



Purpose

As part of Council's commitment to Good Governance, Council will provide opportunities for community members to engage directly in meetings.

Council's Community Participation Time policy:

- Provides an avenue within formal meetings for community members to engage with Council prior to a decision being made; and
- Balance the needs of the community to participate and those of Council to have effective engagement in meetings.

Policy

Council will consider where possible, the inclusion of community engagement in meetings as prescribed under the Meeting Procedure Local Law that have not been closed to the public, or to a forum where Council decides that this policy will apply. This policy must be read in conjunction with the Meeting Procedure Local Law.

Where a special meeting has been called, consideration will be given as to whether inclusion of community participation is appropriate.

Community Participation

Council will provide opportunities for Community members through the following options:

- Observers at Council meetings
- Questions on Notice
- Submissions
- Petitions
- Community Briefings



1. Behaviour Principles

All present at a meeting are required to behave in accordance with the Meeting Procedure Local Law to allow the meeting to proceed without disruption.

Appropriate behaviour is to:

- Be quiet during proceedings;
- Not create a nuisance within the meeting;
- Be respectful of the protocols of the meeting;
- Not harass those attending the meeting, including Councillors, officers and other visitors;
- Not bring in any placards, posters or materials other than personal effects unless prior permission has been sought and granted from the Mayor/Chairperson;
- Not display any physical violence or verbal abuse to anyone or anything within the meeting;
- Not record meeting proceedings without the consent of the Mayor/Chairperson via photography or filming;
- Have mobile phones switched off or on silent, and not be used for recording of meeting proceedings.

Members of the public who do not behave appropriately will be warned, and if poor behaviour continues, will then be asked to leave. Procedures and penalties under the Meeting Procedure Local Law will apply.

2. Observers at Council Meetings

Our community is welcome to be observers at the following meetings, unless the meeting has been closed to the public:

- Ordinary Council meetings
- Special Council meetings
- Urgent or Emergency meetings
- Community Briefings

From time to time, Council may invite the community to observe other proceedings. Where this occurs, this policy will apply.



3. Questions On Notice

Council invites questions on notice from community members. Questions on notice is an opportunity for community members to ask questions to clarify strategic, policy or any other appropriate matter that may not be on the Council meeting agenda.

Questions must be appropriate for a public forum, and not be used to seek out opinion from individual Councillors. If a question is deemed irrelevant, vexatious or defamatory, Council will reject the question and notify the submitter.

a. Questions to be in writing

Questions need to be submitted in writing, either on the form available (submitted as per details on the form), or via email to bawbaw@bawbawshire.vic.gov.au with a subject line of 'Question on Notice'.

The person submitting the question must identify themselves clearly, with name, address and a current telephone contact number. If on behalf of an organisation, the person must still provide their name, but also the organisations' name, and ensure that they have permission from the organisation to be speaking on their behalf.

b. Questions to be submitted by deadline

Questions must be submitted and received by Council by 5:00pm Tuesday before Council meeting. Where the Tuesday is a public holiday, questions must be submitted and received by Council by 5:00pm on the previous business day.

c. Questions asked to be limited in number

Community members have the right to ask up to five questions. Any questions over this limit will not be answered.

Questions with multiple parts will be counted as separate questions and will have this limit apply.

d. Mayor's role in Questions on notice

The Mayor, as Chairperson of the meetings, or in the absence of the Mayor, the Councillor filling that role, will answer each question that is strategic in nature.

The Mayor may refer a question to be answered by any other Councillor if they choose, or will allow a second speaker to assist in clarifying the answer for the questioner.



e. Chief Executive Officer's role in Questions on notice

The Chief Executive Officer will be invited by the Mayor, to answer each question that is operational in nature.

f. Right to clarify the answer

The person who submitted the question may ask for clarification on any aspect of the answer given to understand the answer up to two times. It is not an opportunity to challenge or debate the answer, and they will be called to order by the Mayor/Chairperson if they choose to use this forum to do so.

There is no provision to take more questions on notice in this forum. The submitter of the question agrees to waive their right of clarification if they do not attend the meeting.

g. Copies of answers to be available

If the submitter does not attend the meeting, Council will ensure a copy of the questions and responses are provided to the submitter.

Copies of answers will be available after the Council meeting for the submitters only.

Community members interested in viewing the questions and responses may refer to the Council minutes on the website, or view the minutes papers in the Customer Service Centres.



