

NOTICE OF ORDINARY MEETING

26 NOVEMBER 2024



The Mayor and Councillors attendance is respectfully requested:

Mayor: L Anderson (Chair).

Councillors: L Anderson, R Armstrong, G Arnott, C Doohan, N Errington, P Francis, P Le Mottee, B Niland, M Watson, J Wells.

SCHEDULE OF MEETINGS

TIME	ITEM	VENUE
5:30pm:	Public Access (if applied for)	Council Chambers
Followed by:	Ordinary Meeting	Council Chambers

Please Note:

In accordance with the NSW Privacy and Personal Information Protection Act 1998, you are advised that all discussion held during the Open Council meeting is public information. This will include any discussion involving the Mayor, a Councillor, staff member or a member of the public. All persons present should withhold from making public comments about another individual without seeking the consent of that individual in the first instance. Should you have any questions concerning the privacy of individuals at the meeting, please speak with the Governance Section Manager or the General Manager prior to the meeting.

Please be aware that Council webcasts its Open Council meetings via its website. All persons should refrain from making any defamatory remarks. Council accepts no liability for any defamatory remarks made during the course of the Council meeting.

For the safety and wellbeing of the public, no signs, placards or other props made from material other than paper will be permitted in the Council Chamber. No material should be larger than A3 in size.

Food and beverages are not permitted in the Council Chamber.

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BUSINESS

1) Opening meeting.

2) Acknowledgement of Country

We acknowledge the Worimi people as the original Custodians and inhabitants of Port Stephens. We acknowledge and pay respects to Worimi elders past and present. May we walk the road to tomorrow with mutual respect and admiration as we care for the beautiful land and waterways together.

3) Prayer

Almighty God, we ask for your blessing as we meet together on behalf of our community. So that today and into the future, you would direct and favour our deliberations to advance the welfare, safety and prosperity of our region. Amen

4) Apologies and applications for a leave of absence by Councillors.

5) Disclosures of interests.

6) Confirmation of minutes Ordinary Meeting of 12 November 2024.

7) Mayoral minute(s) – if submitted.

8) Motions to close meeting to the public – if submitted.

9) Reports to Council.

10) General Manager's reports – if submitted.

11) Questions with Notice – if submitted.

12) Questions on Notice.

13) Notices of motions – if submitted.

14) Rescission motions – if submitted.

15) Confidential matters – if submitted.

16) Conclusion of the meeting.

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the commencement of this Council term to undertake their civic duties in the best interests of the people of Port Stephens and Port Stephens Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Meeting Practice and Code of Conduct.

PRINCIPLES FOR LOCAL GOVERNMENT

Port Stephens Council is a local authority constituted under the Local Government Act 1993. The Act includes the Principles for Local Government for all NSW Councils.

The object of the principles for councils is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

Guiding principles for Council

1) Exercise of functions generally

The following general principles apply to the exercise of functions by Council. Council should:

- a. provide strong and effective representation, leadership, planning and decision-making.
- b. carry out functions in a way that provides the best possible value for residents and ratepayers.
- c. plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- d. apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- e. work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- f. manage lands and other assets so that current and future local community needs can be met in an affordable way.
- g. work with others to secure appropriate services for local community needs.
- h. act fairly, ethically and without bias in the interests of the local community.
- i. be responsible employers and provide a consultative and supportive working environment for staff.

2) Decision-making

The following principles apply to decision-making by Council (subject to any other applicable law). Council should:

- a. recognise diverse local community needs and interests.
- b. consider social justice principles.
- c. consider the long term and cumulative effects of actions on future generations.
- d. consider the principles of ecologically sustainable development.
- e. Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

3) Community participation

Council should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Principles of sound financial management

The following principles of sound financial management apply to Council. Council should:

- a. spend responsible and sustainable, aligning general revenue and expenses.
- b. invest in responsible and sustainable infrastructure for the benefit of the local community.
- c. have effective financial and asset management, including sound policies and processes for the following:
- d. performance management and reporting,
- e. asset maintenance and enhancement,
- f. funding decisions,
- g. risk management practices.
- h. have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services.

Integrated planning and reporting principles that apply to Council

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by Council. Council should:

- a. identify and prioritise key local community needs and aspirations and consider regional priorities.
- b. identify strategic goals to meet those needs and aspirations.
- c. develop activities, and prioritise actions, to work towards the strategic goals.
- d. ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- e. regularly review and evaluate progress towards achieving strategic goals.
- f. maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- g. collaborate with others to maximise achievement of strategic goals.
- h. manage risks to the local community or area or to the council effectively and proactively.
- i. make appropriate evidence-based adaptations to meet changing needs and circumstances.

PORT STEPHENS COMMUNITY STRATEGIC PLAN

The Local Government Act requires Council to adopt a Community Strategic Plan (10+ years). The Plan includes a Delivery Program (4 years), Annual Operational Plan and a Resource Strategy, it also includes the Council's budget.

The Community Strategic Plan is organised into 4 focus areas:

OUR COMMUNITY – An accessible and welcoming community respecting diversity, heritage and culture.

OUR PLACE – A liveable and connected place supporting community wellbeing and local economic growth.

OUR ENVIRONMENT – Port Stephens' environment is clean and green, protected and enhanced.

OUR COUNCIL – Port Stephens Council leads, manages and delivers valued community services in a responsible way.

BUSINESS EXCELLENCE

Port Stephens Council is a quality and a customer service focused 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 9 principles.

These outcomes align with the following Business Excellence principles:

- 1) Clear direction and mutually agreed plans enable organisational alignment and focus on achievement of goals.
- 2) Understanding what customers and other stakeholders value, now and in the future, enables organisational direction, strategy and action.
- 3) All people work in a system. Outcomes are improved when people work on the system and its associated processes.
- 4) Engaging people's enthusiasm, resourcefulness and participation improves organisational performance.
- 5) Innovation and learning influence the agility and responsiveness of the organisation.
- 6) Effective use of facts, data and knowledge leads to improved decisions.
- 7) Variation impacts predictability, profitability and performance.
- 8) Sustainable performance is determined by an organisation's ability to deliver value for all stakeholders in an ethically, socially and environmentally responsible manner.
- 9) Leaders determine the culture and value system of the organisation through their decisions and behaviour.

MEETING PROCEDURES SUMMARY

Starting time – All meetings must commence within 30 minutes of the advertised time.

Quorum – A quorum at Port Stephens Council is 6.

Declarations of Interest

Pecuniary – Councillors who have a pecuniary interest must declare the interest, not participate in the debate and leave the meeting.

Non-Pecuniary – Councillors are required to indicate if they have a non-pecuniary interest, should a Councillor declare a significant non-pecuniary they must not participate in the debate and leave the meeting. If a Councillor declares a less than significant non-pecuniary they must state why no further action should be taken. Councillors may remain in the meeting for a less than significant non-pecuniary.

Confirm the Minutes – Councillors are able to raise any matter concerning the Minutes prior to confirmation of the Minutes.

Public Access – Each speaker has 5 minutes to address Council with no more than 2 for and 2 against the subject.

Motions and Amendments

Moving Recommendations – If a Committee recommendation is being moved, ie been to a Committee first, then the motion must be moved and seconded at Council prior to debate proceeding. A Councillor may move an alternate motion to the recommendation.

Amendments – A Councillor may move an amendment to any motion however only one amendment or motion can be before Council at any one time, if carried it becomes the motion.

Seconding Amendments – When moving an amendment, it must be seconded or it lapses.

Incorporating Amendments – If a motion has been moved and the mover and seconder agree with something which is being moved as an amendment by others, they may elect to incorporate it into their motion or amendment as the case may be.

Voting Order – When voting on a matter the order is as follows:

- 1) Amendment (If any)
- 2) Foreshadowed Amendments – (If any, and in the order they were moved)
- 3) Motion

NB – Where an amendment is carried, there must be another vote on the amendment becoming the motion.

Voting – an item is passed where a majority vote for the subject. If the voting is tied the Chairperson has a second (casting) vote which is used to break the deadlock.

Closed Session – There must be a motion to close a meeting. Prior to voting on the motion the chairperson will invite the gallery to make representations if they believe the meeting shouldn't be closed. Then Councillors vote on the matter. If adopted the gallery should then be cleared and the matter considered in closed session. Any decision taken in session closed is a resolution. There must be a motion to reopen the Council meeting to the public. If decision occurred in 'closed session', the meeting is advised of the resolution in 'open session'.

Procedural Motion – Is a motion necessary for the conduct of the meeting, it is voted on without debate, eg defer an item to the end of the meeting (however, to defer an item to another meeting is not a procedural motion), extend the time for a Councillor to speak etc.

Points of Order – when any of the following are occurring or have occurred a Councillor can rise on a 'Point of Order', the breach is explained to the Chairperson who rules on the matter.

A Point of Order can be raised where:

- 1) There has been any non-compliance with procedure, eg motion not seconded etc.
- 2) A Councillor commits an act of disorder:
 - a. Contravenes the Act, any Regulation in force under the Act, the Code of Conduct or this Code.
 - b. Assaults or threatens to assault another Councillor or person present at the meeting.
 - c. Moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or address or attempts to address the Council or Committee on such a motion, amendment or matter.
 - d. Insults or makes personal reflections on or imputes improper motives to any other Councillor, any staff member or alleges a breach of Council's Code of Conduct.
 - e. Says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into disrepute.

Declarations of Conflict of Interest – Definitions

Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated as provided in Clause 7 of the Code of Conduct.

Non Pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Code of Conduct. These commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations and may include an interest of financial nature.

The matter of a report to council from the conduct review committee/reviewer relates to the public duty of a councillor or the general manager. Therefore, there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter.

The political views of a Councillor do not constitute a private interest.



Form of Special Disclosure of Pecuniary Interest

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the PORT STEPHENS COUNCIL

to be held on the _____ day of _____ 20__

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (eg is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

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Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Mayor/Councillor's signature _____

Date _____

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



Declaration of Interest form

Agenda item No. _____

Report title _____

Mayor/Councillor _____ declared a

Tick the relevant response:

<input type="checkbox"/>	pecuniary conflict of interest
<input type="checkbox"/>	significant non pecuniary conflict of interest
<input type="checkbox"/>	less than significant non- pecuniary conflict of interest

in this item. The nature of the interest is _____

If a Councillor declares a less than significant conflict of interest and intends to remain in the meeting, the councillor needs to provide an explanation as to why the conflict requires no further action to manage the conflict. (Attach a separate sheet if required.)

OFFICE USE ONLY: (Committee of the Whole may not be applicable at all meetings.)

Mayor/Councillor left the Council meeting in Committee of the Whole at _____pm.

Mayor/Councillor returned to the Council meeting in Committee of the Whole at _____ pm.

Mayor/Councillor left the Council meeting at _____ pm.

Mayor/Councillor returned to the Council meeting at _____ pm.

COUNCIL REPORTS

ITEM NO. 1

**FILE NO: 24/112985
EDRMS NO: PSC2023-02266**

2023 TO 2024 ANNUAL REPORT

REPORT OF: ZOE PATTISON - DIRECTOR CORPORATE STRATEGY AND SUPPORT
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the Annual Report for the Financial Year 2023 to 2024 **(ATTACHMENTS 1, 2 and 3)**.
- 2) Receives and adopts the Annual Financial Statements, accompanying notes and special schedules, in respect of the year ended 30 June 2024, together with the Auditor’s Report **(ATTACHMENT 2)**.

BACKGROUND

The purpose of this report is to present to Council and the community the Annual Report 2023 to 2024. The Annual Report is in 3 volumes:

- Volume 1 is the report of activities and operations of Council for the financial year to 30 June 2024, reporting on statutory requirements and Council’s achievements in implementing its Delivery Program **(ATTACHMENT 1)**.
- Volume 2 is the audited financial statements of Council to 30 June 2024 **(ATTACHMENT 2)**.
- Volume 3 is a copy of Our Port Stephens Report 2021 to 2024, previously noted at the second meeting of the new council on 12 November 2024 **(ATTACHMENT 3)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver the Integrated Planning and Reporting program.

FINANCIAL/RESOURCE IMPLICATIONS

The Annual Report contains Council’s financial position and audited accounts for 2023 to 2024. As at 30 June 2024, Council achieved its organisational target of an underlying financial result better than budget.

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Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The Annual Report has been prepared in accordance with Section 428 of the Local Government Act 1993.

The Financial Statements were originally presented to Council at the 22 October 2024 ordinary meeting and now includes the signed unqualified audit opinion from the Audit Office of NSW.

Section 428(5) of the Local Government Act 1993 states:

"A copy of Council's Annual Report must be posted on Council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of Council's Annual Report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on Council's website."

Subject to endorsement of the Annual Report by Council, officers will place the Annual Report 2023 to 2024 on Council's website, in Council Libraries and advise the Office of Local Government.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that failure to provide the Annual Report within the legislated timeframe could lead to reputational loss and a breach of the Local Government Act 1993.	Low	Adopt the recommendation prior to 30 November 2024.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council is committed to transparent reporting and accountability to our community.

The Annual Report 2023 to 2024 provides information on Council's performance across a range of social, economic and environmental indicators. The report also outlines Council's achievements and challenges for 2023 to 2024.

The theme for this year's report is 'Looking ahead'. Our focus has been on strengthening our communities, securing our financial stability, and enhancing our core services to serve the needs of our residents better. Looking ahead, we remain committed to fostering accessibility, promoting community well-being, investing in infrastructure improvements, safeguarding our environment, and revitalising our town centres.

CONSULTATION

Compilation of the Annual Report 2023 to 2024 has occurred in consultation with the following stakeholders:

Internal

- Information was gathered from across Council to compile the Annual Report 2023 to 2024.
- Executive Team.

External

If endorsed by Council, the Annual Report 2023 to 2024 will be placed on Council's website, with the appropriate web link advised to the Office of Local Government and hard copies distributed to Council's Libraries and the State Library of New South Wales.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Annual Report 2023 to 2024 - Volume 1. (Provided under separate cover) [↔](#)
- 2) Annual Report 2023 to 2024 - Volume 2. (Provided under separate cover) [↔](#)
- 3) Annual Report 2023 to 2024 - Volume 3. (Provided under separate cover) [↔](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 2

**FILE NO: 24/291039
EDRMS NO: PSC2017-00180**

QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the amended budget (**ATTACHMENT 1**) presented as the Quarterly Budget Review to 30 September 2024.

BACKGROUND

The purpose of this report is to provide an update to Council on the 2024 to 2025 budget. The Quarterly Budget Review to 30 September 2024 (**ATTACHMENT 1**) sets out the details of any variations between Council's current budget and the proposed budget.

Operating Budget

The Quarterly Budget Review to 30 September 2024 has shown an increase in revenue by \$6.521 million, which is largely due to the recognition of unspent grants being carried forward from prior years in addition to new grants.

Operating expenditure increased by \$3.114 million, which is largely due to the unspent grants being carried forward from prior years.

Further information of the changes to the budget are outlined in the Operating Statement Variations as shown in (**ATTACHMENT 1**).

Capital Budget

The capital budget increased by \$14.8 million largely due to the renewal of transport and open space assets. These changes are predominately funded from external reserves and capital grants.

Further information of the changes to the budget are outlined in the Capital Statement Variations as shown in (**ATTACHMENT 1**).

Performance Indicators

All performance indicators are above the benchmark with the exception of cash restrictions. There is inadequate cash to cover all internal cash reserves due to

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insufficient unrestricted revenue. All external cash restrictions are adequately covered. Council continues to monitor the situation.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

Council’s anticipated underlying result increased by \$266,000 to \$1,079,000. The movement from the original underlying result will be shown each quarter.

	Surplus (\$ 000)	Deficit (\$ 000)
Budget 2024 - 2025	844	
September 2024 review	1,079	
December 2024 review		
March 2025 review		

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that income and expenditure deviate from the budget which could impact on Council’s ability to deliver its Operational Plan in a financially sustainable manner.	High	Periodic review and forecasting of the actual performance against the budget is undertaken regularly to ensure that approved expenditure levels and projected revenue streams remain sustainable.	

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Council's budget is fundamental for operational sustainability and the provision of facilities and services to the community.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services Section to discuss the overall financial result for the quarter.

Internal

- Executive Team.

External

Nil.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

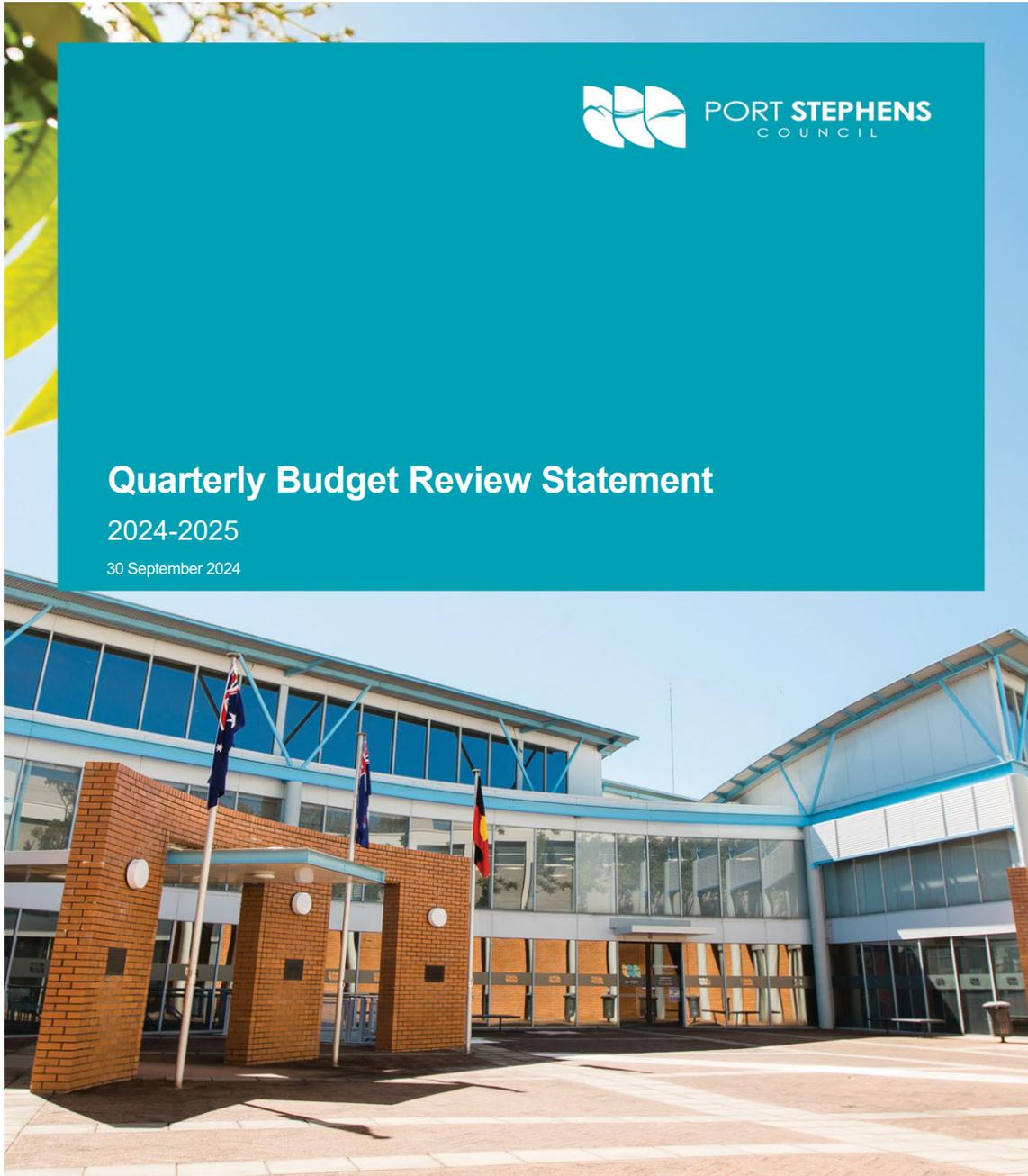
- 1) Quarterly Budget Review to 30 September 2024. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



**Report by Responsible Accounting Officer for the Quarter ending
30 September 2024**

The following statement is made in accordance with clause 203(2) of the Local Government (General) Regulations 2021.

It is my opinion that the Quarterly Budget Review Statement for Port Stephens Council for the quarter ended 30 September 2024 indicates that Council's projected financial position at 30 June 2025 will be satisfactory at year-end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: 

Date: 21/10/2024

Glen Peterkin
Financial Services Section Manager
Port Stephens Council

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Operating Statement

Result for the financial quarter ending 30 September 2024

	Original Budget 2024-2025	Revolves and Rollovers	September Review	December Review	March Review	Revised Budget	Actuals YTD
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Continuing Operations							
Rates and annual charges	82,377	-	-	-	-	82,377	20,189
User charges and fees	62,594	-	169	-	-	62,763	13,203
Interest & Investment Revenue	2,649	-	360	-	-	3,009	996
Other Income	2,904	-	(239)	-	-	2,664	906
Grants & contributions for operating purposes	13,407	-	2,452	-	-	15,858	2,945
Capital Grants and Contributions	44,058	11,220	3,611	-	-	58,889	14,232
Other revenues	5,196	-	169	-	-	5,365	1,277
Fair value gains	903	-	-	-	-	903	-
Net gains from the disposal of assets	250	-	-	-	-	250	-
Total Income from continuing operations	214,337	11,220	6,521	-	-	232,079	53,748
Expenses from continuing operations							
Employee benefits and on-costs	59,332	-	94	-	-	59,426	13,896
Borrowing Costs	3,421	-	47	-	-	3,468	925
Materials & services	70,777	-	2,985	-	-	73,762	16,783
Other Expenses	8,209	32	(12)	-	-	8,228	1,631
Depreciation and amortisation	21,792	-	-	-	-	21,792	5,198
Total expense from continuing operations	163,532	32	3,114	-	-	166,677	38,434
Operating Surplus/(Deficit) after capital grants	50,805	11,189	3,408	-	-	65,402	15,314
Operating Surplus/(Deficit) before capital grants	6,747	(32)	(203)	-	-	6,513	1,082
Less: Non-Cash Items	(3,653)	-	-	-	-	(3,653)	(702)
Less: Local Election Allocation	500	-	-	-	-	500	418
Less: Enhanced Services	(1,400)	-	-	-	-	(1,400)	(350)
Add: Digital Transformation	-	-	469	-	-	469	-
Less: Newcastle Airport	(1,350)	-	-	-	-	(1,350)	(338)
Add: NAP Dividend	-	-	-	-	-	-	-
Underlying Operating Surplus/(Deficit)*	844	(32)	266	-	-	1,079	111

* Underlying result refers to performance measures that do not include abnormal, non-recurring events or transactions that are restricted for a capital purpose, providing a better representation of underlying financial performance without the impact of any unusual or extraordinary items.

Operating Statement Variations

Result for the financial quarter ending 30 September 2024

Income from Continuing Operations	Recommended Change \$'000	Explanation
Rates and annual charges	-	
User charges and fees	169	Revenue from compliance inspections and flood certificates has been increased
Interest & Investment Revenue	360	Investment income has been reforecast due to cash holdings and portfolio management
Other Income	(239)	Potential for vacancy at 528 Hunter St, Newcastle
Grants & contributions for operating purposes	2,452	Unspent operating grants from the previous financial year have been rolled over as well as the recent increase to the Roads to Recovery Grant program and Financial Assistance Grant
Capital Grants and Contributions	3,611	Council has been successful in receiving grant funds for Don Waring Oval from the Office of Sport and further allocation from the State Governments special purpose roads grants
Other revenues	169	Approved students incentives, compliance activity and corporate catering income has been increased
Fair value gains	-	
Net gains/(loss) from the disposal of assets	-	
Total recommended income change	6,521	
Expenses from continuing operations		
Employee benefits and on-costs	94	A reclassification of expenditure budgets from materials and services to employee benefits
Borrowing Costs	47	Borrowing costs have been reforecast due to increased interest rates
Materials & services	2,985	This relates to the expenditure side of the unspent operating grants rolled from the prior year and allocations for the digital transformation strategy
Other Expenses	(12)	Expenses related to the Emergency Services Levy and Crown leases have been decreased
Depreciation and amortisation	-	
Total recommended expense change	3,114	

ITEM 2 - ATTACHMENT 1
SEPTEMBER 2024.

QUARTERLY BUDGET REVIEW TO 30

	Original Budget 2024-2025 \$'000	Revotes and Rollovers \$'000	September Review \$'000	December Review \$'000	March Review \$'000	Revised Budget \$'000	Actuals YTD \$'000
Capital Statement							
Result for the financial quarter ending 30 September 2024							
Capital Funding (2)							
Grants and Contributions - Operating	1,081	-	250	-	-	1,331	158
Grants and Contributions - Capital	14,779	11,220	3,611	-	-	29,610	5,694
External Reserves	5,130	6,443	7,880	-	-	19,454	39,944
Internal Reserves	11,326	8,365	145	-	-	19,836	31,509
General fund contribution to capital	-	-	-	-	-	-	-
Funding available for capital expenditure	32,315	26,028	11,887	-	-	70,231	77,305
Capital Expenditure (2)							
New Assets							
Aquatic Structures	-	-	-	-	-	-	-
Buildings	-	-	-	-	-	-	-
Commercial Assets	-	-	-	-	-	-	-
Corporate Assets	-	-	-	-	-	-	-
Drainage	-	-	-	-	-	-	-
Open Space	-	-	-	-	-	-	-
Transport Infrastructure	-	-	3,820	-	-	9,871	1,369
Waste Assets	-	6,051	-	-	-	-	-
Asset Renewals (Replacement) and Upgrades (1)							
Aquatic Structures	50	447	466	-	-	963	33
Buildings	833	2,806	218	-	-	3,857	574
Commercial Assets	4,000	1,798	-	-	-	5,798	63
Corporate Assets	3,449	2,124	-	-	-	5,574	1,782
Drainage	1,370	1,507	89	-	-	2,966	111
Open Space	1,765	1,693	5,561	-	-	9,019	195
Transport Infrastructure	11,979	9,319	4,442	-	-	25,740	2,978
Waste Assets	-	285	270	-	-	555	(0)
Total Capital Expenditure	23,446	26,028	14,867	-	-	64,342	7,105
Transfer to/(from) reserves (3)	8,869	-	(2,980)	-	-	5,889	70,200

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets)

(2) Excludes Newcastle Airport and related entities

(3) Transfer to reserves are funds set aside for future use

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Capital Statement Variations

Result for the financial quarter ending 30 September 2024

Capital Expenditure

New Assets

	Recommended Change \$'000	Explanation
Aquatic Structures	-	-
Buildings	-	-
Commercial Assets	-	-
Corporate Assets	-	-
Drainage	-	-
Open Space	-	-
Transport Infrastructure	3,820	Construction of Brandy Hill footpath
Waste Assets	-	-

Asset Renewals (Replacement) and Upgrades

Aquatic Structures	466	Allocation of recovery funding to Longworth Seawall
Buildings	218	Upgrades to Shoal Bay East Amenities, and Tomaree Library air conditioning
Commercial Assets	-	-
Corporate Assets	-	-
Drainage	89	Upgrades to SCADA telemetry systems
Open Space	5,561	Funding for Don Waring Oval Redesign and upgrades to Fingal Bay Foreshore
Transport Infrastructure	4,442	Clarencetown Road Blackspot, State Government Special Purpose Grant Seaham, Buckettis Way
Waste Assets	270	Replacement of fleet

ITEM 2 - ATTACHMENT 1
SEPTEMBER 2024.

