

# Annual Report **2016-2017**



**PART B**  
Statutory and Additional Information

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## 1. Achievements in implementing the 2013-2017 Delivery Program

In accordance with the Local Government Act s428(1)

The 2013-2017 Delivery Program outlines the Councillors commitments to the Macleay Valley community during the four-year term of office. It is the blueprint for Council in delivering the services that meet community expectations.

The objectives and resulting strategies within the four-year Delivery Program represent what the Council aim to deliver and serves as a guide for Council executive and staff when developing the annual Operating Plan.

The Operating Plan sets out the actions and activities that will be undertaken each financial year to deliver the overall objectives in the Delivery Program and ultimately contribute to achieving the vision and goals outlined in the long-term Community Strategic Plan.

There are four central themes that guide all of Council's strategic corporate planning and program delivery. These themes were agreed with the community in context of developing the Community Strategic Plan and are;













- The community values being Healthy
- The community values being wealthy
- The community values being safe
- The community values being sociable

















Additional corporate management services are coordinated by Council under the value of Governance.

See **Part A – A Year in Review** for an overview of the third year of the Delivery Program implementation.















Service Level indicators Indicators for each of the four themes are reported in the tables following.
















# = Description modified from last year, \* = New service level

	Service Levels	Responsibility	Target	Achieved	
<b>HD-01-01: Provision of potable water supplies to serviced areas</b>					
	No people confirmed as becoming ill from water supplied	Infrastructure Services	<1	0	
#	98% of water tested satisfies the Australian Drinking Water Guideline requirements	Infrastructure Services	98%	96.45%	
	90% of routine fluoride monitoring tests within the range provided by the regulation	Infrastructure Services	>99%	93%	
	Less than 40 water main failures or breaks	Infrastructure Services	<40	23	
	Less than 70 unplanned water supply interruptions per 1000 customers	Infrastructure Services	<70	29	
	Respond to 90% of water service failures within 2 hours	Infrastructure Services	90%	100%	
<b>HD-01-03: Regulate food risks to the public</b>					
<b>HD-02-01 – Supporting the aged</b>					
<b>HD-02-02 - Provide sporting fields and facilities</b>					
	Service 90% of sporting facilities each week	Infrastructure Services	90%	100%	
<b>HD-02-05: Provide swimming facilities</b>					
<b>HD-02-06: Maintain existing footpath areas</b>					
	High risk trip hazards fixed within 3 months	Infrastructure Services			
	Medium risk trip hazards fixed within 6 months	Infrastructure Services			
<b>HD-04-01: Ensure animals do not create a nuisance or safety risk</b>					
<b>HD-04-02: Manage and regulate the impact of development and human activity</b>					
	85% of development applications approved within 30 days	Sustainable Environment	85%	81%	
	90% of construction certificates approved within 90 days	Sustainable Environment	90%	99.2%	
	Provide planning controls to manage environmental impacts of development	Sustainable Environment	Ongoing		
<b>HD-04-03: Manage and regulate impacts of people on others</b>					




	Service Levels	Responsibility	Target	Achieved	
<b>HD-04-04: Manage and remediate the estuary eco-system</b>					
<b>HD-04-05: Minimise the impact of noxious weeds on the environment and economy</b>					
	Provide 2 education programs per year	Sustainable Environment	2	3	
<b>HD-04-06: Maintain storm water drainage system</b>					
#	90% of blockages cleared within 24 hours of being safe to do so	Infrastructure Services	90%	92.86%	
	Sample receiving waterways to monitor the water quality weekly for 50 weeks of the year	Infrastructure Services		100%	
<b>HD-04-07: Minimise impact of waste and dispose of waste safely</b>					
	Weekly general waste collection to premises within collection area	Infrastructure Services			
	Fortnightly recycling collection to premises within collection area	Infrastructure Services			
	Fortnightly organic collection to premises within collection area	Infrastructure Services			
	Provide landfill drop off access 7 days per week (excluding Christmas Day)	Infrastructure Services			
	Provide drop of stations access at Crescent Head, South West Rocks, Stuart's Point for domestic waste	Infrastructure Services			
#	Provide monthly problem waste collection in conjunction with mobile community recycling centre trailer.	Infrastructure Services			
<b>HD-05-01: Ensure development is safe and to reasonable standard</b>					
	Undertake 120 audits of development undertaken	Sustainable Environment	120	123	
	Ensure all premises requiring Fire Safety Certificates gain one	Sustainable Environment	100%	100%	
	Inspect caravan parks for regulatory compliance annually	Sustainable Environment	100%	100%	
<b>HD-06-01: Regulating public health risks</b>					
	85% of food premises inspected annually	Sustainable Environment	85%	96.5%	
	85% of food premises compliant with regulations	Sustainable Environment	85%	93.7%	
	Stray dogs complaints responded to within 2 working days	Sustainable Environment	85%	95.7%	
	Stray dogs/cats that have been contained collected within 6 hours	Sustainable Environment	85%	90.4%	

	Service Levels	Responsibility	Target	Achieved	
	Ranger service issues responded to within 5 days	Sustainable Environment	95%	95%	✓
	Undertake 500 environmental health inspections	Sustainable Environment	500	503	✓
	Respond to 90% of matters with potential to cause environmental harm within 7 days	Sustainable Environment	90%	94.3%	✓
	Inspect 840 septic systems for compliance	Sustainable Environment	840	399	✗
	Undertake weekly water quality monitoring on estuaries and main beaches	Sustainable Environment	51	51	✓
<b>HD-06-02: Ensure future burial needs cater for</b>					
	Present cemeteries well maintained immediately prior to mother's day, father day, Anzac day, and Christmas day	Infrastructure Services			✓
	Burials able to be provided within 24 working hours of request	Community Engagement			✓
<b>HD-06-03: Removal of wastewater products from serviced areas</b>					
	Respond to 95% of wastewater service failures within 2 hours	Infrastructure Services	95%	100%	✓
	Ensure less than 90 sewer surcharges occur per annum	Infrastructure Services	<90	36	✓
	95% of treated effluent tested complies with requirements	Infrastructure Services	95%	97.32%	✓
*	Less than 3 odour or service complaints per 1000 properties	Infrastructure Services		1.1	✓
	Length of average unplanned service disruptions less than 102 minutes	Infrastructure Services	<102	132	✗
	Recycle or reuse more than 10% of treated wastewater	Infrastructure Services	>10%	5.73%	✗
	Recycle or reuse more than 95% of sludge	Infrastructure Services	>95%	100%	✓
<b>WD-01-01: Promote literacy</b>					
	Provide library at Kempsey Monday to Saturday	Community Engagement			✓
	Provide library branches services at South West Rocks three days per week	Community Engagement			✓
	Provide library branch services at Stuarts Point and Hat Head two days per week	Community Engagement			✓
	Provide 10 literacy improvement workshops per annum	Community Engagement	10	60	✓
<b>WD-03-02: Increasing value in local business</b>					
<b>WD-05-01: Encouraging Tourist visitation</b>					

	Service Levels	Responsibility	Target	Achieved	
	Provide tourist brochures for distribution and at locations at significant tourist origins	Community Engagement			
	Provide tourist information 7 days per week	Community Engagement			
<b>WD-05-03: Provide transport network</b>					
	Road conditions maintained at a level so that less than 20 accidents per year attributed to road condition factors	Infrastructure Services	<20	13	
	Slash the shoulders on sealed roads to maintain visibility & road safety	Infrastructure Services			
	Undertake street sweeping on main roads in urban areas at least once every 12 weeks	Infrastructure Services			
	Replace damaged or missing critical regulatory signs within 2 working days of being reported	Infrastructure Services			
	90% of bridges not restricted by load limits	Infrastructure Services	90%	100%	
	Airstrip available that meets CASA requirements for a 2C rating	Sustainable Environment			
<b>WD-05-04: Timber bridge replacement program</b>					
<b>SAD-02-01: Emergency preparation and response</b>					
	Provide administrative support to Local Emergency Management Committee	Community Engagement			
<b>SAD-02-02: Provide flood mitigation infrastructure to reduce flood impacts</b>					
	Provide 1 in 10 year flood protection to Kempsey CBD	Infrastructure Services			
	Provide 1 in 2 year flood protection to low lying agricultural land	Infrastructure Services			
	Provide regular updates on rainfall and river flow conditions as well as flood gate operations and road closures during flood events	Infrastructure Services			
	Provide 33 measuring stations reporting flood or rainfall information	Infrastructure Services			
<b>SAD-03-01: Undertake activities to minimise crime through education, communication and prevention</b>					
<b>SAD-04-01: Graffiti removal</b>					
	Vehicle and materials provided to volunteers to undertake graffiti removal	Community Engagement			
<b>SAD-04-03: Swift removal of graffiti in our urban areas</b>					

