

2017-2018 Annual Report

Part B:
Statutory and
additional detail



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1. Achievements in implementing the 2017-2021 Delivery Program In accordance with the Local Government Act s428(1)

The 2017-2021 Delivery Program builds on the work that Council and the community have achieved over the last term of Council. 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. The themes were agreed with the community in the context of developing the Community Strategic Plan and are:

- The community values being healthy;
- The community values being wealthy;
- The community values being safe; and
- 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 first year of the Delivery Program implementation.

Service Level Indicators reported in the tables following.

Code	Service Levels	Target	Achieved	
HS-01	PLAN FOR AND PROVIDE INFRASTRUCTURE THAT ENCOURAGES AND ALLOWS FOR ACTIVE LIFESTYLES			
	HD-01-01: Provision of potable water supplies to serviced areas			
	No more than 2 percent of water quality monitoring tests exceed the Australian Drinking Water Guidelines	98%	98%	✓
	No more than 2 unplanned interruptions per customer per annum	2	0	✓
	Respond to 100 percent of water service failures within 2 hours	100%	99%	✗
	A minimum 3 to 5 day notice provided for all planned interruptions	100%	100%	✓
	HD-01-02: Provide sporting fields and facilities			
	90 percent of sport facilities are maintained on a weekly basis	90%	100%	✓
	Facilities are available for sports participation 90 percent of time	90%	100%	✓

Service Levels		Target	Achieved	
HD-01-05: Provide swimming facilities				
	Facilities are open 8 months per annum (South West Rocks and Gladstone)			✓
	Facilities are open 10 months per annum (Kempsey and Crescent Head)			✓
	Water quality is maintained to the required standards			✓
HD-01-06: Maintain existing footpath areas				
	High risk trip hazards fixed within 3 months			✓
	Footpaths in Kempsey CBD area cleaned annually			✓
	Medium risk trip hazards fixed within 6 months			✓
HS-03 RESTORE DAMAGED ENVIRONMENTS AND REMOVAL OF ENVIRONMENTAL THREATS				
HD-03-01: Manage and regulate impacts of people on others				
	85 percent of stray dog complaints responded to within 2 working days	85%	93.7%	✓
	85 percent of stray dogs/cats that have been contained collected within 6 hours	85%	86.8%	✓
	95 percent of Ranger service issues responded to within 5 days	95%	92.3%	✗
HD-03-02: Manage and remediate the estuary eco-system				
	Monitor stream and beach water quality for safety weekly	51	51	✓
HD-03-03: Minimise the impact of noxious weeds on the environment and economy				
	Provide 2 education programs per year	2 education programs	5	✓
	Undertake inspections on high risk pathways for weed migration	1,000km	1,250km	✓
	Work with owners with infestations to eradicate weeds			✓
HD-03-04: Maintain storm water drainage system				
	Blockages cleared within 24 hours of being safe to do so	100%	84%	✗
HD-03-05: Minimise impact of waste and dispose of waste safely				
	Fortnightly general waste collection to premises within collection area			✓
	Fortnightly recycling collection to premises within collection area			✓
	Weekly organic collection to premises within collection area			✓
	Provide landfill drop off access 7 days per week (excluding Christmas Day)			✓
	Provide Transfer Station access at Crescent Head, South West Rocks, Stuart's Point for domestic waste			✓

Code	Service Levels	Target	Achieved	
	Monthly mobile collections service for problem waste			✓
HS-04	USE PLANNING CONTROLS TO ENSURE THAT ENVIRONMENTAL IMPACTS DO NOT NEGATIVELY AFFECT LIFESTYLE			
	HD-04-02: Ensure development is safe and to reasonable standard			
	Building inspections are undertaken within 2 business days	75%	100%	✓
	Ensure premises requiring a Fire Safety Certificate have one	100%	100%	✓
	85 percent of development applications approved within 30 business days	85%	75%	✗
	Construction certificates approved within 40 business days	100%	100%	✓
HS-05	MINIMISE RISK TO THE COMMUNITY'S HEALTH			
	HD-05-01: Regulating public health risks			
	85 percent of food premises inspected annually	85%	95%	✓
	80 percent of enquires/complaints are responded to within 5 working days	80%	88.7%	✓
	90 percent of requests relating to environmental quality that may cause preventable harm to the environment are responded to within 5 business days	90%	79.6%	✗
	80 percent of reported alleged breaches of legislation and pollution are responded to within 5 business days	80%	89.2%	✓
	Inspect high risk septic systems for compliance annually			✓
	HD-05-02: Ensure future burial needs cater for			
	Present cemeteries well maintained immediately prior to mother's day, father day, Anzac day, and Christmas day			✓
	Fortnightly maintenance undertaken			✓
	Burials able to be provided within 2 days of request			✓
	HD-05-03: Removal of wastewater products from serviced areas			
	90 percent of treated wastewater is discharged within EPA license limits	95%	95%	✓
	Respond wastewater service failures within 2 hours	100%	99%	✗
	No more than 3 unplanned interruptions per customer per annum	3	0	✓
	A minimum 3 day notice provided for all planned interruptions to residences	100%	100%	✓
	Less than 90 sewer surcharges occur per annum	<90	30	✓
WS-01	BUILD A POSITIVE AND STRONG COMMUNITY CULTURE			
	WD-01-01: Promote literacy			
	Provide library at Kempsey Monday to Saturday			✓
	Provide library branches services at South West Rocks three days per week			✓

