

# Option 1



## **PUBLIC QUESTION TIME AND PUBLIC STATEMENT TIME**

### **INTRODUCTION**

The City of Joondalup encourages participation in its decision-making process. [All members of the public have a legislative right to ask questions at a Council meeting.](#)

In order to assist members of the public to participate, [and to enhance relationships with its community.](#) the Council allows for public questions to be asked and public statements to be made at Council meetings and Briefing Sessions that are open to the public.

This policy is designed to assist the conduct of public question time and public statement time and to provide a fair and equitable opportunity for all members of the public who wish to ask a question or make a statement.

Public question time and public statement time are not to be used by elected members. Members of the Council are encouraged to use other opportunities to obtain information.



## PUBLIC QUESTION TIME

Members of the public are invited to ask questions, either verbally or in writing, at Briefing Sessions or Council meetings of the City.

The Council encourages members of the public, where possible, to submit their questions at the earliest opportunity.

Public question time will be limited to the legislative minimum of fifteen (15) minutes and may be extended in intervals of up to ten (10) minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed thirty (30) minutes in total.



## PROCEDURE FOR PUBLIC QUESTION TIME

Members of the public are invited to ask questions, either verbally or in writing, at Briefing Sessions or Council Meetings.

Questions asked at an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions asked at a Special Meeting of the Council must relate to the purpose for which the meeting has been called. Questions asked at a Briefing Session must relate to a matter contained on the draft agenda.

- 1 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 2 Each member of the public wanting to ask questions will be encouraged to provide a written form of their question(s) to the Chief Executive Officer (CEO) or designated City-a-Council employee.
- 3 Public question time will be limited to two (2) minutes per member of the public, with a limit of two (2) questions per member of the public. Both questions are to be read in total.
- 4 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.

5 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.

6 Where the number of required questions exceeds the number able to be asked, the member of the public may submit the unasked questions to the Council, where they would be 'taken on notice' and a written response provided.

7 Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.

8 To enable prompt and detailed responses to questions, members of the public are encouraged to lodge questions in writing to the CEO as follows:

- for Briefing Sessions: by close of business on the working day immediately prior to the scheduled Briefing Session;

- for Council Meetings: by close of business two working days prior to the scheduled Council meeting.

Responses to those questions received within the above timeframe will, where practicable, be provided in hard copy at the meeting.

9 The Mayor or presiding member shall decide to:

- Accept or reject the question and his/her decision is final;
- Nominate a member of the Council and/or Council-City employee to respond to the question;
- Due to the complexity of the question, require that it be taken on notice with a written response provided as soon as possible, and included in the agenda of the next briefing session or Council meeting, whichever applicable.

10 Questions are to be directed to the presiding member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council-City employee.

11 Where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response.

- 12 Where an elected member is of the opinion that a member of the public is:
- asking a question at a Council meeting, that is not relevant to the operations of the City of Joondalup;
  - asking a question at a Briefing session, that is not relevant to a matter listed on the draft agenda, or;
  - making a statement during public question time;
- they may bring it to the attention of the meeting.
- 13 Questions and any response will be summarised and included in the notes/minutes of the Briefing Session or Council meeting.
- 14 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.



## **PUBLIC STATEMENT TIME**

Members of the public are invited to make statements, either verbally or in writing, at Briefing Sessions or Council meetings of the City.

Public statement time will be limited to a maximum of fifteen (15) minutes. Individual statements are not to exceed two (2) minutes per member of the public.



## **PROCEDURE FOR PUBLIC STATEMENT TIME**

Members of the public are invited to make statements, either verbally or in writing, at Briefing Sessions or Council meetings.

Statements made at an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called. Statements made at a Briefing Session must relate to a matter contained on the draft agenda.

- 1 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 2 Public statement time will be limited to two (2) minutes per member of the public.
- 3 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 4 Public statement time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further statements.
- 5 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or [Council-City](#) | employee.

- 6 Where an elected member is of the opinion that a member of the public is making a statement:
- at a Council meeting, that is not relevant to the operations of the City of Joondalup, or;
  - at a Briefing session, that is not relevant to a matter listed on the draft agenda;

they may bring it to the attention of the meeting.

- 7 Statements will be summarised and included in the notes/minutes of the Briefing Session or Council meeting.

- 8 It is not intended that public statement time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.



## **DISCLAIMER**

Responses to questions not put in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.



**REPORT ON PUBLIC QUESTION  
TIME/STATEMENTS WORKSHOP  
24 MAY 2005**

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## **EXECUTIVE SUMMARY**

On May 24, 2005 a workshop was convened to begin developing protocols for public question time and public statement time. Community representatives serving on established committees of Council were invited to attend on the basis that they would be representative of the wider community.

This document provides detail on the findings from the workshop, which may be summarized as follows:

- There is support for a time-slot for a statement time
- By allowing public statements, the City will be better informed about matters of public interest and may receive information that better informs the decision-making process of Council
- A timeframe of between 2 and 4 minutes should be permitted per statement with the Chair making decisions dependent on the circumstances.
- Council should respond formally to statements, if only to acknowledge and thank people making statements, and records should be kept of both statement and response.
- There was a mixed response to whether statements should precede questions.
- Questions at Public Question Time should be limited, with support for a maximum of 2 minutes per person. Ultimately, the Chair can make these decisions dependent on circumstances.
- Most participants supported the notion that written questions should be submitted 5 working days prior to the meeting of Council where a response is requested.

Additional information can be found in the tables in Appendix 1.

