



Rural City of
Wangaratta

Agenda

For the Scheduled Council Meeting
Bowmans-Murmungee Hall
6 Nearys Lane, Murmungee
6pm 25 March 2025

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Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

“This public meeting is being recorded to improve access to the meeting for our community. The recording will be published and will be retained by Council in accordance with Council’s legal obligations. As a visitor in the public gallery, your presence may be recorded.”

1. Acknowledgement to Country

We acknowledge the traditional custodians of the lands, on which the Rural City of Wangaratta communities reside. We pay our respect to their Elders past, present and emerging, and celebrate and respect their continuing cultures. We are committed to walking beside all traditional owners as we move toward reconciliation.

2. Opening Prayer

Almighty God, we humbly ask thee to bless and guide this council in its deliberations so that we may truly preserve the welfare of the people whom we serve. Amen

3. Present

4. Absent

5. Acceptance of Apologies & Granting of Leave of Absence

Order of Business

6. Citizen Ceremony

7. Confirmation of Minutes

Recommendation:

That Council read and confirm the Minutes of the Ordinary Meeting of 25 February 2025 as a true and accurate record of the proceedings of the meeting.

8. Conflict of Interest Disclosure

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a councillor to indicate that they have a conflict of interest by clearly stating:

- (a) the item for which they have a conflict of interest; and
- (b) whether their conflict of interest is general or material; and
- (c) the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

A councillor who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

9. Reception of Petitions

10. Hearing of Deputations

Presentation Of Reports

11. Councillor Reports

Nil

Officers' Reports

12. Executive Services

Nil

13. Corporate and Leisure

13.1 Reappointment of Directors to the Wangaratta Livestock Exchange Pty Ltd

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Operational
Author:	Director Corporate and Leisure
Approver:	Director Corporate and Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to re-appoint four independent directors, whose current terms are soon due to expire, to the Board of the Wangaratta Livestock Exchange Pty Ltd (WLE).

Recommendation:

That Council:

1. Re-appoints the four Directors listed in the confidential attachments to the Wangaratta Livestock Exchange Pty Ltd for a term of 2 years commencing 26 March 2025 and ending 25 March 2027.
2. Authorises the Mayor and Chief Executive Officer to sign a record of the resolution in point 1 above that documents the date and time that it is signed and includes the Directors' names and the length, start, and end dates of their terms.
3. Discloses the names of the re-appointed Directors.

Background

The Wangaratta Livestock Exchange (WLE) directors were appointed by Council following a thorough recruitment and selection process.

The terms of four directors have expired. These directors have nominated to being reappointed for a further term of 2 years and have provided signed consent forms (see *Confidential Attachments*) and should be re-appointed.

WLE is a single member company. As the sole member (shareholder) of WLE, the power to appoint a person as a Director by resolution in a 'General Meeting' lies solely with Council under clause 15.1.2(a) of the WLE Constitution.

Council has the power to make decisions by recording and signing them. The recording of this decision is deemed to be the passing of a resolution and the resolution is deemed to have been passed at a 'General Meeting'. The date and time of the meeting is deemed to be the date and time that the resolution is signed. Refer to clauses 13.2.1 and 13.3.1 of the WLE Constitution for further details.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report. Remuneration of Directors is already budgeted within the WLE's Annual Budget.

Legal/Statutory

Council must meet the provisions of the *Corporations Act 2001* and, from a legal perspective, the obligations set out in the Constitution of the WLE. A copy of the WLE Constitution is available to members the public upon request.

Social and Diversity

It is important that an appointed Board is in place to ensure that the WLE operates as a going concern, providing important economic and social benefits for the municipality's agricultural sector.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Expanding our Economy

4.2.2.3 Continue to support the Board of the Wangaratta Livestock Exchange to further develop its services and to strengthen its long-term financial sustainability.

Risk Management

Reappointing experienced Directors to the WLE mitigates risk by ensuring WLE strategies and decisions are well informed and maintains continuity, particularly during the current period of leadership transition in the WLE management team.

Consultation/Communication

The WLE Directors whose terms of appointment have expired have been consulted regarding their interest in reappointment. They have submitted signed consents to do so and their reappointments have been endorsed by the WLE Board.

Officers believe that appropriate consultation has occurred, and the matter is now ready for Council consideration.

Options for Consideration

- | | |
|----------|--|
| Option 1 | Reappoint the Directors as outlined in this paper. Recommended. |
| Option 2 | Do not reappoint the Director(s) and commence a process seeking expressions of interest for those Director position(s). Not recommended as this will create an additional risk for the company due to uncertainty and lack of ability to meet a quorum at Board level. |

Conclusion

The WLE Board endorses the reappointment of these Directors. The candidates have consented to be reappointed for a further term of 2 years. Councillor authorisation is now sought as council is the sole shareholder of the WLE.

Attachments

- 1 Nomination Consent Form - Wangaratta Livestock Exchange - Confidential
- 2 Nomination Consent Form - Wangaratta Livestock Exchange - Confidential
- 3 Nomination Consent Form - Wangaratta Livestock Exchange - Confidential
- 4 Nomination Consent Form - Wangaratta Livestock Exchange - Confidential

13.2 Privacy Policy 2025

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Operational
Author:	Governance & Reporting Advisor
Approver:	Director Corporate and Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to adopt the revised Privacy Policy 2025.

Recommendation:

That Council:

1. Adopts the Privacy Policy 2025 (**Attachment 1**).

Background

The Audit and Risk Committee is required under its Charter and the *Local Government Act 2020* (Vic) to monitor the compliance of Council policies with legislation and best practice obligations.

The Committee requested further work be undertaken on the Privacy Policy to ensure that it contained clear, specific examples to Council staff on how to interpret the policy. The Committee considered the policy at the December Audit and Risk Committee and were satisfied with the proposed changes.

The key changes to this policy are:

- The scope of the policy has been extended to apply to Wangaratta Sports and Aquatic Centre, Wangaratta Performing Arts and Conference Centre, Children's Services and Maternal and Child Health Services (at 2.1 of the policy);
- a section outlining Council's functions and service delivery areas has been included (through 3 of the policy);
- a table indicating the Information Privacy Principles and Health Principles has been included for clarity (under 4.2 of the policy);
- specific wording and circumstances in which Council may be required to collect personal/health information (at 4.3 of the policy) have been included;
- specific examples of when Council may be required to disclose personal/health information (at 5.3 and 5.4 and 6.2 - 6.5 of the policy) have been included;
- a section indicating that Council will report any incorrect handling of personal information and it will be remedied in a manner consistent with OVIC guidelines (at 8.3 of the policy);

- Contract managers are responsible for ensuring that any personal information that they manage in relation to a contract is managed in accordance with this policy (at 13.2 of the policy);
- The Governance and Reporting Advisor is responsible for ensuring sufficient understanding of this policy across the organisation at 13.4

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Legal/Statutory

Council is a public sector organisation under section 13 of the *Privacy and Data Protection Act 2014* (Vic) and is required to have in effect a robust personal information collection regime.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

1.1.1.4 – Provide interactive websites for all Council facilities

1.1.3.2 – Increase the availability of Council services, processes and information beyond hard-copy, telephone and face-to-face channels, by increasing access to services and forms online

1.2.2 – Provide reliable and secure information technology services across Council

2. Nurturing our Wellbeing

2.2.1.2 – Ensure that key projects engage people, including people of all abilities in the design process, to ensure the needs of all community members are considered.

