

ANNUAL REPORT

2021-2022

STATUTORY INFORMATION

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1. Achievements in the 2021-2022 Operational Program

Local Government Act s428(1)

The 2021-22 Delivery Program and Operational Plan details the activities along with the associated performance measures and budgets, that were planned to be delivered during the 2021-22 financial year. The plan was organised by the community themes in Council's Community Strategic Plan 2036, being healthy, wealthy, safe and connected.

In a year characterised by further COVID-19 disruptions, floods and extended wet weather, Council made considerable progress against Operational Plan actions, resulting in 149 of 184 actions (81%) being completed by 30 June 2022.

The tables below provide further details as to the status of each action.

Our Health

OP code	Item	Performance Measure	Outcome	Comments
HS01.1 Potable water provision				
HS01.1.1	Implement updated Drinking Water Management System (DWMS)	Annual review conducted and update actions implemented for the DWMS during 2021-22	Complete	
HS01.1.2*	Provide safe and reliable drinking water to the community via approximately 12,000 connections	No more than 2% of water quality monitoring tests exceed the Australian Drinking Water Guidelines associated with human health	99.78% of water quality tests exceeded Australian Drinking Water Guidelines.	
HS01.1.3	Deliver the planned maintenance program across water infrastructure network	Annual maintenance program completed	Complete	
HS01.1.4*	Implement the water meter replacement program	Minimum 1000 replacements across the Shire	751 meters replaced	Total replacements are incomplete due to main breaks caused by changing ground conditions and staff shortages.
HS01.1.5	Continue education program, including community and school support, to improve awareness of water saving measures	Number of schools visited under Waterwise Schools Program	Complete	
HS01.1.6*	Refurbish pumping stations across water infrastructure network	Planned pumping station refurbishment projects completed during 2021-22	Behind schedule	Slight delays in electricity meter connection and switchboard installation; project July 2022.
HS01.1.7*	Renew aged water mains across water infrastructure network	Annual renewal of minimum 2km of water supply mains	2.15km completed.	
HS01.1.8	Respond to unplanned repairs and faults across water infrastructure network	Initial response to customer requests regarding water supply network failures occur within two hours	All customer requests (83) completed within two hours	

OP code	Item	Performance Measure	Outcome	Comments
HS01.1.9*	Construct new Crescent Head Water Treatment Plant	Contract awarded and construction commenced	In progress	Multi-year project
HS01.1.10*	Construct new Willawarrin Water Treatment Plant	Award contract for construction work during 2021-22 (subject to securing funding required)	Behind schedule	Contract to be awarded by December 2022.
HS01.1.11	Continue development of Integrated Water Cycle Management Strategy	Ground water studies completed by June 2022	Behind schedule	Behind schedule due to continued wet weather and staff limitations.
HS01.1.12*	Steuart McIntyre Dam: Undertake project planning, design and construction of a water treatment plant and associated equipment	Planning completed and water treatment plant construction commenced	Behind schedule	Contract to be awarded by December 2022.
HS01.1.13	Provide water quality security plan for Sherwood Borefield	Report on recommended plan to Council during 2021-22 to ensure water quality is maintained	Behind schedule	Draft report completed and under review before being presented to Council in 2022-23.
HS01.1.14	Implement plant improvements and plan for future expansion of South West Rocks Water Treatment Plant	Implement modifications to improve plant performance during 2021-22	In progress	Multi-year project
HS01.1.15*	Stuarts Point water reservoir refurbishment (power to site, tank preparation, coating)	Refurbishment of reservoir completed during 2021-22	Complete	
HS01.1.16	Convert Hat Head & South West Rocks (SWR) Radio Connections for Fredrickton Reservoir	Hat Head & SWR Radio Connections undertaken	Behind schedule	Behind schedule due to supply chain delays and staff limitations due to COVID-19.
HS01.1.17	Bellbrook Water Treatment Plant (WTP) Augmentation	Bellbrook WTP Augmentation planned	Behind schedule	External consultant report in progress on augmentation requirements.
HS01.2 Sporting fields and facilities provision				
HS01.2.1	Deliver the planned maintenance program across all Council owned	Sports field maintenance undertaken in accordance with budget allocation and to facilitate and accommodate competition and training requirements for sporting clubs	Complete	
HS01.2.2	Prepare detailed design and undertake staged works to improve the Central Kempsey Sports Precinct according to the	Works continue in accordance with funding deed	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	Master Plan			
HS01.2.3*	Verge/ Eden Streets Sports Complex	Sports complex developed	Complete	
HS01.2.4*	Delivery of the Mid North Coast High Performance Centre in South West Rocks	Construction completed	Behind schedule	The project was delayed due to wet weather and supply chain challenges resulting from COVID-19. The project will be completed early 2022-23.
HS01.2.5	Progress options development for expansion of sporting facilities within South West Rocks	Completion of concept plan subject to securing land	Behind schedule	The completion of concept plans has been delayed due to limited resources and competing priorities.
HS01.3 Play facilities are provided				
HS01.3.1	Deliver the playground inspection, risk, and maintenance program	28 playgrounds inspected monthly and maintained in accordance with risk thresholds identified by documented monthly playground inspection and budget allocation	Complete	
HS01.4 Footpaths are provided				
HS01.4.1*	Deliver footpath refurbishment program at selected locations	Length of footpaths refurbished	Complete	
HS01.4.2	Implement footpath maintenance program in accordance with risk thresholds	Footpath maintenance program completed in accordance budget allocation	Complete	
HS01.4.3	Implement treatments identified in Council's Pedestrian Access Mobility Plan (PAMP)	Seek grant funding for high priority works and develop designs as funding secured	Complete	
HS01.4.4	Implement works identified in Council's Bike plan	Seek grant funding for high priority works and develop designs as funding secured	Complete	
HS03.1 Impact of people on others is managed and regulated				
HS03.1.1	Develop and implement community waste education programs including three bin system, Recycling Week and MidWaste Regional Waste Forum campaigns	Community Education Programs undertaken to raise awareness of effective waste management strategies	Complete	
HS03.1.2	Provide waste management facilities, including mobile facilities, across the Shire	Daily landfill operations (except Christmas Day)	Complete	
		Operation of domestic waste transfer stations at Crescent Head, South West Rocks, Stuarts Point and Bellbrook	Complete	
HS03.1.3	Manage environmental	90% of requests relating	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	complaints or issues related to noise, water and air pollution as high priority under Protection of the Environment Operations Act	to environmental quality that may cause preventable harm to the environment responded to within five working days		
HS03.1.4	Ensure safety of buildings requiring annual fire safety certificates in accordance with legislation	Maintain register of premises requiring annual self-certification and notify owners of due date	Complete	
HS03.1.5*	Develop a Masterplan for the Waste precinct at Council's Waste Management Centre and undertake associated capital improvements	Master Plan adopted and works undertaken in accordance with approved action plan by 30 June 2022	Behind schedule	Consultants have commenced work on 10-year Waste Strategy. The draft strategy will be presented to Council in 2022-23.
HS03.2 The stormwater drainage system is maintained				
HS03.2.1	Implement defect remediation program for stormwater	Stormwater defects remediation program undertaken	Complete	
HS03.2.2*	Deliver construction program of the stormwater network at selected locations	Delivery of projects during 2021-22	Behind schedule	Due to the large-scale repair required at Edgar Street, this was prioritized. Council staff are reviewing the storm water priorities across the LGA to ensure funds are spent in the highest priority areas.
HS03.3 Estuary ecosystems are managed and remediated				
HS03.3.1	Undertake a Macleay River estuary migratory and threatened shorebird survey	Survey undertaken by June 2022	Complete	
HS03.3.2	Undertake environmental water quality monitoring in coastal estuaries	Testing undertaken in accordance with established environmental water quality monitoring program	Complete	
HS03.3.3	Continue with the formal beach profile monitoring program for Hat Head (Action 9, Kempsey Coastal Zone Management Plan)	Hat Head beach profile monitoring survey completed by June 2022	Complete	
HS03.3.4	Implementation of the Rudder Park Flying-fox Management Plan	Continue to implement Level 2 management measures, subject to State Government approval and grant funding	Complete	
HS03.3.5	Prepare a masterplan for the Kempsey CBD	Finalisation of design concepts for foreshore	Behind schedule	A request for quotation for consultants to prepare the