This report also provides participant feedback on the workshop process itself. In total, 15 of the 17 people (88%) attending completed a survey on the quality of the presentation, content, coordination and overall achievement of process. The findings are summarized in the table on the following page and the detail can be found in Appendix 2:

Survey items	Scale & Percentage Response				
	Excellent	Very good	Good	Fair	Poor
<b>Presentation</b> <ul style="list-style-type: none"> <li>• Program for session</li> <li>• Material/issues covered</li> <li>• Knowledge/skills of facilitator and supporting facilitators</li> </ul>	5%	51.7%	36.7%	0%	0%
<b>Content</b> <ul style="list-style-type: none"> <li>• Personal issues addressed</li> <li>• Understanding how to contribute</li> <li>• Purpose of session met</li> <li>• Information from MC helpful</li> <li>• Responsiveness of facilitator and supporting facilitators</li> </ul>	<b>Strongly agree</b>	<b>Agree</b>	<b>Neither/Nor</b>	<b>Disagree</b>	<b>Strongly disagree</b>
	33.3%	55.2%	12.5%	0%	0%
<b>Coordination</b> <ul style="list-style-type: none"> <li>• Sufficient notice to attend</li> <li>• Venue suitable</li> <li>• Timeframe sufficient</li> </ul>	53%	36%	4%	4%	2%
<b>Achievement of process</b> <ul style="list-style-type: none"> <li>• Community issues addressed</li> <li>• Expected improvement in City decisions</li> <li>• Conflict between interests resolved</li> <li>• Increased trust</li> <li>• Better informed/educated as a result of taking part</li> </ul>	<b>To a great extent</b>	<b>To a certain extent</b>	<b>Not to a great extent</b>	<b>To no extent whatever</b>	<b>Personal objectives met</b>
	19.3%	73.9%	6.8%	0%	100%

## INTRODUCTION

This report provides information on the findings from a workshop convened for the following purpose:

To actively involve the community in Council's planning, development and service delivery activities by providing an opportunity for the community representatives of established committees of Council to:

*"... develop protocols for public question time and statement time within the constraints imposed by the Local Government Act 1995 and the need for Council meetings to progress the ordinary business of Council."*

This report provides detailed qualitative analysis of the findings from the workshop with respect to the following matters:

- Whether meetings of Council should include a time slot for members of the public to make statements.
- Community views on what constitutes a statement and its likely purpose at meetings of Council.
- A suitable timeframe in which an individual statement could be made
- Whether Council should formally respond to a statement and the appropriate methods for responding if participants agreed a formal response was required
- The form a question to Council should take
- A suitable timeframe for an individual question to be put to Council
- Whether statements could proceed questions
- Whether the number of questions put during Public Question Time should be limited or whether there was some flexibility in how this could be managed.
- A reasonable timeframe for written questions to be submitted where a response was required at that meeting of Council

The report also provides quantitative analysis of the feedback received from workshop participants who completed a survey on the overall quality of the participative process as they had experienced it.

## **BACKGROUND**

The workshop was convened following a decision of Council to invite community participation in the development of protocols for public question time and statement time within the constraints imposed by the Local Government Act 1995 and the need for Council meetings to progress the ordinary business of Council.

Invitations to attend the workshop were extended to community members currently serving on formally convened committees of Council, namely:

- Youth Advisory Council
- Seniors Interests Advisory Committee
- Sustainability Advisory Committee
- Conservation Advisory Committee
- CBD Enhancement Project Steering Committee
- 

The rationale for this decision was that these individuals represented the wider community.

## **DETAIL**

The invitations sent out to potential workshop participants contained an opportunity for the community members to contact a representative of the City prior to the workshop to discuss the following:

- Any issues they felt pertinent to the development of protocols for public question time and statement time
- Any ground rules they would like to see established for the conduct of the workshop.
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This opportunity was provided so that the final program would include issues raised by the community that were of importance to them and also some ground rules for effective participant involvement. Two of the workshop participants availed themselves of this opportunity.

The workshop program included provision of background information by the Manager Marketing, Communications and Council Support concerning the following:

- Current legislative requirements of Council with respect to public question time
- Current practice within the City of Joondalup and at a number of other Local Government Authorities

- The extent of the difficulties with Public Question Time at the City in handling and responding to large numbers of questions, in both verbal and written form that are currently being put to Council

Seventeen people attended the workshop and were placed at four tables manned by internal staff trained in facilitation techniques whose role was to keep participants focused and on task, to clarify issues raised with the group and to record discussions. Nine open questions were developed to encourage group discussion and to obtain input into the new protocols.

Workbooks were developed in-house and contained the following:

- The purpose of the workshop
- Some of the background information provided at the beginning of the workshop
- Instructions on how participants would be working at their respective tables
- A page for responses to each of the nine questions divided into 2 sections. The top half of the page was to be used by the scribe to record responses where all participants had reached consensus. The bottom half of the page was to be used to record any comments participants would like written down where consensus was not reached

A survey was developed for workshop participants to provide their feedback on the workshop process itself. The survey included questions developed from the literature on the elements identified with high levels of participant satisfaction with public participation processes.

Elements linked to high performing public participation processes include:

- Participants feel comfortable in their surroundings
- Participants believe that the meeting has been convenient (timely/accessible) for them to attend
- Participants believe that the process has been time-managed efficiently
- Participants believe that they have been able to speak and be heard
- Participants believe that the quality of the decisions finally reached will be significant
- Participants believe that conflict between competing interests has been resolved
- Participants are more trusting of the commissioning agency (i.e. Local Government)
- Participants feel better informed and educated as a result of participating
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(Source material: Beierle & Cayford, 2002; Halvorsen, 2003)

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## **ANALYSIS OF PARTICIPANT FEEDBACK**

### Workshop - Qualitative Information

Responses to the nine open questions at the workshop were qualitative in that they contained statements reflecting the values, attitudes and beliefs about public question time and the issue of allowing statements of the participants. The responses were recorded for each table by a scribe and written into the workbook provided for that purpose.

