

## KIAMA COUNCIL POLICY ON PUBLIC ACCESS

Council has established a policy, which provides for public access to Councillors during Council Meetings. Details of the guidelines under which this policy will operate are set out below. This policy does not displace or override the statutory requirements relating to submissions on development applications and attention is drawn to the conditions outlined below.

Council is anxious to provide access to it by the public, but must maintain the rules and conventions set down in the Local Government Act 1993 and Regulations. Accordingly, the following information is provided:-

- (a) The Mayor (or Chairman of the Meeting) has control of the meeting and of public access. The Mayor will provide directions for the person to address Council. Such directions may include the varying of any part of this policy and any part of the guidelines for public access to enable persons with a disability to make an effective presentation to the Council. The presentation will end when the Mayor so directs.
- (b) The Mayor retains the right to interrupt or close a presentation if it is believed that to continue would impinge on the laws of libel or defamation; if the matter is outside the guidelines, or if the matter contravenes the Act or Regulations. Accusations or allegations of wrongdoing against members or staff will not be allowed in the public access section. These matters are to be addressed formally in writing to the Mayor, to the General Manager, or to the other appropriate bodies.
- (c) The Mayor has the right to limit the number of presentations in total or the number of presentations on any one issue so that the public access section does not unduly impinge on Council business or is not used for unnecessary repetition or duplication of points of view.
- (d) In relation to a specific development application any applicants (or their representatives) and any persons who have made a submission (or their representatives) shall be entitled to seek approval to address Council in public access when that development application is reported in accordance with Council's policy (see guidelines below). Persons who have not made a submission and who wish to raise matters after the report to Council has been finalised shall be advised of their rights to make representations to individual Councillors but shall not be eligible for public access.

### GUIDELINES

- (1) A period of up to 90 minutes is normally allocated for public access the night prior to the Council's Ordinary Meetings. Allocation of time to applicants will be given in accordance with the conditions set out in Paragraph (c) of the policy above. Applicants who are accepted for public access will be notified of such acceptance prior to the public access meeting.
- (2) The public access section in regard to Ordinary Meetings will occur the **EVENING PRIOR TO THE ORDINARY MEETING**. The public access period is to be from 5.00 pm to 6.30 pm (or as close thereto as possible). Where the evening prior to the Ordinary Meeting is a public holiday public access will be held at the beginning of the Council meeting commencing at 5.00 pm.
- (3) Individuals or groups are required to register to appear before Council at that time, such registration to be made between 9.30am on the Friday preceding the meeting (or three days before in the case of a Special meeting) and 3.00 pm on the day prior to the day of the Council meeting. Where the evening prior to the Ordinary Meeting is a public holiday public access registration will close at 11.00am on the day of the Council meeting.

Further, individuals or groups are to be limited to a **MAXIMUM OF FIVE MINUTES** in these presentations. A maximum of ten people will be granted access to a Council meeting. A limit of one person supporting and one person opposing an item will be allowed in accordance with the conditions set out in Paragraph (c) of the policy above. Note that in regard to the 5 minute allocated time slot, it is permissible for the slot to be divided by two parties if so mutually agreed. Registration can be made by telephoning (02) 4232 0402.

- (4) Presentations are to be made verbally and presentation aids are permitted. It is a condition of Public Access that when dealing with **development applications NO NEW INFORMATION** is to be introduced during such access. Written material is **NOT** to be circulated at the meeting. Written information will be circulated to all Councillors if it is made available to Council staff before 4.00pm on the day of the public access meeting or when the public access is to be part of the Ordinary Meeting (see (3) above) before 11.00am on the day of the meeting.
- (5) Councillors may ask questions of deputations or individuals during this period, but any formal action will not be taken until due consideration has been given to the issue.
- (6) Any matters for discussion must pertain to business placed before Council at the meeting to be held the following day or on the same night (when the previous day is a public holiday).