

Public Participation Policy

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1. TITLE

Public Participation in Council Meetings Policy

2. OBJECTIVE

This policy aims to provide the Glen Eira community with a welcoming, respectful and safe environment to present to or ask questions at Council meetings on matters or issues that are important to them.

This policy provides members of the community with an opportunity at a scheduled Council meeting to:

1. submit up to two written public questions to Council; and /or
2. ask a brief question or make a statement,

All matters raised must relate to Council's role, functions or business.

This policy is to be read in conjunction with the Glen Eira City Council Governance Rules and Conduct at Meetings and Common Seal Local Law. This policy applies to scheduled Council meetings.

3. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Chief Executive Officer	The Chief Executive Officer of Glen Eira City Council or person acting in the role of Chief Executive Officer
Electoral Matter	<p>Matter intended or likely to affect voting but not including any electoral material produced by or on behalf of the election manager for the purposes of conducting an election.</p> <p>Matter is to be taken to be intended or likely to affect voting if, among other things, it contains an express or implicit reference to, or comment on—</p> <p>(a) the election; or</p> <p>(b) a candidate in the election; or</p> <p>an issue submitted to, or otherwise before, voters in connection with the election</p>
Scheduled Council meeting	A council meeting fixed under Rule 15 of the Governance Rules.
In writing	In writing includes handwritten or electronic.

4. POLICY

Written Public Question

This Policy provides for members of the community to submit written questions to Council relation to Council's role, functions or business. Matters deemed to be outside Council's role, functions or business will be encouraged to refer these matters to the relevant authority.

Fifteen minutes may be allocated on the agenda of a scheduled Council meeting to hear written public questions. The Chief Executive Officer will read the written public question and the appropriate

Director will provide a response. All written public questions answered in the meeting will be included in the minutes of the meeting. There is no opportunity for discussion on the question or answer by Councillors or members of the gallery.

All questions and responses will be considered by Councillors prior to the Council meeting.

Written public questions must be received no later than 12 noon on the business day preceding the day of the scheduled Council meeting. Questions may be submitted to Council by:

- Email – publicquestions@gleneria.vic.gov.au
- Online form – <https://www.gleneira.vic.gov.au/about-council/meetings-and-agendas/ask-a-question>
- Mail – Glen Eira City Council PO Box 42 Caulfield South VIC 3162
- In-person – Customer Service Centre, Town Hall Corner Glen Eira and Hawthorn Roads, Caulfield

Each person may submit a maximum of two (2) questions to any scheduled Council meeting. If more than two, questions are received from any one person, only the first two questions will be considered by Council. Remaining questions will be responded to writing within 5 working days following the meeting for which they were submitted.

Questions must include:

- 1) the questioner's name and address
- 2) the date
- 3) The telephone number or email address at which the questioner maybe contacted for verification
- 4) a maximum of 150 words per question.

The Chief Executive Officer or another officer designated will review the proposed questions and determine whether it is appropriate to be read at the Council meeting. A question may be deemed inappropriate if it:

- 1) relates to matter outside the role functions and powers of Council; or
- 2) does not relate to the business of Council or otherwise relates to a Councillor or staff member other than in their Council capacity; or
- 3) is considered to be defamatory, indecent, inappropriate or may constitute discrimination, vilification, harassment, or may place Council or the participant at risk of legal action; or
- 4) if answered would constitute a breach of:
 - a. the Privacy and Data Protection Act 2014 (Vic); or
 - b. the confidentiality provisions or any other provisions of the Local Government Act 2020 (Vic); or
 - c. any other relevant legislation; or
- 5) relates to electoral matter during an election period; or
- 6) Is deemed vexatious in nature or a similar answer provided at a previous Council Meeting; or
- 7) exceeds 150 words.

The Chairperson will make the final decision as to whether a question is deemed inappropriate.

In the case of a question being deemed inappropriate, submitters will be given the opportunity to reword any the question by close of business on the day preceding the scheduled Council meeting.

If the submitter does not reword a question is deemed inappropriate then the Chairperson, the Chief Executive Officer or designated member of Council staff may read to the meeting only the name and suburb of the person asking the question and the ground under which the question was deemed to be inappropriate.

Questions not responded to during the allocated time in the scheduled Council meeting will be responded to in writing within 5 working days following the meeting to which they were submitted.

Where a question is about an individual Councillor in their capacity as a Councillor, the Chairperson may ask the Councillor to respond.

In-person questions or submission

This policy provides the community with an opportunity to attend a scheduled Council meeting in person and ask brief questions or make statements relating to Council's role, functions or business.

Participants should register to speak at the Council meeting by completing the form provided in the Council Chamber and submitting the form prior to the commencement of the scheduled Council meeting. The registration forms will be available from 7pm on the day of the scheduled Council meeting. Completed forms will be numbered according to the order in which they are returned to the Council officer managing registrations.

There will be a limit of one speaker per registration.

Fifteen minutes will be allocated on the agenda of a scheduled Council meeting to hear in-person questions and submissions. Participants will be asked to speak in order of registration. If required, the Chairperson will ask the Chief Executive Officer or relevant Director to respond. Questions may be taken on notice.

The Chief Executive Officer will read all proposed questions/statements in advance to ensure they are not deemed inappropriate. A question may be deemed inappropriate if it:

- 1) relates to matter outside the role functions and powers of Council; or
- 2) does not relate to the business of Council or otherwise relates to a Councillor or staff member other than in their Council capacity; or
- 3) is considered to be defamatory, indecent, inappropriate or may constitute discrimination, vilification, harassment, or may place Council or the participant at risk of legal action; or
- 4) if answered would constitute a breach of:
 - a. the Privacy and Data Protection Act 2014 (Vic); or
 - b. the confidentiality provisions or any other provisions of the Local Government Act 2020 (Vic); or
 - c. any other relevant legislation; or
- 5) relates to electoral matter during an election period.

During the meeting the Chairperson will not allow a participant to speak on or continue to speak on any topic that the Chairperson believes is inappropriate.

If any questions remain unanswered at the conclusion of the allotted time they will be answered within five (5) working days following the meeting to which they were submitted.

The questions or submissions presented at Council meetings during public participation will not be recorded in the minutes of the Council meeting.

Participants may be recorded (audio and/or visual recording) as part of the Council meeting and the recording will be made publicly available and managed in accordance with Council's record keeping policies.

5. HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

6. ASSOCIATED INTERNAL DOCUMENTS

City Council Governance Rules
Council Conduct at Meetings and Common Seal Local Law
Privacy Policy

7. EXTERNAL REFERENCES/RESOURCES

Local Government Act 2020
Privacy and Data Protection Act 2014