OP code	Item	Performance Measure	Outcome	Comments
	foreshore area (including Riverside Park)	stabilisation		master plan for Kempsey CBD foreshore area (including Riverside Park) is underway with the master plan to be developed in 2022-23.
HS03.3.6	Implement regular maintenance program for environmental areas that have previously been remediated including: Boyters Lane, Gills Creek, Jerseyville Park	Maintenance program undertaken in accordance with budget allocation	Complete	
HS03.3.7	Continue to support the Macleay Hastings Koala Recovery Project	Contribute \$20,000 to the Macleay Hastings Koala Recovery Project	Complete	
HS03.3.8	Continue riparian vegetation improvements at Christmas Creek	Fencing and planting undertaken by June 2022	Complete	
HS03.3.9	In accordance with State Government requirements, prepare Coastal Management Programs for the following: Killick Creek, Korogora Creek, Macleay River, Saltwater Creek	Commence Stage 3 Investigations (risk assessment and development of management options) subject to securing grant funding	Complete	
HS03.3.10*	Hat Head Beach Access Improvement (implementation of Action 18 Coastal Zone Management Plan)	Design and construct two formalised beach access points	Complete	
HS03.3.11	Prepare Lower Macleay Flood Risk Assessment and Management Plan	Plan finalised by June 2022	Behind schedule	The project was subject to administrative delays in procurement and contract negotiations prior to project start and has seen several variations to refine and improve the flood model before final calibration. The project is anticipated to be completed during 2022-23.
HS03.3.12	Estuary entrance management studies and plans	Entrance management plan complete by December 2021		Complete
HS03.4 The environmental and economic impact of noxious weeds is minimized				
HS03.4.1	Implement the Environmental Management Program to treat and reduce high priority weed species	Undertake control for high priority species on approximately 500km of high- risk pathways	Complete	
HS03.4.2	Undertake inspections and identify infestations in accordance with the North Coast Weeds Action Plan	North Coast Weeds Action plan actions and inspections undertaken by June 2022	Complete	
HS03.4.3	Inspect high priority sites to	Meet Weed Action Plan	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	control spread of high priority weed species, in accordance with Biosecurity Act	(WAP) requirement to inspect 500km of high-risk pathways		
HS03.4.4	Minimise high priority weed species infestations on private rural properties	Meet Weed Action Plan (WAP) requirement of the inspection program for general, high-risk, and aerial inspections	Complete	
HS04.1 Sustainable development is planned for				
HS04.1.1	Efficient assessment of development in accordance with relevant legislation	Developments assessed in accordance with legislative time requirements	Complete	
HS04.1.2	Prepare a Local Growth Management Strategy (LGMS) covering: Housing Choice, Employment Land, Landscape & Character, and Growth Area Infrastructure	LGMS finalised by June 2022	Behind schedule	Delays due to COVID 19 restrictions impacting consultants visiting the area and scheduling of community engagement. The LGMS is expected to be finalised during 2022-23.
HS04.1.3	Prepare a Biodiversity Strategy for the Kempsey Shire	Biodiversity Strategy finalised by June 2022	Complete	
HS04.1.4	Revise Flood Planning Levels, Flood Planning Area and Floodway definitions for the Shire and update Council policies and plans accordingly (High priority action, Kempsey Central Business District Floodplain Risk Management Plan)	Planning controls in place by June 2022	Complete	
HS04.1.5	Review and update Council's development contributions plans	New development contributions plan in place by June 2022	Behind schedule	Delays experienced due to resource limitations.
HS04.1.6	Prepare a Structure Plan and Development Control Plan for South West Rocks	South West Rocks Structure Plan by June 2022	Behind schedule	COVID 19 related impacts resulted in a delay of the community engagement components of the project that were undertaken in South West Rocks in March 2022. The plan is now expected to be finalized during 2022-23.
HS04.1.7	Update the coastal wetland and littoral rainforest area (CWLRA) mapping (Action 2 of the Kempsey Coastal Zone Management Plan)	Updated CWLRA mapping commenced by April 2022	Deferred	Project deferred to 2022-23 Operating Plan due to delays in the release of the State Government mapping information.
HS04.1.8	Develop a Sustainability and Resilience Strategy and Action Plan	Sustainability and Resilience Strategy and Action Plan complete by	Behind schedule	Sustainability and Resilience Strategy and Action plan was on exhibition as of 30 June

OP code	Item	Performance Measure	Outcome	Comments
		June 2022		2022 and has since been adopted by Council in September 2022.
HS04.1.9	Implement the Design Concept for revitalisation of the Middleton Street corridor	Prepare detailed design for first stage of the Middleton Street Design Concept and seek grant opportunities to deliver	Complete	
HS04.1.10	Implement Council's Long Term Renewable Energy & Water Strategy	Implement and manage an energy data management system that will enable Council's consumption and costs to be accurately captured and tracked over time In addition to the adopted long-term goal of net zero emissions by 2050, commence development of further targets and objectives for water, renewable energy, and emissions reduction to help guide and inform Council's response over time Investigate the suitability of electric or hybrid vehicles in Council's fleet	Complete	
HS05.1 Wastewater products are removed from serviced areas				
HS05.1.1*	Renew aged sewer mains across sewer collection network	Relining and renewal of minimum 2.5km of sewer mains	Behind schedule	Contractor delayed due to COVID and flooding.
HS05.1.2*	Provide safe and reliable service to the community to remove and treat wastewater products from over 9,000 connections	90% of treated wastewater is discharged within EPA license limits	97.27% of wastewater is within EPA license limits	
HS05.1.3	Deliver the planned maintenance program across sewer infrastructure network	Annual maintenance program completed	Complete	
HS05.1.4	Respond to unplanned repairs and faults across sewer infrastructure network	Initial response to customer requests regarding wastewater service failures occur within two hours	116 sewer chokes responded to within two hours	
HS05.1.5*	Refurbish pumping stations across sewer infrastructure network	Planned pumping station refurbishment projects completed during 2021-22	Behind schedule	The program is 90% complete. Final commissioning to be completed in 2022-23.
HS05.1.6*	Construct South Kempsey	Construction progress	Behind	Commissioning is underway

OP code	Item	Performance Measure	Outcome	Comments
	low pressure sewer reticulation system	during 2021-22 on track for commissioning of scheme during 2022	schedule	and will be completed in 2022-23. Project delayed due to wet weather.
HS05.1.7*	Progress development of Central Kempsey Wastewater Treatment Plant project	Progress design and investigation during 2021-22	Behind schedule	Concept design and network options to be finalized in 2022-23.
HS05.1.8*	Progress development of Stuarts Point Sewerage Scheme project	Progress with the new scheme during 2021-22: concept design completed for reticulation and treatment system; and expression of interest for tender released	Behind schedule	Concept design completed for reticulation. Concept design underway for treatment plant, however, delayed due to site exploration approvals.
HS05.1.9	Install Radio Pager System for telecommunications (Telco) Outages	Radio Pager System for Telco Outages installed	Deferred	This project has been deferred to 2022-23.
HS05.2 Public health risks are regulated				
HS05.2.1	Implement Council's Swimming Pool Inspection Program	Pools within tourist, visitor or multi-occupancy developments are inspected once every three years	Complete	
		Inspections undertaken within three business days of request or complaint	Complete	
HS05.2.2	Continue providing ranger and local law enforcement services and compliance with Companion Animal legislation	85% of stray dogs/cats that have been contained collected within six hours	Complete	
		85% of stray dog complaints responded to within two working days	Complete	
		95% of Ranger service issues responded to within five days	Complete	
HS05.2.3	Conduct public health inspections of private drinking water supplies not on town water, public swimming pools, skin penetration premises and cooling towers, backflow prevention and mixing valves in accordance with Public Health Act	Conduct annual compliance checks of 90% of the maintained register	Complete	
HS05.2.4	Conduct public health inspections of onsite septic systems to minimise pollution to ground and	Annual inspection of 95% high risk septic systems for compliance	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	waterways			
HS05.2.5	Crescent Head Sewage Treatment Plant Day Pond Sump Modifications	Day Pond Sump modified	Complete	
HS05.2.6*	Crescent Head Sewage Treatment Plant Caustic System Installation	Caustic System installed	Behind schedule	External contractors required further information prior to finalise specifications and quotation for project.
HS05.2.7	Crescent Head Sewage Treatment Plant Pasveer Upgrade to Emergency Storage	Pasveer upgraded	Behind schedule	Delays due to extended wet weather and resource limitations.
HS05.2.8*	Water Outlook Implementation	Water Outlook program installed	Behind schedule	Delays due to COVID-19 and resource limitations.
HS05.3 Food related health risks are regulated				
HS05.3.1	Regulate food health risk by inspecting commercial food providers to ensure compliance with NSW Code and in accordance with the NSW Food Authority	95% of food premises inspected annually	Complete	
		Initial investigation of request for inspection to be done within five working days	Achieved	
		Maintain register of food premises inspected annually	Complete	

Our Wealth

OP code	Item	Performance Measure	Outcome	Comments
WS01.1 Literacy increases supported through provision of library services				
WS01.1.1	Implement the Library Co-operative agreement to plan and deliver innovative library lending services, programs and events across the Shire that support improved literacy, create community connections, and use new technology	Finalise and implement Library Strategy 2021 - 2025; Deliver range of events; Meet State Library reporting framework and increase membership	Complete	
WS01.1.2*	Deliver the Kempsey Library refurbishment	Deliver according to State Library of NSW funding agreement milestones	Complete	
WS01.2 A range of culture opportunities and activities are delivered across the Shire				
WS01.2.1	Provide funding and governance support to Arts Mid North Coast	Confirm partnership program and re-establish Memorandum of Understanding	Complete	
WS01.2.2	Support the delivery of cultural events across the community	Events are supported and event capacity of community groups increased	Complete	
WS01.2.3	Work with the Aboriginal community to honor and	Develop a cultural project in partnership	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	communicate cultural heritage through placemaking, education and public art	with the Aboriginal community		
WS02.1.1	Work with community and government organisations to expand on and promote key events including Youth Week, National Aboriginal Islander Day Observance Committee (NAIDOC), Reconciliation week, Macleay Seniors Festival, International Day of People with a Disability	Program of events supported and promoted	Complete	
WS02.1 Community ownership of developing and running events increased				
WS02.1.2	Support the community in building capacity to access grant funding	Provision and promotion of Macleay Grant Hub and training opportunities created	Complete	
WS02.1.3	Connect the community to local community-based events and activities that promote connectedness and reduce social isolation	Provide access to a consolidated community driven events calendar	Complete	
WS03.1 Economic development to attract business and investment is provided				
WS03.1.1	Implement Economic Development Strategy 2021-22 Actions	Economic Development Strategy 2021-22 actions implemented	Complete	
WS03.1.2	Commence research to scope industry plans as per Economic Development Strategy	Industry plans commenced as per the Strategy's implementation plan	Behind schedule	Agribusiness Industry Plan completed and endorsed by Council. Business Industry Plan delayed due to resourcing limitations; this will be delivered in 2022-23.
WS03.1.3	Implement Events Program as per Economic Development Strategy	Events undertaken and delivered as per the Strategy's Implementation plan	Complete	
WS03.1.4	Implementation of agri-business plan as per Economic Development Strategy	Projects undertaken and delivered as per plan by 30 June 2022	Complete	
WS03.2 Increased tourist visitation is promoted				
WS03.2.1	Implement destination marketing program as per Destination Management Plan (DMP)	Marketing program delivered as per DMP implementation plan	Complete	
WS03.2.2	Commence planning for priority nature-based projects as per Destination Management Plan (DMP)	Plan developed as per DMP implementation plan	Complete	

