

Freedom of Information Part II Statement

January 2022

Pursuant to the Freedom of Information Act 1982



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PART II - PUBLICATION OF CERTAIN DOCUMENTS AND INFORMATION

Introduction

Agencies are required to publish a Freedom of Information Part II Statement to comply with sections 7-12 of the *Freedom of Information Act 1982*. These sections specify a set of statements which Frankston City Council must publish describing its powers and functions, the documents and information it holds, and how the documents and information can be viewed and copies accessed.

Frankston City Council is committed to ensuring that, where possible, members of the public have access to information held by Council and that both decision-making and operational processes of Council are transparent.

This Part II Statement gives effect to the public transparency principles contained in section 58 of the *Local Government Act 2020* and it operates in conjunction with Frankston City Council's Public Transparency Policy.

STATEMENT 1 – ORGANISATION, FUNCTIONS AND DECISION-MAKING POWERS OF COUNCIL

This statement is required by section 7(1)(a)(i) of the Freedom of Information Act 1982.

Establishment

Frankston City Council was created on 15 December 1994 from the remains of three abolished councils: all but the suburb of Mount Eliza from the former Frankston City Council; the suburbs of Carrum Downs, Langwarrin and Skye from the City of Cranbourne; and part of Carrum Downs from the City of Springvale. For a period of 27 months the City was operated by three Commissioners. The first election for Frankston City Council took place on 15 March 1997 when seven single councillor Wards of Baxter, Boonerwrung, Klauer, Liardet, McClelland, McComb & Oliver were established. In the 2005 elections this Ward system was replaced with the current three Wards of North-East, North-West and South with three representatives per Ward, totalling nine Councillors.

Legal Basis of Council

Local government is the third tier of government in Australia and derives its authority from State Parliament.

The legal basis for Victorian councils is established under the <u>Constitution Act 1975</u>. The Constitution recognises local government as "a distinct and essential tier of government consisting of democratically elected Councils having the functions and powers that the Parliament considers are necessary to ensure the peace, order and good government of each municipal district" (s. 74A(1)).

In Victoria, local government is established by an Act of State parliament, the <u>Local Government Act 2020</u> (the Act). The Act took effect on 6 April 2020; however, is being implemented in four stages, so some sections of the <u>Local Government Act 1989</u> remain in force. The Act specifies Council powers, duties and functions.



Purpose of Council

The purpose of local government is to provide a system under which Councils perform the functions and exercise the powers conferred by or under the Act or any other legislation for the peace, order and good government of their municipal districts.

The Role of Council

Section 8 (1) of the *Local Government Act 2020* states that the role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

A Council must in the performance of its role give effect to the following overarching governance principles:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

A Council consists of Councillors who are democratically elected in accordance with the Act. The Council has responsibility for managing a broad range of functions, activities and services, including:

- Aged and disability services
- Advocacy (lobbying)
- Assets and infrastructure
- Bicycle and walking paths
- Boat ramps
- Building services
- Children's services
- Citizenship
- Community Centres and Neighbourhood Houses
- Community development
- Community grants
- Communications
- Community safety
- Council meetings
- Economic development

- Emergency management
- Environment
- Environmental health
- Events
- Fire prevention
- Frankston Arts Centre
- Frankston Charitable Fund
- Frankston Memorial Park (cemetery)
- Frankston Regional Recycling and Recovery Centre (FRRRC)
- Golf course
- Graffiti management
- Hall/venue hire
- Hoon driving management
- Indigenous nursery
- Libraries



- Local Laws
- Maintaining our City
- Major projects
- Maternal and Child Health and Immunisation
- Parks and gardens
- Pet registration and animal management

- Sport and leisure
- Tourism
- Town planning
- Urban design
- Waste and recycling
- Youth Hangouts and Frankston Youth Central

Contacting Council

Council has three Customer Service Centres, in Frankston, Langwarrin and Seaford, available for over the counter services and other various contact channels. For further information please visit Council's Website here.



Live Chat

Contact our Customer Service staff via Live chat on the Frankston City Council Website



Call Us

We're here to help, call us on 1300 322 322.



Contact Us Online

Report issues, provide feedback, make a general enquiry or payment online.



Visit Us

Council has a number of Customer Service Centres available for over the counter experiences.



Media Enquiries

If you're a member of the media seeking comment from Frankston City Council.



Connect With Us

Connect with Council through Social Media and eNewsletters

Accessibility

National Relay Service

<u>Internet relay.</u> Users can connect to NRS via the Relay Service website then advise the Council's contact number or Council's Customer Service number of 1300 322 322. <u>www.relayservice.com.au</u>

<u>National Relay Service.</u> If you are deaf or have a hearing or speech impairment you can call through the National Relay Service (24 hours, 7 days).

National Relay Service

<u>Speak and Listen.</u> Users of Speech-to-Speech Relay Service can phone 1300 555 727 then advise the Council's contact number or Council's Customer Service number of 1300 322 322. <u>Speech-to-Speech Relay</u>

TTY. Users can phone 133677 then request the Council contact number or Customer Service on 1300 322 322.



Languages other than English

To communicate with Council in a language other than English, call the Translating and Interpreting Service (TIS) on 131 450 and ask to be connected to Frankston City Council.

Decision Making Powers

Council Meetings

Frankston City Council meets formally on a regular basis to consider, and make decisions in relation to, various items of business. Council derives its decision making powers primarily from the *Local Government Act 2020* and makes its decisions at Ordinary Meetings and Special Meetings.

Further information can be found on Council's Website here.

Delegation of Decision-Making Powers

Whilst certain decisions are made at Council meetings, other decision-making powers are allocated by formal delegation. There are two main forms of delegation: to a Special Committee of Council and to the Chief Executive Officer.

In accordance with sections 11(8) and 47(7) of the Act, Council maintains registers of the following Instruments of Delegation/Sub Delegation:

Instrument of Delegation: Council to Special Committee of Council

Instrument of Delegation: Council to Chief Executive Officer

Instrument of Sub-Delegation: Chief Executive Officer to Council staff

Instrument of Sub-Delegation: Chief Executive Officer to members of a Community Asset Committee

These registers are available for inspection by members of the public upon request; please <u>contact Council's</u> <u>Governance team</u>.

Key Laws Impacting Council

Frankston City Council performs its functions in accordance with various Commonwealth and Victorian Acts, Regulations and Council Local Laws, including:

- A New Tax System (Goods and Services Tax) Act 1999
- Aboriginal Heritage Act 2006
- Administrative Law Act 1978
- Aged Care Act 1997 (Cth)
- Age Discrimination Act 2004(Cth)
- ANZAC Day Act 1995 (Cth)
- Archives Act 1983 (Cth)
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Australian Consumer Law and Fair Trading Act 2012
- Building Act 1993
- Building Amendment (Bushfire Construction Shortterm Requirements) Regulations 2010
- Building Control Act 1981

- Building & Construction Industry Security of Payment Act (2002)
- Building Regulations 2018
 Business Licensing Authority Act 1988
- Carers Recognitions Act 2012
- Catchment and Land Protection Act 1994
- Cemeteries and Crematoria Act 2003
- Charter of Human Rights and Responsibilities Act 2006
- Children Youth and Families Act 2005
- Children's Services Act 1996
- Children's Services Regulations 2009
- Climate Change Act 2017
- Constitution Act 1975
- Conservation, Forests and Land Act 1987



- Country Fire Authority Act 1958
- Country Fire Authority Regulations 2004
- Creative Victoria Act 2017
- Criminal Procedure Act 2009
- Criminal Procedure Regulations 2009
- Crown Land (Reserves) Act 1978
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Dangerous Good (Explosives) Regulations 2011
- Development Victoria Act 2003
- Disability Act 2006
- Disability Discrimination Act 1992 (Cth)
- Domestic Animals Act 1994
- Domestic Animals Regulations 2015
- Domestic Building Contracts and Tribunal Act 1995
- Drugs, Poisons and Controlled Substances Regulations 2006
- Education and Care Services National Law 2010
- Education and Care Services National Regulations as at 31 December 2019
- Educational and Training Reform Act 2006
- Electricity Safety Act 1998
- Emergencies Act 2004 (Cth)
- Emergency Management Act 2013
- Environment Protection Act 1970
- Environment Protection and Biodiversity Conservation Act 1999
- Environment Protection (Residential Noise)
 Regulations 2018
- Environment Protection Scheduled Premises)
 Regulations 2017
- Equal Opportunity Act 2010
- Estate Agents Act 1980
- Evidence Act 2008s
- Fair Work Act 2009 (Cth)
- Fair Work Regulations 2009 (Cth)
- Fences Act 1968
- Filming Approval Act 2014
- Fire Rescue Victoria Act 1958
- Fire Services Property Levy Act 2012
- Flora and Fauna Guarantee Act 1988
- Food Act 1984
- Freedom Of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Geographical Place Names Act 1998
- Geothermal Energy Resources Regulations 2006

