

C4. Instrument of Delegation (Special Committees)

Ballarat City Council

Instrument of Delegation

to the

Planning Special Committee

Instrument of Delegation

Ballarat City Council (**Council**), pursuant to section 188(1)(a) of the *Planning and Environment Act 1987*, delegates to the Special Committee established by resolution of Council passed on 3 July 2019 (R162/19) and known as the *Planning Special Committee (the Committee)*, the powers and functions set out in the Schedule, and declares that:


1. this Instrument of Delegation is authorised by a resolution (R162/19) of Council passed on 3 July 2019;
2. the delegation:
 - 2.1 comes into force immediately the Common Seal of Council 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 guidelines or policies which Council from time to time adopts;
3. all members of the Committee will have voting rights on the Committee;
4. Council Officers who attend the meetings of the Committee are to provide advice and support the Committee and are not classed as Committee members.

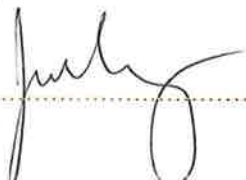
Dated: 3 July 2019

The Common Seal of Ballarat City Council was affixed by authority of the Council in the presence of:

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MAYOR/COUNCILLOR

COUNCILLOR

CHIEF EXECUTIVE OFFICER

SCHEDULE

Powers and functions

To exercise Council's powers and to perform Council's functions and duties under the *Planning and Environment Act 1987* as they relate to Statutory Planning and Strategic Planning and for these purposes:

1. to function in accordance with the Planning Committee Terms of Reference;
2. to assess and determine any applications for planning permits that are referred to it as the responsible authority under the *Planning and Environment Act 1987*;
3. in relation to strategic planning matters, the power to:
 - 3.1. consider strategic planning matters;
 - 3.2. hear from submitters;
 - 3.3. seek authorisation from the Minister for Planning to proceed with a proposed Planning Scheme amendment;
 - 3.4. refer submissions to a panel under Part 8 of the *Planning and Environment Act 1987*; and
 - 3.5. make recommendations to Council in respect of strategic planning issues; and
4. to refer any submission to Council for further consideration and decision.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. exercise the powers which, by force section 86 of the *Local Government Act 1989* and section 188 of the *Planning and Environment Act 1987*, cannot be delegated.