7.3 QUESTIONS FROM THE PUBLIC AT COUNCIL MEETINGS

Submitting Councillor: Cr Fergeus

MOTION

That Council resolves that:

1. From its first Ordinary Meeting in January 2017 until Council resolves otherwise, it will endeavour to provide an opportunity at each Ordinary Meeting for people who are present in the public gallery to ask questions of Council.

2. Where such an opportunity is provided, the Mayor retains discretion to accept or reject such questions. In exercising that discretion, the Mayor will consider whether a question:
   i) relates to a matter beyond the power of Council;
   ii) is defamatory, malicious, abusive or objectionable in language or substance;
   iii) relates to the personal views or actions of an individual Councillor or officer;
   iv) relates to a matter which would prejudice the Council or any person;
   v) is repetitive of a question already answered at the Meeting or the previous Ordinary Meeting of Council;
   vi) is in the nature of a statement, comment or opinion; or
   vii) relates to any matter which would otherwise be considered by Council in a meeting that is closed to the public under Section 89(2) of the Local Government Act 1989.

3. Where such an opportunity is provided, the Mayor shall:
   i) call on members of the public gallery who have submitted an accepted question to ask their question verbally, if they wish;
   ii) allow a maximum of two questions from any person;
   iii) only allow a second question from any person should time permit;
   iv) allow, at her or his discretion, a questioner to seek clarification on any point/s made in the answer provided;
   v) give priority to questions relating to matters on the Meeting agenda and to questions in the order in which they were received;
   vi) allow a maximum of three questions on a particular topic, grouping questions together and responding collectively as appropriate;
   vii) nominate the appropriate Councillor or Council officer to answer the question or elect to answer it herself/himself;
   viii) advise the Meeting where questions have been submitted to the Meeting and rejected;
   ix) distribute rejected questions to all Councillors by the end of the next working day;
   x) nominate an appropriate time period of no less than 15 minutes.

4. Questions shall be submitted in writing in a form prescribed by Council by 5pm on the day of the Meeting, and may only be asked by a resident or ratepayer of Monash.

5. The text of each question asked and a summary response will be recorded in the minutes of the Meeting.
6. All questions not dealt with due to time constraints shall be responded to within seven working days. If a response cannot be provided in this time, Council Officers will advise the questioner of the expected timeframe for a response to be provided. Where an email address is supplied, this response will be provided via email.

INTRODUCTION

There is strong support in the community for the expansion of opportunities for community members to participate in Council Meetings. Many residents and ratepayers have stated their support for a more open, transparent structure.

I think that it is important that Council hears the community’s views and seeks to respond to them accordingly.

DISCUSSION

Public participation in Council processes is a critical component of our local democracy. The transparency and accountability generated by measures aimed at facilitating and encouraging public participation instils confidence in government and a closer relationship between government and the people.

It is important that Council endeavours to implement processes which permit that participation, particularly on a less formal level than might currently be provided.

I seek Councillors’ support for this position.
Appendix 1 – Moreland City Council PQT

Council Meeting: ___ / ___ / ___

PUBLIC QUESTION TIME

PLEASE SEE ATTACHED GUIDELINES FOR PARTICIPATION IN PUBLIC QUESTION TIME

Name: __________________________________________

Street Address: __________________________________________________________

Suburb: __________________________ Postcode: _______________________

Optional: Telephone (business hours): ________________________________

Mobile: __________________________ Email: __________________________

Question:

Statements, comments or opinions ARE NOT permitted during question time and will not be responded to.

Priority will be given to questions that relate to a matter listed in the Council Agenda for the requested meeting.

Does the question relate to a matter listed in the Council Agenda?

YES [ ] NO [ ]
Privacy Statement

The purpose of collecting your personal details is so a written response to your question can be provided. If you do not provide this information, Council will be unable to provide you with a written response. Your telephone details are optional and may assist Council in seeking clarification from you on the information you are seeking.

Your name will appear in the Council minutes along with the details of the question. Any other personal information on this form will only be disclosed to Councillors and Council Officers and will be retained on Council files until destroyed in accordance with the Public Records Act 1973.

Personal information collected on this form will be handled in accordance with the privacy principles in the Privacy and Data Protection Act 2014 and Council’s Information Privacy Policy.
MORELAND CITY COUNCIL

GUIDELINES FOR PUBLIC QUESTION TIME

Council strives to provide its community with access to information, opportunities to participate in decision making and access to decision makers.