OP code	Item	Performance Measure	Outcome	Comments
WS05.1 Business performance of Council's commercial assets is maximised				
WS05.1.1*	Provide an Airport facility in accordance with CASA requirements	Facility operates according to legislative controls and capital improvements undertaken	Complete	
WS05.1.2	Operate, develop, and maintain Council's 11 cemeteries across the Shire	Ensure cemeteries are maintained and well presented: WS05.1.2	Complete	
WS05.1.3*	Airport Apron Hardstand with Fuel Water Interceptor	Construction completed by June 2022	Behind schedule	Work has commenced and will be completed in 2022-23.
WS05.1.4*	Macleay Valley Adventure Recreation Park	Development application completed and construction commenced by 30 June 2022	Complete	
WS05.1.5*	Contract management and capital improvement of five Macleay Valley Coast Holiday Parks	Facility operations, maintenance and capital improvements delivered according to contracts and stage upgrade plans	Complete	
WS05.1.6	Cemeteries Strategy	A strategy for the future management of Council's cemeteries completed by June 2022	Complete	
WS05.1.7	Airport Master Plan & Flood Study	Airport Master plan and Flood study undertaken by June 2022: WS05.1.7	Behind schedule	Airport Master Plan will be presented to Council in 2022-23.
WS05.1.8	Waste Service Review	Review of Council's waste services completed by June 2022	Complete	
WS05.1.9	Kempsey Shire Council (KSC) Depot - Continuation of depot options and constraints assessment	Preferred option for depot relocation/refurbishment endorsed by 30 June 2022	Complete	
WS05.3 Transport network is provided				
WS05.3.1	Deliver bridge maintenance program with maintenance work on defects undertaken based on assessment of risk and priority	Maintenance work completed in accordance budget allocation	Complete	
WS05.3.2*	Deliver the kerb and gutter replacement program	Projects delivered during 2021-2022	Behind schedule	Program has been delayed due to resourcing impacts of 2021 and 2022 flood events and associated repair priorities.
WS05.3.3*	Deliver the timber bridge	Projects delivered or	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	network replacement program and those bridges requiring replacement due to bushfire damage	commenced during 2021-22		
WS05.3.4	Deliver maintenance program of approximately 600km sealed road network, including responding to critical sealed road repairs such as pothole repair	Maintenance work completed in accordance budget allocation	Complete	
WS05.3.5*	Deliver the sealed road network renewal and rehabilitation program across regional, rural, and local roads	Projects delivered or commenced during 2021-22	Behind schedule	Program has been delayed due to resourcing impacts of 2021 and 2022 flood events and associated repair priorities.
WS05.3.6	Deliver the unsealed road network maintenance grading program	Maintenance work completed in accordance with budget allocation	Behind schedule	Program has been delayed due to resourcing impacts of 2021 and 2022 flood events and associated repair priorities.
WS05.3.7*	Deliver the unsealed road network re-sheeting and renewal program	Program projects delivered during 2021-22	Behind schedule	Program has been delayed due to resourcing impacts of 2021 and 2022 flood events and associated repair priorities.
WS05.3.8	Sealing of Maria River Road - via the Transport NSW Fixing Local Roads Grant	Construction commenced during 2021-2022	Behind schedule	Design and environmental considerations are nearing completion. Delays are resulting from complications from a flood and environmental perspective with this project. Delivery is now planned to commence during 2022-23.
WS05.3.9	Continue to work in partnership with Transport NSW to develop a Strategic Business Case for a second crossing of the Macleay River in Kempsey	Completion of the development of a Strategic Business Case with Transport NSW	Behind schedule	The Strategic Business Case was drafted in 2020, however is subject to quality assurance assessment and review within Transport for NSW. The Minister has been written to, to seek to expediate this process to enable finalization of the business case.
WS05.3.10*	Kempsey Shire Rural Roads Reseal & Heavy Patch Program	Program delivered	Complete	
WS05.3.11*	Delivery of the Crescent Head Public Domain Plan	Complete the planned upgrade of Rankine Street between Scott Street and East Street in the village	Complete	
WS05.3.12	Actively participate in the Regional Roads Transfer and Road Classification Review being undertaken state-wide	Submission made to Independent Panel	Complete	
WS05.3.13*	Road and bridge damage caused by natural disasters	Road and bridge improvements delivered	Behind schedule	Program has been delayed due to resourcing impacts of 2021

OP code	Item	Performance Measure	Outcome	Comments
	rectified	during 2021-2022		and 2022 flood events and associated repair priorities.
WS05.3.14	Deliver Bus shelters under passenger transport grant	Bus shelters delivered throughout the area	Complete	
WS05.3.15	Bitumen sealing of Point Plomer Road	Project completed	Complete	
WS05.3.16	Develop a signage strategy for the Shire	Strategy developed by June 2022	Complete	
WS05.3.17	Investigate options to improve flood immunity of Crescent Head Road at Rudders Lagoon.	Options investigations undertaken during the 2021-22 year.	Behind schedule	The investigation of options to improve flood immunity at Rudders Lagoon has been included in the Lower Macleay Flood Risk Assessment and Management Plan.

Our Safety

OP code	Item	Performance Measure	Outcome	Comments
SS01.1 Emergency management planning and response mechanisms in place				
SS01.1.1	Participate in emergency management planning and response with other agencies through Council Local Emergency Management Officer capacity, and Mid North Coast Joint Organisation disaster preparedness initiative.	Emergency management plans are reviewed and updated as required	Complete	
SS01.1.2	Work alongside NSW Government agencies to provide resources and infrastructure to respond to emergencies such as floods and fires	Response provided in emergencies	Complete	
SS01.1.3	Deliver flood structure maintenance and drain clearing program	Maintenance work completed in accordance budget allocation, based on needs assessment considering asset condition and criticality during a flood	Complete	
SS01.1.4	Flood warning monitoring system: strategic review of system and improvement actions	Review undertaken and funding sought to implement improvement actions	Complete	
SS01.1.5*	Undertake rehabilitation and renewal program for flood structures and flood levees and riverbank protection at various locations within the Shire to improve resilience to flooding impacts	Rehabilitation and renewal program for flood structures, flood levees and riverbank protection are undertaken at various locations	Complete	
SS01.1.6	Continue to seek funding support to deliver coordination services for the Macleay Rural Voluntary House Raising Scheme	Number of properties raised	Complete	

OP code	Item	Performance Measure	Outcome	Comments
SS03.1 Safer public spaces are created				
SS03.1.1	Provide surf lifesaving services during peak school holiday periods at Council beaches	Service provided five days a week during Spring, Summer and Autumn NSW school holidays at Main Beach South West Rocks, Hat Head and Crescent Head	Complete	
SS03.1.2	Maintaining CCTV security system in key commercial and recreational centers	Maintenance of Kempsey, South West Rocks, Crescent Head and West Kempsey	Complete	
SS06.1 Public art and placemaking opportunities are identified and delivered				
SS06.1.1	Identify existing community and cultural facilities that present opportunities for improvement and placemaking partnerships	Implement the West Kempsey pump track project in partnership with community and agencies	Complete	
SS07.1 Council is an active community partner				
SS07.1.1	Maximise community outcomes through participation in Interagency Networks	Schedule of networks created, and Council is represented at key networks	Complete	
SS07.1.2	Connect the community to services that provide support and access to health and wellbeing in the Macleay	Provide access to a consolidated Kempsey Community Directory	Complete	

Our Connections

OP code	Item	Performance Measure	Outcome	Comments
CO01.1 Recreation areas and public facilities are provided for use by the community				
CO01.1.1	Deliver boat ramp cleaning / maintenance program	Ramp Maintenance program delivered quarterly	Complete	
CO01.1.2*	Maintain open space areas such as public reserves, barbeques, and passive recreation space	Maintenance undertaken in accordance with established service levels and have more frequent service in holiday locations during peak periods	Complete	
CO01.1.3*	Deliver wharf jetty and footbridge maintenance and replacement program	Delivery of replacement program completed in 2021-22. Maintenance program undertaken based on risk, usage, consideration of priority and within budget allocation	Complete	
CO01.1.4	Pursue funding opportunities for development of South West Rocks Library and Community Centre	Appropriate funding applications submitted	Complete	

OP code	Item	Performance Measure	Outcome	Comments
CO01.1.5	Implementation of the Crescent Head Public Domain Plan - Village	Completion of the detailed design for Main Street and Lloyd Park precinct	Complete	
CO01.1.6	Implementation of the Crescent Head Public Domain Plan - Foreshore	Completion of detailed design for Little Nobby	Complete	
CO01.1.7	Develop Aquatic Strategy	Aquatic Strategy developed by June 2022	Behind schedule	Draft Aquatic Strategy development has commenced focusing on immediate to short-term (i.e. 5-years). Consultants have been engaged to undertake an aquatics condition assessment to inform strategy development. This will be completed in 2022-23.
CO01.1.8	Implementation of the Horseshoe Bay Master Plan	Complete designs for Stages 2, 3 and 4	Complete	
CO01.2 Public use infrastructure is available and maintained				
CO01.2.1*	Toilet block renewals program based on condition and usage level	Toilet block renewals program undertaken during the 2021-22 year	Behind schedule	Project has been delayed due to wet weather. Construction of replacement Smithtown amenities due for completion in 2022-23.
CO01.2.2	Rural Fire Services (RFS) Assets maintained, built and/or upgraded in accordance with RFS annual service level agreement	Maintenance, new assets, and upgrades undertaken by 30 June 2022 (subject to funding by RFS)	Complete	
CO01.2.3	Clean and maintain public toilet facilities across the Shire	Maintenance program undertaken in accordance with established service levels and budget allocation. More frequent services in holiday locations during peak periods	Complete	
CO01.2.4	Monitor and enforce parking restrictions to ensure availability according to priority use and seasonal impacts	Service standards in line with patrol program	Complete	
CO01.2.5	Deliver the public carpark maintenance program across the	Maintenance program undertaken in accordance with budget	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	Shire's public carparks	allocation and based on priority considering safety, business impact and traffic volume		
CO01.2.6*	External refurbishment of Gladstone Hall & Art Gallery	Implement works as per scope	Complete	
CO01.2.7	New State Emergency Services Facility West Kempsey - commence preliminary investigations and site options including concept design	Investigations and concept design undertaken by 30 June 2022	Deferred	This will be a multi-year project and part of bigger investigations with regard to the recommendations set out in the Bushfire enquiry.
CO01.2.8*	Kempsey Library Asset Preservation Capital Works	Kempsey Library is upgraded by June 2022	Complete	
CO01.2.9*	Cemetery Lawn Strips	Cemetery lawn strips works undertaken by June 2022	Deferred	Capital works have been deferred to 2022-23 as the works could not be completed until the Cemetery Strategy was developed and endorsed by Council (which is now complete).
CO01.2.10	Disability Design Access (DDA) Building Compliance Works	DDA Building compliance program undertaken by June 2022	Complete	
CO01.2.11	Planning, Investigation & Design of new Kempsey Shire Council (KSC) Pound	New KSC Pound planning, investigation and design works undertaken by June 2022	Complete	
CO01.2.12*	KSC Civic Centre photovoltaic (PV) solar Installation	KSC Civic Centre PV Solar installation project completed by June 2022	Complete	
CO01.2.13*	Stuarts Point Hall refurbishment and upgrade	Stuarts Point Hall refurbished and upgraded by June 2022	Behind schedule	Project delayed due to wet weather. Finalisation of project will occur in 2022-23.
CO01.2.14	Plan, design and develop funding model for a South West Rocks Library and Community Centre	A funding model is adopted and the community is engaged in designing and planning a shovel ready facility	Behind schedule	Ongoing and carried over into 2022-23.
CO01.2.15	KSC Depot Security Upgrade - Closed Circuit Television (CCTV)	KSC Depot CCTV security upgraded	Complete	
CO01.2.16	Kempsey Shire Council (KSC) Civic Centre cottage refurbishment	KSC Civic Centre cottage refurbishment project completed by June 2022	Complete	