Code	Service Levels	Target	Achieved	
	Provide library branch services at Stuarts Point and Hat Head two days per week			✓
	10 literacy improvement workshops held per annum			✓
WS-03	IMPROVE EMPLOYMENT OPPORTUNITIES			
WD-03-01: Increasing value in local business				
	Maintain saleyard accreditation			✓
	Saleyards available for use 24/7			✓
WD-03-03: Encouraging Tourist visitation				
	Provide tourist brochures for distribution and at locations at significant tourist origins			✓
	Provide tourist information 7 days per week			✓
WS-05	INCREASING VALUE OF PRODUCTION			
WD-05-02: Provide transport network				
	Road conditions maintained at a level so that less than 20 accidents per year attributed to road condition factors			✓
	Street sweep urban areas once every 12 weeks			✓
	Street sweep Kempsey & West Kempsey CBD's daily			✓
	Street sweep carparks & around schools weekly			✓
	Inspect customer requests for dangerous road/footpath defects within 48 hours and assess the risk			✓
	Provide 24hr/7 day emergency response within 2 hours			✓
	Repair high risk defects within 24 hours			✓
	Repair Medium and low risk defects within normal routine maintenance programs			✓
	90 percent of roads/bridges not restricted by load limits	90%	100%	✓
	Nil CASA regulation breaches at airport			✓
	Respond to call-out requests at airport for medical and emergency services within 1 hour			✓
THE COMMUNITY VALUES BEING SAFE				
SAS-02	IMPLEMENT SYSTEMS TO MINIMISE AND MITIGATE THE IMPACT OF DISASTERS			
SAD-02-01: Emergency preparation and response				
	Provide administrative support to Local Emergency Management Committee			✓
	Provide timely updates on rainfall and river flow conditions as well as flood gate operations and road closures during flood events			✓
	Provide 33 measuring stations reporting flood or rainfall information			✓

Code	Service Levels	Target	Achieved	
SAD-02-02: Provide flood mitigation infrastructure to reduce flood impacts				
	Mitigate against nuisance flooding in lower Macleay Valley			✓
	Provide protection against 1 in 10 year flood event for Kempsey CBD			✓
	Provide protection against 1 in 50 year flood event for Hat Head			✓
SAS-03 INCREASE EDUCATION LEVELS ON CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)				
SAD-03-01: Undertake activities to minimise crime through education, communication and prevention				
	Provision of CCTV in Kempsey CBD and coastal villages			✓
SAS-04 PROMOTE A SENSE OF COMMUNITY AND NO TOLERANCE TO CRIME AND ANTI-SOCIAL BEHAVIOUR				
SAD-04-01: Graffiti removal				
	Vehicle and materials provided to volunteers to undertake graffiti removal			✓
SAS-06 PROVIDE VIBRANT PUBLIC SPACES OWNED BY THE COMMUNITY				
SAD-08-01: Street lighting				
	Provide lighting to urban street intersections, high traffic urban streets and key pedestrian links			✓
SAD-08-03: Beach Safety				
	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			✓
	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			✓
THE COMMUNITY VALUES BEING CONNECTED				
COS-01 CREATE A RANGE OF MEETING PLACES AND INFRASTRUCTURE FOR COMMUNITY USE				
COD-01-01: Maintain public areas for use by the community				
	Remove litter from main (priority 1) public domain use areas daily			✓
	Sweep footpaths & street gutters in main (priority 1) public domain areas daily			✓
	Bins collected twice a week from public domain areas			✓
	Repair damage within 1 week			✓

Code	Service Levels	Target	Achieved	
COD-01-02: Provide recreational facilities				
	Regional parks maintained weekly			✓
	Local parks maintained monthly			✓
	Neighbourhood parks maintained quarterly			✓
	12 playgrounds inspected per month			✓
COD-01-03: Provide public toilets				
	Priority 1 (high profile/use) toilets cleaned daily			✓
	Priority 2 & 3 toilets cleaned weekly			✓
	Respond to complaints about unclean facilities within 2 hours			✗
COD-01-04: provide suitable parking				
	Ensure car parking available to meet demand 80 percent of time			✓
	Monitor and enforce parking restrictions to ensure availability			✗
	Damage to car parks inspected within 3 weeks of being reported.			✓
	Repairs undertaken as prioritised within budget allocation.			✓
CORPORATE ACTIVITIES AND SERVICES				
CAS-01 Internal facilitation and support				
CAD-01-02: Customer service				
	Provide front counter service 5 days per week			✓
	Provide full phone and email response services 5 days per week			✓
	Provide 7 day, 24 hour emergency response service			✓
	Average call wait time less than 2 minutes	120 seconds	17 second average	✓
	Correspondence registered and allocated within 2 business days			✓
	Respond to written correspondence within 10 working days 90 percent of the time	90%	94%	✓
CAD-01-03: Governance				
	90 percent Information access requests determined within 40 days	90%	100%	✓

2. Particulars of any Environmental Upgrade Agreement entered into
In accordance with the Local Government Act s 54P(1)

Council did not enter into any arrangements during 2017-2018.