	Service Levels	Responsibility	Target	Achieved	
<b>SAD-07-01: Undertake activities to reduce alcohol related issues</b>					
	Impose alcohol free zones in areas where conflicts may or have occurred	Community Engagement			
<b>SAD-08-01: Street lighting</b>					
	Provide lighting to urban street intersections.	Infrastructure Services			
<b>SAD-08-03: Beach Safety</b>					
	Provide surf lifesaving patrols 7 days per week during Spring, Summer and Autumn NSW school holidays at Grassy Head and Horseshoe Bay, South West Rocks	Infrastructure Services			
	Provide surf lifesaving patrols 5 days per week during Spring, Summer and Autumn NSW school holidays at Main Beach South West Rocks, Hat Head and Crescent Head	Infrastructure Services			
<b>SOD-01-01: Maintain public areas for use by the community</b>					
	Remove litter from main public use areas daily	Infrastructure Services			
	Sweep street gutters in main public areas daily	Infrastructure Services			
	Footpaths in Kempsey CBD area cleaned annually	Infrastructure Services			
	Repair damage within 1 week	Infrastructure Services			
<b>SOD-01-02: Provide recreational facilities</b>					
	Category 1 parks maintained weekly	Infrastructure Services	100%	100%	
	Category 2 parks maintained fortnightly	Infrastructure Services	>95%	97%	
	Category 3 parks maintained monthly	Infrastructure Services	>90%	94%	
	Provide sufficient playground capacity to cater for 100 children at any one time	Infrastructure Services			
<b>SOD-01-03: Provide public toilets</b>					
	High profile or use toilets cleaned daily	Infrastructure Services			
	Lower profile or use toilets cleaned weekly	Infrastructure Services			
	Respond to complaints about unclean facilities within 2 hours	Infrastructure Services			
<b>SOD-01-04: Car parking</b>					



	Service Levels	Responsibility	Target	Achieved	
	Car parking spaces available 90% of time within easy walking distance of commercial centres of Kempsey, South West Rocks, and Crescent Head	Infrastructure Services			
	Damage to car parks inspected within 3 weeks of being reported. Repairs prioritised within budget allocation.	Infrastructure Services			
<b>SOD-02-01: Work with community groups</b>					
<b>SOD-04-01: Support community events and activities</b>					
<b>COD-01-01: Community Engagement</b>					
	Hold 30 consultation sessions with the community per annum	Community Engagement	30	82	
<b>COD-01-02: Customer service</b>					
	Provide front counter service 5 days per week	Community Engagement			
	Provide full phone and email response services 5 days per week	Community Engagement			
	Provide 7 day, 24 hours emergency response service	Community Engagement			
	75% of time initial contact resolved without need to transfer to someone else	Community Engagement	75%	89.18%	
	Return phone contacts made within 2 days where required to call back	Community Engagement		87.89%	
<b>COD-01-03: Governance</b>					
	Provide agenda for council meetings more than 90 hours before the meeting on average	Corporate Management	>90 hours	138	
	Provide the minutes of council meetings within 24 hours on average	Corporate Management	<24 hours	21.50	
<b>COD-01-04: Technical Engineering Management</b>					
	Conduct 4 Local Traffic Committee meetings per year	Infrastructure Services			
<b>COD-01-05: Identify and create efficiency dividends</b>					
<b>COD-01-06: Planning and Environment Support</b>					
<b>COD-01-07: Community Engagement and Services Support</b>					
<b>COD-02-01: Corporate information services</b>					
<b>COD-02-02: Financial Management</b>					
<b>COD-02-03: Fleet management</b>					
<b>COD-02-04: Human Resource Management</b>					

## 2. Rates and Charges Written Off

Council's 2016-17 Financial Statements have been audited by the Audit Office of New South Wales.

The Audit report for 2016-17 is unmodified.

### Amount of rates and charges written off during the year. cl132

Pensioner Rates	1,406,791.90
Postponed Rates Section 585 Local Government Act	6,686.18
	<hr/>
	1,400,105.72
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## 3. Register of Overseas Travel by Councillors, Council Staff and other Council Representatives

### Clause 217(1)(a1)

The Mayor, Liz Campbell, and Council's Manager Economic Sustainability, Susannah Smith, travelled to Fujian and Hainan provinces, China to meet with a number of government and business representatives associated with Green Leaf Farm at Clybucca and the Australian International Aviation College, based at Kempsey Airport.

International travel costs, insurance and incidentals for the Mayor were paid for personally by the Mayor at no cost to Council.

Costs totaling \$4,718.77 associated with the trip were paid by Council.

## 4. Councillor Fees and Expenses

Councillors are required to attend meetings of Council and its committees, to represent Council at public functions, to attend training and professional development sessions and to attend conferences that relate to the business of Council. These meetings are not only held in Kempsey Shire but are often held in Sydney or in regional New South Wales. The attendance at meetings can involve expenses relating to travel, accommodation and sustenance. Under these circumstances Council pays these expenses up to the limits outlined in the Policy.

Each councillor receives an annual fee within a range set by the Local Government Remuneration Tribunal. The mayor in addition receives a mayoral fee within a range also set by the Local Government Remuneration Tribunal.

The total mayoral and councillor fees paid in the 2016-2017 year were:

Mayor	\$41,090
Councillors (9)	\$169,560

Council's policy on the provision of facilities for use by Councillors and the payment of Councillors' expenses can be found on the website at

<http://www.kempsey.nsw.gov.au/corporate/policies/procedure-5-01-05-payment-expenses-provision-facilities-councillors.html>

### **Councillors' expenses and provision of facilities**

Council has adopted a procedure covering the payment of expenses and provision of facilities to the mayor and councillors. Council's procedure was developed in accordance with the Division of Local Government's guidelines. The procedure provides for reimbursement of reasonable expenses incurred up to a limit per month set by the procedure.

The mayor is provided with a vehicle and a mobile telephone, if required, for Council business use. For the 2016-2017 year the mayor elected not to have a vehicle or mobile phone provided. The mayor's travel expenses and telephone expenses were reimbursed in accordance with the procedure.

All councillors are provided with an iPad with internet connection to receive meeting agendas electronically and for use on Council business. A corporate wardrobe is provided for councillors and meals are provided on Council meeting days when required. Councillors may claim reimbursement for travel when using their private vehicles for council business such as attending meetings, at a per kilometre rate adopted as part of the procedure.