OP code	Item	Performance Measure	Outcome	Comments
CO02.1 Council advocates for social inclusion and fairness				
CO02.1.1	Review and update the Disability Inclusion Action Plan (DIAP)	Report on DIAP progress is provided to NSW Government as per legislative requirements	Complete	
CO02.1.2	Adopt and implement a Reconciliation Action Plan in line with the Reconciliation Australia Framework	Reconciliation Action Plan is adopted, and short-term actions delivered by June 2022	Complete	
CO04.1 Council works with and supports community groups				
CO04.1.1	Deliver the Community Grant program adhering to best practice application and assessment processes	Community Grant program funding distributed to community groups including Mayoral Community Fund, Environmental and Sport categories	Complete	
CO04.1.2	Review participation, administration, and structure of 355 Committees according to findings of internal audit	Committees engaged, memberships and longer-term planning adopted by Council	Complete	

Our Governance

OP code	Item	Performance Measure	Outcome	Comments
GS01.1 Internal facilitation and support is prioritised				
GS01.1.1	Continue preparation of applications for grant funding	Success in grant funds applied for during the year	Complete	
GS01.1.2	Continued delivery of Internal Audit function and management of Audit and Risk Committee	Delivery and management of Internal Audit program and Audit and Risk Committee	Complete	
GS01.1.3*	Deliver the Information, Communication and Technology Annual Capex renewal program	Annual information, communications and technology renewal program is undertaken	Behind schedule	The annual desktop and laptop program is predominately complete; The CAPEX renewal program has been delayed due to COVID-related supply chain impacts.
GS01.1.4	Deliver Governance & Information services to support the organisation	Compliance with all governance statutory obligations	Complete	
GS01.1.5	Develop a Strategic Asset Management Plan (SAMP) to provide overall guidance for how the Council will continue to manage its	Draft SAMP completed in accordance with Integrated Planning & Reporting program	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	assets into the future			
GS01.2 Workforce are engaged in delivering services to the community				
GS01.2.1	Implement ongoing workplace strategies in revised Workforce Management Plan that addresses learning and development, work health & safety, staff surveys, rewards and recognition, and recruitment	Workplace strategies implemented by June 2022	Complete	
GS01.2.2	Implement ongoing workplace strategies in revised Workforce Management Plan that addresses service levels, productivity, and resourcing	Workplace strategies implemented by June 2022	Complete	
GS01.3 Organisational efficiency improvements are made				
GS01.3.1	Implement process and control improvements per Procurement Internal Audit	Complete all internal audit actions by 30 June 2022	Complete	
GS01.3.2	Implement process and control improvements per Fleet Internal Audit	Complete all internal audit actions by 30 June 2022	Complete	
GS01.3.3	Implement service review	Undertake service review and implement improvements following the review	Behind schedule	Commenced early 2022 as a multi-year project.
GS01.3.4	Enhanced systems from internal audit actions that relate to governance and process improvements	Investigate and where appropriate implement corporate business system improvements that drive corporate governance, performance measurement and financial sustainability improvements	Complete	
GS02.1 Financial assets are managed, and corporate reporting is compliant				
GS02.1.1	Monitoring and reporting on Council's financial position in accordance with Local Government Act requirements	Prepare and lodge audited financial statements with Office of Local Government	Complete	
		Provide three quarterly budget review statements	Complete	
GS02.1.2	Provide progress reports on implementation of the Delivery Program in accordance with Local Government Act requirements	The 2021-22 Delivery Program / Operational Plan reporting to be quarterly by exception	Complete	
GS02.1.3*	Operate safe and efficient	Delivery of works for the	Complete	

OP code	Item	Performance Measure	Outcome	Comments
	fleet	Fleet Management Working Group		
GS02.1.4	Operate efficient procurement function to deliver value	Delivery of actions detailed in the agreed works for Procurement Advisory Committee	Complete	
GS02.1.5	Develop annual Operational Plan budget and the Long-Term Financial Plan	Annual Operational Plan budget and the Long-Term Financial Plan adopted	Complete	
GS02.1.6	Prepare and submit the Annual Report in accordance with Local Government Act requirements	Adopted by Council and submitted to the Office of Local Government by 30 November 2021	Complete	
GS02.1.7	Implement Council adopted Financial Sustainability Strategy and Roadmap initiatives	Implementation of strategy and initiatives	Complete	
GS03.1 Community trust and organizational innovation is improved				
GS03.1.1	Provide timely, efficient and technology driven Customer Service including telephone, face to face and outreach	Revise and adopt Key Performance Indicators, utilise updated intranet, evaluate and implement service innovations	Complete	
GS03.1.2	Build community awareness of Council's vision, values, strategies, actions, engagement opportunities and events	Establish a system of benchmarked communications reports	Complete	
GS03.1.3	Expand our range of traditional and non-traditional effective communications channels	Demonstrated improvement of corporate website; digital signage increased; social media reach increased; direct communication schedule delivered	Complete	
GS03.1.4	Implement actions and policies from Community Engagement Strategy	Internal engagement training delivered; Variety of engagement channels used; Develop engagement plans and report outcomes; Number of times Council undertakes formal community engagement to inform decision making	Complete	
GS03.1.5	Finalise delivery of Community Recovery Action Plan	Delivery of the Recovery Action Plan, and quarterly reporting updates to Council	Complete	

OP code	Item	Performance Measure	Outcome	Comments
GS03.1.6	Develop Community Strategic Plan (CSP) for next ten years 22/32	New CSP adopted by Council by 30 June 2022	Complete	
GS03.1.7	Produce new 3-year Delivery Program	New Delivery Program 2022-2025 adopted by Council by 30 June 2022	Complete	

2. Particulars of Environmental Upgrade Agreements

[Local Government Act, s 54P \(1\)](#)

Council did not enter into any environmental upgrade agreements during 2021-22.

3. Expenditure of Special Variation of Rating Income

[Special Rate Variation Guidelines 7.1](#)

Environmental Levy

In February 2018 Council applied for and was awarded a special rate variation of 4.2% above the rate peg with the NSW Independent Pricing and Regulatory Tribunal (IPART) to allow for the continuation of the Environmental Levy, which was in place since 2008-2009 and funds significant environmental restoration projects to manage, protect and preserve the area's waterways and natural environment.

During 2021-22 the following works were undertaken with income generated from the environmental levy.

Environmental Levy Projects	Expenditure (\$)
Biodiversity Strategy	5,020
Boyers Lane Wetlands Plan	17,045
Christmas Creek Rehabilitation	21,429
Coastal Zone Management Plan Implementation	9,680
Environmental Monitoring - Water	35,818
Estuary Entrance Management Studies and Plans	33,065
Flood Mitigation Works	141,147
Hat Head Beach Access Improvement (implementation of Action 18 CZMP)	24,223
Kempsey LGA Coastal Management Program - Stage 3 Investigations	105,062
Local Growth Management Strategy	56,809
Macleay Hastings Koala Recovery Project	20,000
Macleay River Estuary Migratory & Threatened Shorebird Survey	39,473
Riverside Park Erosion Control Measures (Stage 1) - Design and structural engineering plans	24,256
Rudder Park Flying Fox Camp Management Plan Level 2 Actions	4,437

Environmental Levy Projects	Expenditure (\$)
Saltwater Creek & Lagoon Estuary Stage 2 Investigations	9,665
South West Rocks Structure Plan & DCP	26,052
Sustainability & Resilience Strategy & Action Plan	6,003
Grand Total	579,184

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 a requirement to report this until 2023-24.

Roads and Bridges Capital Expenditure Project	Expenditure (\$)
Haven Crescent, Yarravel	181,750
Innes Street, East Kempsey (Bissett Street to Gill Street - 0.45Km)	221,508
Sealing Point Plomer Rd (6.2km between Crescent Head and Big Hill)	515,255
Kempsey Shire Rural Roads Reseal	363,300
Maria River Rd Sealing	3,613
Collombatti Road (Johnstons Access to Ptolemys Access - 3.2Km)	4,179
Mines Road (Armidale Road for 6.0km northward) Resheeting Program	333,493
Smiths Creek Road (Old Coast Road to end 5.6km) Gravel Resheeting Program	1,467
Smiths Creek Rd (Crowther Dr to Crowther Dr 2.6km) Gravel Resheeting Program	124,096
Yabsleys Lane (Blewitts Lane to end 0.4km) Gravel Resheeting Program	21,870
Mungay Creek Road (Mines Road to end - 5.2km)	38,169
Dennis Road (Mungay Creek Road to end - 4.7km)	25,004
Grand Total	1,833,705

4. Rates and Charges Written Off

[Local Government \(General\) Regulation 2005, Clause 132](#)

Council's 2021-22 Financial Statements have been audited by the Audit Office of New South Wales. There were no rates and charges written off during 2021-22.

5. Register of Overseas Travel by Council Representatives

[Local Government \(General\) Regulation 2005, Clause 217\(1\) \(a1\)](#)

No overseas travel was undertaken during the 2021-22 year by Council representatives.

6. Councillor Fees and Expenses

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

Council has adopted a policy to enable the reasonable and appropriate reimbursement of expenses and provision of facilities to the Mayor and Councillors. The policy was prepared in accordance with *Local Government Act 1993* and the *Local Government (General Regulation 2021)* and complies with the Office of Local Government Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW. Council will provide the Mayor and Councillors with appropriate information and communication technology devices and services to support Council business. The table below details the expenses incurred during 2021-22 by the Mayor and Councillors.

