

POLICY

PUBLIC QUESTION TIME AT COUNCIL AND COMMITTEE MEETINGS

ASPIRATION	Leadership
RESPONSIBLE DIRECTORATE	CEO Department
RESPONSIBLE BUSINESS UNIT	Executive Services
RELEVANT LEGISLATION	Local Government Act 1995

1. Objective

To provide for the orderly and fair conduct of public question time at Council and Committee meetings.

2. Policy

The *Local Government Act 1995* (Act) and the *Local Government (Administration) Regulations 1996* provides that Ordinary Council Meetings, Special Council Meetings and committees to which power has been delegated must have public question time. Council has also decided that, unless otherwise specified, ordinary and special meetings of the Community Services, Development Services, Technical Services and Corporate Services committees shall be open to the public and include public question time.

The following will apply:

- Persons wishing to ask questions at a Council or committee meeting are encouraged to –
 - Forward their questions in writing to the City prior to the meeting, and
 - To keep their questions brief.
- A registration form will be located at the entry of the Council Chamber or committee room where participants in public question time are requested to write their name and address for record keeping purposes, prior to the commencement of the meeting. Whilst this registration form is not a public document, the registration form may be able to be accessed in redacted format by way of the *Freedom of Information Act 1992*.
- Persons may, prior to asking their question, provide a short preamble so as to provide a context to their question.
- Public Question Time is not a time for persons to make statements.
- Public Question Time shall not be dominated by the questions of one person to the exclusion of others.
- There is no obligation on the person presiding to respond to questions to which a response has previously been provided to the questioner.
- Wherever possible, questions will be responded to at the meeting, however where this is not practicable, questions will be taken on notice and will be responded to administratively.
- Responses to questions do not have to be given to questions that do not relate to –
 - a matter affecting the City;
 - the purpose of a special meeting; or
 - the functions of a committee.
- Questions must be read aloud by the questioner. If a person in attendance is unable to read aloud their question, another person present at the meeting may ask the question on their behalf.

10. It is not intended that public question time be used as a means to obtain information that would not be made available if it was sought under section 5.94 of the Act or the *Freedom of Information Act 1992*.
11. The questioner is to state their name prior to asking their question for minute recording purposes.
12. Questions are to be directed to the person presiding who may –
 - a. accept or reject the question – see clause 17;
 - b. nominate an Elected Member and/or officer to answer the question, or
 - c. determine that any complex questions requiring research will be taken on notice and answered administratively.
13. Questioners will be invited to ask their question in the order they were received by the City or received immediately prior to the commencement of the meeting. The person presiding will determine the order in which the questions are to be asked.
14. To give each member of the public who wishes to ask a question an equal and fair opportunity to ask their question and receive a response within the allotted 15 minutes prescribed by law, only two (2) questions per person will initially be considered with a limit of two (2) minutes per person, noting that sub-parts of questions are counted as a separate question. If after having allowed each person (2) questions there is time remaining, the person presiding will allow two additional questions per person.
15. If additional time for public question time is required, the person presiding may invite Elected Members present to resolve to extend the minimum time of (15) minutes by a further agreed period of time and usually this will occur in (15) minute increments.
16. Questions will only be accepted that are able to be responded to during public question time, including any agreed extension of question time. If at the end of public question time persons still have outstanding questions, those questions may be submitted in writing to the Chief Executive Officer and will be dealt with administratively.
17. The person presiding may reject a question if, in the view of the person presiding, the question –
 - a. is offensive or may be considered defamatory in nature;
 - b. questions the competence of elected members or employees;
 - c. relates to the personal affairs or actions of elected members, employees or members of their families;
 - d. relates to the personal affairs or personal information of members of the general public;
 - e. relates to confidential matters, legal advice, legal proceedings or legal processes; and/or
 - f. has been responded to by earlier questions or questions at a previous meeting.
18. No debate or discussion will be permitted on any question or response.
18. Both questions and the preamble to a question are to be kept succinct.
19. All responses to questions are provided in good faith, however they should not be relied upon as being totally comprehensive.
20. The procedures for public question time contained in this policy are to be made available to the public with Committee and Council agendas to ensure that the public are aware of the requirements.
21. When a question is taken on notice during public question time, the CEO will cause a written response to be sent to the address of the person asking the question, and a copy of the question and response shall be included in the agenda of the next meeting of the Council or committee as the case requires.
22. A summary of each question raised and response given during public question time will be recorded in the minutes.

3. Influencing Strategies or Plans

The following aspiration of the City's Strategic Community Plan 2020-2030 is relevant:

Aspiration 4 - Leadership

Outcome 4.1: Strategic Leadership and Effective Management

4.1.3 Develop organisational frameworks to achieve consistency, transparency and clarity of decision making processes

4.1.5 Establish comprehensive governance policies and processes

4. Applicable Legislation

Local Government Act 1995, s. 5.24, s. 5.25

Local Government (Administration) Regulations 1996, regulations 5, 6 and 7

City of Armadale Standing Orders Local Law, cl. 3.3

VERSION CONTROL			
RELEVANT DELEGATIONS	Nil.		
INITIAL COUNCIL ADOPTION	20/08/2020	REFERENCE	CS39/8/20
LAST REVIEWED	16/12/2024	REFERENCE	CS4/12/24
NEXT REVIEW DUE			



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