



KEMPSEY
Shire Council



Annual Report 2018–2019

**Part B: Statutory and
additional detail**

Table of Contents

1.	Achievements in implementing the 2017-2021 Delivery Program	3
2.	Particulars of any Environmental Upgrade Agreement entered into	9
3.	Expenditure of Special Variation of Rating income	9
4.	Rates and Charges Written Off.....	11
5.	Register of Overseas Travel by Councillors, Council Staff and other Council Representatives 12	
6.	Councillor Fees and Expenses	12
7.	Contracts Awarded Greater than \$150,000.....	13
8.	Legal Proceedings	15
	In accordance with the Local Government (General) Regulation 2005, Clause 217(1)(a3)	15
9.	Summary of resolutions made under section 67 concerning work carried out on private land.....	15
	In accordance with the Local Government (General) Regulation 2005, 217(1)(a4), and in accordance with the Local Government Act s 67, 67(2)(b).....	15
10.	Grants, Financial Assistance and Contributions	16
11.	Statement of external bodies exercising functions delegated by Council.....	16
12.	Statement of corporations, partnerships, trusts, joint ventures, syndicates and other bodies in which Council held a controlling interest	17
13.	Statement of corporations, partnerships, trusts, joint ventures, syndicates and other bodies in which Council participated	17
14.	Human Resources Data.....	17
15.	Senior Staff Salaries.....	21
16.	Statement detailing the stormwater management services provided.....	21
17.	Statement detailing the Coastal Protection Services provided	22
18.	Companion Animals Act and Regulation	22
19.	Report on certain proposed capital works projects where a capital expenditure review had been submitted.....	22
20.	Carers Recognition Act.....	23
21.	Disability Inclusion Plan	23
22.	Environmental Planning and Assessment Act	23
23.	Fisheries Management Act.....	24
24.	Private swimming pool inspections	24
25.	Government Information (Public Access) Act – GIPA Report	24
26.	Public Interest Disclosure Act s31.....	27

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 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.

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

Annual Report Part A – A Year in Review provides highlights of the 2018-19 year of the Delivery Program implementation.

Service performance results are reported in the following table (as **Part B**).

Code	Services	Target	Achieved	
HS-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	>2%	2.45%	✓
	No more than 2 unplanned interruptions per customer per annum	2	<2	✓
	Respond to 100 percent of water service failures within 2 hours	100%	100%	✓
	Annual renewal of minimum 2km of mains according to Asset Management Plan	2km	2.6km	✓
HS-01-03: Provide sporting fields and facilities				
	90 percent of sport facilities are maintained on a weekly basis	90%	90%	✓
	Facilities are available for sports participation 90 percent of time	90%	90%	✓
	Deliver 28 playgrounds inspection and maintenance program	100%	100%	✓
	Open spaces maintained, such as public reserves, BBQ and passive recreation spaces; twice weekly and more frequently in peak periods	100%	100%	✓
HS-01-04: 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-03-01: Estuary ecosystems are managed and remediated				
	90% of requests relating to environmental quality that may cause preventable harm to the environment responded to within five working days	90%	93.6%	✓

HS-03-01: Treatment of waste				
	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			
	Monthly mobile collections service for problem waste			
HS-03-02: Maintain storm water drainage system and HS- 05-01				
	Respond to wastewater service failures within two hours	100%	100%	
	90% of treated waste water is discharged within EPA licence limits	90%	95%	
	No more than three unplanned interruptions per customer per annum	<3	<3	
HS-03-04: Minimise the impact of noxious weeds on the environment and economy				
	Provide 4 education programs per year	4 education programs	6 programs	
	Undertake inspections on high risk pathways for weed migration	1,000km	1,230km	
	Work with owners with infestations to eradicate weeds	800 private rural properties	1,218 private properties inspected	
HS-05-02: Regulating public health risks				
	Annual inspection of 100% high risk septic systems for compliance	100%	96% inspected	 1064 inspections undertaken; target not achieved due to resourcing constraints
	Implement program for 4,500 septic sites not classified as high risk.	100%	100%	
	Swimming Pool Inspections undertaken within three business days of request or complaint.	Number of inspections	135 pool inspections undertaken	

