

## Instrument of Delegation

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### INSTRUMENT OF DELEGATION BY THE COUNCIL TO THE INTERNAL DEVELOPMENT APPROVALS COMMITTEE

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In exercise of the power conferred by section 86 (4) of the Local Government Act 1989 and section 188 (1) of the Planning and Environment Act 1987, the Yarra City Council ("Council") delegates to the Internal Development Approvals Committee (IDAC), the powers, duties and functions set out in the Schedule to this Instrument of Delegation, and declares that:

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 30 April 2019;
2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.
3. for the purpose of this Instrument of Delegation, the Internal Development Approvals Committee shall comprise the three members of Council, as are rostered by rotation on a quarterly basis, or such substitute Councillors, deputising from time to time, in the instance where the rostered Councillor/s is/are unable to attend the scheduled IDAC meeting.

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**The Common Seal of the  
Yarra City Council was  
affixed hereto in the  
presence of:**

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**Cr Danae Bosler  
Mayor  
Yarra City Council**

30 April 2019

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**Vijaya Vaidyanath  
Chief Executive Officer  
Yarra City Council**

## SCHEDULE

The power to:

1. consider planning applications which require formal consideration (and an opportunity for community consultation) but do not require referral to the Council;
2. consider planning applications:
  - 2.1 that involve planning applications which are subject to nine or more objections from different properties and where the recommendation from officers is for support;
  - 2.2 where building height exceeds the preferred maximum height by more than one storey (not including plant equipment and roof terraces) specified in a Design and Development Overlay;
  - 2.3 that are within the world heritage environs area and buffer area where they propose works that are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application;
  - 2.4 that require a settlement at a compulsory conference with nine or more parties (in addition to Council and the applicant); or
  - 2.5 that have been called up by a Councillor
3. determine on town planning applications received pursuant to the provisions of the Planning and Environment Act 1987.
4. consider Heritage Victoria referrals where there is no consensus between the scheduled IDAC Councillors.

### Conditions and Limitations

#### 1. Membership

All nine Yarra City Councillors are appointed to the Internal Development Approval Committee, with membership for each meeting comprising three Councillors as rostered on a quarterly basis (or their substitute Councillor), to meet as the scheduled Internal Development Approvals Committee, such roster being determined by the Chief Executive Officer in consultation with the Councillors.

The Internal Development Approval Committee shall appoint its chairperson.

#### 2. Substitute Councillors

In selecting a substitute Councillor, in the first instance, preference is to be given to a Councillor who represents the same Ward as the rostered Councillor.

#### 3. Voting

Voting by the Internal Development Approval Committee members shall be in accordance with Council's Meeting Procedures Local Law.

Councillors other than the rostered committee members (or their substitute Councillors) are permitted to attend and participate at meetings of the Internal Development Approvals Committee, however, they do not have a voting entitlement.

#### 4. Quorum

The quorum for meetings of the Internal Development Approval Committee is two Councillors.

#### 5. Meeting Frequency

Meetings of the Internal Development Approvals Committee shall generally be convened on a fortnightly basis.