



Council Procedure PUBLIC QUESTION TIME

Corporate Plan Reference:	<i>Theme 5 – Excellence as a Council</i> <i>Objective 5.5: Provide robust and transparent governance systems to build and strengthen community trust, supported by the implementation of an enterprise risk and opportunity management framework</i>
Endorsed by Council:	17 October 2024
Policy Author:	Chief Executive Officer

POLICY STATEMENT

Public Question Time is one way for residents and ratepayers to raise genuine questions about a matter within the jurisdiction of Council that are of concern to them. It assists the community to be better informed about Council matters and provides Council with another mechanism to identify issues of importance to the community.

Questioners and Councillors should be aware that the protection of Parliamentary privilege does not apply to local government, and any statements or discussion at the Council meeting or any documents produced are subject to the laws of defamation.

PURPOSE

The purpose of the Public Question Time Procedure is to detail the format and requirements for the conduct of Public Question Time at Council meetings.

SCOPE

Public Question Time only applies to Ordinary meetings of Council. Public Question Time will not be conducted at Council's Standing Committees or Special meetings.

REVIEW

This document will be reviewed once per Council term (every four years) or as required from time to time. As this is a new Procedure it is recommended that it is reviewed annually to determine its effectiveness and suitability.

DEFINITIONS

Term	Meaning
Noosa Shire Council	The organisation of the Noosa Shire as established by the <i>Local Government Act 2009</i> in Queensland
CEO	Chief Executive Officer of Noosa Shire Council
Councillors	Elected representatives who set the strategic direction for the organisation, monitor performance, liaise with stakeholders and represent our Shire

COUNCIL PROCEDURE

Public Question Time will be conducted in accordance with the following procedures:

1. Up to 15 minutes will be allocated at each Ordinary meeting for members of our community to ask questions of Council regarding any matter of Council business. The matter does not need to be on the agenda for that meeting. Should the 15-minute time limit be reached Council can, by resolution:
 - 1.1. grant an extension of time; or
 - 1.2. refer the remaining questions to be heard at the following Ordinary meeting.
2. Public Question Time is not a public forum for debate, making of public statements or making allegations or derogatory remarks about Councillors or Council staff and is not to be used as a substitute for the formal complaint processes that Council has in place.
3. All questions (and associated background information) to be asked at a meeting must be:
 - 3.1. submitted in writing using the Public Question Time Form available on Council's website and from the Council office;
 - 3.2. received by 5pm, five (5) business days prior to the Ordinary meeting. Applications can be lodged via email to mail@noosa.qld.gov.au, post to PO Box 141, Tewantin Qld 4565 or in person at the Council office at 9 Pelican Street, Tewantin.
4. A maximum of two questions may be asked per person at each meeting.
5. Questions can only be submitted by Noosa Shire residents and/or ratepayers.
6. Questions (and associated background information) must be clear and unambiguous and not contain argument on the subject.
7. The Chairperson, in consultation with the Chief Executive Officer, may disallow a question which:
 - 7.1. is outside the duties, functions and powers of Council;
 - 7.2. is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 7.3. deals with a subject matter already answered (at the same or any earlier meeting);
 - 7.4. relates to personnel matters;
 - 7.5. relates to a personal matter that is not applicable to the broader community;
 - 7.6. relates to contractual matters that are commercial in confidence;
 - 7.7. relates to legal advice or matters currently before a Court for resolution;

- 7.8. relates to matters currently subject to an independent investigation, administrative action complaint or appeal process;
 - 7.9. relates to a matter that due to resources and research implications will be better dealt with through the Right to Information processes;
 - 7.10. relates to the personal affairs or actions of Councillors or Council staff;
 - 7.11. is aimed or intended to embarrass Councillors or Council staff;
 - 7.12. relates to any other matter which Council considers would prejudice Council or any person.
8. Advice will be provided to the applicant prior to the meeting on whether the question meets the requirements of this procedure. That determination is to be made by the meeting Chairperson.
 9. The applicant (or their proxy) must be present at the meeting for their question to be heard and shall follow the direction of the Chairperson.
 10. The Chairperson will call each questioner to come forward and state their name, read their submitted background information and ask their question. Each questioner will be allocated 2 minutes. Questions are to be directed through the Chairperson.
 11. The Chairperson, in consultation with the Chief Executive Officer (if required), will nominate a Councillor or Council staff member to answer the question at the meeting.
 12. Where a meaningful response to the question cannot be provided at the meeting by the Chairperson, Councillors or staff, or a detailed or researched response is required, the question may be taken on notice, in which case an answer will be provided in writing to the questioner prior to the next Ordinary meeting. The question and a summary of the response will be recorded in the minutes of the next Ordinary meeting.
 13. No debate or discussion is permitted on any question or answer.
 14. The Chairperson will determine when a sufficient response to a question has been provided and may finalise an address where:
 - 14.1. the time period allowed has expired;
 - 14.2. the person uses insulting or offensive language or is derogatory towards Councillors or staff members; or
 - 14.3. a person other than the appointed speaker interjects or attempts to address the Council.
 15. The question and the name of the questioner will be recorded in the meeting minutes and will be live streamed and video recorded.
 16. A summary of the answers to questions provided at the meeting will be recorded in the meeting minutes.

RELEVANT LEGISLATION AND RELATED DOCUMENTS

Standing Orders for Council Meetings
 Human Rights Policy
 Local Government Act 2009
 Local Government Regulation 2012

HUMAN RIGHTS STATEMENT

In developing this policy the subject matter has been considered in accordance with the requirements of the Queensland Human Rights Act 2019. It is considered that the subject matter

does not conflict with any human rights and supports a human rights approach to decision making by Council.

Council representatives will endeavour to act and make decisions under this policy in a manner that is compatible with human rights. In particular, representatives will endeavour to:

- identify relevant human rights which may be affected by the action or decision;
- give proper consideration to the impact of its actions and decisions on human rights; and
- ensure that any conduct or decision by Council which limits an individual's human rights is reasonable and justifiable.

This policy should be read in conjunction with Council's Human Rights Policy.

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	New Procedure to replace Guidelines	Y	Council	17/10/2024