Shoalhaven City Council
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Public Forum Policy - Public Participation in Council Meetings

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Amendment Date:	25/08/2026
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Next Review Date:	1/02/2029
Related Legislation:	*Local Government Act 1993 (NSW)* *Local Government Regulations 2021*
Associated Policies/Documents	Model Code of Meeting Practice for NSW Local Councils OLG Guidelines Code of Conduct
Directorate:	City Performance
Responsible Owner:	Business Assurance and Risk
Record Number:	POL26/42 (6460E)

Contents

1. Policy Purpose 1
2. Objectives 1
2.1. Policy Statement 1
3. Definitions 1
4. Roles and Responsibilities 1
4.1. Provisions 1
4.2. Implementation 2
5. Risk Assessment 5
6. Monitoring and Review 6
7. Ownership and Approval 6
7.1. Public Policy 6

1. Policy Purpose

This Policy outlines the process for managing public participation in Council's Public Forums. It defines the conditions under which oral submissions on Council agenda items may be heard before an Ordinary or Extraordinary Meeting of Council and provides for written submissions to be distributed to Councillors prior to an Ordinary or Extraordinary Meeting of Council.

The Council will resolve its timetable for Ordinary Meetings and Public Forums which will be published on Council's website.

2. Objectives

2.1. Policy Statement

Council is committed to fostering transparency, accountability, and community engagement in its decision-making processes. This Policy affirms Council's intent to provide structured and equitable opportunities for members of the public to present their views through oral submissions and written submissions prior to Ordinary and Extraordinary Meetings.

3. Definitions

Term	Meaning
Chairperson	the person presiding at the public forum, being the Mayor or their nominee, as provided by clause 4.2(a) of this Policy
Livestream	A video broadcast of a meeting transmitted across the internet concurrently with the meeting
Quorum	Minimum of one (1) Councillor to chair the Forum
Act of Disorder	As defined in Council's Code of Meeting Practice and applies to Public Forums
Nominated delegate	Any Councillor, other than the Mayor

4. Roles and Responsibilities

4.1. Provisions

This Policy applies to:

- Members of the public who wish to participate in Public Forums by making oral submissions or submitting written submissions on items listed on the agenda for the next Ordinary or Extraordinary Meeting of Council.

- Councillors who receive and consider submissions as part of the decision-making process.
- Council staff responsible for coordinating, facilitating, and administering Public Forums in accordance with this Policy.

4.2. Implementation

a) The Public Forum is to be chaired by the Mayor or their nominated delegate. In the absence of the Mayor, and where no Councillor has been delegated to chair the Forum, the Councillors in attendance shall determine a Councillor to preside over the Forum.

b) No more than one speaker is to be permitted to speak 'for' and against' each item of business on the published agenda for the upcoming Council meeting.

c) Speakers must not address the Public Forum on any matter that is currently the subject of legal proceedings or is known to be before a court or tribunal.

d) Each speaker will be allowed a maximum of five (5) minutes to speak. Any extension of time is at the discretion of the Chairperson.

e) 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.

f) Any Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address. All questions must be direct, succinct, and without argument.

g) To submit a request to address Council in person (oral submission) or to provide a written submission regarding an item on the Council agenda, a person must first complete an application form available on Council's website. Applications to speak at the Public Forum must be received **by 9.30am on the day of the Public Forum**.

h) The application to address the Public Forum must identify the item of business on the Council Meeting agenda that the person wishes to speak to and must indicate whether they intend to speak 'for' or 'against' the recommendation contained in that item. Applicants requesting to make an oral submission must provide a written summary (max. one page) of their intended address when lodging their application. This summary will be distributed to all Councillors prior to the related Council meeting.

i) Legal representatives acting on behalf of others are not to be permitted to submit a request to speak at the Public Forum unless they identify their status as a legal representative when applying to speak.

j) The Chief Executive Officer (or their delegate) may refuse an application to make an address at the Public Forum and must give reasons in writing for a decision to refuse an application. A full list of those who applied to speak and were not given

approval are to be published, with the permission of the applicant, on Council's website stating the reason for refusal.

k) If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer (or their delegate) may 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 the fuller range of views on the relevant item of business.

l) Where more than one request is received to address a meeting, either 'for' or 'against' a recommendation, the individuals and/or groups involved will be encouraged to appoint one representative to present their submission.

m) The Chief Executive Officer (or their delegate) is to determine the order of speakers.

n) Approved speakers are to register with the Council any written, visual or audio material to be presented in support of their address to the council, and to identify any equipment needs no later than 12.00pm on the day of the meeting. The Chief Executive Officer or their delegate may refuse to allow such material to be presented.