- Graffiti Prevention Act 2007
- Health (Immunisation) Regulations 1999
- Health (Prescribed Accommodation) Regulations 2005
- Health Records Act 2001
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 1995
- Home and Community Care Act 1985 (Cth)
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Infringements (General) Regulations 2006
- Land Acquisition And Compensation Act 1986
- Land Acquisition And Compensation Regulations 2010
- Land Act 1958
- Landlord and Tenant Act 1958
- Libraries Act 1988
- Liquor Control Reform Act 1998
- Local Government (Electoral) Regulations 2016
- Local Government (Finance And Reporting) Regulations 2004
- Local Government (General) Regulations 2015
- Local Government (Long Service Leave) Regulations 2012
- Local Government (Planning and Reporting) Regulations 2014
- Local Government Act 1989
- Local Government Act 2020
- Local Government (Financial Assistance) Act 1995
- Long Service Leave Act 2018
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Marine and Coastal Act 2018
- Mineral Resources (Sustainable Development) Act 1990
- Municipal Association Act 1907
- Municipalities Assistance Act 1973
- National Parks Act 1975
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Pipelines Act 2005
- Planning and Environment Act 1987
- Planning and Environment Regulations 2015
- Prevention of Cruelty to Animals Act 1986
- Prevention of Cruelty to Animals Regulations 2019
- Privacy and Data Protection Act 2014
- Public Interest Disclosures Act 2012



- Public Health And Wellbeing Act 2008
- Public Health And Wellbeing Regulations 2019
- Public Records Act 1973
- Racial Discrimination Act 1975 (Cth)
- Racial and Religious Tolerance Act 2001
- Rail Safety Act 2006
- Residential Tenancies Act 1997
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management Act 2004
- Road Safety Act 1986
- Road Safety (General) Regulations 2009
- Road Safety (Traffic Management) Regulations 2009
- Road Safety Rules 2009
- Safety on Public Land Act 2004
- Second Hand Dealers and Pawnbrokers Act 1989
- Sex Discrimination Act 1984
- Sex Work Act 1994
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Subdivision (Fees) Further Interim Regulations 2013
- Subdivision (Procedures) Regulations 2011
- Subdivision (Registrar's Requirements) Regulations 2011
- Summary Offences Act 1966
- Surveillance Devices Act 1999
- Tobacco Act 1987
- Transfer of Land Act 1958
- Transport (Safety Schemes Compliance & Enforcement) Act 2014
- Transport Integration Act 2010
- Urban Renewal Authority Victoria Act 2003
- Valuation Of Land Act 1960
- Victorian Grants Commission Act 1976
- Victorian Inspectorate Act 2011
- Victoria State Emergency Service Act 2005
- Victorian Urban Development Authority Act 2003
- Water Act 1989

Local Laws:

- Community Local Law 2020
- Governance Local Law 2020
- Short Stay Rental Accommodation Local Law 2020
- Tree Protection Local Law 2016



Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au and current Frankston City Council Local Laws can be found on Council's website here.

Alternatively, current legislation may be purchased in hard copy form by contacting Information Victoria on 1300 366 356 or Anstat on (03) 9278 1133.

Organisational Structure

Frankston City Council consists of the following directorates and departments:

Customer, Innovation and Arts

- Arts and Culture
- Business Transformation
- Community Relations
- People and Culture
- Business and Information Technology

Corporate and Commercial Services

- Financial and Corporate Planning
- Governance and Information
- Procurement, Property and Risk
- Waste and Recycling

Communities

- City Futures
- Community Safety
- Community Strengthening
- Development Services
- Family Health Support Services

Infrastructure and Operations

- Building and Facilities
- Capital Works Delivery
- Engineering Services
- Operations
- Sustainable Assets



CUSTOMER SERVICE

Customer Service Promise

Our Customer Service Promise holds Council officers to four commitments and sets out ways to achieve them. These commitments are:

- to be accessible when providing information and support
- respectful in communicating and delivering services
- clear in communicating and sharing expectations
- and accountable, so that actions (if required) follow words

Managing Customer Complaints

Council is committed to effective complaints handling and delivering customer focused services. Your comments provide us with valuable feedback to enable continued improvement to the services we deliver to the community.

If you are dissatisfied with an action taken, a decision made or service provided by Council (or a delay or failure in taking action, making a decision or providing a service), you can make a complaint to Council.

You should first raise your complaint with the department that provides the service you are complaining about.

If a complaint has not been resolved at the first point of contact, it can be escalated in accordance with the complaints process which may be found here.

Internal Ombudsman

If a customer complaint has not been resolved through Council's complaints process, the Chief Executive Officer may refer it to Council's Internal Ombudsman for investigation. The Internal Ombudsman will only investigate a complaint at the Chief Executive Officer's request. For further information, please visit Council's Website https://executive.org/nc/here/.

Community Consultation and Engagement

Council values community input and feedback and encourages residents to comment on local issues. Engagement can take many forms, from sharing information to facilitating the community to be directly involved in making Council decisions. Community engagement is about helping the community to influence decisions that affect Council services, activities and plans. To view items which Council is currently seeking community input for, visit: https://www.frankston.vic.gov.au/Your Council/Have Your Say.

Council's Community Engagement Policy was adopted on 1 March 2021. It outlines Council's commitment to engaging the community on decisions that impact and affect them, including our Engagement Principles. For further information, please visit Council's website <a href="https://example.com/here-engagement-please-engagement-principles-engagement-princi



COUNCIL GOVERNANCE

Good governance requires accountability and transparency of decision making processes within the municipality. It ensures that the community can access information and participate in council activities and processes, and that the organisation is well-managed.

Victorian Charter of Human Rights and Responsibilities Act 2006

The Victorian Charter of Human Rights and Responsibilities Act 2006 sets out the freedoms, rights and responsibilities of all Victorians. It recognises that "all people are born free and equal in dignity and rights".

Frankston City Council must observe human rights in relation to freedom, respect, equality and dignity as set out in the Victorian Charter of Human Rights. This encompasses all aspects of Council's day-to-day operations including creating laws, developing polices and providing services.

Audit and Risk Committee

The Audit and Risk Committee (the Committee) is an independent advisory Committee to Council established under section 53 of the *Local Government Act 2020*.

The Committee's objective is to provide appropriate independent advice and recommendations to Council on matters relevant to its Charter in order to facilitate decision-making by Council in relation to the discharge of its accountability requirements.

For further information, please visit Council's website <u>here</u>.

Public Interest Disclosures

The *Protected Disclosure Act 2012* was updated with changes that came into effect on 1 January 2020 and is now called the *Public Interest Disclosures Act 2012*. This legislation enables anyone to make a disclosure about improper conduct within the public sector without fear of reprisal and aims to ensure openness and accountability by encouraging people to make disclosures and protecting them when they do.

Council can receive disclosures from a staff member or a member of the community, or disclosures can be made directly to the Independent Broad-based Anti-corruption Commission (IBAC). If a disclosure is about a Councillor it must be made directly to IBAC.

For further information or to make a disclosure, please contact:

Public Interest Disclosure Coordinator Brianna Alcock

T: 03 9784 1751

E: brianna.alcock@frankston.vic.gov.au

Deputy Public Interest Disclosure Coordinator
Fran Boyd

T: 03 9784 1774

E: fran.boyd@frankston.vic.gov.au

Or

Independent Broad-Based Anti-Corruption Commission (IBAC) Address: IBAC, GPO BOX 24234, Melbourne Victoria 3001



Internet: www.ibac.vic.gov.au

Phone: 1300 735 135

For more information, visit:

https://www.frankston.vic.gov.au/Your Council/Governance/Public Interest Disclosures

Quarterly Performance and CEO Reports

In the interest of good governance, management of Council resources and financial sustainability, Council releases Quarterly Performance Reports to the community.

Each report outlines how Council is performing against the strategies and initiatives outlined in the current Council Plan and Annual Budget.

Reports are populated with comments by Council officers after each financial quarter (October, January, April and July) and noted by Council at the next available Council Meeting (November, February, May and August). They are made available online and from Frankston City Council Customer Service Centres after the Council Meeting, four times a year. Quarterly Performance and CEO Reports may be found here.

Service Performance Principles

Under section 106 of the Act, a Council must plan and deliver services to the municipal community in accordance with the service performance principles:

- a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community
- b) services should be accessible to the members of the municipal community for whom the services are intended
- c) quality and costs standards for services set by the Council should provide good value to the municipal community
- d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring
- e) service delivery must include a fair and effective process for considering and responding to complaints about service provision

Procurement

Section 108 of the Act states that a Council must prepare and adopt a Procurement Policy which specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council, including for the carrying out of works.

Council's Procurement Policy applies to Councillors, Council Staff and all persons undertaking procurement on Council's behalf.

