

## 7.6 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 Planning and Placemaking Department. A copy of the Instrument is at **Attachment 1**. This authorisation review deals with particular staffing arrangements and is distinct from the biannual authorisation reviews conducted in March and October each year.

#### 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 March 2023.

#### 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 Planning and Placemaking Department.

#### Next Steps

The Instrument will be refreshed as required to ensure any staffing or legislative changes are captured. Officers expect another report to be presented to Council in March 2024 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.
4. On the coming into force of the Instrument all previous Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* are revoked.

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**Responsible director:**     **Phillip Storer, Chief Executive Officer**

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**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 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.

**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 is 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 Instrument 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 March 2023.

**4. Outline of key issues/options**

The Instrument presented to Council is for the appointment and authorisation of staff from the Planning and Placemaking 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 Planning and Placemaking 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:**                **Bryan Wee, Manager Governance and Legal**

**Report officer:**      **Liam Merrifield, Senior Governance Officer**

## Boroondara City Council

### Instrument of Appointment and Authorisation

#### *(Planning and Environment Act 1987)*

Aileen Chin	Principal Urban Planner
Alice Haskett	Prosecutions Officer
Andrew McIlveen	Planning Investigations Officer
Amaya De Silva	Senior Urban Planner
Brendan Rea	Planning Investigations Officer
Calum Schwindt	Urban Planner
Cassandra Rea	Coordinator Urban Planning
Cynthia Pizzati	Para Planning Officer
Cheng Chea	Para Planning Officer
Chiara Lorini	Senior Urban Planner
Christopher Spencer	Team Leader Urban Planning Forester
Damian Bu	Senior Urban Planner
Daniel Murphy	Planning Appeals Co-ordinator
Darshankumar (Darshan) Vachhani	Development Transport Engineer
Daniela Splitgerber	Senior Urban Planner
David Barclay	Development Drainage Engineer
David Cowan	Manager Planning & Placemaking
Edward Howe	Urban Planner
Elizabeth Spanjer	Senior Urban Planner
Erin McCarthy	Coordinator Urban Planning
Gregory (Greg) Pocock	Para Planning Officer
Ida LaRocca	Para Planning Officer
Jack Richardson	Senior Urban Planner
Jessica Nedelkos	Para Planning Officer
Jennifer Estrada	Para Planning Officer
Joel Torresi	Urban Planner
Jock Farrow	Principal Urban Planner
Jon Harper	Coordinator Urban Planning

Jonathan Welcome	Investigations Officer
Jordan Schonberg	Urban Planner
Karen Reid	Para Planning Officer
Kathy Fletcher	Urban Planner
Kelly Caporaso	Principal Urban Planner
Lachlan Waddell	Urban Planner
Lebon Ferri	Environmental Design Officer
Lucy Johnson	Principal Urban Planner
Matt Aitken	Prosecutions Officer
Michael Burton	Public Notice Officer
Mridula Krishna	Para Planning Officer
Nick Hulston	Investigations Officer
Nikhil Shah	Urban Planner
Scott Lipscombe	Senior Development Transport Engineer
Scott Walker	Director Urban Living
Simon Elliott	Landscape Compliance Officer
Simon Quinn	Para Planning Officer
Sofia Skliris	Team Leader Para Planning
Stephanie Ng	Coordinator Urban Planning
Sylvia Georges	Urban Designer
Timothy Luckin	Senior Subdivision Officer
Toni Johnson	Para Planning Officer
Vanessa Kwaczynski	Administration Officer
Zac Fisher	Urban Planner
Finbar Harrison	Student Urban Planner
Shane Browne	Senior Urban Planning Forester
David Carlton	Urban Planning Forester
Steven Carroll	Urban Planning Forester

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

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

Aileen Chin	Darshankumar (Darshan) Vachhani	Joel Torresi	Nikhil Shah
Alice Haskett	Daniela Splitgerber	Jon Harper	Scott Lipscombe
Andrew McIlveen	David Barclay	Jonathan Welcome	Simon Elliott
Amaya De Silva	David Cowan	Jordan Schonberg	Scott Walker
Brendan Rea	Edward Howe	Karen Reid	Simon Quinn
Calum Schwindt	Elizabeth Spanjer	Kathy Fletcher	Sofia Skliris
Cassandra Rea	Erin McCarthy	Kelly Caporaso	Stephanie Ng
Cynthia Pizzati	Gregory (Greg) Pocock	Lachlan Waddell	Sylvia Georges
Cheng Chea	Ida LaRocca	Lebon Ferri	Timothy Luckin
Chiara Lorini	Jack Richardson	Lucy Johnson	Toni Johnson
Christopher Spencer	Jessica Nedelkos	Matt Aitken	Vanessa Kwaczynski
Damian Bu	Jennifer Estrada	Michael Burton	Zac Fisher
Daniel Murphy	Jock Farrow	Mridula Krishna	Finbar Harrison
		Nick Hulston	Shane Browne
			David Carlton
			Steven Carroll

### 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 25 September 2023.

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

..... Chief Executive Officer

..... Councillor

..... Date