3. Expenditure of Special Variation of Rating income Special Rate Variation Guidelines 7.1

Council applied for a multi-year special rate variation from 2014-2015, under section 508A, requesting annual cumulative increases ranging from 10% to 4% over the four years, or a cumulative increase of 37.54% by 2017-2018. The last year of the special rate variation was 2017-2018 with the increase remaining permanently in Council's rate base.

During 2017-2018 the following works were undertaken with income generated from the special rate variation.

Project	Expenditure
Collombatti Road	\$340,375.00
Armidale Road (River Street) Elbow Street to North Street	\$105,824.00
East Street Crescent Head - Main Street to Korogora Street	\$58,076.00
Elizabeth Street SWR - Gregory Street to Landsborough Street	\$348,324.97
Entrance Street SWR - Rudder Street to Quarry Street	\$130,932.00
Stuart Street Kempsey - Forth Street - End	\$132,154.00
Tozer Street - Rehabilitation	\$521,233.00
Wentworth Avenue SWR - Arthur Street to End	\$85,120.00
McIntyres Bridge - Nulla Nulla Creek Road	\$467,440.67
Andersons Bridge - Austral Eden Outer Road	\$155,119.55
Knauers Bridge - Kinchela Creek Left Bank Road	\$214,281.27
TOTAL	\$2,558,880.46

In February 2018 Council applied for a special rate variation of 4.2% above the rate peg to allow for the continuation of the Environmental Levy which has been in place since 2008-2009 which funds significant environmental restoration projects to manage, protect and preserve out waterways and natural environment.

During 2017-2018 the following works were undertaken with income generated from the environmental levy.

Project	Expenditure
Macleay River Management Plan	\$1,694.00
Noxious Weed Program	\$100,000.00
Crescent Head Country Club Planning Proposal Seniors Living	\$450.00
DCP Review	\$44.41
Section 94 Developer Review	\$21,485.00
Heritage Advisor - Professional Consultancy	\$10,350.00
South West Rocks Spencerville/New Entrance Release Area	\$9,789.50
Flood Mitigation Capital Works Program	\$60,000.00
Floodgate repairs	\$21,039.41
Lower Macleay Flood Risk Management Plan - Stage 1 Flood Study 17/18	\$3,985.00
2:1 Flood Grant Expenditure	\$4,436.00
Boyers Lane Wetlands Plan	\$60,385.00
Gills Creek Rehabilitation 08/09	\$26,295.00

Project	Expenditure
Killick Creek Estuary Coastal Management Program	\$4,082.00
Korogoro Creek Estuary Management Program - Stage 1 Scoping Study	\$4,082.00
Macleay River Estuary Coast Management Program - Stage 1 Scoping Study	\$8,478.00
South West Rocks Surf Club - Erosion and Access Investigation	\$15,000.00
Implementation of Management Strategy 21 - Macleay Estuary Coastal Zone	\$4,041.00
Implementation of Management Strategies 8 & 11 - Macleay Estuary Coastal Zone	\$500.00
Flood Policy Review	\$12,774.60
10 Year Strategic Plan	\$3,800.00
Local Environmental Studies - Implementation of The Rural Residential Strategy	\$6,279.00
Frederickton Master Plan Implementation	\$14,360.00
Crescent Head Master Plan	\$9,044.00
Biodiversity Strategy	\$8,025.00
New Cell Development Crescent Head Landfill Facility	\$65,014.00
Loan Repayments	\$45,280.00
Total	\$520,712.92

4. Rates and Charges Written Off

In accordance with the Local Government (General) Regulation 2005, Clause 132

Council's 2017-2018 Financial Statements have been audited by the Audit Office of New South Wales. The Audit report for 2017-2018 is unmodified.

Amount of rates and charges written off during the year. cl132	
Pensioner Rates	\$1,385,957.19
Postponed Rates Section 585 Local Government Act	\$2,352.23
TOTAL	\$1,388,309.42

5. Register of Overseas Travel by Councillors, Council Staff and other Council Representatives

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a1)

Nil undertaken.

6. Councillor Fees and Expenses

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a1) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii)

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 2017-2018 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.

Details Mayor and Councillor Expenses	Cost
Travelling Expenses	\$14,585
Telephone calls made by councillors <i>217(1)(a1)(i)(ii)</i>	\$588
Attendance of councillors at conferences and seminars <i>217(1)(a1)(iii)</i>	\$12,910
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	\$9,241
Training of councillors and provision of skill development <i>217(1)(a1)(iv)</i>	Nil
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>	\$708
Total Expenses	\$38,032

7. Contracts Awarded Greater than \$150,000

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a2) (i), (ii)

The following is a list of contracts awarded by the Council during the 2017-2018 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
Secdata Pty Ltd	The supply, installation and maintenance of Macleay Valley CCTV	\$190,037.91 GST incl.
Eire Constructions Pty Ltd	Construction of the extension of South Street to Gowings Hill Road	Schedule of rates estimated to be approximately \$1,636,602.55 GST excl.
Waeger Constructions Pty Ltd	The replacement of McIntyres and Schmidts Bridges on Nulla Nulla Creek.	\$860,000 GST excl.
Beranghi Selective Spraying Services, Coastal Weed and Pest Control Service Pty Ltd, Gone Native, Mid Cost All Terrain Vegetation and Weed Control, RAW Environmental Services, Robert Rogers, Scott Ross (Rox Spraying Services)	A panel to perform weed / vegetation control, bush regeneration and roadside spraying	Schedule of Rates* GST incl.
Kempsey Stock and Land Pty Ltd, Presvess Pty Ltd t/a LJ Hooker Kempsey, Winsome Real Estate Pty Limited, Remerra Pty Ltd t/as Raine & Horne South West Rocks	A panel of Licensed Real Estate Agents for a period of 5 years	Schedule of Rates* GST excl.
LKS Quaero	The role of Transformation Director	\$372,000 GST excl.
Pacific Blue Metal Pty Ltd	Supply and Delivery of DGB20 and DGS40 Gravel	Schedule of Rates* GST excl.
Hurd Haulage t/as Hy-Tec Concrete	Supply and Delivery of Ready Mix Concrete	Schedule of Rates* GST excl.

Hudowim & Fitness Pty Ltd	Management Lease and Operations of Council Public Swimming Pools – Kempsey McElhone Swimming Complex; South West Rocks Swimming Pool; and Macleay Memorial Pool Gladstone	Kempsey: \$1,675,000 SWR: \$600,000 Gladstone: \$650,000 (5-year contract) GST incl.
Crescent Aquatic Centre Pty Ltd	Management Lease and Operations of Crescent Head Public Swimming Pool (5 years)	\$650,000 (5-year contract) GST incl.
Irwin Fencing Pty Ltd	Supply and Install of Road Safety Barrier Systems	Schedule of Rates* GST excl.

*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.

8. Legal Proceedings

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a3)

Particulars	Expenses	Receipts	Status
Kempsey Shire Council ats Five Star Medical Centre – public liability claim for property damage	\$25,081	Nil	Ongoing
Kempsey Shire Council ats Kylee Ann Lawson - public liability claim for personal injury Kempsey Shire Council ats Jalissa Lawson - public liability claim for personal injury	\$79,107	Nil	Finalised
Kempsey Shire Council vs Midcoast Skip Bins and Metal Recycling – recovery of costs associated with site remediation	\$106,417	Nil	Ongoing
Kempsey Shire Council vs NSW Quarry Services Pty Ltd - compliance matter	\$5,941	Nil	Ongoing

Particulars	Expenses	Receipts	Status
Recovery of unpaid rates with costs recovered from ratepayers and debtors	\$5,199.41	\$653.04	N/A

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

In accordance with the Local Government (General) Regulation 2005, 217(1)(a4)
 In accordance with the Local Government Act s 67, 67(2)(b)

No resolutions were made in relation to Section 67.

10. Grants, Financial Assistance and Contributions

Total amount granted under section 356 in accordance with the Local Government (General) Regulation 2005, 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 2017-2018

Mayoral Community Fund 2017-2018 recipients

Group / Organisation	Amount
Riding for the Disabled	\$200
Kempsey Eisteddfod Society Inc	\$300
South West Rocks Swimming Club	\$1,500
South West Rocks Netball Club	\$1,300
Kundabung Public Recreation Reserve Trust	\$700
Kempsey District Silver Band	\$1,000
Macleay Valley Business Chamber	\$1,000
Slim Dusty Country Music Festival	\$1,000
Blue Moon Bullriding Pty Ltd	\$1,000
Crescent Head Malibu Club	\$1,000
Yarrahapinni Festival at Stuarts Point Inc	\$1,000
Smithtown Croquet Club	\$1,000
Kempsey Railway Centenary	\$2,500
Kempsey Riverside Markets	\$1,000
Total	\$14,500

In addition to the above, the Shire's 26 primary schools each received \$60 while the high schools and North Coast TAFE Kempsey campus received \$100 each.

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 2017-2018:

Group / Organisation	Amount
Crescent Head Community Pre School	\$2,000
Baylin's Gift	\$4,000
South Kempsey Public School – North Coast Deaf Camp	\$1,000
SHINE for Kids	\$4,800
Total ClubGRANTS Funding	\$11,800

11. Statement of external bodies exercising functions delegated by Council In accordance with the Local Government (General) Regulation 2005, 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

The Smithtown Hall Committee was disbanded in early 2018. Members of the community are always welcome to join these committees.

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

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a7)

There were no companies with which Council held a controlling interest during 2017-2018.

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

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a8)

Council did not participate in corporations, partnerships, trusts, joint ventures, syndicates during 2017-2018.

