

Council Policy 1.1.3 – Public Question and Public Statement Time and Deputations

Responsible Directorate	Corporate Services
Responsible Business Unit/s	Corporate Performance
Responsible Officer	Coordinator Governance
Affected Business Units	All

Objective

The objective of this Policy is to establish guidelines for Council and members of the public to ensure that Public Question and Public Statement Time and Deputations are conducted in a fair, transparent and responsible way.

Scope

This Policy applies to Public Question and Public Statement Time and Deputations at Council and Committee meetings.

Policy

Public Question and Public Statement Time

1. There must be a public question time at every ordinary meeting of Council and such other meetings of Council or Committee meetings to enable members of the public to submit questions to Council.
2. Public Question and Public Statement Time will be in accordance with the *Local Government (Administration) Regulations 1996* and the *Shire of Serpentine Jarrahdale's Standing Orders Local Law 2002 (as amended)*.
3. Members of the public that wish to ask a question or make a statement are encouraged to complete and submit the approved form either electronically or hand delivered to the Shire office, by 2pm on the day of the relevant meeting.
4. The completed form must state the name and address of the person submitting the question or making the statement.
5. A person asking a question or making a statement is required to attend in person to address a Council meeting or provide written authorisation for someone else act on their behalf.
6. If a person submits a question or statement in advance of a meeting, but neither they or their delegate attends, the question or statement will not be included in the minutes of the relevant meeting. A written response to public questions submitted but not asked, will be sent within 14 days.
7. A person asking a question or making a statement will be live streamed and recorded in accordance with Council Policy 3.3.11 – Live Streaming and Recording of Council and Committee Meetings.
8. No person may ask more than 3 questions at a single meeting or make a statement greater than 3 minutes in duration.



9. A question may be disallowed by the Presiding Member if the Presiding Member determines that it:
 - a) relates to a matter outside the duties, functions and powers of Council;
 - b) is defamatory, indecent, abusive, offensive, irrelevant or objectionable in language of substance;
 - c) relates to repeated or previously answered questions from the same individual;
 - d) is aimed at embarrassing an Elected Member or a Shire employee;
 - e) relates to personal matters concerning employees or Elected Members;
 - f) relates to the personal hardship of any resident or ratepayer;
 - g) relates to industrial relations matters;
 - h) relates to contractual matters that are commercial in confidence;
 - i) relates to development applications that have not yet been determined by Council;
 - j) relates to legal advice;
 - k) relates to matters that may jeopardise the security of Council property; or
 - l) relates to any other matter which Council considers would prejudice Council or any person.
10. All questions and statements must be as concise as possible.
11. Like questions may be group together and a single answer provided.
12. The Presiding Member may nominate the Chief Executive Officer or a Shire employee to respond to a question.
13. The Presiding Member may require a question to be taken on notice. If a question is taken on notice, a written response will be sent within 14 days to the person who asked the question.

Deputations

14. A Deputation is a verbal presentation, most often regarding a matter scheduled for consideration by Council. It can be either in support or opposition to a proposal.
15. There will be the opportunity at every ordinary meeting of Council and such other meetings of Council or a Committee for members of the public to make a Deputation.
16. A person making a Deputation will be live streamed and recorded in accordance with Council Policy 3.3.11 – Live Streaming and Recording of Council and Committee Meetings.
17. Deputations will be in accordance with the *Shire of Serpentine Jarrahdale's Standing Orders Local Law 2002 (as amended)*, which provide that:
 - a deputation cannot exceed 15 minutes without approval of the Council or Committee, and
 - no more than five people, of which only two can address the meeting, can attend the meeting. All attendees can respond to specific questions from the Council or Committee members.
18. In accordance with Council Resolution OCM313/12/22, members of the public that wish to make a Deputation are to apply in writing to the Chief Executive Officer at least three (3) working days prior to the meeting, who will seek approval from the Shire President or Presiding Member of the committee.



19. Requests should state what Agenda item or matter the Deputation will relate to and include the wording of the Deputation.
20. The Shire President or Presiding Member may accept or reject a request for a Deputation. The applicant will be advised of the decision prior to the meeting.
21. If approved, the applicant may distribute any printed material relating to a Deputation in advance. Information is not to be distributed at the meeting.
22. If available, the approved Deputation wording will be provided to all Elected Members at least 72 hours prior to the meeting. A copy of the wording provided will be included in the Minutes of the meeting.

Any circumstances not provided for under this Policy or the *Standing Orders Local Law 2002 (as amended)* may be determined by the Presiding Member of the meeting.

Definitions

Nil.

Relevant Policies/Council Documents

- Council Policy 1.1.12 – Habitual or Vexatious Complainants
- Council Policy 3.3.11 – Live Streaming and Recording of in-person Council and Committee Meetings
- Council Policy 3.3.7 – Electronic Meetings

Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Local Government (Administration) Regulations*
- *Standing Orders Local Law 2002 (as amended)*

Office Use Only				
Relevant Delegations				
Council Adoption	Date	18 December 2017	Resolution #	OCM179/12/17
Reviewed/Modified	Date	21 October 2024	Resolution #	OCM293/10/24
Reviewed/Modified	Date		Resolution #	