



# PUBLIC FORUM POLICY

**POLICY** | Executive Manager

To set out the parameters for the hearing oral submissions, prior to each Ordinary Meeting of Council, Extraordinary Meeting of Council, or meeting of Committees of the Council, from members of the public on items of business to be considered at the meeting

<b>Policy No:</b>	POL/40018	<b>Version:</b>	1
<b>Service Unit:</b>	Executive Director		
<b>Responsible Officer:</b>	Governance Lead		
<b>Responsible Director:</b>	Executive Director		
<b>Authorisation Date:</b>	9 December 2025	<b>Review Date:</b>	9 December 2029
<b>Minute No:</b>	170/25		

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# TABLE OF CONTENTS

<b>1</b>	<b>SCOPE.....</b>	<b>3</b>
1.1	Purpose of the Policy.....	3
<b>2</b>	<b>APPLICATION.....</b>	<b>3</b>
<b>3</b>	<b>PRINCIPLES.....</b>	<b>3</b>
3.1	Application of Principles.....	3
3.2	The Public Forum Process seeks to:.....	3
<b>4</b>	<b>PROCEDURES.....</b>	<b>3</b>
<b>5</b>	<b>DEFINITIONS.....</b>	<b>5</b>
<b>6</b>	<b>RELEVANT LEGISLATION.....</b>	<b>6</b>
<b>7</b>	<b>DELEGATIONS AND AUTHORISATIONS.....</b>	<b>6</b>
<b>8</b>	<b>RELEVANT DOCUMENTS.....</b>	<b>6</b>
<b>9</b>	<b>RESPONSIBLE OFFICER / POLICY OWNER.....</b>	<b>7</b>
<b>10</b>	<b>RESPONSIBILITIES.....</b>	<b>7</b>
<b>11</b>	<b>APPROVAL.....</b>	<b>7</b>
<b>12</b>	<b>REVIEW DATE.....</b>	<b>7</b>
<b>13</b>	<b>RECORD KEEPING, CONFIDENTIALITY AND PRIVACY.....</b>	<b>7</b>
<b>14</b>	<b>BREACHES AND SANCTIONS.....</b>	<b>8</b>
<b>15</b>	<b>DOCUMENT HISTORY.....</b>	<b>8</b>

## **1        SCOPE**

This Policy covers any person who wishes to speak at a Public Forum held prior to an Ordinary Council Meeting, Extraordinary Council Meeting or meeting of Committees of the Council.

### **1.1        Purpose of the Policy**

The purpose of this policy is to provide members of the community with the relevant process and procedures for addressing Council on items to be considered at Ordinary Council meetings, as outlined in Council's Code of Meeting Practice.

## **2        APPLICATION**

This policy applies to members of the community.

## **3        PRINCIPLES**

### **3.1        Application of Principles**

No one principle should be applied to the detriment of another. Principles must be considered and applied to the extent that is reasonable and practical in the circumstances.

### **3.2        The Public Forum Process seeks to:**

- Increase transparency and assist Council with its decision making process;
- Provide an opportunity for members of the community to address Council on items of the business under consideration; and
- Improve communication between Council and the local community by providing access to Council.

## **4        PROCEDURES**

Public Forums will be conducted in accordance with the following procedures:

- 4.1        A maximum of 30 minutes is permitted for each public forum.
- 4.2        Public forums are to be chaired by the Mayor or their nominee.
- 4.3        To speak at a Public Forum a person must first make an application to the Council on the approved form. Applications to speak must be made via the Public Forum Application Form available on Council's website and must be received by 4pm the day prior to the meeting. The applicant must identify the item of business on the agenda of the Ordinary Council meeting they wish to speak on and whether they wish to speak 'for' or 'against'.
- 4.4        The applications will be processed in order of receipt.

- 4.5 A person may apply to speak on no more than two items of business on the Agenda of the Council Meeting.
- 4.6 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.
- 4.7 The General Manager, Executive Director or their delegate may refuse an application to speak at a public forum. The General Manager, Executive Director or their delegate must give reasons in writing for a decision to refuse an application
- 4.8 No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Ordinary Council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager, Executive Director or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business.
- 4.10 Approved speakers at the public forum are to register with the Council any written material or photographs to be presented in support of their address to the Council at the public forum. This material must be provided by 12 noon on the day the public forum is to be held. No videos will be permitted. The General Manager, Executive Director or their delegate may refuse to allow such material to be presented.
- 4.11 The Mayor, in consultation with the General Manager, Executive Director or their delegate, is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed up to five minutes to address the Council. Any extension of time granted by the chairperson should not exceed two minutes. A speakers time may be reduced to allow a maximum number of speakers within the Public Forum.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the Ordinary 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.
- 4.14 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.
- 4.15 Speakers are under no obligation to answer a question put through the chairperson. Answers by the speaker, to each question are to be limited to one minute.
- 4.16 Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
- 4.17 The General Manager or their nominee may, with the concurrence of the chairperson, address the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 Where an address made at a public forum 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.