2.3.2.1 – With support and training, ensure that our community groups and committees have strong governance and are inclusive and viable.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

A1 Provide open and transparent communication to the community to build trust, respect and understanding;

A2 Commit to the delivery of thorough and responsible community engagement practices;

A3 Serve the community by providing a great customer experience;

C3 Provide reliable and secure information technology services across Council;

D2 Engage in meaningful dialogue with the community and demonstrate how community participation is being used to inform decisions

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The failure to have in effect sufficiently robust privacy policies	3 – Possible	Moderate	6 – Medium	Ensuring the Privacy Policy is reviewed alongside sector guidelines and operational requirements

Options for Consideration

1. Councilors adopt the policy as presented; or
2. Councillors request council officers make some changes to the document to be presented for adoption at a future Scheduled Council Meetings.

Conclusion

The Privacy Policy 2025 has been reviewed after recommendations by the Audit and Risk Committee and is presented today for formal council adoption.

Attachments

- 1 Privacy Policy 2025 [↓](#) 

13.3 Instrument of Delegations - Council to other members of council staff

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Strategic
Author:	Governance & Reporting Advisor
Approver:	Director Corporate and Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to adopt the updated Councillor to Council staff Instrument of Delegation (**Attachment 1**).

Recommendation:

That Council:

1. Delegates to the members of Council staff holding, acting in, or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.

Background

Council provides a wide range of services to its residents and requires decisions to be made on an extensive range of matters. It is impractical for the elected Council members or the CEO to provide all these services and make all these decisions by themselves. The *Local Government Act 2020* (Vic) recognised this and allows for the Council and CEO to delegate some of their functions to other staff within the organisation who have the relevant expertise or knowledge on the subject matter. Some of these delegations have been amended to satisfy operational or legislative changes (**Attachment 2**).

Maddocks law firm provides Council with regular notifications of amendments required to be made to the Instruments of Delegations as legislation and regulations evolve. The associated changes have been made, reviewed by the Corporate Management Team and are now presented to Council for formal adoption of the Instrument of Delegation to members of Council staff.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

Legal/Statutory

The *Local Government Act 2020* and its associated regulations sets out the legal requirements for delegations. Section 11 outlines a Council may delegate a power, duty or function to its Chief Executive Officer and section 47 of the Act outlines the Chief Executive Officer’s power to delegate their powers to Council Officers. Further, the Chief Executive Officer is required to keep a register of their delegations.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

1.1.1.6 Continue to provide transparency for the community regarding the information being considered in decision making processes.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

Provide open and transparent communication to the community to build trust, respect and understanding.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inaccurate Instrument of Delegations allowing for insufficient coverage of legislative obligations	3 – Possible	Moderate	6 – Medium	Reviewing Council’s various Instruments of Delegation regularly ensures that council officers are suitably delegation provisions in which they have a responsibility.

Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

There are no alternative options available. Failure to adopt the updated Instrument of Delegation will result in Council officers being unable to formally undertake key aspects of their role.

Conclusion

Council's S6 Instrument of Delegation – Council to other council staff has been updated based on legal advice from Maddocks, provisions have been assigned to the relevant council staff and the Instrument is presented for formal council adoption today.

Attachments

- 1 S6 Instrument of Delegation - Council to other council staff [↓](#) 
- 2 S6 Instrument of Delegation - Updates [↓](#) 

14. Community and Infrastructure

14.1 Award Tree and Arboriculture Services Panel

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Strategic
Author:	Maintenance Coordinator
Approver:	Director Community and Infrastructure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to Award Contract C15497 – Tree and Arboriculture Services Panel.

The Rural City of Wangaratta is seeking suitable, qualified, and certified expert arborists and consultants to provide a prompt and efficient service to the Rural City of Wangaratta.

Recommendation:

That Council:

1. Awards Contract C15497 – Tree and Arboriculture Services panel to:
 1. Arborescence
 2. ENSPEC Pty Ltd
 3. Ultimate Arbor
 4. Homewood Consulting Pty Ltd
 5. The Trustee of C&R Ryder Family Trust
 6. Northeast Tree Services Pty Ltd
 7. G&J Tree Services Pty Ltd
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents when available, including possible extensions.

Background

Council requires a panel of suitably qualified and experienced suppliers to carry out arboriculture and general tree maintenance service in accordance with the requirements of the contract specification. The purpose of this tender is to establish a panel capable of performing a variety of essential tree-related services, including:

- Tree Pruning
- Rural roadside tree clearance and envelope clearing
- Stump removal and site reinstatement
- Electrical line clearance pruning
- Root control, including root pruning and root barrier installation
- Tree Removal
- Tree planting and establishment
- Formative Pruning
- Pest and disease treatment
- Emergency works
- Tree inspection and report writing

The establishment of this panel will facilitate the efficient execution of approved tree maintenance works, as well as the prompt response to urgent tree-related works throughout the municipality including Storm Clean ups.

Implications

Policy Considerations

Council's procurement policy 2022-2025 outlines the approved methods and processes for procurement.

Financial/Economic Implications

The number of suppliers will secure value for money, reliability, for councils horticulture / projects / maintenance programs. Contract will be undertaken and managed within Council's existing maintenance budgets.

Legal/Statutory

Planning and Environment Act 1987, the Environment Protection and Biodiversity Conservation Act 1999, and Urban Tree management Plan. Additionally, Arboricultural Association sets industry standards for tree care, while Occupational Health and Safety regulations ensure worker safety.

Social and Diversity

Contractors are prioritised from the local area (within 100km) whenever possible, promoting community engagement and supporting local businesses.

Environmental/Sustainability Impacts

All contractors must adhere to relevant environmental legislation and plans, including those outlined above. Additionally, contractors submitting bids for the project must have environmental plans in place at the time of tender.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

1.2 - An effective and efficient Council

1.3 - Partnerships that bring benefit and opportunities to our community

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objective:

A3 - Serve the community by providing a great customer experience

C1 - Ensure Council's financial sustainability through transparent and accountable financial management

Risk Management

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inability to provide Council with value for money	Possible (3)	Moderate (3)	Medium (9)	Council may seek multiple quotes from the panel to ensure value for money
Availability of quality services	Unlikely (2)	Moderate (3)	Medium (6)	Multiple Contractor on panel can do the same work. Contractor have Quality management plans. Council evaluates all submissions to ensure quality of service
Incident / Risk Management	Unlikely (2)	Major (4)	Medium (6)	All contractor must be insured. All contractors have safety and incident management process.

Consultation/Communication

This was a public Tender process. This tender was advertised on eProcure and was also advertised in the Wangaratta Chronicle in accordance with the procurement policy.

Options for Consideration

1. Award Contract C15497 – Tree and Arboriculture Services panel.
2. Not award Contract C15497– Tree and Arboriculture Services panel and retender as per Council's procurement policy.

Conclusion

Following an evaluation process against pre-determined evaluation criteria and weightings, Contract C15479 – Tree and Arboriculture Services Panel is recommended to be awarded in accordance with the attached evaluation report. By having a comprehensive panel of qualified professionals, Council will be well-equipped to meet the varied and evolving needs of the community, while maintaining the highest standards of tree and landscape management. This process will further strengthen the Council's capacity to effectively manage and improve the urban and rural green spaces within the municipality.