<b>Details Mayor and Councillor Expenses</b>	<b>Cost</b>
Mayor's travelling expenses	\$88
Councillor's travelling expenses	\$4,360
Telephone calls made by councilors <i>217(1)(a1)(i)(ii)</i>	\$2,560
Attendance of councillors at conferences and seminars <i>217(1)(a1)(iii)</i>	\$11,301
Interstate visits by councillors, including transport, accommodation and other out of pocket travelling expenses <i>217(1)(a1)(v)</i>	Nil
Meals and refreshments for council and committee meetings	\$7,910
Training of councillors and provision of skill development <i>217(1)(a1)(iv)</i>	\$12,302
Overseas visits by councillors, including transport, accommodation and other out of pocket travelling expenses <i>217(1)(a1)(vi)</i>	Nil
Expenses of any spouse, partner or other person who accompanied a councillor <i>217(1)(a1)(vii)</i>	Nil
Expenses involved in the provision of care for a child or an immediate family member of a councillor <i>217(1)(a1)(viii)</i>	Nil
Provision of dedicated office equipment allocated to councillors <i>217(1)(a1)(i)</i>	\$11,258
<b>Total Expenses</b>	<b>\$49,779</b>

## 5. Contracts Awarded Greater than \$150,000

In accordance with the Local Government (General) Regulation Clause 217(1)(a2)

The following is a list of contracts awarded by the Council during the 2016-2017 year other than employment contracts or contracts less than \$150,000

Name of Contractor(s)	Nature of Goods and Services Supplied	Total Amount Payable under the Contract
GHD Pty Ltd	The provisions of Project Management and Engineering Services in a partnership approach with Council.	Estimated at \$500,000 per annum
Waternish Engineering	Design, construction, testing and commissioning of new inlet works to Crescent Head and Gladstone wastewater treatment plants	\$678,846
Waternish Engineering	Variation for additional civil and pipe works with larger capacity inlet works units in the design, construction, testing and commissioning of new inlet works to Crescent Head and Gladstone wastewater treatment plants	+\$215,730
Cleanaway Pty Ltd	The provision of a ten year waste collection service	Subject to provisions for variations in quantities under a schedule of rates & CPI
Bell Rock Marine Pty Ltd	Design and Construction of a fixed wharf and floating pontoon in Riverside Park and a modular floating pontoon at Jerseyville	\$325,000
Holcim Australia Pty Ltd t/as Humes	The Supply and Delivery of Concrete Pipes	Schedule of Rates*
Arnway Pty Ltd, Hurd Haulage Pty Ltd, Pacific Blue Metal Pty Ltd	Arnway Pty Ltd, Hurd Haulage Pty Ltd, Pacific Blue Metal Pty Ltd	Schedule of Rates*
Osborne & Dowling Pty Ltd	Construction of Crescent Head Amenities at Crescent Head Reserve	\$360,568

Elster Metering Pty Ltd	The supply and delivery of domestic water meters	Schedule of Rates*
Rocla Pty Ltd	The design, supply and delivery of precast concrete bridge components – deck units, piles, headstocks, abutments, and barriers for Saleyards Road and Knauers Bridges	\$290,170
Downer EDI Works Pty Ltd	The supply and delivery of bulk cationic bitumen (emulsion)	Schedule of Rates*
Leicht's Tyre and Auto, Mulvey's Tyre Services, Bridgestone Australia Ltd and Tyres 4U Pty Ltd.	The supply and delivery of passenger, truck and earthmover tyres and roadside services	Schedule of Rates*
Australian Fuelling System and Equipment	The supply and installation of a new fuel system at Kempsey Airport.	\$409,359.50
Park Pty Ltd	The supply and delivery of bulk fuel and oil	Schedule of Rates*
Pacific Blue Metal Pty Ltd (PBM)  In the event that PBM cannot meet Councils requirements:- Thurgood Haulage Pty Ltd for Rainbow Reach Road/Suez Road and/or Beranghi Road and Ball's Earthmoving for Collombatti Road and/or Jacks Crossing Road.	Supply and delivery of uncrushed gravel for the 2017 unsealed roads program	Schedule of Rates*
Nowra Chemicals, Hardman Chemicals, Redox, Sibelco, SNF & Price Chemicals	The supply and delivery of water treatment chemicals.	Schedule of Rates*

\* This contract has been awarded via a procurement process for the provision of services which may or may not exceed the tendering threshold of \$150,000 over the period of the contract based upon the contract being awarded based upon the supplier providing a schedule of rates for products and/or services to be procured under the contract.

## 6. Legal Proceedings

In accordance with the Local Government (General) Regulation Clause 217 (1) (a3)

Particulars	Expenses	Receipts	Status
Kempsey Shire Council ats Five Star Medical Centre – public liability claim for property damage	\$7,442		Ongoing Matter
Kempsey Shire Council ats Yvette Wilson - public liability claim for personal injury	\$12,351		Finalised
Kempsey Shire Council ats Kylee Ann Lawson - public liability claim for personal injury	\$1,617		Ongoing Matter
Kempsey Shire Council ats Jalissa Lawson - public liability claim for personal injury	Nil		Ongoing Matter
Recovery of unpaid rates with costs recovered from ratepayers and debtors.	\$173,053	\$173,124	
Kempsey Shire Council vs Midcoast Skip Bins and Metal Recycling – recovery of costs associated with site remediation	\$56,982		Ongoing Matter

## 7. Summary of resolutions made under section 67 concerning work carried out on private land.

No resolutions were made in relation to Section 67.

## 8. Grants, Financial Assistance and Contributions

Total amount granted under section 356 in accordance with the Local Government (General) Regulation Clause 217(1)(a5)

Council recognises the importance of assisting Not-For-Profit community groups and organisations that are interested in and working towards, the enhancement of facilities and improve community well-being of its residents. Each year, Council provide financial assistance to a broad range of groups to boost their ability to make a difference in our local community. The following community groups/organisations were assisted in 2016-2017

### Mayoral Community Fund 2016-2017 recipients

Group / Organisation	Amount
East Coast Cutting Horse Club	\$3,000
South West Rocks Netball Club	\$1,425
Kempsey District Silver Band	\$2,000
South West Rocks Country Club (Tennis Club)	\$1,000
Clontarf Foundation	\$2,500
Kempsey Macleay Mens Shed Inc	\$400
Macleay Valley Rangers Football Club	\$1,000
Zen Chi Ryu Martial Arts & Fitness Centre	\$1,500
South West Rocks Euchre Club	\$200
Kempsey Crescent Head Surf Life Saving Club	\$1,020
Trial Bay Triathlon Committee Inc. (South West Rocks Running Festival)	\$2,000
Trial Bay Triathlon Committee Inc. (Trial Bay Triathlon and Nestlé Mini Tri)	\$2,500
Making Happy Organising Committee	\$230
Slim Dusty Foundation Ltd	\$2,500
Kempsey Rugby Union Football Club	\$1,500
South West Rocks Scout Group	\$1,000
Kempsey Swimming Club	\$900
South West Rocks Arts Council	\$1,500
Riding for the Disabled	\$370
South West Rocks Surf Life Saving Club	\$2,500
Kempsey Show Society	\$2,939
South West Rocks Marine Rescue	\$2,500
South West Rocks Football Club Inc	\$1,000
Kempsey Girl Guides	\$1,500

### Macleay Valley ClubGRANTS

ClubGRANTS support local communities by providing funding for community welfare, social services, community development, community health services and employment assistance activities.

The Macleay Valley ClubGRANTS Local Committee has representatives from Council, Kempsey Macleay RSL Club, Kempsey Heights Bowling Club, South West Rocks Country Club and Crescent Head Country Club who meet annually to determine the allocation of a proportion of their poker machine revenue to local community groups.