o) Speakers are under no obligation to answer a question put under clause 4.2(f).

p) Speakers cannot ask questions of the Council, Councillors or Council staff.

q) The Chief Executive Officer or their nominee may, with the concurrence of the Chairperson, address the Council in response to an address to the Council after the address and any subsequent questions and answers have been finalised.

r) Where an address is made and 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 matter.

s) When addressing the Council, speakers 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.

t) If the Chairperson considers that a speaker has engaged in conduct of the type referred to in clause 4.2(s), 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.

u) Clause 4.2(t) does not limit the ability of the Chairperson to deal with disorderly conduct by speakers in accordance with the provisions of Part 15 of Council's adopted Code of Meeting Practice.

v) Where a speaker engages in conduct of the type referred to in clause 4.2(s), the Chief Executive Officer or their delegate may refuse further applications from that person to speak for such a period as the Chief Executive Officer or their delegate considers appropriate.

w) Councillors (including the Mayor) must declare and manage any conflicts of interest related to items discussed during the Public Forum, just as they would during formal debate in Council meetings, in accordance with the adopted Code of Meeting Practice.

x) An individual or representative group is only permitted to address a meeting of Council once on an issue except where the meeting resolves otherwise on the basis that new material has been presented, and in this case the comments are limited to that new material.

y) Where an individual or organisation is granted permission to address a meeting they must be informed that:

- Maximum time permitted is five (5) minutes
- One main spokesperson is to be nominated
- The meeting, including their oral submission, will be webcast as outlined in Part 5.37 of Council's adopted Code of Meeting Practice
- Speakers must address a specific item listed on the business Agenda for the meeting.
- Speakers must not address the Council on any matter that is currently the subject of legal proceedings or is known to be before a court or tribunal.
- Speakers should avoid making comments that may cast reflection toward any individual or organisation, because such comments may be considered public statements
- Information provided by a speaker is placed on the public record and can be distributed / displayed.

z) Council may accept written submissions on agenda items via the Councils' website up until 9.30am on the day of the Ordinary meeting. These written submissions are to be provided electronically to Councillors prior to 12pm on the day of the meeting. Applicants not approved for oral submissions to the Public Forum may be invited to make a written submission.

aa) Approved speakers who require assistance due to disability or additional needs may nominate a support person to assist or continue their presentation if necessary. The total speaking time must not exceed the five (5) minutes allocated for submission.

5. Risk Assessment

Council recognises that the Public Forum, while separate from formal Council meetings, may present potential or realised risks including:

Reputational Risk

Miscommunication, inappropriate conduct, or perceived lack of transparency may impact public trust.

- Mitigation Strategies:
  - Public Forums are livestreamed to ensure transparency and accessibility.
  - Forums are structured to promote respectful and constructive engagement, fostering trust and confidence in Council's decision-making processes.

Operational Risk

Disruption to proceedings, technical failures, or unclear processes may affect the effectiveness of the Forum.

- Mitigation Strategies:
  - The Forum is chaired by the Mayor or their nominated delegate to ensure consistent moderation.
  - Councillors and participants are expected to adhere to established behavioural standards in accordance with Council's Code of Meeting Practice.
  - Staff are available to provide technical and procedural support throughout the Forum.

Safety-Related Risk

Physical or psychological safety concerns for attendees, Councillors, or staff.

- Mitigation Strategies:
  - A corporate risk assessment is undertaken prior to each Public Forum, identifying potential hazards, assigning risk ratings, and implementing appropriate control measures.
  - Venue safety protocols and emergency procedures are reviewed and communicated in advance.

Procedural and Legal Risk

Non-compliance with legislative or policy requirements, particularly regarding the separation of Public Forums from formal Council meetings.

- Mitigation Strategies:
  - The Forum is conducted in accordance with the Office of Local Government's directive that Public Forums are not to form part of Council meetings.
  - Any changes to the Forum structure or process are reviewed to ensure alignment with the Model Code of Meeting Practice and relevant legislation.

6. Monitoring and Review

The Policy is designed to be reviewed within the first twelve months of a new term of council, to align with the requirement to adopt a code of meeting practice under section 360(3) of the *Local Government Act 1993.*

Council may, from time to time, make amendments to the Policy to reflect operational needs or emerging issues, provided such changes are not contrary to the Public Forum provisions of the (Model) Code of Meeting Practice.

7. Ownership and Approval

7.1. Public Policy

Responsibility	Responsible Owner
Directorate	City Performance – Business Assurance & Risk - Governance
Endorsement	CEO / Director – City Performance
Approval/Adoption	Council