It should be noted that unlike quantitative research methodologies where large sample sizes are necessary to test the validity of findings, in qualitative methodologies the intention is to collect adequate data to obtain insight into the issue under study. In this case, the responses to questions at the workshop provided sufficient data to identify the primary expectations and requirements of participants for inclusion in future protocols on public question time and statement time.

To analyse the collective responses from each table to each question, Nvivo, a software package that is used for qualitative data analysis was used. Document files for each question were created and data from the workbooks was entered. The responses were then analysed for commonalities. The results of the analysis can be found in Appendix 1 of this report

### Survey - Quantitative Information

The survey questions were designed to obtain quantitative responses to the workshop itself from individual participants, which were then measured using SPSS, a statistical software package. The results of the analysis can be found in Appendix 2 of this report.

## APPENDIX 1 – Workshop Responses on Public Question Time/Statements

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
<p>Should Council meetings include a time-slot to allow members of the public to make statements?</p>	<p>Three of the four tables reached consensus in their support for a statement time.</p> <p>Participants on the remaining table were split with 3 in favour and 2 against provision of a time-slot.</p>	<p>There should be a reasonable time limit for each person. Older people, speech disabled need more time.</p> <p>Should be dedicated time slot for statements.</p> <p>People should have the opportunity to hand in a statement for the Chair to read out.</p> <p>Noted. In Annual General Meetings since 2000, ratepayers have requested that statement time be included in Council meetings.</p> <p>In the end all agreed on statement time in a combined question/statement time before commencing Council business.</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
<p>What is a public statement? What is its purpose at a meeting of Council?</p>	<p>Three out of four tables identified that public statements provide an opportunity for the public to raise matters that are in the public interest and to provide information that could assist Council in decision-making. Public statements should not be used for attacking members of staff or Council, or for ‘grandstanding.’</p> <p>Four participants on the remaining table also supported these views whilst the fifth person felt that public statements should be made at a different time and place than at meetings of Council.</p>	<p>To comment on matters relevant to Council or of interest to the public.</p> <p>To express a view, make facts known to Council prior to a decision.</p> <p>To provide information that helps Council make an informed decision.</p> <p>An avenue to bring matters to the attention of the general public and for the public record.</p> <p>Allows something positive to be said.</p> <p>Opportunity for ratepayers to state their views and to raise awareness of an issue.</p> <p>Statements should not relate to personal attacks on Councillors, or individuals or businesses.</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
How long should a statement take?	Participant responses varied from 2 minutes to a maximum of 4 minutes per question with the Chair setting the parameters at meetings of Council.	<p>Time could be extended at discretion of Chair to exceed.</p> <p>Total public statement time at Council meetings to be minimum of 15 mins with some flexibility (if contentious issues) with the Chair to make longer time.</p> <p>30 mins for both statements and question time</p> <p>No longer than 3 mins per person unless 15-minute question time has not been used up - the overall length of time statement time will need to be determined the Chair depending on the issue at hand and the number of people attending.</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
<p>Should Council formally respond to a statement and if so, how?</p>	<p>There was general consensus that Council should respond formally to statements, if only to acknowledge and thank the statement maker for their contribution. Further that accurate records of statements made and responses given should be kept.</p> <p>Some participants suggested that where a statement requires a complex response, that it be given at the meeting of Council following that at which the statement has been made.</p>	<p>Yes - should respond at the next meeting of Council and the person making the statement need to attend to receive their response.</p> <p>Yes - Council needs time to respond but response should be verbal at the next meeting.</p> <p>Yes - if statement is made within Council business should be responded to in writing if requested and within a given time frame (i.e. 28 days) and Council needs to keep the record of the statement.</p> <p>Yes - some form of acknowledgement either written or verbal thanks them.</p> <p>Generally statements are not questions and won't require a response but should receive acknowledgement...need to keep a record of the statement and by whom and what at this is available at the following meeting.</p> <p>All statement/and responses should be minuted</p> <p>If further analysis is required then a written response should be given.</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
What form should a public question take?	All participant responses suggest that questions put to Council could be in writing or made verbally. It was noted that in either form that questions should be put in a respectful manner.	<p>In writing or verbal - providing the question does not contravene decency and is respectful otherwise should be ruled out of order.</p> <p>Verbal or in writing because it gives you an opportunity to ask questions about late items.</p> <p>Concise, to the point, relates to Council business.</p> <p>Question should be either verbal or in writing. It should not be obligatory to put questions in writing.</p>
How long should it take for a question to be put?	Participants on all four tables identified that questions should be brief – 2 minutes to a maximum of 3 minutes – but that ultimately the Chair should have the discretion to determine this dependent on the circumstances at a meeting of Council.	<p>Consensus with range of 1 - 2 mins per person.</p> <p>Chair should control meeting to prevent rambling.</p> <p>Limit to number of questions from each person to 2 questions each. Should have the opportunity to put additional questions in writing.</p> <p>If it is a long question, it should be in writing.</p> <p>2 minutes maximum</p> <p>Max 3 mins with discretion held by the chair.</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
Can statements precede questions?	<p>Responses to this question were mixed.</p> <p>Two tables reached consensus that statements should be permitted to precede questions.</p> <p>One table reached consensus that question time should only be used for questions and therefore not include statements.</p> <p>The fourth table was unable to reach consensus either way with 3 participants not in favour of statements preceding questions and 2 participants in support of the notion.</p>	<p>Valuable because questions may arise as a result of the statement.</p> <p>Statements should precede questions.</p> <p>No. Question time to be only question time.</p> <p>Yes as long as it falls within the 3 minutes</p> <p>No - if statement time is allowed</p> <p>Yes - need to provide a context</p>

