

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 with or without notice can be submitted.

Questions with notice are to be received in writing by 10.00am the Monday prior to the relevant Council Meeting and can be lodged via the Shire's website. Questions received by this time will be provided with a considered response prepared by the relevant Shire officer and read by the Chief Executive Officer (CEO) at the Council Meeting.

Questions without notice must be lodged in person no later than 15 minutes prior to the commencement of the meeting. The question will be read by the CEO and taken on notice with a written response forwarded to the person asking the question within 7 days of the Council Meeting and published on the Shire's website.

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

Written Responses

Balnarring Hub

Ms Bronwyn Dick, a resident of Balnarring asked the following question:

When is the Council proposing to facilitate and support a Balnarring hub in the village?

A subsequent written response to the above question was provided by Mr Toby Laverick, Manager – Community Facilities and Precincts:

Currently there are no Capital Works projects planned or detailed designs of the Balnarring village area that propose the construction of a new Community Hub building. Community groups are able to book the Balnarring Community Hall and the Mornington Peninsula Shire's Grants and Subsidy program is available to support the activities of community organisations such as the Balnarring Hub.

Mornington Community Clock

Mr Frederick Crump, a resident of Hastings asked the following question:

Once upon a time community clocks in the world were maintained almost right away. Why is the clock, for all to benefit not working after 8 months?

A subsequent written response to the above question was provided by Mr Chad Henry, Team Leader – Buildings Management

The Mornington Community Clock, which is a project that has been driven by the Rotary group with additional assistance provided by the Shire has of recent times had works completed on three occasions including it being reset on each occasion. Works by an external technician responsible for the maintenance of the asset have identified a larger issue with the electronic clock drive system which is in the process of being addressed and will be repaired as soon as possible.

Kit McCulloch House

Mr Frederick Crump asked another question:

I was talking to the former Mayor David Gibbs as to why the Kit McCulloch House was bulldozed when there was no consultation with the public. Why has this Council taken the law into their own hands?

A subsequent written response to the above question was provided by Ms Gail Mifsud, Manager Property and Commercial Services:

The demolition of Kit McCulloch House was part of the annual budget process for the 2021/2022 financial year which was open to public feedback. Kit McCulloch house was not part of the schedule under the Heritage Overlay in the Mornington Peninsula Planning Scheme. The Shire has obtained all the necessary permits to demolish 13 Queen Street Mornington.

Mornington Park Protest

Ms Amanda Whimetal, as resident of Rye asked the following question:

Can Council explain its investigation into the 'Forest of the Fallen' display on Sunday 14 May 2023 at Mornington Park, for which the organisers did not obtain a permit. What are the requirements groups must abide by to obtain a permit, and what are the consequences of putting up such a physical display without a permit? Further, does Council know of any provisions regarding display of offensive material, such as falsely claiming someone has died, as outlined above? As a resident, I am offended and concerned by the misinformation being spread in public spaces, with no regard for the need to seek a permit, provide accurate information, and have regard to OHS considerations related to the 50-100 bamboo stakes in the ground in public park land.

A subsequent written response to the above question was provided by Ms Rebecca Levy, Manager Community Activation:

Under Section 16 of the Charter of Human Rights and Responsibilities, people have the right to gather for a common purpose such as protesting, gathering or meeting in public or in private.

Permits are not required to conduct a protest or demonstration, however the erection of associated structures (signs, flags, banners etc.) may require approval or a permit.

In some situations, police may direct a group of demonstrators to move on if they suspect on reasonable grounds that they are breaching the peace, or likely to breach the peace; endangering or likely to endanger the safety of others; or behaving in a manner likely to cause injury to a person or property.

Police move on powers cannot be exercised where a person is demonstrating or protesting about a particular issue, speaking or bearing banners, placards or signs or behaving in a way intended to publicise their views about an issue.