

Department of Planning, Housing and Infrastructure

Office of Local Government

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Model public forum rules

January 2026



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Introduction

The 2025 Model Code of Meeting Practice for Local Councils in NSW (the 2025 Model Meeting Code) prescribes mandatory provisions for public forums. These permit councils to hold public forums prior to their meetings to hear oral submissions from members of the public on items of business to be considered at the meeting.

Public forums are a valuable way of giving members of the public an opportunity to provide input into council decision-making at meetings. However, they should not be the only means available to members of the public to engage with the council or operate in a way that displaces deliberation and decision making by the elected councillors at meetings.

Councils are free to determine the rules under which public forums are to be conducted and when they are to be held, subject to the requirement that they are held before meetings.

The Office of Local Government (OLG) has developed these model best practice public forum rules to assist councils in the administration of public forums.

Key considerations

The best practice public forum rules developed by OLG have been informed by the following considerations:

- Councils are required under section 402A of the *Local Government Act 1993* (the Act) to have a comprehensive community engagement strategy in place to ensure that the views of affected persons and (where relevant) the community as a whole are considered in council decision-making. Public forums at council and committee meetings are not an appropriate substitute for effective community consultation and engagement. Councils also need to be mindful that the views expressed at public forums will not necessarily be representative of the views of other affected parties or the broader community.
- Public forums should operate as an input into council decision-making at meetings. This means that they should be focussed on the matters under consideration at a council or committee meeting and not permit free ranging discussion of other matters that are not being dealt with at the meeting.

- In the interests of ensuring informed decision-making, there should be a gap between the public forum and the meeting to allow councillors the time to properly consider matters raised at the public forum and, if necessary, to seek further information from staff before being required to make a decision on those matters.
- Council and committee meetings should operate as a forum for debate and decision-making by the community's elected representatives. Public forums should not operate in a way that displaces this as the principal purpose of council and committee meetings nor operate as a platform for others to participate in debate with elected officials on matters under consideration at a meeting.
- Participation in a public forum is a privilege not a right. It should be within the discretion of a council to withdraw this privilege where a person fails to respect meeting rules or engages in disorderly conduct.

Best Practice Public Forum Rules



Councils can adapt these rules to develop a standalone policy or include them as supplementary provisions in their adopted code of meeting practice.

1 General

- 1.1 A public forum may be held prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting¹.
- 1.2 Public forums may also be held prior to meetings of committees of the council².
- 1.3 Public forums are to be chaired by the mayor or their nominee.

¹clause 4.1 of the 2025 Model Meeting Code

²Under the 2025 Model Meeting Code, a “committee of the council” is a committee that consists only of councillors

2 Application to speak

- 2.1 To speak at a public forum, a person must first make a written application to the council in the approved form³.
- 2.2 Applications to speak at the public forum must be received by *[date and time to be specified by the council]* before the date on which the public forum is to be held
- 2.3 Applications to speak must identify the item of business on the agenda of the meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 2.4 A person may apply to speak on no more than *[number to be specified by the council]* items of business on the agenda of the meeting.
- 2.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

3 Refusal of applications

- 3.1 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

³ An application form must comply with requirements relating to the collection and use of personal information under the *Privacy and Personal Information Protection Act 1998*

4 Limit on number of speakers

- 4.1 No more than *[number to be specified by the council]* speakers are to be permitted to speak per public forum, with no more than *[number to be specified by the council]* ‘for’ and no more than *[number to be specified by the council]* ‘against’ each item of business on the agenda for the meeting.
- 4.2 If more than the permitted number of speakers apply to speak ‘for’ or ‘against’ any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the public forum on the item of business. If the speakers are not able to agree on whom to nominate to address the public forum, the general manager or their delegate is to determine who will address the public forum.
- 4.3 If more than the permitted number of speakers apply to speak ‘for’ or ‘against’ any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor’s nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

5 Submission of supporting materials

- 5.1 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address at the public forum, and to identify any equipment needs no more than *[number to be specified by the council]* days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

6 Order of speakers

- 6.1 The general manager or their delegate is to determine the order of speakers at the public forum. The order of speakers may be redetermined by the chairperson at the public forum.

7 Speakers

- 7.1 Each speaker will be allowed *[number to be specified by the council]* minutes to address the public forum. This time is to be strictly enforced by the chairperson.
- 7.2 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the public forum on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

8 Questions

- 8.1 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 8.2 Speakers are under no obligation to answer a question put to them. Answers by the speaker, to each question are to be limited to *[number to be specified by the council]* minutes.
- 8.3 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 8.4 The general manager or their nominee may, with the concurrence of the chairperson, address the public forum for up to *[number to be specified by the council]* minutes in response to an address at a public forum after the address and any subsequent questions and answers have been finalised.

8.5 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.

9 Conduct at public forums

9.1 When addressing the public forum, speakers must refrain from engaging in disorderly or disrespectful conduct or making statements that impute improper motives to or unfavourably personally reflects upon anyone, or that are potentially defamatory.

9.2 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 9.1, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

9.3 Where a speaker engages in conduct of the type referred to in clause 9.1, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

10 Conflict of interest

10.1 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting.

10.2 The council is to maintain a written record of all conflict-of-interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration meeting.

11 Livestreaming of public forums

- 11.1 Public forums must be livestreamed⁴ via the council's website or a link published on the council's website.
- 11.2 The chairperson must inform persons attending the public forum that:
 - (a) the public forum is being recorded and livestreamed via the council's website, and
 - (b) person attending the public forum should refrain from making defamatory statements.
- 11.3 When applying to address the public forum, a person must provide their consent to broadcast their voice and image in the livestream and confirm that their address will not include any comments or information that may present legal risk.
- 11.4 A person's attendance at the public forum is to be taken by the chairperson that the person has agreed to be included in any livestream.
- 11.5 The recording of a public forum is to be made publicly available on the council's website for at least 12 months after the forum or for the balance of the council's term, whichever is the longer period⁵.

Note: For best practice guidance on livestreaming public forums, refer to OLG's *Livestreaming council and committee meetings and public forums: A Guide* available at www.olg.nsw.gov.au.

⁴ clause 4.3 of the 2025 Model Meeting Code

⁵ clause 5.39 of the 2025 Model Meeting Code