Council will apply the following fundamental best practice principles to every procurement activity irrespective of the value and complexity of that procurement:

- value for money;
- open and fair competition;
- accountability;
- risk management; and
- probity and transparency.



Mayor and Councillors

Local government is the level of government closest to the community; it creates the foundations for democracy and accountability. Councils govern, provide services and advocate but, most importantly, create opportunities for citizens to influence and participate in the democratic process and the decisions that shape our society and local communities.

The governance of the Council is the responsibility of the Councillors collectively. The Mayor is 'first-among-equals'. While the Mayor does not have executive authority, Councillors acknowledge and respect that the Mayor has been elected by Councillors to lead the Councillor group and represent the Council. Accordingly Councillors agree to co-operate with the Mayor of the day in the fulfilment of the Mayoral leadership role.

Role of the Mayor

Section 18 (1) of the Act states that role of the Mayor is to:

- a) chair Council meetings
- b) be the principal spokesperson for the Council
- c) lead engagement with the municipal community on the development of the Council Plan
- d) report to the municipal community, at least once each year, on the implementation of the Council Plan
- e) promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct
- f) assist Councillors to understand their role
- g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer
- h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings
- i) perform civic and ceremonial duties on behalf of the Council

Role of a Councillor

The role of Councillors under section 28 of the Act:

- a) to participate in the decision making of the Council
- b) to represent the interests of the municipal community in that decision making
- c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must

- a) consider the diversity of interests and needs of the municipal community
- b) support the role of the Council
- c) acknowledge and support the role of the Mayor
- d) act lawfully and in accordance with the oath or affirmation of office
- e) act in accordance with the standards of conduct
- f) comply with Council procedures required for good governance



Councillor Code of Conduct

The Mayor, Deputy Mayor and Councillors commit to carrying out their role to the highest standards of conduct and behaviour. As part of this commitment, all Councillors will adhere to the conduct principles, values and processes outlined in the Councillor Code of Conduct.

For further information, please visit Council's website here.

Frankston City Council Wards



Frankston City Council is divided into three wards: North-East, North-West & South. Nine councillors are elected every four years, with a Mayor elected by the councillors each year.

Three Councillors represent each ward; however, all Councillors are responsible for making decisions together to set Council's strategic direction and to make important decisions regarding the municipality as a whole.

In making these decisions Councillors consider the views of, and consult with, the community.

Councillors also work closely with the Chief Executive Officer and Council Officers comprising 968 staff.

North-East Ward

The North-East ward represents the suburbs of Carrum Downs, Langwarrin, Skye and Sandhurst. The boundaries are the Mornington Peninsula/Link Freeway, Wadsley Road, Learmonth Road, Thompsons Road, Western Port Highway/Dandenong-Hastings Road, North Road, Warrandyte Road, Cranbourne-Frankston and Cranbourne Road.

North-West Ward

The North-West ward represents the suburbs of Seaford, Frankston, Frankston North and Karingal. The boundaries are Eel Race Road, Kananook Creek, Mornington Peninsula/Link Freeway, Cranbourne Road, Beach Street, Fletcher Road and Nepean Highway.



South Ward

The South ward represents the suburbs of Frankston South, Frankston, Frankston City Centre and Langwarrin South. The boundaries are the Kackeraboite Creek, Old Mornington Road, Humphries Road, Moorooduc Highway, Sages Road, Baxter-Tooradin Road, Mornington Peninsula/Link Freeway, Golf Links Road, Western Port Highway/Dandenong-Hastings Road, North Road, Warrandyte Road, Cranbourne-Frankston Road, Cranbourne Road, Beach Street, Fletcher Road and Nepean Highway.

Current Councillors

Frankston City Council has 9 Councillors who will hold office until October 2024.

North West Ward

Cr Kris Bolam JP

Email: crbolam@frankston.vic.gov.au

Mobile: 0417 921 644



Cr Sue Baker

Email: crbaker@frankston.vic.gov.au

Mobile: 0438 145 842



Cr Steven Hughes

Email: crshughes@frankston.vic.gov.au

Mobile: 0402 729 150





North East Ward

Mayor Cr Nathan Conroy

Email: crconroy@frankston.vic.gov.au

Phone: 0438 182 702



Cr David Asker

Email: crasker@frankston.vic.gov.au

Mobile: 0438 175 560



Deputy Mayor Cr Suzette Tayler

Email: crtayler@frankston.vic.gov.au

Mobile: 0438 179 515



South Ward

Cr Claire Harvey

Email: crharvey@frankston.vic.gov.au

Mobile: 0438 267 778



Cr Brad Hill

Email: crhill@frankston.vic.gov.au

Mobile: 0438 212 426



Cr Liam Hughes

Email: crlhughes@frankston.vic.gov.au

Mobile: 0434 703 239





Council Elections

The conduct of Council elections is regulated by Division 5 of Part 8 of the Act and the Local Government (Electoral) Regulations 2020. Council elections are held every four years on the fourth Saturday in October.

Victorian state and local government election dates are scheduled to occur two years apart from each other.

The Victorian Electoral Commission (VEC) is the statutory service provider for all local government elections. As such, the VEC is responsible for all aspects of the Frankston City Council elections including sending ballot packs to all enrolled voters and managing the infringements process for any failures to vote. Council cannot influence the infringements process.

The VEC will send an 'apparent failure to vote' notice to all persons who were enrolled to vote and failed to do so, asking for an explanation as to why they did not vote.

Further information about the infringements process is available on the VEC website: https://www.vec.vic.gov.au/Voting/

COUNCIL MEETINGS

About Council Meetings

Meeting Timetable

Frankston City Council meets formally on a regular basis, to consider and make decisions in relation to various items of business.

Dates of meetings are subject to change as necessary. Changes to the meeting cycle will be advised by public notice as appropriate. Note: when Monday is a public holiday the meeting is held on the Tuesday immediately following. The Council meeting timetable can be found <u>here</u>.

Streaming of Council Meetings

Live Streaming allows you to watch and listen to the meeting in real time, giving you greater access to Council decision making and debate and improving openness and transparency. For further information, please visit Council's website here.

Agenda and Minutes

The Agenda for each Council meeting is made available on Council's website approximately four days prior to the meeting. A hard copy of the Agenda may also be collected from the Council offices prior to the meeting, or from the public gallery at the commencement of the meeting. The Minutes from each Council meeting are published on Council's website following the meeting. For further information, please visit Council's website here.

Public Attendance at Council Meetings

Meetings are usually held in the Council Chambers at the Civic Centre, commencing at 7pm (unless advertised otherwise). Public entry to the Chambers is via Young Street, Frankston. For further information, please visit Council's website here.



Closed Council Meetings

All Council meetings are open to the public unless Council resolves that the meeting be closed to members of the public. Under section 66 of the Act, a meeting may be closed to the public if confidential information is being considered. Confidential information includes:

- a) information that would prejudice the Council's position in commercial negotiations if prematurely released
- b) security information that is likely to endanger the security of Council property or the safety of any person
- c) land use planning information that is likely to encourage speculation in land values if prematurely released
- d) law enforcement information that would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person
- e) information to which legal professional privilege or client legal privilege applies
- f) personal information, which if released, would result in the unreasonable disclosure of information about any person or their personal affairs
- g) private commercial information provided by a business, commercial or financial undertaking that relates to trade secrets or would unreasonably expose the business, commercial or financial undertaking to disadvantage
- h) records of meetings closed to the public
- i) information regarding an internal arbitration process
- j) Councillor Conduct Panel confidential information

These matters are usually conducted at the end of the agenda when Council resolves to close the meeting. The public will be asked to leave at that time and the doors will be closed.

Meeting Procedure

The Mayor is the meeting Chairperson. The procedure of Council Meetings is specified under Council's <u>Governance Rules</u>. A typical meeting agenda includes:

- Councillor Statement regarding conflicts of interest, Opening Prayer and Acknowledgement of Traditional Owners
- Minutes of last meeting or meetings confirmed and signed
- Apologies
- Disclosure of Interest and Declarations of Conflict of Interest
- Public Question and Submissions Time
- Items Brought Forward
- Consideration of Reports of Committees
- Consideration of Reports of Officers
- Presentation of Petitions and Joint Letters
- Delegates' Reports
- Notices of Motion
- Urgent Business
- Items to be dealt with in Closed Council



Councillors must by law disclose any conflict of interest regarding any item on the agenda.

Reports of Officers cover issues in the officer's area of responsibility and make recommendations that require a Council decision or policy direction. The Council may resolve to adopt, change or reject the officer's recommendation, or just note the report, which means no action will be taken.

For further information, please visit Council's website here.

Public Question Time

Members of the public are encouraged to ask questions of Council during Public Question Time at Ordinary Council meetings. The Chairperson may nominate a Councillor or member of Council staff to answer a question, alternatively a written answer may be provided to the question.

Question With Notice and Question Without Notice Forms may be downloaded here.

Further information on the Public Question Time process can be found in Council's <u>Governance Rules</u> and on Council's Website <u>here</u>, or alternatively you can contact Council Business Support on 9768 1632.

Public Submissions

Council provides for members of the public to request the opportunity to make an oral submission on a matter listed on the agenda for an Ordinary Meeting, Special Council Meeting and Special Committee Meeting.

Public submissions and any subsequent discussion will be recorded as part of the meeting and recordings of Council meetings are made available on Council's website. If a submitter does not wish to be recorded, they must advise the Chair at the commencement of their public submission.

Further information on the process to make a public submission, can be found in Council's <u>Governance Rules</u> and <u>Public Submissions and Question Time Policy</u>, or alternatively you can contact Council Business Support on 9768 1632.

Submitting a Petition to Council

Any resident has the right to approach Council to raise matters on their behalf. A petition is a formal written document, signed by many people, which requests action in relation to an issue. Petitioning is one of the traditional ways in which people can make a request directly to Council in relation to a Council issue.

Further information on the process to submit a petition to Council, can be found in Council's <u>Governance</u> Rules and Council's Website <u>here</u>, or alternatively you can contact Council Business Support on 9768 1632.



STATEMENT 2 – CATEGORIES OF DOCUMENTS MAINTAINED BY COUNCIL

This statement is required by section 7(1)(a)(ii) of the Freedom of Information Act 1982.

Council has a number of corporate information systems to manage and maintain a wide variety of business activities.

The *Public Records Act 1973* requires Victorian public sector agencies and officers to 'make and keep full and accurate records' of their decisions & activities. Additionally, all agencies are required to 'establish and maintain a records management program' in conformity with standards and codes of best practice as established by the Public Records Office of Victoria (PROV). These standards apply equally to paper and electronic record keeping environments.

Archived hard copy records are maintained in accordance with the guidelines contained in the PROV Retention and Disposal Authority for Records of Common Administrative Functions 2019.

Council delivers a wide range of services and consequently holds a large number of different types of documents in a number of information management systems. Documents in Council's possession relate to many different services and include a wide range of document types, including:

- Active Ageing and Disability services records, including in-home care
- Animal registration records
- Building and planning permits and associated documents, including plans
- CCTV footage
- Cemetery records for Frankston Memorial Park
- Child Care Centre records
- Community events
- Community grants
- Complaints received, and records of any subsequent investigations
- Construction, inspections and maintenance of Council assets and facilities
- Council meeting agendas and minutes
- Councillor correspondence
- Departmental publications, including newsletters
- · Disclosures of conflicts of interest
- Documents submitted by third parties
- Email correspondence
- Environmental health inspections
- · Financial records
- Frankston Arts Centre ticketing information
- Internal administration documents relating to staff management and the operation of Council, including personnel records, audit records and internal operating procedures
- Legal documents, including Local Laws, contracts, leases, agreements, licences, instruments of delegation, instruments of appointment and authorisation, legal advice and court documents
- Library membership records
- Live Chat records
- Mailing lists
- · Maternal and Child Health Records, including immunisation records
- Media releases and general advertising
- Notes of meetings



- Officer recommendations
- Parks and gardens management
- Permit applications and permits issued under Council's Local Laws
- · Policies, guidelines, strategies and plans, including their development and implementation
- Public and stakeholder consultation processes and outcomes
- Ratepayer records
- Records of the administration and enforcement of legislation and Local Laws
- Requests for service from community members
- Reports prepared by external consultants
- Risk management assessments
- · Standard operating procedures
- Surveys, statistics and data
- Tenders and evaluations
- · Training material
- Waste management services

STATEMENT 3 - DOCUMENTS AVAILABLE FOR PUBLIC INSPECTION OR ACCESS

This statement is required by section 7(1)(a)(iii) of the Freedom of Information Act 1982.

Council maintains a range of documents and registers which are publicly available and/or for public inspection as required by various legislation.

The following documents are available for public inspection at the Civic Centre, or are available on Council's website, or are available for inspection on request, or can be obtained for a fee or charge.

Act/Section	Description	Manner/Location
Building Act 1993		
s 31	Register of building permits	Available for inspection at the Civic Centre during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.
s 74	Register of occupancy permits and temporary approvals/amendments	Available for inspection at the Civic Centre during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.
s 126	Register of all emergency orders, building notices or building orders	Available for inspection at the Civic Centre during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.



Act/Section	Description	Manner/Location
s 192A(8)	Copy of the most recent map given to Council under subsection (7) Bushfire Prone Area	Available for inspection at the Civic Centre during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.
s 216D	Register of swimming pools and spas	Certain persons may inspect during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.
s 230	Register of exercise of powers of entry	Available for inspection on request.
Building Regulations 2018		
r 50	Copy of any documents submitted with an application for a building permit Building Permit Documents	https://www.frankston.vic.gov.au/Planning-and-Building/Building/Building-Certificates-and-Property-Information-Forms
rr 51 & 52	Certain information on request Building Certificates and Property Information	https://www.frankston.vic.gov.au/Planning-and-Building/Building/Building-Certificates-and-Property-Information-Forms
r 149(4)	Copy of each designated special area map applicable	Available for public inspection at the Civic Centre during office hours. Please contact the Building Services team on info@frankston.vic.gov.au for further information.
Catchment and Land Protection Act 1994		
s 22I(1)	Approved roadside weed and pest animal management plan	Copy made available for inspection at Civic Centre during office hours and published on website as soon as practicable after the plan is approved



Act/Section	Description	Manner/Location
s 22M(1)	Consolidated version of approved roadside weed and pest animal management plan	Copy made available for inspection at Civic Centre during office hours and published on website as soon as practicable after the plan is approved
Country Fire Authority Act 1958		
s 50F(4)	Municipal Council Neighbourhood Safer Places Plan	Frankston City Council has no NSPs within the municipality. Please see Council's Municipal Emergency Management Plan for more information.
Development Victoria Act 2003		
s 56E(3)	Register of Certificate	Made available for inspection by Development Australia or any other interested person. Please contact Council's Planning Department on info@frankston.vic.gov.au for further information.
Domestic Animals Act 1994		
s 10A(3)(a)	Resolution made by Council under s 10A Council may refuse to register dogs and cats unless desexed	https://www.frankston.vic.gov.au/Our-Community/Animals/Desexing-and-Vaccinations?BestBetMatch=dogs 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 10C(5)	Resolution made by Council under s 10C Council will refuse to register dogs and cats unless microchipped	https://www.frankston.vic.gov.au/Our-Community/Animals/Pet-registration-and-renewal?BestBetMatch=dogs 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 10D(6)	Resolution made by Council under s 10D	https://www.frankston.vic.gov.au/Our-Community/Animals/Pet-registration-and-renewal?BestBetMatch=dogs 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU



Act/Section	Description	Manner/Location
s 18	Register of all registered dogs and cats	This register does not include details of registered owners. Available for inspection at the Civic Centre. Please contact the Local Laws team on info@frankston.vic.gov.au for further information.
s 25(3)	Orders made by Council under s 25(3) Cats found at large	https://www.frankston.vic.gov.au/Our-Community/Animals/Responsible-Pet-Ownership
s 26(3)	Orders made by Council under s 26(3) Prohibit the presence of dogs and cats in any public place and impose all or any of the following conditions on the presence of dogs or cats in any public place	https://www.frankston.vic.gov.au/Our-Community/Animals/Free-Roam-and-Prohibited-Areas-for-Dogs
s 68A	Publish an evaluation of its implementation of the domestic animal management plan in its annual report	Domestic Animal Management Plan - https://www.frankston.vic.gov.au/Our-Community/Animals/Animal-Management Annual report - https://www.frankston.vic.gov.au/Your-Council/Media-and-Publications/Annual-Report
Emergency Management Act 2013		
S 60AI(ab)	Emergency Management Plan	https://www.frankston.vic.gov.au/Our-Community/Community- Safety/Preparing-For-Emergencies/Municipal-Emergency-Management-Plan
Filming Approval Act 2014		
Sch 1 Principle 7	Film permits issued and any other relevant information	https://www.frankston.vic.gov.au/Things-To-Do/Filming-and-Photography-in- Frankston
Food Act 1984		
s 19U(4)	The method of determining the reasonable costs of an audit payable under	Available for public inspection – Please contact Council's Environmental Health team on info@frankston.vic.gov.au for further information.



Act/Section	Description	Manner/Location
	subsection (2) and the criteria fixed under subsection (3)	
	Food Safety Audit Charges	
s 19UA(5)	The method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4)	Available for public inspection – Please contact Council's Environmental Health team on info@frankston.vic.gov.au for further information.
	Food Safety Assessment Charges	
s 43	Records of registrations, renewals and transfers in relation to a particular food premises, including details of any relevant orders	Available for public inspection — Please contact Council's Environmental Health team on info@frankston.vic.gov.au for further information.
Gender Equality Act 2020		
s 12(3)(a)	Gender Equality Action Plan	Still under development
s 13(3)	A report or other document taken to be a Gender Equality Action Plan	Still under development
s 15(2)(b)	Amended Gender Equality Action Plan	Still under development
s 20	Progress Report	Still under development
Infringements Act 2006		
s 9	Enforcement Agency Guidelines and Policies	Compliance and Enforcement Policy - https://www.frankston.vic.gov.au/files/assets/public/your-council/about- us/policies-strategies-plans/pdf/compliance_and_enforcement_policy_20182022.pdf



Act/Section	Description	Manner/Location
Local Government Act 2020		
s 11(8)	Public register of delegations	Available for inspection on request. For further information, contact Council's Governance and Information Department on info@frankston.vic.gov.au.
s 18(1)(d)	Mayor must report on implementation of the Council Plan	https://www.frankston.vic.gov.au/Your-Council/Governance/Quarterly-Performance-and-CEO-Reports#section-4
s 41(1)	Expenses policy in relation to reimbursement of out of pocket expenses	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/policies-strategies-plans/pdf/council expenses policy - adopted by council at its meeting 31 august 2020 a4219637.pdf
s 45	CEO Employment and Remuneration Policy	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/policies-strategies-plans/pdfs/ceo-employment-and-remuneration-policy-may-2021.pdf
s 47(7)	Register of CEO's delegations	Available for inspection on request. For further information, contact Council's Governance and Information Department on info@frankston.vic.gov.au.
s 48	Recruitment policy for members of Council staff	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/policies-strategies-plans/pdfs/recruitment_and_selection_policy.pdf
s 49	Code of Conduct for members of Council staff	https://www.frankston.vic.gov.au/Your-Council/Careers-and-Volunteering/Employment-Opportunities-at-Frankston-City-Council/General-Information-for-Applicants?BestBetMatch=recruitment 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 57	Public transparency policy	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/policies-strategies-plans/pdf/public transparency policy - 31 august 2020 a4300697.pdf
s 60	Governance Rules	https://www.frankston.vic.gov.au/files/assets/public/our-community/local-laws- and-permits/pdf/governance rules frankston city council - adopted 31 august 2020.pdf
s 75	Local law as made	https://www.frankston.vic.gov.au/Our-Community/Local-Laws-and-Permits/List-of-Local-Laws
s 90	Council Plan	https://www.frankston.vic.gov.au/Your-Council/About-Us/Policies-Plans-and-Strategies



Act/Section	Description	Manner/Location
s 91	Financial Plan	https://www.frankston.vic.gov.au/Your-Council/About-Us/Policies-Plans-and- Strategies
s 92	Asset Plan	Still under development
ss 94 and 95	Budget	https://www.frankston.vic.gov.au/Your-Council/About-Us/Policies-Plans-and-Strategies
s 98	Annual Report	https://www.frankston.vic.gov.au/Your-Council/Media-and-Publications/Annual-Report
s 107	Complaints Policy	https://www.frankston.vic.gov.au/Your-Council/Contact-Us/Managing- Customer-Complaints
ss 108 and 109	Procurement	https://www.frankston.vic.gov.au/Your-Council/About-Us/Policies-Plans-and- Strategies
s 135(3)	Summary of personal interest returns	https://www.frankston.vic.gov.au/Your-Council/Councillors/Personal-Interest-Returns?BestBetMatch=personal%20interest%20return 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 138	Councillor Gift Policy	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/policies-strategies-plans/pdf/councillor gift policy - adopted 19 april 2021.pdf
s 139	Councillor Code of Conduct	https://www.frankston.vic.gov.au/files/assets/public/your-council/about-us/pdfs/councillor code of conduct 2021 - adopted 15 february 2021.pdf
ss 307 and 308	Summary of each election campaign donation return Copy of election campaign donation return	https://www.frankston.vic.gov.au/files/assets/public/your-council/governance/pdfs/summary of election campaign donation returns 2 020.pdf Copies available for inspection on request. Contact Council's Governance and Information Department for more information.
Local Government Act 1989		
s 161(3)	Differential rates	https://www.frankston.vic.gov.au/Your-Council/Media-and- Publications/Council-Plan-and-Budget



Act/Section	Description	Manner/Location
s 224	Register of Authorised Officers	Available for inspection on request. For further information, contact Council's Governance and Information Department on info@frankston.vic.gov.au.
Planning and Environment Act 1987		
s 4H	Copy of approved amendment	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Strategic-Planning/Planning-Scheme-Amendments
s4I	Copy of the Victoria Planning Provisions incorporating all amendments to them and of all documents lodged with those amendments	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning-Permits/Frankston-City-Council-Planning-Scheme?BestBetMatch=planning%20scheme 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 18	Amendment, the explanatory report, any document applied, adopted or incorporated in the amendment and any accompanying agreement	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Strategic-Planning/Planning-Scheme-Amendments
s 41	Copy of approved amendment lodged under s 40 and any documents lodged with it	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Strategic-Planning/Planning-Scheme-Amendments
s 42	Copy of the planning scheme incorporating all amendments to it and of all documents lodged with those amendments	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning-Permits/Frankston-City-Council-Planning-Scheme?BestBetMatch=planning%20scheme 3053c5c8-d153-4d62-8f0d-80ff902fec8a f3f57f57-1c36-4da8-a9b2-5699818bb21b en-AU
s 49	Register of all applications for planning permits and decisions/determinations relating to permits	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning-Permits/Planning-Application-Register
s 51	Copy of every application and the prescribed information supplied in respect of it	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning-Permits/Planning-Application-Register



Act/Section	Description	Manner/Location
s 57(5)	Copy of objection to planning permit	Available for inspection at Civic Centre during office hours until the end of the period during which an application may be made for review of a decision on the application
s 70	Copy of every permit issued	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Request- planning-information
s 97G(6)	Copy of every permit issued under s 97F	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning- Permits/Planning-Application-Register
s 179	Copy of s173 agreement	For further information, contact Council's statutory planning team on info@frankston.vic.gov.au.
Public Health and Wellbeing Act 2008		
s 26(7)	Municipal Public Health and Wellbeing Plan	https://www.frankston.vic.gov.au/files/assets/public/our-community/health-and-wellbeing/pdfs/frankston_city_health_and_wellbeing_plan_2017-2021.pdf
Public Interest Disclosures Act 2012		
s 59(4)	Procedures associated with public interest disclosures	https://www.frankston.vic.gov.au/Your-Council/Governance/Public-Interest- Disclosures
	nancies (Caravan Parks and ings Registration and ulations 2020	
r 17	Register of caravan parks	For further information contact Council's Environmental Health team on info@frankston.vic.gov.au.
Road Management Act 2004		
s 19	Register of public roads	https://www.frankston.vic.gov.au/files/assets/public/planning-and-building/pdfs/frankston_city_council_public_road_register.pdf



Act/Section	Description	Manner/Location
S 86	Register of exercise of powers of entry	For further information, contact Council on info@frankston.vic.gov.au.
Subdivision (Procedures) Regulations 2011		
r 33	Register of all applications [Kept in conjunction with the register of permit applications required to be kept under s 49(1) of the Planning and Environment Act 1987]	https://www.frankston.vic.gov.au/Planning-and-Building/Planning/Planning-Permits/Planning-Application-Register
Water Act 1989		
s 32H	Copy of approved management plan	Available for public inspection at the Civic Centre during office hours.

Council Information

Council's Public Transparency Policy formalises its commitment to making Council information available to the public. The documents listed below are available for public inspection at the Civic Centre and are also available on Council's website.

To enquire about the availability of other information or documents, contact Council's FOI officer at info@frankston.vic.gov.au.

Description	Manner/Location
Conflict of Interest Register	https://www.frankston.vic.gov.au/Your-Council/Governance/Documents-Available-for-Public-Inspection
Interstate & Overseas Travel Register	https://www.frankston.vic.gov.au/Your-Council/Governance/Documents-Available-for-Public-Inspection



Details of Leases which Council is lessor (Public Lease Register)	https://www.frankston.vic.gov.au/Your-Council/Governance/Documents-Available-for-Public-Inspection
List of donations and grants	https://www.frankston.vic.gov.au/Your-Council/Governance/Documents-Available-for-Public-Inspection
Councillor attendance and expenses	https://www.frankston.vic.gov.au/Your-Council/Governance/Documents-Available-for-Public-Inspection

STATEMENT 4 – PUBLICATIONS AND MAILING LISTS

This statement is required by section 7(1)(a)(iv) of the Freedom of Information Act 1982.

Print Publication – Frankston City News

Frankston City News is distributed via Australia Post to over 60,000 homes and businesses throughout the municipality, six times a year.

It features the latest news from Council as well as news and events from across our community.

Digital copies of the current and previous editions can be found here on Council's Website.

E-Newsletters

Council offers a range of email newsletters on specific subjects:

- Frankston City eNews
- Future Ready Frankston (Advocacy)
- EnviroNews
- Halve Your Waste eNews
- Libraries eNews
- Let's Be Frank Community eNews
- Build Your Business eNews
- Enjoy Every Moment eNews
- Positive Ageing Together Newsletter

Members of the public can subscribe to email newsletters <u>here</u>.

Media and Latest News

Visit https://www.frankston.vic.gov.au/Your Council/Media and Publications/Latest News to view the latest news about Council's services and activities.



Council Websites

Frankston City Council maintains several websites in order to provide accurate, up-to-date and accessible information about Council's activities, services, facilities and resources, and to market Council facilities and events to the community.

Frankston City Council Website www.frankston.vic.gov.au

Frankston Arts Centre <u>www.artscentre.frankston.vic.gov.au</u>

The Edge (Online Arts Network) http://edgearts.com.au/

Engage Frankston https://engage.frankston.vic.gov.au/

Frankston City Libraries <u>www.library.frankston.vic.gov.au</u>

Frankston Visitor Information Centre https://www.discoverfrankston.com

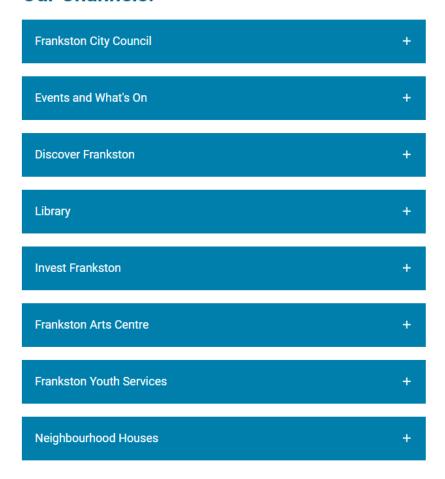
Invest Frankston (Economic Development) <u>www.investfrankston.com.au</u>

Pines Forest Aquatic Centre <u>www.pinesfrankston.com.au</u>

Social Media

Council has a number of social media sites to keep residents and visitors up to date with the latest news, events and information about Frankston City.

Our Channels:





For further information, please visit Council's website <u>here</u>.

STATEMENT 5 – FREEDOM OF INFORMATION ARRANGEMENTS

This statement is required by section 7(1)(a)(v) of the Freedom of Information Act 1982

What Is Freedom of Information?

Freedom of Information (FOI) legislation ensures public accountability at all levels of government in Australia.

The Freedom of Information Act 1982 (Vic) provides members of the public with a general right of access to documents held by Council. Some documents may be exempt from release and these are stipulated in the Act.

Do I Need to Use Freedom of Information to Access Documents?

Many Council documents are publicly available, or available on request, without the need for a formal FOI application. To discuss availability of the documents you are seeking, contact Council's FOI Officer on 1300 322 322 or at foi@frankston.vic.gov.au.

If documents are required for a court hearing, speak to your legal advisor about alternative options for providing documents to the court.

How Do I Make a Request?

An application under the *Freedom of Information Act* can be made by making a written request or using Council's Freedom of Information Request Form which can be downloaded here. Submit your request at a Council service centre, by post or email.

Service centres: Frankston, Langwarrin and Seaford

Email: info@frankston.vic.gov.au

Post: Freedom of Information Officer

Frankston City Council

PO Box 490

Frankston VIC 3199

The request must be in writing, providing sufficient information to enable the documents to be identified, and where possible, include the approximate date range of the documents requested. The application fee must also accompany the request. Payment may be made:

- In person by cash, credit card or EFTPOS at one of Council's offices at Frankston, Langwarrin or Seaford
- Via post by a cheque made payable to Frankston City Council
- Over the telephone by credit card by calling 1300 322 322.

Contact Council's FOI Officer on 1300 322 322 or foi@frankston.vic.gov.au if assistance is required to make an FOI request.



What Documents are not Released?

The Freedom of Information Act specifies that certain categories of information in documents may be exempt from release. These include certain personal information, commercial information and information which is confidential under the Local Government Act. Council may refuse access to part or all of documents that contain exempt content.

Consultation with Other Parties

In some cases, the *Freedom of Information Act* requires Council to consult with other parties who may be affected by release of the documents before making a decision to release documents. Other parties may include people named in the documents, other government agencies and businesses which produced documents.

FOI Fees and Charges

The FOI Act sets the fees and charges payable for FOI requests. Statutory fees are reviewed each financial year. The following fees and charges apply from July 2021.

Application fee

An **application fee of \$30.10** is required for a FOI request to be valid and processed. The application fee may be waived if payment would cause financial hardship. A request for waiver of the application fee should include evidence of financial hardship, such as presenting a current Pension or Health Care Card.

Access charges

Access charges may also be payable before copies of documents are provided. Access charges include:

- search charges of \$22.50 for one hour or part of an hour
- supervision of inspection at \$22.50 for one hour
- A4 photocopying (black and white) at 20 cents per page

If access charges are payable you will receive a letter setting out the charges. If the access charges associated with your request are expected to exceed \$50.00, you will be notified and a deposit will be required before your request is processed. FOI fees and charges are GST exempt.

Right of Appeal

If an FOI applicant is dissatisfied with Council's processing of their request, or with the decision regarding release, they may make a complaint to the Office of the Victorian Information Commissioner, or seek a review of the decision.

Office of the Victorian Information Commissioner

PO Box 24274 Melbourne VIC 3001

T: 1300 006 842

E: enquiries@ovic.vic.gov.au



W: www.ovic.vic.gov.au

STATEMENT 6 – OFFICERS RESPONSIBLE FOR FREEDOM OF INFORMATION

This statement is required by section 7(1)(a)(vi) of the Freedom of Information Act 1982.

Freedom of Information – Responsible Officers

Principal Officer

Phil Cantillon Chief Executive Officer

T: 9784 1800

E: phil.cantillon@frankston.vic.gov.au

Coordinator Freedom of Information and Privacy

Carole Fleeman

T: 9768 1671

E: foi@frankston.vic.gov.au

Postal address:

Freedom of Information Frankston City Council PO Box 490 FRANKSTON VIC 3199

STATEMENT 7 – BOARDS & COMMITTEES

This statement is required by section 7(1)(a)(vii) of the Freedom of Information Act 1982.

Council participates in a number of external and Council convened committees servicing various Council interests. Further information on Council delegates to these committees can be found html/

STATEMENT 8 – LIBRARIES

This statement is required by section 7(1)(a)(viii) of the Freedom of Information Act 1982.

Library Services

Frankston City Libraries offer free membership with access to a wide range of popular and bestselling books, newspapers, magazines, movies, music, and more. The libraries provide access to printing, photocopying, public access computers and free Wi-Fi.

There are three libraries in Frankston, Carrum Downs and Seaford, plus outposts across the community.

For more information, contact libraryenquiries@frankston.vic.gov.au



eLibrary

Frankston City Libraries provide customers with access to a range of free digital resources.

Home Library Service

Frankston City Libraries offers a home library delivery service for customers who are unable to visit the library to borrow. The Home Library Service is a free service available to residents of Frankston City who are unable to visit the library due to illness, frailty, disability or short-term mobility restrictions.

Volunteers deliver a range of resources at an agreed time and frequency. Items available include books, magazines, large print books, talking books, films and documentaries and music CDs.

Information Technology

Computers are available for public use at Frankston's three branch libraries and provide access to the internet, email facilities and a range of online resources and databases. You can book a computer, search the library catalogue, renew your loans and reserve books through the <u>library website</u>.

Professional Assistance

Assistance is available at our branches for help with reading recommendations, research guidance, early years literacy support, and access to eBooks, eAudiobooks, eMagazines, eMusic, and other online resources.

Special Collections

These include items in other languages (Chinese, Vietnamese, Persian, Greek, Italian), a musical score collection, Australiana, local history and genealogical collections.

Frankston Library

60 Playne Street Frankston VIC 3199

T: 9784 1020

Opening Hours:

Sunday	10:00 am	4:00 pm
Monday	9:00 am	7:00 pm
Tuesday	9:00 am	7:00 pm
Wednesday	9:00 am	7:00 pm
Thursday	9:00 am	7:00 pm
Friday	9:00 am	7:00 pm
Saturday	10:00 am	4:00 pm

Closed on public holidays

Carrum Downs Library

Lyrebird Community Centre - 203 Lyrebird Drive Carrum Downs VIC 3201

T: 8773 9539

Opening Hours:



Sunday	12:00 pm	4:00 pm
Monday	10:00 am	6:00 pm
Tuesday	10:00 am	6:00 pm
Wednesday	10:00 am	6:00 pm
Thursday	10:00 am	10:00 pm
Friday	10:00 am	6:00 pm
Saturday	10:00 am	4:00 pm

Closed on public holidays

Seaford Library

Seaford Community Centre - 1/6R Broughton Street Seaford

T: 9784 1048

Opening Hours:

Monday	9:00 am	5:00 pm
Tuesday	9:00 am	5:00 pm
Wednesday	9:00 am	5:00 pm
Thursday	9:00 am	5:00 pm
Friday	9:00 am	5:00 pm
Saturday	9:00 am	12:00 pm

Closed on public holidays

STATEMENT 9 – POLICIES, PLANS & STRATEGIES

This statement is required by section 8 of the Freedom of Information Act 1982.

