

REPORT TO COUNCIL 16/7/85REPORT BY ADMINISTRATIVE ASSISTANT TO DEPUTY TOWN CLERK

SUBJECT: SECTION 530A COMMITTEES - DELEGATION OF POWERS
(ARC/LM/C4-13)

Following the review of the Committee system agreed to and adopted by Council on the 11th June, 1985 it is necessary to restate the functions and powers of Section 530A Committees which will now include the Saleyards and the Aerodrome Committees, up until now operating as Section 527 Committees with responsibility for Care, Control and Management in terms of that Section of the Local Government Act.

Under Section 530A of the Local Government Act Council may, by resolution, authorise a Committee to exercise or perform, on behalf of the Council, any power, authority, duty of function other than a power, authority, duty or function relating to:-

- (a) the making of any rate, the fixing of any charges or fees, or the borrowing of any moneys;
- (b) the voting of moneys for expenditure on the works, services or operations of the Council;
- (c) the resumption, purchase, sale, exchange, leasing or surrender of any land or other property or the granting of any lease of land;
- (d) the acceptance of tenders;
- (e) any application or notice to the Governor or the Minister;
- (f) the payment of travelling expenses;
- (g) any other matter which may be prescribed.

and such authority may, if the Committee so resolves, be unlimited as to the period during which it may be exercised, or may be for a specific period.

It is recommended that the following Committees be authorised to exercise or perform, on behalf of the Council, the undernoted functions, powers or duties:

1. AERODROME ADVISORY COMMITTEE

Subject to the exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates:

- (1) To formulate policies relating to management of the Aerodrome and to the maintenance of all its facilities and to recommend these policies to Council for adoption.
- (2) To monitor the implementation of these policies and to ensure that they are carried out.

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- (3) To monitor on a regular basis the day to day operations of the Aerodrome; to consider and decide upon proposals for expenditure associated with such operations and covered by adopted estimates of expenditure; to consider and decide upon queries relating to adopted fees and charges; to monitor revenue and expenditure in relation to adopted estimates.
- (4) To recommend to Council the allocation of sites for hangars either for lease or sale as deemed appropriate.
- (5) To recommend to Council development of facilities to secure the best and most effective results for those who use them.
- (6) To ensure that Council's assets are adequately protected by insurance and by other means against loss or damage by flood, fire, theft or other hazards.
- (7) The submission to Council of plans for future development of the Airport and for their regular review.
- (8) To recommend to Council from time to time a fee for hire of the Airport set out in Policy No. D.15 and to monitor fees and charges and to recommend their review from time to time.

2. SALEYARDS ADVISORY COMMITTEE

Subject to the exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates.

- (1) To formulate policies relating to the management of the Saleyards and to the maintenance of their facilities and to recommend those policies to Council for adoption.
- (2) To monitor the implementation of those policies and to ensure that they are carried out.
- (3) To monitor on a regular basis the day to day operations of the Saleyards; to consider and decide upon proposals for expenditure associated with such operations and covered by adopted estimates of expenditure; to consider and decide upon queries relating to adopted fees and charges; to monitor revenue and expenditure in relation to adopted estimates.
- (4) To recommend to Council the introduction of new features and the development of innovative ideas for more efficient operation.
- (5) To monitor fees and charges and to recommend upon their review from time to time.

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- (6) The submission to Council of plans for future development of the Saleyards and for their regular review.
- (7) To ensure that Council's assets are adequately protected by insurance and by other means against loss or damage by flood, fire, theft or other hazards.

3. PROMOTION, DEVELOPMENT AND INDUSTRIES COMMITTEE

Subject to the exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates.