WORKSHOP QUESTION/S	FINDING	DIRECT QUOTES & SUMMARIES OF INFORMATION PROVIDED.
<p>Should questions at PQT be limited? Is there some flexibility? How could that be managed?</p>	<p>Responses from all participants indicate that questions should be limited – perhaps to 2 questions per person – but that the Chair has the capacity to be flexible on this matter dependent on the circumstances.</p> <p>3 of the responses support Question Time being limited to a maximum of 30 - 40 minutes.</p>	<p>30 minutes maximum as a general rule however if the issues require more time, flexibility needs to be granted and this should be managed by taking the issue to another forum or e.g. Special Council Meeting.</p> <p>Minimum of 15 minutes and maximum of 40 mins. 2 questions per person.</p> <p>More flexibility required from the Chair to ensure that everyone gets an equal and fair chances to ask a question.</p> <p>Agree with current 2 questions per person.</p> <p>Chairperson has the flexibility to limit number of questions to one if there are a large number of questions.</p> <p>YES. Max of 30 minutes with discretion from the chair. Managed by competent chairing (which excludes irrelevant/personal attacks etc)</p>

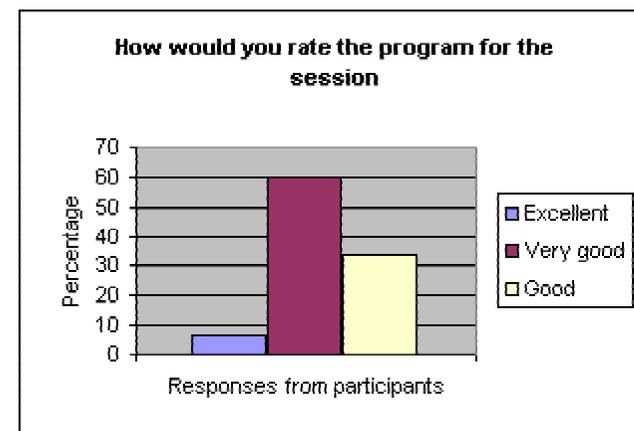
<b>WORKSHOP QUESTION/S</b>	<b>FINDING</b>	<b>DIRECT QUOTES &amp; SUMMARIES OF INFORMATION PROVIDED.</b>
<p>What would be a reasonable timeframe to receive written questions prior to a Council meeting at which a response is requested?</p>	<p>Three of the four tables supported a timeframe of 5 working days for receipt of written questions.</p> <p>Participants at the fourth table were unable to reach consensus with three people supporting 4 working days and two people supporting 5 working days for receipt of written questions</p>	<p>5 days</p> <p>Written questions should be submitted 5 working days prior to a council meeting.</p> <p>However, given the 5 working day lead up an adequate responsive should be given.</p>

## APPENDIX 2 – Report on findings from workshop survey

### PRESENTATION OF WORKSHOP

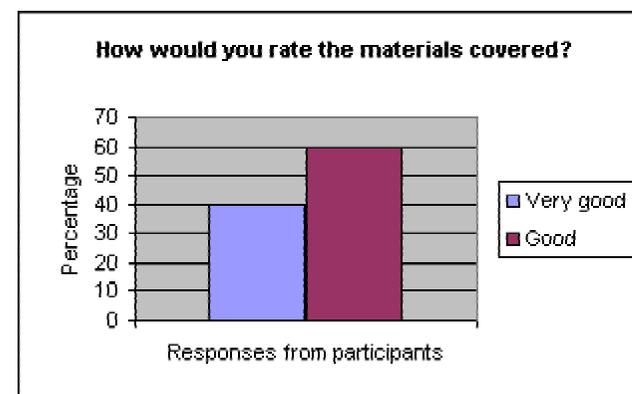
How would you rate the program for the session?

Response	No. Responses	Percentage
Excellent	1	7
Very good	9	60
Good	5	33
Total	15	100



How would you rate the material/issues covered?

Response	No. Responses	Percentage
Very good	6	40
Good	9	60
Total	15	100



## PRESENTATION OF WORKSHOP continued

How would you rate the knowledge/skills of the main facilitator?

Response	No. Responses	Percentage
Excellent	4	26.7
Very good	7	46.7
Good	4	26.7
Total	15	100



How would you rate the knowledge/skills of the supporting facilitator?

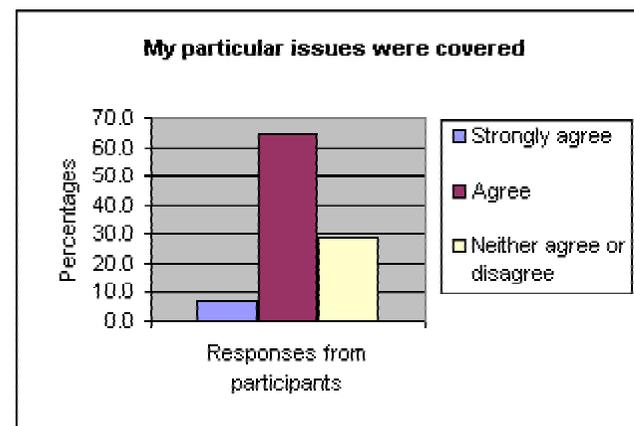
Response	No. Responses	Percentage
Excellent	2	13.3
Very good	9	60.0
Good	4	26.7
Total	15	100



