

Local Law Community Impact Statement (LLCIS)

Casey City Council Revocation of Meeting Procedure and Use of the Common Seal Local Law 2020

Casey City Council (**Council**) provides the following information to the community in respect of its Revocation of Meeting Procedure and Use of the Common Seal Local Law 2020.

1. 1. INTRODUCTION

Council is proposing to make the new Revocation of Meeting Procedure and Use of the Common Seal Local Law 2020 (**proposed Local Law**).

The proposed Local Law will revoke Council's Local Law No. 1 (2016) – Meeting Procedures and Use of the Common Seal (**current Local Law**).

This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council during the public consultation process required under the *Local Government Act 1989* (**Act**).

2. BACKGROUND

The current Local Law addresses the meeting procedure applicable to Council (and Special Committee) meetings. It also regulates the use of Council's common seal and creates an offence for misuse of the common seal and disorderly conduct at Council (and Special Committee) meetings.

The meeting procedure applicable to Council (and Delegated Committee) meetings will now be addressed through Governance Rules made under the *Local Government Act 2020* (**2020 Act**). As part of the transition to the 2020 Act, Council is revoking the current Local Law to make way for its Governance Rules.

It has been determined that the current Local Law does not need to be replaced, and Council does not propose at this time to make a replacement Local Law.

3. OVERVIEW OF PROPOSED LOCAL LAW

The purpose of the proposed Local Law is to revoke the current Local Law.

The proposed Local Law will come into operation on the day after the day on which notice of the making of the proposed Local Law is published in the Victoria Government Gazette.

On commencement of the proposed Local Law, the current Local Law will be revoked.

Under s 223 of the Act, Council is required to give public notice of the proposed Local Law and invite submissions for a period of at least 28 days.

The statutory consultation period will run from 10 September 2020 to 8 October 2020.

Anyone who makes a written submission can request to be heard in support of their submission at the Council meeting which considers the making of the proposed Local Law, details of which will be provided.

The proposed Local Law has been reviewed by Council's lawyers who confirm that it complies with all regulatory requirements.

A copy of the proposed Local Law is attached (**Attachment 1**) to this Community Impact Statement.

4. EVALUATION OF THE PROPOSED LOCAL LAW

In accordance with Guidelines issued by the Minister for Local Government in relation to the making of local laws, Council has conducted an evaluation of the Proposed Local Law. The evaluation is outlined in the following Table.

Issue	Evaluation
Objectives	The objective of the proposed Local Law is to revoke the current Local Law.
Legislative Framework	<p>The Act gives councils broad powers to make local laws with respect to any function or power of the council. The power to make local laws includes the power to revoke them.</p> <p>The proposed Local Law revokes the current Local Law, consistent with Council's broad functions and powers.</p>
State legislation more appropriate	Not applicable.
Overlap with existing legislation	Not applicable.
Planning Scheme	Not applicable.
Legislative Approach	Not applicable.
Performance Standards or Prescriptive Details	Not applicable.
Risk Assessment	<p>No formal risk assessment has been undertaken.</p> <p>Council does not consider that there are any risks associated with the proposed Local Law.</p>
Measures of Success	The success of the proposed Local Law will be measured by the cessation of operation of the current Local Law.
Permits and Fees	The proposed Local Law does not make provision for the issue of permits and does not prescribe any fees.
Penalties	Not applicable.
Restriction of competition	Not applicable.

Issue	Evaluation
Comparison with other Councils	In drafting the proposed Local Law, Council had regard to the Local Laws of a number of like and neighbouring councils to assess their regulation of the matters regulated by the current Local Law.
Charter of Human Rights	<p>The <i>Charter of Human Rights and Responsibilities Act 2006</i> (Charter) contains twenty basic rights that promote and protect the values of freedom, respect, equality and dignity. Councils must not knowingly be in breach of these rights and must always consider them when they create laws, develop policies and deliver services.</p> <p>The proposed Local Law has been reviewed for compatibility with the Charter and is considered to be compatible with the Charter, to the extent that provision is made elsewhere (including in Council's Governance Rules) for the promotion and protection of those human rights which are engaged by Council's activities.</p>
Community Consultation	<p>The proposed Local Law has been reviewed in consultation with Councillors, members of Council staff and Council's legal advisers.</p> <p>A community consultation process will be conducted in accordance with ss 119(2) and 223 of the Act.</p> <p>This will require Council to give public notice of its intention to make the proposed Local Law and provide members of the public with an opportunity to make a written submission to Council in relation to the proposed Local Law. Council will consider submissions received before making a final decision on the proposed Local Law.</p> <p>A person who makes a written submission is entitled to request (in the submission) to be heard by Council in support of his/her submission. When Council makes a final decision on the proposed Local Law, it must notify in writing each submitter of the decision and the reasons for the decision.</p> <p>This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council.</p>

5. ATTACHMENTS

- **Attachment 1** - Proposed Revocation of Meeting Procedure and Use of the Common Seal Local Law 2020