



COONAMBLE SHIRE COUNCIL

Community Consultation Session Policy

RESOLUTION NO: 4459	MEETING: 14 August 2019
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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 Community Consultation Sessions.

AIM

The aim of this Policy is to provide Council and members of the public with clear direction in relation to the requirements and expectations pertaining to community consultation sessions. This Policy has 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 Policy 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 community consultation session as part of 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. Community consultation sessions may also be held at Extraordinary Council meetings. The duration of sessions will be 15 minutes and they will commence at 9.05 a.m. on the day of a set Council meeting.
2. Community consultation sessions are to be chaired by the Mayor or acting chair. The names of speakers, the organisation that they are representing and the topic that they are speaking about, as well as a short summary of the presentation, will be recorded in Council's Meeting Minutes.
3. To speak at a community consultation session, a person must first make an application to the Council in the approved form. Applications to speak at the session 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.
4. A person may apply to speak on no more than **four (4) 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 community consultation session unless they identify their status as a legal representative when applying to speak at the session.
6. The General Manager or his delegate may refuse an application to speak at a community consultation session. The General Manager or his delegate must give reasons in writing for a decision to refuse an application.
7. No more than **four (4) 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 his 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 his delegate is to determine who will address the Council at the community consultation.
9. If more than the permitted number of speakers apply to speak “for” or “against” any item of business, the General Manager or his 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 community consultation session 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 his delegate may refuse to allow such material to be presented.
11. The General Manager or his 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 **five (5) minutes**.
16. Speakers at community consultation sessions cannot ask questions of the Council, Councillors or Council staff.
17. The General Manager or his nominee may, with the concurrence of the Chairperson, address the Council for up to **five (5) minutes** in response to an address to the Council at a community consultation session after the address and any subsequent questions and answers have been finalised.
18. Where an address made at a community consultation session 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 community consultation sessions 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 f 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 community consultation session 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 Chairpersons 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 community consultation sessions 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 his delegate may refuse further applications from that person to speak at community consultation sessions for such a period as the General Manager or his 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 community consultation, 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 community consultation sessions and how the conflict of interest was managed by the Councillor who made the declaration.

IMPLEMENTATION / COMMUNICATION

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

REVIEW

This policy will be reviewed once every three (3) years or sooner if deemed necessary.

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General Manager

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Date



Coonamble Shire Council

**APPLICATION TO SPEAK AT THE
COMMUNITY CONSULTATION SESSION HELD AT
ORDINARY COUNCIL MEETINGS**

Applicant Name _____

Telephone Contact Number: _____

Date of Ordinary Council Meeting: _____

Report Number: _____

Report Title: _____

I will be speaking FOR or AGAINST the abovementioned item (please tick one option).

KINDLY NOTE:

Approved speakers are to register any written, visual or audio material to be presented in support of their address to Council and identify any equipment needs **no more than one (1) day before the Council Meeting**. The General Manager or his delegate may refuse to allow such material to be presented.

APPLICATIONS MUST BE RECEIVED BY COUNCIL BY 12 NOON ON THE TUESDAY BEFORE THE COUNCIL MEETING USING ONE OF THE FOLLOWING METHODS:

Hand delivered: Council Administration Centre
80 Castlereagh Street, Coonamble

Emailed: council@coonambleshire.nsw.gov.au

FOR OFFICE USE ONLY:

Date application received: _____

General Manager (Approval / Refusal) _____
Signature & Date

Reason for Refusal: _____

Date Applicant informed: _____