Details Mayor and Councilor Expenses	Expenditure (\$)
Travelling Expenses	3,896
Telephone calls made by Councillors 217(1) (a1)(i)(ii)	0
Attendance of Councillors at conferences and seminars 217(1) (a1) (iii)	6,188
Interstate visits by Councillors, including transport, accommodation and other out of pocket travelling expenses 217(1) (a1) (v)	0
Meals and refreshments for council and committee meetings	14,018
Training of Councillors and provision of skill development 217(1) (a1) (iv)	5,109
Overseas visits by Councillors, including transport, accommodation and other out of pocket travelling expenses 217(1) (a1) (vi)	0
Expenses of any spouse, partner or other person who accompanied a Councilor 217(1) (a1) (vii)	0
Expenses involved in the provision of care for a child or an immediate family member of a Councilor 217(1) (a1) (viii)	0
Provision of dedicated office equipment allocated to Councillors 217(1) (a1)(i)	29,513
Total	58,724

Induction Training and Ongoing Professional Development

Date	Induction	Attendees
21 January 2022	Session #1 Oath & Affirmation Executive & Councillor Introductions Technology Handover and Induction	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Nil Executive Leadership Team & Daniel Thoroughgood
28 January 2022	Session #2 Local Government Act Manager Introductions	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Riddington, Wyatt Absent: Patterson (most of the session) Executive and Senior Leadership Teams
29 January 2022	Session #3 Code of Conduct Code of Meeting Practice Community and Media Engagement Planning Law	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Patterson Executive Leadership Team, Daniel Thoroughgood, Lyndal Harper, Graham Snow, Shane Reinhold
9 February 2022	Session #4 Governance	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Nil Executive Leadership Team, Daniel Thoroughgood
16 February 2022	Session #5 Financial Sustainability	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Nil Executive Leadership Team, Daniel Thoroughgood, Wayne Douglass, Jeremy McAnally
23 February 2022	Session #6 Crescent Head Public Domain Plans Risk Management Internal Audit Council Leadership Functions Work Health & Safety	Councillors Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Hauville Executive Leadership Team (except Craig Milburn), Daniel Thoroughgood, Erin Fuller, John Gilroy, Matthew Bentley, Sandra Hollins
24 February 2022	Councillor Bus Trip – Assets and Facilities	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Nil Executive Leadership Team, Daniel Thoroughgood, Wes Trotter, Shane Reinhold

Date	Induction	Attendees
9 March 2022	Session #7 Integrated Planning & Reporting Local Growth Management Strategy South West Rocks Structure Plan	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Riddington, Wyatt Absent: Patterson Executive Leadership Team, Daniel Thoroughgood, Erin Fuller, Lyndal Harper, Wayne Douglass, Peter Orr, Marnie Jeffrey, Kathryn Parker & consultants from GHD
16 March 2022	Session #8 Integrated Planning & Reporting 2022-23	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Freeman, Riddington, Wyatt Absent: Patterson Executive Leadership Team, Daniel Thoroughgood, Lyndal Harper, Wayne Douglass, Kathryn Parker
23 March 2022	Session #9 Cemetery Strategy Future Capital Program	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Riddington, Wyatt Absent: Freeman, Patterson Executive Leadership Team, Daniel Thoroughgood, Gayleen Burley, Wayne Douglass, and consultant from Locale.
30 March 2022	Session #10 - cancelled	Not applicable
6 April 2022	Session #11 Oven Mountain Pumped Hydro Storage Delivery Program and Operational Plan 2022-23 South West Rocks Community Catch-up Toose Road	Councillors Hauville, Bain, Campbell, Fergusson, Freeman, Patterson, Riddington, Wyatt Absent: Craigie Executive Leadership Team (except Craig Milburn), Daniel Thoroughgood, Lyndal Harper, Wayne Douglass, Kathryn Parker plus Anthony Melov, Patricio Munoz, and Caroline Wilkins from Oven Mountain Pumped Hydro Storage
13 April 2022	Session #12 Coastal Management and Flood Planning	Councillors Hauville, Bain, Campbell, Craigie, Fergusson, Patterson, Riddington, Wyatt Absent: Freeman Executive Leadership Team, Daniel Thoroughgood, Erin Fuller, Ron Kemsley, Jessica Marsh, Wes Trotter, Grant Dennis, Ruben de Roa Herrero

7. Contracts Awarded Greater than \$150,000

Local Government (General) Regulation 2005, Clause 217(1) (a2) (i), (ii)

The following is a list of contracts awarded by the Council during the 2021-22 year other than employment contracts or contracts less than \$150,000.

Name of Contractors	Nature of Goods / Services Supplied	Total Amount Payable under the Contract (\$)
GHD Pty Ltd	Provision of Project Management and Engineering Services	Unknown*
Arnway Pty Ltd Ball's Earthmoving Pty Ltd Bayval Pty Ltd (Valla Quarry) Boral Resources (Country) Pty Ltd George McKeon Earthmoving Pty Ltd, trading as GME Civil Construction Pacific Blue Metal Pty Ltd	Supply and Delivery of Pavement Materials	Panel Tender*
Decon Technologies Pty Ltd Mid Coast Switchboard	Provision of Switchboard Manufacturing Services	Panel Tender*
Added Value Instrumentation Services Pty Ltd Haztech Automation Pty Ltd Premier Calibrations Pty Ltd	Provision of Instrumentation Services	Panel Tender*
360 Engineering Pty Ltd Alliance Automation Pty Ltd Big Dog Industries Hunter H2O Holding Pty Ltd Local Electrical Contractors Pty Ltd Macleay Electrical Services Macquarie Engineers Pty Ltd SAFEGroup Automation Pty Ltd SAT Pty Ltd Star Electrical Co Pty Ltd	Provision of Electrical, Telemetry and Automation Services	Panel Tender*
Eire Constructions Pty Ltd	South Kempsey Pressure Sewer Scheme Construction	\$2,890,334.51 (GST Inclusive)
RIX Asset Management Pty Ltd	Devil's Nook Road Cutting Landslip Remediation (Kempsey-Armidale Road)	\$1,042,976 GST inclusive
A1 Highways Pty Ltd GRI Road Services Pty Ltd Irwin Fencing Pty Ltd Schram Group Pty Ltd Western Safety Barriers Group Pty Ltd	Supply and Installation of Safety Barriers	Panel Tender*
Symal Infrastructure Pty Ltd	Rehabilitation of Apron & Taxiways at Kempsey Airport	\$1,202,477 (ex-GST)
Regional Renewables NSW	Mattress Collection and Recycling Services	\$480,000 (ex GST) Expenditure under this contract is not capped or fixed

*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

Local Government (General) Regulation 2005, Clause 217(1) (a3)

Matter	Description	Status	Expenses	Receipts
Notley v KSC	Bridge liability civil matter	Ongoing	\$84,391.61	\$0
Male v KSC	NCAT Proceedings - Review of 3 decisions under the Government Information (Public Access) Act 2009	Completed	\$5,590.80	\$0
Laut v KSC	Contested penalty	Completed	\$0	\$364
Miller v KSC	Public Liability Matter	Completed	\$20,429.82	\$0
2 Phillips Rise Pty Ltd v KSC	Several proceedings in Land and Environment Court Class 1 Proceedings and Appeal	Ongoing	\$18,725	\$0
Easton v KSC	Public Liability Matter	Ongoing	\$3,876.77	\$0
Wicks v KSC	Class 1 proceedings in Land and Environment Court	Ongoing	\$12,071.40	\$0
KSC v Advanced Plant Hire Pty Ltd	Liability Matter	Ongoing	\$0	\$0
Goolawah Co-operative Ltd v KSC	Class 1 proceedings in Land and Environment Court	Ongoing	\$6,936.90	\$0
KSC v G & K Smith Holdings Pty Ltd	Collection of unpaid rates	Ongoing	\$325	\$0
KSC v Shea	Collection of unpaid rates	Completed	\$180	\$12,560.00
NSW Electoral Commissioner v KSC	Voiding of December 2021 Local Government Election	Completed	\$48,311.71	\$46,781.94
Total			\$180,409.19	\$59,341.94

9. Summary of resolutions of work on private land.

Local Government (General) Regulation 2005, 217(1) (a4), Local Government Act sections 67, and 67(2)(b)

No resolutions regarding work on private land were made in relation to section 67 of the Local Government Act.

10. Grants, Financial Assistance and Contributions

Total amount granted under section 356 via 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 improving community well-being of residents. Each year, Council provides financial assistance to a broad range of groups to boost their ability to make a difference in our local community.

In 2021-2022 the following streams were available for community groups to apply for funding:

- Mayoral Community Fund
- Environmental Levy Grants
- Sporting Grants
- Youth Grants
- Community Safety Grants
- Bushfire Recovery Grants
- NAIDOC Week Grants
- Community Connection Grants.

Round 1: \$72,527 funding allocated

Community Group	Purpose	Amount
Mayoral Community Fund		
Stuarts Point and District Community Org. (SPADCO)	Printer for Newsletter	\$998
Rotary Club of South West Rocks	Community Jigsaw	\$5,000
Kempsey District Silver Band	New Airconditioning	\$3,000
Gladstone Quality Markets	Bandstand Electrical Fit Out	\$4,500
Macleay Valley Arts Council	Oddfellows Hall Maintenance	\$1,004
Total		\$14,502
Environmental Levy Grants		
Big Nobby Bushcare Group	Weed eradication	\$5,000
Hat Head Dune Care	Weed eradication	\$5,000
Macleay Valley Landcare Network	Weed eradication	\$1,295
Total		\$11,295

Community Group	Purpose	Amount
Sporting Grants		
Macleay Valley Mountain Bikers	Seating and Shade	\$2,805
Kempsey Tennis Club	Court Maintenance Equipment	\$1,294
Kempsey Basketball Association	Training equipment	\$2,446
Kempsey - Crescent Head SLSC	Nipper Boards	\$2,449
Nulla Allstars Hockey Club	Goalkeeper Equipment	\$2,500
Total		\$11,494
Youth Grants		
YP Space MNC	Exercise Equipment	\$2,200
Kempsey Neighbourhood Centre	Pump Track Storage & Shade	\$4,000
Total		\$6,200
Community Safety Grants		
Community Housing	Art / Safety Project	\$2,490
Total		\$2,490
Bushfire Recovery Grants		
Hat Head Community Garden	Community Garden	\$4,005
Hat Head Triathlon Club	Timing Equipment	\$8,591
Kempsey Flying Club	New Airconditioning	\$3,950
Upper Macleay Pre School	Playground Upgrades	\$10,000
Total		\$26,546