Attachments

- 1 C15497 - Tree and Arboriculture Evaluation Report - Confidential

14.2 Field Services Budget Variation

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Strategic
Author:	Field Services Manager
Approver:	Director Community and Infrastructure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council seeking a budget re-allocation of \$223,000 from Operational Project Budget (Re-Sheeting) to General Ledger Budget (Arboriculture). This budget variation request seeks no additional funds over and above the approved budget value from Council.

Recommendation:

That Council:

1. Approves the Budget reallocation of \$223,000 from Operational Project Budget (Re-Sheeting) to General Ledger Budget (Arboriculture).

Background

Council is responsible for performing Powerline Clearance in areas it manages, specifically for High Voltage, Low Voltage, and service wire lines. This work must be carried out in accordance with the Electrical Safety Act 1998. As Council does not have the in-house resources to complete these works, it is outsourced through panel contracts.

These clearance works are required to be completed annually. Non-compliance with this obligation may result in fines if identified during an audit.

Due to several severe storms in late 2024, these works were delayed, and significant damage requiring cleanup also impacted the normal budget allocated for this task.

The Gravel Resheeting Budget is primarily used to purchase gravel for unsealed roads, with resheeting of each road typically occurring every 10 to 15 years. It is proposed that instead of resheeting two roads due for resheeting in the next 3 months, they will be graded, with resheeting planned for the 2025/26 financial year.

Implications

Policy Considerations

This report has been prepared and presented in accordance with the Budget Variation Policy.

Financial/Economic Implications

This report proposes a variation to the current approved budget through the reallocation of funds totaling \$223,000 from the Gravel Re-Sheet Project Ledger to the Arboriculture General Ledger. There are no net changes to the overall Field Services Budget as a result of this reallocation.

The amount of reallocation is based on an estimate for the works prepared by officers.

Legal/Statutory

Council has a legal obligation, under the Electrical Safety Act 1998, to undertake these line clearance works.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Strategic Links**Council Plan 2021 – 2025**

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. **Strengthening our Leadership**
 - 1.2 An efficient and effective Council

Risk Management

Officers have assessed the overall risks associated with the affected tasks and deemed the proposed cause of action as having the lowest potential risk to Council. These considerations are outlined in the table below.

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not undertaking line clearance works resulting in penalties.	4 - Likely	4 - Major	16 - High	Undertake line clearing works as required.
Not undertaking line clearance works resulting in fires.	3 - Possible	5 - Catastrophic	15 - High	Undertake line clearing works as required.
Decreasing road quality and safety of postponed road re-sheet	3 - Possible	3 - Moderate	9 - Medium	Undertake works at start of new financial year.

Consultation/Communication

Officers do not believe communication or consultation is required for this item.

Options for Consideration

- 1 That Council approve the budget re-allocation of \$223,000
2. That Council do not approve the budget re-allocation and an alternative source of funding is sought.
3. That Council do not approve the budget re-allocation and don't complete the line clearance works.

Conclusion

This report has been developed in accordance with the Budget Variation Policy. The request to re-allocate funds from an operational project ledger to a general ledger will result in no change to the overall budget of Field Services. The delayed road re-sheet works will have minimal impact on the community. Not undertaking the line clearance works as soon as possible poses significant risks for Council.

Attachments

Nil.

15. Sustainability and Culture

15.1 Draft Local Law No 1 - Community Amenity 2025

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Strategic
Author:	Manager - Economic Development, Environment & Compliance
Approver:	Director Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to seek endorsement of a proposed revision of Council's Local Law No.1 – Community Amenity (see **Attachment 1**) for public exhibition.

Local Law No.1 has been reviewed and updated to ensure the local law reflects current best practice, is fit for purpose and Council meets its requirements under the *Local Government Act 2020*.

Recommendation:

That Council:

1. Endorses the draft Rural City of Wangaratta Local Law No 1 – Community Amenity for public exhibition in accordance with the *Local Government Act 2020*.
2. Reviews and considers all submission and amendments made to the draft Rural City of Wangaratta Local Law No 1 – Community Amenity at a future Scheduled Council Meeting.
3. If no submission requesting changes to the Local Laws are received, adopts the Rural City of Wangaratta Local Law No 1 - Community Amenity without further resolution of Council.

Background

Council's current Local Law No.1 (**Attachment 2**) came into operation in 2018 and is due for review.

Proposed changes to the Local law are shown in **Attachment 3 & 4**. Key changes include, but not limited to:

- Reorganised the structure of the Local Law enabling its provisions to be easily located and understood in accordance with current best practise.
- Updated and simplified the language and definitions.

- Altered provisions due to changes to other legislation since the current local law was adopted.
- Removed provisions that are no longer required and/or covered by other legislation or processes.
- Used more consistent language, extent and penalties with similar local laws at other Victorian Councils.
- Strengthened provisions relating to waste management (Waste Management Policy **Attachment 5**), firewood collection and animal management (e.g. added number of animals that can be kept at small properties/apartments/townhouses/flats/units).

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report. The Local Law assists in the consistent delivery of Council requirements for the safety and wellbeing of all residents.

Financial/Economic Implications

New or revised penalties while necessary for improved governance are unlikely to involve a large number of infringements.

Legal/Statutory

Local Government Act 2020, once adopted by Council the Local Law must be published in the Victorian Government Gazette. A legal review of the draft local law has been completed.

Social and Diversity

A local law must not be inconsistent the any Act (including the Charter of Human Rights and Responsibilities Act 2006)

Equity Impact Assessment (EIA)

An Equity Impact Assessment has been undertaken and will inform community engagement.

Environmental/Sustainability Impacts

The environmental impacts considered in this draft local law are in relation to permits and requirements around fire and firewood collection, invasive pest, and grazing.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

1.4.1.1 Keep informed of emerging trends and issues that may impact our community, our region and our Council.

2 Nurturing our Wellbeing

2.6.2 Ensure our community understands and meets the requirements of safety legislation and compliance

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

K2: Ensure our community understands and meets the requirements of safety legislation and compliance

Other strategic links

Local Government Act 2020 – Part 3, Division 3 Local Laws.

Risk Management

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Local Law is not revised and remains outdated	Low	Medium	Medium	Exhibit the draft local law for community consultation with a view to implementing a revised local law, in accordance with Council's Community Engagement Policy and the Local Government Act 2020.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Draft Local Law 2025 is to be advertised	Council's website and digital media, Local Newspaper
Consult	Draft Local Law 2025 available for public consultation	Inform the community in the newspaper and other local media that the draft local law is on exhibition and inviting submissions
Involve	All submissions will be considered	Submissions will be considered prior to adoption

Officers believe that appropriate internal consultation has occurred for the draft Rural City of Wangaratta Local Laws No1 – Community Amenity and the matter is now ready for Council consideration and public exhibition.






Options for Consideration

1. That Council endorses the Draft Rural City of Wangaratta Local Law No 1 – Community Amenity for public exhibition 2025 (Recommended).
2. That Council does not endorse the draft Rural City of Wangaratta Local Law No 1 – Community Amenity for public exhibition.

Conclusion

The draft Rural City of Wangaratta Local Law No 1 – Community Amenity is ready for public exhibition and community feedback.

