



GLEN INNES SEVERN COUNCIL

Community Consultation Session Guidelines (Pertaining to Council Meetings)

RESOLUTION NUMBER:	5.02/19 9.11/18 8.07/17 8.02/14 6.02/12 3.07/09	MEETING:	28 February 2019 22 November 2018 27 July 2017 27 February 2014 23 February 2012 23 July 2009
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INTRODUCTION

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) was prescribed on 14 December 2018 and includes a non-mandatory provision regarding public Forums.

AIM

The aim of these Guidelines is to provide Council and members of the public with clear direction in relation to the requirements and expectations pertaining to Community Consultation Sessions. These Guidelines have been developed in line with section 4 of the Model Code of Meeting Practice for Local Councils in NSW, which was prescribed on 14 December 2018.

Council approves the inclusion of the Community Consultation Session Guidelines below, to be made available to members of the public who wish to address Council, as well as to be distributed with future Business Papers.

POLICY STATEMENT

1. The Council may hold a public forum prior to each Ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to Extraordinary Council meetings. The duration of public forums will be 15 minutes, and they will commence at 5.45pm on the day of a set Council meeting.
2. Public forums are to be chaired by the Mayor or their nominee. Only the names of speakers, the organisation that they are representing and the topic that they are speaking about will be recorded in Council's Meeting Minutes
3. To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by **12 noon on the Tuesday before the meeting**, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.

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4. A person may apply to speak on no more than **two (2)** items of business on the agenda of the Council meeting.
5. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
6. The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
7. No more than **three (3)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
8. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
9. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
10. Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than **one (1)** day before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.
11. The General Manager or their delegate is to determine the order of speakers at the public forum.
12. Each speaker will be allowed a **maximum of five (5)** minutes to address the Council. This time is to be strictly enforced by the Chairperson.
13. Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
15. Speakers are under no obligation to answer a question put under clause 14. Answers by the speaker, to each question are to be limited to **two (2)** minutes.

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16. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
17. The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to **three (3)** minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
18. Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
19. When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct or making other potentially defamatory statements.

The Mayor or Chair will be guided by Section 10A(2)(a) – (i) of the *Local Government Act 1993*, in not allowing members of the public during community consultation sessions to deal with or discuss or disclose any information with regards to the matters mentioned in this section and subsections of the Act.

The opinions expressed by community members are not reflective or representative of the views of Council and hence Council cannot be held responsible or liable.

20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of the Code of Meeting Practice.
22. Where a speaker engages in conduct of the type referred to in clause 19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

Note: Public forums should not be held as part of a Council meeting. Council meetings should be reserved for decision-making by the Council. Where a public forum is held as part of a Council meeting, it must be conducted in

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accordance with the other requirements of the Code of Meeting Practice relating to the conduct of Council meetings.

IMPLEMENTATION / COMMUNICATION

The Executive Assistant will communicate the information within these Guidelines to all parties that request to address Council in this forum.

REVIEW

This policy will be reviewed once in any Council term by the newly elected incoming Council, as soon as is practicable after the month of September.


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General Manager

15-3-2019
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Date

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