



South Gippsland Shire Council

## PUBLIC PARTICIPATION IN MEETINGS WITH COUNCIL POLICY

Policy Number C65  
 Adopted Council Meeting 18 December 2019  
 Next Review Date December 2023

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### 1. PURPOSE

South Gippsland Shire Council is committed to communicating with and hearing the views of the community to inform its decision making.

The *Public Participation in Meetings with Council Policy* (the Policy) provides an overview of the ways in which the community can interact with Council at its Meetings.

### 2. SCOPE

The Policy covers:

1. Public Presentations
2. Public Questions
3. Petitions
4. Public Attendance

This Policy must be read in conjunction with the Meeting Procedure Local Law.

### 3. LEGISLATIVE CONTEXT

The Policy is developed under *Local Law No.3, 2010* (refer clause 100):

*“Council may adopt policies, guidelines and procedures relating to public participation to ensure the smooth and efficient conduct of Council meetings and meetings of Special Committees in accordance with this Local Law.”*

### 4. POLICY STATEMENT

#### 4.1 Public Presentations

1. There are 2 types of Public Presentation sessions:
  - General Presentations (usually the 3<sup>rd</sup> Wednesday in the month)
  - Agenda Presentations (usually the 4<sup>th</sup> Wednesday in the month)
2. Public Presentation sessions provide opportunities for the community to present to Council on general matters of public interest or items listed on the Council Meeting Agenda.
3. They provide an opportunity for the CEO to invite presenters on topics of interest to Council.
4. Unless otherwise approved by the CEO, in consultation with the Mayor, Agenda Presentation sessions are solely reserved for presentations on the current Ordinary Council Meeting Agenda.



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5. Both General and Agenda Presentation sessions are open to the public and media, unless deemed appropriate to be closed by the CEO in consultation with the Mayor.
6. Community members seeking to present to Council must submit an 'Expression of Interest (EOI) to present to Council' electronically via the Council website.
7. Persons without access to a computer should contact the Council Business team for assistance.
8. EOIs are to be submitted by 9.00am on the second Monday of each month for General Public Presentations or by 9.00am on the Monday prior to the Ordinary Council Meeting for Agenda Public Presentations.
9. EOIs will be assessed by the CEO in consultation with the Mayor, before invitations to present are offered. EOIs must be:
  - Clear and legible.
  - Submitted with adequate supporting information.
  - Related to the business or powers of Council.
  - Relevant to a matter of public interest or community benefit.
10. Documents or information that may be used in supporting a presentation to Council must meet the following criteria:
  - Documentation provided must be clear and legible.
  - Documents to be distributed to Councillors and/or PowerPoint displays are to be provided with the Expression of Interest and clearly state what is to be displayed on screen.
11. Invitations may not be extended where the EOI is deemed to be:
  - Related to a matter beyond or outside the powers of Council.
  - Trivial or frivolous.
  - Defamatory, indecent, abusive or objectionable.
  - Derogatory or designed to embarrass a Councillor, a member of Council staff or a member of the community.
  - Related to a matter already considered and resolved by Council.
  - A presentation that has been previously presented in the previous 12 months.
  - Breach Council's confidentiality obligations.
  - Illegible, vague or not make sense.
12. Public Presentation sessions are not forums for debate or to ask questions.
13. Council is committed to hearing from a diverse cross section of the community. To help achieve this within its finite resources, individuals and groups are limited to presenting up to a maximum of three (3) times per 12 month period unless approved otherwise by the CEO in consultation with the Mayor.
14. Public Presentations will be allocated a maximum of (10) minutes for each Speaker, this includes a combined total of ten (10) minutes for related parties or groups. Presenters are encouraged to include in their allocated time an opportunity for Councillors to ask questions.



15. Formal submissions required under s.223 of the *Local Government Act 1989*, will be dealt with in accordance with CEO Policy - *Right to Make a Submission Policy (CE19)*.
16. At all times the CEO, in consultation with the Mayor, has the discretion to determine the most appropriate avenue for engagement, when a presentation session may be offered, and to seek clarification prior to making a determination.
17. Submitters of 'Expressions of Interests' that have not been accepted under the Policy will be advised of the reasons in writing and may be encouraged to re-submit their Expression of Interest to comply with this Policy.

#### **4.2 Public Questions in Council Meetings**

1. Public Questions is a section in the Ordinary Council Meeting Agenda when Council answers questions submitted by members of the public.
2. Questions must be submitted electronically via the Register your Question on-line form on Council's website by 9.00am on the Monday morning preceding the Council Meeting (usually the 4<sup>th</sup> Wednesday in the month).
3. Persons without access to a computer can contact the Council Business Unit in advance if they wish to submit a hardcopy form.
4. A 'Public Question Box' will be provided at each Ordinary Council Meeting to allow questions that comply with this Policy to be submitted at the Meeting. They must be submitted on the Prescribed Question forms provided. These questions will be taken on notice, included in the Minutes and responses provided at the next Ordinary Council Meeting.
5. All reasonable attempts will be made to answer pre-submitted questions at the Meeting. When further time is required to prepare an answer, questions may be taken on notice and responses will be provided at the next Ordinary Council Meeting.
6. Questions must be:
  - a. Relevant to the business or functions of Council; and
  - b. Clear and legible.
7. Questions may not be allowed where the question(s) is deemed to be:
  - Related to a matter beyond or outside the powers of Council;
  - Trivial or frivolous;
  - Defamatory, indecent, abusive or objectionable;
  - Derogatory or designed to embarrass a Councillor, a member of Council staff or a member of the community;
  - Related to subject matter previously received and responded to;
  - Related to a matter already considered and resolved upon by Council;
  - Breach Council's confidentiality obligations; and/or
  - Illegible, vague or not make sense.