14. Human Resources Data

In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a9), Clause 217(1)(b)(i),(ii),(iii),(iv),(v), Clause 217(1)(c)(i),(ii),(iii),(iv),(v)

a) Organisational Overview

Total number of employees

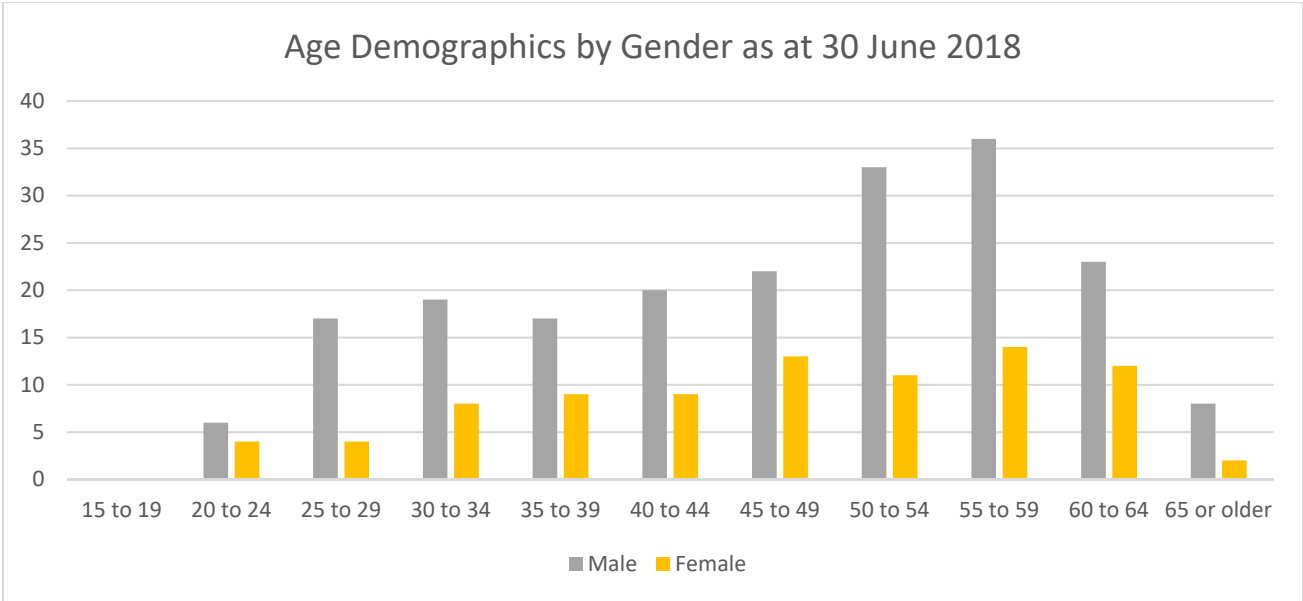
The numbers below are based on actual head count and include permanent full-time and part-time staff. The figures exclude temporary and casual appointments engaged through Labour Hire, and trainees who are employed by external training providers.

Position Breakdown	2017-18	2016-17	2015-16	2014-15	2013-14
No. of Full-Time positions	250	247	254	244	241
No. of Part-Time Positions	22	20	40	32	38
No. of Temporary Part-Time Positions	4	1	4	2	2
No. of Temporary Full-Time Positions	1	8	5	21	4
No. of Casual Positions	10	NA	NA	NA	NA
Total	287	276	303	299	285

The staff turnover rate for the 2017-18 financial year was 7.6% which indicates that employees find Council as a stable employer and provides for security of long-term employment.

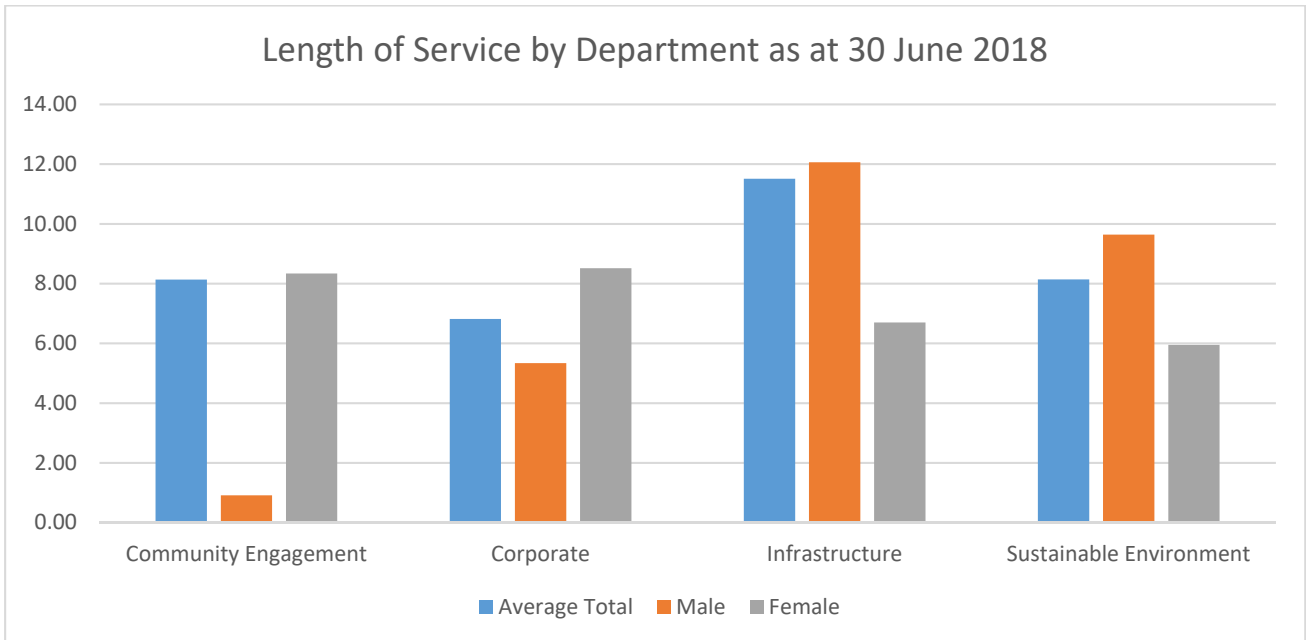
Age and Gender Demographics of employees