- (1) To determine the avenues which should be pursued by the Development Officer to
 - (i) attract industries (of all forms) to establish in Lismore;
 - (ii) persuade or assist existing local industries to expand,
 and authorise him to act accordingly.
- (2) To determine the particular types of industry most suitable for development or expansion in Lismore having particular regard to Government policies from time to time (currently these are those industries most closely associated with natural resources of the area).
- (3) To determine what steps should be taken from time to time to relieve unemployment in the area.
- (4) The promotion of the sale of land for the establishment of industries.
- (5) To make recommendations to Council concerning the provision/development of additional industrial land and services as needs dictate.
- (6) The promotion of Lismore as
 - (i) the commercial, cultural and sporting capital of the North Coast;
 - (ii) a tourist centre;
 - (iii) a convention centre;
 - (iv) a centre for decentralised industries.
- (7) To make recommendations concerning the development (by private enterprise and by Council) of facilities and attractions to provide for the promotion of [(6) (i), (ii), (iii) and (iv)].
- (8) To determine and recommend to Council each year the extent to which funds should be allocated for promotion and development.
- (9) To promote and manage special events - e.g. Christmas Activities and to determine the extent to which funds should be allocated from the Promotion, Development and Industries budget.

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- (10) Planning for the long term development of resources for the aims set out in (6) above and submission of a 5-year programme in that regard.
- (11) To monitor the expenditure of funds voted by Council for promotion, industrial development, tourism and advertising the advantages of the area.

4. CIVIC DESIGN COMMITTEE

Subject to exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates:

- (1) To monitor the maintenance of and to recommend improvements in parks, gardens, reserves, playgrounds, bikeways, streets and open spaces in an attractive and tidy state within the confines of resources available and to make at least minimum provision for future growth.
- (2) In association with Council's Departments to interest itself and to recommend to Council upon the broad principles of planning and design as applied to individual Villages, City approaches, streetscapes, landscapes, buildings, bridges and signs.
- (3) In association with Council's Departments, to recommend to Council on the preparation and review of guidelines relating to the character, location, siting, bulk, scale, shape, size, height, density, design, external appearance or landscaping of developments.
- (4) In association with the Town Planning Department, to recommend to Council on matters relating to the protection, preservation or restoration of historic buildings or land within the City.
- (5) To institute a system of Annual Civic Design Awards and to encourage public awareness of the importance of improving the quality of the built environment.
- (6) To monitor resources on a regular basis with the object of achieving the most economic usage of such resources over the field of operations; to consider and decide upon proposals for expenditure associated with Civic Design and covered by the Committee's adopted estimates.
- (7) To liaise with the Town Planning Department on the future provision of open spaces for recreation or parks.

5. INTERNATIONAL RELATIONS COMMITTEE

Subject to exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates:

REPORT TO COUNCIL ON SECTION 530A COMMITTEES

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- (1) To monitor the operation of the Sister City Agreements between Lismore and Yamato Takada; Lismore and Ujung Pandang; Lismore and Sacile and Lismore and the Isle of Lismore and to initiate actions relevant thereto.
- (2) In particular,
 - (i) to work towards student, youth or cultural exchanges with a view to encouraging and spreading friendship and understanding between peoples and nations;
 - (ii) to work towards the provision of assistance in the fields of Education, Agriculture, Health, Local Government, etc.
- (3) Generally, to foster Council's relationships with other towns or cities in the world as may be considered appropriate.

6. COMMUNITY SERVICES COMMITTEE

Subject to the exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates:

- (1) To determine major welfare needs and to advise Council on the development of community service plans and policies to meet these needs.
- (2) To initiate action to implement approved plans and policies.
- (3) To consider and comment upon the social impact of major developments and growth.
- (4) To encourage the co-ordination of local services and co-operation between Commonwealth, State, local and voluntary organizations in the provision of services.
- (5) To determine and recommend to Council each year the extent to which funds should be allocated for community services.
- (6) To consider applications for financial assistance from recognized welfare bodies and to approve such applications within its available budgeted resources.
- (7) To inform Council and the community on the importance of a broad range of adequate housing and the social implications when there is a lack of low income housing.
- (8) To draw Council's attention to the housing needs of particular resident groups and to recommend policies and actions which Council can take to assist these residents.

REPORT TO COUNCIL ON SECTION 530A COMMITTEES

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- (9) To recommend policies to Council regarding the provision of adequate land stock zoned for a wide range of residential uses and also policies regarding the minimisation of development costs in order to help keep the cost of housing down.
- (10) To pursue any other matters relevant to housing.