Residents are able to contact Council to ask a question or obtain information by contacting us by telephone on 9240 1111, by visiting Council offices, sending a letter to Locked Bag 10, Moreland 3058 or sending an email to info@moreland.vic.gov.au.

Moreland has made a commitment to provide up to 30 minutes of each Ordinary Council meeting for residents to ask questions. It is important that residents understand and are clear about the parameters around public question time.

The key elements of these parameters are listed below for your reference:

a) question time forms must be completed by 7:00pm on the evening of the Council meeting;

b) Council will only accept written questions*. Statements, comments or opinions will not be allowed;

c) a maximum of TWO questions is permitted from any individual. The Mayor may at their discretion, allow the individual to ask the first question and if time permits may then allow the individual to ask their second question;

d) the Mayor shall nominate the appropriate Councillor or Council Officer to answer the question or elect to answer it himself/herself. The text of the question or a summary response will be recorded in the minutes of the Council meeting;

e) priority will be given to questions that relate to matters listed in the Council Agenda. If time allows, those questions that do NOT relate to matters listed in the Council Agenda will be addressed;

f) all questions not dealt with due to time constraints will be responded to within 10 working days. If a response cannot be provided in this time, Council Officers will advise of the expected timeframe. Where an email address is supplied, the response will be provided via email. Where no email address is supplied, a written response will be provided;

h) in the event that more than one individual raises the same or similar question, an answer may be given as a combined response;

f) only three questions will be accepted on any one topic. These questions will be grouped and may be responded to collectively; and
i) the Mayor may at his or her discretion, allow the individual who asked the question to seek clarification of any point/s made in the answer provided.

*NOTE:

The following types of questions may be disallowed by the Mayor:

a) where it relates to a matter beyond the power of Council;

b) where it is deemed defamatory, malicious, abusive or objectionable in language or substance;

c) where it relates to the personal views or actions of an individual Councillor or officer;

d) where it relates to a matter, which would prejudice the Council or any person;

e) where it is repetitive of a question already answered (whether at the same meeting or any earlier meeting); and

f) where it relates to any matter prescribed under Section 89 (2) of the Local Government Act 1989 whereby a Council may resolve that the meeting be closed to members of the public if the meeting is discussing personnel matters, the personal hardship of any resident or ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council property any other matter which the Council considers would prejudice the Council or any person or a resolution to close the meeting to members of the public.
Appendix 2 – Surf Coast Shire PQT

Public Question Time Council Meeting

Questions must be written and be received at Council by 10am on the day of the meeting.

Questions can be emailed to info@surfcoast.vic.gov.au, faxed to 5261 0525 or hand delivered to Customer Service, Council Offices, 1 Merrijig Drive, Torquay.
Questions from the Public at Council Meetings

Notes for persons intending to participate in Public Questions Time

The purpose of this session is to enable public participation in Council Meetings. Public question time gives any member of the public the opportunity to freely ask a question on any Council related matter.

Questions must be written and be received by 10am of the day of the meeting. Questions can be emailed to info@surfcoast.vic.gov.au, faxed to 5261 0525 or hand delivered to Customer Service, Council Offices, 1 Merrijig Drive, Torquay.

Question time is specifically available for questions. It is not an opportunity to make statements or to present a case on a particular issue. You are asked to respect this and promptly direct your question to the Mayor. Written questions, together with name, address and contact details should be tabled.

Asking the question is easy and members of the public are encouraged to ask any questions they have. Question Time is limited to 30 minutes.

A question will only be read to the meeting if the Mayor or other Chairperson has determined that the question:

1. Does not relate to a matter of the type described in Section 89(2) of the Act (refer below).
2. Does not relate to a matter in respect of which Council has no power to act.
3. Is not defamatory, indecent, abusive or objectionable in language or substance.
4. Is not repetitive of a question already answered (whether at the same or an earlier meeting).
5. Is not asked to embarrass a Councillor or council officer.

If the Mayor or Chairperson has determined that the question shall not be read to the meeting:

1. He or she must advise the meeting accordingly; and
2. The question shall be available to councillors upon request.

Answers to questions shall be given immediately, if possible, or taken ‘on notice’ if an on the spot answer is not available. (Where a question is taken ‘on notice’ a reply shall be mailed within five (5) business days).