Attachments

- 1 Draft Local Law No 1 - Community Amenity 2025 [↓](#) 
- 2 Current - Local Law No 1 - Community Amenity [↓](#) 
- 3 Local Law Review 2025 Listed Changes [↓](#) 
- 4 Draft Local Law No 1 – Marked up Changes [↓](#) 
- 5 Draft Waste Management Policy 2025 [↓](#) 

15.2 Draft Community Engagement Policy 2025

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Category:	Strategic
Author:	Community Engagement Advisor
Approver:	Director Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

The draft Community Engagement Policy 2025 (refer **Attachment 1**) is ready for public exhibition.

The existing Policy was adopted in 2020, and the scheduled review began in 2024, and is now complete. The draft Community Engagement Policy 2025 sets out the Rural City of Wangaratta's intentions for the support and delivery of community engagement and reflects Council's commitment to the principles of engagement as set out in the *Local Government Act 2020*.

Recommendation:

That Council:

1. Endorses the draft Community Engagement Policy 2025 for a 30-day public exhibition period.
2. Reviews and adopts the Community Engagement Policy 2025 at a future meeting, taking into consideration any submissions made.
3. If no submissions are received requesting changes to Community Engagement Policy 2025, adopts the policy without further resolution.

Background

The existing Policy was developed and adopted by Council in 2020 after changes to the Local Government Act in 2020. These changes included a requirement for deliberative engagement and set out principles that should be applied to any community engagement project.

Since the adoption of the existing Policy, Council has progressed its understanding of community engagement, deliberative engagement, and how these can be implemented in line with the Act. The Policy has evolved to provide a framework to allow meaningful and consistent engagement that both meets Council's requirements under the Act, and also helps build Council's relationship with the community.

The draft Community Engagement Policy 2025 focuses on the principles of engagement outlined in the *Local Government Act 2020*, Council's legislated requirements, and how those are delivered by Council. This includes a clear scope, roles and responsibilities, and definitions. This brings the Policy in line with our other policy documents, and sets Council's commitment to consistent, meaningful, and inclusive community engagement.

Implications

Policy Considerations

The current Community Engagement Policy is due for review. It has further links to other Council areas through project management and engagement delivery.

Financial/Economic Implications

While there are no direct financial implications to this report, the Policy implementation will be the responsibility of each individual project. These costs will need to be reflected in project plans bids, through grants and operational budgets.

Legal/Statutory

The *Local Government Act 2020* requires Councils to have a Community Engagement Policy that considers a number of principles. These have been incorporated into the Policy. Additionally, there are legal requirements around community engagement in other Acts and legislation, including planning legislation that supercede this policy.

Social and Diversity

Ensuring accessible, diverse and meaningful engagement with the people who are impacted by the decision is the cornerstone of the principles outlined in the *Local Government Act 2020*.

Equity Impact Assessment (EIA)

The Act states that engagement must be accessible, include those who are impacted, and make reasonable efforts to ensure those who are involved are engaged meaningfully. These principles are the foundation of this policy.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

- 1.1.2 Commit to the delivery of thorough and inclusive community engagement practices

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

A1 Provide open and transparent communication to the community to build trust, respect and understanding

A2 Commit to the delivery of thorough and responsible community engagement practices

D2 Engage in meaningful dialogue with the community and demonstrate how community participation is being used to inform decisions

Risk Management

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Implementation of new policy by staff	3 - Possible	Minor	5 - Medium	Council will develop a toolkit to support the Policy, and roll out training to
Community fatigue with consultation may impact engagement levels	3 - Possible	Moderate	6 - Medium	Council will adopt a variety of tools and methods in order to reach audiences and get meaningful feedback

Consultation/Communication

The draft Community Engagement Policy 2025 has gone through extensive internal consultation to understand how engagement is currently being delivered and how it can be improved. Data from the previous three Community Satisfaction Surveys has also been considered, and community preferences for engagement and communication will be incorporated into tools provided to Council Officers.

Additionally, the community will have an opportunity to provide feedback on the draft Community Engagement Policy 2025 for 30 days from 28 March to 27 April 2025. Feedback will be reviewed and provided to Councillors for consideration.

Officers believe that appropriate consultation has occurred, and the matter is now ready for Council consideration and public exhibition.

Options for Consideration

1. That Council endorses the draft Community Engagement Policy 2025 for public exhibition for 30 days (Recommended).
2. That Council does not endorse the draft Community Engagement Policy 2025 for public exhibition.

Conclusion

The draft Community Engagement Policy 2025 is ready for public exhibition and community feedback.

Attachments

- 1 Draft Community Engagement Policy 2025 [↓](#) 

16. Special Committee Reports

Nil

17. Advisory Committee Reports

17.1 Biannual Audit and Risk Report

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	25 March 2025
Author:	Governance & Reporting Advisor
Approver:	Director Corporate and Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to note the Audit and Risk Committee's Biannual Audit and Risk Report. This report was prepared in January 2025 to outline the activities of the Audit and Risk Committee between July – December 2024. This report is a requirement of the *Local Government Act 2020* (Vic) and this report is for Councillors to note only.

Recommendation:

That Council notes the Biannual Audit and Risk Report attached to this report.

Background

Biannual Audit and Risk Report

Section 54(5) of the *Local Government Act 2020* (the Act) requires that the Audit and Risk Committee (the committee) prepare a biannual audit and risk report that describes the activities of the committee and includes its findings and recommendations.

To comply with this requirement, a biannual audit and risk report was produced for the period 1 July 2024 – 31 December 2024.

The attached report (**Attachment 1**) was also presented at the 18 March 2024 Audit and Risk Committee meeting for endorsement and is now presented to Council for noting.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

Legal/Statutory

Section 54(5) of the Act requires the Audit and Risk Committee to prepare a biannual audit and risk report and provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.

The Act requires that the Chief Executive Officer must table the biannual audit and risk report at the next Council meeting.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Conclusion

The completion and tabling of the Audit and Risk Committee Biannual Audit ensures that the committee complies with the requirements of the *Local Government Act 2020* and that the committee's activities can be monitored by Council.

Attachments

- 1 Biannual Audit and Risk Report July - December 2024 [↓](#) 

18. Minutes of Advisory Committee Meetings

Nil

19. Notices of Motion

Nil

20. Urgent Business

21. Public Question Time

22. Confidential Business

Recommendation:

That Council resolves to close the meeting to members of the public in accordance with Division 3(1) of the Local Government Act 2020 to consider the following items:

22.1 Confidential Report

Item 22.1 is Confidential under the Local Government Act 2020 as it contains information relating to : (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released..

23. Closure of Meeting

Attachments



Privacy Policy 2025

Document Type	Council Policy
Department	Council-wide
Date of Council Endorsement	TBC
Date for Review	TBC
Responsible Officer	Corporate Planning & Governance Specialist
Authorising Officer	Director Corporate and Leisure
Version Reference Number	3.0
SIM Reference Number	RCOW-631633092-3291

1. Statement and Purpose

1.1 The Rural City of Wangaratta (Council) is committed to ensuring that all personal and sensitive information collected by Council officers is handled in accordance with the requirements of the Information Privacy Principles (IPPs) as contained in the *Privacy and Data Protection Act 2014* (Vic) (the PDP Act) and is only collected, used and disclosed for its primary purpose and only for core business reasons.

1.2 This Policy relates to the collection, use and disclosure of personal and/or sensitive information by a Council representative. Unauthorised third-party access to personal information is captured under Council's Data Breach Policy 2021.

