

Public Forums

Procedure for Registration and Rules for Participation

4 Public forums

4.1 The council will hold a public forum prior to meetings of the council and committees 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 meetings of other committees of the council.

4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.

4.3 The provisions of this Code requiring the livestreaming of meetings also apply to public forums.

Note: In accordance with 4.2 Council adopts the following rules under which public forums are to be conducted:

4.4 Public forums may also be held prior to extraordinary council meetings

4.5 Public forums may be held by audio-visual link at times when the Council Meeting is being held by audio-visual link in accordance with clause 5.16 of the code.

4.6 Public forums are to be chaired by the mayor or their nominee.

4.7 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 **10:00 am** on the date on which the public forum is to be held 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' or are 'neutral' in relation to the item.

4.8 A person may only apply to speak to an officer's report which is listed in the agenda as Item 10 on the business paper for the meeting for which the public forum is held. There is no public forum on any other items listed on the agenda.

4.9 People can apply to speak at a public forum on a maximum of three (3) items listed for consideration at the meeting.

4.10 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.

4.11 The chief executive officer or their delegate may refuse an application to speak at a public forum if the application is not in accordance with this code of public forum rules.

Extract from Code of Meeting Practice

- 4.12 Nominated candidates for election to Federal, State or Local Government are prohibited from addressing the Council in a public forum. Serving Shellharbour City Councillors are also prohibited from addressing the Council under this clause.
- 4.13 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 before **10:00 am on the day** of the public forum. The chief executive officer or their delegate may refuse to allow such material to be presented.
- 4.14 The chief executive officer or their delegate is to determine the order of speakers at the public forum.
- 4.15 Approved speakers must arrive prior to the last speaker concluding their address to Council. At the conclusion of the last speaker in attendance, the public forum will be closed. The public forum will not be reopened for speakers who arrive after the final speaker has finished and the forum has closed. If a speaker they will be late, they are to contact Customer Service on 4221 6111 before 4.30pm on the day of the meeting.
- 4.16 Each speaker will be allowed **four (4)** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.17 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.
- 4.18 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.
- 4.19 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to **two (2)** minutes.
- 4.20 Speakers at public forums cannot ask questions of the Council, councillors or council staff.
- 4.21 The chief executive officer 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.
- 4.22 Where an address made at a public forum raises matters that require further consideration by council staff, the chief executive officer may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.23 In the circumstances set out in clause 4.18 the item of business is to be deferred to the next practicable meeting which will preferably be the next scheduled meeting with authority to determine the matter.

- 4.24 If, at the subsequent meeting, under clause 4.18 a further address is made, the council may, notwithstanding the provisions of this clause, proceed to determine the matter before it without further adjournment.
- 4.25 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.
- 4.26 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.21, part 15 of the Code 'Keeping Order at Meetings' applies.
- 4.27 Where a speaker engages in conduct of the type referred to in part 15 'Keeping Order at Meetings', the chief executive officer or their delegate may refuse further applications from that person to speak at public forums for such a period as the chief executive officer or their delegate considers appropriate.
- 4.28 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 or committee 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.

Public Forum Addresses Declaration

Name of Applicant: _____

Address: _____

Mobile contact: _____

Organisation: _____

Item to be Addressed:

Council Meeting Date: _____ Agenda Item No. 10. ____.

Subject: _____

For, Against
or Neutral: _____

Presentation (Yes/No): _____
(e.g. PowerPoint or similar)

Terms and Conditions:

- Council Meetings are recorded and broadcast live on the internet. This means that your image and comments will be made available to the public from Council's website.
- Council accepts no responsibility for any defamatory or offensive statements made by speakers during the course of any Council meeting which is open to the Public.
- All speakers must sign this Addresses to Council Declaration form prior to addressing Council.
- Each speaker will be allowed a maximum of four (4) minutes on a maximum of three (3) listed agenda items.
- Nominated candidates for election to Federal, State or Local Government are prohibited from addresses the Council.
- 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.
- When your name is called please proceed to the Council table and address Council.

I, _____, have read and understood the above terms and conditions and confirm that I:

- Will conduct myself with due respect to the Council and observe the Code of Meeting Practice, i.e. not disrupt the conduct of the meeting and treat all people with respect, courtesy, compassion and sensitivity and not insult, denigrate or make defamatory or personal reflects on or impute improper motives to the Council, staff or other members of the public;
- Will not say or present any material that is inappropriate as I may be subject to legal action;
- Acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above-mentioned meeting.

Dated this _____ day of _____ 20 _____
(date) (month) (year)

Signed: _____

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