Policies, Plans & Strategies

Council's services are delivered in accordance with a range of adopted policies, plans and strategies. These documents are reviewed on an ongoing basis.

Documents may be downloaded here, or paper copies may be requested at Council's Civic Centre. If you require one of these documents in an alternative format, please contact Council's Communications department by calling 1300 322 322 or emailing info@frankston.vic.gov.au..

A Liveable City

Policies

Biodiversity Policy



This policy provides a framework for making structured, consistent and environmentally sound decisions for all biodiversity assets within the municipality, to increase Frankston City's healthy ecosystem coverage, quality and connectivity.

Child Safe Policy

This policy reflects Council's commitment to creating and sustaining a child safe organisation that is consistent with the *Child Safe Standards*.

• Compliance and Enforcement Policy

Council values the safety and wellbeing of the community and its natural and built environment. This policy provides the framework for consistent monitoring and management of unlawful activity and ensures Compliance and Enforcement activities support Council objectives and law enforcement.

• Community Grants Policy

The Community Grants Program supports the efforts of eligible community organisations, groups or individuals to deliver new and/or improved services, projects and programs that benefit the municipality.

• Environmental Sustainability Policy

This policy facilitates a proactive approach to environmental management that conserves natural resources and minimises the municipality's environmental impact on the natural world.

Guarantee of Community Loans Policies

This policy was developed to provide a framework within which Council may consider agreeing to act as a Guarantor for loans taken out by community groups to improve/redevelop facilities.

Healthy Choices Policy

This policy introduces a Council-wide healthy choices food and beverage standard to increase supply of healthier food and beverage options at all Council settings, services, and programs, for Council personnel and the community to access.

Learning City Policy

Council recognises that lifelong learning is a primary driver of sustainable economic growth and social prosperity, and underlies the generation of local business and employment opportunities. This policy aims to strengthen and develop a culture and networks that promote lifelong learning opportunities and development programs.

Procurement Policy 2020-2021

This policy represents the principles, processes and procedures that will be applied to all procurement activity undertaken by Council.

• Sustainability Policy

This policy aims to embed decision-making processes and practices across the organisation to protect and enhance the natural environment; and promote economic prosperity and community diversity today and into the future.

Waste Wise Events Policy

This policy has been developed to raise the minimum standards for reducing and managing waste at events and stipulates Council's requirements to help achieve this.

Plans

• Arts & Culture Strategic Plan 2020-2023



Vibrant and engaging artistic programs, events and opportunities that enrich lives, provide for active and deeper engagement, reach new audiences and create a more connected community.

• Biodiversity Action Plan

The purpose of this document is to collate and analyse existing data relevant to biodiversity in Frankston, identify knowledge gaps, and consider potential future threats to biodiversity. Following the analysis of this data, this document presents an Action Plan containing targeted, achievable actions to enhance biodiversity across all land in Frankston City.

Child and Family Plan

This plan outlines how Council will work in partnership with government, services and the community to build positive outcomes for children aged 0-12 years and their families.

• Community Plan 2017-2021

The Community Plan provides direction for the Frankston City community to work alongside Council and other stakeholders to achieve the community's aspirations, and incorporates local area planning, to allow for a place-based approach to community-identified projects in a local area setting.

• Frankston City Sports Development Plan

This plan provides a framework for the development of organised sporting facilities, providing opportunities for community participation in sport to promote good health and wellbeing.

• Health and Wellbeing Plan 2017-2021

This strategic plan outlines how Council will work to create well planned and liveable neighbourhoods so that our community is able to enjoy good health and wellbeing at every stage of life.

• Open Space Asset Management Plan

Open space is essential to the local community as it provides numerous health, lifestyle and social connectivity benefits. This plan aims to inform decision makers on current and future funding requirements for open space assets, to ensure successful provision of sustainable open space services.

• Street Art Framework: The Master Plan

This master plan provides a detailed overview of the four Street Art Zones and the various precincts that provide Street Art opportunities within each zone.

Strategies

Open Space Strategy 2016-2036

This strategy sets the direction for Council decision-making about allocating resources to effectively manage open space while supporting Council's commitment to creating a liveable, sustainable and well-planned city.

• Street Art Framework: The Strategy

This strategy identifies four clusters of potential street art opportunities specified as Street Art Zones, and outlines a methodology to the future commissioning of Street Art by Council, developers and independent artists.

A Planned City

Policies



<u>Economic Development Policy</u>

This policy (in conjunction with the *Economic Development Strategy* and *Learning City Policy*) establishes a framework for economic development whereby Council will contribute to the development and growth of a strong economy that facilitates increased employment and wealth and therefore contributes to an improved quality of life for the whole community.

• Environmentally Sustainable Design (ESD) Standards for Council Buildings

The aim of his policy is to improve the environmental performance and sustainability of Council buildings by integrating ESD principles and initiatives throughout their life cycle.

Urban Forest Policy

The City's urban forest consists of all trees and vegetation located throughout the municipality irrespective of species, location, origin and ownership. This policy aims to provide a framework for making structured, consistent and environmentally sound decisions for all trees within the municipality.

Plans

• Climate Change Impacts and Adaptation Plan

This plan aims facilitate action by Council in its operations and services to prepare for the impacts of climate change, and also to provide information and assistance to the community to reduce their vulnerability and facilitate an adaptive response to climate change impacts.

Domestic Wastewater Management Plan

This plan provides a management framework for stakeholders including policy makers, planners and regulatory and enforcement staff to implement management strategies for domestic wastewater systems on an integrated basis.

Frankston City Coastal Management Plan

This plan recognises the significance and importance of the coast for residents of Frankston and surrounding areas. It articulates a vision and the desired outcomes that will be delivered through implementation for the foreshore reserves (Frankston, Seaford and Frankston South foreshores).

• Frankston Destination Development Plan

Frankston City is a year-round destination providing memorable experiences supported by a thriving and sustainable local business community and economy.

Green Wedge Management Plan

This plan provides a strategic framework for the ongoing protection and management of the green wedge within the municipality, with a focus on sustainable uses, agriculture, biodiversity links, passive recreation facilities and open space.

Integrated Water Action Plan 2016-2026

This plan sets Council's vision for integrated water management, including targets and actions that reflect local conditions and opportunities. It identifies how water is currently managed within the Frankston municipality and the challenges that need to be addressed to transition to a water sensitive city.

• Metropolitan Activity Centre Parking Precinct Plan

This plan sets out a comprehensive strategy to facilitate the efficient provision of on-site and off-site car parking opportunities in the Frankston City Centre, aiming to reduce vehicle congestion, actively manage demand for parking spaces and to enhance the use of the city centre's streets as places for pedestrians.

Metropolitan Activity Centre (MAC) Structure Plan

This plan provides decision makers, including Council, State government and other agencies with a platform to allocate resources towards capital works, guide the determination of planning applications and set work programs across different departments. The plan also provides certainty regarding the level of change and type of development that can be expected across the MAC.



Paths Development Plan

This plan assists Council in identifying and prioritising paths projects in order to program, fund and complete Frankston's pathway network.

• Property Plan 2021-2025

Property assets are fundamental to the delivery of any service by, or on behalf of Frankston City Council (Council) to the Frankston community.

• Towards Zero Emissions Plan 2019-2023

This plan outlines actions for Council to decrease its greenhouse gas emissions and become carbon neutral by 2025. It includes actions to reduce greenhouse gas emissions associated with Council's assets, operations and services, and actions to support the local community transition to a low emissions future.

Urban Forest Action Plan 2020-2040

This plan is the strategic plan for how Frankston City Council will work over the next two decades to transform the urban forest into a highly valued, well-resourced, thriving asset that realises its great potential to contribute to the city.

• Waste Minimisation Management Plan 2015-2020

This plan aims to enhance the sustainability of the municipality through provision of innovative, creative, socially-responsible and cost-effective services that lead to reduction of waste, recovery of more resources and empowerment of Council, households and businesses to use resources more efficiently.

Strategies

Economic Development Strategy 2016-2022

This strategy provides a whole of Council framework for approaching economic development, with an emphasis on the role of Council's Economic Development Unit.

Greening Our Future – Environment Strategy 2014-2024

This strategy aims to action the Environmental Sustainability Policy and gives an overarching framework for achieving an innovative, environmentally sustainable future.