Round 2: \$12,639 funding allocated

Community Group	Purpose	Amount
Mayoral Community Fund – Quick Grants		
Bellbrook School of Arts Community Hall	Hall Upgrade	\$2,000
Upper Macleay District Rodeo Association	Refrigerator	\$2,000
Kempsey Showground Association	Tables and Seating	\$2,000
Rotary Club of Kempsey West	Gazebo	\$1,639
Total		\$7,639
Environmental Levy Grants		
South West Rocks Community Dune Care	Weed eradication	\$5,000
Total		\$5,000

NAIDOC Week Grants: \$4,000 funding allocated

Community Group	Purpose	Amount
South West Rocks Figtree Descendants Aboriginal Corporation	SWR NAIDOC Art Exhibition	\$500
Kempsey South Public School	Cultural event at the school	\$500
St Paul's Catholic Secondary College	Day of celebrations in conjunction with St Paul's Feast Day	\$500
South West Rocks Public School	Activities day	\$500
Dalaigur Pre-School	NAIDOC Family Fun Day activities	\$500
Upper Macleay Pre-School	Community day	\$500
Kempsey West Public School	Activity days	\$500
NASCA (National Aboriginal Sporting Chance Academy)	Celebration assembly and activities	\$500
Total		\$4,000

Community Connection Grants: \$10,000 funding allocated

Community Group	Purpose	Amount
SWR Maritime Precinct	Community BBQs to support and receive donations for the new community art gallery	\$500
Willawarrin Hall	Holding a stargazing family fun night	\$500
Kempsey PCYC	Community BBQs situated within North Street, with the aim of connecting staff and police with youth in the area.	\$500
Stuarts Point and District Community Org. (SPADCO)	Community Meetings to relay important information to the community from all levels of government. The meetings will be catered for to entice people to attend and come together.	\$500
Yarrhapinni CWA	'Christmas in July' Dinner & Dance night	\$500
Bellbrook Hall	'Christmas in July' event at the hall.	\$500
YP Space	Installation and painting a 'buddy bench' at the Kempsey Skatepark.	\$500
Kempsey East Public School	NAIDOC community lunch	\$500
Macleay Valley MTB Club	Community BBQ to thank the Men's Shed for constructing a large outdoor table to share with the wider community.	\$500
Social Futures	'Lunch with a Legend.' Wayne Wingam (BlackDog institute motivational speaker and ex-NRL legend)	\$500
Kempsey Dragons JRLC	Kempsey JRL family fun days throughout the year	\$500
Voices of SWR	Community Catch Ups to bring together local residents for community connection, awareness and education and allow residents to have their voices heard on issues that are important to them.	\$500
Macleay Music Ensemble	A concert and afternoon tea to give the community an opportunity to attend and enjoy an afternoon of delightful music performed by local musicians.	\$500
Bellbrook Tennis Club	Community BBQ or morning teas to re-introduce the community to the benefits of Tennis and to show off the recent restorations of the Tennis courts.	\$500
Headspace	A Community Wellbeing Day allowing the community to come together and participate in	\$500

Community Group	Purpose	Amount
	planned activities	
Upper Macleay Pre School	Community bingo night that brings the community together for a fun evening.	\$500
South Kempsey Public School P&C	BBQ and Bingo afternoon inviting parents, carers, and community members into the school to promote involvement with the school P&C.	\$500
Smithtown Public School P&C	Community disco to bring the community members of Smithtown and surrounding areas to reconnect and have a fun evening.	\$500
Key Employment	Community event focusing on building morals, bringing the community together, food and fun.	\$500
CWA South West Rocks Branch	Hold a morning tea with the community to celebrate CWA's centenary.	\$500

Local schools were supported to acknowledge scholastic achievements as outlined in the table below.

School	Purpose	Amount
Aldavilla Primary School	Scholastic Achievement Award	\$60
Bellbrook Public School	Scholastic Achievement Award	\$60
Crescent Head Public School	Scholastic Achievement Award	\$60
Frederickton Public School	Scholastic Achievement Award	\$60
Gladstone Public School	Scholastic Achievement Award	\$60
Greenhill Public School	Scholastic Achievement Award	\$60
Kempsey Adventist High School	Scholastic Achievement Award	\$100
Kempsey East Public School	Scholastic Achievement Award	\$60
Kempsey High School	Scholastic Achievement Award	\$100
Kempsey South Public School	Scholastic Achievement Award	\$60
Kempsey West Public School	Scholastic Achievement Award	\$60
Kinchela Public School	Scholastic Achievement Award	\$60
Macleay Vocational College	Scholastic Achievement Award	\$100
Melville High School	Scholastic Achievement Award	\$100
Smithtown Public School	Scholastic Achievement Award	\$60

School	Purpose	Amount
South West Rocks Public School	Scholastic Achievement Award	\$60
St Joseph's Primary School	Scholastic Achievement Award	\$60
St Paul's College	Scholastic Achievement Award	\$100
Stuarts Point Public School	Scholastic Achievement Award	\$60
Willawarrin Public School	Scholastic Achievement Award	\$60
Total		\$1,400

Financial assistance was also provided to the following groups:

Group	Purpose	Amount
Kempsey RSL Sub-Branch	Rates donation	\$3,926.91
South West Rocks RSL Sub- Branch	Rates donation	\$3,879.49

11. Statement of external bodies with delegated functions

[Local Government \(General\) Regulation 2005, Clause 217\(1\) \(a6\)](#)

Council delegates a number of functions to external community groups to manage a number of facilities in the area under section 355 of the Local Government Act. The following table provides a summary of these functions.

External Body	Function
Kempsey District Silver Band Committee	Provide a Town Band 355 Committee
Macleay Valley Community Art Gallery Committee	Public Facility Management – Community Gallery 355 Committee
WIGAY Aboriginal Cultural Park Committee	Oversee the maintenance of Wigay Park 355 Committee (the Committee was dissolved by resolution of Council on 20 July 2021)
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 Willawarrin Hall Committee	Public Facility Management – Public Halls 355 Committee

External Body	Function
Australia Day Awards Committee	Oversee Australia Day Award nominations
Kalateenee Recreational Reserve Committee	Public Facility Management – Public reserve 355 Committee
Bellbrook Tennis Club Committee South Kempsey Tennis Club	Public Facility Management – Tennis Courts 355 Committee

12. Statement of other companies in which Council controlled

Local Government (General) Regulation 2005, Clause 217(1) (a7)

There were no companies in which Council held a controlling interest during 2021-22.

13. Statement of other bodies in which Council participated

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

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

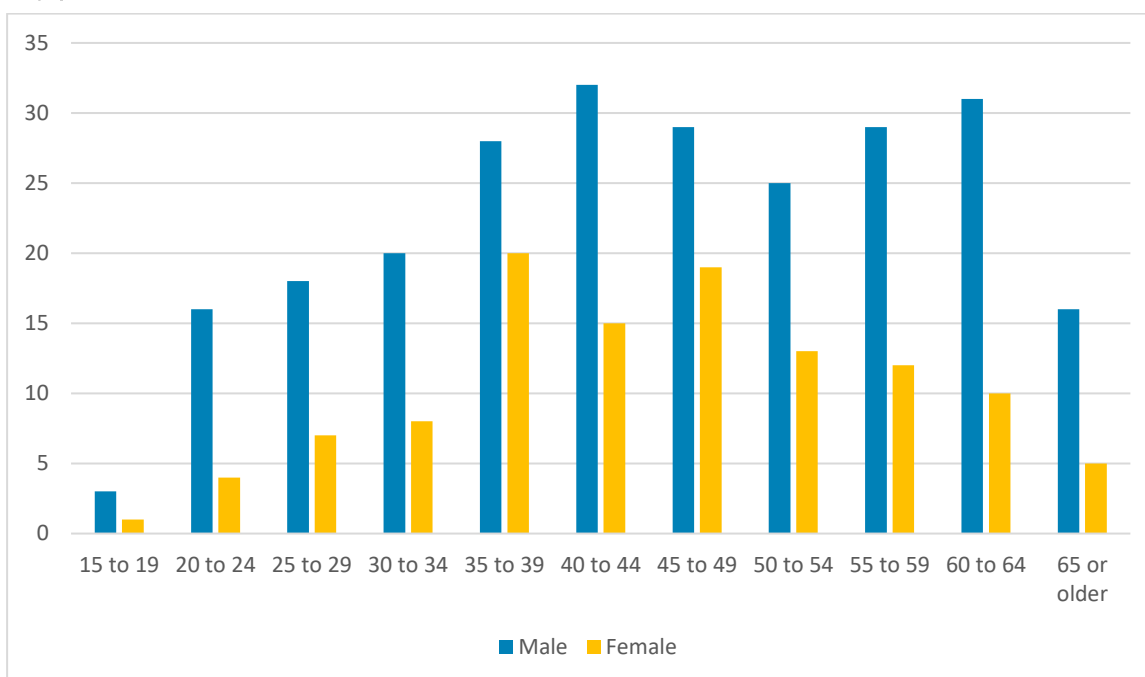
The numbers below are based on actual head count and include permanent full-time and part-time staff for 2021-22. The figures exclude temporary and casual appointments engaged through labour hire agencies.

Position Breakdown (Actual Employees Numbers)	2021-22	2020-21	2019-20	2018-19	2017-18	2016-17
No. of Full-Time positions	268	262	256	261	250	247
No. of Part-Time Positions	29	24	24	21	22	20
No. of Temporary Part-Time Positions	4	5	7	3	4	1
No. of Temporary Full-Time Positions	47	27	26	30	1	8
No. of Casual Positions	13	14	12	15	10	NA
Total	361	332	325	330	287	276

The voluntary staff turnover rate for the 2021-22 financial year was 9%, which is indicative of the recent transformation of Council as a stable employer and provides security for long-term employment.

Age and Gender Demographics of employees

The age demographics across Council's workforce indicate that 52% 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 30% female / 70% male and on actual head count the workforce is 32% female / 68% 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 of 30 June 2022 was 8.6 years. A workforce with employees who have longer than average length of service is regarded as a positive for the Council in terms of benefiting from the investment in training and development and reduced recruitment costs.

b) Statement of activities to implement Equal Employment Opportunity (EEO) management plan

Council continued its 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 behaviour in the workplace that is 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.