QUARTERLY BUDGET REVIEW TO 30

Cash Reserve Balances

This statement sets out the budgeted reserve balances and funding source changes.

Reserve	Opening Balance \$'000	Transfers In \$'000	Original Budget \$'000	Revolts and Rollovers \$'000	September Review \$'000	December Review \$'000	March Review \$'000	Closing Balance \$'000	Actuals YTD \$'000
External Restriction (1)									
Bonds and Retentions	1,204	-	-	-	-	-	-	1,204	1,358
Domestic Waste	6,450	1,166	(200)	(285)	(320)	-	-	6,811	11,511
Crown Reserves	5,127	2,997	(3,000)	(2,299)	(168)	-	-	2,657	4,081
Developer Contributions	22,610	8,718	(1,757)	(2,231)	(7,680)	-	-	19,659	22,994
Unexpended Grants Reserve	8,858	17,876	(10,144)	(12,849)	(3,741)	-	-	0	8,767
Total External Restriction	44,249	30,757	(15,101)	(17,664)	(11,909)	-	-	30,332	48,711
Internal Restriction (2)									
Administration Building Reserve	172	457	(250)	(237)	-	-	-	142	312
Asset Rehabilitation Reserve	1,624	4,969	(3,600)	(2,420)	(111)	-	-	462	3,306
Commercial Properties Reserve	3,305	2,545	(1,000)	(1,480)	(34)	-	-	3,336	3,303
Community Loans	200	-	-	-	-	-	-	200	200
Community Halls	79	(50)	-	-	-	-	-	29	65
Drainage Reserve	1,072	2,051	(1,350)	(1,112)	-	-	-	661	1,575
Election Reserve	500	(500)	-	-	-	-	-	-	535
Employee Leave Entitlements (ELE)	1,000	-	-	-	-	-	-	1,000	1,000
Enhanced Services Reserve	-	1,421	(1,421)	-	-	-	-	(0)	338
Federal Assistance Grant Reserve	4,026	(4,026)	-	-	-	-	-	0	5,563
Fleet Reserve	1,168	2,868	(2,199)	(873)	-	-	-	964	2,020
IT Reserve	1,715	1,447	(1,000)	(1,262)	-	-	-	900	1,993
Other Waste Services Reserve	-	157	-	-	-	-	-	157	381
Parking Meters Reserve	621	1,284	(80)	(21)	-	-	-	1,804	769
Repealed Funds Reserve	1,783	-	-	(764)	-	-	-	1,020	1,407
Roads / Environmental Reserve	221	679	(425)	(196)	-	-	-	280	519
Sustainable Energy & Water Reserve	26	-	-	-	-	-	-	26	33
Unexpended Loan Funds Reserve	-	-	-	-	-	-	-	-	-
Ward Funds Reserve	25	60	(60)	-	-	-	-	25	21
Emergency & Natural Disaster	4,868	2,132	-	-	-	-	-	7,000	4,868
Grant Co-Contribution Reserve	1,432	1,568	-	-	-	-	-	3,000	301
Resilience Fund	3,000	-	-	-	-	-	-	3,000	3,000
Total Internal Restriction	26,838	17,062	(11,386)	(8,365)	(145)	-	-	24,004	31,509
Total External and Internal Restrictions	71,087	47,819	(26,487)	(26,029)	(12,055)	-	-	54,335	80,220
Variance Cash Reserves to Bank Account									(4,048)
Timing Difference									441
Unrestricted Cash/(Shortfall)									(3,607)

(1) Funds that must be spent for a specific purpose

(2) Funds that Council has designated for a specific purpose

(3) Excludes Newcastle Airport and related entities and 355c Committees Bank Accounts

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Performance Indicators ⁽¹⁾

Result for the financial quarter ending 30 September 2024

1. Operating performance ratio	\$'000	Indicator	Benchmark	
Total continuing operating revenue excluding capital grants and contributions less operating expenses	495			
Total continuing operating revenue excluding capital grants and contributions	39,516	1.25%	>0.00%	✓
This ratio measures Council's achievement of containing operating expenditure within operating revenue.				
2. Debt service cover ratio				
Operating result before capital excluding interest and depreciation/impairment/amortisation	7,206			
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	631	11.42	>2.00x	✓
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.				
3. Unrestricted Working Capital ratio				
Total Current Assets less external restrictions	53,690			
Total Current Liabilities less external restrictions	32,076	1.67	>1.5x	✓
This ratio measures Council's ability to meet its short term obligations as they fall due.				
4. Cash expense ratio				
Current year's cash and cash equivalents plus all term deposits	76,172			
Operating expenses less depreciation + YTD days	9,437	8.07	>3.00 mths	✓
This liquidity ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow.				
5. Rates and annual charges outstanding percentage				
Rates and annual charges outstanding YTD	3,595			
Rates and annual charges collectable	83,785	4.3%	<10.00%	✓
To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.				
6. Restricted Cash				
External Restrictions	48,711			
Internal Restrictions	31,509			
Unrestricted / (Shortfall)	(4,048)			
	76,172			✗

(1) Excludes Newcastle Airport and related entities

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Contracts and Other Expenses

Result for the financial quarter ending 30 September 2024

Councillors are currently made aware of tenders of \$250,000 or more in accordance with legislation. However, Councillors should be made aware of other material contracts entered into by Council and details of other expenses that are of particular interest.

Part A: Contracts

Contracts (other than employment contracts and contracts entered into from Council's preferred suppliers list) that:

- Were entered into during the quarter ending 30 September 2024 and;
- Have a value equal to or more than \$50,000.

Contractor	Contract Details and Purpose	Contract Value (inc GST)	Start Date	End Date	Budget (Y/N)
Anna Bay Drainage Union	Work to the main drain and its tributaries	60,000.00	1/07/2024	30/06/2025	Y
Enviroculture Maintenance Services Pty Limited	Asset protection zone works - multiple sites	93,718.14	11/06/2024	23/06/2026	Y
NSW Electoral Commission	2024 Port Stephens Council local government election	731,868.00	1/07/2024	30/09/2024	Y
Progressive Technical Group Pty Ltd	Removal and installation of data cabling	56,581.03	23/07/2024	30/06/2025	Y
Boral Construction Materials Group Ltd	Spray sealing services	91,593.76	1/07/2024	30/06/2025	Y
Intellifleet Pty Ltd	In-Vehicle Monitoring System (IVMS) fees	53,598.60	1/07/2024	30/06/2025	Y
Hunter Joint Organisation	Annual subscription to core funding	61,999.37	1/07/2024	30/06/2025	Y
Online Safety Systems Pty Ltd	Membership for 46 Class C and 143 Class B machines	59,730.00	1/07/2024	30/06/2025	Y
Port Stephens Koala Hospital	Agreed annual payment to Port Stephens Koala Hospital	200,000.00	1/07/2024	30/06/2025	Y
Port Stephens Tourism Limited	Contribution to Destination Port Stephens	220,000.00	1/07/2024	31/12/2024	Y
Stuart & Dunn Office Supplies	Modification of administration building	137,029.20	3/07/2024	31/12/2024	Y
VVG Services NSW Pty Ltd	Supply of 1x truck cab chassis with hidrive service body	272,523.92	3/07/2024	30/01/2025	Y
Manning Valley Motor Holdings Pty Ltd	Supply of 2x 4WD utilities with body fitment	301,760.00	5/07/2024	26/06/2025	Y
Nextrend Furniture	Holiday park furniture	203,613.32	9/07/2024	31/12/2024	Y
Moduplay Group Pty Ltd	Elkin Avenue playground replacement	132,000.00	10/07/2024	26/06/2025	Y
Moduplay Group Pty Ltd	Shoal Bay Holiday Park playground	188,402.50	23/07/2024	30/06/2025	Y
Synthetic Grass & Rubber Surfaces Australia Pty Ltd	Artificial grass - Fingal Bay Holiday Park	110,443.30	26/07/2024	31/12/2024	Y
Coastal Evergreen Services Pty Ltd	Artificial grass - Halifax Holiday Park	234,566.97	29/07/2024	31/12/2024	Y
Synthetic Grass & Rubber Surfaces Australia Pty Ltd	Artificial grass - Shoal Bay Holiday Park	189,274.80	30/07/2024	30/12/2024	Y
Survey & Instrument Specialists	Survey equipment	144,870.00	29/07/2024	31/12/2024	Y
Fenworx Pty Ltd	Janet Parade, Salt Ash - mill & fill	323,745.22	8/08/2024	30/12/2024	Y
Hunter Motor Group	Supply 1x 4WD single cab chassis utility with equipment tray	53,521.09	8/08/2024	30/12/2024	Y
All Hills Fencing	Brandy Hill shared path fencing	178,442.01	9/08/2024	31/07/2025	Y
Talyama Projects	Project management	200,200.00	12/08/2024	12/08/2025	Y
Biosis Pty Ltd	Shoal Bay carpark Aboriginal Cultural Heritage Assessment (ACHA)	70,544.10	13/08/2024	31/07/2025	Y
COLAS New South Wales Pty Ltd	Trevally Street segment - key in and asphalt overlay	98,302.99	14/08/2024	31/12/2024	Y
Killalea Construction Pty Ltd	Fingal Bay Holiday Park - roof replacement & repair	219,450.00	14/08/2024	30/06/2025	Y
Killalea Construction Pty Ltd	Halifax Holiday Park amenities & waterproofing rectification	239,965.00	15/08/2024	30/06/2025	Y
Software One Australia Pty Limited	Veritas enterprise vault email archive	253,354.75	26/08/2024	25/08/2027	Y
Hunter Motor Group	Supply of 1x 4WD utility extra cab with hidrive service	74,929.42	27/08/2024	27/06/2025	Y
Cleveland Property Services	Public amenities cleaning	111,355.68	30/08/2024	28/08/2026	Y
AHG Newcastle Pty Ltd	Supply 1x 4WD dual cab utility	53,340.10	4/09/2024	31/12/2024	Y
Manning Valley Motor Holdings Pty Ltd	Supply 1x 4WD utility extra cab with equipment tray	55,200.00	9/09/2024	30/06/2025	Y
Andrew Miedecke Motors Pty Ltd	Supply of 1x LDV e T60 dual cab utility (electric vehicle)	83,642.00	11/09/2024	30/12/2024	Y
Strategic Directions	Digital strategy implementation service and program management	106,700.00	12/09/2024	30/06/2025	Y
Kentan Machinery Pty Ltd	Supply and delivery of 1x 5.5T-6.5T excavator	102,902.00	16/09/2024	30/06/2025	Y
COLAS New South Wales Pty Ltd	Sprayed bituminous asphalt rejuvenation	182,388.27	16/09/2024	30/06/2025	Y

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Data#3 Limited	Adobe subscription	104,265.74	21/09/2024	20/09/2025	Y
Accurate Asphalt & Road Repairs Pty Ltd	Bucketts Way, Twelve Mile Creek - stabilisation	230,880.52	25/09/2024	30/06/2025	Y
Civica Pty Limited	Reflect renewal	55,193.60	1/10/2024	30/09/2025	Y
Sportszone Group Pty Ltd	Fingal Bay Tennis Courts resurfacing and repairs	57,323.22	6/09/2024	30/06/2025	Y
The Trustee For Eliza Family Trust	Inner Light Headland Reserve - construction of bored piers with capping beam/footing	51,029.00	9/09/2024	30/06/2025	Y

ITEM 2 - ATTACHMENT 1 QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2024.

Part B: Consultancy and Legal Expenses

Report shows expenditure as at 30 September 2024 for:

- Consultancies
- Legal fees

For the purposes of this report, a consultancy is defined as a person or organisation engaged under contract on a temporary basis to provide recommendation or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Expense	September Review	
	YTD \$ \$'000	Budget (Y/N)
Consultants		
Holiday Parks	-	
Property Development	8	Y
Engineering	-	
Development Planning	11	Y
IT	5	Y
Environment	39	Y
Other	130	Y
Construction		
Total Consultancies	193	
Legal Fees		
Advice	4	Y
Litigation	22	Y
Total Legal Fees	26	
Expense - Litigation	YTD \$ \$'000	
Local Government Law	-	
Environmental Law	2	
Planning & Development Law	20	
Total Litigation Expense	22	

ITEM NO. 3

**FILE NO: 24/287210
EDRMS NO: PSC2009-02488**

POLICY REVIEW: ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorse the revised Asset Disposal (other than property) Policy shown at **(ATTACHMENT 1)**.
- 2) Place the revised Asset Disposal (other than property) Policy, as amended on public exhibition for a period of 28 days and should no submissions be received, the policy be adopted, without a further report to Council.
- 3) Revoke the Asset Disposal (other than property) Policy dated 26 October 2021, Minute No 286 should no submissions be received.

BACKGROUND

The purpose of this report is to seek Council's endorsement of the revised Asset Disposal (other than property) Policy (the 'policy') **(ATTACHMENT 1)**.

The policy is required to ensure the disposal of assets is ethical, transparent and accountable. The policy is supported by the Asset Disposal (other than property) Management Directive that prescribes the considerations and processes to be applied in the disposal of Council owned assets.

Please note that yellow highlighting in the attached policy indicates an amendment has been made and strikethrough text is to be deleted.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Financial Management	Manage implementation of the Long Term Financial Plan 2024 to 2034.

FINANCIAL/RESOURCE IMPLICATIONS

The principles of the Asset Disposal (other than property) Policy requires Council to dispose of assets in a suitable public marketplace that maximises Council's financial returns.

ORDINARY COUNCIL - 26 NOVEMBER 2024

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council's asset disposal principles are to achieve the best value for money whilst being ethical, transparent and accountable. They promote fairness and competition. The policy mirrors Council's principles and by adopting the recommendations will thereby reduce potential legal ramifications.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that fraud and corruption will occur, leading to financial and reputational loss.	Low	Adopt the recommendations.	Yes
There is a risk that Council will fail to maximise its return from asset sales.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The disposal of assets by resale supports Council's environmental sustainability principles.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Financial Services Section.

Internal

The Executive Team has been consulted to seek management endorsement.

External

In accordance with local government legislation the revised Asset Disposal (other than property) Policy will go on public exhibition for 28 days.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Revised Asset Disposal (other than property) Policy. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 3 - ATTACHMENT 1 REVISED ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY.



Policy

FILE NO: PSC2009-02488

TITLE: ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY

OWNER: FINANCIAL SERVICES SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this policy is to provide a systematic and accountable method to Council officials (Councillors, staff and delegates of Council) for the disposal of surplus assets, excluding real property, and to ensure the process is transparent and complies with Council's Code of Conduct, Statement of Business Ethics and Financial Business Rules.
- 1.2 Environmentally sustainable asset disposal results in minimisation of unnecessary purchasing, waste minimisation, water and energy saving, pollution minimisation, avoidance of toxic chemicals, reduction in greenhouse gases and decision making that incorporates biodiversity and conservation objectives.

2. CONTEXT/BACKGROUND:

- 2.1 The Asset Disposal (other than property) Policy is required to ensure that the disposal of Council assets is ethical, transparent and accountable. The policy is supported by the Asset Disposal (other than property) Management Directive that prescribes the considerations and processes to be applied in the disposal of Council owned assets.

3. SCOPE:

- 3.1 This policy has been written considering the following principles:
 - a) High standards of behaviour and ethics are required of all parties to asset disposal activities.
 - b) Asset disposal activities aim to be efficient, effective and balance risk and total cost.
 - c) Due economy shall be exercised in all asset disposal decisions.
 - d) Asset disposal decisions shall consider relevant evaluation criteria including environmental sustainability, the support of registered disability employers and the support of local industry.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

Policy

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ITEM 3 - ATTACHMENT 1 REVISED ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY.



Policy

Asset A resource with economic value that an individual, corporation or country owns or controls with the exception that it will provide future benefit.

5. STATEMENT:

5.1 Surplus assets will be disposed of in a cost effective manner that complies with relevant regulations in a fair, transparent, environmentally sustainable manner to maximise financial return to Council. Prior to the disposal, assets will be reviewed in order to ascertain whether they have alternative uses within Council, contain hazardous materials or identifying marks. Council has adopted a Statement of Business Ethics that sets out the high ethical standards expected of Council officials and delegates, contractors and business associates.

6. RESPONSIBILITIES:

6.1 The Financial Services Section Manager, ~~Finance Acquisitions~~ Expenditure Coordinator, and the Procurement and Tendering Contract Management Specialist are responsible for the implementation, compliance of, monitoring, evaluating, reviewing and providing advice on this policy.

6.2 Section Managers, Civil Assets Manager and all relevant employees are responsible for complying with this policy.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993 (NSW).
- 7.2 Local Government (General) Regulation 2021 (NSW).
- 7.3 Competition and Consumer Act 2010 (Cth).
- 7.4 Code of Conduct.
- 7.5 Statement of Business Ethics.
- 7.6 Procurement Policy.
- 7.7 Fraud and Corruption Control Policy.
- 7.8 Procurement Management Directive.
- 7.9 Asset Disposal Management Directive.
- 7.10 Financial Business Rules.
- 7.11 Environment Policy.
- 7.12 Asset Management Policy.
- 7.13 NSW Government Sustainability Policy.
- 7.14 NSW Government Code of Practice.
- 7.15 NSW Government Procurement Policy Framework.

Policy

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ITEM 3 - ATTACHMENT 1 REVISED ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY.



Policy

CONTROLLED DOCUMENT INFORMATION:

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EDRMS container No.	PSC2009-02488	EDRMS record No.	TBA
Audience	Council staff		
Process owner	Financial Services Section Manager		
Author	Financial Services Section Manager		
Review timeframe	3 4 years	Next review date	TBA
Adoption date	25/03/2014		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1.0	25/03/2014	Financial Services Section Manager	Policy adopted.	63
2.0	27/11/2015	Financial Services Section Manager	This policy has been reviewed and formatted into the new template.	
3.0	09/02/2016	Financial Services Section Manager	Policy adopted.	019
4.0	12/12/2017	Financial Services Section Manager	Updated references from TRIM to RM8. Updated RM8 record number from PSC2009-02488/486 to 17/198654. Added Financial Business Rules to the Purpose. Added Procurement Management Directive, Asset Disposal	317

Policy

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ITEM 3 - ATTACHMENT 1 REVISED ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY.



Policy

Version	Date	Author	Details	Minute No.
			Management Directive, and Financial Business Rules to the Related Documents.	
5.0	12/11/2019	Financial Services Section Manager	<p>Updated policy into the current format.</p> <p>6.0 – Updated Policy Responsibilities as follows: Removed – 6.1 Section Managers Added - 6.1 Financial Services Section Manager, Financial Expenditure Coordinator and Procurement and Contract Management Specialist are responsible for the implementation, compliance of, monitoring, evaluating, reviewing and providing advice on this policy. Removed - 6.2 Expenditure Coordinator Added - 6.2 Section Managers, Civil Assets Planning Manager and all relevant employees are responsible for complying with this policy. 6.3 – Removed ‘Contractor’ 6.3 – Added ‘Contract’ Removed - 6.3 Procurement and Contractor Contract Management Specialist. Added ‘6.4 Asset Section Manager’ Added ‘6.5 Civil Assets Planning Manager’ Added ‘7.11 Environment Policy.’ Added ‘7.12 Asset Management Policy.’ Added ‘7.13 NSW Government Sustainability Policy.’ Added ‘7.14 NSW Government Code of Practice.’</p>	208

Policy

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ITEM 3 - ATTACHMENT 1 REVISED ASSET DISPOSAL (OTHER THAN PROPERTY) POLICY.



Policy

Version	Date	Author	Details	Minute No.
			Added '7.15 NSW Government Procurement Policy framework.' Updated EDRMS record number in version history.	
6.0	26 October 2021	Financial Services Section Manager	Updated policy into the new template. 6.1 – Removed 'Expenditure' to reflect current naming convention of position title. 6.2 – Removed 'Planning' to reflect current naming convention of position title. 7.2 – updated Local Government (General) Regulation 2021 (NSW) to current. Controlled document information: Amended review timeframe to 3 years as per Council's policy review process.	286
7.0	TBA	Financial Services Section Manager	Updated policy into the current format. 6.1 – Update to position titles to reflect current naming convention. Controlled document information: Amended review timeframe to 4 years as per Council's policy review process.	TBA

Policy

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ITEM NO. 4

FILE NO: 24/293863
EDRMS NO: PSC2009-0965

DELEGATIONS: MAYOR, GENERAL MANAGER AND ACTING GENERAL MANAGER

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Delegate the Functions in accordance with the Instrument of Delegation to the Mayor attached to this report as **(ATTACHMENT 1)**.
- 2) Delegate the Functions in accordance with the Instrument of Delegation to the General Manager attached to this report as **(ATTACHMENT 2)**.
- 3) Delegate the Functions of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:
 - a) at the request of the Mayor; or
 - b) if the Mayor is prevented by illness, absence or otherwise from exercising these Functions; or
 - c) if there is a casual vacancy in the office of Mayor.
- 4) Appoint the 3 Directors (Community Futures, Facilities & Infrastructure and Corporate Strategy and Support) to act in the capacity of the General Manager on a rotational basis, in the absence of the General Manager, and that such appointment ceases upon the return to work of the General Manager or other resolution of Council.
- 5) The Mayor and General Manager be authorised to establish a rotational calendar for the role of acting General Manager.
- 6) Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.

BACKGROUND

The purpose of this report is to provide the Mayor, General Manager's and acting General Manager's delegations for Council's consideration and adoption.

Council is required to review and adopt all delegations by the elected Council within 12 months of the election.

The Mayor's delegations have been reviewed and are shown at **(ATTACHMENT 1)**. The General Manager's delegations have been reviewed and are shown at **(ATTACHMENT 2)**.

ORDINARY COUNCIL - 26 NOVEMBER 2024

Council at its meeting held on 22 October 2024 (**ATTACHMENT 3**) deferred item 5 for further consideration at a Two Way Conversation.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to have appropriate delegations for the roles of Mayor, General Manager and acting General Manager, in accordance with the Local Government Act 1993. Without such delegations Council is at risk of breaching the law and individuals operating outside their limits of responsibility.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that the Mayor and General Manager do not hold the appropriate delegations to exercise the functions of their respective roles.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

There is no requirement for consultation for this report, as it is a legislative compliance process report.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Mayor - Instrument of Delegation. [↓](#)
- 2) General Manager - Instrument of Delegation. [↓](#)
- 3) Council Meeting Minutes extract - 22 October 2024. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



PORT STEPHENS COUNCIL

INSTRUMENT OF DELEGATION TO Mayor

On Tuesday, 22 October 2024 the Port Stephens Council ("Council") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Mayor authority to exercise and/or perform on behalf of the Council the Council's Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. The Mayor be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1, Schedule 2** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
6. In this delegation:
 - o **'Functions'** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

PORT STEPHENS COUNCIL

116 Adelaide Street
Raymond Terrace NSW 2324

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- **‘Legislation’** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.

- **‘LG Act’** means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions

Local Government Act 1993

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	<p>Mayor Functions – Authority to exercise and/or perform the role of the mayor.</p> <p>Pursuant To – section 226</p>	<p>1. Authority to approve or refuse public access applications in accordance with the Council's policy and Code of Meeting Practice.</p> <p>2. Authority in the cases of emergency, where it is not practical to wait for the next scheduled meeting of Council, to exercise such functions of council as necessary in the situation, except those functions listed in Schedule 377 of the Local Government Act (The Act) 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 statutory functions of the General Manager under Section 335 of the Act.</p> <p>3. To make community awards on the recommendation of the Port Stephens Community Awards Panel and after appropriate consultation with all Councillors.</p> <p>4. Authority to affix the corporate seal of Port Stephens Council to all documents necessary for Port</p>

		<p>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.</p> <p>5. Authority to act as a Council nominated director on Newcastle Airport Pty Ltd, Greater Newcastle Aerotropolis Pty Ltd, Newcastle Airport Partnership, Greater Newcastle Aerotropolis Partnership, Newcastle Airport Partnership Company 3 and Newcastle AirPort Partnership Company 4.</p>
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Schedule 2: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
CP063 - Authority to use purchasing card up to \$5,000	Authority to use purchasing card to pay suppliers within your area of responsibility and within the approved budget up to \$5,000 per transaction (GST inclusive).	

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of Tuesday, 22 October 2024,

Mayor / Councillor

Date: Tuesday, 22 October 2024

Review date: Saturday, 21 October 2028

Delegate Acknowledgement of Delegation

I _____ do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Mayor of Port Stephens Council

Date:

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ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.



PORT STEPHENS COUNCIL

INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On Tuesday, 22 October 2024 the Port Stephens Council ("**Council**") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ("**General Manager**"), being at the date of this instrument Tim Crosdale, be delegated authority under section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council's Functions under all Legislation in force and as amended from time to time:
 - 2.a **Subject to** any condition or limitation on a Function specified in Schedule 1; and
 - 2.b **Excluding** those Functions:
 - i. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - ii. which are expressly required by legislation to be exercised by a resolution of the Council.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in **Schedule 2**, **excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

PORT STEPHENS COUNCIL

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ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.

7. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a.a the requirements of the relevant Legislation;

 - a.b any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and

 - a.c any resolution or policy, procedure or budget adopted from time to time by the Council.

8. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.

9. In this delegation:
 - o **"Functions"** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

 - o **"Legislation"** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.

