

DERWENT VALLEY COUNCIL

PUBLIC QUESTION TIME POLICY

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Signed by: Stephen Mackey General Manager	 26/10/09

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INTRODUCTION AND PURPOSE

Derwent Valley Council is the elected body responsible for the peace, order and good government of the Derwent Valley municipal area in accordance the *Local Government Act 1993*.

The Derwent Valley community is entitled to expect that the business of Council will be conducted:

- with efficiency, impartiality, honesty and integrity;
- within the spirit and letter of all relevant laws; and
- in the best interests of the community.

SCOPE

Regulation 31(7) of the *Local Government (Meeting Procedures) Regulations 2005* provides that a Council is to determine any other procedures to be followed in respect of public question time.

This policy provides guidelines in relation to public question time and supplements regulated procedures, but does not replace them.

LEGISLATIVE CONTEXT

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2005* provides as follows:

1. A member of the public may give written notice to the general manager 7 days before an ordinary meeting of a council of a question to be asked at that meeting.
2. The Chairperson may –
 - 2.1 address questions on notice submitted by members of the public; and
 - 2.2 invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.
3. The chairperson at an ordinary meeting of a Council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.
4. A question by any member of the public under this regulation and an answer to that question are not to be debated.

5. The Chairperson may –
 - 5.1 refuse to accept a question; or
 - 5.2 require a question to be put on notice and in writing to be answered at a later meeting.
6. If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.
7. A Council is to determine any other procedures to be followed in respect of question time.
8. The period referred to in subregulation (1) includes Saturdays, Sundays and public holidays but does not include -
 - 8.1 the day on which notice is given under that subregulation; and
 - 8.2 the day of the meeting."

POLICY PROVISIONS

1. Other Procedures Determined by Council

As provided by Regulation 31(7), the Council has determined other procedures to be followed. These are:

- 1.1 Ordinary Council Meeting Time Allocation
- 1.1 Question time will be limited to fifteen (15) minutes;
- 1.2 The time allocated for question time may be extended by an absolute majority.

2. Limit to Number of Questions

- 2.1 Each member of the public may ask not more than two questions at each meeting, including any questions for which written notice has been previously given;
- 2.2 The chairperson may rule that a multi-part question is two or more questions and deal with them accordingly.

3. Questions on Notice

- 3.1 Members of the public are encouraged to submit a question in writing 7 days before an ordinary meeting for inclusion on the agenda. This will allow the provision of a more complete response to the question;

- 3.2 An answer to a question on notice will be provided in writing;
- 3.3 A question on notice and at least a summary of the answer will be recorded in the meeting minutes.

4. Questions Without Notice

- 4.1 Questions Without Notice are to be submitted, in writing, on the question form, at least ten minutes before the commencement of the Council meeting. The question form is available at the meeting;
- 4.2 Questions related to an item of business on the agenda will not be answered;
- 4.3 The chairperson may refuse to accept a question but must give reasons for doing so. Examples are:
 - If the question is related to personnel;
 - If the question relates to a contract for the supply of goods or services;
 - If the question relates to the personal affairs of any person
- 4.4 Neither the question, nor the answer to a question, will be recorded in the minutes. However, the name of the person asking the question and the question subject will be recorded;
- 4.5 Where a Question without Notice is of a complex nature or requires research and therefore cannot be adequately answered at the meeting, the chairperson may take it on notice and provide a written answer within seven days;
- 4.6 There will be no debate on any questions or answers;
- 4.7 All questions asked must relate directly to the activities of the Council and must be directed to the chairperson, who will:
 - answer the question; or
 - refer the question to a Councillor or the General Manager; or
 - direct that the General Manager provide an answer in writing.
- 4.8 Councillors, other than the chairperson, and employees of the Council are not to engage in dialogue with a member of the public at public question time unless invited to do so by the chairperson.