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1 April, 2016

MEMORANDUM: GOVERNANCE COMMITTEE**TIMELINESS OF RESPONSES TO QUESTIONS WITHOUT NOTICE**

Both open and closed agendas for all Council committee meetings provide for Questions without Notice.

An Alderman has raised a concern about the timeliness of responses provided to Questions without Notice.

The current procedures, as outlined on the committee agenda, do not contain any reference to timing for the receipt of responses.

If the purpose of a Question without Notice is to obtain information of a factual nature which requires minimal research or investigation, there should be no reason why a response cannot be provided within the normal monthly meeting cycle.

This would mean that for all committees, except City Planning, which meets twice a month, responses to questions raised would be included on the next ordinary meeting of the committee at which the question was asked. In the case of City Planning, a response would be provided within two meetings.

The procedures for questions with notice have been amended to reflect this timeframe (Attachment A).

It is expected that any matter which requires detailed research or investigation, interpretation and analysis, and/or officer advice for Council consideration should be dealt with as a notice of motion.

The definition of a question without notice has also been articulated in the proposed amendments to the procedures. The support of Committee chairmen will be sought in not accepting questions without notice that do not meet this definition. Where necessary, the General Manager or relevant Director can provide advice to the Chairman in this regard.

A list of all questions without notice is regularly updated and appears on Council Dashboard under 'General Aldermanic Information'.

RECOMMENDATION

That:

The Council endorse amendments to procedures for Questions without Notice at Council Committee meetings as outlined in Attachment A to this memorandum.

A handwritten signature in black ink, appearing to read 'H. Salisbury', written in a cursive style.

(Heather Salisbury)

DEPUTY GENERAL MANAGER

Attachment A Amended questions without notice procedure

QUESTIONS WITHOUT NOTICE – FILE REF: 13-1-10

Pursuant to Section 29 of the Local Government (Meeting Procedures) Regulations 2015, an Alderman may ask a question without notice of the Chairman, another Alderman or the General Manager or the General Manager's representative in accordance with the following procedures endorsed by the Council on 10 December 2012:

1. The chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. The purpose of a question without notice is to obtain information of a factual nature which requires minimal research/investigation. Any matter which requires detailed research or investigation, interpretation and analysis and/or officer advice for Council consideration should be dealt with as a Notice of Motion and will not be accepted by the Chairman as a question without notice.
3. In putting a question without notice, an Alderman must not:
 - (i) offer an argument or opinion; or
 - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
4. The chairman must not permit any debate of a question without notice or its answer.
5. The chairman, Aldermen, General Manager or General Manager's representative who is asked a question without notice may decline to answer the question, if in the opinion of the intended respondent it is considered inappropriate due to its being unclear, insulting or improper.
6. The chairman may require an Alderman to put a question without notice, to be put in writing.
7. Where a question without notice is asked at a meeting, both the question and the response will be recorded in the minutes of the meeting.
8. Where a response is not able to be provided at the meeting in relation to a question without notice, the question will be taken on notice and
 - (i) the minutes of the meeting at which the question is put will record the question and the fact that it has been taken on notice.

- (ii) a written response will be provided to all Aldermen, as expeditiously as possible and at the latest within the monthly committee cycle for the committee at which it was asked.
- (iii) upon the answer to the question being circulated to Aldermen, both the Question and the Answer will be listed on the agenda for the next ordinary meeting of the committee at which it was asked (except in the case of the City Planning Committee where it will be within two meetings), whereat it be listed for noting purposes only, with no debate or further questions permitted, as prescribed in Section 29(3) of the Local Government (Meeting Procedures) Regulations 2015.