 - o **"LG Act"** means the *Local Government Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A
Part B – General Limitations	
N/A	

Schedule 2: Instruments of Delegation to Council

ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

Delegator	Instrument Name	Date Of Instrument
N/A	N/A	N/A

Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
CP014 - Media Policy	Authority to issue media releases and to provide supporting factual information and comment in accordance with the Media Policy and associated Management Directive.	N/A
CP017 - Annual leave	Authority to approve annual leave applications for staff within his/her section.	N/A
CP018 - Sick/carer's leave	Authority to approve staff applications for sick or carer's leave within his/her section.	N/A
CP019 - Other leave	Authority to approve staff applications for other leave including but not limited to: long service leave, parental leave, bereavement/compassionate leave or career break, in accordance with any corporate processes.	N/A
CP020 - Overtime/leave in lieu	Authority to approve the allocation and payment of overtime, leave in lieu and payment of meal allowances and travelling time to staff within his/her section.	N/A
CP021 - Authorise scheduled training	Authority to approve the attendance of staff within his/her section at scheduled training courses or seminars.	N/A
CP022 - Authorised scheduled training	Authority to approve attendance of staff within his/her Group to attend unscheduled training courses or seminars.	N/A
CP023 - Unscheduled	Authority to approve attendance of staff	N/A

ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

training	within his/her Section to attend unscheduled training courses or seminars.	
CP024 - Examination leave	Authority to approve examination and study leave for staff within his/her area of responsibility, in accordance with any corporate processes.	N/A
CP025 - Approve timesheets	Authority to approve timesheets for staff within his/her area of responsibility.	N/A
CP026 - Approve flexi time	Authority to approve flexi time leave for staff within his/her area of responsibility.	N/A
CP028 - Rostered days off and rostering working times	Authority to approve variations to rostered day off patterns and rostered working times.	N/A
CP030 - Social Media Spokesperson	Authority to act as a social media spokesperson for the purpose of representing Council's position on matters of policy, and to provide information on Council's activities within their area or responsibility. This function includes the authority to publish content on behalf of Council on social media platforms	N/A
CP031 - Speak to the Media	Authority to act as a spokesperson for Council for the purposes of representing Council's position on matters of policy, and to provide factual background information on Council's administration and operations within their area of responsibility.	N/A
CP032 - Transfer of vote within a program maximum \$10,000	Authority to transfer a vote within a budget program up to a maximum of \$10,000.	N/A
CP033 - Write off bad debts up to \$10,000	Authority to write off bad debts to an amount of \$10,000 in any one instance.	N/A
CP033A - Write off rate or charges up to \$10,000	Authority to write off rate or charges to an amount of \$10,000 in any one instance.	N/A

ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

CP034 - Appoint & replace Directors	Authority to appoint and replace Directors in accordance with the current structure and staff establishment numbers and after consultation with Council.	N/A
CP037 - Written and oral communications	Authority to carry out administrative actions, including written and oral communication, necessary to perform the duties and functions of the position.	N/A
CP041 - Authority to sign contracts for sale	Authority to sign contracts of sale in accordance with the Resolution of Council to buy or sell land.	N/A
CP043 - Authority to endorse cheques, bills, promissory notes and EFT	Authority to solely endorse cheques, bills, promissory notes and EFT payable to the Order of the Council in accordance with the duties and functions of the delegates position.	N/A
CP044 - Authority to enter into a contract	Authority to sign and enter into a contract on behalf of Council.	N/A
CP065 - Authority to use purchasing card	Authority to use purchasing card to pay suppliers within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP069 - Authority to approve purchase orders	Authority to approve purchase orders within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP090 - Authority to serve on Newcastle Airport	Authority to act as a Council nominated director on Newcastle Airport Pty Ltd, Greater Newcastle Aerotropolis Pty Ltd, Newcastle Airport Partnership Company 3 and Newcastle Airport Partnership Company 4	N/A

Pursuant to a Resolution of the Council at its meeting of Tuesday, 22 October 2024,

ITEM 4 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

Mayor

Date: Tuesday, 22 October 2024

Review date: Tuesday, 10 October 2028

General Manager's acknowledgement of Delegations of Authority

I Tim Crosdale, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

General Manager of Port Stephens Council

Date:

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM NO. 5

FILE NO: 24/80219
EDRMS NO: PSC2009-0965

DELEGATIONS: MAYOR, GENERAL MANAGER AND ACTING GENERAL MANAGER

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Delegate the Functions in accordance with the Instrument of Delegation to the Mayor attached to this report as **(ATTACHMENT 1)**.
- 2) Delegate the Functions in accordance with the Instrument of Delegation to the General Manager attached to this report as **(ATTACHMENT 2)**.
- 3) Delegate the Functions of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:
 - a) at the request of the Mayor; or
 - b) if the Mayor is prevented by illness, absence or otherwise from exercising these Functions; or
 - c) if there is a casual vacancy in the office of Mayor.
- 4) Appoint the three (3) Directors (Community Futures, Facilities & Infrastructure and Corporate Strategy and Support) to act in the capacity of the General Manager on a rotational basis, in the absence of the General Manager, and that such appointment ceases upon the return to work of the General Manager or other resolution of Council.
- 5) The Mayor and General Manager be authorised to establish a rotational calendar for the role of acting General Manager.
- 6) Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
MOTION**

	<p>Councillor Peter Francis Councillor Jason Wells</p> <p>That Council:</p> <ol style="list-style-type: none">1) Delegate the Functions in accordance with the Instrument of Delegation to the Mayor attached to this Supplementary Information report as (ATTACHMENT 1).
--	--

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

	<p>2) Delegate the Functions in accordance with the Instrument of Delegation to the General Manager attached to the report as (ATTACHMENT 2).</p> <p>3) Delegate the Functions of the Mayor to the Deputy Mayor with the general limitations that the Deputy Mayor may only exercise these Functions:</p> <p>a) at the request of the Mayor; or</p> <p>b) if the Mayor is prevented by illness, absence or otherwise from exercising these Functions; or</p> <p>c) if there is a casual vacancy in the office of Mayor.</p> <p>4) Appoint the three (3) Directors (Community Futures, Facilities & Infrastructure and Corporate Strategy and Support) to act in the capacity of the General Manager on a rotational basis, in the absence of the General Manager, and that such appointment ceases upon the return to work of the General Manager or other resolution of Council.</p> <p>5) The Mayor and General Manager be authorised to establish a rotational calendar for the role of acting General Manager.</p> <p>6) Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.</p>
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**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

	<p>Councillor Nathan Errington Councillor Giacomo Arnott</p> <p>That Council amend General Manager’s delegations relating to entering into a contract for items over \$1 million to be reported to Council.</p>
--	--

The amendment above was debated and the amendment was replaced with the amendment below.

**ORDINARY COUNCIL MEETING - 22 OCTOBER 2024
AMENDMENT**

201	<p>Councillor Nathan Errington Councillor Giacomo Arnott</p> <p>It was resolved that Council defer Item 5 for 4 weeks to allow for a Two Way Conversation to be scheduled with the Mayor and Councillors.</p>
-----	--

ITEM 4 - ATTACHMENT 3 COUNCIL MEETING MINUTES EXTRACT - 22 OCTOBER 2024.**MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024**

Those for the Motion: Mayor Leah Anderson, Crs Rosalyn Armstrong, Giacomo Arnott, Chris Doohan, Nathan Errington, Peter Francis, Paul Le Mottee, Ben Niland, Mark Watson and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

BACKGROUND

The purpose of this report is to provide the Mayor, General Manager's and acting General Manager's delegations for Council's consideration and adoption.

Council is required to review and adopt all delegations by the elected Council within twelve (12) months of the election.

The Mayor's delegations have been reviewed and are shown at **(ATTACHMENT 1)**. The General Manager's delegations have been reviewed and are shown at **(ATTACHMENT 2)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to have appropriate delegations for the roles of Mayor, General Manager and acting General Manager, in accordance with the Local Government Act 1993. Without such delegations Council is at risk of breaching the law and individuals operating outside their limits of responsibility.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that the Mayor and General Manager do not hold the appropriate delegations to exercise the functions of their respective roles.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

There is no requirement for consultation for this report, as it is a legislative compliance process report.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

- 1) Mayor - Instrument of Delegation.
- 2) General Manager - Instrument of Delegation.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 1 MAYOR - INSTRUMENT OF DELEGATION.



PORT STEPHENS COUNCIL

INSTRUMENT OF DELEGATION TO Mayor

On Tuesday, 22 October 2024 the Port Stephens Council ("Council") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. Pursuant to section 377 of the LG Act to delegate to the Mayor authority to exercise and/or perform on behalf of the Council the Council's Functions identified in **Schedule 1** subject to any condition or limitation specified.
3. The Mayor be conferred authority to carry out the Policy Authorities listed in **Schedule 2** and undertake any administrative actions necessary to carry out those Policy Authorities.
4. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. the requirements of the relevant Legislation;
 - b. any conditions or limitations set out in **Schedule 1**, **Schedule 2** and **Schedule 3**; and
 - c. any resolution or policy, procedure or budget adopted from time to time by the Council.
5. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
6. In this delegation:
 - o 'Functions' means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

PORT STEPHENS COUNCIL

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o 'Legislation' means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.

o 'LG Act' means the *Local Government Act 1993* as amended.

Schedule 1: Delegated Functions

Local Government Act 1993

Function Code	Function	Condition/ Limitation (if any)
LG Act 004	<p>Mayor Functions – Authority to exercise and/or perform the role of the mayor.</p> <p>Pursuant To – section 226</p>	<p>The following items are to be induced on the Instrument of the Delegation to the Mayor:</p> <ol style="list-style-type: none"> 1. Authority to approve or refuse public access applications in accordance with the Council's policy and Code of Meeting Practice. 2. Authority in the cases of emergency, where it is not practical to wait for the next scheduled meeting of Council, to exercise such functions of council as necessary in the situation, except those functions listed in Schedule 377 of the Local Government Act (The Act) 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 statutory functions of the General Manager under Section 335 of the Act. 3. To make community awards on the recommendation of the Port Stephens Community Awards Panel and after appropriate consultation with all Councillors. 4. Authority to affix the corporate seal of Port Stephens Council to all

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 1 MAYOR - INSTRUMENT OF DELEGATION.

		<p>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.</p> <p>5. Authority to act as a Council nominated director on Newcastle Airport Pty Ltd, Greater Newcastle Aerotropolis Pty Ltd, Newcastle Airport Partnership, Greater Newcastle Aerotropolis Partnership, Newcastle Airport Partnership Company 3 and Newcastle Airport Partnership Company 4.</p>
--	--	---

Schedule 2: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
N/A	N/A	N/A

Schedule 3: General Limitations

Limitation (if any)
N/A

Pursuant to a Resolution of the Council at its meeting of Tuesday, 22 October 2024,

Deputy Mayor
 Date: Tuesday, 22 October 2024
 Review date: Sunday, 22 October 2028

Delegate Acknowledgement of Delegation

I _____ do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

Mayor of Port Stephens Council

Date:

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.



PORT STEPHENS COUNCIL

INSTRUMENT OF DELEGATION TO GENERAL MANAGER

On Tuesday, 22 October 2024 the Port Stephens Council ("Council") resolved that:

1. All previous delegations of Functions the subject of this Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ("General Manager"), being at the date of this instrument Tim Crosdale, be delegated authority under section 377 of the LG Act, to exercise and/or perform on behalf of Council the Council's Functions under all Legislation in force and as amended from time to time:
 - 2.a Subject to any condition or limitation on a Function specified in Schedule 1; and
 - 2.b Excluding those Functions:
 - i. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - ii. which are expressly required by legislation to be exercised by a resolution of the Council.
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in **Schedule 2, excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

PORT STEPHENS COUNCIL

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MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

- 6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.
- 7. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a.a the requirements of the relevant Legislation;
 - a.b any conditions or limitations set out in **Schedule 1** and **Schedule 3**; and
 - a.c any resolution or policy, procedure or budget adopted from time to time by the Council.
- 8. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
- 9. In this delegation:
 - o **"Functions"** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - o **"Legislation"** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, regulation made under an Act, by-law, rule or ordinance.
 - o **"LG Act"** means the *Local Government Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A
Part B – General Limitations	
N/A	

Schedule 2: Instruments of Delegation to Council

ITEM 4 - ATTACHMENT 3 COUNCIL MEETING MINUTES EXTRACT - 22 OCTOBER 2024.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

Delegator	Instrument Name	Date Of Instrument
N/A	N/A	N/A

Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
CP014 - Media Policy	Authority to issue media releases and to provide supporting factual information and comment in accordance with the Media Policy and associated Management Directive.	N/A
CP017 - Annual leave	Authority to approve annual leave applications for staff within his/her section.	N/A
CP018 - Sick/carer's leave	Authority to approve staff applications for sick or carer's leave within his/her section.	N/A
CP019 - Other leave	Authority to approve staff applications for other leave including but not limited to: long service leave, parental leave, bereavement/compassionate leave or career break, in accordance with any corporate processes.	N/A
CP020 - Overtime/leave in lieu	Authority to approve the allocation and payment of overtime, leave in lieu and payment of meal allowances and travelling time to staff within his/her section.	N/A
CP021 - Authorise scheduled training	Authority to approve the attendance of staff within his/her section at scheduled training courses or seminars.	N/A
CP022 - Authorised scheduled training	Authority to approve attendance of staff within his/her Group to attend unscheduled training courses or seminars.	N/A
CP023 - Unscheduled	Authority to approve attendance of staff	N/A

ITEM 4 - ATTACHMENT 3 COUNCIL MEETING MINUTES EXTRACT - 22 OCTOBER 2024.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

training	within his/her Section to attend unscheduled training courses or seminars.	
CP024 - Examination leave	Authority to approve examination and study leave for staff within his/her area of responsibility, in accordance with any corporate processes.	N/A
CP025 - Approve timesheets	Authority to approve timesheets for staff within his/her area of responsibility.	N/A
CP026 - Approve flexi time	Authority to approve flexi time leave for staff within his/her area of responsibility.	N/A
CP028 - Rostered days off and rostering working times	Authority to approve variations to rostered day off patterns and rostered working times.	N/A
CP030 - Social Media Spokesperson	Authority to act as a social media spokesperson for the purpose of representing Council's position on matters of policy, and to provide information on Council's activities within their area or responsibility. This function includes the authority to publish content on behalf of Council on social media platforms	N/A
CP031 - Speak to the Media	Authority to act as a spokesperson for Council for the purposes of representing Council's position on matters of policy, and to provide factual background information on Council's administration and operations within their area of responsibility.	N/A
CP032 - Transfer of vote within a program maximum \$10,000	Authority to transfer a vote within a budget program up to a maximum of \$10,000.	N/A
CP033 - Write off bad debts up to \$10,000	Authority to write off bad debts to an amount of \$10,000 in any one instance.	N/A
CP033A - Write off rate or charges up to \$10,000	Authority to write off rate or charges to an amount of \$10,000 in any one instance.	N/A

ITEM 4 - ATTACHMENT 3 COUNCIL MEETING MINUTES EXTRACT - 22 OCTOBER 2024.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

CP034 - Appoint & replace Directors	Authority to appoint and replace Directors in accordance with the current structure and staff establishment numbers and after consultation with Council.	N/A
CP037 - Written and oral communications	Authority to carry out administrative actions, including written and oral communication, necessary to perform the duties and functions of the position.	N/A
CP041 - Authority to sign contracts for sale	Authority to sign contracts of sale in accordance with the Resolution of Council to buy or sell land.	N/A
CP043 - Authority to endorse cheques, bills, promissory notes and EFT	Authority to solely endorse cheques, bills, promissory notes and EFT payable to the Order of the Council in accordance with the duties and functions of the delegates position.	N/A
CP044 - Authority to enter into a contract	Authority to sign and enter into a contract on behalf of Council.	N/A
CP065 - Authority to use purchasing card	Authority to use purchasing card to pay suppliers within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP069 - Authority to approve purchase orders	Authority to approve purchase orders within your area of responsibility and within the approved budget. Note: General Manager and Directors only.	N/A
CP090 - Authority to serve on Newcastle Airport	Authority to act as a Council nominated director on Newcastle Airport Pty Ltd, Greater Newcastle Aerotropolis Pty Ltd, Newcastle Airport Partnership Company 3 and Newcastle Airport Partnership Company 4	N/A

Pursuant to a Resolution of the Council at its meeting of Tuesday, 22 October 2024,

ITEM 4 - ATTACHMENT 3 COUNCIL MEETING MINUTES EXTRACT - 22 OCTOBER 2024.

MINUTES ORDINARY COUNCIL - 22 OCTOBER 2024

ITEM 5 - ATTACHMENT 2 GENERAL MANAGER - INSTRUMENT OF DELEGATION.

Mayor

Date: Tuesday, 22 October 2024

Review date: Tuesday, 10 October 2028

General Manager's acknowledgement of Delegations of Authority

I Tim Crosdale, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorities in accordance with this Instrument of Delegation and my position description.

General Manager of Port Stephens Council

Date:

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ITEM NO. 5

**FILE NO: 24/287259
EDRMS NO: A2004-0370**

LOCAL GOVERNMENT WEEK COUNCIL MEETINGS

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Hold 1 ordinary Council meeting in the community each year for the Council term, with the meeting to be held during Local Government Week or the closest date prior to the start of Local Government Week.
 - 2) The location of the meetings to be held as follows:
 - i. 2025 – Central Ward
 - ii. 2026 – East Ward
 - iii. 2027 – West Ward
 - iv. 2028 – Central Ward
 - 3) The General Manager consults with the Mayor and Councillors on the specific location in each Ward.
-

BACKGROUND

The purpose of this report is to provide Council with the opportunity to consider holding ordinary Council meetings in each year of this term of Council during Local Government Week.

Local Government Week is an annual celebration to promote the importance of local government to ratepayers, residents, businesses – the whole community. Local Government Week is normally held late July/early August each year.

Council has the ability to hold its Council meetings around the local government area on occasion, by resolution. The past 2 terms of Council have conducted meetings in connection with Local Government Week.

It is proposed that 1 meeting would be held in each Ward for the remainder of the Council term. The schedule would be:

2025 – Central Ward
2026 – East Ward
2027 – West Ward
2028 – Central Ward

ORDINARY COUNCIL - 26 NOVEMBER 2024

It is envisaged that Council would utilise community halls/community centres to reduce costs, where possible, should Council resolve to proceed with the Local Government Week Council meeting.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

The costs associated with conducting meetings in the community are: audio visual hire, staff resources to set-up and pack up, IT support & set-up and venue hire – the additional costs are between \$4,000 to \$5,000.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The Code of Meeting Practice (the Code) allows Council to resolve the date, time and location of its meetings. Further, the Code requires Council meetings to be recorded and available from the Council website. In the case of a meeting held outside the Council Chamber, the meeting is recorded and uploaded to the website after the meeting.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council may be in breach of the Code should a resolution not be passed.	Low	Adopt the recommendation.	Yes.

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The proposals provide the opportunity for the Council to meet in a local area of the local government area and allow local communities to engage with the Council.

CONSULTATION

Nil.

OPTIONS

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 6

**FILE NO: 24/286300
EDRMS NO: PSC2015-01492**

**AUDIT, RISK AND IMPROVEMENT COMMITTEE AND INTERNAL AUDIT
ANNUAL PERFORMANCE REPORT – YEAR ENDING 30 JUNE 2024**

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Receives and notes the Audit, Risk and Improvement Committee and Internal Audit Annual Performance Report – Year ending 30 June 2024.

BACKGROUND

The purpose of this report is to provide the Audit, Risk and Improvement Committee (ARIC) and Internal Audit Annual Performance Report – Year ending 30 June 2024.

The ARIC is established under the Risk Management and Internal Audit for Local Government in NSW Guidelines (the Guidelines) released by the Office of Local Government. The Guidelines came in effect from 1 July 2024.

Each year the ARIC is required to report on the performance of its functions. The ARIC meeting held on 10 October 2024 endorsed the report at **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

Council is required to comply with the Risk Management and Internal Audit for Local Government in NSW Guidelines released by the Office of Local Government.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that non-compliance with the Risk Management and Internal Audit for Local Government in NSW Guidelines should Council not endorse the report.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no direct implications arising from this report.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Governance Section.

Internal

- Audit Risk and Improvement Committee.
- General Manager.

External

No external consultation is required.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Audit, Risk and Improvement Committee and Internal Audit Annual Performance Report – Year ending 30 June 2024. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**



**Audit, Risk & Improvement Committee
and
Internal Audit Annual Performance Report
Year Ended 30 June 2024**

September 2024

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

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**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

1 Background

The Division of Local Government issued *Internal Audit Guidelines* under Section 23A of the *Local Government Act 1993* in September 2010. In accordance with these guidelines, Council approved the establishment of an Audit Committee.

The objective of the Audit, Risk and Improvement Committee (ARIC) is to provide independent assurance, oversight and assistance to Council on risk management, internal controls, governance and external accountability.

In accordance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the *Risk Management and Internal Audit Guidelines November 2023* require each council in NSW to have:

- an audit, risk and improvement Committee with responsibilities to keep under review:
 - compliance,
 - risk management,
 - fraud control,
 - financial management,
 - governance,
 - implementation of the strategic plan, delivery program and strategies,
 - service reviews,
 - collection of performance measurement data by the council,
 - any other matters prescribed by the regulations.
- A robust risk management framework, and
- An effective independent internal audit function.

Terms of Reference (TOR)

The ARIC operates in accordance with Terms of Reference (TOR) endorsed by ARIC at its 22 February 2024 meeting and adopted by Council at its 26 March 2024 Council meeting. The TOR is consistent with the model and sets out the roles and responsibilities of the Committee, its authority, membership and tenure, the operation of meetings and reporting responsibilities.

The Chair of the ARIC, in consultation with Council and other independent members has developed a strategic and annual work plan to guide the committee's work over the coming 2024/25 year.

Performance against the previous TOR and coverage of the matters outlined in section 428A is outlined at 2.4.

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

2 Audit, Risk and Improvement Committee

2.1 Attendance & participation

In accordance with the Audit, Risk and Improvement Committee Charter, the Committee met 4 times including to consider the outcomes of the financial audit for the year ended 30 June 2023.

Attendance at the 4 meetings held during the year was as follows:

Meeting Participants	No. of Meetings
Voting Members	
Ms Deborah Goodyer (Independent Chair)	3
Mr Ben Niland (Former independent Chair).	1
Mr Frank Cordingley (independent member).	4
Mr Shaun Mahony (former independent member).	3
Mr Paul Dunn (independent member).	1
Councillor Leah Anderson.	3
Non-voting observers	
Tim Crosdale - General Manager	4
Tony Wickham - Governance Section Manager (Internal Audit Coordinator)	4
Chris Hilkemeijer - Enterprise Risk Manager or representative	4
Glen Peterkin - Financial Services Section Manager	4
Internal Audit provider representative	4
External Auditor representative	4
Financial Audit Director (Audit Office).	4

The ARIC was supported and informed through reports to its meetings by council officers including:

- Director Corporate Strategy & Support (or representative).
- Director Community Futures (or representative).
- Director Facilities & Infrastructure (or representative).

2.2 Membership – capabilities, skills and performance

Appropriateness of the composition

At 30 June 2024 the Audit, Risk and Improvement Committee consisted of three independent members (including the Chairperson), and one non-voting councillor.

Non-voting attendees were the General Manager, and Governance Section Manager who is the Head of Internal Audit.

The committee was re-established progressively throughout the year in alignment with the regulation and OLG Guidelines, including separate EOI processes for recruitment of the Chair and two independent members (one continuing member for a tenure of 2 years).

The committee composition aligns with the guidelines and includes a non-voting councillor observer to maintain the connection with the elected Council.

ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30 JUNE 2024.

Processes and procedures undertaken by the committee (Administration, secretariat and meetings)

- A strategic and annual ARIC work plan were developed to guide the work of the committee and support council's compliance with the OLG regulation and guidelines over the coming year.
- Minutes were recorded and provided to the next Council meeting including brief outline of discussions, advice and recommended actions.
- The committee maintains a table of actions arising from meetings including responsibility and timeframes.

2.3 Audit, Risk and Improvement Committee review and advice on Section 428A (Schedule 1) matters.

Audit, Risk and Improvement Committee performance for the 2023 - 24 year has been assessed against the roles and responsibilities outlined in the Committee terms of reference with respect to risk management, governance, internal controls and external accountability and section 428A (schedule 1) matters required to be kept under review.

The assessment includes results of the annual survey and review of agenda items. Survey results (**Appendix A**) indicated that:

- Meeting administration, scheduling and operation was appropriate, timely and productive.
- The committee membership possess the requisite skills and capabilities, are well prepared, understand the matters under consideration and provide relevant and practical advice.

The evaluation provided in the following table and survey responses indicate that the committee is generally satisfied with information and reports presented in relation to the S428A (Schedule 1) matters, except for:

- Internal audit compliance with the IPPF framework which was the subject of an independent EQA not finalized at the time of the May 2024 meeting, and
- Review of Council's fraud and corruption control framework.

OPERATIONAL AREA	OBJECTIVES	ARIC MEETING	ITEMS TABLED
AUDIT	INTERNAL AUDIT section 428A(2)(i) Council has an effective internal audit function and receives maximum value from its internal audit activities.	27/7/23	Item 4.1.1 Internal audit reports from PKF – Transport for NSW Drives compliance. Item 4.1.3 Internal audit register actions and implementation Item 4.6.1 2023 to 2024 Internal Audit Report
		5/10/23	Item 4.1.1 Review of outstanding internal audit actions.
		22/2/24	Item 4.1.1 Internal Audit reports from PKF: <ul style="list-style-type: none"> • Volunteer management • Disaster management

ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30 JUNE 2024.

OPERATIONAL AREA	OBJECTIVES	ARIC MEETING	ITEMS TABLED
			<ul style="list-style-type: none"> Verbal commentary on upcoming audits. Item 4.1.2 Internal audit register actions and implementation Item 4.6.3 Internal Audit Charter
		23/5/24	Item 4.1.1 Internal audit reports from PKF – Contract/Contractor Management Item 4.1.2 Internal audit register actions and implementation.
		27/7/23	Item 4.2.1 Update on progress of audit – Prosperity Advisers Group. Item 4.2.2 External audit register actions and implementation.
		5/10/23	Items 4.2.1-4.2.3 Update from NSWAO and external audit providers on financial statements and audit.
		22/2/24	Item 4.2.1 Report by external auditors – Annual engagement plan. Item 4.2.2 External audit register actions and implementation. Item 4.2.3 Final management letter FY 22/23
		23/5/24	Item 4.2.1 Verbal update on audit progress from Prosperity Advisers Group. Item 4.2.2 External audit register actions and implementation – nil. Item 4.2.3 NSW Auditor General report 26 March 2024 Item 4.2.4 Audit Office – Cyber Security in Local government
RISK	RISK MANAGEMENT Section 428A(2)(b) Council has an effective risk management framework and internal controls that successfully identify and manage the risks it faces.	27/7/23	Item 4.3.1 Enterprise Risk Report Item 4.5.1 Summary of legal matters. Item 4.7.1 Audit office reports: <ul style="list-style-type: none"> Financial management and Governance in Mid Coast Council Local Government 2022
		5/10/23	Item 4.3.1 Enterprise Risk report – high priority risks. Item 4.5.1 Summary of legal matters.
		22/2/24	Item 4.3.1 Enterprise Risk Report Item 4.5.1 Summary of current legal matters.

