

Participation At Meetings Procedure

(Procedure Number – L-GOVPRO002)

(Procedure Type – Council)

1. Objective

1.1. To provide a procedure pursuant to regulations 36(3) and 44 of the *Local Government (Meeting Procedures) Regulations 2025* (Tas) which:

- (a) recognises Council's obligations to manage the orderly and efficient running of Council meetings, while ensuring Council meetings are conducted in compliance with the Act and Regulations;
- (b) ensures questions received are compliant with the Regulations and that Councillor Question Time and Public Question Time are conducted in accordance with the Regulations;
- (c) ensures any refusal to accept a question is undertaken lawfully, while setting out the process to be adopted when questions are received;
- (d) clearly outlines the standards of behaviour expected of members of the public and elected members of Council while attending meetings; and
- (e) to ensure Council's obligations under the Act and Regulations are met.

2. Definitions

2.1. For the purposes of this Procedure:

- (a) '**Act**' means the *Local Government Act 1993* (Tas).
- (b) '**Meetings**' means ordinary meetings of Council, special meetings of Council, Council Committee meetings and informal meetings convened by Council.
- (c) '**Participants**' means members of the public and Councillors.
- (d) '**Procedure**' means this Participation at Council Meetings procedure.
- (e) '**Question Time**' means either, or both, Public Question Time and Councillor Question Time as provided for within the Regulations.
- (f) '**Regulations**' means the *Local Government (Meeting Procedures) Regulations 2025* (Tas).

(g) '**Relevant Entity**' means:

- (i) For Questions on Notice, the General Manager; and
- (ii) For Questions Without Notice, the Chairperson of the meeting.

2.2. All words as defined under the Act and Regulations have the same meaning within this Procedure.

3. Purpose

- 3.1. The Procedure sets out supplementary guidelines for the effective governance and conduct the business of the Council transacted at Meetings, in addition to and consistent with the Act and Regulations.
- 3.2. The Procedure is to complement the requirements of the Act and the Regulations and is not to repeat the statutory requirements of Question Time. To the extent of any inconsistency between this Procedure and the Act or Regulations, the Act or Regulations prevails.
- 3.3. The purpose of this Procedure is to establish clear guidelines for Question Time at Meetings to ensure all obligations pursuant to the Act and the Regulations are met.
- 3.4. Council's enforcement of the requirements for Question Time will be consistent, prompt and impartial having regard to the following principles:
 - (a) fairness and consistency;
 - (b) public interest; and
 - (c) transparency.

4. Scope

- 4.1. This Procedure applies to all:
 - (a) ordinary meetings of Council;
 - (b) special meetings of Council;
 - (c) Council's Annual General Meeting;
 - (d) Council committee meetings; and
 - (e) any other meeting conducted by Council, including but not limited to community forums and public events.

5. Procedure – Standards of Behaviour

- 5.1. Council has obligations pursuant to the *Work, Health and Safety Act 2002* (Tas) to ensure it provides a safe workplace and protects the safety and wellbeing of its Workers (as defined within that legislation) and other persons in the workplace. Other persons at the workplace must also take reasonable care for their own health and safety, and to take reasonable care that their conduct does not adversely affect the health and safety of other persons.
- 5.2. Council has a zero-tolerance policy for negative, rude or offensive behaviour.
- 5.3. Council has committed to support the Local Government Association of Tasmania's '*Lift the Tone*' campaign: <https://www.lgat.tas.gov.au/lgat-advocacy/lift-the-tone>
- 5.4. It is an expectation that, at all times, all persons attending Meetings, including members of the public, Councillors and Council staff, will behave in an exemplary, polite and civil manner and be respectful of, and considerate towards, other attendees at the Meetings, including but not limited to as follows:
- (a) by not interrupting persons addressing the Meeting;
 - (b) by behaving respectfully and professionally towards all persons present and refrain from disruptive conduct which interrupts or hinders the effective running of the meeting, including the Chairperson or any other participant in the Meeting;
 - (c) by not using offensive language or making derogatory or offensive comments or innuendo towards any person, whether they are present at the Meeting or not;
 - (d) by not behaving in an aggressive or hostile manner, including but not limited to making threats, shouting, speaking in a raised voice or acting in any other manner which disrupts a Meeting;
 - (e) by not carrying, wearing, and/or presenting displays, exhibits, signage, messaging (including campaigning) or props, either at the Meeting or on Council property unless written pre-approval has been obtained from Council's General Manager prior to the commencement of the Meeting;
 - (f) by not photographing, filming, or otherwise recording (audio or audio/visually) Meetings or persons in attendance at Meetings; and
 - (g) will comply with all reasonable directions given by the Chairperson during the course of the Meeting.
- (collectively referred to as the '**Standards of Behaviour**').

5.5. Attendees at Meetings who are behaving contrary to the Standards of Behaviour contained within this Procedure will:

- (a) be given a verbal warning during the Meeting by the Chairperson that their behaviour is in breach of the Procedure at the Meeting in question; and
- (b) will receive a formal written warning by the General Manager following the Meeting.