The age demographics across Council's workforce indicate that 57% of the workforce is over 45 years of age, with 30% of staff over 55 years of age. (See figure below). Based on FTE staff numbers Council's workforce is 30% female / 70% male and on actual head count the workforce is 27% female / 73 % 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 2018 was 8.6 years, with service by gender of females 7.4 years and males 7 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.



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	45
Number of positions filled	19
Number of positions being filled 2018/2019	26
Number of applications received	860
Number of positions where females applied	19
Number of positions where females were successful	7

Council employed 71.6 full time equivalent (FTE) women during the year, taking the FTE level of women in the workplace to 29%. The number of women in management roles were 4 representing 33% of our Leadership team with 10 women in supervisory roles representing 20.8% of the supervisory positions.

Employment of people with Disabilities

Council employed 2 full time equivalent staff (FTE) with a disability, taking the level of people with a disability within Council to 0.6%.

Employment of people of Aboriginal and Torres Strait Islander Descent

Council employed 8 full time equivalent staff who identify as being of Aboriginal and Torres Strait Islander Descent, taking the level of Indigenous employment within Council to 2.8%.

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 231 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 80%.

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 2017-2018 employees accessed flexible working arrangements of:

Paid maternity leave	4
Unpaid parental leave	2
Supporting parents leave	4
Phased retirement	10
Working from home	Nil
Varied working hours	8

Our Workforce Management Strategy aims to ensure there are sufficient numbers of appropriately trained employees to carry out the organisation's purpose. Council allocated resources towards the beginning of the year with new vision and values developed and held various workshops in communicating with the workforce.

In conjunction with the Workforce Management Strategy, Council has reviewed its recruitment strategy in utilizing capability framework, core competency and situational behavioural interview techniques for better recruitment tool to appoint candidates.

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
- hosting work placements from local schools/TAFE and universities
- hosting full time trainees and school based trainees from a Group Training organisation within the areas of Water/Sewer services and Civil Construction
- review of remuneration packages for senior and managerial staff
- 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. Council employed two general managers in the 2017-2018 period. The total remuneration packages for their period of employment in 2017-2018 are presented below:

David Rawlings: \$53,155.94

Craig Milburn: \$110,199.97

d) Senior Staff Remuneration

Consistent with Section 332 of the Local Government Act 1993, Council designates the Senior Staff positions within Council. There are three designated Senior Staff members within Council's structure.

The three include:

- The General Manager
- Director Corporate and Commercial – Stephen Mitchell
- Director Operations and Planning – Robert Fish.

The combined total remuneration for both Directors for their period of employment in 2017-2018 was \$132,984.87.

e) Learning & Development

In 2017-2018 a total of 6,407 hours was spent on Training Courses and Conference/Seminar attendance, including tertiary sponsored studies. During the year 11 employees were undertaking tertiary sponsored studies and are still completing studies. The participation rate of employees undertaking training was 87.5%.

We continue to provide a focus on updating the skills and knowledge of staff in leadership skills. Other training programs undertaken to develop our staff and to improve how we deliver our services included:

- change and resilience
- environmental
- water industry
- community engagement
- corporate systems

- business improvement
- facilitating meetings
- dangerous dog awareness
- regulatory/governance/WHS

f) Work Health and Safety

Work Health and Safety (WHS)

Council prioritises the health, safety and wellbeing of its workers and is committed to ensuring the safety of all stakeholders including Contractors, Volunteers and members of the public. This is achieved by fully integrating health and safety into all of Council operations and activities which in turn fosters a strong safety culture and establishes that WHS is a shared responsibility.

WHS Management System

Council is progressively working towards implementation of a due diligence safety model with specific focus on a proactive approach to safety. This will drive an enhanced safety culture across the organisation where responsible officers and workers are actively involved with and reactive to WHS issues.

Council has implemented a WHS management system to provide a framework for the delivery of WHS policies, programs and initiatives across the organisation. Further improvement of the system is expected once the online risk management system is introduced.

Taking a proactive risk management approach including worker encouragement of safety-based behaviour outcomes, early safety intervention strategies and targeted workers compensation case injury management rehabilitation outcomes should result in the reduction of workplace incidents, near misses and accidents. These improvements should contribute to a decrease in the organisations worker's compensation insurance premiums over the next few years.

Ensuring a review of WHS performance is a means to ensure the WHS management system is effective in meeting the objectives stated in Council's WHS policy. The analysis of WHS policies, procedures and tools across the organisation is critical in the identification of adverse health and safety trends and allows for continuous improvement of the WHS management system. As well as internal safety audit inspections Council has recently participated in an external independent safety management system audit which will further define areas requiring improvement.