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

OPERATIONAL AREA	OBJECTIVES	ARIC MEETING	ITEMS TABLED
		23/5/24	Item 4.2.4 Audit Office – Cyber Security in Local government Item 4.3.1 Enterprise Risk Report and update presentation. Item 4.5.1 Summary of current legal matters. 4.6.1 Risk Management Policy 4.6.4 Cyber management at Council
	COMPLIANCE FRAMEWORK Section 428A(2)(a) Council has an effective compliance framework that ensures it is complying with its legal obligations and other governance and contractual requirements when undertaking its functions.		The compliance obligations were discussed at the meetings of the ARIC, with advice provided in relation to the new compliance register.
	FRAUD AND CORRUPTION CONTROL FRAMEWORK Section 428A(2)(c) Council has an effective fraud and corruption control framework in place that minimises the incidence of fraud and corruption.	27/7/23	
		5/10/23	
		22/2/24	
		23/5/24	Item 4.6.2 ICAC report on Investigation into the awarding of Transport for NSW and Inner West Council contracts
	GOVERNANCE FRAMEWORK Section 428A(2)(e) Council has an effective governance framework to ensure it is appropriately directing and controlling the management of the council.	27/7/23	Item 4.7.1 Audit office reports: <ul style="list-style-type: none"> • Financial management and Governance in Mid Coast Council • Local Government 2022
		5/10/23	Item 4.7.2 Governance Health Check
23/5/24		Item 4.2.4 Audit Office – Cyber Security in Local government	
FINANCIAL MANAGEMENT FRAMEWORK Section 428A(2)(d)	27/7/23	Item 4.4.1 Finance update: <ul style="list-style-type: none"> • SRV Update • Analysis of supplier payments 	

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

OPERATIONAL AREA	OBJECTIVES	ARIC MEETING	ITEMS TABLED
	Council has an effective financial management framework, sustainable financial position and positive financial performance.		<ul style="list-style-type: none"> EFT payments to employee bank accounts. Item 4.4.2 invoicing Hunter Hub Launch Item 4.7.1 Audit office reports: <ul style="list-style-type: none"> Financial management and Governance in Mid Coast Council Local Government 2022
		5/10/23	Item 4.4.1 Financial statements Item 4.4.2 Credit card spend analysis Item 4.4.3 Supplier payments analysis (75k to 150k)
		22/2/24	Item 4.4.1 Purchase card transactions report
		23/5/24	Item 4.4.1 Finance report <ul style="list-style-type: none"> Quarterly budget update 2025 Long Term Financial plan
IMPROVEMENT	STRATEGIC PLANNING Section 428A (2)(f) Council has an effective framework that ensures it achieves its strategic plans and objectives under the integrated planning and reporting (IP&R framework).	5/10/23	Item 4.7.3 Organisation structure update.
	SERVICE REVIEWS AND BUSINESS IMPROVEMENT Section 428A(2)(g), 428A(3) Council has an effective framework to ensure it is delivering services and conducting its business and functions to an expected standard.	23/5/24	Item 4.4.1 Finance report <ul style="list-style-type: none"> Quarterly budget update 2025 Long Term Financial plan Item 4.6.3 Integrated Planning & Reporting documents <ul style="list-style-type: none"> Draft Resourcing Strategy 2024-2034 Draft Delivery Program 2022-2026 Operational Program 2024 – 2025 Draft Fees and Charges 2024 – 2025
		23/5/24	Item 4.6.3 3 Integrated Planning & Reporting documents – Continuous improvement and Business excellence: Service Review Program

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

OPERATIONAL AREA	OBJECTIVES	ARIC MEETING	ITEMS TABLED
	PERFORMANCE DATA AND MANAGEMENT Section 428A(2)(h)		
	Council's performance management framework ensures council can measure its performance and achievement of its strategic goals.	23/5/24	Item 4.3.1 Enterprise Risk Report and update presentation – Key Risk Indicators. Item 4.4.1 Finance report <ul style="list-style-type: none"> • Quarterly budget update • 2025 Long Term Financial plan Item 4.6.3 Integrated Planning & Reporting documents <ul style="list-style-type: none"> • Draft Resourcing Strategy 2024-2034 • Draft Delivery Program 2022-2026 Operational Program 2024 – 2025 • Draft Fees and Charges 2024 – 2025

3 Internal Audit Activities

3.1 Position & Resourcing

The following provides a comparison of the cost of internal audit-related activities for the current and prior financial year.

Description	Budget	Actual
Internal Audit - External providers	\$55,018	\$55,907
Total (ex GST)	\$55,018	\$55,907

Independence of internal audit is maintained via functional reporting to the Chair of the committee by the head of internal audit and conduct of internal audit projects by an external provider.

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
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3.2 Strategic Planning

The 2023/24 Internal Audit Plan was prepared as an annual plan.

The methodology included reference to insights by the Risk Management Coordinator, industry risks, Council delivery program objectives, and issues raised by NSW Audit Office in the Annual Report on Local Government.

The Plan was approved at the Audit, Risk and Improvement Committee meeting of 27 May 2023 and commenced in July 2023. The planned audits were completed within the year (refer 3.3), and the ARIC has requested that internal audit prepare a four-year strategic risk-based internal audit plan in consultation with Council management and the ARIC for the 2024-25 year.

3.3 Effectiveness including performance against Internal Audit Plan 2023-2024

The Annual Internal Audit plan 2023/24 provided for 5 audits to be undertaken during the year.

Status of delivery of the plan is outlined below.

Internal Audit plan – Scheduled reviews	Overall Rating	Date completed
Volunteer Management	Low	February 2024
Disaster Recovery	Low	February 2024
Contract/contractor management	Medium	May 2024
Transport for NSW Drives compliance	Low	July 2024
National Heavy Vehicle Accreditation Scheme	Low	May 2024

The following **Other Activities** have also been performed or undertaken by Internal Audit:

Other Internal Audit Activities	Days/\$
Strategic Planning	-
Follow up of Implementation of recommendations	-
ARIC secretariat	-
Quality Assurance & Improvement Program – facilitate EQA	\$10,500
Total (ex GST)	\$10,500
Grand Total Audit time – year ended 30 June 2024	\$66,407

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.****3.4 Conformance with the International Professional Practices Framework
including Quality Assurance and Improvement Program (QAIP)**

The Regulation and OLG Risk management and Internal Audit Guidelines (OLG) November 2023, require that Council's internal audit function and activities conform with the International Standards for the Professional Practice of Internal Audit.

As such the ARIC recommended that Council request the Institute of Internal Auditors (IIA) Australia undertake an independent external quality assurance review of internal audit to determine the level of conformance and identify any opportunities for improvement.

The final report indicated that overall Council's internal audit function partially conforms with the internal audit standards and generally meets the expectations of its stakeholder. An improvement plan has been developed in relation to:

- A Quality Assurance and Improvement Plan
- Strategic and annual internal audit planning
- Audit engagement planning and reporting, and
- Risk based process for acceptance and implementation of recommended improvements.

4 2024 – 2025: The year ahead

The key priorities for the Committee in this coming year will be:

- Continue to advise Council on implementation of the OLG's Regulation and Guidelines for Risk Management and Internal Audit.
- Implement the ARIC four-year workplan covering the Committee's responsibilities contained within Schedule 1.
- Assist with the implementation of Council's internal audit improvement plan including development and adoption of the Strategic Internal Audit Plan.
- Monitor and progressively review the Council's functions and operations by receiving reports and providing real-time advice on programs, initiatives, risks and controls from their operations.

5 Acknowledgments and Appreciation

The Committee would like to acknowledge the work and support of management and looks forward to the opportunity to continue to provide input and advice to Council over the coming year.

**ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30
JUNE 2024.**

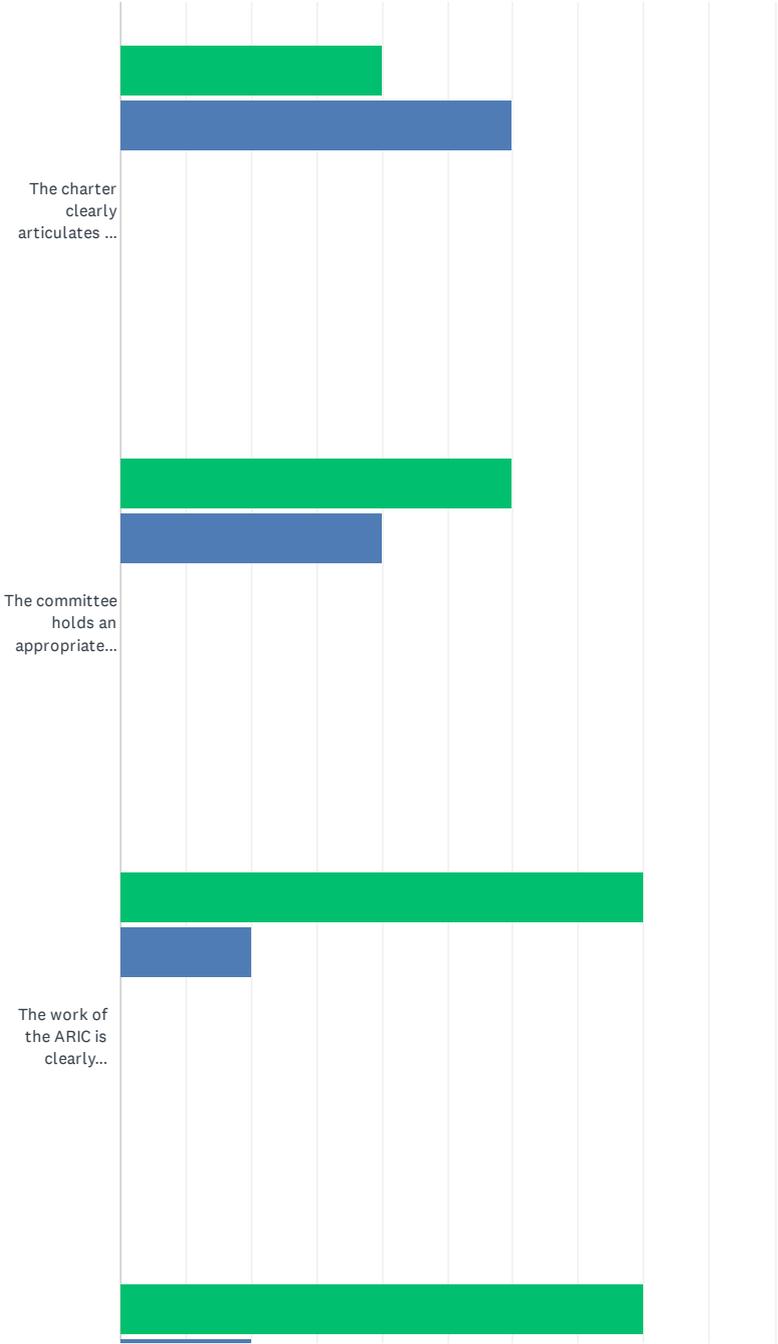
6 [APPENDIX A](#)

ITEM 6 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE AND INTERNAL AUDIT ANNUAL PERFORMANCE REPORT – YEAR ENDING 30 JUNE 2024.

2024 Audit, Risk and Improvement Committee Survey (ARIC)

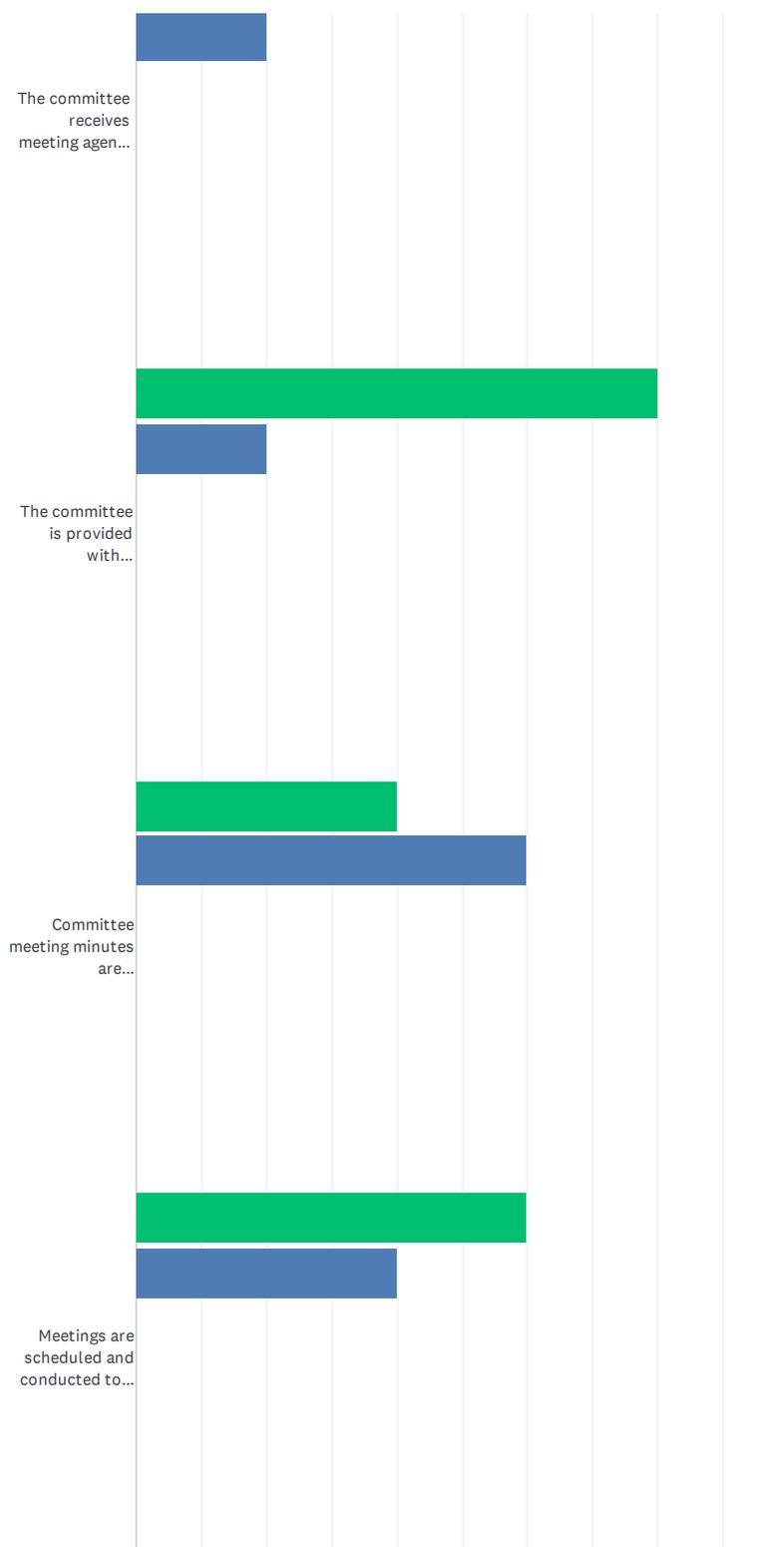
Q1 Audit Risk and Improvement Committee administration, secretariat and meetings.

Answered: 5 Skipped: 0

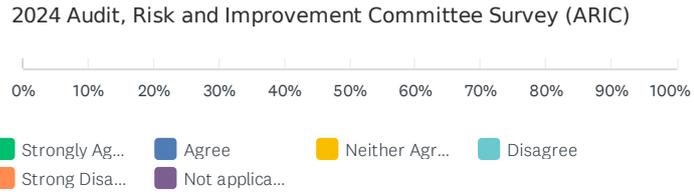


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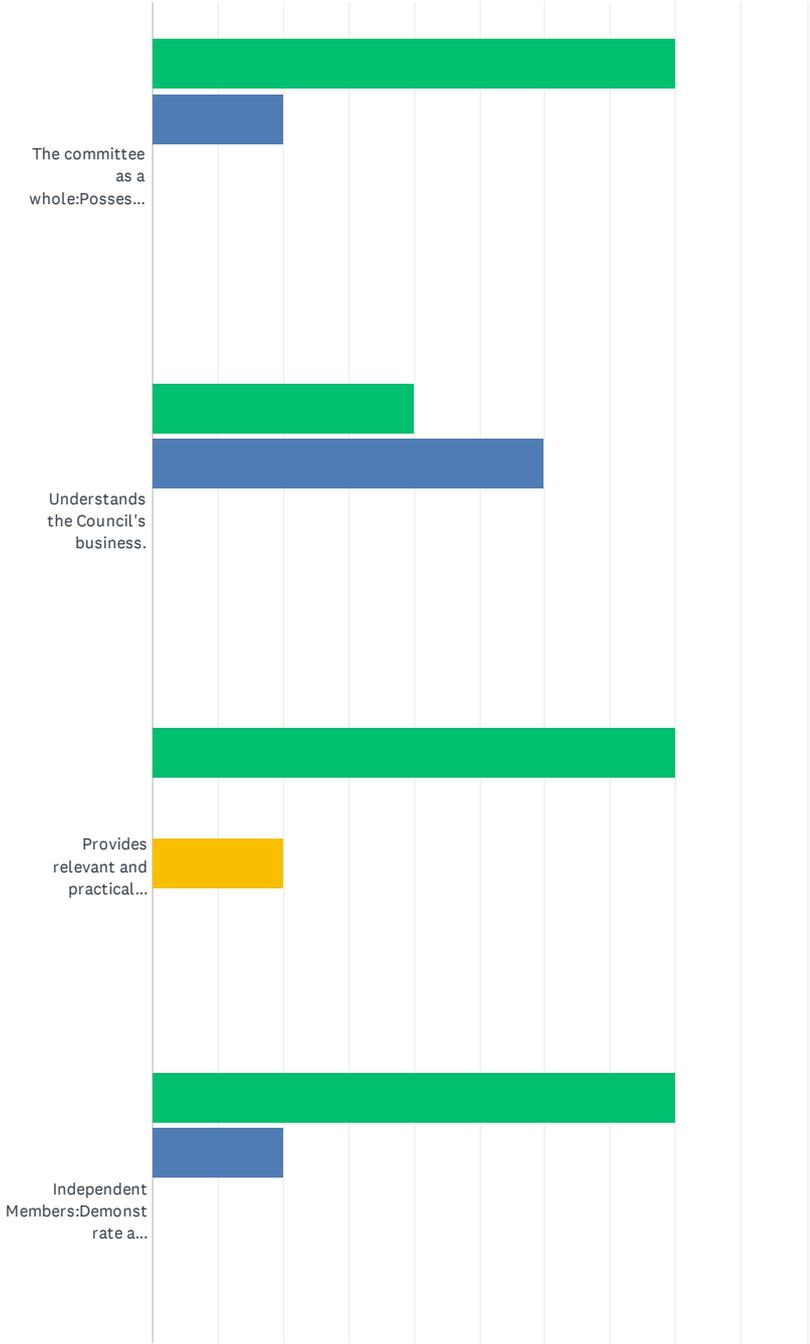


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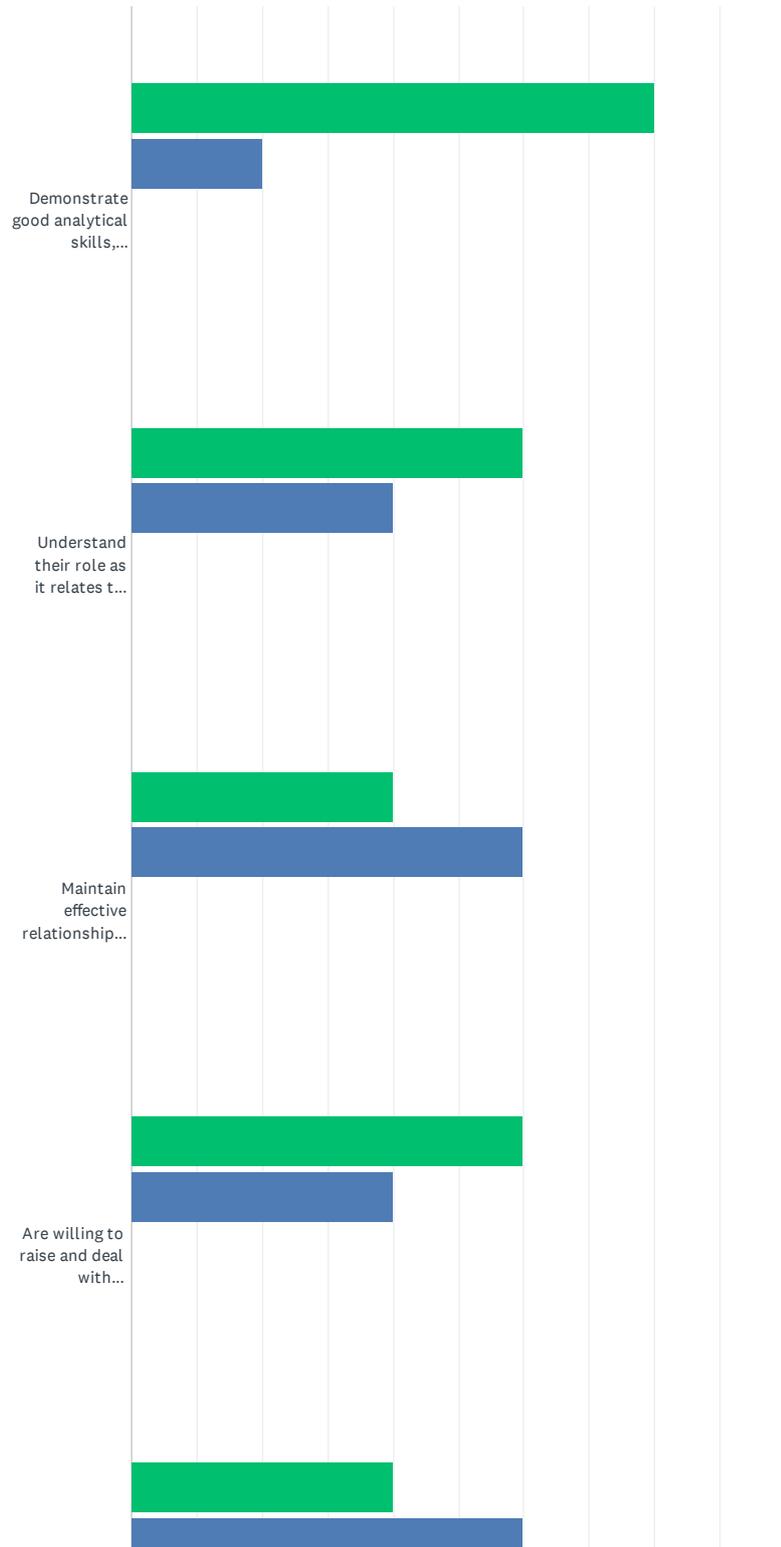
Q2 Audit Risk and Improvement Committee Members – Capabilities, skills, and performance.

Answered: 5 Skipped: 0



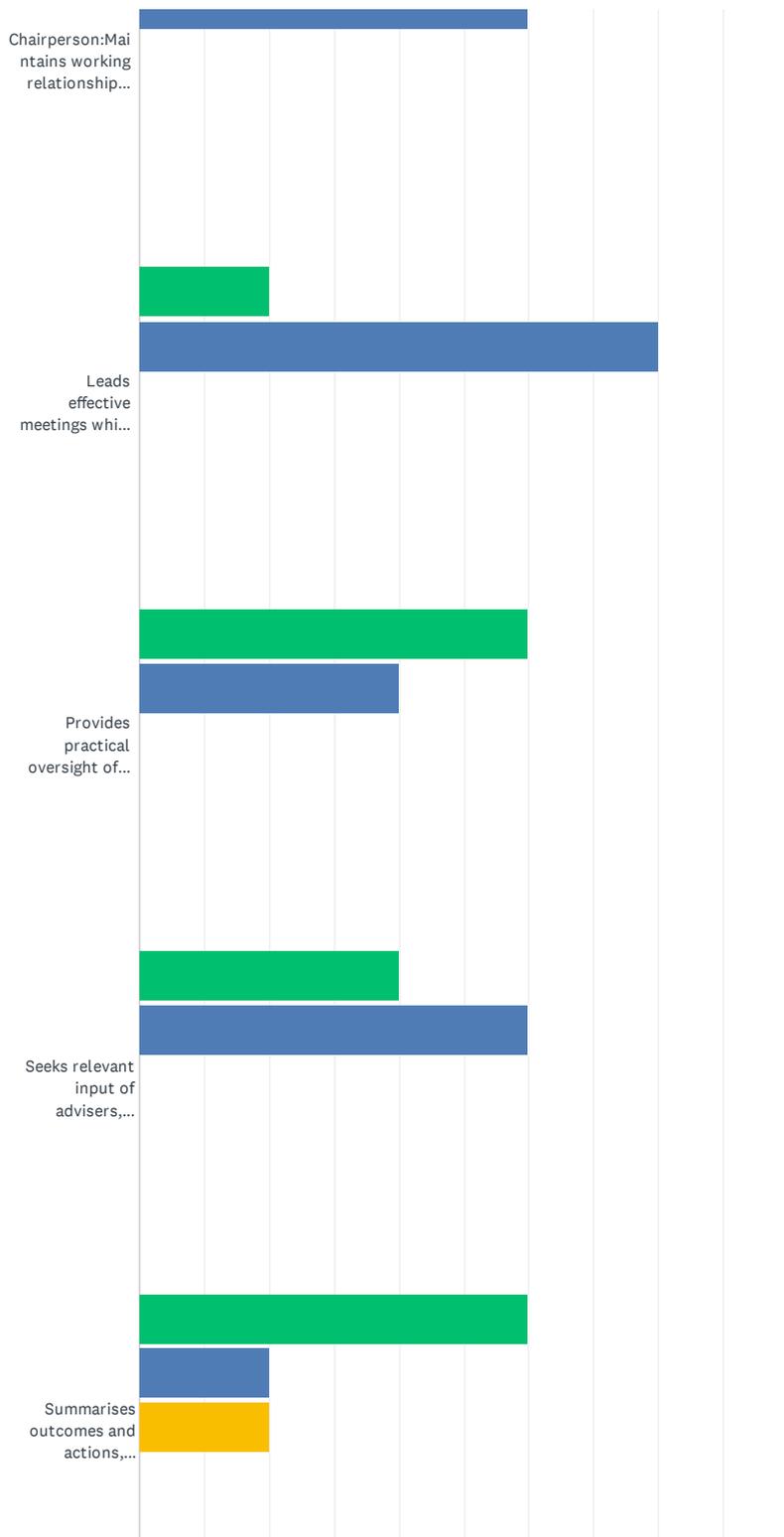
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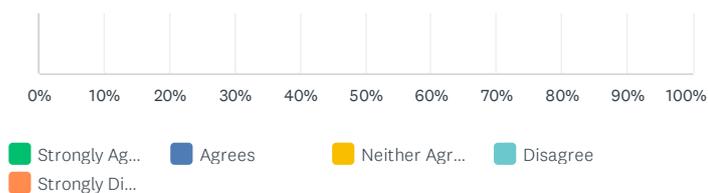
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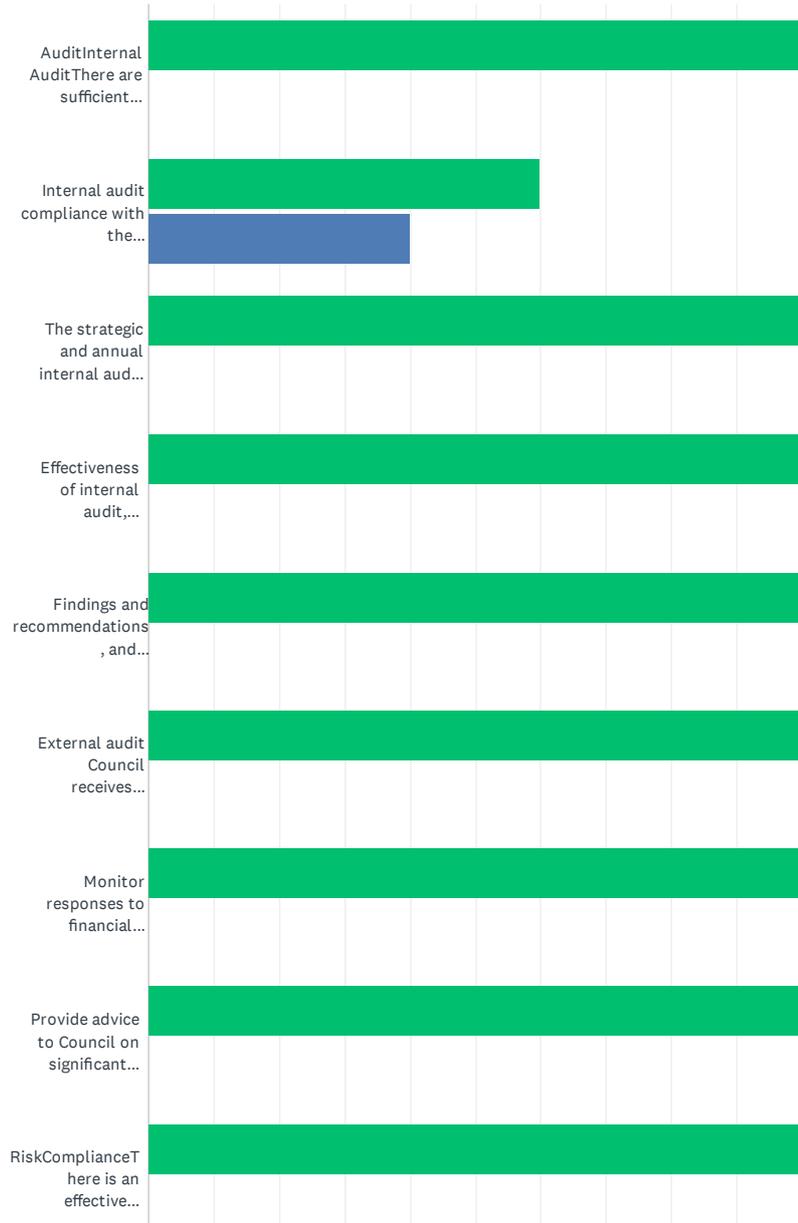


