

Central Coast Council

Public Forum Policy

Date Adopted: **26/08/2025**
Revision: **2**



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1. Policy Objectives

- 1.1. The purpose of the Policy is to provide members of the community with the relevant process for addressing Council on items to be considered at Ordinary and Extraordinary Meetings of Council.
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2. Policy Scope

- 2.1. This Policy applies to any person who wishes to speak at a Public Forum.
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3. Policy Statement

- 3.1. Council encourages and supports the opportunity for the public to provide feedback and have input into the decision-making processes of Council. The Public Forum process seeks to:
 - 3.1.1. increase transparency and assist Council in its decision-making process;
 - 3.1.2. provide an opportunity for members of the community to address Council on items of business under consideration; and
 - 3.1.3. improve communication between Council and the local community by providing enhanced access to Council.
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4. General

Public Forums will be conducted in accordance with the following:

Frequency and structure

- 4.1. Council may hold a Public Forum prior to each Ordinary Meeting of Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the Ordinary Council Meeting. Public Forums may also be held prior to Extraordinary Council Meetings
- 4.2. A maximum of 30 minutes is permitted for each Public Forum.
- 4.3. Only items on the agenda for the subsequent meeting can be discussed at the Public Forum.
- 4.4. Public Forums are to be chaired by the Mayor or their nominee.
- 4.5. At the start of each Public Forum, the Chairperson must inform the persons attending that:
 - 4.5.1. the Public Forum is being recorded and will be made publicly available on Council's website; and

- 4.5.2. speakers at Public Forums must comply with Council's Code of Meeting Practice and should refrain from making any defamatory statements.

Requesting to speak at a Public Forum

- 4.6.** To speak at a Public Forum, a person must complete an application in the approved form in its entirety (including speaking notes) via the Public Forum Application Form available on Council's website.
- 4.7.** Applications to speak at the Public Forum must be received by 12pm the day before the Public Forum and must identify the item of business on the agenda of the meeting they wish to speak on, and whether they will be speaking 'for the recommendation' (in agreement) or 'against the recommendation' (in opposition) the item.
- 4.8.** A person can apply to speak on no more than two (2) items of business on the agenda of the meeting.
- 4.9.** Councillors, Members of Federal and State Parliament, as well as nominated candidates at Federal, State or Local Government elections are not permitted to speak at a Public Forum.
- 4.10.** Persons speaking on behalf of other persons or organisations must declare such interests prior to their presentation.
- 4.11.** The Chief Executive Officer or their delegate may refuse an application to speak at a Public Forum. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

Provision of supporting material

- 4.12.** Approved speakers at the Public Forum must provide any material to be presented in support of their address, and to identify any equipment needs by midday on the day before the Public Forum. The Chief Executive Officer or their delegate may refuse to allow such material to be presented.

Limits on speakers

- 4.13.** No more than eight (8) speakers are to be permitted to speak at each Public Forum.
- 4.14.** No more than two (2) speakers will be permitted to speak 'for' or 'against' each item on the agenda.
- 4.15.** 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 request the speakers to nominate from among themselves the persons who are to address Council on the item of business. If the speakers are not able to agree on whom to nominate to address Council, the Chief Executive Officer or their delegate is to determine who will address Council at the Public Forum.
- 4.16.** 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, 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.

4.17. Should additional speakers be authorised to address the Public Forum, speaker time limits may be altered by the Chairperson to ensure that as many speakers as authorised to speak can be heard within the 30 minute time allocated for the Public Forum.

4.18. If applications to speak at a Public Forum exceed the maximum allowed in clause 4.13, the following criteria will be considered by the Chief Executive Officer (in consultation with the Mayor) to determine which speakers will be authorised to speak:

4.18.1. The degree of public interest in and the importance of the agenda item that is the subject of the speakers address;

4.18.2. If a speaker has addressed Council previously on the same issue;

4.18.3. The number of persons or organisations a speaker has authority to speak on behalf of;

4.18.4. Any reputational issue relating to the speaker of which Council may be aware of;

4.18.5. If a suitable address can be provided by the speaker on the subject matter within the allocated time limit due to the complexity of issues or highly technical nature of issues identified by the speaker in their application to address a forum;

4.18.6. The number of speakers applying to speak on the one issue; and

4.18.7. The order in which the applications were received (and whether they were completed accurately).

Conduct at the Public Forum

4.19. When addressing Council, speakers at Public Forums must comply with Council's Code of Meeting Practice and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of Council's Code of Conduct or making other potentially defamatory statements.

4.20. Speakers will address the Public Forum in the order of the agenda for the following Meeting of Council.

4.21. Each speaker is limited to three (3) minutes which will be strictly enforced by the Chairperson. The Chairperson may approve a 2-minute extension of time to allow a speaker to complete their address but only if speaker numbers allow. Speakers at Public Forums must not digress from the item on the agenda of the Meeting they have applied to address 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.