Submitted for Council's consideration, having received the approval of the Committee of Review.

*Allan**[Signature]*.....
Administrative Assistant

9th July, 1985

DEPUTY TOWN CLERK'S REPORT

Recommended for adoption.

[Signature]
.....

Deputy Town Clerk

10th July, 1985

TB
 ✓ Shann
 ✓ Andrew B.
 ✓ Enw Centre (Steve)
 ✓ K Child

Models for S530A MO Committee in
 Lis + Kypke.

I propose a coordinated & joint
 Lis + Kyp S530 (or S527) Committee
 having common policy with
 jurisdiction to determine DOT's & PA
 for MO's.

1-3-86 (no copy kept)
 Let to Shann with letter for draft ideas for an
 Community Settlements Adv Commttee of his Council.

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- (3) To monitor on a regular basis the day to day operation of the Aerodrome; to consider and decide upon proposals for expenditure associated with such operations and covered by adopted estimates of expenditure; to consider and decide upon queries relating to adopted fees and charges; to monitor revenue and expenditure in relation to adopted estimates.
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REPORT TO COUNCIL ON SECTION 530A COMMITTEES

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Alan

J. P. Cotton

9th July, 1985

Administrative Assistant

DEPUTY TOWN CLERK'S REPORT

Recommended for adoption.

10th July, 1985

S. J. L. L. L.
Deputy Town Clerk

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5. INTERNATIONAL RELATIONS COMMITTEE

Subject to exclusions above listed under (a) to (g) and within the approved budgetary limits as reflected in Council's adopted estimates:

MASTER

Distinction between S. 527 and S. 530A Committees of Council.

In July '85 the Leisure Council converted a number of S. 527 Committees to S. 530A Committees.

The essential difference between these two sections is that under S. 527 the Committee automatically has the care, control and management of its affairs, whereas under S. 530A this only exists if the Council so chooses to give the Committee this degree of responsibility. Usually it appears, this is not given in so many words.

It appears that previous Councils were not concerned that the citizen members outnumbered the Alderman members. The current Council viewed them as elected members, did (or could theoretically) not have final jurisdiction in determination of Committee decisions. It appears this provided the motivation to convert most of the S. 527 Committees to S. 530A Committees. At the same time membership was adjusted so that there would be equal representation by citizens and aldermen.

It is acknowledged that under either type of Committee Council do have power to recall and override decisions of any committee.

Two Committees were not converted from 527 to 530 A viz. Sports Ass. and the Rosedale Community Committee. The reason given is that there are long established Committees - in the case of the Sports Ass. - 60 years and have a long history of virtual autonomy without conflict with Council.

S. 530 A Committees are referred to as "Advisory Committees".

Distinction between S. 527 and S. 530A Committees of Council.

In July '85 the Executive Council converted a number of S. 527 Committees to S. 530A Committees.

The essential difference between these two sections is that under S. 527 the Committee automatically has the care, control and management of its affairs, whereas under S. 530A this only exists if the Council so chooses to give the Committee this degree of responsibility. Usually it appears, this is not given in so many words.

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S. 530A Committees are referred to as "Advisory Committees".

Distinction between S. 527 and S. 530A Committees of Council.

In July '85 the Linnvale Council converted a number of S. 527 Committees to S. 530A Committees.

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S. 530 A Committees are referred to as "Advisory Committees".

*Local Government.**Local committees.*

527. (1) The council may appoint in respect of any work park reserve cemetery or undertaking under the control of the council, a committee of local citizens, and delegate to the committee the care control and management (subject to the council and the ordinances) of the work park reserve cemetery or undertaking, and the expenditure of such moneys as the council may vote.

Council may
appoint local
committees.

(2) Any such committee may be dissolved by the council at any time.

(3) Each such committee shall cease to hold office at the expiration of three months after the general election of the council next following upon the appointment of the committee but shall be eligible for re-appointment.

New section
added,
Act No. 19,
1945, s. 21
(d).

Repealed,
Act No. 3,
1964, s. 13
(b) (i).