The following programs were funded in 2016-2017:

<b>Group / Organisation</b>	<b>Amount</b>
<b>Valley Community Church Auspiced by LifeHouse Church - Providing Dance &amp; Guitar Classes.</b> For school aged people including loan guitars, subsidising classes and funding items for performances.	\$1,600
<b>Kempsey Basketball Association Incorporated - Miniball Hoops.</b> To increase participation in basketball for younger players through the installation of height adjustable basketball rings.	\$4,150
<b>Cedar Place Aged Care Facility Limited - New Lifter Purchase.</b> This lifter will enable Cedar Place to continue to meet the high physical needs and assisting to maintain the Residents quality of life and dignity of Residents by providing quality manual handling to Residents who are up to 227 kg. It will also decrease the risk of staff injuries.	\$5,100
<b>Autism Spectrum Australia (Aspect) - Early Intervention for Young Children with Autism.</b> Early intervention is the most important factor for improving outcomes for children with autism. 3 children with autism living in the Kempsey LGA will receive in-home early intervention services and their parents will receive long term strategies, giving them the best possible opportunities to enter mainstream schooling and integrate as members of the community.	\$1,332
<b>Total Club Grant Funding</b>	<b>\$ 12,182</b>



## 9. Statement of external bodies exercising functions delegated by Council

In accordance with the Local Government (General) Regulation Clause 217(1)(a6)

External Body	Function
Kempsey District Silver Band	Provide a Town Band
Macleay Valley Community Art Gallery	Public Facility Management – Community Gallery
Friends of WIGAY	Oversee the maintenance of Wigay Park
Bellbrook School of Arts Hall Committee Crescent Head Community Hall Committee Frederickton School of Arts Hall Committee Gladstone Youth and Community Centre Committee Millbank Hall Committee Sherwood Hall Committee Smithtown Hall Committee Stuarts Point Community Hall Committee South West Rocks School of Arts Hall Committee Willawarrin Hall Committee	Public Facility Management – Public Halls
Kalateenee Recreational Reserve Committee	Public Facility Management – Public reserve
Bellbrook Tennis Court Facility Committee Gladstone Tennis Court Facility Committee South Kempsey Tennis Club	Public Facility Management – Tennis Courts

## 10. Statement of corporations, partnerships, trusts, joint ventures, syndicates and other bodies in which Council held a controlling interest

There are no companies with which Council held a controlling interest during 2016-2017.

## 11. Statement of corporations, partnerships, trusts, joint ventures, syndicates and other bodies in which Council participated

Council did not participate in corporations, partnerships, trusts, joint ventures, syndicates during 2016-2017.

## 12. Human Resources Data

### a) Organisational Overview

#### Total number of employees

To deliver the services of Council we had a head count of 276 employees with 270 FTE.

Department	Head Count	FTE
Community Engagement	27.0	24.44
Corporate Management	34.0	33.67
General Managers	7.0	6.80
Infrastructure Services	177.0	174.46
Sustainable Environment	31.0	29.63

The numbers below are based on actual head count and include permanent full-time and part-time staff. The figures exclude temporary and casual appointments engaged through Labour Hire, and trainees who are employed by external training providers.

Position Breakdown	2016-17	2015-16	2014-15	2013-14	2012-13
No. of Full-Time positions	247	254	244	241	256
No. of Part-Time Positions	20	40	32	38	31
No. of Temporary Part-Time Positions	1	4	2	2	4
No. of Temporary Full-Time Positions	8	5	21	4	8
<b>Total</b>	<b>276</b>	<b>303</b>	<b>299</b>	<b>285</b>	<b>299</b>

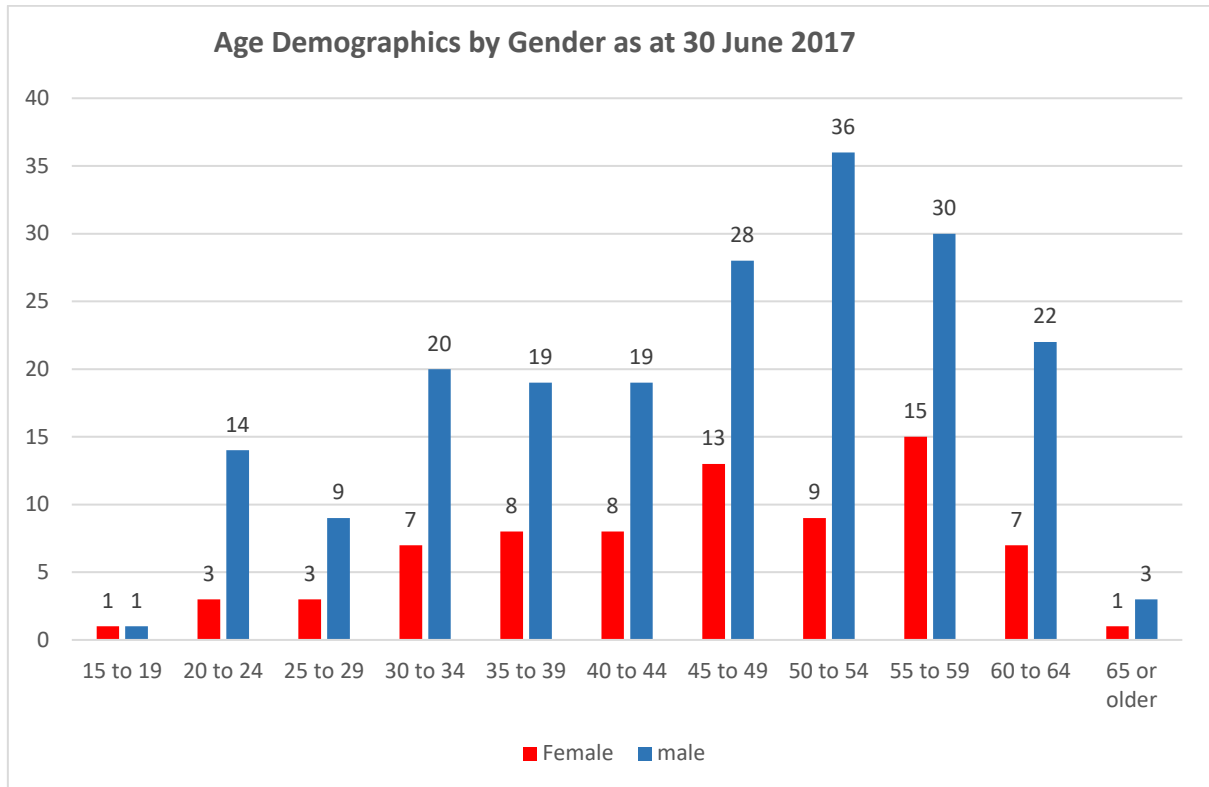
The unplanned turnover rates and employee numbers indicates a stable workforce.

#### % Staff turnover rates

2011/2012	13	4.26%
2012/2013	15	4.97%
2013/2014	19	6.67%
2014/2015	18	5.92%
2015/2016	19	6.17%
2016/2017	19	6.88%

### Age and Gender Demographics of employees

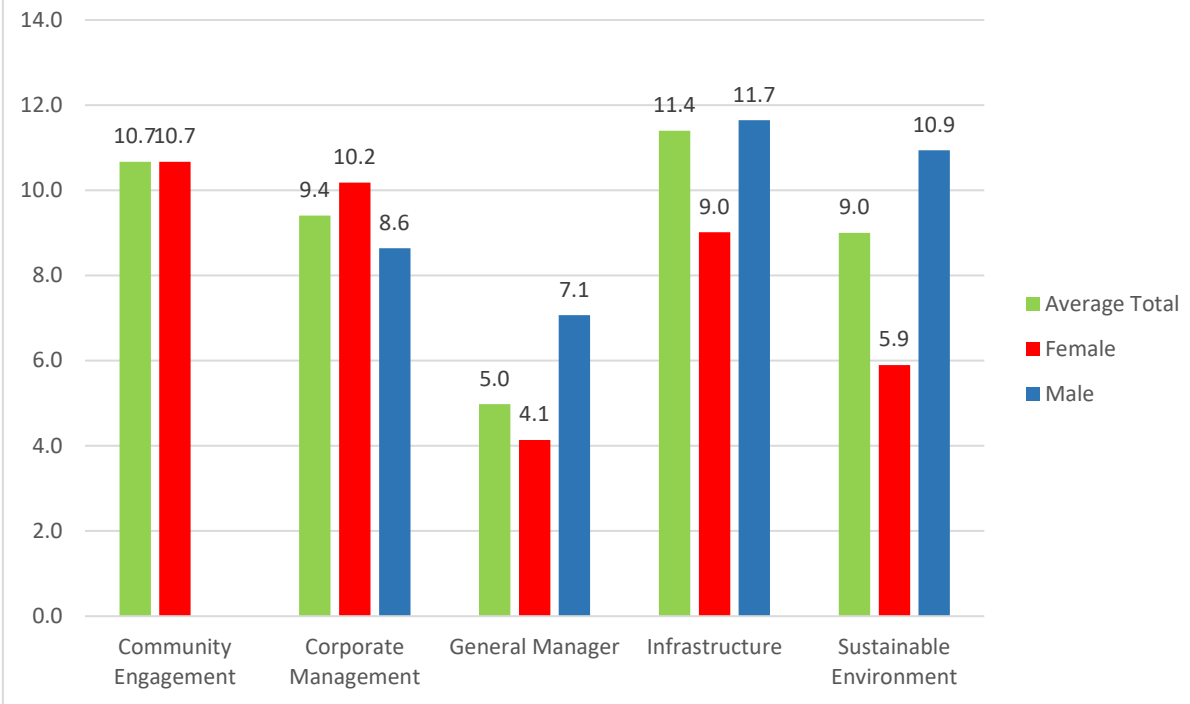
The age demographics across Council's workforce indicate that 59.4% of the workforce is over 45 years of age, with 31.8% of staff over 55 years of age. (See figure below). Based on FTE staff numbers Council's workforce is 25.8% female / 74.2% male and on actual head count the workforce is 27.2% female / 72.8 % male.