1.3 This Policy is administered by the Governance and Reporting Advisor.

2. Scope

2.1 This policy applies to all areas within Council's operations, including the Wangaratta Sports and Aquatics Centre, the Wangaratta Performing Arts Centre, Maternal and Child Health and Children's Services.

2.2 This policy applies to all persons employed with or who undertake work on behalf of Council in any capacity, including but not limited to Council employees, Councillors, agents, contractors, members of Council Advisory Committees or Community Reference Groups and independent members of the Audit and Risk Committee.

2.3 This policy also applies to health information that Council officers obtain specifically for a Council function; health information is regulated by the *Health Records Act 2001* (Vic) ('HRA') and the Health Privacy Principles (HPPs) contained therein.

3. Functions of Council

3.1 The *Local Government Act 2020* (Vic) states that the role of a council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

3.2 Council manages a diverse range of functions and services to give effect to the key role of councils, including the provision of:

- a) Aged and Community Care services, including in-home support;
- b) Arts and cultural programs;
- c) Community asset management;
- d) Community compliance, including enforcement of Council's Local Laws;
- e) Environment and sustainability and Environmental Health;
- f) Food safety regulation;
- g) Facilities maintenance of council-owned facilities, property and other assets.
- h) Field services, including the works depot;
- i) Maternal and Child Health, including immunisations;



- j) Media, Marketing and Communications;
- k) Property, rating and revenue collection
- l) Recycling and waste management;
- m) Statutory services (including planning and building matters)
- n) Tourism and economic development;
- o) Wangaratta Sports and Aquatic Centre;
- p) Wangaratta Performing Arts and Convention Centre; and
- q) Wangaratta Art Gallery;

4. Policy

4.1 The privacy rights of the public are protected under the PDP Act and the *Health Records Act* (Vic) ('HRA').

4.2 The IPPs outline how Victorian public sector organisations must handle personal information and the HPPs outline how public sector organisations must handle health information.

PRINCIPLES

Information Privacy Principles (IPPs)	Health Privacy Principles (HPPs)
1 - Collection	1 - Collection
2 - Use and Disclosure	2 - Use and Disclosure
3 - Data Quality	3 - Data Quality
4 - Data Security	4 - Data Security and Data Retention
5 - Openness	5 - Openness
6 - Access and Corrections	6 - Access and Correction
7 - Unique Identifiers	7 - Unique Identifiers
8 - Anonymity	8 - Anonymity
9 - Transborder Data Flows	9 - Transborder Data Flows
10 - Sensitive Information	10 - Transfer or closure of the practice of a health service provider
11 - Making information available	

4.3 Council may need to collect your personal or health information to fulfill its operations and functions. This information may include your full name, telephone number and address.

- 4.4 Other types of information may be required to satisfy specific Council functions or to assist Council in delivering specific services.

5. Collection of personal or health information

- 5.1 Under IPP and HPP 1, organisations must only collect personal information necessary for a core function of that organisation.
- 5.2 Council will only obtain personal or health information for purposes relating to a specific Council purpose or function and will communicate the necessity of such collection to any person affected by that collection. Council will provide an opportunity for any person to remain anonymous if appropriate and practicable.
- 5.3 Council will collect your personal or health information for specific reasons (the below list is non-exhaustive), including when:
- a. required to by law;
 - b. you submit a customer request, request for service or complaint (unless this is done so anonymously in accordance with Council's Complaints Policy)
 - c. you are requesting immunisation or other services from the Maternal Child Health team;
 - d. applying for community grants;
 - e. requesting or receiving services from the aged and community care team;
 - f. applying for or amending an existing planning and/or building permit(s);
 - g. submitting questions for Public Question Time at a Scheduled Council Meeting in accordance with the Council's Governance Rules;
 - h. property ownership and rates and revenue collection, including financial hardship;
 - i. council is managing insurance claims relating to a specific individual;
 - j. you register for membership of a community group, the Wangaratta Sports and Aquatic Centre or the Wangaratta Performing Arts and Convention Centre.
- 5.4 Council will only ever need your health information in very specific circumstances and to deliver specific functions. These functions are:
- a. Aged and Community Care to ensure that the quality provision of care can be administered;
 - b. Immunisations; and
 - c. Maternal and child health to determine any allergy or dietary requirements;

5.5 Upon collection of an individual's personal or health information for a council function as above, Council will outline how that person's personal information will be used and the circumstances and third parties to whom the personal information may be used.

6. Use and Disclosure of personal or health information

- 6.1 Under IPP and HPP 2, organisations must only use and disclose personal information it has obtained for the purpose it has been collected.
- 6.2 When information has been obtained for a specific purpose under 5.3 and 5.4, Council will only use and disclose that information for that purpose, unless the disclosure for a secondary purpose is permitted and not unreasonable in the circumstances or for the provision of health service by a registered health care provider. Secondary purposes are provided in more detail below.
- 6.3 For example, information provided for the purposes of addressing a customer request or complaint will *only* be used for the purposes of addressing that request or complaint, unless the individual provides consent for this release or unless the disclosure of this information to another internal or external party is necessary for the satisfactory resolution of this request or complaint.
- 6.4 Notwithstanding 6.2, Council will only disclose personal information if it is safe to do so and does not establish any danger to person or property.
- 6.5 Council will inform that individual of how their information will be used and, wherever possible, the third parties or agencies to whom their information may be disclosed, including the circumstances that would warrant this disclosure.

SECONDARY PURPOSES

- 6.6 The eight secondary purposes in which Council can use or disclose the personal information include when:
- a. the individual in which the personal information relates would reasonably expect Council to release this information to a third party;
 - b. the individual has provided consent to release this information for a specific purpose;
 - c. necessary for research or the compilation of statistics;
 - d. necessary to lessen or prevent serious threats to health or safety;
 - e. investigating suspected unlawful activity;

- f. required or authorised by law;
- g. reasonably necessary to assist with law enforcement and/or protection of public revenue; and
- h. requested to do so by a Commonwealth security agency (i.e., ASIO or ASIS).

- 6.7 For example, if your personal information is sought by a third party due to imminent and/or serious threat of damage to life or property, Council will be obliged to release this information to prevent this action occurring without initially obtaining your consent.
- 6.8 If Council releases your information for a secondary purpose, Council will, either prior to the release wherever possible or as soon as practicable after the release, provide that individual notice in writing of this disclosure, the reasons for this disclosure and any available appeal rights.
- 6.9 Whenever disclosing personal information under clauses 5.3 and 5.4 (excepting when required to do so by law), Council will ensure that the information requested by the third party is being requested for legitimate reasons and will be recorded by that third party securely.

