

GREATER SHEPPARTON CITY COUNCIL

LOCAL LAW No.2

CONDUCT AT MEETINGS AND COMMON SEAL

Adopted by Council: Day Month Year

Next Review: Day Month Year

PART A - INTRODUCTION

1. Title

This Local Law is the Greater Shepparton City Council's, "Local Law No. 2 – Conduct at Meetings and Common Seal". It is referred to hereunder as "this Local Law".

2. Purpose of this Local Law

The purpose of this Local Law is to:

- 2.1 revoke Council's "Local Law No. 2 – Procedures for Council Meetings and Common Seal";
- 2.2 create offences with respect to conduct at Meetings; and
- 2.3 regulate and control the use of the Common Seal.

3. Authorising Provision

This Local Law is made under section 14 of the *Local Government Act 2020* and section 111(1) of the *Local Government Act 1989*.

4. Commencement and End Dates

This Local Law:

- 4.1 commences on the day following the day on which notice of the making of this Local Law is published in the Victoria Government Gazette, and operates throughout the municipal district; and
- 4.2 ends on the 10th anniversary of the day on which it commenced operation.

5. Revocation of Local Law No. 2

On the commencement of this Local Law, Council's "Local Law No. 2 – Procedures for Council Meetings and Common Seal", made on 19 June 2018, is revoked.

6. Definitions

In this Local Law:

"Act"	means the <i>Local Government Act 2020</i> .
"Chair"	means the person taking the chair at a Meeting.
"Chamber"	means the room in which a Meeting is being held.
"Chief Executive Officer"	means the person occupying the position of Chief Executive Officer of Council, and includes a person acting in that position.
"Common Seal"	means the Common Seal of the Council, being the device which formally records the collective will of the Council.
"Community Asset Committee"	means a Community Asset Committee established under section 65 of the Act.
"Council"	means the Greater Shepparton City Council.

“Council’s Sealing Clause”	means the sealing clause at clause 10.3.
“Delegated Committee”	means a Delegated Committee established under section 63 of the Act.
“Director”	means a Council Officer appointed by the Chief Executive Officer as part of Council’s Executive Leadership Team.
“Meeting”	means a properly constituted meeting of Council, a Delegated Committee or a Community Asset Committee.
“Penalty Unit”	has the same meaning as in in section 110 of the <i>Sentencing Act 1991</i> .

7. Regard to Further Guidance

In exercising its powers and functions under this Local Law, Council may have regard to any guidelines, policies, codes or standards it has adopted for the purpose of the Local Law.

8. Conflicts with other Acts

Where any clause of this Local Law conflicts or is inconsistent with the Act or any other Act, that Act has precedence and the clause is inoperative to the extent of the inconsistency.

PART B – OFFENCES

9. Offences

It is an offence for any person, other than a Councillor:

- 9.1 who has been directed at least once by the Chair to stop any conduct which the Chair considers to be disorderly or otherwise disruptive, not to leave the Chamber when directed by the Chair to do so; and

Penalty: 5 Penalty Units

- 9.2 to fail to comply with a direction of the Chair with respect to the conduct of the Meeting.

Penalty: 5 Penalty Units

PART C – COMMON SEAL

10. Council’s Common Seal

- 10.1 The Common Seal must be affixed to a document only for the purpose of:

- 10.1.1 giving effect to a decision which has been made by:

10.1.1.1 made by Council resolution; or

10.1.1.2 the Chief Executive Officer under delegation; or

- 10.1.2 to seal any agreement required to be made under section 173 of the *Planning and Environment Act 1987*.

- 10.2 The Chief Executive Officer must:

10.2.1 ensure the security of the Common Seal at all times; and

10.2.2 maintain a register of documents to which the Common Seal has been affixed.

10.3 Subject to clause 10.4, every document to which the Common Seal is affixed must be signed by the Chief Executive Officer with Council's Sealing Clause:

THE COMMON SEAL of GREATER SHEPPARTON)
CITY COUNCIL was affixed on this day of)
20 in the presence of the Chief Executive Officer)
being a delegated officer pursuant to Local Law No 2
of the Council:

.....
CHIEF EXECUTIVE OFFICER

10.4 Where a document to which the Common Seal is to be affixed is a document in which the Chief Executive Officer has an interest, the Common Seal is to be affixed, and the document signed, by such other Director authorised by Council resolution for the purpose, either generally or in a particular case, and Council's Sealing Clause is to be adjusted to reflect that.