

# PORT STEPHENS COUNCIL

## INSTRUMENT OF DELEGATION TO Mayor

On Tuesday, 26 November 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.

- **‘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><b>Mayor Functions –</b></p> <p>Authority to exercise and/or perform the role of the mayor.</p> <p><b>Pursuant To –</b></p> <p>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 Stephens Council to enter into or be a party to any property or commercial transaction, provided that the transaction has</p>

		<p>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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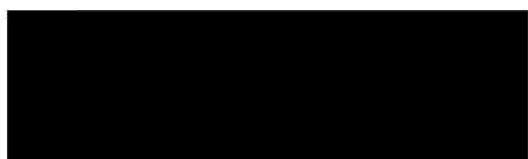
## Schedule 2: Policy Authorities

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, 26 November 2024,



Jason Wells

Deputy Mayor

Date: Tuesday, 26 November 2024

Review date: Monday, 27 November 2028

## Delegate Acknowledgement of Delegation

I Leah Anderson 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: