

## Purpose

Members of the public are welcome to submit written questions to council for consideration at ordinary council meetings.

Council's Meeting Procedure Local Law (the local law) regulates and controls the conduct of meetings of the council. The local law provides that each ordinary council meeting agenda include question time in the order of business. Clause 61 of the local law (appendix one) details the process for question time, and makes provision for council to adopt policy or guidelines to supplement the local law.

These guidelines have been adopted in accordance with clause 61.8 of the local law for the purpose of explaining the principles by which question time operates at ordinary council meetings, with particular reference to the answering of questions.

## Submission of questions

Questions should be on the approved question time form, available in hard copy, or in electronic form on council's website.

Questions may be submitted up until 12pm on the meeting day via mail, email (including the electronic form on council's website), or hand delivered to the council office at 104 Hovell St, Wodonga.

Questions may also be submitted in person at the meeting venue up until 10 minutes before the advertised start time of the meeting by being placed in the question box at the entrance to the council chamber.

A maximum of two questions per person per meeting will be permitted. Where questions are divided into parts (or sub-parts) each part will be considered a separate question.

Persons must be present in the gallery at the time their question is considered. If this is not the case the question will not be read but treated as general correspondence and referred to the Chief Executive Officer (CEO) for a written response in accordance with established protocols.

## Questions that require considerable research

Complex questions requiring research should be submitted at least seven working days prior to the council meeting in order to allow the council sufficient time to prepare a response.

Questions can still be asked at a council meeting without advance notice and every attempt will be made to provide an answer. However, should this not be possible, the question will be 'taken on notice' and a written response sent once the necessary research has been undertaken.

## Repetitive questions

In the event that the same or similar question is raised by more than one person at a meeting, an answer may be given as a combined response.

Where a person asks a question the same or similar to one answered at a previous meeting the chairperson may direct that it not be read to the meeting but be dealt with as an item of general

correspondence and referred to the CEO for a written response in accordance with established protocols.

### **Inappropriate questions**

All questions submitted to the meeting are reviewed by the chairperson. The chairperson may disallow a question without causing it to be read to the meeting if in his or her opinion it:

- is in the nature of a statement or is so prefaced as to have its emphasis on a statement rather than a genuine enquiry;
- relates to a matter in response of which council has no power to act;
- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- is aimed at embarrassing a councillor or a member of council staff;
- relates to the personal hardship of any resident or ratepayer;
- relates to personnel matters, industrial matters, contractual matters, proposed developments, legal advice, or matters affecting the security of council property; or
- relates to any other matter which council considers would prejudice council or any person.

### **Answering questions**

The presentation and answering of questions will occur in accord with the printed agenda for the meeting unless a motion is passed to vary the order of items on the agenda.

Questions will be directed to the chairperson, who may redirect the questions if required.

The chairperson or the CEO may read a written answer at the meeting where the question was submitted at least seven working days prior to the meeting.

The chairperson may nominate a councillor or the CEO to answer a question verbally. Where an immediate response cannot be given, or issues need to be investigated, the question may be 'taken on notice', meaning a written response will be provided as soon as possible, usually within 10 days. Copies of any answers provided in this way will be provided to all councillors.

### **No debate or discussion**

No debate or discussion of questions or answers shall be permitted.

## Appendix one

### Extract from Meeting Procedure Local Law (no. 1 of 2009)

#### 61. Question time

- 61.1 There shall be a public question time at every Ordinary meeting to enable members of the public to submit written questions to Council.
- 61.2 Public Question Time will have a duration as determined by Council from time to time.
- 61.3 Questions submitted to Council must be prefaced by the name and address of the person submitting the question and generally be in a form approved or permitted by Council.
- 61.4 Persons submitting questions must be present in the gallery at the time the question is due to be read, or the question will not be addressed by Council.
- 61.5 No person may submit more than two questions at any one meeting.
- 61.6 If a person has submitted two questions to a meeting, the second question:
- may, at the discretion of the Chairperson, be deferred until all other persons who have asked a question have had their questions asked and answered; or
  - may not be asked if the time allotted for public question time has expired.
- 61.7 A question may be disallowed by the Chairperson if the Chairperson determines that it:
- relates to a matter outside the duties, functions and powers of Council;
  - is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - deals with a subject matter already answered;
  - is aimed at embarrassing a councillor or a member of Council staff;
  - relates to personnel matters;
  - relates to the personal hardship of any resident or ratepayer;
  - relates to industrial matters;
  - relates to contractual matters;
  - relates to proposed developments;
  - relates to legal advice;
  - relates to matters affecting the security of Council property; or
  - relates to any other matter which Council considers would prejudice Council or any person.
- 61.8 Questions will be answered either at the Council meeting or as soon as possible after the Council meeting, subject to such policy or guidelines that Council may adopt from time to time.
- 61.9 No debate on questions asked or answers given is permitted.