## CONTENT OF WORKSHOP

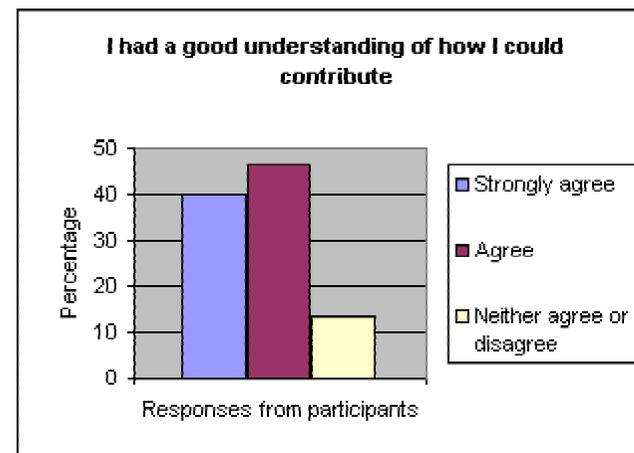
**My particular issues were covered by the session**

Response	No. Responses	Percentage
Strongly agree	1	7.1
Agree	9	64.3
Neither agree or disagree	4	28.6
Total	14	100



**During the session, I had a good understanding of how I could contribute to the discussions**

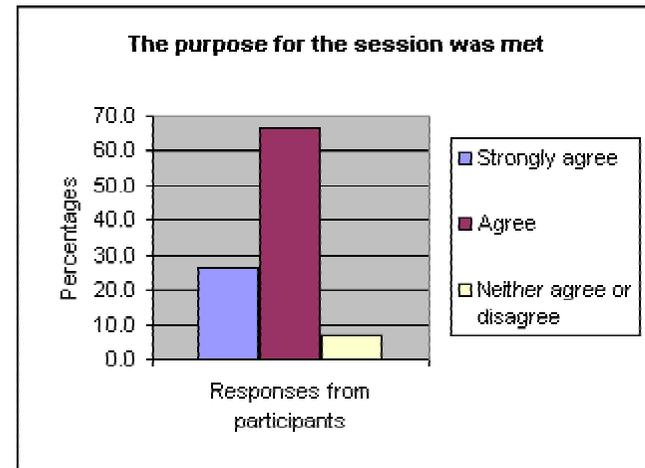
Response	No. Responses	Percentage
Strongly agree	6	40
Agree	7	46.7
Neither agree or disagree	2	13.3
Total	15	100



## CONTENT OF WORKSHOP continued

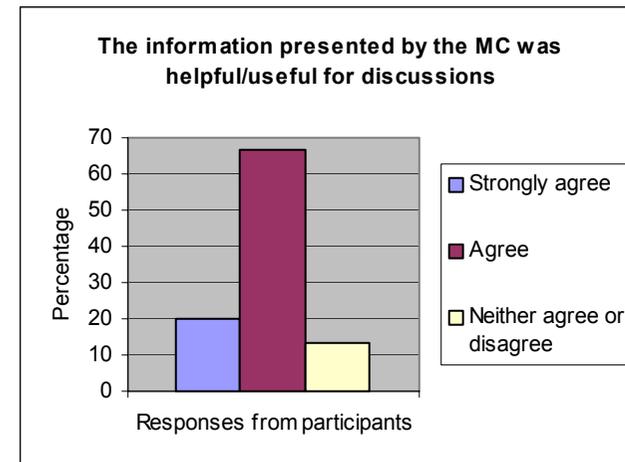
The purpose for the session was met

Response	No. Responses	Percentage
Strongly agree	4	26.7
Agree	10	66.7
Neither agree or disagree	1	6.7
Total	15	100



The information presented by the MC was helpful/useful for discussions

Response	No. Responses	Percentage
Strongly agree	3	20
Agree	10	66.7
Neither agree or disagree	2	13.3
Total	15	100



## CONTENT OF WORKSHOP continued

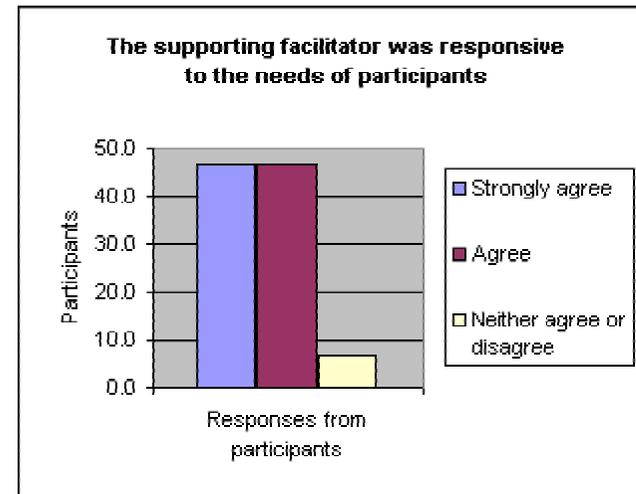
The facilitator was responsive to the needs of the participants

Response	No. Responses	Percentage
Strongly agree	8	53.3
Agree	6	40
Neither agree or disagree	1	6.7
Total	15	100



The supporting facilitator was responsive to the needs of participants

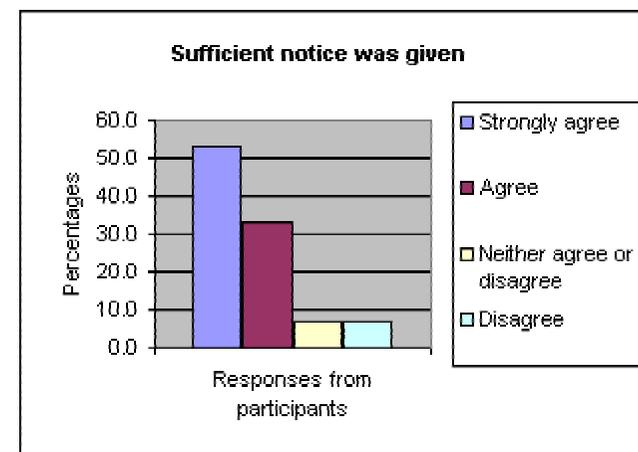
Response	No. Responses	Percentage
Strongly agree	7	46.7
Agree	7	46.7
Neither agree or disagree	1	6.7
Total	15	100



