

## 2.7 Public Question Time

The aim of public question time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Questions are received without notice and are responded to without research or reference to Council records.

Questions must be in writing, with the person submitting the question to be in the public gallery at the time.

Questions which contain material that relates to specific people or properties will be summarised at the discretion of Council.

Responses to public questions answered at the meeting, will be general in nature, provided in good faith and should not exceed two minutes. These responses will be summarised in the minutes of the meeting.

Questions requiring research or a detailed reply will be provided a written response as soon as possible following the meeting from the nominated officer. These written responses will be collated for each meeting and available via the Shire's website.

This segment does not substitute for appeal or other formal business procedures with the Council.

### Written Response

#### **Clothing Optional Status – Sunnyside North Beach**

Mr Michael James, a resident of Frankston, asked the following question:

*If Council seeks to request that the Planning Minister revokes the clothing optional status of Sunnyside North Beach, how is that not in breach of section 9 of the Victorian Charter of Human Rights and Responsibilities by restricting the culture of naturists?*

**A subsequent written response to the above question was provided by Laura Crilly, Acting Team Leader – Water and Coasts, as follows:**

Thank you for your question regarding Sunnyside North Beach's clothing optional status.

As you are aware, Council has recently undertaken community consultation regarding this matter as per 8 February 2022 Council resolution:

#### **COUNCIL DECISION**

**Moved: Cr Holland**

**Seconded: Cr Mar**

**That Council:**

- 1. Undertakes community consultation during March via mailout with residents in the immediate vicinity of Sunnyside Beach and Sunnyside North Beach, to get their feedback and experiences.**
- 2. Will establish a similar online feedback survey via the Shape platform, open to beach users and residents not in the immediate vicinity of either Sunnyside Beach or Sunnyside North Beach.**

3. **Will present a draft consultation letter/survey to Briars Ward Councillors for feedback, prior to publication.**
4. **Receives the results from the community consultation in May 2022 to inform their decision to consider requesting the removal of clothing optional status at Sunnyside North Beach.**
5. **Affirms that any feedback data received will distinguish between non-residents, Mornington Peninsula residents and residents in the immediate vicinity.**

Vote by Division (Requested by Cr Holland)

For: Cr McCafferty, Cr Mar, Cr Dixon, Cr Holland, Cr Gill and Cr Marsh

Against: Cr Celi, Cr Bissinger and Cr Mercurio

We have had a significant response to the survey and are working to present a summary of the results to Council as soon as possible. Feedback from the survey will inform Council's decision regarding possible request to the Minister for Planning to consider a change to the clothing optional status of the beach. Council is required to adhere to the *Charter of Human Rights and Responsibilities Act 2006*.