In instances where the COVID-19 pandemic impacted Council's ability to conduct interviews face to face, interviews were conducted utilising Microsoft Office Teams.

EEO Management Plan	Recruitment Data
Number of positions advertised during the year	116
Number of positions filled during the year	78
Number of applications received during the year	1,724
Number of female applicants	432
Number of positions where females were successful	31

Council employed 114 women in the workplace. The number of women in management roles were 3 representing 23% of our Leadership team and 27 women in supervisory roles representing 7% of the supervisory positions.

Employment of people with a disability

Council employed 5 full time equivalent staff (FTE) with a disability, and the percentage of people employed with a disability within Council was 1% of the workforce during this period.

Employment of people of Aboriginal and Torres Strait Islander Descent

Council employed 13 full-time equivalent staff who identify as being of Aboriginal and Torres Strait Islander Descent, or 4% of the workforce during this period.

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

Council employed 3 full-time equivalent staff from a culturally and linguistically diverse community, or 1% of the workforce during this period.

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

Council employed 267 full-time equivalent staff having their home address within the boundaries of the Kempsey LGA, or 77% 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.

The Workforce Management Strategy aims to ensure there are enough appropriately trained employees to carry out services as per Council's Delivery Program and Operational Plan 2021-22.

Council was awarded Employer of Choice in 2019 and 2021 in the Macleay Valley Business Awards.

Kempsey Shire Council is committed to creating a workplace which attracts, retains and rewards motivated, skilled and talented people.

Learning & Development

In 2021-22, there was a total of 7,625 hours spent on training and professional development, with 83% of participating in training throughout the year. Training was delivered face to face, virtually and via online modules throughout the year with 105 different training activities delivered to staff.

New online training modules developed throughout the year and delivered via Council's Learning Hub included:

- Conditions of employment
- Corporate induction
- Altus training
- Microsoft Excel, Outlook, PowerPoint, and Word
- Your new employee

c) Work Health and Safety WHS Management System

Council is committed to providing a workplace that is:

- Safe and healthy for all workers, contractors, and visitors.
- Demonstrating performance excellence where operational activities do not adversely impact the health and safety of the community and/or the environment; and
- Compliant with the Work, Health, and Safety Act 2011(NSW) and other relevant legislation, Codes of Practice, and national standards

Maintenance and upgrade of the WHS management system continued during 2021-22. Most importantly is Council's risk management framework that ensures effective processes are in place to manage workplace risk. This is vital in all aspects of Council's business operations. Improved safety

performance is achieved when all employees can identify hazards, risks and commit to safe work practices.

The following actions were undertaken during the year to improve WHS management systems:

- Planning and implementation of identified WHS strategic actions improved Council's commitment to risk management and was led by the formation of the WHS Strategic Leadership Group
- Improved safety communication and consultation processes, and representation from Council's Health and Safety Representatives who are proactive in ensuring regular workplace consultation
- Continuation of a rewards and recognition program which enabled identification of safety innovation and safety champions who have been instrumental in workplace safety outcomes
- Delivery of a back-to-basics safety training program with a focus on risk management and safe work method statement (SWMS) development including outlining and reinforcement of safety responsibilities to ensure workplace safety was the top priority when workers undertake assigned tasks. This training empowers all employees to become workplace safety champions
- Leaders actively engaged in safety consultation processes and implementation of health and safety initiatives
- Detailed internal and external audit reports identified some safety non-conformances which are driving continuous improvement in current safety management systems
- Monthly yard meeting talks with a focus on monthly safety messaging

Health and Wellbeing

A series of health and wellbeing initiatives were conducted in 2021-22 including:

- First group of staff trained and accredited in Mental Health First Aid
- Promotion of mental health wellbeing including participation in RUOK Day
- Men's and Women's Health expo promotions
- Annual influenza vaccination program
- Monitoring and vaccination programming for biological health risks

Council's Employee Assistance Program (EAP), Uprise, provides telehealth and wellbeing coaching. Uprise also has an extensive e-learning library, self-assessment tools and runs monthly webinars available to all staff promoting health and wellbeing.

Workers Compensation and Injury Statistics

Council's Recovery at Work Program continues to assist and support employees recovering from injury/illness whether it is caused at work or is non-work related.

Council works closely with our Workers Compensation insurer to continually enhance claim management processes that support better recovery at work outcomes for injured employees.

Due to a strong emphasis on safety, driven by management engagement and employee commitment, lost time injuries continued to fall during 2021-22. Council recorded six lost-time injuries during the year, representing a 36% reduction in the five-year rolling average.

This change in culture has led to a significant reduction in Council's workers compensation premium costs due to a substantial reduction in the organisation's claim performance history rate which is well below workers compensation scheme performance measures.

15. Senior Staff Salaries

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

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 2021-22 are presented below.

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 (replaced by Michael Jackson from October 2022)

During 2021-22, the remuneration for the General Manager was \$372,046.36 and the combined total remuneration for both Directors was \$560,972.46.

16. Statement on stormwater management services provided

[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 2021-22 the following works were undertaken with income generated from the stormwater levy. Remaining income raised has been set aside for future works and projects.

Project	Stormwater Levy Spend (\$)
Edgar Street Frederickton Stormwater (stage 1 kerb & Gutter and Drainage)	641,459
Stormwater investigations & planning	1,493
Wide Street, West Kempsey V-drain from Sea Street to Kemp Street	20,181
Grand Total	663,133

17. Statement on the Coastal Protection Services provided

[Local Government \(General\) Regulation Clause 217 \(1\) \(e1\)](#)

Council did not levy for coastal protection during 2021-22.

18. Companion Animals Act and Regulation

[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 \$22,314 on direct companion animal management, including operation of the pound/maintenance during the year.

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.

A new impounding system has been implemented to provide an improved customer experience, making it easier to reunite owners and animals and creating interest in rehousing impounded cats and dogs.

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. The review of signage has been completed and new signage has been erected at all beaches. New signage will be implemented at parks and playing fields in the near future.

Kempsey Shire Council continues to work closely with rehoming organisations and has rehoused 235 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, 31 animals have been euthanized due to illness or unsuitability for rehousing. During 2021-2022, there were 6 dog attack incidents in the Shire.

19. Report on Capital Works Projects subject to CAPEX review

[Per OLG Capital Expenditure Review Guidelines](#)

Nil Capital Works Projects to report that were subject to the Capital Expenditure Review guidelines.

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.

21. Disability Inclusion Plan

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

Council's Disability Inclusion Action Plan (DIAP) has been developed to meet NSW Government guidelines, align with the term of council, and focuses on the four key areas identified under the NSW Disability Inclusion Plan, which are:

1. Developing positive community attitudes towards disability
2. Creating liveable communities
3. Increasing access to meaningful employment
4. Improving access to mainstream services through improved systems and processes

The vision statement included within the DIAP is a simple clear statement as to the intent of the document and council's actions to make the community accessible. The vision states:

Kempsey Shire is an accessible and inclusive place to live, visit, work, and play.

There are four key guiding principles or focus areas outlined in the DIAP that drive council's commitment to making our community more inclusive and accessible.

1. Increasing positive attitudes and behaviours towards people with a disability.
2. Making Kempsey Shire more accessible, inclusive, and liveable.
3. Increasing meaningful education and employment for those with a disability.
4. Improving access to council's services through better systems and processes.

The table below sets out the steps council has taken to provide equitable access to information, services, events, and facilities for people with disabilities.

Focus Area: Attitudes and Behaviour

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
Promote local events, activities, and facilities to be more accessible and inclusive	Work with disability groups to prepare inclusion and access guidelines for community events	Inclusion guidelines developed	Community Partnerships	1 – 2 years	<p>Council is currently reviewing its Event Application process to highlight actions and considerations event organisers can implement to improve accessibility and inclusion</p> <p>The International Day of People with a Disability (Big Day Out) was delivered on Dec 3rd, 2021.</p> <p>Inclusive event was also delivered for Youth Week.</p>
Promote International Day of People with Disabilities (IDoPwD)	Work with people with disabilities, service organisations and carers to develop a community awareness day	<p># of support organisations engaged</p> <p>Number of participants with a disability</p>	Community Partnerships & Communications	Annually	<p>The Big Day Out was delivered on Dec 3rd, 2021, with 700+ people in attendance. Council used the opportunity to undertake engagement on our updated DIAP and to gather feedback on how Council can improve accessibility and inclusion.</p> <p>Event planning has been completed for the Glitz and Glamour Ball which is scheduled for 15th October 2022 and will be delivered with Council support.</p> <p>Council delivered extensive promotion for IDoPwD in the lead up to and on International Day of People with Disabilities. Council also delivered extensive coverage of the events after they had occurred.</p> <p>Event with celebrity guest speaker, Paralympian, Ellie Cole, to launch the new 2022-2025 DIAP. This was attended by key staff from all</p>

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
					<p>departments in council as well as community members with a disability and their support workers/agencies representatives.</p> <p>The Communications team commenced a social media awareness campaign highlighting local people from our community living with a disability and sharing their positive stories and what they wished people knew about their disability, to increase acceptance and positive attitudes around disability.</p>

Focus Area: Livable Communities

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
Provide safe and accessible community facilities	Conduct audit of Council built assets to identify disability access requirements	Completion of audit	Property and Facilities	1 – 2 years	A disability access assessment for key Council assets has been undertaken as an additional works package to the asset condition assessment. This data will be used to develop a priority actions list for allocating multi-year funding to upgrade Council buildings for disability access.
	Prepare priority-based disability access upgrade program applying principles of universal design	Disability access upgrade program prepared	Property and Facilities	Ongoing	<p>Kempsey Library has been upgraded to provide for disability access.</p> <p>All new facilities and facilities that are upgraded apply principles of universal design and comply with disability access requirements.</p>