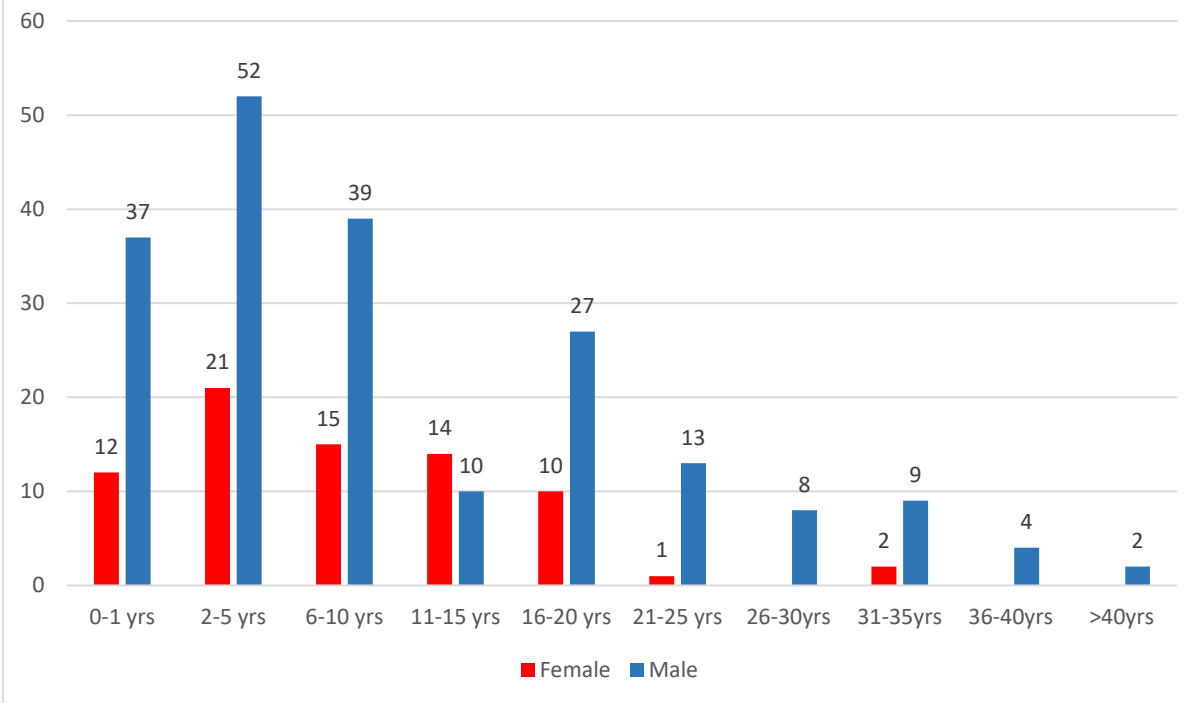
### Length of Service

Associated to the concept of an ageing workforce is the length of service with Council. The average length of service of our employees as at 30 June 2017 was 10.59 years, with service by gender of females 9.17 years and males 11.34 years. The below chart illustrates that in most departments of Council there is a balanced range of experience. A workforce with employees who have longer than average length of service can be seen as a plus for the Council in terms of capitalising on the investment in training and development and reduced recruitment costs

Length of Service by Department as at 30 June 2017



Length of Service by Gender as at 30 June 2017



## **b) Statement of activities to implement EEO management plan**

We continued our ongoing focus on fostering a culture that values and responds to the diversity of our staff and community. The aim is to achieve fair practices and behaviours in the workplace to be free from all forms of unlawful activity, harassment and discrimination by having open and competitive recruitment; providing access to training and development; and providing flexible working arrangements.

All vacant positions during the year were advertised and filled in accordance with the merit principle, the Local Government Act 1993, the Local Government (State) Award and the EEO Management Plan.

Number of positions advertised	52
Number of positions filled	44
Number of positions being filled 2017/2018	8
Number of applications received	779
Number of positions where females applied	37
Number of positions where females were successful	19

Council employed 69.66 full time equivalent (FTE) women during the year, taking the FTE level of women in the workplace to 25.8%. The number of women in management roles were 8 representing 47.0% of our Leadership team with 15 women in supervisory roles representing 24.6% of the supervisory positions.

### Employment of people with Disabilities

Council employed 3 full time equivalent staff (FTE) with a disability, taking the level of people with a disability within Council to 1.1%.

### Employment of people of Aboriginal and Torres Strait Islander Descent

Council employed 9 full time equivalent staff who identify as being of Aboriginal and Torres Strait Islander Descent, taking the level of Indigenous employment within Council to 3.3%.

### Employment of people from Culturally and Linguistically Diverse (CALD) backgrounds

Council employed 4 full time equivalent staff from a culturally and linguistically diverse community, taking the level of people from CALD within Council to 1.4%

### Employment of people from within the Local Government Area (LGA)

Council employed 236 full time equivalent staff having their home address within the boundaries of the Kempsey LGA, taking the level of people from the local LGA within Council to 85.5%

### Flexibility for Work and Family Arrangements

Staff are informed of the opportunities for flexible working arrangements, including parental leave, working from home, varied working hours for family responsibilities and phased retirement. During 2016-2017 employees accessed flexible working arrangements of:

Paid maternity leave	3
Unpaid parental leave	3
Supporting parents leave	4
Phased retirement	10
Working from home	4
Varied working hours	3

Our Workforce Management Strategy aims to ensure there are sufficient numbers of appropriately trained employees to carry out the organisation's purpose. That is, the right people are in the right place at the right time to build a strong, interconnected and sustainable organisation.

The principles of this plan are built on attraction and retention, employee safety and wellness, work/life balance, skill development, organisational culture, employee satisfaction and promoting local government as a career prospects to local schools.

To meet these principles we have adopted procedures and practices that will assist us in becoming an attractive employer with:

- variable work arrangements,
- flexible working arrangements for parents/carers,
- providing access to phased retirement plans for matured aged worker
- appointed 4 apprentices within the areas of Customer Service, Fleet/Workshop (Mechanic & Boilermaker), Technicians (Electrical & Mechanical)
- hosting work placements from local schools/TAFE and universities
- hosting 1 apprentice, 6 full time trainees and 1 school based trainees from a Group Training organisation within the areas of Water/Sewer services and Civil Construction
- participating in engineering scholarships with Newcastle University and an Urban and Regional Planning scholarship with University of New England
- gauging the satisfaction of our employees by conducting an annual employee opinion survey,
- continuing to review and update our Work Health and Safety management system in line with best practices,
- maintaining staff health and wellbeing programs.

