

COUNCILLOR QUESTIONS

1. Objective

- 1.1 To ensure that Councillor Questions are constructive and comply with the principle that a Councillor should not be surprised by a question to which the Councillor is expected to provide an immediate response to in a public forum.

2. Policy

Councillors are permitted to ask appropriate Councillor Questions of other Councillors strictly subject to the following conditions—

- 2.1 The question must be in relation to Council business or in relation to the actions of a Councillor in his or her capacity as a Councillor.
- 2.2 The question must be on notice and be received by the Chief Executive Officer by no later than 4:00 pm on the Friday immediately prior to the meetings of Council or special committee and the Chief Executive Officer shall thereupon immediately forward the question to the relevant Councillor.
- 2.3 The question must be as brief as possible and no discussion on the answer will be permitted.

3. Inappropriate Questions

- 3.1 A question may be deemed inappropriate by the Chief Executive Officer on any of the following grounds:
- (a) it breaches points 2.1 or 2.2 of this policy; or
 - (b) it relates to matters that are outside the role, functions or business of Council; or
 - (c) it does not relate to the business of Council or otherwise relates to a Councillor or staff member other than in their Council capacity; or
 - (d) it is considered to be defamatory, indecent, inappropriate or may constitute discrimination, vilification, harassment, or may place Council or the participant at risk of legal action;
 - (e) if answered could constitute a breach of:
 - i. the *Privacy and Data Protection Act 2014* (Vic); or
 - ii. the confidentiality provisions or any other provision of the *Local Government Act 1989* (Vic); or
 - iii. any other relevant legislation; or
 - (f) it relates to an electoral matter during an election period; or
 - (g) it refers to matters, which if answered would cause the Councillor to breach contractual confidential obligations. A Councillor seeking to rely on this ground must establish facts supporting this ground to the satisfaction of the Chief Executive Officer.