

3.7 - COUNCIL POLICY AND MANAGEMENT PRACTICE - PUBLIC QUESTION TIME (REFERRAL MATTER)

At the Council meeting held on 23 January 2017, Cr Norman referred the following matter to the City Strategy Committee.

That the matter of Council Policy and Management Practice EM-6 relating to Public Question Time be referred to the City Strategy Committee.

Comment from Cr M Norman

It has been noted that recently public question time is being used as a forum to discuss views and opinions on matters before Council rather than on asking specific questions.

Therefore, it is proposed that in relation to a review of the question time period that residents wishing to present an argument or point of view in relation to asking a question be invited to do so in writing prior to the meeting. This could be circulated prior to the Council meeting so that the Council can be aware of the context of the question prior to it being asked. Additionally, this would provide the Chair with an opportunity to be aware of the question being asked and be prepared with a response.

Additionally, by implementing the above, the Chair would be in a better position to direct a member of the gallery to ask their question rather than allowing a continued statement to occur.

Cr Norman's further comments on the rationale for such a change have been forwarded under separate cover.

Officer Comment

- On 24 October 2016 Council reviewed and adopted Policy & Management Practice EM-6 relating to public question time.
- The person presiding has the discretion to ensure that these procedures are applied fairly and consistently but in a manner appropriate to the circumstances.
- Whilst Council can write into its Management Practice that questions and preambles are to be in writing before the meeting, the Regulations do not authorise the presiding person to stop a person, not having put their question and preamble in writing, from asking their question (unless of course the 15 minute question time has elapsed and no extension of time is agreed). Reg 7(3) of the LG (Administration) Regs states that "each member of the public... is to be given an equal and fair opportunity to ask a question and receive a response."
- While the Regulations do not specifically preclude the requirement that questions be submitted in writing, any procedures adopted to manage question time in this way cannot prevent a person verbally asking a question. The Department's Guidelines suggests that Councils should not make it mandatory that questions be submitted in writing prior to a meeting. Further, it has been this Council's experience that those submitting a voluminous written preamble also expect a voluminous answer. This is not the intent of Question time. Detailed questions should be submitted to the administration as correspondence where they will be responded to in a formal manner. Council is equally accountable for its responses in this fashion.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

Cr Busby informed Committee that he had been requested by Cr Norman to speak to this referral item given Cr Norman had been unexpectedly prevented from attending this meeting (paragraph 7 of Management Practice EM 15 refers, i.e. 'in the event of the Councillor who has made the referral not being able to attend the Committee meeting, then the deputy or an alternative Councillor as nominated by the referring Councillor may speak to the item').

Cr Busby spoke to the item supporting the general thrust of Cr Norman's comments.

The view of Committee was that Public Question Time was being managed well and with respect (which engendered a respectful approach by persons asking questions) by all presiding members, and as such the current Public Question Time Policy and Practice (EM 6) does not require change.

RECOMMEND

CS18/2/17

That Council acknowledge the points raised (proposing changes to Council's Policy and Management Practice on Public Question Time – EM 6) but takes no action to change its current Policy and Practice.

**Moved Cr K Busby
MOTION CARRIED**

(7/0)