



PUBLIC QUESTION TIME

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| 1.1 | February 2022 | Formatted into new Policy Framework Template. Minor amendments made to language. | GM/PPG | |

*This Policy has been reclassified under GTC 12 – Policy Governance. A cover sheet with the new title and classification is provided. The content of the previous policy No.18 V.1 remains extant until review.

| Sub-Document | Approved on |
|----------------------------------------------------|-------------|
| GTC-13 – F1 – Public Question Time Submission Form | |

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1. RELATED LEGISLATION

- 1.1 Public question time provides members of the community with a platform for interacting directly with Councillors and Council staff by asking questions concerning Council activities.
- 1.2 If required, at least 15 minutes and a maximum of 30 minutes is allocated for public question time at the beginning of each ordinary or special open meeting of Council.

2. TYPE OF POLICY

- 2.1 This Policy is recognised as a “Council Governance” Policy in that it requires endorsement by Council and provides specific direction in relation to governance practices.

3. OBJECTIVE

- 3.1 This policy is intended to assist in the proper management and operation of public question time and to promote both effective and efficient use of public question time. The Chairperson may therefore deviate from general procedures where it is reasonable to do so.
- 3.2 This policy is intended to be used as a guide only and is subject to the reasonable discretion of the Chairperson to take appropriate action to protect the health and safety of Council’s employees when responding to or dealing with inappropriate behaviour.

4. SCOPE

- 4.1 This policy provides guidance for the general public and the Chairperson of a Council meeting in the conduct of public question time.

5. DEFINITIONS

- 5.1. Council: Meaning the elected body of the George Town Council
- 5.2. Ordinary Meeting: An ordinary meeting of Council called by the Mayor or General Manager in accordance with Local Government (Meeting Procedures) Regulations 2015, Section 4.
- 5.3. Chairperson: The Chairperson of the meeting, being the Mayor, Deputy Mayor, or in their absence the person elected by Council to act as Chair.
- 5.4. Public Question Time: The period of time in an ordinary meeting open to the public to ask questions in accordance with Local Government (Meeting Procedures) Regulations 2015, Section 31.

6. LINK TO STRATEGIC PLAN

- 6.1. This policy links to the following outcomes in the George Town Municipality Strategic Plan 2020-2030.

Future Direction 4: Leadership and Accountable Governance

- A culture of engagement and participation
- Planning and regulatory responsibilities are undertaken fairly and openly
- Difficult issues are managed in an open manner without conflict

7. RELATED LEGISLATION

- 7.1. Local Government Act 1993 (Tasmania)
- 7.2. Local Government (Meeting Procedures) Regulations 2015

8. RISK CONSIDERATIONS

- 8.1. This Policy aligns with the objectives of GTC-15 Risk Management Framework, namely the following objective:
 - Promote compliance with relevant obligations.

9. POLICY

- 9.1. Public question time is a means by which community members can seek responses from Council about issues affecting the municipality that are of concern to them.
- 9.2. Public question time assists the public to be better informed about Council activities, the governing of their municipal area and promotes transparency in local government activities. It also provides Council with a mechanism for identifying matters of importance to members of their community.
- 9.3. For these reasons, public question time is a valuable component of the local government system.
- 9.4. Whilst the issues that can be raised during public question time are many and varied, questions must relate to the activities of Council.
- 9.5. Public question time is not a platform for:
 - (a) making statements or submissions;
 - (b) debating issues with Councillors and/or Council staff;
 - (c) asking questions about matters that are not associated with Council's activities or that are beyond Council's control;
 - (d) discussing matters that are confidential;
 - (e) discussing staff performance;
 - (f) making political statements; and
 - (g) discussing legal matters.

- 9.6. Section 31 of the *Local Government (Meeting Procedures) Regulations 2015* prescribes in part the procedures for public question time. To the extent that the Regulations do not prescribe the procedures for public question time, such procedures are determined by Council.
- 9.7. The following procedure applies to the conducting public question time:
- (a) a minimum period of 15 minutes to a maximum period of 30 minutes will be set aside for public question time;
 - (b) community members attending Council meetings will have the opportunity to register their interest to ask a question without notice prior to the commencement of the meeting and Council staff will be on hand to assist with this process.
 - (c) questions given on notice will be addressed first;
 - (d) once questions on notice have been addressed, community members who have registered their interest to ask a question will be called on to ask their question in the order in which they have registered.
 - (e) Council policy is that all community members (whether asking questions on notice in writing or in person at a Council meeting):
 - i. cannot ask more than two (2) questions in a row; and
 - ii. have a maximum of 2 minutes per question;
 - (f) if a community member has more than 2 questions (including questions submitted on notice in writing) the additional questions will be placed at the 'end of the queue' and may, if time permits, have the further questions asked once all other community members have had an opportunity to ask questions;
 - (g) all questions must be directed to the Chairperson;
 - (h) questions will either be:
 - i. directly responded to;
 - ii. taken on notice to be answered at a later council meeting; or
 - iii. not accepted by the Chairperson because the question does not concern the activities or Council, is offensive or is otherwise inappropriate;
 - (i) the Chairperson will determine how each question is to be addressed;
 - (j) community members who have not registered their interest to ask a question will be given an opportunity to do so following all those who have registered.
- 9.8. The general process is to be followed during public question time:
- (a) the Chairperson will formally open public question time and make a brief statement outlining the rules of public question time and noting that copies of the rules are publicly available in the chamber;
 - (b) questions submitted by community members in writing on notice will be addressed first;