HS-05-03: Food related health risks are regulated				
	95 percent of food premises inspected annually	95%	96%	✓
	Initial investigation of request for inspection to be done within 5 working days	100%	100%	✓
	Annual inspection of 100% high risk septic systems for compliance	100%	100%	✓
WS-01-01: Literacy increases supported through provision of library services				
	Provide library at Kempsey Monday to Saturday			✓
	Provide library branches services at South West Rocks three days per week			✓
	Provide library branch services at Stuarts Point and Hat Head two days per week			✓
	Literacy improvement workshops held per annum			✓
	Mobile service operating			✓
WS-01-02: A range of cultural opportunities and activities are delivered across the Shire				
	More than four events across Shire			✓
	Event capacity of community groups increased			✓
WS-03-01: Economic development to attract business and investment is provided				
	Prepare Macleay Valley Economic Development Strategy and Destination Management Plan			✓
	Kempsey Cinema operational		On track for November 2019 opening	✓
WS-03-02: Encouraging tourist visitation				
	Support tourism operators via website, visitor information guides, social media and industry networking			✓
	Provide tourist information centres in Kempsey and South West Rocks: 7 days per week			✓
	Holiday parks: contracts managed; capital works and maintenance program undertaken			✓
WS-05-01: Increasing value of production				
	Provide a saleyards facility and business plan			✓

WS-05-03: Provide transport network				
	Respond to critical sealed road repairs			✓
	Delivery sealed road network renewal and rehabilitation program			✓
	Deliver unsealed road network maintenance program			✓
	Deliver timber bridge network replacement program			✓
	Deliver the timber bridge network refurbish program			✓
	Deliver the kerb and gutter replacement program			✓
	Respond to critical timber and bridge repairs and defects			✓
SS-01-01: Emergency management				
	Emergency management plans reviewed and updated			✓
	Support provided to category 1 properties			✓
	Flood structures and drains cleared, maintained and cleaned			✓
SS-03-01: Safer public spaces are created				
	Installation of Kempsey, South West Rocks and Crescent Head CCTV security systems			✓
	Surf Lifesaving activities provided during peak holiday periods at Council beaches			✓
	Pathway lighting installed at recreational areas including Brighton Park, Riverside Park and South Kempsey Park			✓
SS-05-01: Road Safety Program delivered				
	Behavioural program and awareness campaigns undertaken			✓
SS-06-01: Public art and placemaking opportunities are identified and delivered				
	90% of all graffiti reported or spotted removed within five days			✓
SS-07-01: Active partner in interagency forums				
	Council provides support to Police Aboriginal Consultative Committee, Community Police Safety Committee meetings and the Liquor Accord. CCTV footage is provided to the NSW Police on request and within guidelines			✓

CO-01-01: Recreation areas and public facilities are provided for use by the community				
	Maintain open space areas such as public reserves, BBQs and passive recreation areas			
	Four swimming pools accessible and maintained			
	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 planned within 1 week			
	Complaints about unclean facilities responded to within two hours			
CO-01-02: Public use infrastructure is available and maintained				
	Public toilets cleaned and maintained across the Shire according to priority use			
	Deliver the public carpark maintenance and refurbishment program across the Shire's 14 public carparks			
	12 playgrounds inspected per month			
	Monitor and enforce parking restrictions to ensure availability according to priority use and seasonal impacts			
CO 2.1: Council advocates for social inclusion and fairness				
	Implement actions from the Disability Inclusion Action Plan			
CORPORATE ACTIVITIES AND SERVICES				
GS-03-01: Customer service				
	Provide front counter service 5 days per week			
	Average call wait time less than 2 minutes	120 seconds	39 second average	
	Correspondence registered and allocated within 2 business days			
CAD-01-03: Governance				
	Request for information determined within statutory timeframes	100%	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 2018-19.

3. Expenditure of Special Variation of Rating income
In accordance with Special Rate Variation Guidelines 7.1

Environmental Levy

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 our waterways and natural environment.

During 2018-2019 the following works were undertaken with income generated from the environmental levy.

