

COUNCIL POLICY

BACKGROUND

Public consultation and contribution to the decision making of Council should enhance the quality of Council's decisions and are therefore encouraged and facilitated by this policy.

OBJECTIVE

To provide members of the community with the opportunity to address Councillors on matters falling within the jurisdiction and Charter of Council as outlined in the *Local Government Act 1993*, with the exception of development applications which are undetermined, or have been the subject of official consultation forums.

The Public Access Forum seeks to –

- improve communication between Council and its residents;
- assist Council in its decision making processes;
- provide an opportunity for members of the community to raise relevant issues with Council in a formal meeting environment; and
- assist in portraying Council as an open and accessible organisation.

POLICY STATEMENT

Requests to address Council and the conduct of public addresses are to be submitted to Council in accordance with the terms contained in the accompanying Statement of Procedures.

STATEMENT OF PROCEDURES

Applications to address Council -

- must be made in writing on the application form attached to this policy and forwarded to Council, no later than 12 noon on the working day prior to the day of the meeting;
- wherever possible, a person or group who supports an opposite view to the applicant must be notified and given the opportunity to speak;
- applications shall state the name and address of the applicant, contact telephone number and the issue to be raised;
- any documentation to be provided to Councillors shall either accompany the application or be available for distribution to Councillors prior to the meeting – no written material is able to be circulated during the presentation;
- an application must relate to a matter that falls within the jurisdiction and Charter of Council as outlined in the *Local Government Act, 1993* or a report which is currently before Council for determination.

However, this policy excludes the following:

- all issues relating to development applications which are in the process of being assessed and are undetermined, have been considered at an Independent Hearing and Assessment Panel meeting or are listed on the Council meeting agenda for determination. Further information in relation to forums for development applications can be accessed through the *Development Assessment and Compliance Notification Policy* and the *Independent Hearing and Assessment Panel Policy*;
 - all matters which have been the subject of official public consultative forums such as Formal and Informal Facilitation meetings, public meetings and public hearings. 'Official' forums will have provided an invitation to both the objectors and supporters of a matter to come together at a formal meeting in an attempt to resolve contentious issues;
 - all Notices of Rescission and agenda and business paper items 'laid on the table';
 - all representations in respect of formal tenders and/or quotations;
 - all matters where legal action has been commenced involving Council and where Council is in receipt of or has served:
 - a Statement of Claim
 - a Summons for Information or
 - a Subpoena to attend Court
 - all staff related matters.
- addresses will be received at ordinary and extraordinary meetings of Council;
 - applications in respect of current meeting agenda items will be given priority;
 - applicants who have previously addressed Council on a particular issue, cannot address another meeting on the same matter;
 - the General Manager will:
 - consider and determine all applications received;
 - have the discretion to approve additional applications in the event of there being more than the maximum number of applicants wishing to speak to current Agenda and Business Paper items;
 - have the discretion to vary the maximum number of speakers on a particular Agenda and Business Paper item should the item be addressing an issue of significant community interest.

- Councillors will be informed of those applications not included for presentation;
- a list of applicants speaking under the Public Access Forum, together with information on the subject of the briefing, is to be made available to Councillors at the meeting.

Public Address

- the public forum shall be limited to a period of thirty (30) minutes, unless extended by Council;
- each address shall be limited to five (5) minutes, ie maximum of six (6) addresses per meeting. The Chairperson will notify speakers when there is 30 seconds remaining;
- due to time constraints, speakers cannot use technology, however, can distribute hard copies of information prior to the commencement of the meeting. The Minute Clerk can assist with the distribution of such information;
- there shall be a maximum of two (2) speakers in favour and two (2) speakers against a particular issue and groups are required to nominate a representative to speak on their behalf;
- speakers must only speak in relation to the subject stated on their application;
- speakers shall not debate the issue with Councillors and staff;
- Councillors are able to ask questions of the speaker on a point of clarification;
- all speakers are advised that they do not enjoy any special protection from defamation arising from comments made during the presentation before Council and should therefore refrain from voicing defamatory remarks or personal defamatory statements against any individual;
- the Chairperson can order a person to cease speaking if he/she considers that the speaker is making inappropriate or offensive comments, is abusive, is making comments that are considered not in the public interest or is not complying with the rules of meeting procedure as outlined in Council's Code of Meeting Practice.

Minutes

- minutes must include a brief synopsis of the presentation/s;
- wherever possible, speakers should provide the Minute Clerk with a written summary of their presentation, prior to commencement of the meeting. Following the Council meeting, the written summary will be referred to the appropriate division for notation.

Response

- if the address relates to an Agenda item the issue raised by the speaker shall be dealt with when the particular Agenda item is considered by Council;
- no formal response will be provided to the applicant.

PUBLIC ACCESS FORUM – APPLICATION FORM

(Applicants must read the Public Access Forum Policy prior to completing this form)

**Note: Applications must be received by Council by
12 noon on the working day prior to the Council meeting**

In submitting this application, I understand and agree to abide by the conditions of the Public Access Forum Policy of Wollongong City Council.

Council Meeting Date _____
Name of Applicant _____
Telephone _____ Fax _____
Address _____ Email _____
Organisation *(if applicable)* _____
Name of Speaker _____ Today's Date _____

CHOOSE FROM 1 OR 2 BELOW -

1 Address of a general nature (not a Business Paper Agenda Item): (Please specify)

OR

2 Business Paper Item to be addressed –

Council Agenda Item No: _____ Subject: _____

I am for the recommendation in the report _____

I am against the recommendation in the report _____

This form can be lodged -

- 1 Via email to council@wollongong.nsw.gov.au
- 2 Faxed to 4227 7277, or
- 3 Dropped off at the Customer Service Desk, Ground Floor, Administration Building, 41 Burelli Street, Wollongong.

If you are not lodging your application via email, you will need to sign the form (below) before faxing or lodging it with Council's Customer Service Desk on the Ground Floor, Administration Building, 41 Burelli Street, Wollongong. You can also post the form to Locked Bag 8821, Wollongong DC NSW 2500. If posting, you need to allow sufficient time for your application to be received by Council, before the close off time of 12 noon on the working day prior to the Council meeting.

Signature of Applicant _____
Signature not required when emailing document

OFFICE USE ONLY

Has the application been the subject of an official public consultative forum?	
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Recommendation to General Manager -

Determination by **General Manager** Yes No _____

Date: _____ Signature: _____

Return to Team Leader, Corporate Support following determination by General Manager

Applicant advised by Fax Phone Email

Time: _____ Date: _____

Signature _____

Refer to Public Officer in case of any dispute/anomaly. Public Officer to hear dispute/liaise with applicant and list comments below:

SUMMARY SHEET

RESPONSIBLE DIVISION	Governance and Information
DATE ADOPTED ON BEHALF OF COUNCIL	26 March 2012
DATE OF PREVIOUS ADOPTION(S)	24 May 2011; 28 October 2008
DATE FOR REVIEW	March 2015
PREPARED BY	Senior Legal and Governance Officer
AUTHORISED BY	Manager Governance and Information