

# Public Participation Policy

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<b>Position title of responsible business unit Manager:</b>	Manager Risk and Governance
<b>Approved by:</b>	Council
<b>Policy Category:</b>	Category 2 – Discretionary Council Policy

**Amendment History**

<b>Date Amended</b>	<b>Clause Reference</b>	<b>Description of Amendment</b>	<b>Endorsed by</b>
10 September 2024	N/A	Administrative amendment to the name of the policy from “Public Participation in Council Meetings Policy” to “Public Participation Policy”.	CEO

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## 1. TITLE

Public Participation 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 the Conduct at Meetings and Common Seal Local Law.

## 3. SCOPE

This policy applies to Scheduled Council meetings.

## 4. 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	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.  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—  (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, voters in connection with the election
Scheduled Council meeting	A council meeting is fixed under Rule 15 of the Governance Rules.
In writing	In writing includes handwritten or electronic.
Inappropriate matter	A matter that:  1) relates to a 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

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- 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 was provided during the meeting or at a previous Scheduled Council.
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## 5. POLICY

### **Written Public Questions**

This Policy allows members of the community to submit written questions to Council regarding Council's role, functions, or business.

Members of the community raising matters deemed to be outside Council's role, functions or business will be encouraged to contact the relevant authority for the matter raised.

Fifteen minutes may be allocated on the agenda of a scheduled Council meeting to hear written public questions. This is at the discretion of the Chair.

The Chief Executive Officer will read the written public question, and the appropriate Director will provide a response.

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

All written public questions answered in the meeting will be included in the minutes of the meeting.

Where a written public question cannot be read and answered due to the time allocation being exhausted, a response will be provided within five (5) working days following the meeting for which they were submitted.

There is no opportunity for discussion on the written public question or answer by Councillors or members of the gallery.

All questions and responses will be made available to Councillors before the Scheduled Council meeting.

Written public questions must be received no later than 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](mailto:publicquestions@gleneria.vic.gov.au)
- Online form – <https://www.gleneria.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) written public questions to any Scheduled Council meeting. If more than two written public questions are received from any person to any Scheduled Council meeting, only the first two questions will be considered by Council. Remaining written public questions will be responded to in writing within five (5) working days following the meeting for which they were submitted.

Questions must each be no more than 150 words, and include:

- 1) the questioner's name and suburb
- 2) the date
- 3) the telephone number or email address at which the questioner may be contacted for

verification

The Chief Executive Officer or another Council officer will review each proposed question and determine whether it is an inappropriate matter or if the question exceeds 150 words.

The Chairperson will make the final decision about whether a question is inappropriate or exceeds 150 words.

If a question is deemed an inappropriate matter or exceeds 150 words, submitters will be allowed to reword the question by the close of business on the day preceding the Scheduled Council meeting. If the submitter does not wish to reword the question, it will be deemed inadmissible and not be answered at the Scheduled Council meeting or responded to following the Scheduled Council meeting.

If there are several questions relating to the same topic, the Chief Executive Officer, in consultation with the Chairperson, may bundle questions or summarise questions to facilitate an efficient meeting. All questions that are bundled or summarised in this way will receive an individual response in writing within five (5) working days following the meeting for which they are submitted.

### **In-person questions or submission**

Community members may 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 ask their question or make a statement at the Scheduled Council meeting by completing a registration form provided in the Council Chambers immediately before the Scheduled Council meeting begins. 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 Chairperson will invite submitters to speak to Council.

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 an inappropriate matter or contrary to the above rules.

Any questions taken on notice will be answered within five (5) working days following the meeting to which they were submitted.

The questions or submissions presented at Scheduled 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 Scheduled Council meeting. The recording will be made publicly available and managed in accordance with the Council's record-keeping policies.

## **6. HUMAN RIGHTS CHARTER COMPATIBILITY**

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

## **7. GENDER EQUALITY ACT COMPLIANCE**

In line with the Gender Equality Act 2020 (Vic), a Gender Impact Assessment is not required for this policy.

## **8. ASSOCIATED COUNCIL DOCUMENTS**

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

## **9. EXTERNAL REFERENCES/RESOURCES**

Local Government Act 2020  
Privacy and Data Protection Act 2014