Environmental Levy Projects	Expenditure (\$)
Noxious Weed Program	100,000
Shorebird Survey & Report	40,000
Implementation of Management Action 12 Kempsey Czmp Grassy Head Option C	30,000
Implementation of Management Strategy 30 - Action 30.4	5,700
S94 Developer Contributions Planning Program/Review Implementation	7,265
Lower Macleay Flood Risk Management Plan - Stage 1 Flood Study 17/18	33,214
Flood Mitigation Works	55,678
Boyters Lane Wetlands Plan	10,000
Gills Creek Rehabilitation 08/09	2,520
Killick Ck Estuary Coastal Management Program	6,775
Korogoro Creek Estuary Management Program - Stage 1 Scoping Study	6,775
Macleay River Estuary Coast Management Program - Stage 1 Scoping Study	12,894
Total	310,820

2014-15 SRV – Infrastructure Backlog, Roads and Bridges Expenditure

Kempsey Council's Special Variation as applied for in 2014 under section 508A of the Local Government Act 1993, is subject to the conditions of the IPART in its determination to report on this expenditure to address its infrastructure backlog, primarily on road and bridge works as listed in its application. It is required to report this until 2023/24.

Roads and Bridge Capital Expenditure Projects	Expenditure (\$)
Kemp Street West Kempsey (Thompson - North)	20,085
Tozer Street Rehabilitation	103,429
Plummers Lane (West End)	102,885
South West Rocks Road (3.3Km to 4.0 East of Smithtown Road)	141,102
Middleton Street, South Kempsey (Railway Bridge to Vernon Street - 0.75Km)	10,799
Stuart Street, Kempsey (Belgrave Street to Forth Street - 0.2Km)	49,221
Betts Street, East Kempsey (Bissett Street to Gill Street - 0.4Km)	25,312
Innes Street, East Kempsey (Bissett Street to Gill Street - 0.45Km)	11,097
Belmore Street, Crescent Head (Pacific Street to 0.45Km Northward)	166,716
UR Hutcheson Street, Hat Head (Les Dunford Road to Mason Street - 0.45Km)	122,701
Bay Street, Hat Head (Mason Street to Myrtle Street - 0.6Km)	178,759
Belmore River Right Bank Road Resheeting	35,880
Armidale Road (1.4Km to 2.8Km West of Turners Flat Road - 1.4Km)	196,829
Plummers Lane (Summer Island Road To 1.0Km East of Summer Island Road – 1.0Km)	243,666
Hat Head Road (3.0Km to 3.6Km East of South West Rocks Road - 0.6Km)	351,269
Gowings Hill Road (Giblin Place to Mollies Way - 0.7Km)	35,736

Roads and Bridge Capital Expenditure Projects	Expenditure (\$)
Armidale Road – O’Neills Access	109,262
Maria River Road (End of Bitumen to Shire Boundary - 12.0Km)	101,966
Mooneba Road (End of Bitumen to Ducats Lane - 2.1Km)	106,393
Mungay Creek Road (Dennis Road to Mines Road - 0.3Km)	31,040
Nelsons Wharf Road (Old Aerodrome Road to End - 1.3Km)	45,450
Seal Road	153,616
Warbro Brook Road (Brassils Creek Road to Lemon Tree Gully - 2.0Km)	91,012
Willi Willi Road (Moparrabah Road To Toorumbee Road - 2.9Km)	124,726
Mungay Creek Road (Dennis Road To Mines Road - 0.3Km)	31,040
Kyles Bridge Toms Gully Road	80,027
Total	2,670,018

4. Rates and Charges Written Off

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

Council’s 2018-19 Financial Statements have been audited by the Audit Office of New South Wales. The Audit report for 2018-19 is unmodified.

