

Purpose

The purpose of this Policy is to ensure that Public Question Time is an opportunity for residents and others to ask Council constructive questions in an open and respectful manner and to establish procedures for the conduct of Public Question Time during Council meetings.

Scope

This Policy applies to Shire of Boddington (Shire) Council Members and employees, as well as, members of the public.

Definitions

Term	Meaning
Policy	This Shire of Boddington policy titled "Public Question Time".
Public Question Time	Is a means by which the public can seek responses from their Council regarding issues affecting the Shire that are of concern to them.
Council Meetings	Includes Ordinary Meetings of Council, Special Meetings of Council and Committee Meetings.

Policy Statement

The Local Government Act provides that time is to be allocated for the asking of and responding to questions raised by 'members of the public'. This means any member of the public. It does not apply only to members of the public who reside in the Shire or who are electors.

Although a local government is required to respond to a question, the Local Government Act does not intend that a local government provides an answer to every question where the question is outside the legislation or deemed unreasonable. There are many circumstances where this may occur i.e. offensive or defamatory questions, questions that relate to the personal affairs or actions of Council Members or Shire employees, letters relating to confidential matters, and identical questions asked that have been satisfactorily responded to previously.

The Presiding Member is to remind all meeting attendees of the right for individuals to ask questions and the need to show respect.

Questions Asked Verbally

- Members of the public are invited to ask questions at Council Meetings.
- Questions asked at an Ordinary Council Meeting can relate to matters that affect the operations of the Shire. Questions asked at a Special Meeting of Council should relate to the purpose for which the meeting has been called.
- Persons asking a question are to state their name and address at the beginning of their speaking time.
- Public Question Time has a limit of two minutes per member of the public, and a limit of two

questions per member of the public.

- Statements are not to precede the asking of a question during Public Question Time.
- Members of the public are encouraged to keep their questions brief to enable all who desire to ask a question the opportunity to do so.
- Public Question Time is limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to ten minutes by resolution of Council. The total time allocated for public questions to be asked and responses to be given is not to exceed thirty five minutes in total. Public Question Time is declared closed following the expiration of the allocated time period, or earlier when there are no further questions.
- Questions are to be directed to the Presiding Member, are to be asked politely and in good faith, and not be framed in such a way as to reflect adversely or be defamatory towards a particular member of Council or Shire employee. The Presiding Member is to decide to:
 - Accept or reject the question and their decision is final
 - Nominate a member of Council and/or Shire employee to respond to the question
 - Take a question on notice – In the case a written response is to be provided as soon as possible and included in the agenda for the next Council Meeting
- Where a member of Council or the Chief Executive Officer is of the opinion that a member of the public is asking a question at an Ordinary Council Meeting that is not relevant to the operations of the Shire, or is making a statement during public question time, they may bring it to the attention of the meeting.
- Questions and any responses given are to be summarised and included in the minutes of the Council Meeting.
- It is not intended for Public Question Time to be used as a means to obtain information that would not be made available if it was sought from the Shire's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question would require a substantial commitment of the Shire's resources, the Chief Executive Officer is to determine that it is an unreasonable impost upon the Shire and refuse to provide it. The Chief Executive Officer is to advise the member of public that the information may be sought in accordance with the FOI Act 1992.
- Responses to questions not submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

Questions in Writing

- Questions submitted for an Ordinary Council Meeting can relate to matters that affect the operations of the Shire. Questions submitted for a Special Meeting of Council should relate to the purpose for which the meeting has been called.
- A maximum of two written questions per member of the public is to be accepted. To ensure equality and consistency, each part of a multi-part question is to be treated as a question in its own right.
- Questions lodged by 12:00pm on the day immediately prior to the scheduled meeting of Council are to be responded to, where possible, at the meeting. The questions and their responses are to be distributed to members of Council and made available to the public in written form at the meeting.
- The Presiding Member is to decide to accept or reject any written question and their decision is final. Where there is concern regarding a question being offensive, defamatory, or the like, the Presiding Member is to make a determination in relation to the question. Questions determined as offensive, defamatory, or the like are not to be published. Where the Presiding

Member rules a question to be out of order, an announcement to this effect is to be made at the meeting, including the reason/s for the decision.

- The Presiding Member may rule questions out of order where they are substantially similar to questions previously submitted and responded to.
- Written questions unable to be responded to at the meeting of Council are to be taken on notice. In this case, a written response is to be provided as soon as possible and included on the agenda for the next Council Meeting.
- A person who submits written questions may also ask verbal questions at a Council Meeting, and questions asked verbally may be different to those submitted in writing.
- Questions and any responses given are to be summarised and included in the minutes of the Council Meeting.
- It is not intended for Public Question Time to be used as a means to obtain information that would not be made available if it was sought from the Shire's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question would require a substantial commitment of the Shire's resources, the Chief Executive Officer is to determine that it is an unreasonable impost upon the Shire and refuse to provide it. The Chief Executive Officer is to advise the member of public that the information may be sought in accordance with the FOI Act 1992.

Responsible Officer	Chief Executive Officer
History	Adopted 21 November 2017 (Resolution 137/17) Amended 23 March 2023 (Resolution 25/23)
Delegation	
Relevant Legislation	Section 5.24, Local Government Act 1995 Freedom of Information Act 1992 Regulation 7, Local Government (Administration) Regulations 1996
Related Documentation	