	COUNCIL POLICY	POLICY NUMBER
	PUBLIC QUESTION TIME	C 001
RESPONSIBLE OFFICER	APPROVAL DATE	REVIEW DUE
General Manager	September 2010	June 2016

1.0 POLICY STATEMENT:

Provision will be made at each ordinary council meeting to enable members of the public to ask questions in relation to the activities of Council.

2.0 OBJECTIVE:

To provide an opportunity for members of the public to ask questions about Council's activities.

3.0 SCOPE:

This policy applies to all members of the public as well as Councillors and Staff.

4.0 PROCEDURE:

4.1 In accordance with the *Local Government (Meeting Procedures) Regulations 2005*, a period of at least fifteen minutes or longer, if required for "public question time", will be set aside at Ordinary Council Meetings for members of the community to ask questions relating to Council activities.

4.2 Public question time provides an opportunity for people to ask questions about Council's activities, not make statements.


4.3 Asking a Question Without Notice:

Anyone may ask a question. A person may normally ask a maximum of two (2) questions per meeting. Questions may be submitted in two ways:-

- (a) A question/s can be submitted in writing and be 'Put on Notice' before the Council meeting; and
- (b) A question/s may be raised from the public gallery 'Without Notice' during public question time. Additional questions may be permitted at the discretion of the Mayor.

4.4 Submitting a Question on Notice:

- (i) Members of the public are encouraged to submit a question in writing and be 'Put on Notice' to address the Council in the public question time. Council recommends this option, as it will enable Council to provide a more "well researched" and complete written response.
- (ii) A maximum of two questions per person may be submitted in writing before the meeting.
- (iii) To submit a question in writing, members of the public will need to complete a question form. These are available at Council Offices and from the Council's website.
- (iv) Forms will need to be lodged at the Council Offices no later than 1:00pm seven (7) days prior to the scheduled meeting, otherwise the question may not be answered until a later Council Meeting. This also allows for questions to be included within the Council Meeting Agenda.

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(v) Question registration forms can be lodged by:-

Mail: 1713 Main Road, NUBEENA TAS 7184
 In person: Council Offices, 1713 Main Road, Nubeena
 Fax: (03) 6250 9220
 Email: tasman@tasman.tas.gov.au

(vi) The submitted questions to be answered at a Council Meeting will be listed on the Agenda for the scheduled meeting on the understanding that the questioner will be in attendance at the Council Meeting.

(vii) Each person whose registration form has been accepted or declined will be advised by no later than the Friday of the week before the scheduled Council Meeting.


(viii) When contacted, a person who has submitted a question form will need to confirm their presence at the Council Meeting for their question to be read.

(ix) The name of the person asking a 'Question on Notice' and the question, will be included in the Council Meeting Agenda and Minutes. If a member of the public does not want their details recorded, they may choose to ask a question 'Without Notice' from the Public Gallery at the Council Meeting, as these questions are not formally recorded.

4.5 Questions May Be Refused in Certain Circumstances

(i) The Mayor may refuse to allow a public question to be listed or refuse to respond to a question put at a Council 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 the Council Meeting pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005*;
- h. Is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than to make a genuine enquiry;
- i. Is vague in nature or irrelevant to Council;
- j. Is not related to Council activities; or
- k. Is a question that has been substantively asked at the previous Council Meeting.

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4.6 At the Meeting

- (i) Public question time will continue for at least fifteen minutes or longer if required.
- (ii) At the Council Meeting, public question time will be held early on the Council Meeting Agenda. This is usually shortly after the meeting commences at 1:00pm.
- (iii) At the beginning of public question time, the Chairperson (usually the Mayor) will refer to the public questions on notice. The Chairperson will ask each person who has a question to stand, state their name and where they are from (town) before asking their question(s).
- (iv) The Chairperson will then ask anyone else with a question without notice to come forward, stand, state their name and where they are from (town) before asking their question(s).
- (v) A member of the public may ask a Council Officer to read their question for them.
- (vi) If accepted by the Mayor, the question will be responded to, or, it may be taken 'On Notice' as a question on notice for the next Council meeting, or the General Manager can provide a written response. Questions will usually be taken 'On Notice' in cases where the questions raised at the meeting require further research or clarification.
- (vii) The Chairperson may direct a Councillor or General Manager to provide a response.
- (viii) All questions and answers should be kept as brief as possible.
- (ix) There will be no debate on any questions or answers.
- (x) In the event that the same or similar question is raised by more than one person, an answer may be given as a combined response.
- (xi) Questions on notice and their responses will be minuted.
- (xii) Once the allocated time period of fifteen minutes has ended, the Chairperson will declare public question time ended. At this time, any person who has not had the opportunity to put forward a question will be invited to submit their question in writing for the next Council Meeting.


5.0 ROLES & RESPONSIBILITIES:

The authority is delegated to the General Manager and Office Manager to uphold this policy.

6.0 REFERENCES:

Local Government Act 1993

Local Government (Meeting Procedures) Regulations 2005

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This policy was approved at the ordinary Council meeting held on 30 July 2014, resolution number 06/07.2014/C.




Robert Higgins
General Manager

Policy Developed – July 2010
 Policy Approved – July 2010
 Policy reviewed – June 2014
 Policy to be reviewed – June 2016

Disclaimer

That this policy be read in conjunction with any or all other Council and/or Management Policies

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The personal information requested on this form is being collected by council for purpose set out in the title of the form. The personal information will be used solely by Council for the primary purpose or directly related purposes. The applicant understands that personal information is provided for the above mentioned function and that he/she may apply to Council for access to and/or amendment of the information. Requests for access or correction should be made to Tasman Council's Office Manager.

Local Government (Meeting Procedures) Regulations 2005


I,			
Address:			
Telephone Contact:			
ADVISE THAT I WISH TO ASK THE FOLLOWING QUESTION/S ON NOTICE	1.		
	2.		
AT THE ORDINARY COUNCIL MEETING TO BE HELD ON			
I ACKNOWLEDGE THAT SHOULD I BE GRANTED PERMISSION:- <ul style="list-style-type: none"> I AM LIMITED TO (2) QUESTIONS PER MEETING UNLESS TIME PERMITS, MORE QUESTIONS TO BE ANSWERED ON AN EQUITABLE BASIS; EVERY QUESTION WILL BE PUT SUCCINCTLY AND THE QUESTION OR ANSWER CANNOT BE DEBATED; AND IF IT IS NOT POSSIBLE TO ANSWER THE QUESTION AT THE MEETING, IT MAY BE TAKEN ON NOTICE. 			
SIGNATURE OF APPLICANT		DATE	

PLEASE NOTE:- <ul style="list-style-type: none"> PUBLIC QUESTION TIME WILL NOT NORMALLY EXCEED 15 MINUTES; ALL QUESTIONS WILL BE IN WRITING AND THE QUESTION AND ANSWER CANNOT BE DEBATED; THE MAYOR MAY REFUSE TO ACCEPT A QUESTION AND PROVIDE A REASON FOR THAT REFUSAL; PARLIAMENTARY PRIVILEGE DOES NOT APPLY AT COUNCIL MEETINGS; AND THIS APPLICATION MUST BE GIVEN OR SENT TO THE GENERAL MANAGER SEVEN (7) DAYS PRIOR TO THE COUNCIL MEETING.
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OFFICE USE ONLY

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OFFICERS NAME/ TITLE	
DATE RECEIVED	

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ADVICE TO QUESTION WRITERS

Questions May Be Refused in Certain Circumstances

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- 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 the Council Meeting pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005*;
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