Rates and charges written off during the year, Clause 132	2018-19 (\$)
Pensioner Rates	1,413,790
Other	16,732
Total	1,430,522

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 Office 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 2018-19 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	2018-19 Expenses (\$)
Travelling Expenses	11,231
Telephone calls made by councillors <i>217(1)(a1)(i)(ii)</i>	50
Attendance of councillors at conferences and seminars <i>217(1)(a1)(iii)</i>	5,804
Interstate visits by councillors, including transport, accommodation and other out of pocket travelling expenses <i>217(1)(a1)(v)</i>	1,782
Meals and refreshments for council and committee meetings	7,386
Training of councillors and provision of skill development <i>217(1)(a1)(iv)</i>	4,189
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>	157
Total	30,599

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 2018-2019 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 (\$)
Surf Live Saving Services P/L t/a Australian Lifeguard Service	Provision of Surf Life Saving Services Macleay Valley Coast	1,071,086
Osborne & Dowling Pty Ltd	New Dondingalong RFS Station	559,149
Osborne & Dowling Pty Ltd	New amenities building Crescent Head CBD	164,982
Smada Electrical Services Pty Ltd	Design and installation of floodlights for sporting fields	1,138,025
Osborne & Dowling Pty Ltd	Civic Centre Roof Replacement Work	622,380
SMC Marine Pty Ltd	Supply and Installation of Piling for Back Creek Footbridge	538,000
Allstate Linemarking Services Pty Ltd, Complete Linemarking Services Pty Ltd, Jenelad Pty Ltd t/a Whiteline Road Services, Oz Linemarking NSW Pty Ltd, Workforce Road Services Pty Ltd	Provision of linemarking services	Schedule of Rates*
Jardine Lloyd Thompson Pty Ltd	Provision of Insurance Brokerage and Risk Management Services	Schedule of Rates*
IT Vision Australia Pty Ltd	Corporate Business System – implementation and annual software subscription	632,260
Suite Design Australia Pty Ltd	Supply, Delivery and installation for cabin furniture at Macleay Valley Coast Holiday Parks	293,803
Waeger Constructions Pty Ltd	Design and Construction of Turners Flat Bridge	3,452,000

Beranghi Selective Spraying Services, Mid Coast All Terrain Vegetation and Weed Control Pty Ltd, Raw Environmental Services (since removed), Rox Spraying Services, Coastal Weed Control Services Pty Ltd, Saltair Flora and Fauna	Invasive weed control and vegetation management services	Schedule of Rates*
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*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)

Project	Status	Expenditure (\$)	Receipts (\$)
Kempsey Shire Council vs Midcoast Skip Bins and Metal Recycling - recovery of costs associated with site remediation	Ongoing	7,698	Nil
Kempsey Shire Council ats Five Star Medical Centre - public liability claim for property damage	Finalised	Nil	Nil
Kempsey Shire Council vs NSW Quarry Services - Class 4 proceedings in NSW Land and Environment Court	Ongoing	27,380	Nil
Kempsey Shire Council ats Chaffey - public liability claim for personal injury	Ongoing	12,500	Nil
Kempsey Shire Council ats Clark - Class 1 proceedings in NSW Land and Environment Court	Ongoing	6,577	Nil
Kempsey Shire Council ats SW Rocks Development Pty Limited - Class 1 proceedings in NSW Land and Environment Court	Ongoing	5,676	Nil
Kempsey Shire Council ats Lenord - public liability claim for personal injury	Finalised	49,211	Nil
Kempsey Shire Council vs Bailey - compliance matter	Finalised	3,003	Nil
Total		112,045	Nil

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), and 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 table provides details on the community groups/organisations that were assisted in 2018-19 through the Mayoral Community Fund.

Mayoral Community Fund 2018-19 recipients	
Group / Organisation	Amount (\$)
Stuarts Point Preschool	420
South West Rocks Lions Club	460
The 1st Kempsey Scout Group	500
Kempsey Singers Inc.	700
Kempsey District Silver Band	1,500
Role Models & Leaders Australia (RMLA)	1,250
Kempsey Little Athletics	1,000
Hat Head Triathlon Club	1,000
Kempsey Riverside Market	1,500
South West Rocks Arts Council	500
Stuarts Point & Districts Community Organisation Inc	670
Total	9,500

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

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 Stuarts Point Community Hall Committee South West Rocks School of Arts Hall Committee	Public Facility Management – Public Halls

External Body	Function
Willawarrin Hall Committee	
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

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 2018-19.