What to do? The Mayor/Chairperson shall formally invite questions from the public. The member of the public then

- [ ] Stands up and moves to the table;
- [ ] States clearly his or her name, and
- [ ] Asks his or her question(s). (Please ask your question clearly and as briefly as
The Mayor shall then answer questions or refer the matter to the Chief Executive, General Manager or a Councillor. **DEFINITIONS: Section 89 Local Government Act:** (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:

a) b) c) d) e) f) g) h) i)

Personnel matters; The personal hardship of any resident or ratepayer; Industrial matters; Contractual matters; Proposed developments; Legal advice; Matters affecting the security of Council property; Any other matter which the Council or special committee considers would prejudice the Council or any person; A resolution to close the meeting to members of the public.

(3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.
### Important Information

**Questions from the Public at Council Meetings**

Surf Coast Shire Council considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014. The information will be used for the primary purpose it was collected or any related purpose for which the individual would reasonably expect Council to use or disclose the information. The information will not be disclosed to any other party unless Council is required to do so by law.

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<td>Phone</td>
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<td>Email</td>
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**Suburb to be disclosed**

[ ] Yes  [ ] No

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**Important Information:** Please note that as required by Council’s Local Law, your name and address will be read out in a public meeting and form part of the minutes of the Council meeting. If you wish only your name and not your address to be called, please indicate this above.

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**Questions**

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<th>Date of Council meeting</th>
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<tr>
<td>Subject</td>
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**Question(s)** *(NB: There is a limit of two questions per person, per meeting.)*

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By ticking this box, I acknowledge that Surf Coast Shire Council will accept this communication as containing my electronic signature for the purpose of signing this document to identify me in accordance with the Electronic Transactions (Victoria) Act 2000.

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**Electronic signature** *(please type your name)*

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Surf Coast Shire Council considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014. The information will be used for the primary purpose it was collected or any related purpose for which the individual would reasonably expect Council to use or disclose the information. The information will not be disclosed to any other party unless Council is required to do so by law.

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Appendix 3 – City of Greater Dandenong PQT

Ask a question at a Council meeting

Complete this form and place it in the box provided by 7.15pm on the night of the meeting in accordance with clause 33 of Council's current Meeting Procedure Local
Law (see reverse side of this sheet for further information). If you cannot submit your question in person, call 8571 5309 to make other arrangements.

The information contained in this form is collected by the City of Greater Dandenong to respond to your question. Every question will receive a written reply, even if it is answered at the meeting. Your name, suburb and question may be read out at the Council meeting and recorded in the Council meeting Minutes, but we will not sell or give away your personal information, unless required by law.

Meeting Date:

Name: Address: Suburb: Contact No. (Optional): Email Address (Optional): Preferred method of contact (Please tick):

☐ Post

Postcode:

☐ Email

Local Government Act 1989

__________________________________________________________

__________________________________________________________

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__________________________________________________________

Signed:

Date:

WastethequestionansweredattheCouncilmeeting? ☐ Yes ☐ No Bywhom? Summary of response at the Council meeting:

Written response prepared by:

__________________________________________________________

__________________________________________________________

__________________________________________________________
Question Time at Council meetings provides an opportunity for members of the public in the gallery to address questions to the councillors and/or officers of the City of Greater Dandenong. Questions must comply with clause 33 of Council’s current Meeting Procedure Local Law.

6. Members of the public may submit questions from the gallery by completing the form printed on the reverse side of this sheet. Questions are limited to a maximum of three (3) questions per individual and a maximum of 300 words per question including the preamble.

7. Questions will be read aloud and in most cases an answer will be given on the spot. However, sometimes a councillor/officer may indicate that they require further time to research an answer. In this case the answer will be made in writing to the person who asked the question and may also appear in the Question Time Responses section at www.greaterdandenong.com under Council - Council Meetings.

8. Questions will be answered unless the Chairperson and/or Chief Executive Officer has determined that the relevant question relates to: personnel matters, the personal hardship of any resident or ratepayers, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council property, any other matter which Council considers would prejudice the Council or any person, a matter which may disadvantage Council or any person, a matter in respect of which Council has no power to act, a question that is defamatory, indecent, abusive or objectionable in language or substance and is asked to embarrass a Councillor or Council officer, a question that is repetitive of a question already answered (whether at the same or an earlier meeting).

No debate or discussion of a question or an answer shall be permitted other than for the purposes of clarification. Every question will receive a written reply, even if it is answered at the meeting.