**c) General Manager Remuneration Clause 217(1)(b)**

Consistent with Section 332 of the Local Government Act 1993, Council designates the Senior Staff positions within Council. The General Manager is the only designated Senior Staff member within Council's structure.

The total remuneration package for the General Manager in the reporting year was \$290,724.

<b>Detail</b>	<b>Amount</b>
Salary component	\$248,249
Total amount of any bonus payments, performance or other payments that do not form part of salary component	Nil
Total employer's contribution to superannuation (salary sacrifice or employers contribution)	\$33,975
Total value non-cash benefits	\$8,500
Total fringe benefits tax for non-cash benefits	Nil
<b>Total remuneration package</b>	<b>\$290,724</b>

**d) Senior Staff Remuneration**

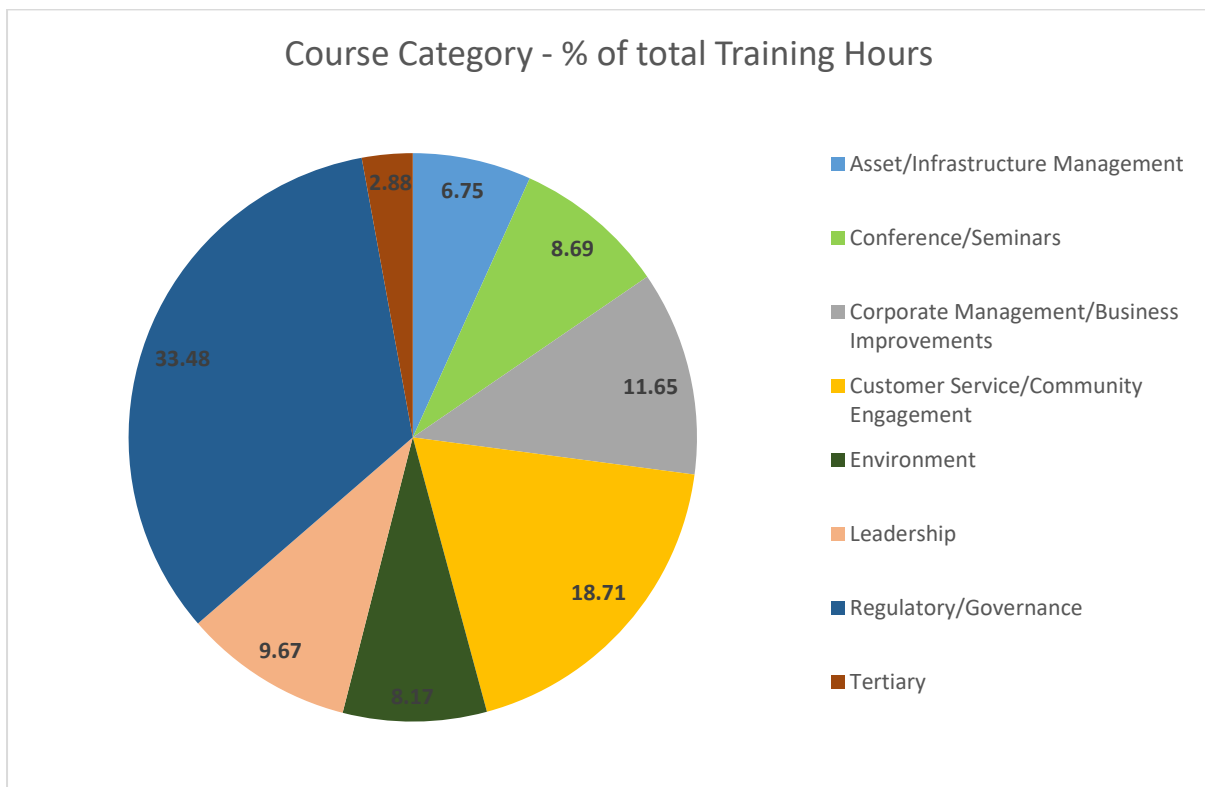
Consistent with Section 332 of the Local Government Act 1993, Council designates the Senior Staff positions within Council. The General Manager is the only designated Senior Staff member within Council's structure.

### e) Learning & Development

In 2016/2017 a total of 7,561 hours was spent on Training Courses and Conference/Seminar attendance, including tertiary sponsored studies. During the year 11 employees were undertaking tertiary sponsored studies with 2 completing their qualifications, the remaining 9 employees are still completing studies. The participation rate of employees undertaking training was 99.28%.

A focus this year was placed on strengthening the skills of staff on their responsibilities and role in providing customer service. We continue to provide a focus on updating the skills and knowledge of staff in managing a safe workplace. Other training programs undertaken to develop our staff and to improve how we deliver our services included:

- asset/infrastructure management,
- customer service,
- communications,
- environmental
- water industry,
- community development,
- corporate systems,
- business improvement,
- computer,
- regulatory/governance/WHS.



## **f) Work Health and Safety**

Kempsey Shire Council is committed to providing a safe and healthy environment for employees, students, contractors and the public. This is achieved by fully integrating health and safety into all its operations and activities, continual improvement and requiring leadership in safety.

To improve and maintain the standard of Work Health and Safety (WHS) within Council, our safety management system is implemented based on systematic identification, assessment and control of hazards. To ensure the ongoing development and improvement of WHS systems, policies and procedures that foster effective communication and consultation forms a fundamental part of this management process, encouraging innovative means of reducing risk on the work environment.

### Health and Safety Committee

The main medium for consultation on health and safety is through the Health and Safety Committee, the membership of the committee comprises of Health and Safety Representatives (HSR) and Management representatives. The HSRs represent the employees within their work groups and provide a forum to discuss health and safety issues with management and to bring about a culture in the workplace to think and work safely. During 2016-2017 the committee held 6 ordinary meetings. The HSRs undertook training on their role and responsibilities to safety in their workgroups and organisation.

### WHS Training

This year 2,847 hours were spent by staff attending WHS training. The training was varied with programs being delivered in the statutory WHS tickets/ licences. Included in the training hours was the ongoing program to update the skills and knowledge of staff in managing a safe workplace, of their WHS responsibilities under the WHS legislation and Council's WHS management system in providing a safe workplace.

Council's ongoing commitment to workplace health and safety, is to provide all staff with the skills and knowledge to manage health, safety and welfare in their work areas.

### Lost Time Injury Frequency Rate (LTIFR)

The number of worker's compensation claims for this year decreased by 1, taking the total to 15. Of these claims 11 resulted in a lost time injury.

We are committed to support injured workers to recover from their injuries at work by having them return to work as early as possible to meaningful employment within their physical capacities determined by treating medical practitioners.

### Employee Assistance Program (EAP)

As part of our commitment to health and well-being, Council offers access to an Employee Assistance Program (EAP) to staff and their immediate family members. The program offers confidential and professional advice, support and counselling on a wide range of issues that can be either personal or work related, including serious problems such as depression, drug and alcohol dependence, anxiety, etc. The program also provides critical incident counselling if required. The program is promoted initially at employee induction training and posters are on display in work areas. Staff accessed 20 hours of EAP services this reporting year.



### **13. Statement detailing the Coastal Protection Services provided**

In accordance with the Local Government (General) Regulation Clause 217 (1)(e1)

Council did not levy services for coastal protection during 2016-2017.

### **14. State of the Environment Report**

This Regional State of the Environment 2016 (RSoE) is the second prepared for the North Coast region of New South Wales (NSW). It involved collaboration between the 12 general purpose councils (councils) along the region's coast, (from Port Macquarie-Hastings Council in the south to Tweed Shire Council in the north and including Lismore and Kyogle councils), three county councils (now Rous County Council), and the North Coast Local Land Services (formerly the Northern Rivers Catchment Management Authority). It aims to report on environmental condition at both a regional and local level primarily for the 2012 to 2016 reporting period, but including information from the 2012 RSoE where relevant.