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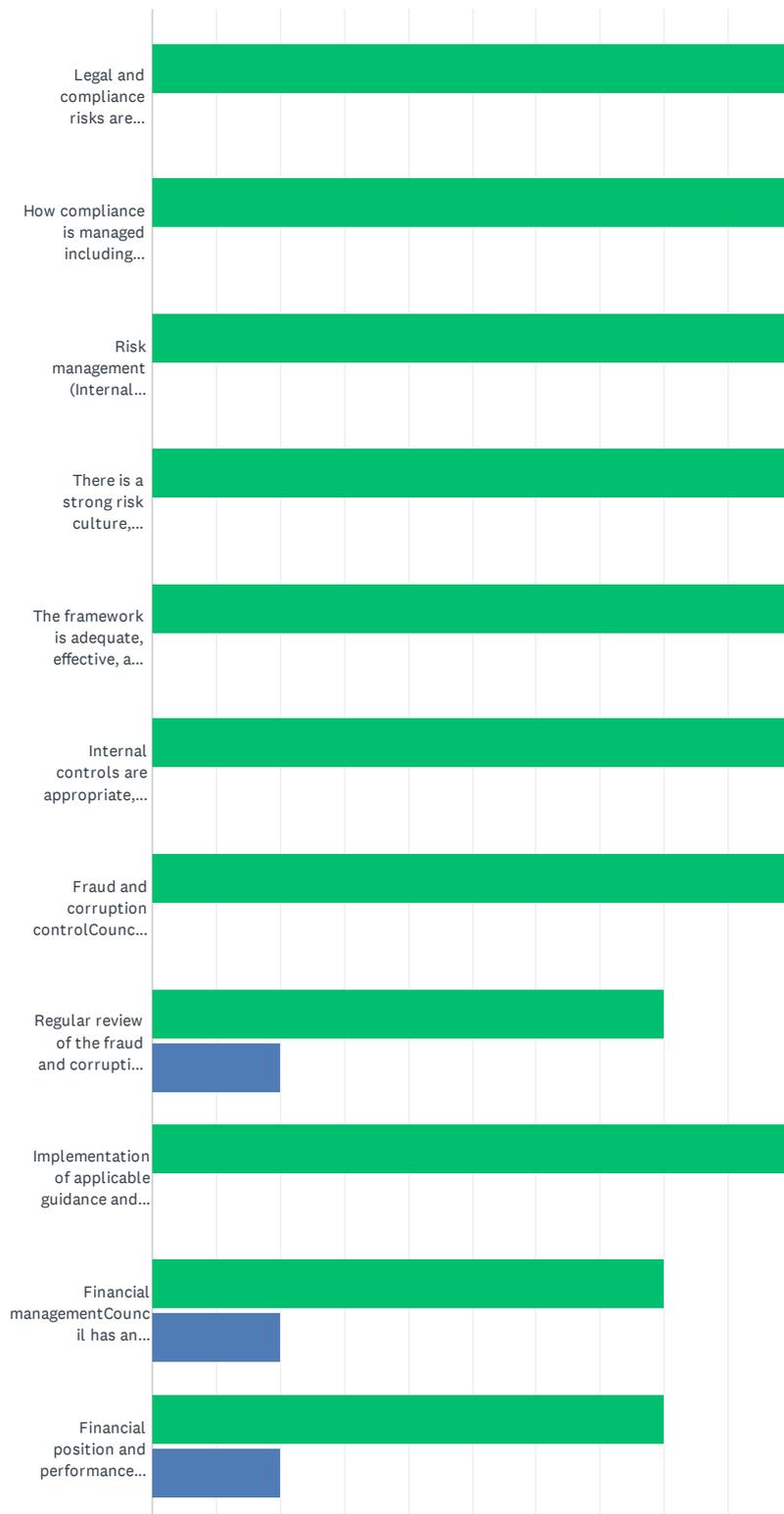
Q3 The Audit, Risk and improvement Committee received appropriate information and reports to address its responsibilities to review the matters listed in s428A of the LG Act (Schedule 1 to the ARIC & IA Charter) and form a view on how council is performing in relation to these.

Answered: 5 Skipped: 0



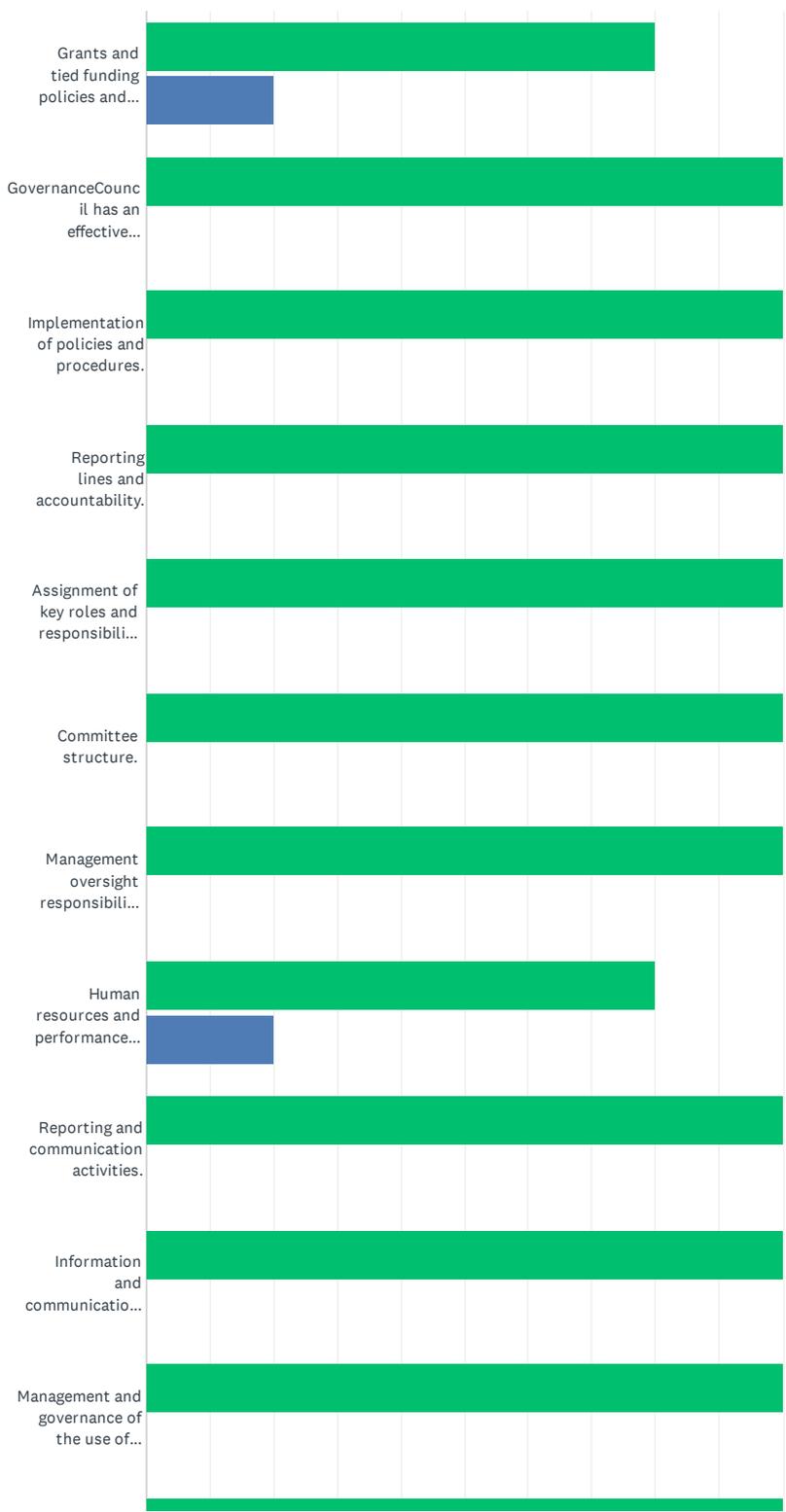
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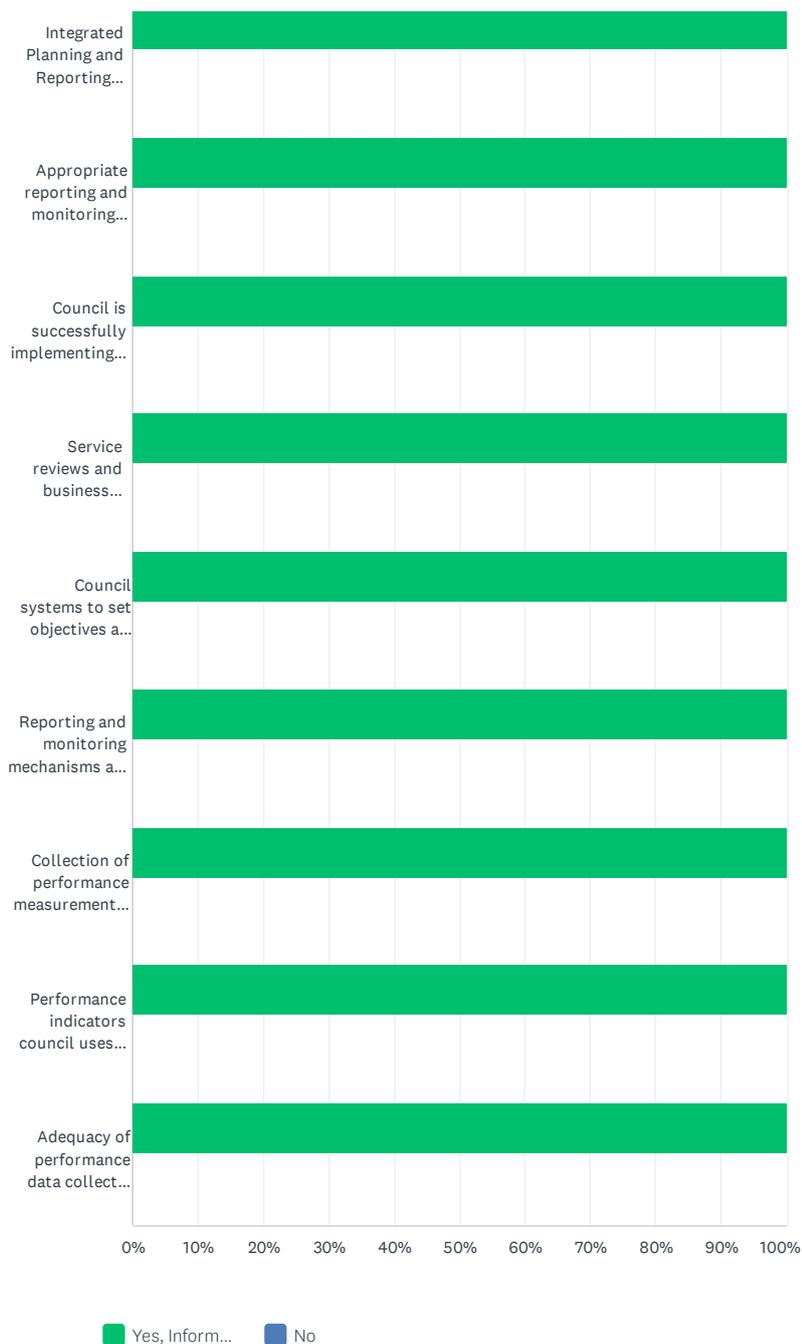
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ITEM NO. 7

**FILE NO: 24/286379
EDRMS NO: PSC2015-01492**

AUDIT, RISK AND IMPROVEMENT COMMITTEE - ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorses the Annual Internal Audit and Strategic Plan 2025-2028 workplans of the Audit, Risk and Improvement Committee.

BACKGROUND

The purpose of this report is to provide the Annual Internal Audit and Strategic Plan 2025-2028 workplans of the Audit, Risk and Improvement Committee (ARIC).

The ARIC is established under the Risk Management and Internal Audit for Local Government in NSW Guidelines (the Guidelines) released by the Office of Local Government and is required to comply with Section 428A of the Local Government Act 1993. The Guidelines came in effect from 1 July 2024.

The ARIC has endorsed the Annual Internal Audit and Strategic Plan 2025-2028 workplans. The workplans are shown at **(ATTACHMENT 1)**.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	M.		

LEGAL, POLICY AND RISK IMPLICATIONS

The ARIC is required to develop a strategic work plan every 4 years to ensure all matters listed in section 428A of the Local Government Act 1993 are reviewed by the committee and considered by the internal audit function.

The workplans are required to be adopted by the Council, however, Council must be careful not to direct the ARIC’s work over the Council term. Council may request, by resolution, a variation to the strategic workplan, however, any variation will rest with the ARIC.

Risk	<u>Risk Ranking</u>	Proposed Treatments	Within Existing Resources?
There is a risk that non-compliance with the Risk Management and Internal Audit for Local Government in NSW Guidelines should Council not endorse the report.	Low	Adopt the recommendation.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

There are no direct implications arising from this report.

CONSULTATION

Consultation with key stakeholders has been undertaken by the Governance Section.

Internal

- Audit, Risk and Improvement Committee.
- General Manager.

External

No external consultation is required.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Annual Internal Audit and Strategic Plan 2025-2028 workplans. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



Audit, Risk and Improvement Committee

STRATEGIC PLAN



PORT STEPHENS
COUNCIL

council@portstephens.nsw.gov.au | 02 4988 0255

PORTSTEPHENS.NSW.GOV.AU    

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

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ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

1. Introduction

The Local Government Act 1993 (the Act), the Local Government (General) Regulation 2005 (the Regulation) and the Guidelines on Risk Management and Internal Audit require each council in NSW to have:

- an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk;
- a robust risk management framework that accurately identifies and mitigates the risks facing the council and its operations; and
- an effective internal audit function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working.

The 3 mandatory governance mechanisms are vital to ensure that councils are doing the right things the best way they can for their communities and are on track to delivering their community's goals and objectives.

The Office of Local Government (OLG) has established the Risk Management and Internal Audit for local councils in NSW guidelines (the Guidelines), to assist councils to comply with statutory requirements under the Act and the Regulation. (Issued December 2023).

The Audit, Risk, and Improvement Committee (the Committee) is an advisory body only. It exercises no administrative functions, has no delegated financial responsibilities, and does not perform any management functions of council.

The Committee provides independent advice to the Council that is informed by Council's internal audit and risk management activities and information and advice provided by council staff, relevant external bodies, and other subject matter experts.

The strategic plan outlines the actions and activities that will be the focus of the Committee over its term - from 2024 - 2028.

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

2. Committee Membership

Membership of the ARIC is currently comprised of the following members:

- Deborah Goodyer - Independent Chair
- Frank Cordingley – Independent member
- Paul Dunn – Independent member

AUDIT	RISK	IMPROVEMENT
<ul style="list-style-type: none"> Internal audit charter Internal audit strategic (Annual) plan External audit of financial statements 	<ul style="list-style-type: none"> Risk management framework Risk register – strategic, operational, project. Fraud & corruption control framework Governance framework Internal control framework Legislative compliance framework Policy and procedure framework 	<ul style="list-style-type: none"> IP&R Performance management framework Service Review program

Internal Audit Arrangements

The IPPF refers to the Head of Internal Audit as the Chief Audit Executive, and the OLG Guidelines refer to this role as the Internal Audit Coordinator. At Port Stephens Council, the Head of Internal Audit is the Governance Section Manager and internal audits are undertaken by an external provider.

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
AUDIT	<p>INTERNAL AUDIT Section 428A(2)(i) - Council has an effective internal audit function and receives maximum value from its internal audit activities.</p>	
	<p>Provide overall strategic oversight of internal audit activities including:</p>	
	<p>Act as a forum for communication between the Council , General Manager , senior management, the internal audit function and external audit.</p>	<ul style="list-style-type: none"> • Regular attendance at ARIC meetings by each of the key participants. • ARIC meets (at least annually) with Internal audit and external audit. • ARIC agendas and minutes provided to council quarterly.
	<p>Coordinate, the work programs of internal audit and other assurance and review functions. Review and advise the Council of the strategic four-year plan and annual work plan of internal audits to be undertaken by the Council's internal audit function.</p>	<ul style="list-style-type: none"> • ARIC review and endorse strategic and annual internal audit plan. (annual) • ARIC review other work plans including service reviews, governance, risk and control assurance work to determine any overlap with proposed IA work. (annual per plan).
	<p>Review and advise the Council if it is complying with internal audit requirements, including:</p> <ul style="list-style-type: none"> • conformance with the International Professional Practices Framework (IPPF), • LG Regulations 2023, and Risk Management and Internal audit Guidelines (The Guidelines). 	<ul style="list-style-type: none"> • Self-assessment against IPPF (IIA standards) (Annual) • Attestation per the OLG regulation and guidelines (Annual and each council term – 4 years) • Independent external quality assurance (EQA) (Each council term - 4 years).
	<p>Review and advise the Council:</p> <ul style="list-style-type: none"> • if the Council's Internal Audit Charter is appropriate • whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable. 	<ul style="list-style-type: none"> • Review and endorse any changes to the Internal audit charter (as required and as part of the annual review against the IPPF. • Review and advise on Internal audit procedures including the Quality Assurance and Improvement Program (QAIP).
	<p>Review and advise the Council on whether the Council is providing the resources necessary to successfully deliver the internal audit function. Review and advise the Council if Council's internal audit activities are</p>	<ul style="list-style-type: none"> • Internal Audit update report – Progress to plan. (quarterly) • Annual internal audit performance report (including assessments against IIA

Audit, Risk and Improvement Committee

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AUDIT	<p>effective, including the performance of the head of the internal audit function and internal audit function. Report the outcome of the review to council once each term. (s216R of LG Regulation 2023).</p>	<p>standards, results of QAIP and conformance against LG Regulations and Guidelines.</p> <ul style="list-style-type: none"> • Communications between the General Manager, head of internal audit and Chair of the ARIC on annual performance appraisal of internal audit (in-house and external provider).
	<p>Review and advise the Council if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.</p>	
	<p>Review and advise the Council on the appointment of the head of the internal audit function and external providers.</p>	<ul style="list-style-type: none"> • Consultation with ARIC independent chair in recruitment and/or EOI. (As required for end of term or vacancies).
	<p>Review and advise the Council of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised.</p>	<ul style="list-style-type: none"> • ARIC agendas and minutes provided to council quarterly.
	<p>Review and advise the Council of the implementation by Council of corrective actions.</p>	<ul style="list-style-type: none"> • ARIC agendas and minutes provided to council quarterly.
	<p>EXTERNAL AUDIT Section 428A(2)(d) - Council receives maximum value from its external audit activities.</p>	
	<p>Act as a forum for communication between the Council, General Manager, senior management, the internal audit function, and external audit.</p>	<ul style="list-style-type: none"> • Regular attendance at ARIC meetings by each of the key participants.
	<p>Coordinate as far as is practicable, the work programs of internal audit and external audit.</p>	<ul style="list-style-type: none"> • Review and provide advice on the engagement plan for the external audit of council's financial statements. • Review and provide advice in relation to the Audit Office of NSW plan for performance audit coverage. • Review reports on progress on the financial statement audit and any relevant performance audit coverage.
	<p>Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.</p>	
	<p>Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations.</p>	<ul style="list-style-type: none"> • Review reports on implementation of recommendations for improvement arising from: <ul style="list-style-type: none"> - External audit management letters
<p>Provide advice to Council and/or the General Manager on action taken on</p>		

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	significant issues raised in relevant external audit reports and better practice guides.	<ul style="list-style-type: none"> - Performance audit reports relevant to council - Significant changes or issues raised in better practice guides/standards. (quarterly – annually as required).
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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
RISK	RISK MANAGEMENT Section 428A(2)(b) - Council has an effective risk management framework and internal controls that successfully identify and manage the risks it faces.	
	Review and advise the Council: if the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard.	<ul style="list-style-type: none"> • Report on review of the risk management framework against the Australian risk management framework and OLG guidelines. (Annual).
	Whether the Council is providing the resources necessary to successfully implement its risk management framework.	<ul style="list-style-type: none"> • Regular risk management update report. (Quarterly; as relevant).
	Whether the Council risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated individual projects, programs, WHS and other activities.	<ul style="list-style-type: none"> • Regular risk register update on significant/emerging risks. • Project management update report. • WHS update report.
	If risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting.	<ul style="list-style-type: none"> • Risk management update report - periodic risk assessment process.
	Of the adequacy of risk reports and documentation, for example, the Council risk register and risk profile	
	Whether a sound approach has been followed in developing risk management plans for major projects or undertakings.	<ul style="list-style-type: none"> • Risk management update reports. • Project management update reports.
	Whether appropriate policies and procedures are in place for the management and exercise of delegations.	<ul style="list-style-type: none"> • Policy and procedure update report.
	If Council has taken steps to embed a culture which is committed to ethical and lawful behaviour.	<ul style="list-style-type: none"> • Reports on code of conduct, ethics and fraud & corruption control. • Staff survey results.

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
RISK	If there is a positive risk culture within the Council and strong leadership that supports effective risk management.	<ul style="list-style-type: none"> Report on review of the risk management framework including any updates on: embedded culture, leadership, training and any concerns with operation of the framework.
	If the adequacy of staff training and induction in risk management.	<ul style="list-style-type: none"> As above.
	How the Council risk management approach impacts on the Council insurance arrangements.	<ul style="list-style-type: none"> Updates on insurable risk matters.
	Of the effectiveness of Council management of its assets.	<ul style="list-style-type: none"> Asset management updates as relevant in relation to identified risks, internal audit activities or financial statement preparation and audit.
	Of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.	<ul style="list-style-type: none"> Updates on BCP arrangements, DCPs and related matters.
	Review and advise the Council: whether Council approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective.	<ul style="list-style-type: none"> Report on Internal Audit performance – Quality Assurance and Improvement Program. (Annual Self-Assessment) Independent External Quality Assurance review of the Internal Audit function.
	Whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated.	<ul style="list-style-type: none"> Update on policy and procedure management & related matters
	<input type="checkbox"/> whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with.	<ul style="list-style-type: none"> Risk management update report including; risk and control assessments.
	<input type="checkbox"/> if the Council monitoring and review of controls is sufficient.	<ul style="list-style-type: none"> As above.
<input type="checkbox"/> if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.	<ul style="list-style-type: none"> Report on implementation of audit recommendations. 	

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
RISK	COMPLIANCE FRAMEWORK Section 428A(2)(a) - Council has an effective compliance framework that ensures it is complying with its legal obligations and other governance and contractual requirements when undertaking its functions.	
	Review and advise the Council of the adequacy and effectiveness of the Council compliance framework, including: <ul style="list-style-type: none"> • if the Council has appropriately considered legal and compliance risks as part of the Council risk management framework • how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and • whether appropriate processes are in place to assess compliance. 	<ul style="list-style-type: none"> • Report/update on legislative compliance framework including obligations register, risk assessment and significant breaches.
	FRAUD AND CORRUPTION CONTROL FRAMEWORK Section 428A(2)(c) - Council has an effective fraud and corruption control framework in place that minimises the incidence of fraud and corruption.	
	Review and advise the Council of the adequacy and effectiveness of the Council fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.	<ul style="list-style-type: none"> • Receive and review update report on: <ul style="list-style-type: none"> - fraud and corruption prevention framework, - and activities, including risk assessment, - PIDs/investigations and - Other fraud and corruption related matters.
	GOVERNANCE FRAMEWORK Section 428A(2)(e) - Council has an effective governance framework to ensure it is appropriately directing and controlling the management of the council.	
	Review and advise the Council regarding its governance framework, including the Council: <ul style="list-style-type: none"> • decision-making processes. 	<ul style="list-style-type: none"> • Report/update on relevant governance matters including: <ul style="list-style-type: none"> - Structural arrangements - Delegations - Council resolutions.
	<ul style="list-style-type: none"> • implementation of governance policies and procedures. • reporting lines and accountability • assignment of key role and responsibilities • management oversight responsibilities. • committee structure. 	<ul style="list-style-type: none"> • Various update reports outlined elsewhere in this plan. • Specific internal audit review reports.