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 participated in the Mid -North Coast Joint Regional Organisation during the year.

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

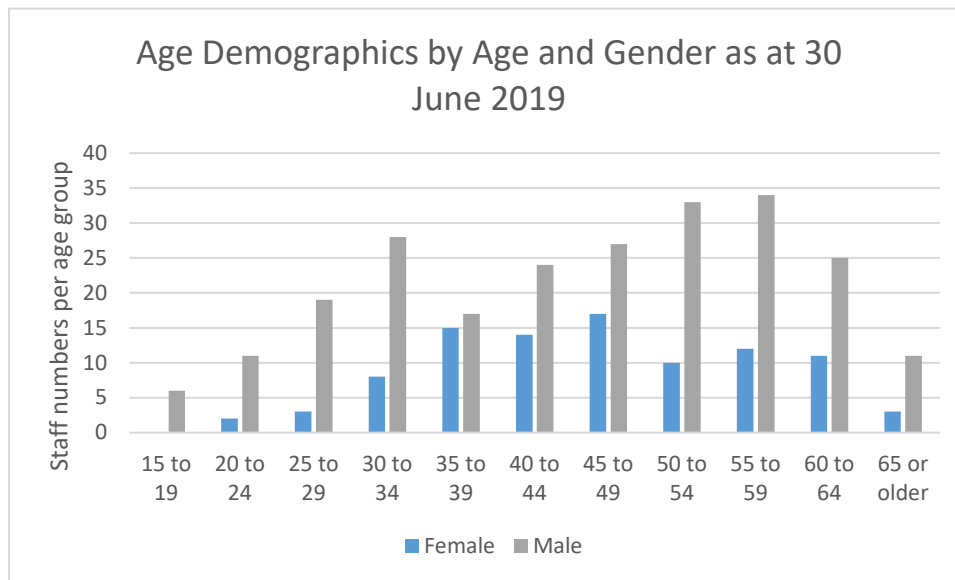
The numbers below are based on actual head count and include permanent full-time and part-time staff on 25 June 2019. The figures exclude temporary and casual appointments engaged through labour hire agencies.

Position Breakdown (Actual Employees Numbers)	2018- 19	2017- 18	2016- 17	2015- 16	2014- 15
No. of Full-Time positions	261	250	247	254	244
No. of Part-Time Positions	21	22	20	40	32
No. of Temporary Part-Time Positions	3	4	1	4	2
No. of Temporary Full-Time Positions	30	1	8	5	21
No. of Casual Positions	15	10	NA	NA	NA
Total	330	287	276	303	299

The voluntary staff turnover rate for the 2018-19 financial year was 5.75% which is lower than the previous year 2017-18 of 7.5% and indicative of the recent transformation of 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 55% of the workforce is over 45 years of age, with 29% of staff over 55 years of age (see graph below). Based on FTE staff numbers Council's workforce is 27% female / 73% male and on actual head count the workforce is 29% female / 71 % 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 2019 was 9.6 years, with service by gender of females 7.3 years and males 10.5 years. A workforce with employees who have longer than average length of service is regarded 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 during the year	72
Number of positions filled during the year	69
Number of positions being filled as at 30 June 2019	4
Number of applications received during the year	924
Number of female applicants	148
Number of positions where females were successful	23

Council employed 93 women in the workplace, or 78.5 full time equivalent (FTE) women during the year, or 26% of the workforce. The number of women in management roles were 3 representing 25% of our Leadership team with 16 women in supervisory roles representing 23% of the supervisory positions.

Employment of people with Disabilities

Council employed 3 full time equivalent staff (FTE) with a disability, and the percentage of people employed with a disability within Council was 0.9% of the workforce during this period.

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, or 2.5% of the workforce during this period.

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

Council employed 4 full time equivalent staff from a culturally and linguistically diverse community, or 1.4% of the workforce during this period.

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

Council employed 248 full time equivalent staff having their home address within the boundaries of the Kempsey LGA, or 82% of the workforce during this period.

Flexibility for Work and Family Arrangements

Staff have opportunities for flexible working arrangements, including parental leave, working from home, varied working hours for family responsibilities and phased retirement.

