

13. COUNCIL RECESS – DELEGATION OF AUTHORITY

Officer responsible Council Secretary	Author Julie Sadler, DDI 371-1438
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The purpose of this report is to seek approval to delegate the powers currently exercised by Standing Committees to the Recess Special Committee for the remainder of the current term of the Council and to the City Manager during the interregnum.

As the present Council remains in office until the Electoral Officer makes his declaration in the latter part of October, Resource Management Panels, the District Licensing Agency, Special Committees or Subcommittees with delegated powers can continue to meet and make decisions up to that time.

Apart from the Council Hearings Panel, no Standing Committee meetings are scheduled after the final Council meeting. It is therefore requested that arrangements be put in place to ensure that tenders for contracts above the officer level delegations can be accepted and other routine business normally subject to Standing Committee approval, can be transacted.

The Council has a special committee, known as the Recess Special Committee, with the following terms of reference:

- 1. To deal with any urgent matters arising between the last ordinary meeting of the Council in each year and the first ordinary meeting of the Council the succeeding year.*
- 2. The Recess Special Committee shall report on any exercise of the delegated powers to the next ordinary meeting of the Council.*

The membership of the Committee is the Chairperson of the relevant Standing Committee and the Mayor (or in their absence their respective deputies).

It is suggested that all Standing Committee delegations, apart from the delegations to the Council's Hearings Panel, be transferred to the Recess Special Committee for the remainder of the current term.

Generally speaking, it is unusual for the Council to delegate powers beyond those held by Standing Committees during a recess. The usual practice has been to call a special Council meeting to deal with any urgent issues requiring a Council-level decision.

Elected members cannot act in any capacity until they have made their statutory declarations at the inaugural Council meeting, which is expected to be held in early November. Therefore, unless special arrangements are made, it will not be possible for any delegations above the level held by the City Manager to be exercised during the period between the current Council going out of office and the installation meeting of the incoming Council. In 1992, 1995 and 1998 the Council delegated authority to the City Manager to act during the interregnum. It is suggested that a similar arrangement be put in place this year.

This year it is also requested that the powers of the Saturn Subcommittee be delegated to staff. This Subcommittee has been meeting on a bi-monthly basis to approve the scheme plans for the installation of the Telstra Saturn cable network. To avoid the approval process being unnecessarily delayed it is requested that authority be delegated to staff to approve all routine plans until the new subcommittee is appointed.

- Recommendation:**
1. That the Recess Special Committee be authorised to exercise the delegated powers of Standing Committees (apart from the Council Hearings Panel) for the remainder of the current Council term.
 2. That during the interregnum (being the period between the official declaration of the result of the election and the inaugural Council meeting) the City Manager be authorised to exercise the powers of the Recess Special Committee.
 3. That during the interregnum the City Manager, the Director of Finance and the Director of Policy be authorised to witness the affixing of the Common Seal, in substitution for the Mayor and any other Councillor.
 4. That authority be delegated to the project manager (John de Zwart) to approve all routine scheme plans for the Telstra Saturn cable network subject to:
 - adherence to the conditions set by the Council

- general conformity with the principles followed by the Saturn Subcommittee implementing the conditions set by the Council
- no sensitive or potentially controversial issues being dealt with under delegated authority