

7 Presentation of officer reports

7.8 Revised Instruments of Appointment and Authorisation - Council to Council Staff

Executive Summary

Purpose

The purpose of this report is for Council to consider executing an Instrument of Appointment and Authorisation under the Planning and Environment Act 1987.

The Instrument presented to Council is for the appointment and authorisation of staff from the Strategic and Statutory Planning Department. A copy of the Instrument is at **Attachment 1**.

Background

Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis. The last review of this Instrument occurred in August 2021.

Key Issues

Council subscribes to the Maddocks Authorisations and Delegations Service, and relevant advice has been considered in the preparation of this report and the Instrument of Appointment and Authorisation.

This Instrument of Appointment and Authorisation has also been prepared following feedback from the Strategic and Statutory Planning Department.

Next Steps

The Instruments are refreshed biannually to ensure any staffing changes within the Strategic and Statutory Planning Department are captured. Officers expect another report to be presented to Council in late 2022 with a refreshed Instrument to reflect this.

Officers' recommendation

That Council resolve, in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* (Vic) and the other legislation referred to in the attached Instrument of Appointment and Authorisation, that:

1. The members of Council staff referred to in the Instrument of Appointment and Authorisation (Attachment 1 as annexed to the minutes) be appointed and authorised as set out in the Instrument.
2. The Instrument of Appointment and Authorisation comes into force immediately once the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.
3. The Instrument of Appointment and Authorisation be sealed.

Responsible director: Phillip Storer, Chief Executive Officer

1. Purpose

The purpose of this report is for Council to consider executing an Instrument of Appointment and Authorisation under the Planning and Environment Act 1987.

2. Policy implications and relevance to community plan and council plan

The Instrument of Appointment and Authorisation relates to Priority Theme 7: Leadership and Governance in the Boroondara Community Plan 2021-2031.

The Instrument of Appointment and Authorisation is also consistent with Strategic Objective 7.1: Decision making is transparent and accountable through open governance processes with timely communication and reporting.

The appointment of authorised officers is a purely administrative exercise.

3. Background

Instruments of Appointment and Authorisation empower relevant staff to exercise the powers granted to authorised officers by legislation or a local law.

The Instruments of Appointment and Authorisation prepared for Council's consideration are based on advice from the Maddocks Authorisations and Delegations Service.

Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis. The instruments are reviewed by Governance as required to ensure they are up to date. The previous review occurred in August 2021.

4. Outline of key issues/options

The Instrument presented to Council is for the appointment and authorisation of staff from the Strategic and Statutory Planning Department. A copy of the Instrument is at **Attachment 1**.

5. Consultation/communication

Council subscribes to the Maddocks Authorisations and Delegations Service, and relevant advice has been considered in the preparation of this report.

This Instrument of Appointment and Authorisation has been prepared following feedback from the Strategic and Statutory Planning Department.

6. Financial and resource implications

The costs to prepare and adopt the Instrument are minimal and met within the current Governance departmental budget.

7. Governance issues

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

The officers responsible for this report have no general or material interests requiring disclosure.

8. Social and environmental issues

There are no social or environmental issues associated with the appointment of authorised officers.

Manager: Adele Thyer, Acting Manager Governance and Legal

Report officer: Elizabeth Manou, Senior Governance Officer

Boroondara City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987)

Aileen Chin	Principal Planner
Ali Turvey	Para Planning Officer
Andrew McIlveen	Planning Investigation Officer
Amaya De Silva	Senior Statutory Planner
Brendan Rea	Planning Investigations Officer
Calum Schwindt	Statutory Planning Officer
Cassandra Rea	Coordinator Statutory Planning
Chiara Lorini	Senior Statutory Planner
Damian Bu	Senior Statutory Planner
Daniel Murphy	Planning Appeals Co-ordinator
Darshankumar (Darshan) Vachhani	Traffic Engineer (Statutory Planning)
Daniela Splitgerber	Senior Statutory Planner
David Barclay	Development Drainage Engineer
David Cowan	Manager Strategic & Statutory Planning
Elizabeth Spanjer	Statutory Planning Officer
Erin McCarthy	Coordinator Statutory Planning
Gregory (Greg) Pocock	Para Planning Officer
Gregory (Greg) Stewart	Counter Planner
Ida LaRocca	Para Planning Officer
Jack Berlangieri	Student Planner
Jack Richardson	Senior Statutory Planner
Jessica Nedelkos	Para Planning Officer
Jennifer Estrada	Para Planning Officer
Joel Torresi	Statutory Planning Officer

Jon Harper	Coordinator Statutory Planning
Jonathan Welcome	Investigations Officer
Joanne Amanda (Mandy) Hollywood	Team Leader Para Planning
Joshua Lewis	Student Planner
Jordan Schonberg	Statutory Planning Officer
Julie Lu (Pham)	Statutory Planning Officer
Karen Reid	Para Planning Officer
Kathy Fletcher	Statutory Planning Officer
Kelly Caporaso	Statutory Planning Officer
Lachlan Waddell	Statutory Planning Officer
Lucy Johnson	Senior Statutory Planner
Mathew Mertuszka	Senior Statutory Planner
Michael Burton	Public Notice Officer
Mridula Krishna	Para Planning Officer
Nikhil Shah	Statutory Planning Officer
Roberts Birze	Technical Support Officer
Roxanne Kavanagh	Subdivisions Officer
Scott Kevin Lipscombe	Senior Traffic Engineer (Statutory Planning)
Scott Walker	Director Urban Living
Simon Quinn	Para Planning Officer
Sofia Skliris	Para Planning Officer
Stephanie Ng	Coordinator Statutory Planning
Sylvia Georges	Urban Designer
Timothy Luckin	Statutory Planning Officer
Toni Johnson	Para Planning Officer
Vanessa Kwaczynski	Administration Officer

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Aileen Chin	David Cowan	Joanne Amanda (Mandy) Hollywood	Roberts Birze
Ali Turvey	Elizabeth Spanjer	Joshua Lewis	Roxanne Kavanagh
Andrew McIlveen	Erin McCarthy	Jordan Schonberg	Scott Kevin Lipscombe
Amaya De Silva	Gregory (Greg) Pocock	Julie Lu (Pham)	Scott Walker
Brendan Rea	Gregory (Greg) Stewart	Karen Reid	Simon Quinn
Calum Schwindt	Ida LaRocca	Kathy Fletcher	Sofia Skliris
Cassandra Rea	Jack Berlangieri	Kelly Caporaso	Stephanie Ng
Chiara Lorini	Jack Richardson	Lachlan Waddell	Sylvia Georges
Damian Bu	Jessica Nedelkos	Lucy Johnson	Timothy Luckin
Daniel Murphy	Jennifer Estrada	Mathew Mertuszka	Toni Johnson
Darshankumar (Darshan) Vachhani	Joel Torresi	Michael Burton	Vanessa Kwaczynski
Daniela Splitgerber	Jon Harper	Mridula Krishna	
David Barclay	Jonathan Welcome	Nikhil Shah	

By this instrument of appointment and authorisation Boroondara City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that -

- (a) this instrument comes into force immediately upon its execution and remains in force until varied or revoked;
- (b) this instrument must not be exercised in a manner which is inconsistent with Council's corporate position.
- (c) on the coming into force of this instrument, any previous Instruments of Appointment and Authorisation to the members of Council staff named above are revoked.

This instrument is authorised by a resolution of the **Boroondara City Council** on 28 March 2022.

The Common Seal of the Boroondara City Council was hereunto affixed in the presence of:

..... Chief Executive Officer

..... Councillor

..... Date