The RSoE utilises national, state and local data which is broken down by local government area where possible to provide local trends but is also used to provide regional trends. The reporting region for the 2016 report has changed since the 2012 report due to the transition of the Northern Rivers Catchment Management Authority (CMA) to the North Coast Local Land Services (LLS) in 2014. This change resulted in the reporting region changing to match the boundaries of the twelve participating Local Government Areas (LGA).

A State of the Environment (SoE) report serves to inform the community and local and state governments on the condition of the environment in the reporting area, key pressures acting on the environment, and responses to those key pressures.

SoE reporting is a requirement for local government under the Local Government Act 1993. Amendments to the Act in 2009 altered the reporting schedule and structure, requiring a comprehensive SoE report every 4 years (in the year of an ordinary election). The SoE reports are part of the NSW Government's Integrated Planning and Reporting (IP&R) framework. This framework guides each council's strategic planning and reporting, and requires the creation of a community strategic plan which incorporates environmental objectives among other things. The RSoE provides environmental benchmarks which councils and natural resource managers can use for better decision making.

The SOE report is available at Council's Customer Service Centre, the Kempsey Library and on Council's website <http://www.kempsey.nsw.gov.au/environment/soe/index.html>

### **15. Particulars of any Environmental Upgrade Agreement entered into**

In accordance with any requirements imposed under s406. s54P

Council did not enter into any arrangements during 2016-2017.

## 16. Expenditure of Special Variation of Rating income

Kempsey Shire Council applied for a multi-year special variation from 2014-2015, under section 508A.

The council requested annual cumulative increases ranging from 10.0% to 4.0% over the four years, or a cumulative increase of 37.54% by 2017-2018. After the last year of the special variation (2017/18), the increase will remain permanently in the council's rate base.

In 2016-2017 the 10% Special Rate Variation generated significant additional income that was directed at the infrastructure backlog, primarily in maintenance and renewals for roads and bridges.

<b>Project</b>	<b>SRV Spend</b>
Elbow St (Tozer To River St)	36,097.39
Armidale Rd (River St) Elbow St To North St 2.494Km	922,752.64
Cochrane St (Kemp To North 1.308Km)	638,217.58
East St Crescent Head (Main To Korogora 0.257Km)	88,905.91
Edinburgh St Swr (High St To Landsborough 0.077Km)	2,664.49
Elizabeth St Swr (Gregory - Landsborough 0.077Km)	6,082.02
Entrance St Swr (Rudder To Quarry - 0.212Km)	21,815.66
Gamack Lane West Kempsey (Tozer To End 0.08Km)	73,619.13
Kemp St West Kempsey (Thompson - North )	23,517.46
Laurels Ave East Kempsey (Union Ln - End 0.109Km)	1,465.89
Middleton St South Kempsey (Macquarie To Lachlan 0.273Km) - Project Management	231,204.19
North St West Kempsey (Macquarie To Sea)	280,564.06
Union Lane East Kempsey (Rudder - Laurels Lane 0.034Km)	197.88
Wentworth Ave South West Rocks (Arthur - End 0.108Km)	3,862.29
Park Ave K&g Replacement	53,350.35
Elrington Ave K&g Replacement	48,846.65
Nagles Falls Bridge (Nagles Falls Rd)	89,944.67
Yellow Gully Bridge (Nulla Nulla Creekk Rd)	49,478.84
Mcintyres Bridge (Nulla Nulla Creek Rd)	8,308.87
Andersons Bridge Austral Eden Outer Road	51,133.32
Knauers Bridge Kinchela Creek Left Bank Rd	37,713.06
Back Creek Footbridge South West Rocks	7,570.05
Cochrane St Paint Parking Lane And Centre Line Pamp 2016/17	207.36
Gregory St Pedestrian Refuge And Kereb Blisters Pamp 2016/17	2,787.90
Gregory St Pedestrian Refuge And 2 Kerb Blisters Pamp 2016/17	2,378.12
Gregory St (Arthur St) Pedestrian Refuge Pamp 2016/17	40.30
Gregory St (Fig Tree-arakoon Rd) Pram Ramp Pamp 2016/17	4,578.07
Steve Eagleton Dr New Footpath Pamp 2016/17	41,837.88
Bissett St Pedistrian Refuge Pamp 2016/17	9,901.72
Oil terminal footbridge	189,262.75
<b>Total Expenditure</b>	<b>\$2,928,306.50</b>

Council pursuant to section 508(2) of the Local Government Act 1993 received a variation to its general purpose income of 7.7% for a ten year period commencing from 1 July 2008 to enable identified environmental works to be undertaken.

The income for the environmental Levy in 2016-2017 was \$735,515.00 The following expenditures on identified environmental works was undertaken during the 2016-2017 year:

<b>Project</b>	<b>Expenditure</b>
Killick EMP Implementation	11,927.30
Estuary Mgt Plan - Macleay River Prog 3	3,126.44
Coastal Management Plan - Stage 2	30,294.00
Macleay River Catchment Ecosystem Health Monitoring Program - Ecohealth	9,745.16
Implementation Of Strategy U Saltwater Creek & Lagoon Emp	5,700.00
Frederickton Master Plan Implementation	89,435.00
Council initiated LEP Amendments	1,255.34
Implementation Of Management Action 12 - Kempsey Czmp - Grassy Head	6,644.83
Implementation Of Management Action 8 - Kempsey Czmp - Hat Head	3,559.17
Implementation Of Management Strategies 8 & 11 - Macleay Estuary Coastal Zone Mg	5,719.00
Flood Mitigation Capital Works Program (Environmental Levy Funded)	32,159.54
Crescent head master plan	10,010.22
Boyters Lane Wetlands Plan	5,320.00
Gills Creek Rehabilitation 08/09	2,485.00
Heritage Advisor - Professional Consultancy	9,900.00
Population ID	21,580.00
149 Certificate Review	1,850.00
Structures	45,000.00
Drains	38,148.00
Noxious Weeds	150,000.00
Loan Repayments	17,624.00
<b>Total Expenditure</b>	<b>\$501,483.00</b>

## Environmental Levy Reserve

A summary of Income and Expenditure for the year ended 30 June 2017 is as follows:

<b>Balance as at 30 June 2016</b>	
Environmental Reserve Cash Assets	\$1,336,503.00
Environmental Reserve Loan Funds	\$13,452.00
Environmental levy Income 2016/17	\$735,515.00
<b>Expenditure 2016/17</b>	
Works and Studies (Reserve Funded)	\$483,859.00
Loan Repayment	\$17,624.00
Loan Expenditure	-
<b>Balance 30 June 2017</b>	
Environmental Reserve Cash Assets	\$1,570,535.00
Environmental Reserve Loan Funds	\$13,452.00

## 17. Companion Animals Act and Regulation

[Statement regarding activities relating to enforcing and ensuring compliance with Clause 217\(1\)\(f\)](#)

Rangers are responsible for enforcing companion animal laws, as well as educating the community about responsible pet ownership. Council spent \$18,875.44 (excluding Rangers Salaries) on direct companion animal management and activities, including the operation and maintenance of the pound, and associated management costs.

Council continues to promote responsible companion animal ownership through information on our website, brochures, media releases and through communication with the public on a regular basis. The focus areas of the companion animal information on Council's website includes promotion of de-sexing and registration. There are also fact sheets regarding responsible pet ownership and a direct link to the Office of Local Government companion animal site where people can obtain additional information.

Council has designated leash free areas within most of the shires towns and villages.

During 2016-2017 there have been 19 dog attacks in the Shire. Kempsey Shire Council works closely with six (6) rehoming organisations. Council has rehoused 348 companion animals through approved rehoming groups. Council's priority is to rehouse animals from its facility. In the reporting period there were 11 companion animals euthanised which were not suitable for rehoming.

## 18. Government Information (Public Access) Act – GIPA Report

The Government Information (Public Access) Act 2009 (GIPA) commenced from 1 July 2010. This replaced the Freedom of Information Act.