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
RISK	<ul style="list-style-type: none"> human resources and performance management activities. 	<ul style="list-style-type: none"> Various reports and activities including as part of internal audit plan – project objectives and scope.
	<ul style="list-style-type: none"> reporting and communication activities. 	<ul style="list-style-type: none"> Various reports and activities including as part of internal audit plan – project objectives and scope.
	<ul style="list-style-type: none"> information and communications technology (ICT) governance, and management and governance of the use of data, information and knowledge 	<ul style="list-style-type: none"> Report/updates on ICT, cyber, data and information management. GIPA/privacy management and breaches.
	<p>FINANCIAL MANAGEMENT FRAMEWORK Section 428A(2)(d) - Council has an effective financial management framework, sustainable financial position and positive financial performance.</p>	
	<ul style="list-style-type: none"> Compliance with accounting standards and external accountability requirements. 	<ul style="list-style-type: none"> Finance and External audit Report/update including progress on preparation of financial statements and external audit thereof.
	<ul style="list-style-type: none"> Appropriateness of Council accounting policies and disclosures. 	
	<ul style="list-style-type: none"> Implications for Council of the findings of external audits and performance audits and Council responses and implementation of recommendations. 	<ul style="list-style-type: none"> Finance and External audit Report/update including: <ul style="list-style-type: none"> - engagement plan, - review of financial statements - interim and final management letter, - closing report, and - advice of performance audit program and reports on outcomes.
	<ul style="list-style-type: none"> Whether the Council financial statement preparation procedures and timelines are sound. 	
	<ul style="list-style-type: none"> Accuracy of the Council annual financial statements prior to external audit, including: <ul style="list-style-type: none"> - management compliance/representations - significant accounting and reporting issues - methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements. - appropriate management signoff on the statements. 	
	<ul style="list-style-type: none"> If effective processes are in place to ensure financial information included in the Council report is consistent with signed financial statements. 	

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
RISK	<ul style="list-style-type: none"> If the Council financial management processes are adequate. 	
	<ul style="list-style-type: none"> The adequacy of cash management policies and procedures. 	<ul style="list-style-type: none"> Finance and external audit report/update including: <ul style="list-style-type: none"> - review of notes to financial statements, - investment policy, and - Long term financial plan revisions.
	<ul style="list-style-type: none"> If there are adequate controls over financial processes, for example: <ul style="list-style-type: none"> - appropriate authorisation and approval of payments and transactions - adequate segregation of duties - timely reconciliation of accounts and balances - review of unusual and high value purchases 	<ul style="list-style-type: none"> Report/update on risk management, Reports by finance/external audit <ul style="list-style-type: none"> - external audit closing report and management letters. - Reports on any relevant exception testing or transaction analysis. Internal audit reports for annual audits undertaken as part of SIAP.
	<ul style="list-style-type: none"> If policies and procedures for management review and consideration of the financial position and performance of the Council are adequate. 	<ul style="list-style-type: none"> Report by finance - review LTFP and process for developing it.
	<ul style="list-style-type: none"> If Council grants and tied funding policies and procedures are sound. 	<ul style="list-style-type: none"> Review of grant governance policies and processes – consider as part of review of SIAP and risk register updates (annual).

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
IMPROVEMENT	STRATEGIC PLANNING Section 428A (2)(f) - Council has an effective framework that ensures it achieves its strategic plans and objectives under the integrated planning and reporting (IP&R framework).	
	Review and advise the Council: • of the adequacy and effectiveness of the Council IP&R (Integrated Planning and Reporting) processes	<ul style="list-style-type: none"> • Report on IP&R plans (major revisions or significant matters identified through quarterly/annual reviews) - Long term financial planning - Workforce planning - Information on performance indicators setting and measuring performance.
	• if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives,	
	Whether the Council is successfully implementing and achieving its IP&R objectives and strategies.	
	SERVICE REVIEWS AND BUSINESS IMPROVEMENT Section 428A(2)(g), 428A(3) - Council has an effective framework to ensure it is delivering services and conducting its business and functions to an expected standard.	
	Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)	<ul style="list-style-type: none"> • Reports on new/relevant external audit or review for application to Council. (As they arise) • Updates on implementation of any relevant recommended improvements applied to Council (consider including in external/internal audit schedules- quarterly)
	Review and advise the Council: o if Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance	<ul style="list-style-type: none"> • Report/update on service review framework and planned program of work. (Annual) • Service review terms of reference (As relevant per program) • Reports on outcomes of service reviews. (As relevant per completion of programmed work) •
	If appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and	<ul style="list-style-type: none"> • Per report on IP&R framework and periodic revisions. • Per Service Review reporting above.
How the Council can improve its service delivery and the Council performance of its business and functions generally.		

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OPERATIONAL AREA	OBJECTIVES	ACTIONS/REPORTS
IMPROVEMENT	PERFORMANCE DATA AND MANAGEMENT Section 428A(2)(h) - Council's performance management framework ensures council can measure its performance and achievement of its strategic goals. Review and advise the Council:	
	If Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives	<ul style="list-style-type: none"> Per report on IP&R framework and periodic revisions. Per Service Review reporting above. Reports on Internal audits completed as part of the SIAP (Annual Plan) may include review and analysis of performance indicators, and associated data and reporting. (Quarterly on completion of IAs)
	If the performance indicators Council uses are effective, and	
	Adequacy of performance data collection and reporting	

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Appendix A: Annual ARIC Work Plan – subject to variation as agreed between Council and the ARIC Chair

Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
General Responsibilities of the ARIC				
Members have maintained their independence and eligibility status.	<ul style="list-style-type: none"> Member declarations of independence and eligibility Member annual declarations of interest 			
COIs declared.	<ul style="list-style-type: none"> COI declarations made as and when required. 	<ul style="list-style-type: none"> COI declarations made as and when required. 	<ul style="list-style-type: none"> COI declarations made as and when required. 	<ul style="list-style-type: none"> COI declarations made as and when required.
Review and update ARIC terms of reference (TOR)				<ul style="list-style-type: none"> Report on revision of ARIC TOR
Hold at least 4 meetings p.a., at least quarterly – (require a quorum – 2 of 3 independents.	<ul style="list-style-type: none"> Attendance noted in minutes. 	<ul style="list-style-type: none"> Attendance noted in minutes. 	<ul style="list-style-type: none"> Attendance noted in minutes. 	<ul style="list-style-type: none"> Attendance noted in minutes.

Audit, Risk and Improvement Committee

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
Annual assessment, and a strategic assessment each council term of ARIC review of the matters listed in section 428A of the Local Government Act 1993 during that term (Core requirement 1 of the Office of Local Government's Guidelines for Risk Management and Internal Audit for Local Government in NSW).	<ul style="list-style-type: none"> Draft ARIC & IA annual performance report 		<ul style="list-style-type: none"> Independent external quality assurance (EQA) (Each council term - 4 years). 	<ul style="list-style-type: none"> Draft attestation on OLG core requirements
<p>a. Internal Audit Section 428A(2)(i) - Council has an effective internal audit function and receives maximum value from its internal audit activities. Provide overall strategic oversight of internal audit activities</p>				
Coordinate, review and advise as far as is practicable, on the work programs of internal audit and other assurance and review functions.			<ul style="list-style-type: none"> Review annual program of work for: <ul style="list-style-type: none"> service review program risk management and planned governance work. 	<ul style="list-style-type: none"> Review and endorse strategic and annual internal audit plan. (annual)
Review progress against the annual internal audit plan, ensuring that the plan is on track and/or that any emerging risks or concerns are considered for variation of the plan.	<ul style="list-style-type: none"> Internal audit progress report (to plan) Reports on completed IA reviews. 	<ul style="list-style-type: none"> Internal audit progress report (to plan) Reports on completed IA reviews. 	<ul style="list-style-type: none"> Internal audit progress report (to plan) Reports on completed IA reviews. 	<ul style="list-style-type: none"> Internal audit progress report (to plan) Reports on completed IA reviews.

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
<p>Review and advise the Council if it is complying with internal audit requirements, including conformance with the International Professional Practices Framework (IPPF), LG Regulations 2023, and Risk management and Internal audit guidelines. (Internal Audit Performance Reporting)</p>	<ul style="list-style-type: none"> Baseline self-assessment Attestation per the OLG regulation and guidelines (Annual and each council term – 4 years) – due July 2025 	<ul style="list-style-type: none"> Report on conformance with the new IIA standards. 	<ul style="list-style-type: none"> Independent external quality assurance (EQA) (Each council term - 4 years) 	<ul style="list-style-type: none"> Self-assessment against IPPF (IIA standards) (Annual)
<p>Review and advise the Council:</p> <ul style="list-style-type: none"> if the Council's Internal Audit Charter is appropriate whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable. 	<ul style="list-style-type: none"> Internal Audit report – revision of Internal Audit Charter including updates recommended as part of prior year assessment against IPPF. 			
<p>Review and advise the Council on whether the Council is providing the resources necessary to successfully deliver the internal audit function.</p>	<ul style="list-style-type: none"> Internal Audit update 	<ul style="list-style-type: none"> Internal Audit update 	<ul style="list-style-type: none"> Internal Audit update 	<ul style="list-style-type: none"> Internal Audit update report –

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
<p>Review and advise the Council if Council's internal audit activities are effective, including the performance of the head of the internal audit function and internal audit function. Report the outcome of the review to council once each term. (s216R of LG Regulation 2023)</p>	<p>report – Progress to plan. (quarterly)</p>	<p>report – Progress to plan. (quarterly)</p>	<p>report – Progress to plan. (quarterly)</p>	<p>Progress to plan. (quarterly) • Annual internal audit performance report. Includes General Manager, Chair of the ARIC, and head of internal audit annual performance appraisal of internal audit (inhouse and external providers). (draft for ARIC review & feedback)</p>
<p>Review and advise the Council if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.</p>				
<p>Review and advise the Council on the appointment of the head of the internal audit function and external providers.</p>	<ul style="list-style-type: none"> • Consultation with ARIC independent chair in recruitment and/or EOI. (As required for end of term or vacancies). 			
<p>Review and advise the Council of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised.</p>	<ul style="list-style-type: none"> • ARIC agendas and minutes provided to council quarterly. 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
Review and advise the Council of the implementation by Council of corrective actions.	<ul style="list-style-type: none"> Report on implementation of audit recommendations (Internal and external audit) ARIC agendas and minutes provided to council quarterly. 			
Provide advice, when requested, on the appointment of Internal Audit contractors.	<ul style="list-style-type: none"> As arises – included in internal audit update report. 	<ul style="list-style-type: none"> As arises – included in internal audit update report. 	<ul style="list-style-type: none"> As arises – included in internal audit update report. 	<ul style="list-style-type: none"> As arises – included in internal audit update report.
Internal Audit meets at least annually, with the internal audit representative “in-camera” without the presence of management.				
b. External Audit				
Section 428A(2)(d) - Council receives maximum value from its external audit activities.				
Act as a forum for communication between the Council General Manager, senior management, the internal audit function, and external audit	<ul style="list-style-type: none"> Attendance by external audit representative and presentation of external audit matters. 	<ul style="list-style-type: none"> Attendance by external audit representative and presentation of external audit matters. 	<ul style="list-style-type: none"> Attendance by external audit representative and presentation of external audit matters. 	<ul style="list-style-type: none"> Attendance by external audit representative and presentation of external audit matters.
Coordinate, the work programs of internal audit and external audit			<ul style="list-style-type: none"> Compare external audit engagement plan and IA plan. 	

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.			<ul style="list-style-type: none"> Finance and external audit update – review of engagement plan. 	
Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations. Provide advice to Council and/or General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides	<ul style="list-style-type: none"> Review of draft/audited financial statements, interim and final management letters, and closing report. 	<ul style="list-style-type: none"> Review reports on implementation of recommendations for improvement arising from: <ul style="list-style-type: none"> External audit management letters Performance audit reports relevant to council Significant changes or issues raised in better practice guides/standards. (quarterly – annually as required)		
Meet at least annually with the external audit representative, "in-camera", without the presence of management.				
c. Risk Management Section 428A(2)(b) - Council has an effective risk management framework and internal controls that successfully identify and manage the risks it faces.				
Review and advise the Council on risk management matters as follows.	<ul style="list-style-type: none"> Risk management update report or specific reports covering: <ul style="list-style-type: none"> review of the risk management framework against the Australian risk management framework and OLG guidelines. (Annual) periodic risk assessment process. significant/emerging risks. Project management update and associated risks. 			

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
<p>Whether a risk management framework is established and operating consistent with the Australian risk management standard.</p> <p>Whether the Council is providing the resources necessary to successfully implement its risk management framework.</p> <p>Whether the Council risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated individual projects, programs, WHS and other activities.</p> <p>If risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions, and reporting.</p> <p>Adequacy of risk reports and documentation, for example, the Council risk register and risk profile</p> <p>Whether a sound approach has been followed in developing risk management plans for major projects or undertakings.</p> <p>Whether appropriate policies and procedures are in place for the management and exercise of delegations.</p> <p>If Council has taken steps to embed a culture which is committed to ethical and lawful behaviour</p> <p>If there is a positive risk culture within the Council and strong leadership that supports effective risk management.</p> <p>If the adequacy of staff training and induction in risk management.</p>	<p><i>Schedule report content quarterly or otherwise to meet each requirement</i></p> <ul style="list-style-type: none"> Report on review of the risk management framework including any updates on: embedded culture, leadership, training and any concerns with operation of the framework. (Once per Council term or in response to significant changes) Risk management update reports (including WHS as appropriate) 	<ul style="list-style-type: none"> Risk management update reports (including WHS as appropriate). Major Project or undertakings report 	<ul style="list-style-type: none"> Risk management update reports (including WHS as appropriate). Major Project or undertakings report 	<ul style="list-style-type: none"> Risk management update reports (including WHS as appropriate). Major Project or undertakings report Reports on code of conduct, ethics, and fraud & corruption control. Staff survey results.

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
	<ul style="list-style-type: none"> Major Project or undertakings report Reports on code of conduct, ethics and fraud & corruption control. Staff survey results. 			
How the Council risk management approach impacts on the Council insurance arrangements.	<ul style="list-style-type: none"> Updates on insurable risk matters. 			
Effectiveness of Council management of its assets.	<ul style="list-style-type: none"> Asset management updates as relevant in relation to identified risks, internal audit activities or financial statement preparation and audit. 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
Effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.	<ul style="list-style-type: none"> Updates on BCP arrangements, DCPs and related matters. 			
Review and advise the Council: whether Council approach to maintaining an effective internal control framework, including over external parties such as contractors and advisors, is sound and effective.	Covered in internal audit update reports, internal audit review reports, risk management, compliance, and finance/external audit reports.			
Whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated.		<ul style="list-style-type: none"> Policy and procedure update report – management and compliance Internal audit review reports 		<ul style="list-style-type: none"> Policy and procedure update report – management and compliance Internal audit review reports
Whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with.		<ul style="list-style-type: none"> Internal audit review reports 		<ul style="list-style-type: none"> Internal audit review reports
Council monitoring and review of controls is sufficient.	<ul style="list-style-type: none"> Risk management update reports. 	<ul style="list-style-type: none"> Risk management update reports. 	<ul style="list-style-type: none"> Risk management update reports. 	<ul style="list-style-type: none"> Risk management update reports.
Internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.	<ul style="list-style-type: none"> Report on implementati 	<ul style="list-style-type: none"> Report on implementati 	<ul style="list-style-type: none"> Report on implementati 	<ul style="list-style-type: none"> Report on implementati

ITEM 7 - ATTACHMENT 1 ANNUAL INTERNAL AUDIT AND STRATEGIC PLAN 2025-2028 WORKPLANS.

Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
	on of audit recommendations (Internal and external audit)	on of audit recommendations (Internal and external audit)	on of audit recommendations (Internal and external audit)	on of audit recommendations (Internal and external audit)
<p>d. Compliance Section 428A(2)(a) - Council has an effective compliance framework that ensures it is complying with its legal obligations and other governance and contractual requirements when undertaking its functions. Review and advise on the adequacy and effectiveness of the Council's compliance framework, including:</p> <ul style="list-style-type: none"> if the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework (Content of compliance register, and risk management) how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, (Framework design & operation) whether appropriate processes are in place to assess compliance. (Framework policies, operation of register, any breaches and assurance over compliance) 				
<p>e. Fraud and corruption Section 428A(2)(c) - Council has an effective fraud and corruption control framework in place that minimises the incidence of fraud and corruption.</p>				
Review and advise the Council of the adequacy and effectiveness of fraud and corruption prevention	<ul style="list-style-type: none"> • Receive and review update report on: 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
framework and activities, including whether the Council has appropriate processes and systems in place	- fraud and corruption prevention framework, - progress on corruption prevention plan/strategies			
Review and monitor the Fraud and corruption prevention plan/strategy – progress and appropriateness of.	- fraud and corruption risk assessment, - PIDs/investigations and - Other fraud and corruption related matters.			
Fraud and corruption risk assessments				
Management of reports/investigations, risks, and emerging trends.				
f. Governance Section 428A(2)(e) - Council has an effective governance framework to ensure it is appropriately directing and controlling the management of the council.				
Review and advise the Council regarding its governance framework, including:				
Decision-making processes				<ul style="list-style-type: none"> • Governance Report/update: <ul style="list-style-type: none"> - Structural arrangements - Delegations - Council resolutions
Implementation of governance policies and procedures			<ul style="list-style-type: none"> • Report/update on policy management 	
Reporting lines and accountability, assignment of key role and responsibilities and management oversight responsibilities			<ul style="list-style-type: none"> • Various – including internal audit reviews. 	

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
Committee structure	<ul style="list-style-type: none"> • Various – including internal audit reviews. 			
Human resources and performance management activities	<ul style="list-style-type: none"> • Performance appraisals, performance management • various internal audit reviews. 	<ul style="list-style-type: none"> • various internal audit reviews. 	<ul style="list-style-type: none"> • various internal audit reviews. 	<ul style="list-style-type: none"> • various internal audit reviews.
Reporting and communication activities	<ul style="list-style-type: none"> • Various – including internal audit reviews. 			
Information and communications technology (ICT) governance	<ul style="list-style-type: none"> • Report on ICT, Cyber security and other ICT governance, control and review matters. 	<ul style="list-style-type: none"> • Report on ICT, Cyber security and other ICT governance, control and review matters. 	<ul style="list-style-type: none"> • Report on ICT, Cyber security and other ICT governance, control and review matters. 	<ul style="list-style-type: none"> • Report on ICT, Cyber security and other ICT governance, control and review matters.
Management and governance of the use of data, information and knowledge	<ul style="list-style-type: none"> • Data and information management report, including; privacy, GIPA, breaches, etc. (at least annually and as arises) 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
<p>g. Financial Management Section 428A(2)(d) - Council has an effective financial management framework, sustainable financial position and positive financial performance.</p> <p>Regular quarterly report/update on finance and external audit matters or specific reports to consider coverage of the following financial management matters including;</p> <ul style="list-style-type: none"> - engagement plan, - review of financial statements - interim and final management letter, - closing report - advice of NSW AO performance audit program and reports on outcomes. 				
<p>Compliance with accounting standards and external accountability requirements.</p> <p>Appropriateness of Council accounting policies and disclosures</p>	<p>Finance and External audit Report/update including progress on preparation of financial statements and external audit thereof.</p>			
<p>Implications for Council of the findings of external audits and performance audits and Council responses and implementation of recommendations</p>	<ul style="list-style-type: none"> • Finance and External audit Report/update 			
<p>Whether the Council financial statement preparation procedures and timelines are sound</p>				
<p>Accuracy of the Council annual financial statements prior to external audit, including:</p> <ul style="list-style-type: none"> - management compliance/representations - significant accounting and reporting issues - methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements. 				<p>Report of the annual statements post audit.</p>

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
- appropriate management signoff on the statements				
Effective processes are in place to ensure financial information included in the Council report is consistent with signed financial statements		<ul style="list-style-type: none"> Finance/External audit report 		
Financial management processes are adequate	<ul style="list-style-type: none"> Finance/External audit report – IP&R report – budgets, LTFP as relevant 	<ul style="list-style-type: none"> Finance/External audit report – including review of financial statements. 	<ul style="list-style-type: none"> Finance/External audit report – IP&R report – budgets, LTFP as relevant 	<ul style="list-style-type: none"> Finance/External audit report – IP&R report – budgets, LTFP as relevant
Adequacy of cash management policies and procedures				
Controls over financial processes, for example: <ul style="list-style-type: none"> - appropriate authorisation and approval of payments and transactions - adequate segregation of duties - timely reconciliation of accounts and balances - review of unusual and high value purchases 	<ul style="list-style-type: none"> Finance/External audit report – including exception reporting etc by finance, external audit findings, management letter/s. Various – including internal audit reviews. 			
If policies and procedures for management review and consideration of the financial position and performance of the Council are adequate	<ul style="list-style-type: none"> Report by finance - review LTFP and process for developing it. 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
If Council grants and tied funding policies and procedures are sound.				<ul style="list-style-type: none"> Review of grant governance policies and processes – consider as part of review of SIAP and risk register updates (annual)
<p>h. Strategic Planning</p> <p>Section 428A (2)(f) - Council has an effective framework that ensures it achieves its strategic plans and objectives under the integrated planning and reporting (IP&R framework). Review and advise the Council:</p> <p>Regular report on IP&R or specific reports with coverage of:</p> <ul style="list-style-type: none"> plans (major revisions or significant matters identified through quarterly/annual reviews) Long term financial planning Workforce planning Strategic Asset Management Plan (SAMP) Information on performance indicators setting and measuring performance. 				
Adequacy and effectiveness of the Council IP&R (Integrated Planning and Reporting) processes				Annual Report
Appropriate reporting and monitoring mechanisms are in place to measure progress against objectives				Annual Report

Audit, Risk and Improvement Committee

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24 Annual Report	Q3 February 25	Q4 May 25
Whether Council is successfully implementing and achieving its IP&R objectives and strategies.				
i. Service Reviews and Business Improvement Section 428A(2)(g), 428A(3) - Council has an effective framework to ensure it is delivering services and conducting its business and functions to an expected standard.				
Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)	<ul style="list-style-type: none"> • Reports on external performance audits or reviews, ICAC reports or other for relevance to Council. (As they arise) • Updates on implementation of any relevant recommended improvements applied to Council (consider including in external/intern al audit 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
<p>Review and advise if Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance</p>	<p>schedules- quarterly)</p> <ul style="list-style-type: none"> Report/update on service review framework and planned program of work. (Annual) Service review terms of reference (As relevant per program) Reports on outcomes of service reviews. (As relevant per completion of programmed work) 			
<p>if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance</p>	<ul style="list-style-type: none"> Per report on IP&R framework 			

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Elements of ARIC responsibilities/Terms of Reference to be considered.	Q1 July 24	Q2 October 24	Q3 February 25	Q4 May 25
how the Council can improve its service delivery and the Council performance of its business and functions generally.	and periodic revisions. <ul style="list-style-type: none"> Per Service Review reporting above. 			
j. Performance Data and management Section 428A(2)(h) - Council's performance management framework ensures council can measure its performance and achievement of its strategic goals.				
Various quarterly update reports and specific reports providing coverage including:				
<ul style="list-style-type: none"> Per report on IP&R framework and periodic revisions. Per Service Review reporting above. Reports on Internal audits completed as part of the SIAP (Annual Plan) may include review and analysis of performance indicators, and associated data and reporting. (Quarterly on completion of IAs) 				
If Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives				IP&R draft documents
If the performance indicators Council uses are effective		Annual Report		IP&R draft documents
Adequacy of performance data collection and reporting		Annual Report		IP&R draft documents

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PORT STEPHENS
COUNCIL

**Audit, Risk and Improvement Committee
Strategic Plan**

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ITEM NO. 8

**FILE NO: 24/302530
EDRMS NO: A2004-0381**

WOMEN IN LEADERSHIP SUMMIT 2025

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Endorses the attendance of Mayor Leah Anderson at the Women in Leadership Summit 2025 to be held on 18 to 19 February 2025.

BACKGROUND

The purpose of this report is to inform Council of the NSW Public Sector Women in Leadership Summit 2025 to be held in Sydney on 18 to 19 February 2025.

The Summit provides the opportunity to hear from some of the most senior and inspiring women in the NSW Public Service, sharing stories and practical tips for success.

The conference is open to all elected members.

The conference is offered to elected members as part of their ongoing professional development.

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Governance	Deliver governance services and internal audit program

FINANCIAL/RESOURCE IMPLICATIONS

Registration cost for the Summit is \$2899 (ex GST) if registered before 29 November 2024 or \$3500 (ex GST) thereafter.

The costs associated with registration, travel and accommodation will be borne from the existing budget, subject to any individual elected member not exceeding the conference budget limits in the policy.

ORDINARY COUNCIL - 26 NOVEMBER 2024

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

The Payment of Expenses and Provision of Facilities to Councillors/Mayor Policy requires approval of a full Council meeting.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Port Stephens Council will not be represented on matters at the conference.	Low	That the recommendation be adopted.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

This is an opportunity to learn and development leadership skills.

CONSULTATION

Nil.

OPTIONS

- 1) Accept the recommendation.
- 2) Amend the recommendation.
- 3) Reject the recommendation.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 9

**FILE NO: 24/299303
EDRMS NO: PSC2024-03159**

REQUESTS FOR FINANCIAL ASSISTANCE

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act 1993 from Mayoral funds to the following:-
 - a) Port Stephens Tri Age Learning – Mayoral funds - \$1,300 donation towards purchase of a new computer.
 - b) Hope Unlimited Church Port Stephens – Mayoral funds - \$3,000 donation towards 2024 Fly Point Christmas Carols event.
 - c) Masonic Holdings Ltd – Mayoral funds - \$2,024 donation towards reimbursement for purchase of defibrillator at Lodge Tomaree.
 - d) Port Stephens Sister Cities Committee - \$1,050 donation towards supporting 3 Port Stephens participants in the Wakashio Marathon in Japan.
-

BACKGROUND

The purpose of this report is to determine and, where required, authorise payment of financial assistance to recipients judged by the Mayor and or Councillors as deserving of public funding. The Grants and Donations Policy gives the Mayor and Councillors a wide discretion either to grant or to refuse any requests.

Council's Grants and Donations Policy provides the community, the Mayor and Councillors with a number of options when seeking financial assistance from Council. Those options being:

- 1) Mayoral Funds
- 2) Rapid Response
- 3) Community Financial Assistance Grants – (bi-annually)
- 4) Community Capacity Building

Council is unable to grant approval of financial assistance to individuals unless it is performed in accordance with the Local Government Act 1993. This would mean that the financial assistance would need to be included in the Operational Plan or Council would need to advertise for 28 days of its intent to grant approval. Council can make donations to community groups.

ORDINARY COUNCIL - 26 NOVEMBER 2024

The requests for financial assistance are shown below:

MAYORAL FUNDS

Port Stephens Tri Age Learning	A social group for retirees and semi-retirees in the Port Stephens area with a focus on intellectual stimulation and learning for fun.	\$1,300	Donation towards purchase of a new computer.
Hope Unlimited Church Port Stephens (Hope UC)	Hope UC is a church for all walks of life that supports the local community.	\$3,000	Donation towards 2024 Fly Point Christmas Carols event.
Masonic Holdings (Lodge Tomaree Freemasons)	Freemasonry is a membership for men over 18 designed to encourage members towards self-improvement.	\$2,024	Donation towards purchase of defibrillator.
Port Stephens Sister Cities Committee	To promote and have ongoing relationships between international communities providing opportunities for cultural exchange.	\$1,050	Donation towards supporting 3 Port Stephens participants in the Wakashio Marathon in Japan (3 x \$350)

COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2022-2026
Thriving and safe place to live	Provide the Community Financial Assistance Program

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		

ORDINARY COUNCIL - 26 NOVEMBER 2024

Source of Funds	Yes/No	Funding (\$)	Comment
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

LEGAL, POLICY AND RISK IMPLICATIONS

To qualify for assistance under Section 356(1) of the Local Government Act 1993, the purpose must assist the Council in the exercise of its functions. Functions under the Act include the provision of community, culture, health, sport and recreation services and facilities.