7. Quality of your personal and/or health information

- 7.1 Under IPP and HPP 3, organisations must take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate and remains current.
- 7.2 Where possible, Council staff will verify the accuracy of the information provided to them for the specific function or activity in which that information was provided.
- 7.3 For example, if you regularly liaise with the community and recreation team for the purposes of your involvement in a community asset committee or council group, council staff will ensure that the personal information Council uses for that function is accurate and current. The frequency of Council's verification depends on the frequency and nature of your engagement with that function or department.
- 7.4 Council will ensure that all personal and/or health information is maintained in accordance with its Information Retention and Disposal Policy and Information and Records Management Policy.
- 7.5 If you detect any errors with the personal information Council has obtained, please contact Council's governance team who can assist:

Governance and Reporting Advisor

Wangaratta Rural City Council

PO Box 238

Wangaratta VIC 3676

council@wangaratta.vic.gov.au**8. Security of your personal and/or health information**

- 8.1 Under IPP and HPP 4, organisations must take reasonable steps to protect the personal and/or health information it possesses from misuse and loss and from any unreasonable access, modification or disclosure and to destroy or permanently de-identify personal information if it is no longer required.
- 8.2 Council utilises a range of mechanisms to safeguard the information that it obtains, including frequent, mandatory training for council staff on their obligations to protect personal information and technological restrictions on the council staff that can access certain information. Access is governed by Council's Information and Records Management Policy and Information Management and Retention Policy.
- 8.3 If Council becomes aware that an individual's personal information has been incorrectly handled by a member of council staff, Council will undertake an immediate remedial course of action, consistent with existing Council policy or any existing Officer of the Victorian Information Commissioner (OVIC) guidelines relevant to the nature of that incorrect usage.
- 8.4 Information is destroyed or permanently de-identified when it is no longer required in accordance with the *Public Records Act 1973* (Vic).

9. Access and Correction

- 9.1 Under IPP and HPP 6, organisations who hold the personal and/or health information of individuals must make that information accessible to the person in which that information relates, unless:
- a. providing access would pose a serious threat to the safety of that person or another person;
 - b. the disclosure would unreasonably breach the privacy of another person;
 - c. the request is frivolous or vexatious;

- d. the information relates to legal proceedings;
- e. providing access would be unlawful;
- f. denying the request is authorised by a relevant law; or
- g. granting access would prejudice an investigation of a possible unlawful event.

- 9.2 If Council cannot provide a person access to their personal and/or health information under 9.1, it will identify ways, if possible, of providing sufficient information to satisfy both parties and will inform the individual in writing of why access cannot be granted in full.
- 9.3 All individuals maintain the ability to correct any personal information that Council has in its disposal at any time.
- 9.4 Under IPP and HPP 7, organisations must not apply unique identifiers to any personal information it obtains, unless that unique identification assists that organisation in achieving its core business functions.
- 9.5 Council will only provide a unique identifier when Council must communicate with the community on a matter and, for practical reasons and to protect the identity of a person, bulk communications are identified as the preferred method.

10. Anonymity

- 10.1 Under IPP 8, organisations must allow individuals the opportunity to not identify themselves wherever lawful and practical in the circumstances.
- 10.2 Council recognises that individuals may wish to remain anonymous. Council will endeavour to ensure that anonymity is protected whenever necessary but there may be some occasions when anonymity cannot be ensured (for example, rates notices or when a customer requests a call back when making a complaint or request).
- 10.3 If anonymity cannot be guaranteed, Council will ensure that only Council employees to whom the information is provided or council officers who perform duties relating specifically to the council function in which the information is sought have access to that information.
- 10.4 In the event anonymity is not a practical option, Council will ensure all personal information is de-identified.
- 10.5 If personal information cannot be de-identified, Council has an information management policy framework in place to ensure access is only granted to Council employees who require access and access is only provided for the reasons in which the information was obtained.

11. Transborder Data Flows

- 11.1 Under IPP and HPP 9, Council must ensure that any personal information it collects remains subject to all applicable privacy provisions once that information is transferred outside of Victoria.
- 11.2 Council will ensure that it exercises all due diligence in any situation in which the personal information it collects is disclosed to an interstate or international entity. The due diligence includes but is not limited to requesting evidence of any privacy policy of the organisation requesting the personal information and a rationale as to why the information is being sought.

12. Sensitive Information

- 12.1 Under IPP and HPP 10, Council must not collect any sensitive information, unless a customer has given express consent for the collection of this information or if the collection of this type of information is required or authorised by law.
- 12.2 Circumstances in which Council may require access to sensitive information may include surveys or data collection being conducted by Council to serve a vital or public interest purpose (for example, emergency assistance or the provision of essential health care).

13. Roles and Responsibilities

13.1 Contract Managers

- a. Ensuring that contracts with third parties include provisions for data protection and security;
- b. Monitoring the activities of third parties to ensure compliance with data protection requirements.

13.2 Council Representatives

- a. comply with this policy when managing the personal or sensitive information of any person (any uncertainty regarding the release of any personal information should be communicated to the Governance and Reporting Advisor for determination);
- b. Protecting the confidentiality and security of the personal data they handle;

- c. Reporting any breaches or incidents involving personal data to their line manager and the Governance and Reporting Advisor.

13.3 Corporate Planning and Governance Specialist

- a. Investigate any breaches of this policy and escalate to the Office of the Victorian Information Commissioner (OVIC) if the breach is notifiable.

13.4 Governance and Reporting Advisor

- a. Responsible for ensuring any breaches of this policy are reported to the relevant body as per the applicable legislative instrument.
- b. Responsible for ensuring the maintenance and general awareness and understanding of this policy.

14. Breaches

- 14.1 Any breaches relating to the collection, use or disclosure of the private and/or sensitive information under this policy will be considered by the Corporate Planning & Governance Specialist.
- 14.2 Any breach in relation to the unauthorised access, modification or disclosure by third parties will be actioned in accordance with the Data Breach Policy 2021 and escalated to the applicable agency for determination.
- 14.3 Council's Data Breach Response Plan outlines the remedial actions available to Council in case of a breach of policy and internal procedures for managing breaches will be followed and communicated to all relevant parties.
- 14.4 Depending on the nature and scope of the breach, potential legal repercussions outside the scope of the policy may exist. For further guidance, Council's governance unit can provide further advice.

15. Human Rights

- 15.1 This policy has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

16. Gender Impact Assessment

16.1 This policy has considered and applied Council's Gender Impact Assessment Template and satisfies the provisions established in the *Gender Equality Act 2020* (Vic).

17. Monitoring and evaluation

17.1 This policy must be considered by Council's Audit and Risk Committee at least once in its three-year cycle to determine its effectiveness and scope.

18. Definitions

Core Business relates to a situation in which Council is required to obtain personal information from a community member to fulfil any legal obligations. For example, rates notices, for a period of community consultation that may have a direct impact on a person's property, to action a complaint (if applicable) etc.

Data Breach means any unauthorised access, modification or disclosure of the private or sensitive information of any person by a third party⁶.

Personal Information means information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the Health Records Act 2001 applies.

Primary purpose relates to the specific purpose of collecting that information. For example, if personal information is collected to ensure a missing waste bin is collected, Council must not use that personal information for another purpose, except in accordance with this policy or the Act.

Secondary purpose relates to a situation which does not relate to the primary purpose of collecting such information.

Sensitive Information means information or an opinion about an individual's— (a) racial or ethnic origin; or (b) political opinions; or (c) membership of a political association; or (d) religious beliefs or affiliations; or (e) philosophical beliefs; or (f) membership of a professional or trade association; or (g) membership of a trade union; or (h) sexual preferences or practices; or (i) criminal record— that is also personal information.

Unique Identifier means a number or letter sequence that marks that particular record as unique from every other record of its type.

19. References and Related Policies

Legislation

- *Aged Care Act 1997* (Cth)
- *Health Records Act*
- *Privacy and Data Protection Act 2012* (Vic)

External

- OVIC – *The Guidelines to the Information Privacy Principles* (November 2019)

20. Review

This policy must be reviewed at least once every four years or whenever required due to operational or legislative change.