- (c) community members who have registered their interest to ask a question will then be invited to do so;
- (d) once a community member is invited to ask their question, they must state their name and then read out their question in full;
- (e) each question will then be addressed, following which the community member who asked the question will either ask a further question or resume their seat;
- (f) once all community members who registered their interest have asked their questions, the Chairperson will ask if there are any other community members who did not register and have a question;
- (g) once all community members have asked their questions, if time permits the Chairperson will invite anyone who has already asked questions to put their question to the Council meeting; and
- (h) the Chairperson will declare public question time closed either at the end of the allocated time or when there are no further questions.

The Chairperson is free to deviate from the Policy if necessary, however this should only occur where there is a compelling reason to do so.

9.9. In order to ensure that public question time is conducted in an efficient and effective manner community members should ensure that their questions are directed at the activities of Council and avoid:

- (a) inappropriate questions, including but not limited to questions that are offensive in nature, disrupt a Council meeting, or concern current legal proceedings involving Council;
- (b) overly lengthy or complex questions;
- (c) asking more than 2 questions during one meeting;
- (d) asking a question that Council has already addressed; and
- (e) debating an answer given to a question.

9.10. Council has a duty to ensure it provides a workplace that protects the health and safety of Council's employees or other persons at the workplace. This duty extends to Council meetings and the conduct of members of the community during public question time.

9.11. In addition, community members who attend Council meetings have a duty to take reasonable care for their own health and safety, and to ensure their conduct does not affect the health and safety of others.

9.12. For these reasons it is expected that community members who participate in public question time will conduct themselves in accordance with the following:

- (a) community members will behave respectfully and professionally towards all persons present and refrain from conduct that interrupts the Chairperson or any other participant in the meeting;

- (b) community members will not use offensive language or make derogatory, offensive or personal statements or comments about any person, whether they are present at the meeting or not;
 - (c) community members will not behave in an aggressive or hostile manner, make threats, shout, speak in a raised voice or act in any other manner that disrupts a meeting; and
 - (d) community members will comply with all reasonable directions given by the Chairperson regarding inappropriate questions or behaviour.
- 9.13. If a community member in question time asks an inappropriate question or engages in inappropriate behaviour or conduct the Chairperson may direct the community member regarding their question or their conduct. They may for example: direct them to expedite their question, cease asking their question, or to ask their question in a respectful manner.
- 9.14. If a community member disregards a reasonable direction from the Chairperson, the Chairperson may take the following steps:
- (a) cutting off a community members microphone;
 - (b) sing a gavel to restore order;
 - (c) adjourning the meeting; or
 - (d) direct the community member to leave the meeting, and if they refuse to do so take steps to arrange for their removal from the meeting including but not limited to requesting the assistance of Tasmania Police.
- 9.15. A community member who behaves inappropriately during public question time may receive a formal letter from Council identifying the relevant behaviour, setting out that person's work health and safety obligations and outlining the potential consequences if such behaviour is repeated at future meetings.
- 9.16. In sufficiently serious cases, inappropriate conduct may be referred to Tasmania Police or WorkSafe Tasmania for investigation.
- 9.17. In addition, the Chairperson may take reasonable steps to remove a community member from a Council meeting if that person:
- (a) hinders or disrupts a meeting; or
 - (b) tries to hinder or disrupt a meeting.
- reasonable steps include requesting the assistance of Tasmania Police in removing the relevant community member. The removal of a community member from a meeting is a measure of last resort however it will be used at the discretion of the Chairperson to prevent or halt behavior that disrupts a meeting.
- 9.18. Section 41(1) of the *Local Government (Meeting Procedures) Regulations 2015* states that it is an offence punishable by fine not exceeding 10 penalty units for a member of the public to hinder or disrupt a Council meeting.

10. IMPLEMENTATION AND REVIEW OF POLICY

10.1 Implementation of this policy rest with the General Manager. This Policy will be reviewed in February 2024.

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Shane Power
GENERAL MANAGER