 13	Reporting	Not applicable
Item 14	Changes to Terms of Reference or Appendix – Adopted by Council Meeting Date Minute No Resolution	<p>Constitution Adopted at Council Meeting 27 October 2015 Minute No 322</p> <p>Clause 8 Meetings 8.3</p> <p>a) At all Committee meetings, two representatives from each Australia Day subcommittee and the majority of Councillors (including alternate Councillors) and one staff member shall constitute a quorum.</p> <p>b) At all subcommittee meetings, one third of the members shall constitute a quorum.</p> <p>c) For the committee, three meetings per year and as required: February – report on activities of Australia Day events, acquit funds September - Planning for forth coming year and disburse funds November – operational planning for forthcoming events</p> <p>d) For the subcommittee, meetings as required.</p>
Item 15	Additional clauses or amendments to Terms of Reference or Appendix To be listed in full – body of constitution not to be altered	

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

6. STRATEGIC ARTS COMMITTEE

APPENDIX TO 355(c) COMMITTEE TERMS OF REFERENCE

Item 1	Name of Committee	Strategic Arts Committee
Item 2	Purpose of Committee	6.1.1 Council will engage it's citizens in developing plans for the future of the Port Stephens Local Government Area 7.1.1 Plan for and promote multiculturalism and Port Stephens' heritage, arts and culture.
Item 3	Functions delegated by Council to committee (Objectives)	<p>1. Advisory - The Committee will fulfil the functions of an advisory body to Port Stephens Council on matters related to culture and the arts including:</p> <p>a) To provide input into Port Stephens Council strategic policy plans and programs relating to culture and the arts.</p> <p>b) To assist Council identify the existing and future requirements for arts and cultural facilities across Port Stephens.</p> <p>2. Communication and Relationship Building</p> <p>a) To assist with the promotion of arts and culture in the broader community.</p> <p>b) To assist Council develop and maintain relationships with local, relevant peak and regional organisations.</p> <p>c) To advocate to other levels of government on arts and cultural matters where appropriate.</p> <p>d) To build capacity through cultural development</p> <p>e) Communicate and develop relationships with organisations with common interests, for example, local cultural network.</p> <p>f) To provide a resource for groups seeking external funding.</p> <p>3. Funding</p> <p>a) To assist Council manage Cultural Projects Funding by developing procedures that ensure the process is clearly defined and transparent</p> <p>b) To make recommendations on the allocation of Council cultural funds</p>
Item 4	Restrictions on functions delegated	All works undertaken will be with the knowledge and approval of the Community Development and Engagement Coordinator or their delegate.
Item 5	Policies, legislation the committee is	Principle policies & legislation including but not limited to:

ITEM 7 - ATTACHMENT 2 DRAFT 355(C) COMMITTEE TERMS OF REFERENCE APPENDICES FOR COMMITTEES ADMINISTERED BY COUNCIL.

	required to comply with	Local Government Act 1993 WHS Act 2011 Privacy and Personal Information Act 1998 State Records Act, 1998 PSC Code of Conduct 2014, Min No 043 PSC Code of Meeting Practice 2013, Min No322 PSC WHS Statement of Commitment Accessing Information Policy Volunteers Strategy Framework 2012 PSC Disability Policy 2010, Min No 321
Item 6	Term of Committee	September of Council Election each four years. Council to re adopt constitution within three months following election.
Item 7	Maximum number and make up of committee members	The Committee consists of up to ten (10) persons who have interests in the broad range art and cultural issues, particularly in strategic and policy direction areas.
Item 8	Executive and Advisory members	N/A
Item 9	Councillors	As resolved by Council
Item 10	Council employees	Development Services Communications Communications Section Manager Community Development and Engagement Coordinator Senior Community Development and Engagement Officer
Item 11	Name of financial institution and type of account/s	N/A
Item 12	Name of any account operated by the committee	N/A
Item 13	Reporting	N/A
Item 14	Changes to Terms of Reference or Appendix – Adopted by Council Meeting Date Minute No Resolution	Constitution Adopted at Council Meeting Minute No
Item 15	Additional clauses or amendments to Terms of Reference or Appendix To be listed in full – body of constitution not to be altered	Nil