

Instrument of Delegation by the Council

Port Phillip City Council

Instrument of Delegation

to

a Special Committee

by

the Council

Port Melbourne Affordable Housing Project Planning Assessment Panel

Terms of Reference

Purpose

The panel has been established as a special committee by the Council under section 86 of the Local Government Act to decide on planning application expected to be received from the Port Phillip Housing Association in relation to the 121 Liardet St / Kyme Place site in Port Melbourne.

Objectives

1. To decide on any planning application from the Port Phillip Housing Association or its agent received in relation to the site at 121 Liardet Street, Port Melbourne, in accordance with the *Planning & Environment Act 1987* and relevant policies and guidelines of the council
2. To consider whether external independent assessment report or reports should be commissioned relating to the assessment of the planning application, and to request council officers to commission independent assessment report or reports up to the value of \$20,000

Delegation

3. This committee has delegated powers as set out in the instrument of delegation.

Membership

4. The committee will be appointed by the Council and will consist of
 - a) Two paid independent planning experts, one of which shall chair the panel
 - b) Two local residents or traders, appointed by the council following public advertisement in local newspapers
 - c) One councillor of the City of Port Phillip.
5. In the light of recent case law, no person will be appointed to any position at 4(a), 4(b) or 4(c) if: the person has made a submission to the Kyme Place sale/transfer of land process; and their submission addressed statutory planning matters; and their submission suggested prejudgement of the decision to issue a planning permit.
6. The chairperson of the Panel shall be appointed by the Council and shall be one of the two independent planning experts referred to at 4(a) above.

Meetings & meeting procedure

6. The Port Phillip Meetings Procedure Local Law will apply to this panel as if it were a special committee of councillors except the following sections:
 - d) Section 7(a) – Quorum at Meetings
 - e) Section 8 (a) (i) – Dates, times and places of meetings
 - f) Section 8 (d) – Order of Business

City of Port Phillip Instrument of Delegation

Port Melbourne Affordable Housing Project Planning Assessment Panel

Authorising provision

This Instrument of Delegation is made pursuant to sections 86(3) and 88 of the *Local Government Act 1989*

Delegation to:

Port Phillip City Council delegates to the committee established by resolution of Council passed on 25 August 2008 and known as the Port Melbourne Affordable Housing Project Planning Assessment Panel (the Panel), the powers, duties and functions set out below:

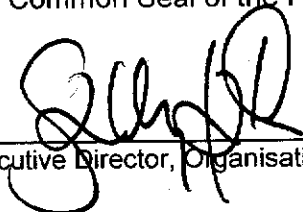
1. in relation to any planning application from the Port Phillip Housing Association or its agent received in relation to the site at 121 Liardet Street and Kyme Place, Port Melbourne, to exercise all Council's powers, duties and functions under the *Planning & Environment Act 1987* in accordance with 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. to consider whether external independent assessment report or reports should be commissioned relating to the assessment of the planning application, and to request council officers to commission independent assessment report or reports up to the value of \$20,000

Limitations and restrictions

1. The Committee does not have the power or authority to consider planning applications for any site other than 121 Liardet Street and Kyme Place Port Melbourne, nor to consider planning applications from applicants other than Port Phillip Housing Association.
2. This delegation will remain in force for a period of eighteen months from the date of the resolution to make the delegation or until Council resolves to vary or revoke it, whichever comes first.

This instrument of Delegation is authorised by a resolution of Council passed on [insert date] ^{25 AUGUST 2008}

The Common Seal of the Port Phillip City Council was affixed in the presence of:


Executive Director, Organisation Systems & Support.

Date

29.8.08