Health and Safety outcomes achieved

During 2017-2018 Council delivered a sun protection safety awareness. The awareness sessions were developed in collaboration with NSW Cancer Council and presented at the monthly yard meeting.

To support the roll out of the program, Council was successful in obtaining a grant from StateCover Mutual which funded sun protection UV identification kits and self-check skin check early detection tools. Each worker was presented with these tools to assist them manage their exposure to harmful UV radiation.

A further grant was provided which funded an extensive manual handling training program. The funding allowed Council to engage a local physiotherapy service provider to run the training sessions where all workers were trained in correct lifting techniques and Musculoskeletal Disorder (MSD) injury causation awareness. This training has seen a significant reduction in MSD injury incidents since its rollout in late 2017.

Health and Wellbeing Programs

Council's workplace wellness program provides the foundation for developing activities and modifying work environments, procedures and practices to support the health and wellbeing of all employees. Wellness activities are focussed on four key wellbeing areas, physical activity, general health, mental health and nutrition.

Implementing a Health and Wellbeing program should result in several beneficial outcomes as employee health status improves with subsequent increases in workplace productivity and reduction in unplanned leave rates.

Positive benefits are also likely to extend beyond employees to result in better health for families and the community as it is anticipated that workers will maintain their healthy lifestyle behaviours outside of work.

Strategies have been developed to assist in meeting the overall goal of the actions required to promote healthy lifestyles and to encourage individuals to manage their own wellbeing.

Council ran a Flu Clinic in June where a number of workers participated and were given an annual flu shot vaccination. While a voluntary initiative, the take up of workers was very encouraging and it is expected this initiative will be made available again next year.

Under the WHS Act employers (Persons Conducting a Business or Undertaking- PCBU) are required to provide health monitoring for each employee who may be exposed to asbestos or other potentially dangerous dust. Council arranged lung function testing for workers who undertake removal of asbestos containing material in their work.

This year the testing was expanded to cover Crystalline Silica. Crystalline silica can be present in concrete, aggregate, gravel, pavers, sandstone and granite. Some work Council undertakes may expose a worker to crystalline silica especially when cutting, jackhammering or drilling into concrete or pavers using power tools. It may also be found when ripping up old concrete or bitumen footpaths and/or roads and excavating sites. All necessary precautions are undertaken when completing these tasks including using water to prevent airborne dust and wearing protective equipment such as respirator masks.

Health and Safety Committee

The Health and Safety Committee is the main avenue for consultation on health and safety matters. The committee provides a forum for management and workers to consult and work together to identify and resolve health and safety problems, and to develop and monitor safe systems of work.

The committee is made up of HSR and management representatives. The committee meets 6 times per year.

The Committee have identified 5 projects priorities which will be actioned over the next 12 months. The projects include:

- Training and Assessment – create an app to allow staff access training reminders;
- Emergency Preparedness – Review of Council's emergency preparedness at the Civic Centre and Thompson Street Depot;
- Priorities for preventative maintenance of major assets;
- Traffic Management – develop and review traffic guidance schemes to ensure compliance with current legislation; and
- Cultural Awareness – Develop in house safety-based behaviour videos and implement safety campaigns to ensure continuous safety improvement.

Incident Reporting requirements

WHS incidents were reported in accordance with Council's incident notification and reporting procedures. In response, appropriate corrective actions are carried out to eliminate or control the risk and prevent further reoccurrences.

During 2017-2018, 33 injury incidents were notified which were made up of 21 medical treatments only, whilst 11 resulted in a lost time injury.

Council maintains a focus on supporting injured workers to recover at work and implements an internal rehabilitation program with an emphasis on the workers wellbeing and expectation of an early return to work as soon as practically possible after injury.

Unfortunately, over the last year an increase of longer-term injuries and more problematic claims including those of a psychological nature have impacted on Council's compensation results and premium costs.

Incident Reporting requirements under the Work, Health and Safety Act 2011.

Incidents notified under Part 3 of the WHS Act 2011	2
Notification was dealt with a SafeWork NSW administration repose (Fire at Council's Waste Management Centre)	1
Notice was issued under Part 10, Section 191 of the Act (Rollover of ride on mower)	1
External investigations were commenced under Part 9 of the Act (Rollover of ride on mower)	1

15. Statement detailing the stormwater management services provided In accordance with the Local Government (General) Regulation Clause 217 (1)(e)

The levy was charged to raise income to invest in improving the stormwater systems in urban areas.

During 2017-2018 the following works were undertaken with income generated from the stormwater levy.

Project	Stormwater Levy Spend
Urban Open Drain Cleaning & Repairs	\$1,700.09
Urban Stormwater Pipe Cleaning	\$948.57
Gross Pollutant Trap Upgrades	\$9,118.85
Locking Grates	\$766.14
Total	\$12,533.65

Remaining income raised has been set aside for future works and projects.

16. Statement detailing the Coastal Protection Services provided In accordance with the Local Government (General) Regulation Clause 217 (1)(e1)

Council did not levy for coastal protection during 2017-2018.