- 4.22.** 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.
- 4.23.** 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 (1) minute.
- 4.24.** Speakers at Public Forums cannot ask questions of the Council, Councillors or Council Staff.
- 4.25.** The Chief Executive Officer or their nominee may, with the concurrence of the Chairperson, address Council for up to three (3) minutes in response to an address to Council at a Public Forum after the address and any subsequent questions and answers have been finalised.
- 4.26.** Where an address made at a Public Forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend that Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.27.** If the Chairperson considers that a speaker at a Public Forum has engaged in conduct of the type referred to in Clause 4.19, 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 Chairperson's request, the Chairperson may immediately require the person to stop speaking.
- 4.28.** Clause 4.27 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at Public Forums in accordance with the provisions of the Code of Meeting Practice, including the expulsion of the speaker from the meeting.
- 4.29.** Where a speaker engages in conduct of the type referred to in Clause 4.19, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at a Public Forum for such a period as the Chief Executive Officer or their delegate considers appropriate.
- 4.30.** 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 Public Forum, in the same way that they are required to do so at a Council or Committee Meeting. Council is to maintain a written record of all conflict of interest declarations made at Public Forums and how the conflict of interest was managed by the Councillor who made the declaration.

Webcasting

- 4.31.** Public Forums will be webcast and made publicly available on Council's website.
- 4.32.** By attending a Public Forum, speakers and other persons consent to an audio-visual broadcast of their address being included in the webcast of the Meeting, transmitted across the internet either concurrently with the Meeting or at a later time.

- 4.33. Speakers at public forum must be present at the meeting and cannot address public forum via audio visual link.
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5. Responsibilities

Compliance, monitoring and review

- 5.1. Suspected breaches or misuse of this Policy are to be reported to the Chief Executive Officer. Alleged breaches of this Policy will be dealt with in accordance with the procedures outlined above, the Code of Meeting Practice and the processes outlined for breaches of the Code of Conduct.

Records management

- 5.2. Staff must maintain all records relevant to administering this Policy in accordance with Council's Information and Records Management Policy and the *State Records Act 1998*.
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6. Policy Definitions

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| Chairperson | (a) in relation 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 Clauses 6.1 and 6.2 of the Code of Meeting Practice; and (b) in relation to a meeting of a Committee of the Council - means the person presiding at the meeting as provided by Clause 20.11 of the Code of Meeting Practice. |
| Chief Executive Officer (CEO) | is the Chief Executive Officer of Central Coast Council who undertakes the functions of the General Manager under the <i>Local Government Act 1993</i> , or in the absence of that person, the Staff designated to act for the Chief Executive Officer. Where this Code refers to General Manager, it represents Chief Executive Officer and simply reflects the legislation. |
| Code of Meeting Practice | means Council's Code of Meeting Practice adopted by Council pursuant to the <i>Local Government Act 1993</i> . |
| Committee of the Council | means a Committee established by the Council in accordance with the Code of Meeting Practice (being a Committee consisting only of Councillors) or the Council when it has resolved itself into Committee of the Whole under the Code of Meeting Practice |
| Council Official | has the same meaning it has in Council's Code of Conduct |
| Day | means calendar day, unless otherwise stipulated by the Act, Regulations or this Code. |

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| Webcast | means an audio-visual broadcast of a meeting transmitted across the internet either concurrently with the Meeting or at a later time. |
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7. Policy Administration

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| Business Group | Corporate Services |
| Responsible Officer | Unit Manager Governance Risk and Legal |
| Associated Procedure (if any, reference document(s) number(s)) | Nil |
| Policy Review Date | Four years from date of adoption unless legislated otherwise |
| File Number / Document Number | D16660987 |
| Relevant Legislation (reference specific sections) | <p>This Policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> ▪ <i>Local Government Act 1993</i> ▪ <i>Local Government (General) Regulation 2021</i> ▪ <i>State Records Act 1998</i> |
| Link to Community Strategic Plan | <p>Theme: Our Leadership</p> <p>LE1.2: Adhere to regulatory and compliance activities for community benefit and to drive a well-functioning organisation</p> |
| Related Policies / Protocols / Procedures / Documents (reference document numbers) | <ul style="list-style-type: none"> ▪ Code of Conduct ▪ Procedures for the Administration of the Code of Conduct ▪ Code of Meeting Practice ▪ Councillor and Staff Interaction Policy ▪ Information and Records Management Policy |

8. Policy Authorisations

| No. | Authorised Function | Authorised Business Unit / Role(s) |
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| TBA | Refuse applications to speak at a Public Forum | Chief Executive Officer or their delegate |

9. Policy History

| Revision | Date Approved / Authority | Description Of Changes |
|----------|--------------------------------------|---|
| 1 | 22 February 2022 Minute No. 27/22 | Public Forum provisions removed from Council's Code of Meeting Practice to create a stand-alone policy. |
| 2 | 26 August 2025 Minute No. 762/25 | Updated to provide greater clarity of process, minor wording changes, added into new template and formatting. |