The policy interpretation required is whether the Council believes that:

- a) applicants are carrying out a function, which it, the Council, would otherwise undertake.
- b) the funding will directly benefit the community of Port Stephens.
- c) applicants do not act for private gain.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that Council may set a precedent when allocating funds to the community and an expectation those funds will always be available.	Low	Adopt the recommendations.	Yes

SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

Nil.

CONSULTATION

Consultation with key stakeholders has been undertaken by the General Manager's Office.

Consultation has been undertaken with the key stakeholders to ensure budget requirements are met and approved.

OPTIONS

- 1) Accept the recommendations.
- 2) Vary the dollar amount before granting each or any request.
- 3) Decline to fund the request.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM NO. 10

FILE NO: 24/299471

EDRMS NO: PSC

INFORMATION PAPERS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 26 November 2024.

No:	Report Title	Page:
1	Cash and Investment Portfolio - October 2024	141
2	Petition - Amenities in Henderson Park, Lemon Tree Passage	151
3	Audit, Risk and Improvement Committee Minutes 1 August 2024.	154
4	Designated Persons' Return	164
5	Council Resolutions	165
6	Delegations Report	172

INFORMATION PAPERS

ITEM NO. 1

**FILE NO: 24/291817
EDRMS NO: PSC2017-00180**

CASH AND INVESTMENT PORTFOLIO - OCTOBER 2024

REPORT OF: GLEN PETERKIN - FINANCIAL SERVICES SECTION MANAGER
DIRECTORATE: CORPORATE STRATEGY AND SUPPORT

BACKGROUND

The purpose of this report is to present Council's schedule of cash and investments held at 31 October 2024.

Council's total portfolio of investments was \$72.6 million with an additional \$1.9 million held in Council's operational account as at 31 October 2024.

The investment portfolio was fully compliant with the Investment Policy regarding product type, institution exposure, rating exposure and maturity limits.

The investment portfolio is currently yielding 5.27% p.a. on a rolling 1 year performance, which was 0.82% above the benchmark with investment income on target to meet or exceed budget.

The total restricted cash position of Council is in deficit partly due to advance payments for goods and services which will be consumed over the financial year. The restricted cash position will continue to be monitored.

ATTACHMENTS

- 1) Cash and Investment Portfolio - October 2024. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.



PORT STEPHENS
COUNCIL

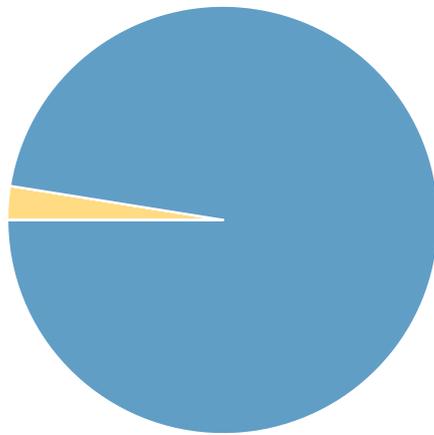
Cash Investment Portfolio

Asset Allocation as at 31 October 2024



ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENT PORTFOLIO - OCTOBER 2024.

Cash Investment Portfolio Holdings



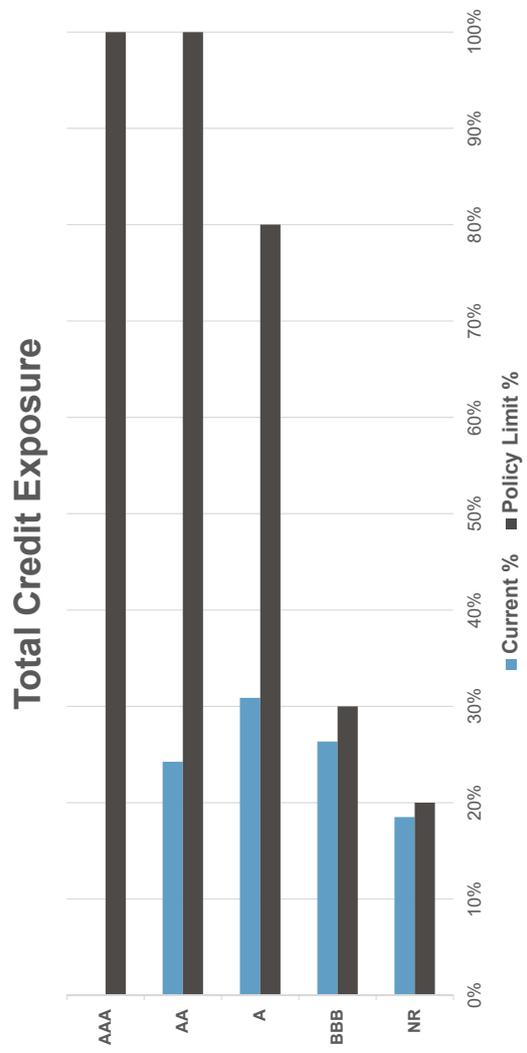
■ At Call ■ Cash ■ At Notice ■ TD ■ Managed Fund

Product Type	Market Value (\$)	Within Policy
At Call	-	
Cash	1,896,135	✓
At Notice	-	
TD	72,554,431	✓
Managed Fund	-	
	74,450,566	

✓ = Yes
x = No

ITEM 1 - ATTACHMENT 1 CASH AND INVESTMENT PORTFOLIO - OCTOBER 2024.

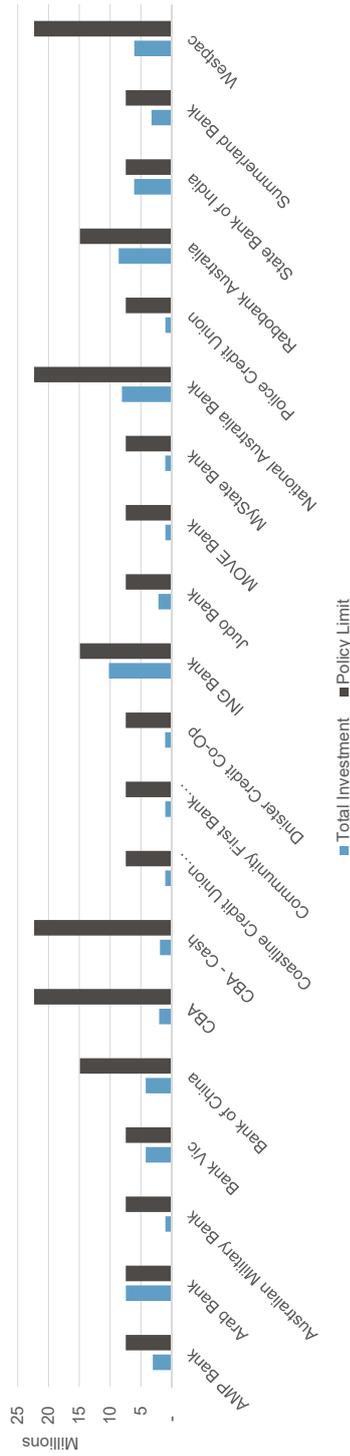
Rating Exposure



Credit Rating Group	Market Value (\$)	Current %	Policy Limit %	Within Policy
AAA	-	0%	100%	✓
AA	18,059,035	24%	100%	✓
A	22,992,258	31%	80%	✓
BBB	19,618,381	26%	30%	✓
NR	13,780,892	19%	20%	✓
	74,450,566	100%		

✓ = Yes
 ✗ = No

Institution Exposure



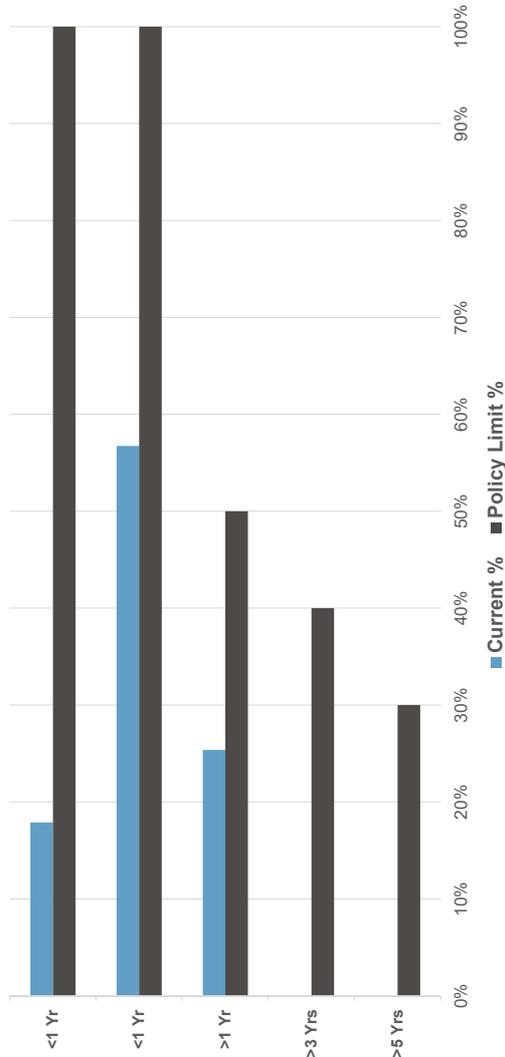
Institution	Rating	Total Investment	Exposure	Policy Limit	Remaining to Limit	Within Policy
AMP Bank	BBB	3,062,644	4%	10%	4,382,413	✓
Arab Bank	NR	7,420,050	10%	10%	25,007	✓
Australian Military Bank	BBB	1,011,984	1%	10%	6,433,073	✓
Bank V/c	BBB	4,208,925	6%	10%	3,236,131	✓
Bank of China	A	4,206,387	6%	20%	10,683,727	✓
CBA	AA	2,019,632	3%	30%	20,315,538	✓
CBA - Cash	AA	1,896,135	2%	30%	20,439,035	✓
Coastline Credit Union Limited	BBB	1,033,897	1%	10%	6,411,159	✓
Community First Bank Ltd	BBB	1,033,763	1%	10%	6,411,294	✓
Drister Credit Co-Op	NR	1,050,938	1%	10%	6,394,118	✓
ING Bank	A	10,192,021	13%	20%	4,698,092	✓
Judo Bank	BBB	2,152,933	3%	10%	5,292,124	✓
M MOVE Bank	NR	1,022,293	1%	10%	6,422,763	✓
MyState Bank	BBB	1,033,674	1%	10%	6,411,383	✓
National Australia Bank	AA	8,077,620	11%	30%	14,257,550	✓
Police Credit Union	NR	1,024,756	1%	10%	6,420,300	✓
Rabobank Australia	A	8,593,850	11%	20%	6,296,263	✓
State Bank of India	BBB	6,060,560	8%	10%	1,364,496	✓
Summerland Bank	NR	3,262,855	4%	10%	4,182,202	✓
Westpac	AA	6,065,648	8%	30%	16,269,522	✓
Total		74,450,566				

✓ = Yes
x = No

ITEM 1 - ATTACHMENT 1

CASH AND INVESTMENT PORTFOLIO - OCTOBER 2024.

Term to Maturity Limits

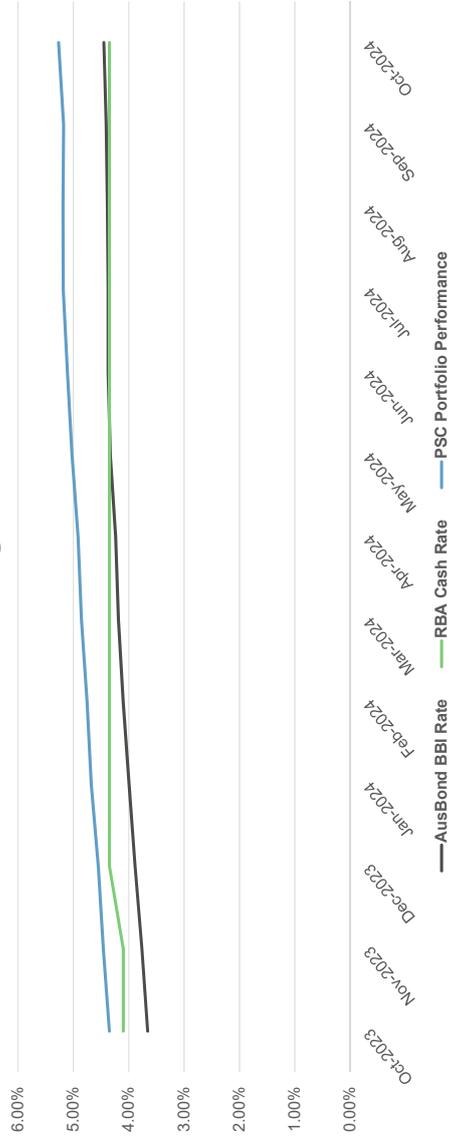


Detailed Maturity Profile	Market Value (\$)	Current %	Policy Limit %	Within Policy
Less than or equal 90 Days	13,323,221	18%	100%	✓
Between 90 Days and 365 Days	42,234,292	57%	100%	✓
Between 366 Days and 3 Years	18,893,053	25%	50%	✓
Between 3 Years and 5 Years	-	0%	40%	✓
Greater than 5 Years	-	0%	30%	✓
	74,450,566	100%		

✓ = Yes
x = No

Portfolio Performance

One Year Rolling Performance

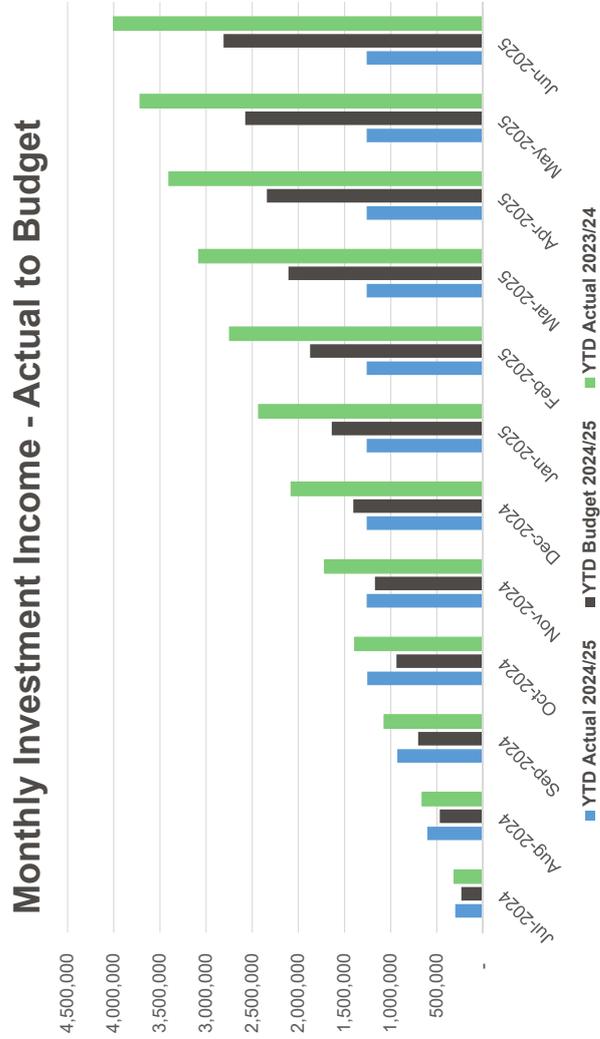


Performance	1 month actual	3 months actual	6 months actual	FYTD actual	1 year % p.a. (Rolling)
Bloomberg AusBond BBI (Benchmark)	0.37%	1.12%	2.23%	1.49%	4.45%
PSC Investment Portfolio	0.46%	1.34%	2.77%	1.80%	5.27%
Outperformance/(underperformance)	0.08%	0.22%	0.54%	0.31%	0.82%

ITEM 1 - ATTACHMENT 1

CASH AND INVESTMENT PORTFOLIO - OCTOBER 2024.

Income Earned vs Budget



Investment Register

Institution	Market Value	Days Held	Interest Rate	Date Invested	Maturity Date	Rating
CBA - Cash	1,896,135	1		31/10/2024	1/11/2024	AA
Westpac	1,011,545	732	4.90%	3/11/2022	4/11/2024	AA
Summerland Bank	1,090,197	719	4.65%	23/11/2022	11/11/2024	NR
Summerland Bank	1,090,197	726	4.65%	23/11/2022	18/11/2024	NR
ING Bank	1,040,932	724	4.50%	2/12/2022	25/11/2024	A
ING Bank	1,041,301	738	4.50%	2/12/2022	9/12/2024	A
CBA	1,015,743	731	4.71%	20/12/2022	20/12/2024	AA
Police Credit Union	1,024,756	612	5.02%	5/05/2023	6/01/2025	NR
ING Bank	1,020,056	587	4.98%	6/06/2023	13/01/2025	A
Westpac	1,007,504	594	4.98%	6/06/2023	20/01/2025	AA
Judo Bank	1,077,349	579	5.75%	28/06/2023	27/01/2025	BBB
Westpac	1,007,504	602	4.98%	6/06/2023	28/01/2025	AA
Arab Bank	1,078,425	593	5.83%	28/06/2023	10/02/2025	NR
CBA	1,003,889	733	4.74%	8/02/2023	10/02/2025	AA
Bank Vic	1,059,873	535	5.13%	1/09/2023	17/02/2025	BBB
Arab Bank	1,060,224	542	5.16%	1/09/2023	24/02/2025	NR
Arab Bank	1,078,425	607	5.83%	28/06/2023	24/02/2025	NR
Bank of China	1,059,757	556	5.12%	1/09/2023	10/03/2025	A
Summerland Bank	1,082,460	726	5.05%	15/03/2023	10/03/2025	NR
Arab Bank	1,060,224	563	5.16%	1/09/2023	17/03/2025	NR
Westpac	1,005,497	550	5.28%	21/09/2023	24/03/2025	AA
ING Bank	1,000,450	515	5.48%	27/10/2023	25/03/2025	A
Westpac	1,013,562	515	5.50%	2/11/2023	31/03/2025	AA
AMP Bank	1,026,301	732	5.00%	20/04/2023	21/03/2025	BBB
AMP Bank	1,023,973	727	5.00%	9/05/2023	5/05/2025	BBB
Rabobank Australia	1,011,017	272	5.09%	13/08/2024	12/05/2025	A
MOVE Bank	1,022,293	731	5.15%	26/05/2023	26/05/2025	NR
Arab Bank	1,050,965	559	5.52%	29/11/2023	10/06/2025	NR
ING Bank	1,033,692	479	5.04%	1/03/2024	23/06/2025	A
National Australia Bank	1,018,883	368	5.47%	27/06/2024	30/06/2025	AA
Judo Bank	1,075,584	733	5.70%	5/07/2023	7/07/2025	BBB
MyState Bank	1,033,674	497	5.10%	4/03/2024	14/07/2025	BBB
AMP Bank	1,012,370	725	5.25%	3/08/2023	28/07/2025	BBB
Australian Military Bank	1,011,984	726	5.27%	9/08/2023	4/08/2025	BBB
National Australia Bank	1,010,619	354	5.10%	16/08/2024	5/08/2025	AA
National Australia Bank	1,010,973	363	5.07%	13/08/2024	11/08/2025	AA
ING Bank	1,012,197	734	5.30%	8/08/2023	11/08/2025	A
Bank of China	1,059,757	717	5.12%	1/09/2023	18/08/2025	A
Bank of China	1,059,757	724	5.12%	1/09/2023	25/08/2025	A
National Australia Bank	2,016,884	367	4.97%	30/08/2024	1/09/2025	AA
State Bank of India	1,008,942	369	5.10%	28/08/2024	1/09/2025	BBB
Dnister Credit Co-Op	1,050,938	647	5.55%	1/12/2023	8/09/2025	NR
National Australia Bank	1,006,753	364	4.93%	11/09/2024	10/09/2025	AA
Rabobank Australia	3,023,836	377	5.00%	3/09/2024	15/09/2025	A
Arab Bank	1,051,214	661	5.58%	1/12/2023	22/09/2025	NR
National Australia Bank	1,006,753	377	4.93%	11/09/2024	23/09/2025	AA
National Australia Bank	1,006,753	384	4.93%	11/09/2024	30/09/2025	AA
Community First Bank Ltd	1,033,763	586	5.03%	29/02/2024	7/10/2025	BBB
ING Bank	1,002,067	369	5.03%	16/10/2024	20/10/2025	A
Bank Vic	1,049,562	696	5.40%	1/12/2023	27/10/2025	BBB
Bank Vic	1,049,745	703	5.42%	1/12/2023	3/11/2025	BBB
Bank Vic	1,049,745	717	5.42%	1/12/2023	17/11/2025	BBB
Westpac	1,020,036	538	5.15%	11/06/2024	1/12/2025	AA
Coastline Credit Union Limited	1,033,897	655	5.05%	29/02/2024	15/12/2025	BBB
Arab Bank	1,040,573	733	5.02%	10/01/2024	12/01/2026	NR
State Bank of India	1,010,864	530	5.15%	15/08/2024	27/01/2026	BBB
Rabobank Australia	1,021,409	601	5.28%	5/06/2024	27/01/2026	A
Rabobank Australia	1,019,817	607	5.13%	12/06/2024	9/02/2026	A
ING Bank	1,017,982	602	5.38%	1/07/2024	23/02/2026	A
State Bank of India	1,008,767	545	5.00%	28/08/2024	24/02/2026	BBB
ING Bank	1,017,982	616	5.38%	1/07/2024	9/03/2026	A
Rabobank Australia	1,504,085	521	4.97%	11/10/2024	16/03/2026	A
State Bank of India	1,017,329	623	5.50%	8/07/2024	23/03/2026	BBB
State Bank of India	1,017,329	637	5.50%	8/07/2024	6/04/2026	BBB
State Bank of India	1,017,329	651	5.50%	8/07/2024	20/04/2026	BBB
Bank of China	1,027,116	735	5.35%	29/04/2024	4/05/2026	A
Rabobank Australia	1,013,686	661	5.15%	26/07/2024	18/05/2026	A
ING Bank	1,005,360	733	4.55%	18/09/2024	21/09/2026	A
Total	74,450,566					

Restricted Cash

Reserve	As at October 2024 \$'000
External	
Deposits, retentions and bonds	1,475
Grants and Contributions	6,068
Developer contributions (inc Haulage)	23,863
Domestic Waste Management	10,472
Crown Reserve	3,802
Internal	
Admin Building	322
Asset Rehab/Reseals	3,460
Commercial Property	3,633
Community Buildings	64
Community Loans	200
Council Parking	840
Drainage	1,690
Election Reserve	547
Emergency & Natural Disaster	4,868
Employee Leave Entitlements (ELE)	1,000
Enhanced Services Focus Area	360
Federal Assistance Grant in Advance	4,980
Fleet	1,427
Grants Receivable	1,473
IT	1,997
Mayoral and Ward Funds	23
Other Waste	439
Repealed	1,397
Resilience fund	3,000
Sustainable energy and water reserve	35
Transport and Environmental Levy	573
Total	78,008
Cash and Investment Report	74,451
Variance Cash Reserves to Bank Account	(3,557)
Variance Due to:	
Outstanding GST Refund	(203)
Outstanding Debtors	(281)
Total Variance	(484)
Unrestricted Cash/(Shortfall)	(3,073)
(due to timing of income and expenditure)	

ITEM NO. 2

FILE NO: 24/283018
EDRMS NO: PSC2015-03017

PETITION - AMENITIES IN HENDERSON PARK, LEMON TREE PASSAGE

REPORT OF: JOHN MARETICH - ASSETS SECTION MANAGER
DIRECTORATE: FACILITIES AND INFRASTRUCTURE

BACKGROUND

The purpose of this report is to advise Council of the receipt of a petition containing 144 signatures registering objection to Council replacing 8 public toilets in Henderson Park, Lemon Tree Passage with 2 unisex, 1 ambulant and 1 key access disabled toilet. A copy of the petition request is shown at **(ATTACHMENT 1)**.

The existing toilet building at Henderson Park is in poor condition, outdated in design and situated in the middle of a car park. To address these issues, grant funding was secured through the NSW Government to upgrade the toilet and improve the amenity and safety of users.

The initial design proposed to locate the new toilet building adjacent to the car park and barbeque area at Henderson Park. Feedback received during community consultation indicated that this location was not supported and an alternative location, in consultation with the community, was selected adjacent to the playground. The toilet building is currently under construction.

The consultation activities undertaken to inform the design include:

- Letterbox drops to local businesses and residents along Cook Parade on 20 March 2024 and 27 March 2024.
- Email sent out to businesses and residents registered during the development of the Tilligerry Place Plan on 20 March 2024 and 27 March 2024.
- Council staff met an interested community group and media on 15 April 2024.
- Letterbox drop and email out on 5 June 2024.
- Additional letterbox drop and email out to businesses and residents registered during the development of the Tilligerry Place Plan on 20 March 2024 and 27 March 2024.

ATTACHMENTS

- 1) Petition - Amenities in Henderson Park, Lemon Tree Passage. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

- 1) Petition.

TABLED DOCUMENTS

Nil.

**ITEM 2 - ATTACHMENT 1 PETITION - AMENITIES IN HENDERSON PARK,
LEMON TREE PASSAGE.**

We, the undersigned residents of the Tilligerry Peninsula, wish to register our objection to Council replacing the eight public toilets in Henderson Park with two unisex, one ambulant and one key access disabled toilet. This will impact people using the park as they will be insufficient, especially during holiday season and times of high usage of the boat ramp and Wangi Queen cruises. Also, parents will not feel comfortable showering their children in privacy, as their only option will be a unisex shower or the open showers at the waterfront. The reduction of amenities will also impact local businesses and community events as most not for profit community groups will not be able to afford the additional cost to hire portable toilets.

As residents, we feel that there was a general lack of consultation as meetings were held in the middle of the week when most people are working, and the minimal discussions with a small number of people were an insufficient gauge of public opinion. Also, the location of the unisex toilets as originally discussed by council was changed without notification. This will now include the removal of shade trees which are needed in the absence of shade on the new Town Square. As most people were unaware of the plans until the fence was erected two weeks ago we request that Council reconsider its proposed changes to the number of toilets and relocation away from the business area and cease all work on the site until further consultation with the community.

ITEM NO. 3

**FILE NO: 24/286103
EDRMS NO: PSC2015-01492**

AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES 1 AUGUST 2024.

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to provide the minutes of the Audit, Risk and Improvement Committee meeting held on 1 August 2024 to Council.

The Office of Local Government Risk Management and Internal Audit for Local Government in NSW Guidelines (the Guidelines) commenced on 1 July 2024. In accordance with the Guidelines, the minutes are to be provided to the governing body of Council.