5.6. Pursuant to regulation 50 of the Regulations, persons who, in the opinion of the Chairperson, are causing a hinderance or disruption to a Meeting, may be asked to leave the Meeting by the Chairperson. Should the Participant fail to comply with the Chairperson's reasonable direction, Tasmania Police may be contacted for assistance to remove the person from Council premises.

5.7. Should a Participant continue to act in a manner which breaches this Procedure after having received a warning, the Council may take further steps against that individual in accordance with its *'Dealing with Difficult Customer Behaviour Policy'*, or as is permitted within the Act and Regulations, including referring the incident to Tasmania Police and/or WorkSafe Tasmania for investigation.

5.8. Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.

6. Procedure – Question Time

6.1. Pursuant to regulations 10(3) and 36(1) of the Regulations, Public Question Time and Councillor Question Time will be included on the Agenda and a minimum of 15 minutes for each component of the meeting is made available for Question Time, if necessary.

6.2. The Council may, by absolute majority, determine to extend the period of time set aside for Question Time should the need arise.

7. Procedure – Question Requirements

7.1. A maximum of two (2) questions are permitted by members of the public and elected members for the purpose of Question Time.

7.2. As required by regulation 33(2), questions submitted for the purpose of Question Time are to be:

- (a) concise;
- (b) clear;
- (c) not be a statement;
- (d) have minimal pre-amble; and

(e) respectfully written and not include offensive language.

- 7.3. Questions submitted for the purpose of Question Time must relate to the activities of the Council. Questions which do not related to the activities of the Council may be refused to be accepted.
- 7.4. Questions are not to contain multiple parts, with each part of a question being considered a separate question.
- 7.5. Questions received which are not compliant with the Regulations or this Procedure may be refused for acceptance by the General Manager or Chairperson in accordance with clause 8 of this Procedure.

8. Procedure – Refusal to Accept Questions

- 8.1. As is required by regulation 33(3), the Relevant Entity may refuse to accept a question if they are of the opinion that the question is:

- (a) defamatory; or
- (b) contains offensive language; or
- (c) is unlawful; or
- (d) does not relate to the activities of the Council; or
- (e) does not meet any of the requirements of regulation 33(2):
 - (i) is not concise; and
 - (ii) is not clear; and
 - (iii) is a statement; and
 - (iv) contains a lengthy pre-amble.

- 8.2. In addition to the reasons the Relevant Entity may refuse to accept a question as set out in regulation 33(3) and clause 8.1 herein, the following are additional grounds imposed by the Council pursuant to regulation 44 for refusing to accept a question:

- (a) questions which include comments, questions or submissions relating to items listed in the Planning Authority Agenda;
- (b) questions which relate to a matter discussed in the closed portion of a Council meeting, or which would ordinarily be discussed in the closed portion of a Council meeting pursuant to regulation 17 of the Regulations, including:
 - (i) personnel matters, including complaints against an employee of the Council;

- (ii) industrial relations matters;
 - (iii) information which would confer a commercial advantage or disadvantage on a person with whom Council is conducting, or proposes to conduct, business;
 - (iv) commercial information of a confidential nature which would prejudice the person supplying the information, confers a commercial advantage on a competitor of the Council or would reveal a trade secret;
 - (v) contracts and tenders for the supply of goods and services;
 - (vi) the security of the Council, Councillors, Council staff or property of the Council;
 - (vii) the acquisition or disposal of land, excluding public land;
 - (viii) confidential information;
 - (ix) Councillor requests for leaves of absence, including for parental leave;
 - (x) legal matters, including legal advice obtained by Council and actual or possible litigation taken by or involving the Council or an employee of the Council; and
 - (xi) personal hardship of a resident of the municipality.
- (c) questions which have been substantively asked and responded to at a previous Meeting;
- (d) questions relating to the personal affairs or actions of Council Officers or Councillors;
- (e) questions proffered to advance a particular point of view rather than making a genuine enquiry;
- (f) questions which are overly lengthy or complex; and
- (g) questions which do not otherwise comply with the requirements of this Procedure.

8.3. If the Relevant Entity refuses to accept a question:

- (a) for Questions on Notice, the Participant will be advised in writing that their question has been refused and the reasons for refusal. The Participant will be provided with a copy of this Procedure and invited to re-submit their question in compliance with the requirements of the Regulations and this Procedure; and

- (b) for Questions Without Notice, the Participant will be advised the question has been refused to be accepted and the reasons for refusal. The Participant will be encouraged to re-submit their question as a Question on Notice in writing for the following Meeting.

8.4. Questions on Notice which are refused are not to be reproduced in the Agenda.

9. Procedure – Questions on Notice

9.1. Questions on Notice are to be given in writing and addressed to the General Manager at least seven (7) days before a Meeting to:

- (a) mail: PO Box 63, Latrobe 7307;
- (b) email: council@latrobe.tas.gov.au; or
- (c) delivered in person to Council Chambers, 170 Gilbert Street, Latrobe.

9.2. Questions on Notice which are accepted will be included on the Agenda for the next scheduled meeting, together with an answer if time permits for an answer to be prepared prior to the Agenda being published. If an answer cannot be prepared prior to the Agenda being published, the answer will be provided in writing within the Minutes of the Meeting.