The GIPA Act objective is to open government information to the public by:

- a) authorising and encouraging the proactive public release of government information by agencies, and
- b) giving members of the public an enforceable right of access to government information, and
- c) providing that access to government information is restricted only when there is an overriding public interest against disclosure.

Currently Council makes much of its information publicly available on its website. Council is currently satisfied with the level of government information currently available. Council will endeavour to proactively release any newly created documents that should be made available in the public interest. Council will only require formal GIPA applications as a last resort where there would appear an overriding public interest against disclosure.

During the reporting period, our agency received a total of 9 formal access applications (including withdrawn applications but not invalid applications).

During the reporting period, our agency did not refuse any formal access applications.

The following table sets out information relating to the access applications made to Council during the 2016-2017 year. The information is provided in the format required by the Government Information (Public Access) Regulation.

Government Information (Public Access) Act – Annual Report for Agency Kempsey Shire Council

Clause 7A: Details of the review carried out by the agency under section 7 (3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review

Reviews carried out by the agency	Information made publicly available by the agency
No	No

Clause 7B: The total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications)

Total number of applications received
9

Clause 7C: The total number of access applications received by the agency during the reporting year that the agency refused either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 to the Act (information for which there is conclusive presumption of overriding public interest against disclosure)

Number of Applications Refused	Wholly	Partly	Total
	0	0	0
% of Total	0%	0%	

Schedule 2 Statistical information about access applications to be included in annual report

Table A: Number of applications by type of applicant and outcome\*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Media	0	0	0	0	0	0	0	0	0	0%
Members of Parliament	0	0	0	0	0	0	0	0	0	0%
Private sector business	0	0	0	0	0	0	0	0	0	0%
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0	0%
Members of the public (by legal representative)	4	0	0	0	0	0	0	0	4	50%
Members of the public (other)	1	0	1	1	1	0	0	0	4	50%
Total	5	0	1	1	1	0	0	0	8	
% of Total	63%	0%	13%	13%	13%	0%	0%	0%		

\* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

Table B: Number of applications by type of application and outcome\*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Personal information applications*	5	0	1	1	1	0	0	0	8	100%
Access applications (other than personal information applications)	0	0	0	0	0	0	0	0	0	0%
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	5	0	1	1	1	0	0	0	8	
% of Total	63%	0%	13%	13%	13%	0%	0%	0%		

\* A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

Table C: Invalid applications

Reason for invalidity	No of applications	% of Total
Application does not comply with formal requirements (section 41 of the Act)	0	0%
Application is for excluded information of the agency (section 43 of the Act)	0	0%
Application contravenes restraint order (section 110 of the Act)	0	0%
Total number of invalid applications received	0	0%
Invalid applications that subsequently became valid applications	0	0%

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act

	Number of times consideration used*	% of Total
Overriding secrecy laws	0	0%
Cabinet information	0	0%
Executive Council information	0	0%
Contempt	0	0%
Legal professional privilege	0	0%
Excluded information	0	0%
Documents affecting law enforcement and public safety	0	0%
Transport safety	0	0%
Adoption	0	0%
Care and protection of children	0	0%
Ministerial code of conduct	0	0%
Aboriginal and environmental heritage	0	0%
Total	0	

\*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E

Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act

	Number of times consideration used*	% of Total
Responsible and effective government	0	0%
Law enforcement and security	0	0%
Individual rights, judicial processes and natural justice	0	0%
Business interests of agencies and other persons	1	100%
Environment, culture, economy and general matters	0	0%
Secrecy provisions	0	0%
Exempt documents under interstate Freedom of Information legislation	0	0%
Total	1	

Table F: Timeliness

	Number of applications*	% of Total
Decided within the statutory timeframe (20 days plus any extensions)	8	100%
Decided after 35 days (by agreement with applicant)	0	0%
Not decided within time (deemed refusal)	0	0%
Total	8	



Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)

	Decision varied	Decision upheld	Total	% of Total
Internal review	0	0	0	0%
Review by Information Commissioner*	0	0	0	0%
Internal review following recommendation under section 93 of Act	0	0	0	0%
Review by NCAT	0	0	0	0%
Total	0	0	0	
% of Total	0%	0%		

\*The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner.

Table H: Applications for review under Part 5 of the Act (by type of applicant)

	Number of applications for review	% of Total
Applications by access applicants	0	0%
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0	0%
Total	0	

Table I: Applications transferred to other agencies.

	Number of applications transferred	% of Total
Agency-Initiated Transfers	0	0%
Applicant - Initiated Transfers	0	0%
Total	0	

Schedule 2 Statistical information about access applications to be included in annual report

Table A: Number of applications by type of applicant and outcome\*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Media	0	0	0	0	0	0	0	0	0	0%
Members of Parliament	0	0	0	0	0	0	0	0	0	0%
Private sector business	1	0	0	1	0	0	0	0	2	22%
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0	0%
Members of the public (by legal representative)	3	2	0	1	0	0	0	0	6	67%
Members of the public (other)	0	1	0	0	0	0	0	0	1	11%
Total	4	3	0	2	0	0	0	0	9	
% of Total	44%	33%	0%	22%	0%	0%	0%	0%		

\* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

Table B: Number of applications by type of application and outcome\*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Personal information applications*	0	1	0	1	0	0	0	0	2	22%
Access applications (other than personal information applications)	4	2	0	1	0	0	0	0	7	78%
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	4	3	0	2	0	0	0	0	9	
% of Total	44%	33%	0%	22%	0%	0%	0%	0%		

\* A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

Table C: Invalid applications

Reason for invalidity	No of applications	% of Total
Application does not comply with formal requirements (section 41 of the Act)	3	100%
Application is for excluded information of the agency (section 43 of the Act)	0	0%
Application contravenes restraint order (section 110 of the Act)	0	0%
Total number of invalid applications received	3	100%
Invalid applications that subsequently became valid applications	2	67%

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act

	Number of times consideration used*	% of Total
Overriding secrecy laws	0	0%
Cabinet information	0	0%
Executive Council information	0	0%
Contempt	0	0%
Legal professional privilege	0	0%
Excluded information	0	0%
Documents affecting law enforcement and public safety	0	0%
Transport safety	0	0%
Adoption	0	0%
Care and protection of children	0	0%
Ministerial code of conduct	0	0%
Aboriginal and environmental heritage	0	0%
Total	0	

\*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E

Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act

	Number of times consideration used*	% of Total
Responsible and effective government	0	0%
Law enforcement and security	0	0%
Individual rights, judicial processes and natural justice	2	50%
Business interests of agencies and other persons	2	50%
Environment, culture, economy and general matters	0	0%
Secrecy provisions	0	0%
Exempt documents under interstate Freedom of Information legislation	0	0%
Total	4	

Table F: Timeliness

	Number of applications*	% of Total
Decided within the statutory timeframe (20 days plus any extensions)	9	100%
Decided after 35 days (by agreement with applicant)	0	0%
Not decided within time (deemed refusal)	0	0%
Total	9	

Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)

	Decision varied	Decision upheld	Total	% of Total
Internal review	0	0	0	0%
Review by Information Commissioner*	0	0	0	0%
Internal review following recommendation under section 93 of Act	0	0	0	0%
Review by NCAT	0	0	0	0%
Total	0	0	0	
% of Total	0%	0%		

\*The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner.

Table H: Applications for review under Part 5 of the Act (by type of applicant)

	Number of applications for review	% of Total
Applications by access applicants	0	0%
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0	0%
Total	0	

Table I: Applications transferred to other agencies.

	Number of applications transferred	% of Total
Agency-Initiated Transfers	0	0%
Applicant - Initiated Transfers	0	0%
Total	0	

## 19. Environmental Planning and Assessment Act

Nil to report.

## 20. Public Interest Disclosure Act s31

No public officials made a Public Interest Disclosure, no Public Interest Disclosures were received and no Public Interest Disclosures were finalised during the 2016-2017 reporting period.

## 21. Fisheries Management Act

Nil to report.



## KEMPSEY SHIRE COUNCIL

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