

THE CITY OF
GREATER GEELONG

PUBLIC QUESTION AND SUBMISSION TIME POLICY

VERSION: 2

Approval Date:

Approved by: Council

Review Date: 12 May 2024

Responsible Officer: Manager Governance.

Authorising Officer: Chief Executive Officer

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Introduction

PURPOSE

The purpose of this policy is to outline the rules and guidelines by which the public asks questions or provides information at Council meetings under section 61, 62, 63 and 64 of the *Local Government Act 2020* in a way that:

- provides a more resourceful and accountable platform for the public to submit questions or provide information to be considered at Council meetings; and
- allow Council sufficient time to consider the issues arising from the questions or information provided.

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Definitions

This section defines the key terms used in this policy.

ACT

The *Local Government Act (Vic) 2020*

MEETING

Means an ordinary meeting of the Council under section 61 of the Act, a joint meeting of Councils under section 62 of the Act, a delegated committee under section 63 of the Act or a joint delegated committee under section 64 of the Act.

MEMBER

A Councillor or other member of a delegated committee under section 63 of the Act.

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1. Public Question and Submission Time

Public Question and Submission Time will be provided at the start of a Meeting to enable members of the public to ask questions or make submissions to Council.

There will be no Public Question and Submission Time at Meetings:

- to consider the election of the Mayor and Deputy Mayor; or
- not fixed by Council in accordance with section 3.5 of the Governance Rules, unless otherwise determined by the Chairperson.

2. Time Allocation and Number of Questions

Forty five (45) minutes will be allocated for Public Question and Submission Time at a Meeting. The duration of Public Question and Submission Time may be extended by:

- the Chairperson, given due consideration to the business to be considered at the Meeting; or
- by resolution of the Meeting.

No more than two (2) questions may be asked or submissions made by any person at any one (1) Meeting. Questions or submissions made over and above these requirements, at the discretion of the Chairperson:

- may be deferred until all other persons wishing to ask a question or make a submission have had an opportunity to be heard; or
- may not be asked or submitted if the time allotted for public question and submission time has expired.

A maximum time limit of 3 minutes applies to each question asked or submission made by a person.

3. How to ask a question or make a submission

Questions to be asked or submissions to be made at a Meeting must be in writing, and state the name and address of the person submitting the question, and generally be in a form approved by the Chief Executive Officer; and lodged:

- in person at any Customer Service Centre within the City; or
- electronically, by using the online form provided on Council's website.

Questions and submissions lodged will be provided to the Members by the Chief Executive Officer before the Meeting.

4. Language and Accessibility

The Chief Executive Officer will use all reasonable endeavours to have a question or submission made in a language other than English translated into English before the Meeting. A question or submission that cannot be translated prior to the commencement of the Meeting will be translated prior to the next scheduled Meeting. The submitter will be notified accordingly.

The Chief Executive Officer will take reasonable steps to ensure that the processes and procedures provided for in this policy are accessible to all members of the community.

5. Questions Without Notice

At the Chairperson's discretion, a person can ask a question or make a submission at a Meeting without notice.

6. Responding to Questions

In person attendance

At a Meeting, preference will be given to hear from those people who have provided their questions or submissions to the City in writing by noon on the day prior to the scheduled Meeting.

The Chairperson may request the Chief Executive Officer, or the appropriate Member or a City employee, to respond to a question or a submission. The Chairperson or the Chief Executive Officer may reserve the right to take the question on notice and provide a written response to the person who asked the question within seven (7) days of the Meeting.

Council will respond to a question asked to a Meeting if the person who asked the question is present at the Meeting.

The question asked and the answer given will be recorded in the Minutes of the Meeting.

All questions, submissions and answers must be brief, and discussion will be entered into only for the purpose of clarification.

Submitter not present at the Meeting

All councillors will receive a copy of pre-submitted questions and submissions.

A summary of the question or submission and the name of the submitter will be recorded in the Minutes.

The Chief Executive Officer will cause a written response to be provided to the person asking the question within ten (10) days of the Meeting.

7. Question Eligibility

The Chairperson of a meeting may preclude a person from asking a question or making a submission if the Chairperson determines that it:

- relates to a matter outside the duties, functions and powers of Council;
- is defamatory, indecent, abusive, offensive, vexatious, frivolous, irrelevant, trivial or objectionable in language;
- is the subject of a current dispute, whether formal or informal or is of a commercially sensitive nature;
- in the Chairperson's opinion, seeks to or has the potential to embarrass a Member or a City employee;
- relates to the matters of the City's personnel;
- relates to industrial matters;
- deals with subject matter already answered or declined;
- relates to contractual matters;
- relates to legal advice sought and/or obtained by Council or the City;
- relates to matters affecting the security of a City employee or their property;
- relates to a matter to be considered by Council at the meeting at which the question is proposed to be asked which may prejudice the decision making process.

- relates to any other matter which the Chairperson considers would prejudice Council, a City employee, or any person; or
- relates to a matter for which the meeting would normally be closed to the public in accordance with section 66 of the Act.

A copy of any question which has been precluded by the Chairperson must be made available to any other Member upon request.

Public Question and Submission Time is not a substitute for formal appeal and review systems, formal business procedures, formal Council decisions and any other legal processes required for the proper conduct of Council business.

8. Questions Considered in Bulk

Similar questions may be grouped together and a single answer provided by the Council.

9. Number of Questions

A Member or the Chief Executive Officer may advise the Chairperson that, in his or her opinion, any question to be asked or information to be submitted should be given in a Meeting that is closed to the public, stating the reasons for his or her opinion. Unless the Members of the Meeting resolve to the contrary, the question should be asked and answered, or the information submitted, in a Meeting closed to the public.

10. Special Consideration

In the event that Meetings are conducted by electronic means of communication and in person attendance is not permitted due to exceptional circumstances the processes for public question and submission time at these Meetings may be varied to the following extent:

1. Members of the public who wish to appear at a Meeting may do so by providing a written question or submission to the City by using the online form provided on Council's website and submitting it by 12pm the day before the Meeting;
2. The City will post the question, together with the appropriate response, and/or the submission on the City's website before the meeting;
3. The Chief Executive Officer at their discretion will direct whether and how questions and submissions may be read out and/or answered at a Meeting, noting that the City is required to remove or mitigate risks associated with public health and safety; and
4. The City will publish the question and answer and/or the submission in the minutes of the meeting.

Implementation of this Policy

MONITORING AND REPORTING

The City’s Governance Strategy and Performance Directorate will monitor and report on public questions and submissions as requested from time to time.

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this policy.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
Approved policy	Governance Officer	Permanent	Rex (Approved and archived documents folders)

REVIEW

The City should review and, if necessary, amend this policy within four years of the approval date.

References

Greater Geelong City Council Governance Rules

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