

Shire of Wiluna Policy Manual

PUBLIC QUESTION TIME

Policy 1.3

Council welcomes those who wish to attend any meeting of the Council.

The Local Government Act 1995 (*the Act*) requires that Council set aside a period of "Public Question Time" in order to enable a member of the public to put to the Council a question about any works, services or activity of the Shire/Council or of the Shire Council involvement.

The Act and the Shire of Wiluna Local Law (Standing Orders) 1999 sets out the procedure and process for the asking of and responding to questions raised. The actual proceedings may vary on occasion; however, they are determined by the Chairperson presiding at the meeting (normally the Shire President).

Public Question Time is held at the beginning, in accordance with the agenda, of any meeting of the Council that is open to the public (unless the Act or associated regulations prescribe otherwise) and will generally run for 15 minutes. If there are more questions than this time permits, the Chairperson may allow the forum to operate for a longer period. If there are no questions or insufficient questions (in terms of time), the Chairperson may then decide the forum will last less than the 15 minute period.

The intent of the Act is that Public Question Time precedes the discussion of any matter that requires a decision to be made by Council. The purpose/intent is to also ensure that questions be directed, in the first instance, to matters to be discussed by Council at that meeting.

The Department of Local Government, Sport and Cultural Industries operational guidelines for managing public question time provides that each person who wishes to ask a question is to be given an equal and fair opportunity to do so and to receive a response. However, in order for 'Public Question Time' to be effective, the time must be managed by the Chairperson presiding. Wherever possible, responses to the question will be provided at that same meeting. Responses may be provided by staff, but this is also decided upon by the Chairperson.

Giving full regard to legislative and statutory requirements and best practice guidelines, the following will be applied at any Meeting of the Council of the Shire of Wiluna:

- 1 Questions on matters listed in the Agenda for that meeting will be given first priority;
- 2 Persons wishing to ask questions will be requested to come forward and
 - a) Give their name
 - b) State their question;
- 3 The question will be responded to, taken on notice, or not accepted by the Chairperson;
- 4 Statements are not to be read out – It is QUESTION time;
- 5 Public Question Time is not to be treated as an arena for debate

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- 6 Each member of the public will be given equal opportunity to ask questions, and therefore they will be permitted to ask only three (3) questions initially;
- 7 If time permits, the Chairperson could allow individuals to ask further questions, after all members of the public have had the opportunity to put questions;
- 8 As per the Department of Local Government, Sport and Cultural Industries' 'Managing Public Question Time' guidelines, the Presiding Officer will NOT take questions that:
 - Are considered to be offensive or defamatory in nature and would potentially expose the Shire of Wiluna to legal action for republishing defamatory remarks – the person may be invited to rephrase their question;
 - Contains offensive language or questions the competency of Council members, staff or associated persons;
 - Relate to the personal affairs or actions of Council members or employees;
 - Relate to confidential matters, legal advice or legal proceedings;
 - Have been answered by earlier questions, or questions at a previous meeting

Where a question is taken on notice, the question will be recorded and a written response provided to the questioner as soon as is practicable.

Where a question is taken on notice, the question will be included in the Minutes of the Meeting at which the question was asked. For reasons of clarity, the question will also be repeated in the Minutes of the Meeting at which the response is recorded.

There is a statutory requirement for a summary of both the question and the response given during Public Question Time to be recorded in the Minutes. The name of the person who asks the question will also be included in the summary.

The Department of Local Government, Sport and Cultural Industries' 'Managing Public Question Time' guidelines will be the reference for any issues that arise other than those referred to in this policy. The final decision, however, will be at the discretion of the Presiding Officer having given due regard to statutory requirements, aforesaid guidelines and provisions of this policy.

Document Control	
Responsible Directorate	Office of the CEO
Relevant Section	Governance
Legislative Reference	
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