

# Policy

## Public Question Time – Management

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<b>Statutory context</b>	<p>Local Government Act 1995 –</p> <ul style="list-style-type: none"><li>• s.5.24 – requirement for public question time</li></ul> <p>Local Government (Administration) Regulations 1996 –</p> <ul style="list-style-type: none"><li>• r.5 – meetings where public question time is required</li><li>• r.6 – minimum time for public question time</li><li>• r.7 – procedure for public question time</li></ul> <p>Shire of Narrogin Meeting Procedures Local Law 2016 –</p> <ul style="list-style-type: none"><li>• cl.6.7 – Other procedures for public question time<ol style="list-style-type: none"><li>(1) questioner to state name and address</li><li>(2) question may be taken on notice</li><li>(3) if on notice, response to be in writing and a summary in next agenda</li><li>(4) any interest is to be declared if question is directed to a relevant person</li><li>(5) two minutes to submit question or questions, unless extended</li><li>(6) all members of the public to ask their questions before additional questions</li><li>(7) where submitted in writing, the presiding member may direct it is to be considered as correspondence</li><li>(8) circumstances in which the presiding member may direct no response is to be given – same question, a statement, offensive or defamatory</li><li>(9) presiding member may extend public question time, but is not obliged to</li><li>(10) summary of response to question to be in minutes</li></ol></li></ul>
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**Council context**                      None

**History**                                      Adopted                      \_\_\_\_\_

### Policy Statement

The following Policy Schedules are adopted, and form part of this Statement –  
1.4      Procedure for Public Question Time

The Procedures for Public Question Time apply to –

- a) Ordinary and Special Council meetings,
- b) Every meeting of Council committees which have a delegated power or duty.

– End of Policy

### Notes

Without this policy, the only controls available to the Presiding Member of a meeting are the provisions of the Act, Regulations and Local Law, all of which allow wide discretion, but offer limited guidance as to processes.

## PROCEDURE FOR PUBLIC QUESTION TIME

The *Local Government Act 1995* requires that a minimum of 15 minutes be provided at council meetings for public question time.

Public question time is early in the meeting as required by the Act. This allows questions to be asked before business is dealt with and also smooth running of the business part of the meeting. The procedure for asking a question is outlined below.

### Presenting a question

1. Questions should be addressed to the Presiding Member, and submitted in writing to the Chief Executive Officer by 4.00pm the business day prior to the meeting.
2. Priority will be given to those questions relating to a matter on the Agenda before the meeting. General questions will only be addressed if time permits.
3. The length of question, including any background information, should not exceed 150 words.
4. Questions are limited to two per person, and with a total time limit of two minutes per speaker. Multiple parts to a question are considered separate questions.
5. Questions are to be directed to the Presiding Member, not to any other person.
6. Questions must be issues pertaining to the Shire.
7. Questions regarding personal affairs, opinions, information or perceptions not relating directly to Shire business will be refused.
8. Retain your own copy of the question/s to be read aloud at the meeting.
9. No late documentation or item is to be brought into the meeting for distribution without prior arrangement with the CEO.

### Managing the questions

10. The CEO is to compile the same or similar questions submitted with notice, and provide a single response.
11. A question without notice at the meeting is to be written on the form available at the meeting so that the exact wording of the question is recorded in the minutes of the meeting. Staff will be made available to assist in wording the question if desired.
12. A timer may be activated at the beginning of each person's time period and the Presiding Member will require questioners to conclude after 2 minutes.
13. Those asking questions are to state their name, address and the item number to which they are referring, and then read the question. Staff will have prepared brief notes to enable an informed response to be given at the meeting.
14. When specifically requested, questioner's details may be kept private.
15. Questions without notice or multiple parts to a question will be answered in the order they are asked to a maximum of two.
16. Should time permit, after all present have had an opportunity to ask a question, additional questions may be considered
17. Where a question raises a significant issue not addressed in the staff report, and which cannot be adequately responded to, the meeting will need to consider whether the item should be held over or referred back for further consideration. In making this decision, the meeting will take account of statutory deadlines and other implications if appropriate.

### Responding to the questions

18. The order in which questions are to be addressed is –
  - a) questions with notice relating to matters within that meeting's agenda;
  - b) questions with notice relating to other matters;
  - c) questions without notice relating to matters within that meeting's agenda; then
  - d) questions without notice relating to other matters.
19. Matters considered confidential under section 5.23 of the Act will not be addressed other than to advise of such.
20. Written questions submitted by a person not present at the meeting may be declined, and dealt with as correspondence.
21. Responses will be provided in reasonable detail, but in order to permit as many questions as possible, will be concise and to the point. Should greater detail be required, this should be notified to the Shire after the meeting.
22. Questions without notice will only be responded to at the meeting if they are simple. Otherwise they will be taken on notice and will be answered in writing after the meeting and the response included in the agenda of the next council meeting.
23. The meeting will not debate nor discuss the question raised with the questioner. Discussion or debate directly with an elected member or employee, or within the gallery is not permitted.

### **PLEASE NOTE**

**Members of the public should note that no action should be taken on any item discussed at a council meeting prior to written advice on the resolution of council being received.**