8. A person may submit a maximum of three (3) questions for any one Ordinary Council Meeting, this includes a combined total of three (3) questions for related parties or groups. The total word count of all questions submitted is to be 100 words or fewer. Background material submitted with a question will not be read out or recorded in the Council Meeting Minutes.
9. The CEO retains the discretion, in consultation with the Mayor, to not refer questions to Council meetings if there is a more effective or appropriate way to respond to the matters raised.
10. Submitters of questions that have not been accepted under the Policy will be advised of the reasons in writing.
11. Answers to questions from a member of the community who is present in the gallery will be read out at the Council Ordinary Meeting by the CEO or Mayor.
12. A submitter will receive a letter outlining the response to a question after the Minutes have been produced.

#### 4.3 Petitions

1. Petitions are requests made by five (5) or more signatories and submitted to Council by the lead petitioner.
2. Petitions must relate to Council business and not be the responsibility of another authority or body.
3. To be considered a valid petition:
  - The prayer must clearly state what the petitioners want Council to do.
  - The prayer must be on the top of every page.
  - The name, residential address and signature is required for each person signing the petition.
  - Contact details of the lead petitioner or person nominated to be the lead petitioner (Council contact).
4. Petition pages and/or signatories not provided with the correct details will not be counted as valid pages/petitioners when considered by Council.
5. Members of the community are able to submit a valid petition;
  - To a Councillor; or
  - By Mail or delivery to the Leongatha Main Office and addressed to the CEO.
6. A valid petition will be tabled at the next Ordinary Council Meeting.
7. With the prior approval of the CEO, following consultation with the Mayor, Electronic Petitions may be accepted.
8. Petitions relating to a Planning Permit Application are treated as a formal objection and these will be referred directly to the Planning Team to be considered with any other objections. These objections must comply with section 57 of the *Planning and Environment Act 1987* (Vic).



9. Petitions relating to a section 223 (*Local Government Act 1989*) formal submission process will be referred directly to the relevant Department and dealt with as a submission to that matter.
10. Any petitions tabled at an Ordinary Council Meeting will be included in the minutes of the Council Meeting and will show the subject of the petition, the number of valid signatures and the lead petition's name.
11. To comply with the *Privacy and Data Protection Act 2014* (Vic), personal information provided as part of the petition will only be used for the primary purpose for which it was provided – that is, to consider the petition.

#### 4.4 Public Attendance in Council Meetings

1. Public attendance at Council Meetings is encouraged to increase transparency and understanding of decision making processes.
2. Attendees are required to:
  - Remain quiet during proceedings.
  - Show courtesy and respect to all members of the public, Councillors and staff at all times.
  - Respect and abiding by the protocols of the meeting and directions of the Chair.
  - Seek the permission of the CEO and any individual to take photographs, audio recordings or film.
  - Seek permission of the CEO prior to bringing in any props, placards, fliers, audio, video or other supporting materials. Anything deemed unsafe or inappropriate by the CEO will not be allowed.
3. Documents or information that may be used in supporting a presentation or question to Council must meet the following criteria:
  - Documentation provided must be clear and legible.
  - Documents to be distributed to Councillors and/or PowerPoint displays are to be provided with the Expression of Interest and clearly state what is to be displayed on screen.

#### 5. IMPLEMENTATION

This Policy will be implemented by the Mayor, CEO and the Council Business team.

This Policy supports and supplements areas not covered in detail within Council's Local Law No.3, 2010.

A copy of this Policy (C65) will be published on Council's website, along with the online form for 'Expressions of Interest to present to Council' and 'Registering a Question'.



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<b>POLICY OWNERSHIP</b>			
<i>Directorate</i>		<i>Corporate &amp; Community Services</i>	
<b>SUPPORTING INFORMATION</b>			
<i>Legislative Provisions</i>		<i>Local Government Act 1989</i>	
<i>Council Supporting Documents</i>		<i>Human Rights Policy (C52) Local Law No.3 2010 – Meeting Procedure and Common Seal</i>	
<i>File Location</i>		<i>D7672219</i>	
<b>REVISION HISTORY</b>			
<i>Version</i>	<i>Approved</i>	<i>Approval Date Range</i>	<i>Sections Modified</i>
1.0	Ordinary Council Meeting	27 April 2016	
1.1	Ordinary Council Meeting	24 May 2017	
1.2	Ordinary Council Meeting	28 November 2018	Amendment to question time in Ordinary Council Meetings.
2.0	Ordinary Council Meeting	18 December 2019	Revised.