4. Submissions

This policy will not override the provisions of the *Local Government Act 1989*, nor will they change the opportunities or obligations in relation to people wishing to lodge objections to planning applications or proposed planning scheme amendments.

a. Types of submissions

Council will provide the opportunity for the following types of submissions to be heard:

- Matters prescribed under Section 223 of the *Local Government Act 1989*;
- Planning applications or proposed planning scheme amendment submissions; and
- Officer reports listed on the agenda for that meeting, which is not part of another submission process detailed above.
- Submitters and question on notice submissions received during Community Participation Time maintain the right to refuse or decline recordings as requested before their submission takes place to protect their rights and privacy.

b. Submissions Register

Council is required to maintain a register of section 223 submissions and planning objections/submissions. Community members need to be aware that these registers will be available to other community members and should write their submission as a public document.

c. Requirement to suspend standing orders

There will be no requirement to suspend standing orders to hear submissions.

d. Calling of Special meetings

Where appropriate, Council will call a Special meeting to hear submissions made under Section 223 of the *Local Government Act 1989* or on planning applications or proposed planning scheme amendments prior to the formal decision process.

The purpose of a Special meeting is to allow community members to speak on the key points of their submission in order to assist understanding and consideration by Council.

Where a Special meeting to hear submissions has not been called, Council will provide the opportunity for these submissions to be heard at the Council meeting where the item is on the agenda.



Where a special meeting has been called, Council confirms the right for all submissions to be heard at this meeting, rather than at a subsequent Council meeting where the item is listed on the agenda for decision, unless legislative provisions require Council to do so. This is to ensure that appropriate consideration has been given to these matters prior to the formal decision process.

e. Process to be followed at a meeting called to hear submissions

Only those submitters who have requested to speak on their submission (in their submission or after being contacted have notified in writing of their intention to speak), can speak at a special meeting.

Submitters must speak only on the matters contained within their submission, and not bring new information to the meeting.

f. Process to be followed at an Ordinary Council meeting

Council invites members of the community to address the meeting on any officer report listed. .

Members of the community wishing to address the meeting on an officer report listed must register on the form provided outside the Council Chambers, prior to commencement of the meeting. No unregistered community member will be allowed to speak.

The Mayor/Chairperson has the discretion to determine the number of speakers on a particular item.

g. Time allowed per submission

Members of the community will be given up to 3 minutes to speak. The Mayor/Chairperson will provide a warning to the submitter when they have less than a minute to go. At the discretion of the Mayor/Chairperson, an extension of time may be granted.

h. Opportunities for Councillors to clarify

Councillors are given the opportunity through the Chair to ask questions of the submitter.



5. Petitions

In accordance with the Meeting Procedure Local Law, Councillors will be able to table a petition at a Council meeting on behalf of community members.

Any petition that does not meet the prescribed criteria as set out in the Meeting Procedure Local Law will not be tabled, and therefore, not considered at a future meeting of Council.

a. Petitions to be lodged with the Chief Executive Officer

All petitions must be lodged prior to 5.00pm the day prior to Council meeting with the Chief Executive Officer (or the previous business day if that day is a public holiday).

b. After a petition has been tabled

Council will resolve at the meeting where it is tabled, to either

- a) Receive the petition or joint letter with either an included officer recommendation for noting and / or action, or refer the matter to Council Officers to action and investigate and report back to the lead petition writer as required; or

Refer it to a future meeting of the Council not more than four council meetings ahead with a report detailing action and investigation, unless the Council agrees to deal with it at an earlier Council Meeting. The head petitioner will be notified.

6. Community Briefing

Council will provide the opportunity for Community briefings to occur with Councillors. A community briefing is a forum to allow presentation or discussion on strategic topics or key projects, and will be open to the community.

Any matter that needs to be confidential will not be open to the community or the community member will be invited to attend at a different meeting of Councillors.

a. Types of Community Briefings

Council may accept an invitation for a community briefing on strategic topics or key projects that are of interest to Council or of the wider community.

Community Briefings will be open to the wider community to observe, and will be advertised in the Warragul and Drouin Gazette and the Baw Baw Shire Council Website.

b. Who can present in a Community Briefing



A Community Briefing may occur from any of the following:

- Council officers, Contractor, Consultant, Councillors or Council Committee's;
- Community member representing an organisation; or
- An individual community member.

c. Process for requesting a Community Briefing

Community briefings will be booked in advance through contacting the Governance Advisor in writing, via the bawbaw@bawbawshire.vic.gov.au with the line 'Community Briefing Request' or via mail to PO Box 304, Warragul VIC 3820. Community members must provide an outline of the presentation in their request.

d. No guarantee of acceptance of a Community Briefing request

No guarantee is given that on lodgement of a request, that it will be accepted. Community members will be advised in writing.

e. Time limits

Presentations will be limited to a maximum of 20 minutes. Up to an additional 10 minutes will be scheduled to allow for questions and answers with Councillors.

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