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 as a 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
- continuing to review and update our Work Health and Safety management system in line with best practices
- maintaining staff health and wellbeing programs.

Learning & Development

In 2018-2019, there was a total of 6,680 hours spent on Training Courses and Conference/Seminar attendance. During the year, 60 employees were undertaking tertiary sponsored studies and are still completing studies. The participation rate of employees undertaking training was 96.6% of the workforce.

We have focussed on upskilling the general workforce in preparation of the implementation of new corporate business systems and 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:

- Systems training
- Fees & Charges
- Mental Health
- Workers Compensation
- Digital Literacy
- Regulatory / governance / WHS

c) Work Health and Safety

WHS Management System

The focus of Council's WH&S system is on eliminating work related injuries, illnesses and unsafe work practices and to promote employee health and wellbeing by creating safe workplaces. A key foundation of Council's workplace safety culture, is ensuring all employees are aware of their safety responsibilities, motivating a commitment to direct ownership of risk management and personal accountability for their actions.

- Strong safety leadership and management commitment has directly related to improving safety performance.
- Consultation, education and training for employees is a vital component in making sure employees have the knowledge, skills and awareness to identify and manage risks and adopt effective safe working behaviours.
- Planning and investigation into trialling an electronic WHS management system, which will allow Council to be less reliant on paper based safety systems and introducing real time reporting, which is expected to allow Council to take a proactive approach to safety issues and result in a reduction in workers compensation and lost time claims.

Health and Safety Outcomes

Manual Handling incidents are still the most common trigger for musculoskeletal injuries. To reduce the risk of injury occurrences Manual Handling training was conducted for all new staff in March/April 2019.

Health and Wellbeing program highlights were:

- 'Just step into it' an initiative to encourage workers to make physical exercise as part of their normal day's activities
- Eat Well – Work Well an initiative to encourage workers to make healthy choices when planning meals and ensuring their fitness to work
- Mental Health Awareness sessions

Council celebrated Men's Health week in June 2019 by facilitating a health expo to bring awareness to health issues that affect men disproportionately and focused on getting men

to become aware of problems they may have or could develop. Expo exhibitors included representatives from Mid North Coast Local Health District and other health and gym providers located within the shire.

Following on from a successful campaign last year, Council ran a Flu Clinic in May/June. While the clinics are a voluntary initiative, the take up of workers is very encouraging resulting in less time taken off work due to illness.

Workers Compensation and Injury Statistics

Lead and lag indicators are used to provide composite measures of safety performance and assist Council develop risk avoidance initiatives, minimisation incidents and set or revise safety goals and objectives.

In 2018/19 reported workers compensation claims totalled 21 claims, which resulted in 85 lost time days.

Due to an improved claims performance, Council's claim performance measure has fallen to 3.18%. When compared with the Scheme Performance Measure of 4.55%, this results in a claim performance adjustment rate of 0.85 times. This will provide a significant discount on Council's 2019/20 workers compensation premium calculations.

15. Senior Staff Salaries

[In accordance with the Local Government \(General\) Regulation Clause 217 \(1\)\(b and c\)](#)

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 total remuneration packages for the following positions during 2018-19 are presented below:

General Manager: \$281,185

Senior Staff Remuneration

There are three designated Senior Staff members within Council's structure.

The three include:

- The General Manager – Craig Milburn
- 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 2018-19 was \$445,583

16. 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 2018-2019 the following works were undertaken with income generated from the stormwater levy.

Project	Stormwater Levy Spend (\$)
Open Drain and Stormwater Pipe Cleaning and Repairs	1,532
Gross Pollutant Trap Upgrades	57,127
Locking Grates	1,928
Total	60,587

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

17. 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 2018-19.

18. 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 approximately \$43,825 on direct companion animal management, including operation of the pound/maintenance.

Due to regular break-in incidents, a large-scale security upgrade at the pound was undertaken in 2019. Since the new security measures have been in place, there have been two attempted break-ins which were both unsuccessful in obtaining any animals.

