

QUESTIONS AND RESPONSES TO QUESTION TIME TUESDAY, 25 NOVEMBER 2014

The following questions were addressed to the above meeting. Some questions were adequately responded to at the meeting, however others required a more detailed response in writing.

This document includes both verbal and written responses.

Colin Wallace asked –

Here on September 9th 2014, I asked why the opportunity for members of the public to access by themselves the Minutes from before 2012 that had been available on the publicly accessible Council website up until December 2012 had been taken away and if it would be restored. Since then there has been verbal responses to my questions at Council Meetings from Cr Rod Macdonald allowed by the Mayor that have not been recorded in the Minutes, visits to the Geelong West Service Centre with customer service officers acting at the direction of managers John Brown and Tim McDonald and two letters to me signed by their immediate superior, acting general manager Mike Kelly, who, unlike Mr Brown and Mr McDonald, bore no line responsibility for what occurred in December 2012, the most recent of these letters arriving yesterday. The outcome is that there is no intention to restore the described access to the Minutes.

The second letter signed by Mr Kelly refers to the 'Web Accessibility National Transition Strategy', Australian Government Information Management Office, June 2010 and the 'The Australian Government's Study into the Accessibility of Portable Document Format (PDF) for People with a Disability', Vision Australia, November 2010 as part of a claim that the removal of access to Minutes as described was legitimate.

I have no disagreement or dissatisfaction with either document and, according to my reading, there is no justification or support in these documents for the removal of access to Minutes as described and the refusal to restore it.

Would CEO Gillian Miles undertake to read these two documents herself, especially focusing on the flow chart on page 26 of the 'Web Accessibility National Transition Strategy', and decide if she agrees that the only bona fide conclusion that can be reached is that the Minutes from July 2010 to the end of 2011 should be available on publicly accessible Council website in Web Content Accessibility Guidelines version 2.0 and that the Minutes from before July 2010 that had been available on the website should be available, irrespective of whether they are in Web Content Accessibility Guidelines version 2.0, according to the provision made for this in the 'Web Accessibility National Transition Strategy', unless they are deemed as not being important content, noting that the letter signed by Mr Kelly I received yesterday dwells on the matter of whether these Minutes are popular content and avoids completely the matter of whether these Minutes are important content?

Michael Kelly responded that Council Minutes are available to the public. In correspondence sent to you Council highlighted that upon request to any Customer Service Centre details of the Minutes you are after will be made available. In order for Council to fully comply with the required standards set by the relevant government bodies it was necessary for web pages to be converted to a HTML format. The cost of this process going back to 2002 was cost prohibitive, which is why the City is presently converting and retaining Council Minutes from January 2012.

Mr Wallace asked if the Chief Executive Officer would agree to read the Web Accessibility National Transition Strategy document?

The Mayor responded that the Chief Executive Officer would take the question on notice.

A subsequent written response was provided by the Acting General Manager Corporate Services in the following terms:

As you have been advised, I have been directed by the Chief Executive Officer to respond to your questions on this matter.

Further to previous correspondence and discussions regarding this matter, please note the following:

In accordance with Part 5, section 11(f) of the Local Government (General) Regulations 2004 –

“agendas for and minutes of ordinary and special meetings held in the previous 12 months kept under section 93 of the Act except if the minutes relate to parts of meetings which have been closed to members of the public under section 89 of the Act” are to be available to the public.

Council made an operational decision not to convert documents created prior to 2012, for the reasons previously explained to you. Operational decisions of this nature do not require Council endorsement, and this particular decision does not offend any regulatory requirements.

If you require a copy of particular Council Minutes prior to 2012, you are able to make a request (providing relevant details) via any Customer Service Centre.

We consider that we have fully answered and explained all aspects of this matter. Council reserves the right to refuse to respond to matters which are considered to be repetitive or trivial in nature. Accordingly, please note that Council will not respond to any further correspondence, or questions raised during Question Time, in relation to this matter.

Mary Wallace asked -

Given that the Mayor in December 2012, Keith Fagg, has since resigned and current Mayor Darryn Lyons was not on Council in December 2012, would Deputy Mayor in December 2012 Stretch Kontelj say if the Councillors knew beforehand about the removal from the Council website of public access to pre-2012 Minutes that occurred in December 2012 and, if so, did the Councillors give their consent prior to it happening?

Cr S Kontelj took the question on notice.

**A subsequent written response was provided by the
Acting General Manager Corporate Services in the following terms:**

On behalf of Cr S Kontelj, I provide the below response regarding your question raised in public question time, Council meeting 25 November 2014.

Council made an operational decision not to convert documents created prior to 2012. Operational decisions of this nature do not require Council endorsement. Likewise, the decision taken in 2001 to provide Council agendas and minutes on the www.geelongaustralia.com.au website was an operational decision.

If you require a copy of particular Council Minutes prior to 2012, you are able to make a request (providing relevant details) via any Customer Service Centre.