Housing Strategy

This strategy setting out a range of initiatives to accommodate the expected increase in population up to 2036 and beyond. It seeks to provide for a range of housing types to meet the needs of diverse households, maintaining a steady supply of affordable new housing while protecting and enhancing the quality of residential amenity and neighbourhood character across Frankston City.

Property Strategy 2021-2025

Council property is managed for the broader community benefit, in a pro-active, clear, adaptable and financially responsible way.

Transport Strategy

This strategy provides a tool to manage the development of the Frankston transport network to meet the needs and demands of the community and the environment.

Visitor Economy Strategy 2019-2024

A strategy to ensure the continued growth and development of Frankston's visitor economy.

A Well Governed City

Policies

Authorisations and Appointments Policy



The Local Government Act 1989, the recently enacted Local Government Act 2020, and other legislation, makes provision for the appointment of authorised officers. Council is committed to ensuring that a person who is appointed under an Act or Regulation as an authorised officer, has the powers to do so of that position.

• Communications Policy

This policy provides guidance for the appropriate use of communications tools, including verbal, printed, electronic and online, to ensure that Council communications to the community are clear, concise, accurate and consistent with Council decisions and policies.

Community Engagement Policy

Council recognises that consultation and engagement are essential foundations of a strong community and promote active citizenry, participation and a healthy democracy. This policy has been developed to provide a consistent approach across Council to engage the community.

Conflict of Interest Policy

This Policy applies to Councillors, the CEO, all Employees of Council, including contractors and agency and/or labour hire staff engaged by Council, Audit and Risk Committee members, Delegated Committee Members, Community Asset Committees and all other committee members of Council.

Council Meetings Public Submissions and Question Time Policy

This policy outlines procedures for public submissions and Public Question Time at Council and Special Committee meetings.

Councillor and Staff Interaction Policy

Council is committed to ensuring that all interactions between Councillors and staff are positive and constructive, and conducted in a manner that facilitates Council's optimum performance.

Councillor Enquiries Policy

This Policy outlines the process for how enquiries received by Councillors will be managed. This includes enquiries that Councillors may have received directly by members of the public.

• Councillor Expenses Policy

This policy sets out the resources support to be provided to Councillors, and outlines entitlements for reimbursement of out-of-pocket expenses incurred in performing official duties and functions.

Councillor Gift Policy

This policy has been prepared to satisfy the requirements of section 138 of the Local Government Act 2020 ('Act'). In accordance with the legislative requirements, it includes procedures for the maintenance of a gifts register and sets out the minimum value of gifts that must be disclosed.

• Councillor Induction Policy

This Policy demonstrates Council's commitment to ensuring newly elected and returning Councillors are provided with a comprehensive induction program and any associated support, to fulfil their roles and responsibilities as elected members and to provide good governance to the municipality.

Councillor Training and Development Policy

This policy outlines the procedural framework regarding Council-funded training and professional development of Councillors to effectively perform their official duties and functions.

<u>Election Period Policy</u>



This policy provides guidance to candidates, Councillors, staff and the community about the particular requirements and expectations that apply during the election period.

Election Signs and Events Policy

This policy specifies permissible election signs and election campaign activities at Council events, so that the principles can be applied in a consistent and equitable manner to all candidates and political parties.

Flying of Flags Policy

This policy provides guidance to Council regarding flying of flags at the Civic Centre or at the Frankston War Memorial site, in accordance with Federal and State Government flag protocol, to ensure that Council observes the flag protocol set out by the Federal and State Government and that there is consistency in flags flown at the Civic Centre and the Frankston War Memorial site.

Letter Under Seal Policy

This policy provides guidelines for determining and recognising individuals and/or community organisations for an outstanding achievement or outstanding service which has achieved benefits for the Frankston community, the service provided by Mayors and Deputy Mayors to the community during their tenure at Council and the years of service provided by a Councillor.

• Live Streaming and Recording of Meetings Policy

This Policy will improve accessibility and community participation in relation to decision making processes. It is envisaged that live streaming and the publishing of the video recorded meetings of Council will provide more flexible and convenient access to a wider audience, by allowing the public to watch meetings 'in real time' via the internet without the need to attend in person.

Privacy Policy

This policy ensures the responsible handling of personal information and health information to protect an individual's right to privacy in accordance with the *Information Privacy Act 2000* and the *Health Records Act 2001*.

Procurement Policy

This policy establishes a framework to achieve value for money in the acquisition of goods, services and works; ensure that Council resources are used efficiently and effectively to improve the overall quality of life of people in the local community; comply with relevant legislative requirements; and achieve high standards of probity, transparency, accountability and risk management.

• Public Commemorative Tribute and Memorial Policy

This policy provides a consistent approach in the management of applications and assessments for commemorative tributes and memorials that are requested for road and public reserves, parks, gardens, streetscapes or in any public open space on land owned or managed by Frankston City Council.

• Public Interest Disclosure Policy

This Policy details the process for making a disclosure about improper conduct by an employee of Council (including agency staff, contractors, labour hire or volunteers) or a Councillor.

• Public Transparency Policy

This policy supports Council's commitment to good governance. It reinforces the importance of open and accountable conduct and decision-making and describes how Council information is to be made publicly available.

Records Management Policy



This policy ensures that Council creates and maintains records that fully and accurately reflect business activities, in accordance with legislative requirements and standards established by Public Records Office of Victoria (PROV) and the Australian Standard for Records Management, AS ISO 15489-2002.

Reimbursement of CEO and Directors Expenses

This policy ensures that the Chief Executive Officer (CEO) and Directors are reimbursed for reasonable expenses incurred in the performance of their Council duties and functions, whilst maintaining a prudent approach to the expenditure of public funds against the values of accountability and transparency.

Risk Management Policy

This policy provides a framework for the identification and assessment of risk, an environment to mitigate risks and the control of activity to manage and control risks to within acceptable levels.

• Road Locality and Feature Naming Policy

This Policy relates to all publicly owned features, localities and public roads within the Frankston municipality for which Council is determined to be a naming authority.

• Staff Gifts and Hospitality Policy

This policy sets out a transparent process for Council officers receiving or being offered gifts, benefits or hospitality; and assists Council officers in avoiding potential, actual and perceived conflicts of interest.

Plans

• Domestic Animal Management Plan

This plan sets the strategic direction in terms of animal management within the municipality. It reflects what Council does in relation to animal management and developing ways to improve current practices and set future directions and action plans. The Plan aims to increase the relative profile and importance of the domestic animal management function in the local government sector.

Strategies

Rating Strategy

This strategy aims to guide Council in the appropriate choice of valuation base, the consideration of uniform or differential rates; and the application of fixed service charges, special rates and charges, and other levies under the *Planning Act*.

A Well Managed City

Policies

Asset Management Policy

This policy ensures that Council assets are appropriately managed and relevant to community needs.

Community Engagement Policy

This Policy applies to the planning, design, implementation and evaluation of community engagement activities as directed by Council, recommended by staff, or legislated by the Act.

Contributory Schemes Policy

This policy is intended as a procedural guide for the creation and implementation of all contributory projects by special rates and charges, and as a guide for the equitable distribution of costs between Council and property owners obtaining a special benefit.



• Guarantee of Community Loans Policy

This policy provides a framework within which Council may consider agreeing to act as Guarantor for loans taken out by community groups to improve/redevelop facilities.

• Investment Policy

This policy provides guidance on the effective and responsible use of Council's surplus cash funds within the legislative framework, in accordance with applicable Federal and Victorian Government regulations.

Loan Borrowing Policy

This policy outlines Council's position in relation to the undertaking of loan borrowings, including the methods and criteria that will be applied in the evaluation of whether to utilise this source of funding.

Rates and Charges Hardship Policy

This policy provides a framework in which Council may provide assistance to individuals experiencing financial hardship.

• Sponsorship Policy

This policy provides Council with a framework for decision-making on sponsorship and guidelines for assessing sponsorship opportunities to avoid arbitrary and non-productive decisions.

• Statutory and Discretionary Reserves Policy

This policy provides guidelines for Council to oversee the management of funds set aside from operating and capital incomes for future funding of capital projects and operational commitments.

Plans

• Building Asset Management Plan

This plan outlines a strategic and sustainable approach to managing the municipality's building portfolio.

Strategies

Asset Management Strategy

This strategy provides a framework for the ongoing enhancement of Council's asset management practices and performance in accordance with the objectives of the *Asset Management Policy*.

Community Satisfaction Survey

The annual Local Government Community Satisfaction Survey was conducted in February 2020 by independent research company, National Field Services. Survey results are used to identify ways in which Council can improve its service delivery.

Individual responses remain confidential, with overall survey results being published on the Council website. Survey results may be viewed here: <u>Community Satisfaction Survey - Frankston City Council</u>