



PUBLIC QUESTION TIME POLICY

POLICY TYPE	POLICY ADOPTED	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	22 July 2019	153/19	D595111
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager Organisational Performance	General Manager	5.6.5 – Ensure compliance with all relevant legislative requirements, standards, policies and procedures	July 2021
PURPOSE	To provide an opportunity for members of the public to ask questions about Council activities at each ordinary council meeting, special council meeting and Section 23 meetings in accordance with Regulation 31 of the <i>Local Government (Meeting Procedures) Regulations 2015</i> .		
SCOPE	This policy applies to: <ol style="list-style-type: none"> a) all members of the public; b) all formal Council meetings (including special meetings) held by Devonport City Council; and c) all meetings of the following committees: <ul style="list-style-type: none"> • Governance, Finance and Community Services Committee; • Infrastructure Works and Development Committee. 		
POLICY	<p>1. Public Question Time</p> <p>In accordance with Section 31 of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council has determined that a period of thirty (30) minutes be set aside for members of the community to ask questions relating to Council activities.</p> <p>Public question time provides an opportunity for people to ask questions about Council's activities but is not an opportunity to make statements.</p> <p>2. Questions On Notice</p> <p>A member of the public may give written notice to the General Manager at least 7 days before an ordinary Council meeting of a question to be asked at that meeting.</p> <p>The question and a proposed response (if appropriate) will be included on the agenda for the scheduled meeting.</p> <p>If the person is unable to attend the scheduled meeting, they should advise the General Manager and their question/s will be held over until the following meeting.</p> <p>Questions can be lodged by:</p> <p>Mail: PO Box 604, Devonport 7310 In person: Level 2, paranapple centre, 137 Rooke Street, Devonport Email: council@devonport.tas.gov.au</p> <p>3. Questions Without Notice</p> <p>Questions without notice will be dependent on available time at the meeting (with a period of 30 minutes set aside at each meeting).</p>		

A member of the public who wishes to ask a question at the meeting is to state their name and address prior to asking their question.

A maximum of 2 questions per person are permitted.

A maximum period of 3 minutes will be allowed per person.

If time permits, a third question may be asked once all community members who wish to ask questions have done so. A time limit of 2 minutes will apply.

Questions are to be succinct and not contain lengthy preamble.

Questions do not have to be lodged prior to the meeting, however they will preferably be provided in writing.

A question by any member of the public and an answer to that question are not to be debated.

Questions without notice and their answers will be recorded in the minutes.

The Chairperson may take a question on notice in cases where the questions raised at the meeting require further research or clarification, or where a written response is specifically requested.

Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.

4. Refusal of Questions

The Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that:

- a) Relates to any planning issue or item listed on the agenda for the Council meeting (note; this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council meeting agenda);
- b) Is unlawful in any way;
- c) Contains defamatory remarks, offensive or improper language;
- d) Questions the competency of Council staff or Councillors;
- e) Relates to the personal affairs or actions of Council staff or Councillors;
- f) Relates to confidential matters, legal advice or actual or possible legal proceedings;
- g) Relates to any matter which would normally be discussed in the Closed Section of a Council meeting pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*;
- h) Is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than making a genuine enquiry;
- i) Is vague in nature or irrelevant to Council activities;
- j) Are questions that have been substantively asked (and responded to) at any previous Council meeting.

	<p>If a Chairperson refuses to accept a question from a member of the public, the Chairperson is to give reasons for doing so.</p> <p>5. Roles and Responsibilities Authority is delegated to the General Manager and the Chairperson to uphold this Policy.</p>			
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government Act 1993</i> <i>Local Government (Meeting Procedures) Regulations 2015</i> Audio Recording Policy			
ATTACHMENT/S (IF APPLICABLE)	N/A			
TRAINING REQUIREMENTS (IF APPLICABLE)	Is training required as result of this Policy		YES	NO
	Training required by:	Councillors	Staff	Department