

MEETING OF THE PORT PHILLIP CITY COUNCIL 5 MAY 2021



Attachment 2. 17 Feb 21 Report 14.6 Appointment of Authorised Officers

MEETING OF THE PORT PHILLIP CITY COUNCIL 17 FEBRUARY 2021



14.6 APPOINTMENT OF AUTHORISED OFFICERS PURSUANT TO THE PLANNING AND ENVIRONMENT ACT 1987

EXECUTIVE MEMBER: KYLIE BENNETTS, GENERAL MANAGER, CITY GROWTH AND ORGANISATIONAL CAPABILITY

PREPARED BY: KIRSTY PEARCE, HEAD OF GOVERNANCE

1. PURPOSE

- 1.1 To approve the updated appointment of authorised officers pursuant to the *Planning and Environment Act 1987*.

2. EXECUTIVE SUMMARY

- 2.1 Section 224 of the Local Government Act 1989 and numerous other Acts and Regulations require that authorised officers be appointed for the purposes of the administration and enforcement of Acts, Regulations or local laws which relate to the functions and powers of the Council.
- 2.2 In most cases, the authorisations are approved by the Chief Executive Officer, but the Planning and Environment Act 1987 specifically requires that authorisations under that Act be issued by resolution of the Council and sealed.
- 2.3 As a result of the partial introduction of the Local Government Act 2020 and the phasing out of the Local Government Act 1989, staff departures and recent appointments, it is recommended that new authorisations pursuant to the Planning and Environment Act 1987 be approved.

3. RECOMMENDATION

That Council:

- 3.1 Approves the attached Instrument of Appointment of Authorised Officers under the Planning and Environment Act 1987.
- 3.2 Affixes the common seal of Council to the Instrument of Appointment.

4. KEY POINTS/ISSUES

- 4.1 Authorisations are reviewed regularly and are updated due to:
 - a) appointment of new staff;
 - b) changes in the names of Acts;
 - c) the introduction, amendment or revocation of legislation;
 - d) changes in position titles; and
 - e) changes in roles.
- 4.2 As a result of the partial introduction of the Local Government Act 2020 and the phasing out of the Local Government Act 1989, staff departures and recent appointments, it is recommended that new authorisations pursuant to the Planning and Environment Act 1987 be approved.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 Relevant staff have been consulted in relation to the proposed appointments.

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6. LEGAL AND RISK IMPLICATIONS

- 6.1 It is essential that relevant staff have the proper authorisations to enable them to undertake their responsibilities under the applicable legislation. The Instrument of Authorisation template is based on the latest version supplied by Council's solicitors.

7. FINANCIAL IMPACT

- 7.1 There are no financial implications.

8. ENVIRONMENTAL IMPACT

- 8.1 There are no environmental implications.

9. COMMUNITY IMPACT

- 9.1 There are no community impact implications.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The proposed appointments are consistent with the Council Plan 2017-27 which refers to "*improving community engagement, advocacy, transparency and governance*".

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- 11.1.1 The appointments will be effective immediately.

11.2 COMMUNICATION

- 11.2.1 The Register of Authorisations is a public document pursuant to section 224(2A) of the *Local Government Act* 1989 and authorised officers are issued with an identity card.

12. OFFICER DIRECT OR INDIRECT INTEREST

- 12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO: F21/1

ATTACHMENTS 1. Planning Compliance Staff S11A - resolution 302



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

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

John Banks	Jock Farrow
Andrea Joseph	Mimi Nuciforo
Pamela Djurdjic	Angus Bevan
Luke Gale	Kate Wooller
Nick Hulston	Kathryn Pound
Joachim Von Der Putten	Maggie Pridmore
Linley Ngan Kit	Mark Friedrichsen
George Borg	Martin Cooksley
Scott Parkinson	Michael Mowbray
Richard Schuster	Richard Little
Nick McLennan	Mindy McCubbin
Simon Gutteridge	Paul McKnight
Patricia Stewart	Phil Beard
Steven Oscari	Robyn Clinch
Geraldine Green	Sandra Stewart
Hamish Beere	Roseanne Massey
Jeremy Newland	Donna D'Alessandro
Lisa Davis	

By this Instrument of Appointment and Authorisation Port Phillip City Council:

- a) 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
- b) under section 313 of the *Local Government Act 2020* authorises the officers generally or in a particular case to institute proceedings for offences against the Acts and Regulations described in this instrument.

It is declared that this instrument -

- a) comes into force immediately upon its execution; and
- b) remains in force until varied or revoked.