## COORDINATION OF WORKSHOP

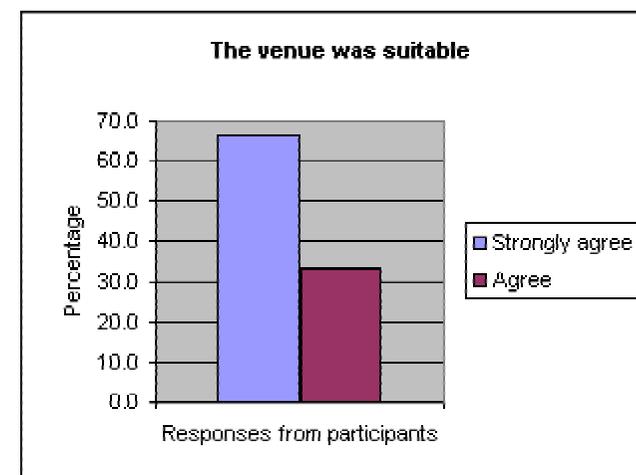
Sufficient notice was given for me to attend the session

Response	No. Responses	Percentage
Strongly agree	8	53.3
Agree	5	33.3
Neither agree or disagree	1	6.7
Disagree	1	6.7
Total	15	100



The venue for the session was suitable

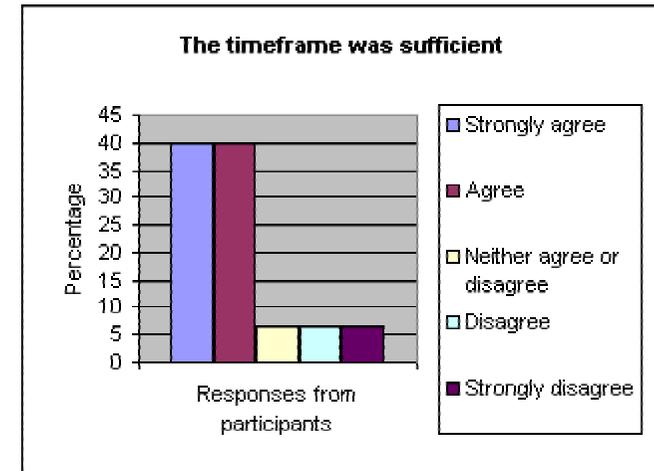
Response	No. Responses	Percentage
Strongly agree	10	66.7
Agree	5	33.3
Total	15	100



## COORDINATION OF WORKSHOP continued

The timeframe for the session was sufficient

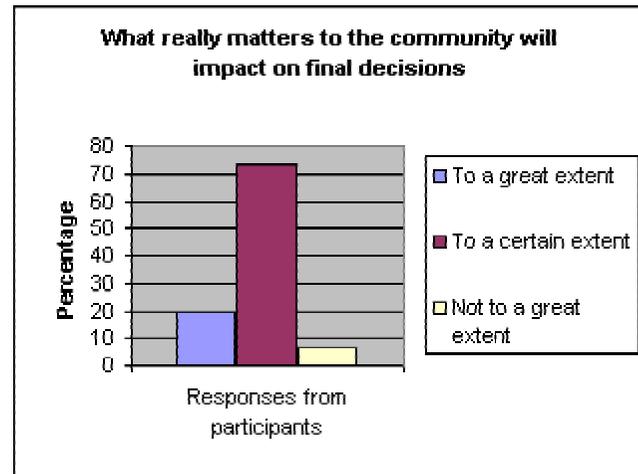
Response	No. Responses	Percentage
Strongly agree	6	40
Agree	6	40
Neither agree or disagree	1	6.7
Disagree	1	6.7
Strongly disagree	1	6.7
Total	15	100



## ACHIEVEMENT OF PROCESS

What really matters to the community will have an impact on the final decisions

Response	No. Responses	Percentage
To a great extent	3	20
To a certain extent	11	73.3
Not to a great extent	1	6.7
Total	15	100



The overall quality of the City's decisions will be improved

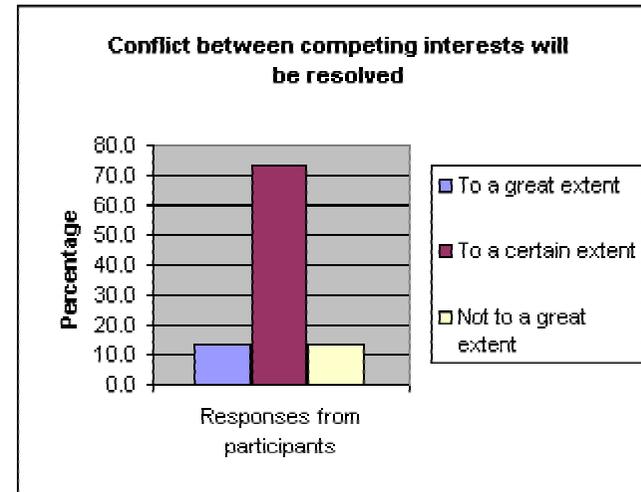
Response	No. Responses	Percentage
To a great extent	1	7.1
To a certain extent	13	92.9
Total	14	100



## ACHIEVEMENT OF PROCESS continued

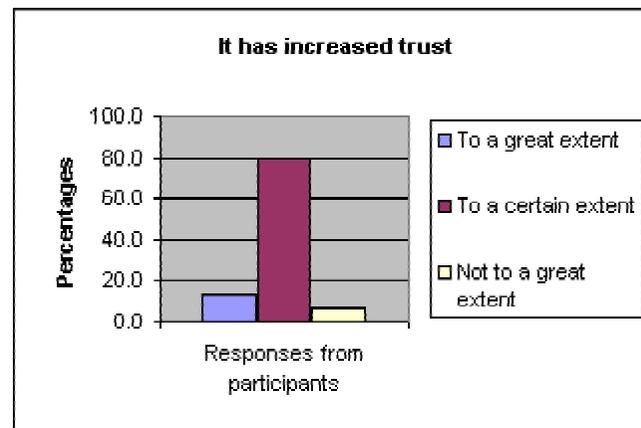
### Conflict between competing interests will be resolved