Version History		
Version Number	Date of change	Reasons for change
1.0	April 2018	Establishment of policy
2.0	April 2023	Standard review
3.0	November 2024	Review through feedback from Audit and Risk Committee

RURAL CITY OF WANGARATTA

RELIANSYS® DELEGATIONS - EXPORT FROM LIBRARY

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Note - Exported provisions are sorted by Delegation Source and Section.

06 MARCH 2025

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Delegation Sources

- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024
- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

Positions

Abbreviation	Position
APC	Asset Planning Coordinator
AOI	Assets Officer - Inspections
CP	Cadet Planner
CEO	Chief Executive Officer
CC	Compliance Coordinator
DEVE	Development Engineer
DC&I	Director Community and Infrastructure
DC&L	Director Corporate and Leisure
DS&C	Director Sustainability and Culture

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Abbreviation	Position
EHO	Environmental Health Officer
G&RA	Governance & Reporting Advisor
HC	Horticulture Coordinator
MBP&C	Manager Building, Planning & Compliance
MEDE&C	Manager Economic Development Environment & Compliance
MFS	Manager Field Services
MF	Manager Finance
MIP&D	Manager Infrastructure Planning & Delivery
MP&G	Manager People & Culture
MSS	Manager Statutory Services
Not applicable	Not Applicable
P	Planner
PCO	Planning Compliance Officer
PCBPC	Planning Coordinator
SPBPC	Senior Planner
SPSGE	Strategic Planner
SCFS	Supervisor Cemetery

Rural City of Wangaratta

Abbreviation	Position
SW	Supervisor Works
TSC	Technical Services Coordinator
WMC	Waste Management Coordinator

Rural City of Wangaratta

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
738896	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 7	Power to enter into a written agreement with a caravan park owner	DS&C, EHO, MSS	
738897	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 10	Function of receiving application for registration	EHO, MSS	
738898	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 11	Function of receiving application for renewal of registration	EHO, MSS	
738899	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2024		these regulations		
738900	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	EHO, MSS	
738901	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, MSS	
738902	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DS&C, EHO, MSS	

Rural City of Wangaratta

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
738903	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DS&C, EHO, MSS	
738904	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 12(4) & (5)	Duty to issue certificate of registration	EHO	
738905	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 14(1)	Function of receiving notice of transfer of ownership.	EHO	
742732	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 14(3)	Power to determine where notice of transfer is displayed	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2024				
738906	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 15(1)	Duty to transfer registration to new caravan park owner	EHO, MSS	
738907	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 15(2)	Duty to issue a certificate of transfer of registration	EHO, MSS	
738908	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 15(3)	Power to determine where certificate of transfer of registration is displayed	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
738909	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	DS&C, EHO, MSS	
738910	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 17	Duty to keep register of caravan parks	EHO, MSS	
738911	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 21(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, MSS	
738912	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 21(2)	Duty to consult with relevant emergency services agencies	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2024				
738913	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, MSS	
738914	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, MSS	
738915	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 24(2)	Power to consult with relevant floodplain management authority	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
738916	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	EHO, MSS	
738917	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, MSS	
738918	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, MSS	
738919	A*	Residential Tenancies (Caravan Parks and Movable Dwellings	r 39(3)	Function of receiving installation certificate	EHO, MSS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Registration and Standards) Regulations 2024				
738920	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	EHO, MSS	
738921	A*	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024	r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	EHO, MSS	
659726	A*	Cemeteries and Crematoria Act 2003	s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CEO	Where Council is a Class B cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659727	A*	Cemeteries and Crematoria Act 2003	s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	CEO	Where Council is a Class B cemetery trust
659728	A*	Cemeteries and Crematoria Act 2003	s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	CEO	Where Council is a Class B cemetery trust
659729	A*	Cemeteries and Crematoria Act 2003	s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Not applicable	Where Council is a Class A cemetery trust
659730	A*	Cemeteries and Crematoria Act 2003	s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Not applicable	Where Council is a Class A cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659731	A*	Cemeteries and Crematoria Act 2003	s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	CEO	
659732	A*	Cemeteries and Crematoria Act 2003	s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CEO	
659733	A*	Cemeteries and Crematoria Act 2003	s 15(4)	Duty to keep records of delegations	MFS	
659734	A*	Cemeteries and Crematoria Act 2003	s 17(1)	Power to employ any persons necessary	CEO	
659735	A*	Cemeteries and Crematoria Act 2003	s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CEO	
659736	A*	Cemeteries and Crematoria Act 2003	s 17(3)	Power to determine the terms and conditions of employment or	CEO	Subject to any guidelines or directions of the Secretary

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				engagement		
659737	A*	Cemeteries and Crematoria Act 2003	s 18(3)	Duty to comply with a direction from the Secretary	HC, MFS, SCFS	
659738	A*	Cemeteries and Crematoria Act 2003	s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not applicable	Where Council is a Class A cemetery trust
659739	A*	Cemeteries and Crematoria Act 2003	s 18C	Power to determine the membership of the governance committee	Not applicable	Where Council is a Class A cemetery trust
659740	A*	Cemeteries and Crematoria Act 2003	s 18D	Power to determine procedure of governance committee	Not applicable	Where Council is a Class A cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659741	A*	Cemeteries and Crematoria Act 2003	s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not applicable	Where Council is a Class A cemetery trust
659742	A*	Cemeteries and Crematoria Act 2003	s 18D(1)(b)	Power to appoint any additional community advisory committees	Not applicable	Where Council is a Class A cemetery trust
659743	A*	Cemeteries and Crematoria Act 2003	s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not applicable	Where Council is a Class A cemetery trust
659744	A*	Cemeteries and Crematoria Act 2003	s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not applicable	Where Council is a Class A cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659745	A*	Cemeteries and Crematoria Act 2003	s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not applicable	Where Council is a Class A cemetery trust
659746	A*	Cemeteries and Crematoria Act 2003	s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not applicable	Where Council is a Class A cemetery trust
659747	A*	Cemeteries and Crematoria Act 2003	s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not applicable	Where Council is a Class A cemetery trust
659748	A*	Cemeteries and	s.18J	Duty to provide leadership, assistance	Not	Where Council is a Class A cemetery

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Crematoria Act 2003		and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	applicable	trust
659749	A*	Cemeteries and Crematoria Act 2003	s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not applicable	Where Council is a Class A cemetery trust
659750	A*	Cemeteries and Crematoria Act 2003	s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not applicable	Where Council is a Class A cemetery trust
659751	A*	Cemeteries and Crematoria Act 2003	s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not applicable	Where Council is a Class A cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659752	A*	Cemeteries and Crematoria Act 2003	s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not applicable	Where Council is a Class A cemetery trust
659753	A*	Cemeteries and Crematoria Act 2003	s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
659754	A*	Cemeteries and Crematoria Act 2003	s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not applicable	Where Council is a Class A cemetery trust
659755	A*	Cemeteries and Crematoria Act 2003	s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not applicable	Where Council is a Class A cemetery trust

