

## COMMITTEES UNDER S355

### STRATEGIC POLICY

**Responsible Department:** Cabonne Services

**Responsible Section:** Governance & Corporate Performance

**Responsible Officer:** Department Leader – Governance & Corporate Performance

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#### Objective

Under Section 355 (s355) of the Local Government Act 1993, Council is able to carry out some of its functions through a committee of Council. Council uses the power to delegate (s377) and appoints members of the community to form a committee of management. Management committees provide an opportunity for local communities to develop 'ownership' of facilities and services and play an active role in the provision of them.

#### Introduction

The delegations of functions are limited to the care, control and management of a Council asset in accordance with the Terms of Reference which outlines the function and terms of the delegation.

#### Policy

Council recognizes the importance of community involvement in Council's facilities and supports the use of its delegated authority under s355 of the Local Government Act to delegate authority to various functions. Council will only authorise s355 Committees under s377 of the Local Government Act 1993 (the Act) where appropriate and in accordance with the Act.

#### Responsibilities

**General Manager:** responsible for the overall control and implementation of the policy.

**Deputy General Managers & Department Leaders:** responsible for the control of the policy and procedures within their area of responsibility.

**S355 Committees:** are to operate within the delegation given and in accordance with the S355 Committees Information and Responsibilities and S355 Committees Information to aid in the completion of Annual Financial Statements publications provided.

## Definitions

**S355 committee:** a committee of persons vested by Council to exercise a function of Council as provided under the Local Government Act 1993

## References

Local Government Act 1993

S355 Terms of Reference – located in Council's Electronic Records Management System

S355 Committees Information and Responsibilities – located in Council's Electronic Records Management System

S355 Committees Information to Aid in the Completion of Annual Financial Statements – located in Council's Electronic Records Management System

Strategic Outcome 3.3 – Sporting, recreational, council and community facilities and services are maintained and developed – Located on Council's website within the Community Strategic Plan

## History

Minute No.	Summary of Changes	New Version Date
93/12/38	Committee under s355 - Authorisation Policy –original adoption	20 December 1993
94/4/47	First resolved to delegate responsibility under s377 of the Act	18 April 1994
2990, 2992/1	Public Halls Operated by Local Committees (Under s355) Policy - original adoption	21 April 1981
99/7/14	Insurance Claims – s355 Committees Policy – original adoption	19 July 1999

13/07/19	<p>Compilation of “<i>Committee under s355 - Authorisation Policy</i>”; “<i>Insurance Claims – s355 Committees Policy</i>”; and “<i>Public Halls Operated by Local Committees (Under s355) Policy</i>”.</p> <p>Updated re insurance excess amount and practices re Hall committees interaction over budget.</p>	16 July 2013
13/09/30	Readopted as per s165(4)	17 September 2013
18/05/20	Readopted as per s165(4)	22 May 2018
22/10/11	Updated to reflect changes to the organisational structure and position titles	27 October 2022