Response	No. Responses	Percentage
To a great extent	2	13.3
To a certain extent	11	73.3
Not to a great extent	2	13.3
Total	15	100



### It has increased trust in the City to act in the public interest

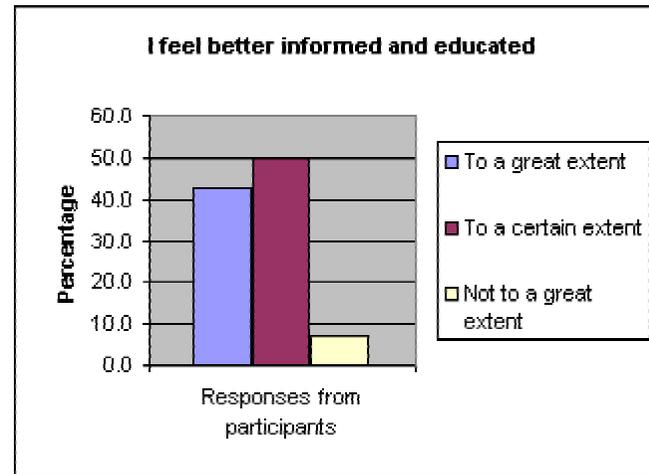
Response	No. Responses	Percentage
To a great extent	2	13.3
To a certain extent	12	80
Not to a great extent	1	6.7
Total	15	100



**ACHIEVEMENT OF PROCESS continued**

I feel better informed and educated as a result of the process

Response	No. Responses	Percentage
To a great extent	6	42.9
To a certain extent	7	50
Not to a great extent	1	7.1
Total	14	100



**My personal objectives for attending were met: 100% of respondents said 'Yes'**

## **PROTOCOLS DRAFTED BY MR S MAGYAR**

### **Public Question and Public Statement Times**

#### **INTRODUCTION**

The City of Joondalup encourages public participation in its decision-making process.

As a member of the public you have a legal right to ask questions at the beginning of Council meetings. The City wants to develop a good relationship with the public and so it allows public statements as well as questions at the beginning and end of its meetings and briefing sessions.

To enable better time management, Public Question Time will always occur prior to Public Statement Time.

The following rules are aimed at giving all members of the public a fair and equal opportunity to communicate with Council to improve the accountability of the Council to its local community through greater public participation.

Council may resolve at any meeting or briefing session to allow a short public question/statement time at the end of the meeting to enable the public to ask questions or make statements about the decisions made or issues discussed at the meeting.

#### **DISCLAIMER**

Responses to questions not put in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

#### **PUBLIC QUESTION TIME**

Members of the public are invited to ask questions, either verbally or in writing, at Briefing Sessions or Council meetings of the City.

Council encourages you to e-mail or fax questions in writing as early as possible before meetings or briefing sessions to enable more detailed and considered responses to be provided. Complex questions, asked in person, requiring extra research, may be taken on notice, early submission of questions can reduce this frustration.

The City will attempt to provide written responses to questions e-mailed or faxed before meetings. The questions and responses will be available before the meeting or briefing session.

Public question time has a legislative minimum of fifteen (15) minutes. Considering the size of the City and complexity of some local issues, question time may be extended in intervals of at least ten (10) minutes by resolution of the Council. Generally, the total time allocated for public questions to be asked and responses to be given should not greatly exceed thirty (30) minutes in total.

## PROCEDURE FOR PUBLIC QUESTION TIME

At an **Ordinary Council Meeting**, questions must relate to matters that affect the City of Joondalup.

At a **Special Meeting** of the Council, questions must relate to the purpose for which the meeting has been called.

At a **Briefing Session**, questions must relate to an Item listed in the draft agenda.

### DETAILED PROCEDURE FOR PUBLIC QUESTION TIME

1. A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
2. Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so
3. Statements are not to precede questions during public question time.
4. Questions are to be directed to the presiding member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council employee.
5. Persons asking questions may be limited to two (2) minutes per person, or limited to two (2) questions as the Chair deems suitable at each meeting or briefing session.
6. Where the number of required questions exceeds the number able to be asked, the member of the public may submit the unasked questions to the Council, where they would be 'taken on notice' and a written response provided.
7. To enable prompt and detailed responses to questions, members of the public are encouraged to lodge questions in writing to the CEO as follows:
  - for Briefing Sessions: by close of business on the working day immediately prior to the scheduled Briefing Session;
  - 
  - for Council Meetings: by close of business two working days prior to the scheduled Council meeting.
  -Responses to those questions received within the above timeframe will, where practicable, be provided in hard copy at the meeting.
8. The Mayor or presiding member shall decide to:
  - Accept or reject the question and his/her decision is final;
  - Nominate a member of the Council and/or Council employee to respond to the question;
  - Due to the complexity of the question, require that it be taken on notice with a written response provided as soon as possible, and included in the agenda of the next briefing session or Council meeting, whichever applicable.

- 9 Where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response.
- 10 Questions and any response will be summarised and included in the notes/minutes of the Briefing Session or Council meeting.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.
- 12 Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.

### **PUBLIC STATEMENT TIME**

Members of the public are invited to make statements, either verbally or in writing, at Briefing Sessions or Council meetings of the City.

Public statement time may be limited to a maximum of fifteen (15) minutes. Individual statements are not to exceed two (2) minutes per member of the public.