9.3. Should a Question on Notice be received which is not compliant with the Regulations or this Procedure, the question(s) may be refused to be accepted.

9.4. Questions on Notice and answers are not to be debated at the Meeting.

10. Procedure – Questions Without Notice

10.1. Participants asking Questions Without Notice are given a time limit of 3 minutes to ask their questions.

10.2. Questions Without Notice and answers are not to be debated at the Meeting.

10.3. Questions Without Notice and the answers provided will be recorded in the Minutes of the Meeting.

10.4. The Chairperson will determine the order in which Participants ask their Questions Without Notice.

10.5. If necessary, the Chairperson may provide guidance and direction to the Participant while asking their question. For example, the Chairperson may ask a Participant to shorten the pre-ambles to their question if it is lengthy, or may ask a Participant to cease asking their question if it is not compliant with the Regulations or this Procedure.

10.6. Participants must follow all reasonable directions of the Chairperson while asking Questions Without Notice.

10.7. Public Questions Without Notice

- (a) When Public Question Time is reached on the Agenda:
- (i) the Chairperson will ask persons present to indicate by raising their hand whether they wish to ask a Question Without Notice;
 - (ii) if necessary, the Chairperson may indicate whether an extension of Question Time is necessary and call for a mover and seconder for the Question Time portion to be extended;
 - (iii) the Chairperson will determine the order in which members of the public are to ask their questions;
 - (iv) on the invitation of the Chairperson, a member of the public is to step towards the lectern and microphone. Before asking their question(s), the member of the public must clearly state their name, provide their address (at a minimum the suburb in which they reside) and inform of the subject matter their question(s) relate; and
 - (v) questions must be directed to the Chairperson.
- (b) Questions asked will either:
- (i) be answered by the Chairperson; or
 - (ii) be referred by the Chairperson to the General Manager, or other relevant Council Officer, to be answered if appropriate; or
 - (iii) be requested to be put on notice in writing and answered at a later ordinary Council Meeting; or
 - (iv) be refused to be accepted if it does not comply with the Regulations or this Procedure.
- (c) Members of the public who submit Questions Without Notice are required to complete a Contact Details Form before leaving the Meeting. This is to assist the Council in providing any follow up correspondence.
- (d) Members of the public are not to approach Councillors or Council Officers at the meeting table.
- (e) Members of the public are not permitted to bring into the meeting any written materials for the purpose of handing them to Councillors, or Council Officers on behalf of Councillors, including any documentation, flyers, information brochures or the like. Any document(s) handed to a Councillor by a member of the public will be refused and returned to the member of the public unread.
- (f) Participants are only entitled to ask a second question after all other persons present who may wish to ask a question has asked one (1) question each, and further; the 15 minutes period has not expired.

10.8. Councillor Questions Without Notice

- (a) When Councillor Question Time is reached on the Agenda:
 - (i) the Chairperson will ask Councillors to indicate by raising their hand whether they wish to ask a Question Without Notice;
 - (ii) if necessary, the Chairperson may indicate whether an extension of Question Time is necessary and call for a mover and seconder for the Question Time portion to be extended; and
 - (iii) the Chairperson will determine the order in which Councillors are to ask their questions.
- (b) Pursuant to regulation 34(1) of the Regulations, a Councillor may ask a question of the Chairperson, or through the Chairperson or another Councillor or the General Manager.
- (c) Pursuant to regulation 34(4) of the Regulations, the Chairperson, Councillor or General Manager who is asked a Question Without Notice may decline to answer the question.
- (d) Pursuant to regulation 34(5) of the Regulations, the Chairperson may require a Councillor to submit a Question Without Notice in writing.
- (e) Pursuant to regulation 34(2) of the Regulations, a Councillor asking a Question Without Notice 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.

11. Review Cycle

- 11.1. This Procedure will be reviewed by Council's General Manager and Manager – Corporate and Business Services every three (3) years and/or otherwise in conjunction with amendments or review of provisions of the Act and Regulations.

12. Associated Documents

12.1. Department of Premier and Cabinet's "Annual General Meeting Best Practice Guidelines"

- (a) Council Annual General Meetings are conducted in accordance with the Department and Premier and Cabinet's "*Annual General Meeting Best Practice Guidelines*", as well as the guidelines included within the Annual General Meeting Agenda.

12.2. Statutory Authority

- (a) *Local Government Act 1993* (Tas)
- (b) *Local Government (Meeting Procedures) Regulations 2025* (Tas)

12.3. Strategic Plan Reference

Program	1	Governance
Objective	1.2	Provide consistent, accountable, transparent and effective governance
Activity	1.2.9	Deliver consistent and open community engagement, including where appropriate, community participation through established Council Committees

APPROVED BY COUNCIL: 24 November 2025 Minute: 14.4

EFFECTIVE DATE: 24 November 2025

ADMINISTERED BY: General Manager

This procedure will be reviewed periodically to ensure its relevance in terms of community needs and expectations and Council goals, targets, budget and statutory requirements.