

Submitters Delegated Committee Guidelines

The Submitters Delegated Committee has been established to hear from:

- persons who have made a submission to Council in accordance with Section 223 of the *Local Government Act 1989*;
- persons who have made submissions to Council pursuant to its *Community Engagement Policy*
- persons who have made an objection or submission to a planning application; and
- Permit Applicants/land owners of a planning application (or their nominated representative).

The committee is made up of all Councillors.

Introduction

Council receives written submissions on a variety of matters which need to be considered by Council during the decision-making process. The Submitters Delegated Committee affords people who have made a submission a specific opportunity to appear in person to expand on their submission, if they wish to do so, for the nominated matters above as outlined in the instrument of delegation.

Privacy

In accordance with Council's Governance Rules, the agenda for each meeting of the Submitters Delegated Committee will be published on Council's website at least five (5) days before a meeting is scheduled. Written submissions received by the deadline will be included as attachments to the agenda and will therefore be publicly available.

Prior to publication, contact details of individuals (such as email addresses, postal/home addresses and telephone numbers) will be redacted from written submissions in order to protect the privacy of submitters. However, the names of submitters and the content of their submissions will be published in the meeting agenda and may also be reproduced in the meeting minutes.

Submitters who elect to present in person at a Submitters Delegated Committee in support of their written submission should also note that meetings will be recorded and streamed live on the internet in accordance with Council's *Livestreaming and Publishing Recording of Meetings Protocol*, which can be viewed on Council's website. By electing to present to the Committee, submitters consent to their image being inadvertently broadcast, as per the protocol.

1. Making a submission

- 1.1 Submissions must be provided by the deadline specified in the public notice/advertisement. A submission may comprise a submission made by an individual, two or more persons, or a company or organisation. The acceptance of late submissions will be at the discretion of the Chairperson.
- 1.2 Submissions should be lodged in the prescribed format where possible.
- 1.3 Only a person who has made a submission (the submitter) and indicated in their submission that they wish to appear in person, or have a nominated representative appear in person, will be permitted to address the Submitters Delegated Committee (the Committee).
- 1.4 Reference to the making of submissions at Section 1.1 – 1.3 of these guidelines relates to those submitters who wish to be heard at the relevant Submitters Delegated Committee only. It is acknowledged that submissions (including objections) may be made to Council regarding a planning application after the notice period has finished, up until a decision is made on the application.

2. Late Speakers

- 2.1 For submissions made in relation to matters being considered by the Submitters Delegated Committee, requests to speak to a submission not identified at the time of making the submission may be accepted up to 5pm on the day prior to the Committee meeting (the meeting).
- 2.2 Where submitters have not requested to speak either via their formal submission or via the late speakers process outlined in 2.1 above they will only be heard at the meeting at the discretion of the Chairperson.
- 2.3 Requests for submitters who have not complied with deadline to speak will only be considered by the Committee at the conclusion of all other scheduled speakers.

3. Time Limits

- 3.1 Submitters or their representative/s will be allocated a maximum of three (3) minutes to speak to their submission.
- 3.2 Applicants or their representative/s will be allocated a maximum of three (3) minutes.
- 3.3 In the case of joint submissions, a maximum of three (3) minutes will be allocated per submission up to a maximum of nine (9) minutes and one person should be nominated to speak on behalf of the submitters.

4. Attendance

- 4.1 A submitter (or their nominated representative) needs to appear in person to speak to

their submission.

5. Addressing the Committee

- 5.1 The content of a submitter's presentation should not be simply a verbatim repeat of the written submission, recognising that all Committee members will have already received the complete submission. Submitters should instead seek to provide further supporting information and comment in a manner that expands upon issues raised in the written submission or enables this to be conveyed in a more personalised manner.
- 5.2 A PowerPoint presentation or other form of digital media is permitted, if previously arranged with a member of Council staff. Such arrangements must be made at least 2 business days in advance of the meeting.¹
- 5.3 Additional supporting documentation may be tabled at the meeting.
- 5.4 A submitter's comments will not be recorded in the minutes of the meeting.
- 5.5 The Committee may ask questions of the submitter at the end of each presentation. The speaker's responses are to be brief and to the point.
- 5.6 Questions by the Committee and corresponding responses by submitters or their representative/s will not be recorded in the minutes of the meeting.
- 5.7 Other than 5.5, no submitter has a right of reply unless the Chairperson asks questions or expressly invites further comment. Such answers or comments are to be brief and to the point.

6. Representatives

- 6.1 A submitter or applicant may request to be represented by a nominated person/s at the meeting in accordance with these guidelines.
- 6.2 A representative assumes the opportunity to speak on behalf of, and in place of, the submitter or applicant and must adhere to the time limit.
- 6.3 A representative may read out a written statement prepared by the submitter or applicant. In this situation:
 - 6.3.1 The representative must not provide supplementary information separate to the statement prepared by the submitter/applicant.

¹ In circumstances where the committee meeting is held as a virtual meeting online, any additional presentation material provided by the submitter will be received by officers and distributed to all members of the committee. The material will not be displayed on-screen in the online platform.

6.3.2 The representative cannot answer questions from the Committee, or give or express opinions on behalf of the submitter, applicant or any other person.

6.4 A representative must speak to the specific issues relevant to the submission of the submitter/applicant whom they represent.

7. Joint Presentations

7.1 Any group of 3 or more submitters may be permitted to have a joint presentation of a maximum of nine (9) minutes at the discretion of the Committee. Joint submissions will not be provided for unless requested in accordance with this requirement.

8. Public Behaviour

8.1 Any speaker addressing the Committee must extend courtesy and respect to the Committee and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.

8.2 The Chairperson, may ask any Authorised Officer, member of the Police Force or person appointed by Council to maintain security, to remove from the meeting room any person who acts in breach of these guidelines or the Governance Rules.

8.3 Each speaker has the right to an uninterrupted presentation and no interjections will be tolerated from the gallery.

9. Application Generally

9.1 Sections 6 (meeting to conduct an election), 7 (determining the election of the mayor), 10 (public notice), 40 (addressing meetings), 41 (public question time) and 42 (petitions and joint letters) of the Governance Rules do not apply.

9.2 As the purpose of the Submitters Delegated Committee is to hear from community members, the Committee should, where possible operate without undue formality. It is acceptable for the Committee to:

- resolve at the beginning of a meeting that standing orders be suspended;
- foreshadow proposed resolutions as each item is considered by the Committee while standing orders are suspended;
- at the conclusion of that meeting to resolve that standing orders be resumed; and
- resolve to adopt the previously foreshadowed resolutions, collectively if appropriate.

9.3 All other provisions of the Governance Rules shall apply.

9.4 Requests for variations to the submissions process outlined above in clauses 1 to 7 shall be decided by the Committee at the meeting, by formal voting.