Power to
delegate.

530A. (1) * * * * *

(2) Subject to this section the council may by resolution authorise an officer, or a servant, or a person, or a committee consisting either wholly or in part of officers, servants or persons to exercise or perform on behalf of the council any power, authority, duty, or function of the council other than a power, authority, duty or function relating to—

- (a) the making of any rate, the fixing of any charges or fees, or the borrowing of any moneys;
- (b) the voting of moneys for expenditure on the works, services or operations of the council;
- (c) the resumption, purchase, sale, exchange, leasing or surrender of any land or other property or the granting of any lease of land;
- (d) the acceptance of tenders;
- (e) any application or notice to the Governor or the Minister;
- (f) the payment of travelling expenses;
- (g) any other matter which may be prescribed.

(3) (a) Any such authority may, if the council so resolves, be unlimited as to the period during which it may be exercised, or may be exercisable only during such period as may be specified in the resolution.

(b) The exercise of any such authority shall be subject to such limitations and conditions as may be specified by the council by resolution, or as may be prescribed.

(4) Any officer, servant, person or committee, when acting in the exercise of any such authority and within its scope, shall be deemed to be the council.

(5) Any authority conferred by the council under this section may be withdrawn by the council by a subsequent resolution, either wholly or in part.

(6) No act of an officer, servant, person or committee done within the scope of any such authority during the period in which such authority remains in force shall be invalidated by reason of a withdrawal of the authority.

Amended,
Act No. 3,
1964, s. 13
(b) (ii).

Wash.

Feb

✓ Shann
✓ Kew

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(2) Any such committee may be dissolved by the council at any time.

(3) Each such committee shall cease to hold office at the expiration of three months after the general election of the council next following upon the appointment of the committee but shall be eligible for re-appointment.

New section
added,
Act No. 19,
1945, s. 21
(d).

Repealed,
Act No. 3,
1964, s. 13
(b) (i).

Power to
delegate.

530A. (1) * * * * *

(2) Subject to this section the council may by resolution authorise an officer, or a servant, or a person, or a committee consisting either wholly or in part of officers, servants or persons to exercise or perform on behalf of the council any power, authority, duty, or function of the council other than a power, authority, duty or function relating to—

- (a) the making of any rate, the fixing of any charges or fees, or the borrowing of any moneys;
- (b) the voting of moneys for expenditure on the works, services or operations of the council;
- (c) the resumption, purchase, sale, exchange, leasing or surrender of any land or other property or the granting of any lease of land;
- (d) the acceptance of tenders;
- (e) any application or notice to the Governor or the Minister;
- (f) the payment of travelling expenses;
- (g) any other matter which may be prescribed.

(3) (a) Any such authority may, if the council so resolves, be unlimited as to the period during which it may be exercised, or may be exercisable only during such period as may be specified in the resolution.

(b) The exercise of any such authority shall be subject to such limitations and conditions as may be specified by the council by resolution, or as may be prescribed.

(4) Any officer, servant, person or committee, when acting in the exercise of any such authority and within its scope, shall be deemed to be the council.

(5) Any authority conferred by the council under this section may be withdrawn by the council by a subsequent resolution, either wholly or in part.

(6) No act of an officer, servant, person or committee done within the scope of any such authority during the period in which such authority remains in force shall be invalidated by reason of a withdrawal of the authority.

Amended,
Act No. 3,
1964, s. 13
(b) (ii).

*Local Government.**Local committees.*

527. (1) The council may appoint in respect of any work park reserve cemetery or undertaking under the control of the council, a committee of local citizens, and delegate to the committee the care control and management (subject to the council and the ordinances) of the work park reserve cemetery or undertaking, and the expenditure of such moneys as the council may vote.

Council may
appoint local
committees.

(2) Any such committee may be dissolved by the council at any time.

(3) Each such committee shall cease to hold office at the expiration of three months after the general election of the council next following upon the appointment of the committee but shall be eligible for re-appointment.

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- (c) the resumption, purchase, sale, exchange, leasing or surrender of any land or other property or the granting of any lease of land;
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