ATTACHMENTS

- 1) Audit, Risk and Improvement Committee minutes 1 August 2024. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MEETING MINUTES



Meeting

Team Name: Audit Risk and Improvement Committee

Date: 1 August 2024 **Time:** 4.29pm

Venue: Committee room or ZOOM

Chairperson: Deborah Goodyer

Minutes: Tony Wickham

Purpose of Meeting:

The objective of the Audit Committee is to enhance the corporate governance of Port Stephens Council through the provision of independent oversight, review and advice. The Committee will assist Council by providing independent assurance and assistance on the organisation's governance, risk, control and compliance framework.

Members in Attendance

Deborah Goodyer (Chair (zoom))

Frank Cordingley

Paul Dunn

Cr Leah Anderson (zoom)

Officers in Attendance

Tim Crosdale (General Manager)

Greg Kable
Director Facilities & Infrastructure (F&I)

Steve Peart
Director Community Futures (CF) (zoom)

Glen Peterkin (Finance Services Section Manager & Acting Director Corporate Strategy & Support)

Chris Hilkeimeijer
(Enterprise Risk Manager)

Tony Wickham
(Governance Section Manager)

Nichole Le Grange – WHS Manager (observer)

Guests in Attendance	
Martin Matthews (PKF) (zoom)	David Hutchison (PKF)
	Alex Hardy (Prosperity Advisers Group) (zoom – 5:05pm – 5:27pm)
Apologies	
Zoe Pattison Director Corporate Strategy & Support (CSS)	Nicky Rajani (Audit Office)

Item	Topic	Time Required	Responsible Officer	Action	Decision
1.0	WELCOME and APOLOGIES				
1.1		2 mins	Chair	The Chair welcomed all attendees to the meeting and noted apologies.	
2.0	DECLARATION OF INTEREST				
2.1	Declaration of Interest form - attachment 1.	5 mins	Chair	Nil declarations of interest were received.	Noted.
3.0	MINUTES AND OUTSTANDING ACTIONS				
3.1	Minutes of last meeting held 23 May 2024 – attachment 2.	2 mins	Chair	The Minutes of the Audit, Risk and Improvement Committee held on 23 May 2024 were endorsed.	Endorsed.
3.2	Outstanding Actions from – there are no outstanding actions.	2 mins	T Wickham	There were no outstanding actions.	Noted.

ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
 MINUTES 1 AUGUST 2024.

Item	Topic	Time Required	Responsible Officer	Action	Decision
3.3	General Manager's Update		T Crosdale	<p>General Manager provided an update on the ICT outage from 25 July 2024, resulting in rescheduling the ARIC meeting.</p> <p>The ICT outage effected ICT and some Council telephone services. Telephone access to Holiday Parks was not affected. Social media facilitated updates to inform the community and the issue was resolved with the system being back online around 3.06pm.</p> <p>A full review and debrief was undertaken which identified a number of operational improvements:</p> <ol style="list-style-type: none"> 1. Continue to undertake ICT works after hours. 2. Refer to backup services. <p>The ICT performed well to identify and correct the issue. Organisation and community communications was also performed well.</p>	Noted.
3.4	Chairperson address		Chair	<p>The Chair noted Cr Anderson's participation on the Committee to date and thanked Cr Anderson. Given the new financial year commenced (OLG Guidelines effective from 1 July), it was noted Cr Anderson will now attend as a non-voting member.</p>	
4.0	BUSINESS ITEMS				
4.1	INTERNAL AUDIT				

ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
MINUTES 1 AUGUST 2024.

Item	Topic	Time Required	Responsible Officer	Action	Decision
4.1.1	<p>Receive presentations and reports from internal auditors – PKF</p> <ul style="list-style-type: none"> National Heavy Vehicle Accreditation Scheme (NHVAS) – attachment 3. Transport for NSW DRIVES Annual Compliance Statement – attachment 4. 	20 mins	PKF	<p>The Governance Section Manager provided update on timeline of Internal Audit Strategic Plan and will be providing the Plan to the ARIC in October 2024.</p> <p>The National Heavy Vehicle Accreditation Scheme (NHVAS) compliance report be received and noted. Following discussion by the ARIC, consideration will be given to conducting this report internal in the future.</p> <p>The Transport for NSW DRIVES Annual Compliance Statement be received and noted.</p>	

**ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
MINUTES 1 AUGUST 2024.**

Item	Topic	Time Required	Responsible Officer	Action	Decision
4.1.2	Review internal audit register actions and implementation – attachment 5.	10 mins	T Wickham	<ul style="list-style-type: none"> That the Internal audit actions for July 2024 be received and noted. The internal audit register action will be updated to include 'open by audit'. ARIC were advised new Volunteer Officer has commenced, which will progress the internal audit actions for volunteer management. <p>ARIC were advised that Emergency Services has been relocated to report to the Facilities and Infrastructure Director. Items relating to the Emergency Services function will be progressed following consideration by the Director and a separate report by Facilities and Infrastructure Director will be included in the next ARIC agenda.</p>	
4.2	EXTERNAL AUDIT				

ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
MINUTES 1 AUGUST 2024.

Item	Topic	Time Required	Responsible Officer	Action	Decision
4.2.1	Receive presentations and reports from external auditors – Prosperity Advisors Group	5 mins	Prosperity Advisors	<p>That the verbal report be noted.</p> <p>The external auditors advised the ARIC that is no interim management letter, noting nothing has been identified at this stage of the audit.</p> <ul style="list-style-type: none"> The external auditor advised that a letter has been issued to PWC concerning Newcastle Airport audit. <p>Valuations in relation to Newcastle Airport indicate there has been an uplift. Further information is to be received to understand any adjustment and prior valuations.</p> <ul style="list-style-type: none"> The draft Financial Statement are to be referred to the ARIC for review (out of session) at the time they are referred to audit. <p>Questions concerning the draft Financial Statements can be referred to the Financial Services Section Manager.</p>	
4.2.2	External Audit update – attachment 6.	10 mins	G Peterkin	The external audit update was received and noted.	Noted.
4.2.3	Review external audit register actions and implementation – there are no external audit actions.	2 mins	G Peterkin	There were no external audit actions.	Nil.
4.3	RISK MANAGEMENT				

ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
MINUTES 1 AUGUST 2024.

Item	Topic	Time Required	Responsible Officer	Action	Decision
4.3.1	Enterprise Risk Report – attachment 7.	10 mins	C Hilkemeijer	The Enterprise Risk Report for July 2024 was received and noted.	Noted.
4.4	FINANCE				
4.4.1	Payroll review – attachment 8.	15 mins	G Peterkin	The Payroll review was received and noted. The ARIC requested that management present findings by exception from the ongoing monitoring.	Noted.
4.5	LEGAL				
4.5.1	Receive presentations and reports on current legal matters – attachment 9.	10 mins	T Wickham	The current legal matters report was received and noted. The ARIC requested that only material risk issues from legal processes be reported to the ARIC.	Noted.
4.5.2	Received the report on governance matters – attachment 10.	5 mins	T Wickham	The governance matters report was received and noted. The ARIC requested that management include all policies and policy framework on the next ARIC agenda, and a future meeting include process mapping.	Noted.
4.5.3	Receive the report on the annual Governance Health Check – attachment 11.	10 mins	T Wickham	The Governance Health Check was received and noted.	Noted.

**ITEM 3 - ATTACHMENT 1 AUDIT, RISK AND IMPROVEMENT COMMITTEE
MINUTES 1 AUGUST 2024.**

Item	Topic	Time Required	Responsible Officer	Action	Decision
4.6	STRATEGY				
4.7	GENERAL BUSINESS				
4.7.1	External Quality Assessment (EQA)			<p>The Chairperson noted the EQA has been completed by the Institute of Internal Auditors.</p> <p>Governance Section Manager informed the ARIC that a meeting was planned next week to discuss some aspects of the EQA. The ARIC were also advised that a Roadmap is being prepared on the EQA report implementation.</p> <p>The General Manager outlined that further discussion / decisions will be completed on the objective of improvements identified in the EQA, resource requirements and timeframes.</p>	
5.0	FUTURE MEETING DATES				
5.0.1	Current meeting schedule	5 mins	Members	<p>The Committee noted the meeting schedule for the following meetings and that the meetings will commence at 4pm.</p> <ul style="list-style-type: none"> • Thursday 10 October 2024. • Thursday 27 February 2025. • Thursday 29 May 2025. 	Noted.
6.0	KEY MESSAGES				

Item	Topic	Time Required	Responsible Officer	Action	Decision
MEETING CLOSED AT 6.20pm					
NEXT MEETING					
Date:	Thursday, 10 October 2024	Time: 4 – 6pm	Venue:	Committee room	
MEETING CODE OF COOPERATION					
We start on time and finish on time.					
We all participate and contribute – everyone is given opportunity to voice their opinions.					
We use improvement tools that enhance meeting efficiency and effectiveness.					
We actively listen to what others have to say, seeking first to understand then to be understood.					
We follow up on the actions we are assigned responsibility for and complete them on time.					
We give and receive open and honest feedback in a constructive manner.					
We use data to make decisions (whenever possible).					
We strive to continually improve our meeting process and build time into each agenda for reflection.					
We will promote best practice, keeping open minds, combining our experiences and shared learnings to inform our deliberations.					

ITEM NO. 4

**FILE NO: 24/291006
EDRMS NO: PSC2024-01273**

DESIGNATED PERSONS' RETURN

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to table Councillor and Designated Persons' Return/s (return) submitted.

In accordance with Part 4 – Pecuniary Interest of the Code of Conduct, all designated persons are required to submit a return. Returns are to be tabled at the first Council meeting after the lodgement date.

The following is a list of position/s who have submitted return/s:

- Senior Ranger PSC762.

In addition to the above items, two further positions will be included in the annual returns for 2024 to 2025:

- Statutory Property Manager PSC1236.
- Property Investment and Development Coordinator PSC1059.

ATTACHMENTS

Nil.

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

- 1) Designated Persons' Return.

ITEM NO. 5

**FILE NO: 24/298983
EDRMS NO: PSC2017-00106**

COUNCIL RESOLUTIONS

REPORT OF: TIMOTHY CROSDALE - GENERAL MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to inform the Mayor and Councillors of the status of all matters to be dealt with arising out of the proceedings of previous meetings of the Council in accordance with the Code of Meeting Practice.

ATTACHMENTS

- 1) Community Futures resolutions. [↓](#)
- 2) Corporate Strategy and Support resolutions. [↓](#)
- 3) Facilities and Infrastructure resolutions. [↓](#)
- 4) General Manager's Office resolutions. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

ITEM 5 - ATTACHMENT 1 COMMUNITY FUTURES RESOLUTIONS.



Action Sheets Report	Division: Community Futures	Date From: 28/11/2023
	Committee:	Date To: 12/11/2024
	Officer:	Printed: Thursday, 14 November 2024

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Lamont, Brock	RAMSAR Listing for Mambo Wanda Wetlands	30/12/2025	29/11/2023	
4		Peart, Steven				23/324875
13 Nov 2024						
A briefing will be undertaken next term following receipt of responses from State and Federal Ministers.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 27/02/2024	Lamont, Brock	Draft Port Stephens Development Control Plan - Road Network and Parking (Electric Vehicles)	28/03/2025	28/02/2024	
3 014		Peart, Steven				24/50158
13 Nov 2024						
Council resolved to endorse the Port Stephens Development Control Plan 2014 Chapter B8 Road Network and Parking (electric vehicles) and provide public notice. Outstanding actions have been integrated into forward work plans. A briefing will be presented to Councillors.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council	Gardner, Janelle Peart, Steven	URGENCY MOTION: Youth Interagency - see Minutes for actions.	28/02/2025		
13 Nov 2024						
The next Youth Interagency meeting will be hosted by Port Stephens Family Neighbourhood Centre. At this meeting, it is intended that the facilitation role will be handed over to Port Stephens Council to lead going forward. Council staff have been coordinating with PSFANs to confirm a date for the meeting, as it has not yet been scheduled. Additionally, the Raymond Terrace working group will be established during this meeting to support local youth initiatives. As part of the ongoing review of the Youth Action and Advisory Plan (YAAP), efforts are being made to reinvigorate the group, with a focus on incorporating younger members in the new year.						

ITEM 5 - ATTACHMENT 2 CORPORATE STRATEGY AND SUPPORT RESOLUTIONS.



Division:	Corporate Strategy and Support	Date From:	11/10/2022
Committee:		Date To:	12/11/2024
Officer:		Printed:	Thursday, 14 November 2024
Action Sheets Report			

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Property Investment and Development Policy	30/03/2025	12/10/2022	
1		Pattison, Zoe				22/273002
13 Nov 2024 Public Exhibition will commence once requested amendments are made and further clarification on the distribution of funds is resolved.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/10/2022	Pattison, Zoe	Policy Review: Acquisition and Divestment of Land	30/03/2025	12/10/2022	
2		Pattison, Zoe				22/273002
13 Nov 2024 Report deferred to allow for further clarification on the distribution of funds.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Pattison, Zoe	22 Homestead Street, Salamander Bay	30/06/2025	12/04/2023	
5 088		Pattison, Zoe				23/92450
13 Nov 2024 Council is investigating options for the rezoning of 22 Homestead Street, Salamander Bay, and the development of a Vegetation Management Plan, to provide the best opportunity to enable a successful long-term rehabilitation of the site.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/08/2023	Pattison, Zoe	Raymond Terrace Gateway Site Masterplan	31/12/2025		
1 193		Pattison, Zoe				23/214729
13 Nov 2024 Following a two way conversation with Councillors in November 2023, the options presented will be included in the context of the broader Raymond Terrace town centre improvements.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2024	Peterkin, Glen	Proposed Sale or Lease of 528 Hunter Street, Newcastle	28/02/2025	29/05/2024	
1		Pattison, Zoe				24/131056
13 Nov 2024 Marketing underway for a sale or lease scenario. The outcome of the negotiations will be reported back to Council.						

ITEM 5 - ATTACHMENT 2 CORPORATE STRATEGY AND SUPPORT RESOLUTIONS.



Division: Corporate Strategy and Support **Date From:** 11/10/2022
Committee: **Date To:** 12/11/2024
Officer: **Printed:** Thursday, 14 November 2024

Action Sheets Report

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/06/2024	Dodds, Melissa	Policy Review: Public Access to State Records after 20 Years Policy	30/03/2025	12/06/2024	
4		Pattison, Zoe				24/145208
13 Nov 2024						
The exhibition period has closed with no formal submissions being received during this time. The policy will go back to a future Council meeting.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/11/2024	Peterkin, Glen	Policy Review: Community Group Loans Policy	30/03/2025	13/11/2024	
3		Pattison, Zoe				24/307858
121						
13 Nov 2024						
The revised Community Group Loans Policy was deferred at the meeting held on 12 November 2024 with a request that the General Manager send a survey out to all known community groups asking if they have ever accessed the program, considered accessing it, or would ever see themselves accessing it. The outcomes of the survey will be provided at a two-way conversation for further understanding for Councillors.						

ITEM 5 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE RESOLUTIONS.



Division: Facilities and Infrastructure **Date From:** 27/08/2013
Committee: **Date To:** 12/11/2024
Officer: **Printed:** Thursday, 14 November 2024
Action Sheets Report

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
	Ordinary Council	Maretich, John Kable, Gregory	Campvale Drain	30/06/2025		
13 Nov 2024 Awaiting final execution of easement documentation for 2 properties. All other properties (with exception of these 2) have been finalised.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 11/04/2023	Maretich, John Kable, Gregory	Naming Recreation Precinct at Medowie after Geoff Dingle	30/06/2025	12/04/2023	23/92450
13 Nov 2024 Once the reserve has been subdivided as per the Medowie Place Plan, an application will be submitted to the Geographical Naming Board to name the recreation precinct after Geoff Dingle.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/11/2023	Maretich, John Kable, Gregory	Sale of closed roads in Raymond Terrace	30/06/2025	29/11/2023	23/324875
13 Nov 2024 Two of the roads are being marketed. An Expression of Interest (EOI) for the remaining road is underway.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2024	Maretich, John Kable, Gregory	Bus Stop Infrastructure Plan	31/03/2025	29/05/2024	24/131056
13 Nov 2024 As per Council resolution a review of the Bus Stop Infrastructure will be undertaken.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 28/05/2024	Maretich, John Kable, Gregory	Pathways Review	31/03/2025	29/05/2024	24/131056
13 Nov 2024 As per Council resolution, staff will undertake a review of Councils pathways plans.						

ITEM 5 - ATTACHMENT 3 FACILITIES AND INFRASTRUCTURE RESOLUTIONS.



Action Sheets Report	Division: Facilities and Infrastructure	Date From: 27/08/2013
	Committee:	Date To: 12/11/2024
	Officer:	Printed: Thursday, 14 November 2024

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2024	Maretich, John	Maintenance of Gravel Roads	31/03/2025	10/07/2024	
2		Kable, Gregory				24/176219
13 Nov 2024						
As per Council resolution, staff will undertake a review of the maintenance of gravel roads.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 23/07/2024	Maretich, John	Raymond Terrace Boat Ramp	31/03/2025	24/07/2024	
6		Kable, Gregory				24/189773
13 Nov 2024						
Staff will investigate options to upgrade Raymond Terrace Boat Ramp and present in a two-way conversation.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/11/2024	Gutsche, Tammy	Renewal of Lease - 49 William Street, Raymond Terrace	10/12/2024	13/11/2024	
1 128		Kable, Gregory				24/307858
13 Nov 2024						
As per Council resolution, Staff will conduct a survey of the residents of Raymond Terrace on options for the site.						



Action Sheets Report	Division: General Manager's Office	Date From: 09/07/2024
	Committee:	Date To: 12/11/2024
	Officer:	Printed: Thursday, 14 November 2024

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 9/07/2024	Wickham, Tony	Initiation of a Proposal to Alter the Port Stephens Local Government Boundaries	28/02/2025	10/07/2024	
1		Crosdale, Timothy				24/176219
13 Nov 2024 Engagement with neighbouring Councils is being undertaken.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 22/10/2024	Wickham, Tony	Payment of Expenses and Provision of Facilities to Councillors Policy	4/12/2024	24/10/2024	
4		Crosdale, Timothy				24/288938
13 Nov 2024 Policy on public exhibition.						

Type	Meeting	Officer/Director	Subject	Est. Compl.	Emailed	Completed
Report	Ordinary Council 12/11/2024	Wickham, Tony	Policy Review: Management of Competitive Neutrality Complaints Policy	13/12/2024	13/11/2024	
6		Crosdale, Timothy				24/307858
13 Nov 2024 Policy on public exhibition.						

ITEM NO. 6

**FILE NO: 24/300742
EDRMS NO: PSC2009-00965**

DELEGATIONS REPORT

REPORT OF: TONY WICKHAM - GOVERNANCE SECTION MANAGER
DIRECTORATE: GENERAL MANAGER'S OFFICE

BACKGROUND

The purpose of this report is to advise Council of each occasion the Mayor and/or General Manager have exercised their delegations, other than under section 226 and 335 of the Local Government Act 1993, which are conferred on each role.

The report at **(ATTACHMENT 1)** provides details of the delegation exercised, such as the delegated authority, the date and the reason for exercising the delegation.

ATTACHMENTS

- 1) Delegations Report. [↓](#)

COUNCILLORS' ROOM/DASHBOARD

Nil.

TABLED DOCUMENTS

Nil.

MAYOR AND GENERAL MANAGER DELEGATION REPORT

Date exercised	Delegations exercised	Purpose	Role exercising delegation	Reported to Council
28 October 2024	Clause 178 of the Local Government (General) Regulation 2021	Acceptance of tender T054-2024 - Birubi Beach Vehicle Guidance Management System.	General Manager	26 November 2024
23 October 2024	Code of Meeting Practice	Approval of 2 Public Access requests for the Establishment of a Cultural and Arts Community Centre and the Power Infrastructure Works at the Koala Sanctuary.	Mayor	26 November 2024
31 October 2024	Code of Meeting Practice	Approval of Public Access request for the Henderson Park Amenities.	Mayor	26 November 2024
5 November 2024	Clause 178 of the Local Government (General) Regulation 2021	Acceptance of tender RFQ084-2024 - Supply and Delivery of 1 truck cab chassis with tipping body and axle dog trailer with tipping body.	General Manager	26 November 2024
7 November 2024	Roads and Maritime Services delegations	Authorises the installation, display, removal or alteration of the traffic control devices for the listed items identified in the minutes of the Port Stephens Local Traffic Committee report dated 1 October 2024.	General Manager	26 November 2024
9 November 2024	Code of Meeting Practice	Approval of Public Access request for DA 16-2023-403-1 – Seniors Housing Development – 48-54 President Wilson Walk, Tanilba Bay	Mayor	26 November 2024
12 November 2024	Code of Meeting Practice	Approval of Public Access request for the Offshore Wind Proposal	Mayor	26 November 2024
14 November 2024	Clause 178 of the Local Government (General) Regulation 2021	Acceptance of tender RFQ090-2024 - Meadowie Road Seg40, 50 & 60 Pavement Rehab	General Manager	26 November 2024

NOTICES OF MOTION

NOTICE OF MOTION

ITEM NO. 1

**FILE NO: 24/286280
EDRMS NO: PSC2024-03148**

DISABILITY INCLUSION ADVISORY PANEL

COUNCILLOR: JASON WELLS

THAT COUNCIL:

- 1) Requests the General Manager to prepare a report on the establishment of a Disability Inclusion Advisory Panel to provide community representation, advice and advocacy to advance the inclusion of people with disability.
-

**BACKGROUND REPORT OF: JANELLE GARDNER – COMMUNICATIONS
SECTION MANAGER**

BACKGROUND

Council is committed to disability inclusion and building a community where everyone can easily access opportunities and fully participate in their community.

The Wellbeing Strategy and Disability Inclusion Action Plan represents our commitment to making Port Stephens a place where wellbeing is prioritised and people can lead happy, healthy and connected lives no matter their age, background or ability.

The establishment of an Advisory Panel would offer Council a regular forum for discussion, consultation, collaboration and advice provided from people with lived experience and those working in the sector in Port Stephens.

Should this motion be supported, a report would be prepared detailing:

- A draft Terms of Reference for the panel covering matters such as purpose, scope, membership, term and governance requirements.
- The resourcing requirements to administer the panel.
- Any ongoing recurrent budget implications to deliver the panel.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 2

**FILE NO: 24/308533
EDRMS NO: PSC2024-03148**

FERN BAY SHARED PATHWAY

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes the recently completed Fern Bay Shared Pathway is a great asset for the local community that was delivered professionally by Council staff thanks to funding delivered by the elected Council.
 - 2) Notes that a second driveway at 1018 Nelson Bay Rd which was built into the existing verge was not factored into the design, leading to the resident losing the ability to easily access their second driveway.
 - 3) Agrees that Council works that improve amenity generally for a community should not disadvantage existing land uses of residents.
 - 4) Requests the General Manager to prepare a report outlining the costs for a capital works crew to attend to this address and cut in access to the shared pathway so that the second driveway is useable in line with the existing use prior to Council works in the area.
-

BACKGROUND REPORT OF: JOHN MARETICH – ASSETS SECTION MANAGER

BACKGROUND

The recently installed shared path was built at the same level as the previous path. This level was fixed by two Telstra pits and Hunter Water Corporation (HWC) hydrant levels.

Though the new path is now wider, hence the distance from the road to the path edge is now narrowed and consequently this has steepened the rise from the road. This steepness has increased by 58mm. This change however remains suitable for informal vehicular access. It is noted that this is a second driveway to this property and our review has shown that this second driveway does not have an approval.

Whilst Council is the regulatory approver of driveways, as Nelson Bay Road is a state road, Transport for NSW is required to provide their consent for any new applications such as this second driveway.

ORDINARY COUNCIL - 26 NOVEMBER 2024

Should the shared path require lowering, and relevant approvals can be obtained, the works would likely include the lowering of the Hunter Water and Telstra utility services and other potential services (Telstra or NBN) modifications may also be required.

These matters would be reported back to Council in response to this NOM.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 3

**FILE NO: 24/308561
EDRMS NO: PSC2017-00180**

PORT STEPHENS KOALA HOSPITAL POWER UPGRADE

COUNCILLOR: GIACOMO ARNOTT

THAT COUNCIL:

- 1) Notes the request from Port Stephens Koala Hospital for support to help secure funding to improve power supply to their site.
 - 2) Request that the General Manager write to the Member for Port Stephens, NSW Minister for the Environment, NSW Minister for Lands, requesting their support for Port Stephens Koala Hospital's request for funding.
 - 3) Request that the General Manager write to the Member for Paterson and the Federal Minister for the Environment, requesting their support for Port Stephens Koala Hospital's request for funding.
-

**BACKGROUND REPORT OF: CAMERON DONALDSON – HOLIDAY PARKS
SECTION MANAGER**

BACKGROUND

The Port Stephens Koala Hospital (PSKH) is located at 562 Gan Gan Road, One Mile and was officially opened in September 2020. The PSKH shares the site with the Port Stephens Koala Sanctuary (PSKS) by way of a sublease lease and services agreement.

PSKH fulfils a number of functions in relation to care services and the conservation of koalas within the Port Stephens LGA.

PSKH has recently completed an upgrade and extension of the existing facilities utilising funding from the Federal Government with the Minister for the Environment and Water declaring the extensions to PSKH officially open in September 2024.

As part of this upgrade, a CT scanner was installed.

The current electrical infrastructure provided to support both the PSKS and the PSKH is inadequate to support the operations of the CT scanner now in place within the PSKH. The PSKH power usage is not separately metered.

ORDINARY COUNCIL - 26 NOVEMBER 2024

PSKH has consulted with Ausgrid regarding this issue and has approached Council with a potential solution to increase the power feed into both the PSKS and the PSKH.

Based on the in-principal support from Ausgrid to increase the power feed, the cost to undertake this work has been estimated to be a minimum of \$550,000 - \$600,000.

Should this work go ahead PSKH will have its own separately metered service with adequate power to support the new CT scanner.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.

NOTICE OF MOTION

ITEM NO. 4

**FILE NO: 24/308564
EDRMS NO: PSC2020-00186**

**THE HON. DR DAVID GILLESPIE MP, FEDERAL MEMBER FOR LYNE -
RETIREMENT**

COUNCILLORS: BEN NILAND
CHRIS DOOHAN

THAT COUNCIL:

- 1) Notes the recent announcement of The Hon. Dr David Gillespie MP to retire as the Federal Member for Lyne and thank The Hon. Dr Gillespie MP for his service.
-

BACKGROUND REPORT OF: TIM CROSDALE – GENERAL MANAGER

BACKGROUND

The Hon. Dr David Gillespie has represented the Electorate of Lyne since being elected in 2013.

The electoral division of Lyne covers the suburbs of Karuah and Wallalong which fall within the Port Stephens Local Government Area.

Dr Gillespie announced his intention to retire in October 2024.

FINANCIAL/RESOURCE IMPLICATIONS

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		
Reserve Funds	No		
Developer Contributions (\$7.11)	No		
External Grants	No		
Other	No		

ATTACHMENTS

Nil.