

Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting

Objectives: Progressive

Outcome: 4.1 - A resilient, efficient and effective organisation.

Strategy: 4.1.1 - Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources.

Purpose

This policy is directed at establishing guidelines for the Council and members of the public for the conduct of Public Question and Public Statement Time. The Council supports the principle of open and accountable local government. Within the requirements and the spirit of the *Local Government Act 1995 (Act)* and the *Local Government (Administration) Regulations 1996*, Council will support the right of responsible and reasonable use of public question time at relevant meetings.

Definitions

Not applicable

Policy

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. Sub-clause (1) does not apply during any period when a meeting is closed to members of the public in accordance with section 5.23 (2) of the Act.
3. Public question time 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)*.
4. Questions submitted to Council must be:
 - (a) in writing, state the name and address of the person submitting the question and generally be in a form approved or permitted by Council; and
 - (b) placed in the receptacle designated for the purpose at the place of the meeting prior to 2pm on the day of the Ordinary meeting, or be lodged electronically at the prescribed email address prior to 2pm on the day of the Ordinary meeting.
5. No person may ask more than 3 questions at a single meeting or make a statement greater than 3 minutes in duration.
6. 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 a Councillor or a Shire employee;
 - (e) relates to personal matters concerning employees or Councillors;
 - (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.
7. All questions and statements must be as concise as possible.
8. Like questions may be group together and a single answer provided.
9. The Presiding Member may nominate the Chief Executive Officer or a Shire employee to respond to a question.
10. 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.



References

Name of Policy	1.1.3 Public Question and Public Statement Time – Ordinary Council Meeting
Previous Policy	G808 – Public Question and Public Statement Time – Ordinary Council Meeting (E15/5096)
Date of Adoption and Resolution Number	Adopted 18 December 2017- OCM179/12/17 -
Review dates and Resolution Numbers	Modified CGAM050/12/08 15/12/2008 Modified OCM100/06/15 29/06/2015 Modified OCM152/08/15 24/08/2015 Reviewed OCM187/09/15 29/09/2015 Modified OCM179/12/17 18/12/2017 Ordinary Council Meeting
Next review date	Local Law review process 2018
Related documents	<p>Acts/Regulations <i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations</i> <i>Standing Orders Local Law 2002 (as Amended)</i></p> <p>Plans/Strategies Strategic Community Plan 2017 - 2027</p> <p>Policies/References E12/3286 – Public Question and Statement Time Council Policy 1.1.12 – Habitual or Vexatious Complainants Local Government Operational Guidelines – Number 03 – Managing Public Question Time</p> <p>Delegations Nil</p> <p>Work Procedures Minutes and Agendas officer may require GWP</p>

Note: changes to references may be made without the need to take the Policy to Council for review.