

Addressing Council Procedure

Version #1



murray river
council

1. 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.

This Addressing a Council Meeting procedure 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.

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

2. PROCEDURES

Applications to address Council -:

- ▶ Must be made in writing on the Addressing Council Application Form attached to this Procedure 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 Procedure 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;
 - Are listed on the Council meeting agenda for determination; or
 - Matters which have been the subject of official public consultative forums, public meetings and/or public hearings.
- ▶ All representations in respect of tenders that are awaiting determination by Council.
- ▶ 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 employee related matters.

The following should also be noted:

- ▶ Applicants seeking to address Council or a Committee of Council must meet one for the following eligibility criteria:
 - A resident or owner of land within the Murray River Council local government area;
 - A person or entity entitled to vote in the Murray River Council local government area under the Local Government Act 1993, or where that voter is not a natural person, the nominee of the entity with its written authority;
 - The nominee of an entity owning land, conducting a business or providing a service in the Murray River Council local government area;
 - A duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before Council;
 - Any person or nominee of an organisation invited to speak by a Councillor and approved by the CEO where that person has demonstrated expertise on an issue being considered by Council at that meeting; (subject to the thirty (30) minute/six (6) speaker rule)
 - representative of a State or Federal Government agency with a matter before Council.
- ▶ Addresses will normally be received at a **pre-meeting briefing** meeting prior to an ordinary and extraordinary meeting of Council. However, the CEO may, at his sole discretion, approve deputations/addresses to an ordinary or extraordinary Council meeting.
- ▶ 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. However, the CEO may, at his sole discretion, approve a second deputation/address if additional information is to be presented.
- ▶ Information intended to be presented to Council either at a Council meeting or briefing session must be made available to Council 48 hours prior to the presentation. The CEO can, at his sole discretion, request changes be made to the proposed presentation
- ▶ The CEO 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;
 - 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 application not included for presentation.
- ▶ A list of applicants speaking, together with information on the subject of the briefing, is to be made available to Councillors at the meeting.

PUBLIC ADDRESS

- ▶ The public address 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;
- ▶ Speakers can present their address via a Powerpoint or similar presentation. The speaker will make the presentation available to Council at the time of submitting their Application Form.
- ▶ Information in a hard copy form must be submitted to Council, preferably at the time of submitting their Application Form or at the latest prior to the commencement of the meeting. Council employees can assist with the distribution of such information. No information will be permitted to be distributed during the presentation.
- ▶ 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 Council employees;
- ▶ 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 a 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.
- ▶ If a speaker wilfully ignores the direction from the Chairperson, the speaker shall not be entitled to address Council for a period of six (6) months, or a further period as determined by the Chairperson in consultation with the Councillors

NOTE: As a guide for applicants, most people speak at a rate of approximately 125 to 150 words per minute.

MINUTES

- ▶ Minutes must include a brief synopsis of the presentation/s;
- ▶ Wherever possible, speakers should provide Council with a written summary of their presentation, prior to commencement of the meeting.

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.

NOTE: APPLICATIONS MUST BE RECEIVED BY COUNCIL BY 12 NOON TWO (2) WORKING DAY PRIOR TO THE COUNCIL MEETING

ADDRESSING COUNCIL APPLICATION FORM
Associated with Code of Meeting Practice Policy (POL-101)

ADDRESSING COUNCIL APPLICATION FORM			
Council Meeting Date		Today's Date	
Name of Applicant			
Address			
Telephone Number		Fax:	
Email			
Name of Speaker			
Organisation (if applicable)			
CHOOSE FROM 1 or 2 BELOW			
1. Address of a general nature (not a Business Paper Agenda Item) (PLEASE SPECIFY)			
2. Business Paper Item to be addressed			
Agenda Item No:	Subject:		
I am for / against the recommendation of the report (strike out the address that is NOT applicable)			
ELIGIBILITY CRITERIA			
Applicants must meet one of the following Eligibility Criteria and have read the Addressing Council and Committee meetings procedure prior to completing this form (PLEASE TICK THE APPROPRIATE BOX)			
<input type="checkbox"/>	A resident of owner of land within the Murray River Council local government area;		
<input type="checkbox"/>	A person or entity entitled to vote in the Murray River Council local government area under the <u>Local Government Act 1993</u> , or where that voter is not a natural person, the nominee of the entity with its written authority		
<input type="checkbox"/>	The nominee of an entity owning land, conducting a business or providing a service in the Murray River Council local government area.		
<input type="checkbox"/>	A duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before Council,		
<input type="checkbox"/>	Any person or nominee of an organisation invited to speak by a Councillor and approved by the General Manager where that person has demonstrated expertise on an issue being considered by Council at that meeting,		
<input type="checkbox"/>	A representative of a State or Federal Government agency with a matter before Council		
In submitting this application, I understand and agree to abide by the conditions of the Addressing Council Procedure of Murray River Council.			

ADDRESSING COUNCIL APPLICATION FORM

This form can be lodged -

- 1 Via email to mail@murrayriver.nsw.gov.au
- 2 Faxed to 03 58843417
- 3 Posted to Murray River Council, 21 Conargo St MATHOURA NSW 2710

If you are not lodging your application via email, you will need to sign the form (below) before faxing it. If posting, you need to allow sufficient time for your application to be received by Council, before the close off time of 12 noon two (2) working day prior to the Council meeting.

Signature of Applicant

Electronic signature required when emailing document

Privacy Notification (Privacy and Personal Information Protection Act 1998 – Section 10)

The personal information that Council is collecting from you on this application form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ('the Act'). The intended recipients of the personal information are officers within the Council and any person wishing to inspect the application in accordance with the Local Government Act 1993. The supply of the information by you is not voluntary and if you cannot provide or do not wish to provide the information sought, the Council will be unable to process your application. You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act. Council is to be regarded as the agency that holds the information. Enquiries concerning this matter can be addressed to Council by telephoning 1300 087 004.

OFFICE USE ONLY

Determination by CEO		Yes		No	
Signature		Date:			
Applicant Advised by	Phone:		Fax		Email
Signature		Date and Time			