Council continued to promote responsible companion ownership through information on its 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 2018-2019, there were 20 dog attacks in the Shire. Kempsey Shire Council works closely with rehoming organisations and has rehoused 193 companion animals through approved rehousing groups. When Council's pound facility is full, animals are taken directly to the rehousing organisations. Unfortunately, not all animals are suitable for rehousing and in this reporting period, 16 animals have been euthanised due to illness or unsuitability for rehousing.

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

OLG Capital Expenditure Guidelines

Nil to report.

20. Carers Recognition Act

Carers Recognition Act 2010 (CR ACT), s 8(2)

Council has considered its obligations under the NSW Carers (Recognition) Act 2010 with regards to carers or persons being cared for by carers and supports employees with caring responsibilities in accordance with s21 B of the Local Government (State) Award 2017. Further, these obligations are recognised in Council's Condition of Employment policy and leave procedure 2013, and communicated during Council's employee induction program.

21. 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.

Key initiatives include:

- Attitudes and Behaviours – promotion of local events, International Day of Disabilities events, information flyers, inclusion and diversity in Council publications (press releases, social media) and working with community partnerships such as Community Disability Group
- Liveable communities – providing safe and accessible new assets and improvements when upgrades are occurring; construction and development of buildings, Pedestrian Access plans, toilets and new facilities, footpath improvements, including auditing, and working with neighbouring councils, improved employment opportunities through specialist agencies
- Systems and process improvements – progressive improvements to Council's website, library and customer services and signage

22. Environmental Planning and Assessment Act

Environmental Planning & Assessment Act 1979, S 7.5(5)

Council entered into a Voluntary Planning Agreement (VPA) with Gowings Bros Ltd (the Developer) in April 2018 for the construction of a cinema complex at 2-14 Belgrave Street, Kempsey. The VPA is a voluntary agreement under which the Developer will construct the cinema and make it available to Council and the local community of Kempsey in order to confer a material public benefit on the community.

The VPA requires Council to provide monetary contributions to the Developer, if the Developer has complied with its obligations under the VPA, to an amount not exceeding \$2,000,000.

Council and the Developer are continuing to meet all of their respective obligations under the VPA.

23. Fisheries Management Act

Fisheries Management Act 1994, s220ZT (2)

Nil to report.

24. Private swimming pool inspections

Swimming Pools Act 1992, s 22F(2)

Swimming Pools Regulation 2018 (SP Reg) cl 23

The following table provides details on swimming pool inspections were completed during 2018-19.

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	99
Number of inspections that resulted in issuance a certificate of non-compliance under clause 18BA of the Regulation	16

25. 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;
- 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 and 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 2018-19 year. The information is provided in the format required by the Government Information (Public Access) Regulation.

1. Statistical information about access applications – Clause 7(d) and Schedule 2

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
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	3	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	3	0	0	0	0	0	0
Members of the public (application by legal representative)	1	0	0	0	0	0	0	0
Members of the public (other)	2	1	0	0	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
Personal information applications*	0	1	0	0	0	0	0	0
Access applications (other than personal information applications)	5	2	0	0	0	0	0	0
Access applications that are partly personal information applications and partly other	0	1	0	0	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).

PLEASE NOTE: The total number of decisions in Table B should be the same as Table A.

Table C: Invalid applications	
Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	0
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	0
Invalid applications that subsequently became valid applications	0

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of the Act	
	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	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 the Act	
	Number of occasions when application not successful
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	0
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

Table F: Timeliness	
	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	8
Decided after 35 days (by agreement with applicant)	2
Not decided within time (deemed refusal)	0
Total	10

Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)			
	Decision varied	Decision upheld	Total
Internal review	0	0	0
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by ADT	0	0	0
Total	0	0	0

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

Table H: Applications for review under Part 5 of the Act (by type of applicant)	
	Number of applications for review
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0

26. 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 2018-19 reporting period.



KEMPSEY SHIRE COUNCIL

22 Tozer Street
PO Box 3078

West Kempsey NSW 2440
P. 02 6566 3200

E. ksc@kempsey.nsw.gov.au
www.kempsey.nsw.gov.au

   [KempseyShireCouncil](#)