### **PROCEDURE FOR PUBLIC STATEMENT TIME**

Statements made at an **Ordinary Council Meeting** can relate to matters that affect the operations of the City of Joondalup

Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called.

Statements made at a **Briefing Session** must relate to a matter contained on the draft agenda.

### **DETAILED PROCEDURE FOR PUBLIC STATEMENT TIME**

1. A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
2. Public statement time may be limited to two (2) minutes per member of the public.
3. Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.

4. Public statement time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further statements.
5. Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council employee.
6. Where an elected member is of the opinion that a member of the public is making a statement:
  - at a Council meeting, that is not relevant to the operations of the City of Joondalup, or;
  - at a Briefing session, that is not relevant to an item listed on the draft agenda;they may bring it to the attention of the meeting.
7. Statements may be summarised and included in the notes/minutes of the Briefing Session or Council meeting.

#### DETAILED EXPLANATION FOR CHANGES

1. Introduction rewritten with the intended audience being the public. Elected Members and Staff can be informed through other means.
2. Public Question Time introductory matters rewritten encouraging the public to submit questions before meetings to allow staff to prepare more considered responses to the questions.
3. Public Question Time introductory matters rewritten allowing greater flexibility for the length of time for public question time.
4. Layout is improved and extra headings created to improve the readability of document.
5. The detailed procedure is reordered to bring to the fore the more important points, less referred to procedural matters are pushed to the back.

**COUNCIL'S DECISION OF 17 DECEMBER 2002**  
Item C180-12/02 Refers

**MOVED Cr Baker, SECONDED Cr Kimber that Council:**

- 1 NOTES the minutes of the Standing Orders Review Committee held on Monday 16 December 2002 and forming Attachment 1 to Item C180-12/02;**
- 2 ADOPTS the following revised procedure relating to public question time at Council meetings and Briefing Sessions that are open to the public:**

**“Introduction**

**Public question time is provided at meetings of the Council or briefing sessions that are open to the public.**

**Public question time is not a public forum for debate or making public statements. The time is limited to asking of questions and receiving responses. This procedure is designed to assist the conduct of public question time and provide a fair and equitable opportunity for members of the public who wish to ask a question. Public question time is not to be used by elected members. Members of the Council are encouraged to use other opportunities to obtain information.**

**Questions must relate to the ordinary business of the City of Joondalup or the purpose of the special meeting.**

**Prior to the Meeting/Briefing Session**

**To enable prompt and detailed responses to questions, members of the public are encouraged to lodge questions in writing to the Committee Clerk by close of business on the Friday prior to the Council meeting or Briefing Session at which the answer is required. Answers to those questions received within that time frame, where practicable, will be provided in hard copy form at that meeting.**

**At the Meeting/Briefing Session**

**A register will be provided for those persons wanting to ask questions to enter their name, and the order of registration will be the order in which persons will be invited to ask their questions.**

**Public question time will be limited to the legislative minimum of fifteen (15) minutes and may be extended by resolution of the Council, but the extension of time is not to exceed ten (10) minutes in total. Public question time will be limited to two (2) questions per member of the public. When all people who wish to do so have asked their two (2) questions, the presiding member may, if**

time permits, provide an opportunity for those who have already asked their two (2) questions to ask further questions.

During public question time at the meeting, each member of the public wanting to ask questions will be required to provide a written form of their question(s) to a Council employee.

Where the number of required questions exceeds the number able to be asked, the member of the public may submit the unasked questions to the Council, where they would be 'taken on notice' and a written response provided.

The procedure to ask a public question during the meeting is as follows:

- persons are requested to come forward in the order they registered;
- give their name and address;
- read out their question;
- before or during the meeting each person is requested to provide a written form of their question to a designated Council employee;
- the person having used up their allowed number of questions or time is asked by the presiding member if they have more questions; if they do then the presiding member notes the request and places them at the end of the queue; the person resumes their seat in the gallery;
- the next person on the registration list is called;
- the original registration list is worked through until exhausted; after that the presiding member calls upon any other persons who did not register if they have a question (people may have arrived after the meeting opened);
- when such people have asked their questions the presiding member may, if time permits, provide an opportunity for those who have already asked a question to ask further questions;
- public question time is declared closed following the expiration of the allocated time period or where there are no further questions.

The Mayor or presiding member shall decide to:

- Accept or reject the question and his/her decision is final;
- Nominate a member of the Council and/or Council employee to respond to the question;
- Due to the complexity of the question, it be taken on notice with a written response provided as soon as possible, and included in the agenda of the next briefing session or Council meeting, whichever applicable.

The following rules apply to public question time:

- *question time is not to be used by a member of the public to make a statement or express a personal opinion;*
- *questions should properly relate to Council business;*
- *question time shall not be used to require an Elected Member or an officer to make a personal explanation;*
- *questions should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Council employee;*
- *where a response has been provided to a question asked by a member of the public, and where that response, in the opinion of the presiding person, adequately deals with the question, there is no obligation to further justify the response;*
- *where an elected member is of the opinion that the question is not relevant to the business of the City of Joondalup or that a member of the public is making a statement, they may bring it to the attention of the meeting.*

It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

#### **Disclaimer**

Responses to questions not put in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive."

- 3 **ADOPTS** the City's Code of Conduct, as amended, forming Attachment 2 to Item C180-12/02;
- 4 **URGENTLY** reviews its Standing Orders Local Law.

The Motion was Put and

**CARRIED (14/1)**

**In favour of the Motion:** Mayor Bombak, Crs Baker, Barnett, Carlos, Hurst, Kadak, Kenworthy, Kimber, Mackintosh, Nixon, O'Brien, Patterson, Rowlands, Walker. **Against the Motion:** Cr Hollywood.