We respect your privacy. We will not sell or give away your personal information, unless required by law. Occasionally, we may use your details for our own research purposes or to let you know about other council information. If you want to see your personal data, modify your details, or if you receive information from us you do not want in the future please contact Council on 8571 5100.
Appendix 4 – Whitehorse City Council PQT

Ordinary Council Meetings Public Question Time

At Ordinary Council Meetings members of the public can submit questions to Council as part of a public question time.

Questions submitted to the Council must be in writing, state the name and address of the person submitting the question and be in accordance with Appendix A of Council’s Meeting Procedures and Common Seal Local Law 2013 (240.73kB) (download the question form). An individual may submit two questions to any one meeting.

The form incorporating the question/s must be lodged in the question time box by 7pm on the night of the Ordinary Council Meeting. Individuals must be present at the meeting at the time the question/s is read out.

The Chairperson of the meeting may disallow a question if:

9. It relates to matters outside the duties, functions and powers of Council;
10. Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
11. Deals with a subject matter already answered;
12. Is aimed at embarrassing a Councillor or a member of Council staff;
13. Or is confidential in nature in accordance with section 89(2) of the Local Government Act.
14. All questions and answers must be as brief as possible and no discussion is allowed other than for purposes of clarification.

The Chairperson may nominate a Councillor or member of Council staff to answer a question, alternatively a written answer may be provided to the question.

The question, name and address of the person asking the question, together with the name of the Councillor or member of Council staff who responded to the question shall be read out in the public meeting and form part of the Minutes of the Council Meeting. If you wish only your name and not your address to be called out, please indicate this on the Question Time Form.
If you have an issue to raise with Council you may wish to discuss the matter immediately after the meeting in the foyer area with the Chief Executive Officer or any other member of Council staff.

WHITEHORSE CITY COUNCIL
MEETING PROCEDURES LOCAL LAW

QUESTION FORM FOR USE BY MEMBERS OF THE PUBLIC

This form is required to be completed by the commencement of the Council Meeting and placed in the question box located in the gallery.

Privacy Information: Please note that as required by Council’s Local Law, your name and address will be read out in a public meeting and form part of the Minutes of the Council Meeting. If you wish only your name and not your address to be called, please indicate this below:

I give/do not give (delete one) permission for my address to be disclosed at the Council meeting.

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GUIDELINES FOR THE CONDUCT OF PUBLIC QUESTION AND
ANSWER TIME AT ORDINARY MEETINGS OF THE COUNCIL

1. The number of questions that any person may ask is limited to two.
2. Questions should be lodged in the question box by 7.00pm on the night of the Council Meeting.

If you have an issue to raise with Council you may wish to discuss the matter immediately after the meeting in the foyer area with the Chief Executive Officer or any other member of Council staff.
Appendix 5 – Maribyrnong City Council PQT

Public Question Time

Privacy Statement

The personal information requested on this form is being collected by Council for the purpose of hearing public questions at a Council meeting and to enable subsequent communication with questioners as required. The information will be used by Council for these primary purposes or directly related purposes.

Council will disclose the question and personal information to the general public during the meeting. The question and the questioner's name and suburb will also be published in the public minutes of the meeting (which are available on Council's website). The information provided will not otherwise be disclosed unless required by law.

Requests for access to and/or amendment of the information provided may be made to Council’s Privacy Officer.

Community participation in Council meetings is encouraged and outlined in Part 7 of Council’s Meeting Procedure.

Public Question Time will take place at Ordinary Meetings of the Council and Special Committees. Any question submitted during this part of a meeting may be disallowed if the Chair 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; or
- Relates to personnel matters, the personal hardship of any resident or ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council property, or to any other matter which Council considers would prejudice Council or any person.

The Chair may allow up to 15 minutes for public question time and may extend public question time if required or close question time and begin the Council meeting if there are no further questions. No resolution is required to extend Public Question Time.

The Chair may permit up to 3 questions from a person on a specific topic. The Chair may return to a previous question if time allows.

A person asking questions must identify themselves by stating their name and suburb and provide this information in writing to an officer in attendance at the meeting.
The Chair must decide who will answer each question.

Question/s (up to 3)

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Your personal details:
Name: ____________________________

Organisation (if applicable):

________________________________________________________________________

Address: ____________________________
Email: ____________________________ Date of Meeting of Council: / /20
Signature: ____________________________

Once completed, please lodge at the Meeting or:

Governance@maribyrnong.vic.gov.au P.O. Box 58, Footscray 3011
61 Napier Street, Footscray 3011