

**DAREBIN CITY COUNCIL**

**PLANNING COMMITTEE**

**INSTRUMENT OF DELEGATION – 2014/2015**

1. Council, pursuant to the powers of delegation conferred on the Council by section 86(3) of the Local Government Act 1989, HEREBY DELEGATES to the Planning Committee, being a Special Committee established by resolution of the Council, all of the Council's powers, functions and duties relating to the consideration and determination of applications for permits and minor amendments to Development Plans under section 188 of the Planning and Environment Act 1987.
2.
  - 2.1 This delegation operates until it is earlier revoked or varied but otherwise is for an unlimited period of time.
  - 2.2 This delegation does not cease to operate merely because of a change in the title or description of the Special Committee provided the Special Committee continues to commonly undertake some or all of the powers, functions or duties previously undertaken.
  - 2.3 This Instrument of Delegation is in substitution for and replaces any and all previous delegations (including any and all variations made to such delegations) given to the Special Committee.
3. The powers, functions and duties delegated are to be exercised or performed by the Special Committee:-
  - 3.1 in accordance with such guidelines, policies or protocols, or any combination of them as may be adopted from time to time by the Council as applying to such exercise and performance; and
  - 3.2 subject to any conditions or limitations in the relevant legislation or this delegation.

4. The Special Committee must:

- 4.1 keep such records in relation to the exercise of the powers, functions and duties delegated as the Council by resolution decides or the relevant legislation, guidelines or policies or any combination of them require; and
- 4.2 provide to the Council such information and documents as may be necessary or expedient to enable the Council to review all decisions made by the Special Committee under this delegation.

DATED this 1<sup>st</sup> day of December 2014.

**THE COMMON SEAL** of )  
**DAREBIN CITY COUNCIL** )  
was affixed on )  
with the authority of the Council: )

.....  
Chief Executive

**DAREBIN CITY COUNCIL**

**HEARING OF SUBMISSIONS COMMITTEE**

**INSTRUMENT OF DELEGATION – 2014/2015**

1. Council, pursuant to the powers of delegation conferred on the Council by section 86(3) of the Local Government Act 1989, HEREBY DELEGATES to the Hearing of Submissions Committee, being a Special Committee established by resolution of the Council, all of the Council's powers, functions and duties relating to the hearing of submissions received by Council in accordance with section 223 of the Local Government Act 1989.
  
2.
  - 2.1 This delegation operates until it is earlier revoked or varied but otherwise is for an unlimited period of time.
  
  - 2.2 This delegation does not cease to operate merely because of a change in the title or description of the Special Committee provided the Special Committee continues to commonly undertake some or all of the powers, functions or duties previously undertaken.
  
  - 2.3 This Instrument of Delegation is in substitution for and replaces any and all previous delegations (including any and all variations made to such delegations) given to the Special Committee.
  
3. The powers, functions and duties delegated are to be exercised or performed by the Special Committee:-
  - 3.1 in accordance with such guidelines, policies or protocols, or any combination of them as may be adopted from time to time by the Council as applying to such exercise and performance; and
  
  - 3.2 subject to any conditions or limitations in the relevant legislation or this delegation.

- 4. The Special Committee must:
  - 4.1 keep such records in relation to the exercise of the powers, functions and duties delegated as the Council by resolution decides or the relevant legislation, guidelines or policies or any combination of them require; and
  - 4.2 provide to the Council such information and documents as may be necessary or expedient to enable the Council to review all actions taken by the Special Committee under this delegation.
  - 4.3 arrange for a separate report on each specific matter heard by the Committee, to be submitted for formal consideration by the Council.

DATED this 1st day of December 2014.

**THE COMMON SEAL** of                    )  
**DAREBIN CITY COUNCIL**                )  
 was affixed on                            )  
 with the authority of the Council:    )

.....  
 Chief Executive

## APPENDIX C

### DAREBIN CITY COUNCIL

## BUNDOORA HOMESTEAD BOARD OF MANAGEMENT

### INSTRUMENT OF DELEGATION

#### 1. PREAMBLE

- 1.1 Darebin City Council (“the Council”) at its meeting held on 10 November 2014, pursuant to its powers set out in section 86 of the Local Government Act 1989 (*“the Act”*) established for the 2014/2015 Council year, a Special Committee of Councillors, Council staff and other members to be known as the Bundoora Homestead Board of Management to manage the operation of Bundoora Homestead Art Centre (“the purpose”).
- 1.2 In order to fulfil the purpose, Council by this Instrument delegates to the Special Committee pursuant to section 86(3) of the Act the following powers, duties and functions.

#### 2. DUTIES AND FUNCTIONS

- 2.1 Ensure effective management of the Bundoora Homestead Art Centre buildings and grounds as a heritage, cultural and recreation facility for the community.
- 2.2 Provide an exhibition facility where high quality contemporary, fine and decorative art works can be displayed and studied.
- 2.3 Enable accessibility and foster an appreciation of the arts by all sections of the community.
- 2.4 Celebrate, through the Board’s programs, the diverse cultures of the municipality of the City of Darebin.
- 2.5 Enhance the position of the City of Darebin as a place proud to foster and assist with the appreciation and development of arts and cultural activities
- 2.5 Facilitate and support community involvement in the program and operations of the Homestead.
- 2.6 Seek to maximise funding from external sources and minimise recurrent expenditure contributions from the City of Darebin.
- 2.7 Ensure the Centre operates within the Committee objectives and the Bundoora Homestead Art Centre service plan.

- 2.8 Adopt policies and strategies for the Bundoora Homestead Art Centre.
- 2.9 Overview financial operations of the Bundoora Homestead Art Centre.
- 2.10 Explore and obtain external funding contributions to the Bundoora Homestead Art Centre through grants, sponsorships, gifts and donations.

### **3. POWERS**

- 3.1 Council's powers, duties and functions under the Local Government Act 1989 to manage the Bundoora Homestead Art Centre are delegated to the Committee.
- 3.2 The Committee is empowered to develop strategies and policies to meet its objects in accordance with the Council adopted business plan and budget.

### **4. GUIDELINES AND LIMITATIONS**

- 4.1 Council may by resolution vary or revoke this delegation.
- 4.2 A power, duty or function delegated to the Special Committee shall be exercised in accordance with this Instrument of Delegation and be subject to the conditions and limitations contained in this delegation.
- 4.3 The delegation of a power, duty or function by Council does not prevent the exercise of the power, duty or function by the Council.
- 4.4 Any act or thing done in the performance of a power, duty or function by the Special Committee has the same force and effect as if it had been done by Council.
- 4.5 The later revocation or variation of the delegation shall not invalidate an act of the Special Committee done within the scope of this delegation.
- 4.6 A copy of this delegation shall be kept in the Council's Register of Delegations.
- 4.7 The Special Committee shall not:
  - 4.7.1 Delegate any of the powers, duties or functions hereby delegated to it.
  - 4.7.2 Borrow money.
  - 4.7.3 Enter into any contracts for an amount not approved in a Budget endorsed by the Council.

**5. REPORTING**

5.1 The Special Committee will provide an Annual Report to Council on its activities for the year. Specific proposals outside the scope of this delegation will be separately reported to Council for consideration.

**6. DURATION OF DELEGATION**

6.1 This Instrument of Delegation shall remain in force until revoked or varied by Council resolution.

DATED this 1st day of December 2014.

The COMMON SEAL of )  
DAREBIN CITY COUNCIL )  
was affixed on )  
with the authority of the Council: )

.....  
Chief Executive