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659756	A*	Cemeteries and Crematoria Act 2003	s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
659757	A*	Cemeteries and Crematoria Act 2003	s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Not applicable	Where Council is a Class A cemetery trust
659758	A*	Cemeteries and Crematoria Act 2003	s 19	Power to carry out or permit the carrying out of works	MFS	
659759	A*	Cemeteries and Crematoria Act 2003	s 20(1)	Duty to set aside areas for the interment of human remains	MFS	
659760	A*	Cemeteries and Crematoria Act 2003	s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CEO	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659761	A*	Cemeteries and Crematoria Act 2003	s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CEO	
659762	A*	Cemeteries and Crematoria Act 2003	s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CEO	
659763	A*	Cemeteries and Crematoria Act 2003	s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	CEO	Subject to the approval of the Minister
659764	A*	Cemeteries and Crematoria Act 2003	s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CEO	Subject to the Minister approving the purpose
659765	A*	Cemeteries and	s 40	Duty to notify Secretary of fees and	DC&I, MFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Crematoria Act 2003		charges fixed under s 39		
659766	A*	Cemeteries and Crematoria Act 2003	s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	DC&I, MFS	Provided the street was constructed pursuant to the Local Government Act 1989
660430	A*	Cemeteries and Crematoria Act 2003	s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DC&I, MFS, SCFS	
659767	A*	Cemeteries and Crematoria Act 2003	s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DC&I, MFS	Report must contain the particulars listed in s 57(2)
659768	A*	Cemeteries and Crematoria Act 2003	s 59	Duty to keep records for each public cemetery	DC&I, MFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659769	A*	Cemeteries and Crematoria Act 2003	s 60(1)	Duty to make information in records available to the public for historical or research purposes	HC, SCFS	
659770	A*	Cemeteries and Crematoria Act 2003	s 60(2)	Power to charge fees for providing information	HC, SCFS	
659771	A*	Cemeteries and Crematoria Act 2003	s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DC&I	
659772	A*	Cemeteries and Crematoria Act 2003	s 64B(d)	Power to permit interments at a reopened cemetery	DC&I	
659773	A*	Cemeteries and Crematoria Act 2003	s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part	DC&I	The application must include the requirements listed in s 66(2)(a)-(d)

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				of it, to a historic cemetery park		
659774	A*	Cemeteries and Crematoria Act 2003	s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DC&I	
659775	A*	Cemeteries and Crematoria Act 2003	s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	HC, SCFS	
659776	A*	Cemeteries and Crematoria Act 2003	s 70(2)	Duty to make plans of existing place of interment available to the public	HC, SCFS	
659777	A*	Cemeteries and Crematoria Act 2003	s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	HC, SCFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659778	A*	Cemeteries and Crematoria Act 2003	s 71(2)	Power to dispose of any memorial or other structure removed	HC, SCFS	
659779	A*	Cemeteries and Crematoria Act 2003	s 72(2)	Duty to comply with request received under s 72	HC, SCFS	
659780	A*	Cemeteries and Crematoria Act 2003	s 73(1)	Power to grant a right of interment	HC, SCFS	
659781	A*	Cemeteries and Crematoria Act 2003	s 73(2)	Power to impose conditions on the right of interment	HC, MFS	
660404	A*	Cemeteries and Crematoria Act 2003	s 74(3)	Duty to offer a perpetual right of interment	MFS, SCFS	
659782	A*	Cemeteries and	s 75	Power to grant the rights of interment set	HC, MFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Crematoria Act 2003		out in s 75(a) and (b)		
659783	A*	Cemeteries and Crematoria Act 2003	s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	HC, MFS	
659784	A*	Cemeteries and Crematoria Act 2003	s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DC&I, MFS	
659785	A*	Cemeteries and Crematoria Act 2003	s 80(1)	Function of receiving notification and payment of transfer of right of interment	HC, SCFS	
659786	A*	Cemeteries and Crematoria Act 2003	s 80(2)	Function of recording transfer of right of interment	HC, SCFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659787	A*	Cemeteries and Crematoria Act 2003	s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	HC, SCFS	
659788	A*	Cemeteries and Crematoria Act 2003	s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	HC, MFS, SCFS	
659789	A*	Cemeteries and Crematoria Act 2003	s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	HC, SCFS	
659790	A*	Cemeteries and Crematoria Act 2003	s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	HC, SCFS	
660405	A*	Cemeteries and Crematoria Act 2003	s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of	HC, SCFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				interment under s 84C(2), (3) or (5)		
660406	A*	Cemeteries and Crematoria Act 2003	s 84H(4)	Power to exercise the rights of a holder of a right of interment	HC, SCFS	
660424	A*	Cemeteries and Crematoria Act 2003	s 84I(4)	Power to exercise the rights of a holder of a right of internment	HC, SCFS	
660407	A*	Cemeteries and Crematoria Act 2003	s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	HC, SCFS	
660408	A*	Cemeteries and Crematoria Act 2003	s 84I(6)(a)	Power to remove any memorial on the place of interment	HC, SCFS	
660409	A*	Cemeteries and Crematoria Act 2003	s 84I(6)(b)	Power to grant right of interment under s 73	HC, SCFS	
659791	A*	Cemeteries and Crematoria Act 2003	s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	HC, SCFS	The notice must be in writing and contain the requirements listed in s 85(2)

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
660276	A*	Cemeteries and Crematoria Act 2003	s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	HC, SCFS	Does not apply where right of interment relates to remains of a deceased veteran.
660277	A*	Cemeteries and Crematoria Act 2003	85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	HC, SCFS	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
659792	A*	Cemeteries and Crematoria Act 2003	s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right	HC, SCFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				holder within time specified		
660267	A*	Cemeteries and Crematoria Act 2003	s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	HC, SCFS	
660268	A*	Cemeteries and Crematoria Act 2003	s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	HC, SCFS	
660269	A*	Cemeteries and Crematoria Act 2003	s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	HC, SCFS	
660270	A*	Cemeteries and Crematoria Act 2003	s.86(4)	Power to take action under s.86(4) relating to removing and re-interring cremated human remains	HC, SCFS	
660271	A*	Cemeteries and	s.86(5)	Duty to provide notification before taking	HC, SCFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
		Crematoria Act 2003		action under s.86(4)		
660272	A*	Cemeteries and Crematoria Act 2003	s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	HC, SCFS	
659793	A*	Cemeteries and Crematoria Act 2003	s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	HC, SCFS	
659794	A*	Cemeteries and Crematoria Act 2003	s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	HC, MFS, SCFS	
659795	A*	Cemeteries and Crematoria Act 2003	s 91(1)	Power to cancel a right of interment in accordance with s 91	HC, MFS	
659796	A*	Cemeteries and Crematoria Act 2003	s 91(3)	Duty to publish notice of intention to cancel right of interment	HC, MFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
659797	A*	Cemeteries and Crematoria Act 2003	s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	HC, MFS, SCFS	
659798	A*	Cemeteries and Crematoria Act 2003	s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	HC, SCFS	
659799	A*	Cemeteries and Crematoria Act 2003	s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	HC, MFS	
659800	A*	Cemeteries and Crematoria Act 2003	s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information	HC, MFS	

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ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
				where requested		
659801	A*	Cemeteries and Crematoria Act 2003	s 100(1)	Power to require a person to remove memorials or places of interment	HC, MFS	
659802	A*	Cemeteries and Crematoria Act 2003	s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	HC, MFS, SCFS	
659803	A*	Cemeteries and Crematoria Act 2003	s 100(3)	Power to recover costs of taking action under s 100(2)	HC, MFS	
659804	A*	Cemeteries and Crematoria Act 2003	s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	HC, MFS, SCFS	