17. Companion Animals Act and Regulation

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

Rangers are responsible for enforcing companion animal laws, as well as educating the community about responsible pet ownership. Council spent \$21,368.29 on direct companion animal management, including operation of the pound/maintenance.

Council continued to promote responsible companion ownership through information on our website, brochures, media releases and through communication with the public on a regular basis. Council has fact sheets regarding responsible pet ownership and a direct link to the Office of Local Government Companion Animals site where people can obtain additional information.

Council has designated leash free areas within most of the Shire's towns and villages and has a brochure on the website showing these areas.

During 2017-2018 there have been 17 dog attacks in the Shire. Kempsey Shire Council works closely with rehoming organisations and has rehoused 301 companion animals through approved rehoming groups. Council's priority is to rehouse animals from its facility. Unfortunately, not all animals are suitable for rehoming and in this reporting period 16 animals have been euthanised due to illness or unsuitability for rehoming.

18. Report on certain proposed capital works projects where a capital expenditure review had been submitted

[OLG Capital Expenditure Guidelines](#)

Nil to report.

19. Carers Recognition Act

[Carers Recognition Act 2010 \(CR ACT\), s 8\(2\)](#)

Nil to report.

20. Disability Inclusion Plan

[Disability Inclusion Act 2014, s13\(1\)](#)

Disability Inclusion Action Plan 2017-2021

Adopted in June 2017 the Kempsey Shire Council Disability Inclusion Action Plan (DIAP) aims to provide better access to Council information, services and facilities. It seeks to ensure people with disabilities can fully participate in our community.

The DIAP follows the four key focus areas established by the NSW Government Disability Inclusion Plan and was developed through a community engagement and research process. In the first year of implementation Council has worked towards addressing attitudes and behaviours through development of networks and use of relevant imagery on collateral and planning.

A major organisational restructure has not enabled specific focus on human resources components.

Construction projects have addressed access and liveability with all newly constructed assets including amenities blocks and rural fire stations compliant with appropriate codes. A major new playground at South West Rocks features wheelchair friendly play equipment. Significant progress has been made on the Pedestrian Access and Mobility Plan (PAMP) including modifications to kerb ramps, new pedestrian crossings and supporting the Lions Club of South West Rocks to create a new access ramp at Back Creek.

In the employment area Council has worked to continue the contract of Macleay Options, a disability employment service to maintain parks and gardens. Ongoing implementation will continue in the areas of Employment, and Systems and Processes.

21. Environmental Planning and Assessment Act
[Environmental Planning & Assessment Act 1979, S 7.5\(5\)](#)

Nil to report.

22. Fisheries Management Act
[Fisheries Management Act 1994, s220ZT \(2\)](#)

Nil to report.

23. Private swimming pool inspections
[Swimming Pools Act 1992, s 22F\(2\)](#)
[Swimming Pools Regulation 2008 \(SP Reg\) cl 18BC](#)

The following swimming pool inspections were completed during 2017-2018:

Number of inspections of tourist and visitor accommodation	18
Number of inspections of premises with more than 2 dwellings	2
Number of inspections that resulted in issuance a certificate of compliance under section 22D of the Act	82
Number of inspections that resulted in issuance a certificate of non-compliance under clause 18BA of the Regulation	4

24. Government Information (Public Access) Act – GIPA Report
[Government Information \(Public Access\) Act 2009, s125\(1\)](#)
[Government Information \(Public Access\) Regulation 2018, cl 8, Schedule 2](#)

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, Council received a total of 9 formal access applications (including withdrawn applications but not invalid applications).

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

The following table sets out information relating to the access applications made to Council during the 2017-2018 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
5

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	1	1
% of Total	0%	100%	

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	2	0	0	0	0	0	0	2	40%
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0	0%
Members of the public (by legal representative)	0	1	0	0	0	0	0	0	1	20%
Members of the public (other)	0	0	0	1	0	1	0	0	2	40%
Total	0	3	0	1	0	1	0	0	5	
% of Total	0%	60%	0%	20%	0%	20%	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	0	0	1	0	0	2	40%
Access applications (other than personal information applications)	0	2	0	1	0	0	0	0	3	60%
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	0	3	0	1	0	1	0	0	5	
% of Total	0%	60%	0%	20%	0%	20%	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)	1	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	1	100%
Invalid applications that subsequently became valid applications	1	100%

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	1	100%
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	1	

*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	1	50%
Business interests of agencies and other persons	1	50%
Environment, culture, economy and general matters	0	0%
Secrecy provisions	0	0%
Exempt documents under interstate Freedom of Information legislation	0	0%
Total	2	

Table F: Timeliness

	Number of applications*	% of Total
Decided within the statutory timeframe (20 days plus any extensions)	4	80%
Decided after 35 days (by agreement with applicant)	1	20%
Not decided within time (deemed refusal)	0	0%
Total	5	

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	

25. Public Interest Disclosure Act s31
Public Interest Disclosures Act 1994, s 31
Public Interest Disclosures Regulation 2011, cl 4

No public officials made a Public Interest Disclosure, no Public Interest Disclosures were received, and no Public Interest Disclosures were finalised during the 2017-2018 reporting period.

Kempsey Shire Council

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