

**ATTACHMENT 4**

*Instrument of Delegation by the Council*

**Port Phillip City Council**

**Instrument of Delegation**

**to**

**a Special Committee**

**by**

**The Council**

**ATTACHMENT 4**

**PORT PHILLIP CITY COUNCIL  
INSTRUMENT OF DELEGATION**

**Authorising Provision**

This Instrument of Delegation is made pursuant to:

- (a) section 86(3) of the Local Government Act 1989; and
- (b) section 188 of the Planning and Environment Act 1987.

**Delegation To**

Port Phillip City Council delegates to the committee established by resolution of Council passed on 25 June 1997 and known as the "Statutory Planning Committee", the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 29 September 2009;
2. the delegation:
  - 2.1. comes into force the common seal is affixed to this Instrument of Delegation;
  - 2.2. remains in force until Council resolves to vary or revoke it; and
  - 2.3. is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights.

Deleted: 23 July 1997

DATED this 29<sup>th</sup> day of September 2009

Deleted: 23<sup>rd</sup> day of July 1997

Formatted: Superscript

**THE COMMON SEAL** of the **PORT PHILLIP CITY COUNCIL**  
was hereunto affixed in the presence of:

.....  
-----

Deleted: -----  
-----  
Mayor

Chief Executive Officer

Deleted: Chief Executive Officer

# ATTACHMENT 4

## SCHEDULE

### Function, Duty or Power Delegated

1. To exercise all Council's powers, duties and functions under the Planning and Environment Act 1987 in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance of those powers, duties and functions.

2. Comply with the Port Phillip Council Meetings Procedures Local Law.

Deleted: <#>Forward minutes of each meeting of the Committee to the next Ordinary Meeting of Council.¶

### Exceptions, Conditions and Limitations

1. The Committee is authorised to determine planning matters only.
2. The Committee is not authorised by this Instrument to exercise:
  - 2.1. those powers, duties and functions specified in section 86(4)(a) to (f) of the Local Government Act 1989 which cannot be so delegated; and
  - 2.2. the powers, duties and functions specified in section 188(2) of the Planning and Environment Act 1987; and
  - 2.3. any other power, duty or function which by law cannot be so delegated.