

**Management report to Council**

**Agenda item 6.2**

**Revocation of Delegation and Authorisations under the Planning and Environment Act 1987**

**Council**

**Presenter:** Jane Birmingham, Acting Manager Planning and Building

**30 October 2018**

**Purpose and background**

1. The purpose of this report is to revoke the delegation to staff by Council in regards to the *Planning and Environment Act 1987* (the Act) and update the authorisations from Council under the Act.

**Key issues**

2. Most delegations and authorisations to a member of staff are made by the Chief Executive Officer (CEO) under delegation.
3. Whilst the Act was amended in 2017 to allow the CEO to sub delegate the Council's powers, discretions or functions to members of staff, it still prohibits the delegation by Council of the power to appoint authorised officers under it.
4. One officer has resigned from the Planning Enforcement team requiring their revocation as authorised officers under the Act.
5. One new staff member has commenced with the Planning Enforcement team and requires authorisation to undertake the duties of an authorised officer under the Act.

**Recommendation from management**

6. That Council:
  - 6.1 Revokes George Sinadinos as an authorised officer for the purposes of the *Planning and Environment Act 1987*.
  - 6.2 Appoints Michael Janicke as an authorised officer for the purposes of the *Planning and Environment Act 1987*.

**Attachment:**

1. Supporting Attachment (Page 2 of 2)

## Supporting Attachment

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### Legal

1. The report accurately identifies the relevant legal issues.

### Finance

2. There are no financial implications to Council arising from the recommendation contained in this management report.

### Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

### Occupational Health and Safety

4. In developing this proposal, no Occupational Health and Safety issues or opportunities have been identified.

### Stakeholder consultation

5. There is no requirement to consult with external stakeholders.

### Environmental sustainability

6. There are no environmental implications to Council arising from the recommendation contained in this Management Report.