4.19 When addressing the Council, speakers at public forums must comply with this policy 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.

4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to above, 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.

4.21 This does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the Code of Meeting Practice.

4.22 Where a speaker engages in conduct of the type referred to above, the General Manager, Executive Director or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager, Executive Director or their delegate considers appropriate.

4.23 Public Forums are to be livestreamed / webcast on the Council's website. By attending speakers and other persons consent to an audio recording of their address being included in the webcast of the meeting, as per the Code of Meeting Practice.

## 5 DEFINITIONS

For the purposes of this policy:

Term	Meaning
Chairperson	<ul style="list-style-type: none"> <li>In addition to a meeting of Council – means the person presiding at the meeting as provided by section 369 of the <i>Local Government Act, 1993</i> and the Code of Meeting Practice.</li> <li>In relation to a meeting of a Committee of the Council – means the person presiding at the meeting as provided by Code of Meeting Practice.</li> </ul>
General Manager	<ul style="list-style-type: none"> <li>Is the General Manager of Singleton Council who undertakes the functions under the <i>Local Government Act, 1993</i>, or in the absence of that person, the staff designated to act for the General Manager.</li> </ul>
Code of Meeting Practice	<ul style="list-style-type: none"> <li>Means Council's Code of Meeting Practice adopted by Council pursuant to the <i>Local Government Act, 1993</i>.</li> </ul>
Council Official	<ul style="list-style-type: none"> <li>Has the same meaning it has in Council's Code of Conduct.</li> </ul>
Day	<ul style="list-style-type: none"> <li>Means calendar day, unless otherwise stipulated by the Act, Regulations or this code.</li> </ul>
Executive Director	<ul style="list-style-type: none"> <li>The Executive Director is responsible for overseeing the effective implementation and ongoing management of the</li> </ul>

	Public Forum Policy. This includes ensuring that procedures are in place to facilitate the orderly conduct of public forums in accordance with the Policy and relevant legislation.
Item of Business	<ul style="list-style-type: none"> <li>Reports or motions listed in the Council Meeting Order of Business.</li> </ul>
Webcast	<ul style="list-style-type: none"> <li>An audio broadcast of a meeting transmitted across the internet.</li> </ul>

## 6 RELEVANT LEGISLATION

This policy is to be made available for public viewing as required under the *Government Information (Public Access) Act, 2009*.

## 7 DELEGATIONS AND AUTHORISATIONS

There are no delegations or authorisations applicable to this policy.

## 8 RELEVANT DOCUMENTS

Related documents, listed in Table 7-1 below, are internal documents directly related to or referenced from this document.

Number	Title
POL/1014	<ul style="list-style-type: none"> <li>Code of Meeting Practice</li> </ul>
POL/1011	<ul style="list-style-type: none"> <li>Code of Conduct</li> </ul>
	<ul style="list-style-type: none"> <li><i>Local Government Act, 1993</i></li> </ul>
	<ul style="list-style-type: none"> <li><i>State Records Act, 1998</i></li> </ul>

Table 7-1 – Related documents

## 9 RESPONSIBLE OFFICER / POLICY OWNER

Ownership and responsibility of this policy rests with the Governance Lead. This includes responsibility to review and monitor compliance.

## 10 RESPONSIBILITIES

Parties or Persons	Responsibilities
Councillors	

	<ul style="list-style-type: none"> <li>Must adhere to the Singleton Code of Conduct during public forum.</li> </ul>
General Manager	<ul style="list-style-type: none"> <li>The General Manager has the authority to exercise the functions of the Council that are delegated by the Council to the General Manager, and to exercise the responsibilities detailed in this Policy.</li> </ul>
Executive Director	<ul style="list-style-type: none"> <li>Oversee compliance with the Public Forum Policy and legislative requirements</li> </ul>
Governance Lead	<ul style="list-style-type: none"> <li>Administer the public forum process.</li> <li>Ensures compliance with the policy and legislative requirements</li> </ul>
Mayor or Chairperson	<ul style="list-style-type: none"> <li>Maintain order and ensures time limits and rules are followed.</li> </ul>
Public participants	<ul style="list-style-type: none"> <li>Register to speak in accordance with set procedures and timeframes</li> <li>Make submission on agenda items only</li> <li>Must follow guidelines for respectful and appropriate conduct</li> </ul>

## 11 APPROVAL

Approved by Council resolution following public exhibition.

## 12 REVIEW DATE

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every four (4) years to ensure that it meets legislative requirements.

## 13 RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

This policy is to be made available for public viewing as required under the *Government Information (Public Access) Act, 2009*.

## 14 BREACHES AND SANCTIONS

Any breaches of this Policy will be referred to the General Manager and Executive Director for appropriate action.

## 15 DOCUMENT HISTORY

The below table provides a summary of changes and amendments to this document.

<b>Version</b>	<b>Date Amended</b>	<b>Author</b>	<b>Comments (eg reasons for review)</b>
1		Rebecca Bailey	<ul style="list-style-type: none"><li>• New Policy</li></ul>