

**9.2 - Notice of Motion – Improving Council Transparency and Accountability – Q&A Sessions (SJ4379)**

**Elected Member**

Councillor Byas

**Disclosure of Officers Interest:**

No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the *Local Government Act 1995*.

**Notice of Motion**

A Notice of Motion was received from Councillor Byas on 12 August 2024.

The Notice of Motion is:

“That Council:

1. REQUESTS that the Chief Executive Officer AMENDS Council Policy 1.1.14 – Forums of Council – Policy Concept Forums, Question and Answer Agenda Forums and Workshops to open Question and Answer sessions to the public by:

- i) DELETING paragraph:

*“QAAF’s shall not be open to the public and therefore no debate on the items shall be entered into during the QAAF’s there shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.”*

and INSERTING:

*“QAAFs shall be open to the public but no debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council prescribed in legislation.”*

2. REQUESTS that the Chief Executive Officer AMENDS Council Policy 3.3.11 - Recording of in-person Council and Committee Meetings:

- a) to record, and publish the recordings of all Question and Answer sessions;
- b) by AMENDING Policy 3.3.11 from:

*“The audio of the proceedings of all Council and Committee meetings within the scope of this policy are to be recorded.”*

to read:

*“The audio of the proceedings of all Council and Committee meetings, and Question and Answer sessions are to be recorded and published. If the Presiding Member has decided that part or all of Question and Answer sessions are to be closed to the public, then no recording will be made or published.”*

**Contact Us**

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**Relevant Previous Decisions of Council**

*Ordinary Council Meeting – 15 April 2024 – OCM070/04/24 – COUNCIL RESOLUTION*

*That Council RESOLVES to:*

- 1. open Question and Answer sessions to the public for a trial period of three months only, being the May, June, and July 2024 Council Meetings. No debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council, as prescribed in legislation. Meetings shall be closed to the public by the Presiding Member when discussing matters under the provisions of section 5.23 of the Local Government Act 1995. No public presentations or questions are permitted to take place during the Question and Answer session.*
- 2. review the trial with a PCF item and survey of councillors at the conclusion of the three month period to determine whether Council Policy 1.1.14 - Forums of Council - Policy Concept Forums, Question and Answer Agenda Forums and Workshops should be amended to open all ongoing Question and Answer sessions to the public.*

**Officer Comment**

The notice of motion proposes the following:

- opening Question and Answer (Q&A) session to the public; and
- recording the proceedings of Q&A sessions on the Shire’s website.

In April 2024, Council agreed to trial open Q&A sessions for a period of three months. As per the recommendation, at the conclusion of the trial, a survey of Elected Members was undertaken to determine whether Council Policy 1.1.4 – Forums of Council – Policy Concept Forums, Question and Answer Agenda Forums and Workshops, should be amended to open all ongoing Q&A sessions to the public.

Following the trial, a survey was distributed to all Elected Members. A summary of the feedback is provided below:

<b>For</b>	<b>Against</b>
<ul style="list-style-type: none"> <li>• enabled the community to hear the questions asked on each item, especially with en bloc voting at Council meetings</li> <li>• no cost to the Shire</li> <li>• demonstrates Council’s commitment to transparency</li> <li>• opportunity for the public to attend if they choose</li> </ul>	<ul style="list-style-type: none"> <li>• resulted in less informed elected members as less questions were asked in the public forum</li> <li>• politicised a valuable forum for elected members to gain an understanding of items on the agenda</li> <li>• little interest from the community</li> <li>• the sessions became more formalised</li> <li>• has harmed, rather than helped, how Council is perceived as the public were not able to ask questions</li> </ul>



Elected members have now experienced both Q&A sessions that are open to the public and closed and appreciate the pros and cons of each option. Officers can work in either environment, therefore, Elected Members need to consider the pros and cons in making a decision on whether all future Q&A sessions should be open to the public.

**Attachments (available under separate cover)**

Nil.

**Voting Requirements:** Simple Majority

**Elected Member Recommendation**

**That Council:**

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  - i) **DELETING** paragraph:  
*“QAAF’s shall not be open to the public and therefore no debate on the items shall be entered into during the QAAF’s there shall be no opportunity for a collective Council decision or implied decision that binds the local government. Fundamental to this decision is that any debate shall be held at Council meetings so as to ensure the public in attendance at a Council meeting can see and hear the decisions and debate around Council decisions.”*  
and **INSERTING:**  
*“QAAFs shall be open to the public but no debate of items shall be entered into to ensure the integrity of the Council Meeting as the decision-making forum of Council prescribed in legislation.”*
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  - a) to record, and publish the recordings of all Question and Answer sessions;
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