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
	Disability access upgrade assessment of existing council facilities	Report prepared for council with priority actions to be included in operation plan	Property and Facilities	12 months	A disability access assessment for key Council assets has been undertaken as an additional works package to the asset condition assessment. This data will be used to develop a priority actions list for allocating multi-year funding to upgrade Council buildings for disability access.
	Continue to upgrade Council assets according to requirements of the Disability Discrimination Act, relevant Australian Standards and National Construction Code	# increase and improved accessibility across assets and facilities	Property and Facilities	Ongoing	<p>Council is constructing or has/is upgrading the following assets with disability access provisions:</p> <ul style="list-style-type: none"> • Stuarts Pt Community Hall. • Smithtown Nestle Park Amenities. • Civic Centre. • Willawarrin Canteen; and • Kempsey Library. <p>Council also secured funding for a new disability chair for Kempsey Pool.</p>
	Investigate feasibility of providing "Changing Places" facility within South West Rocks tourist destination	Feasibility studies undertaken	Property and Facilities Economic Development	Ongoing	Council will be removing the existing Horseshoe Bay Kiosk to make way for master plan developments. The existing kiosk will be replaced with a temporary container Kiosk which will be fitted out with disability access provisions (until funding can be secured for a purpose-built permanent facility). Investigation into the inclusion of Changing Places facility has been included in the 22-25 DIAP
	Progress actions in Pedestrian Access and Mobility Plan	Priority actions completed	Infrastructure Delivery	Ongoing	

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
Assist in developing projects and programs for people with disabilities and their carers	Establish partnerships / steering committee to develop key projects that promote inclusion	Community Disability working group formed	Community Partnerships	1-2 years	Council staff are on the Macleay Disability Inclusion Group Committee
	Explore grant opportunities in partnership with service organisations, disability groups and neighbouring councils.	# grants applied #projects developed	Whole of Council	Ongoing	Council continues to source and apply for grants and funding to upgrade Council facilities and assets to improve accessibility for the entire community.
Council engagement strategy developed and implemented.	Ensure Council engages and informs the Community and the Disability Working Group with key developments and implement strategy on Engagement opportunities	Number of engagement opportunities forward to Community Disability working group	Community Partnerships Strategic and Environmental Planning	Ongoing	Council is currently reviewing its Engagement Strategy which will include strategies to ensure the needs of the entire community are considered when undertaking both face-to-face and online engagement. Feedback from the Macleay Disability Inclusion Group (MDIG), disability support agencies and their clients will be incorporated into the strategy. The MDIG was extensively engaged and actively involved in the development of the 2022-2025 Disability Inclusion Action Plan

Focus Area: Employment

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
Increase opportunities for employment for people with disabilities	Work with disability services providers in developing employment opportunities with Council		Organisation Development and Performance	Ongoing	Council maintains close relations with local disability service providers, and actively alerts them to job opportunities when advertised.
	Review recruitment processes, forms, and language for accessibility	Recruitment process, forms and language adapted	Organisation Development and Performance. Communications	Ongoing	All Human Resources related policies and procedures have been reviewed. These documents are available on Council's Internet site.
Encourage volunteer opportunities for carers and people with disabilities	Reasonable adjustments to workplace to support volunteers with disability	# of people with disabilities volunteering Volunteering policy developed	Organisation Development and Performance	Ongoing	Council has undertaken significant upgrades to both the Civic Centre and Kempsey Library which included infrastructure adjustments to support volunteer opportunities for carers and people with disabilities. A new volunteering policy has been written.
Support employees with disabilities to perform their job	Make reasonable adjustments to change work process, practice, procedure, or environment	# Adjustments made # Learning support offered	Organisation Development and Performance	Case by case	Council has undertaken significant upgrades to both the Civic Centre and Kempsey Library which included infrastructure adjustments to support volunteer opportunities for carers and people with disabilities.

Focus Area: Systems and Processes

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
Provide best practice accessibility to services and support for people with a disability	Ensure all service information is available in a range of formats to support different needs and capabilities	Council information available in different formats	Communications	Ongoing	The Communications team have worked to deliver accessible versions of key documents online and to ensure messaging that alternative versions are available on request.
	Continue to work towards full WCAG 2.0 AA compliance for web content	Council website towards full compliance	Communications	Ongoing	Council has overhauled their websites which has delivered increased accessibility. Council has prioritised Plain English communication throughout the new site roll out and continues to focus on this in all web publications. Council's Style Guide has been rewritten, with a focus on accessibility and plain English measures.
	Ensure community engagement events are held in accessible venues. To be inclusive of people with disabilities	Council engagement held in accessible venues where available Council engagement actively encourages participation of people with disabilities	Whole of Council Community Engagement including contractors and consultants	Ongoing	Where practical engagement activities and events have been held in accessible venues. With the shift to online engagement due to COVID restrictions we have ensured that people with a disability and their support services are aware of opportunities to provide feedback and have provided online options for community feedback.

Strategy	Action	KPIs	Responsibility	Timeframe	Completions 2021-2022
	Signage upgraded to include International and Braille provisions	Signage upgraded with provisions	Property and Facilities, and Communications	Ongoing	A new signage strategy is in the process of being developed.
	Investigate further implementation of National Relay Service	National Relay Service plan implemented	Property and Facilities	2 - 4 years	Linkage did not proceed, therefore no progression as this needs to be reassessed
	Continue to work with local tourism businesses to support them making their businesses more inclusive.	Education and tools to allow more inclusive businesses	Economic Development	Ongoing	<p>Council facilitated free access to the Inclusive Tourism conference for local tourism and business owners to encourage further development of private infrastructure development and tourism products to be disability inclusive. Council further engaged a guest speaker Ellie Cole, to provide real engagement and discussion on inclusive tourism.</p> <p>Additionally, Council implemented an inclusive cabin within Crescent Head Holiday Park to increase inclusive tourism opportunities within the region. Council has plans to further expand inclusive cabins within the product offering across the Macleay Valley Coast Holiday Parks.</p>

22. Environmental Planning and Assessment Act

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

Council has various planning agreements that were in force during 2021-22. These are detailed in the table below.

Title	Date Entered	Land detail	Description of Agreement	Parties	Status
1. South Kempsey Water Infrastructure Delivery Planning Agreement	21 Jun 2016	Lot 2454 DP610363	The planning agreement provides for a monetary contribution towards provision of necessary future upgrade of South Kempsey water supply infrastructure.	Kempsey Shire Council; Centrestone Developments Pty. Ltd.	The development has not commenced. Council is following up on obligations.
2. South West Rocks – Gilbert Corey Street Planning Agreement	17 July 2018	Lot 10 DP754396	The planning agreement provides for the environmental protection of that part of the land that is being rezoned.	Kempsey Shire Council; Hunterwatt Projects Pty. Ltd.	The Voluntary Planning Agreement (VPA) came into force when the Kempsey Local Environmental Plan 2013 (Amendment No 3) was gazetted 21 September 2018 (2018 No. 550). The VPA concerns a Biodiversity Stewardship Agreement created as part of a Planning Proposal and amendments to the Kempsey Local Environment Plan (LEP). The Biodiversity Stewardship Agreement is to be registered on the subject Lot and any subsequent Lots created therein. Council is following up on obligations.
3. South West Rocks - Kempsey Shire Council & SWRUT Pty. Ltd	24 Feb 2021	Lot 1 DP445196	The planning agreement provides for the dedication of land for road reserve and pedestrian infrastructure in lieu of certain developer contributions.	Kempsey Shire Council & SWRUT Pty. Ltd	Stages 1 and 2 have been completed. Stage 3 is to commence.

23. Development Contributions

Environmental Planning and Assessment Amendment (Development Contributions) Regulation 2021 under the Environmental Planning and Assessment Act 1979, CI 35A.

New reporting and accounting requirements for development contributions and planning agreements were introduced into the Environmental Planning and Assessment Regulation on 12 February 2021. The new requirements aim to increase transparency and accountability in the collection and use of development contributions. The tables below provide the annual financial statements for development contributions.

Developer contributions	Operating 2022 Actual \$'000	Operating 2021 Actual \$'000	Capital 2022 Actual \$'000	Capital 2021 Actual \$'000
Cash contributions	-	-		
S7.11 – contributions towards amenities/services	-	-	1,652	1,498
S64 water supply contributions	-	-	1,218	1,290
S64 sewerage service contributions	-	-	822	959
Total developer contributions – cash	-	-	3,692	3,747
Non-cash contributions		-		
S64 water supply contributions	-	-	-	980
Total developer contributions – non-cash	-	-	-	980
Total contributions	-	-	3,692	4,727

Unspent contributions

Certain contributions are obtained by Council on the condition they be spent in a specified manner or in a future period, but which are not yet spent in accordance with these conditions are shown in the table below.

	Operating 2022 Actual \$'000	Operating 2021 Actual \$'000	Capital 2022 Actual \$'000	Capital 2021 Actual \$'000
Contributions unspent funds at 1 July	-	-	15,549	11,722
Add: contributions recognized as revenue in the reporting year but not yet spent in accordance with the conditions	-	-	3,688	3,327
Less: contributions recognized as revenue in previous years that have been spent during the reporting year	-	-	-	-
Unspent contributions at 30 June	-	-	19,237	15,549

24. Fisheries Management Act

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

Nil to report.

25. 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 that were completed during 2021-22.

Private Swimming Pool Inspections 2021-22	Numbers
Number of inspections of tourist and visitor accommodation	2
Number of inspections of premises with more than 2 dwellings	1
Number of inspections that resulted in issuance a certificate of compliance under section 22D of the Act	62
Number of inspections that resulted in issuance a certificate of non- compliance under clause 18BA of the Regulation	123

26. 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 endeavours 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.

The following table sets out information relating to the access applications made to Council during the 2020-21 year. The information is provided in the format required by the Government Information (Public Access) Regulation.

Clause 8A: 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
Yes	Yes

Council’s website provides all relevant information as required under the GIPA Act. Recently our DA system was implemented which increased the availability of DA documents for the public.

Clause 8B: 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
8

Clause 8C: 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	6	6
% 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	25%
Not for profit organisations or community groups	1	0	0	1	0	0	0	0	2	25%
Members of the public (by legal representative)	0	2	0	0	0	0	0	0	2	25%
Members of the public (other)	0	2	0	0	0	0	0	0	2	25%
Total	1	6	0	1	0	0	0	0	8	
% of Total	13%	75%	0%	13%	0%	0%	0%	0%		

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

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

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Personal information applications*	0	0	0	0	0	0	0	0	0	0%
Access applications (other than personal information applications)	1	6	0	1	0	0	0	0	8	100%
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	1	6	0	1	0	0	0	0	8	
% of Total	13%	75%	0%	13%	0%	0%	0%	0%		

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

Table C: Invalid applications

Reason for invalidity	No of applications	% of Total
Application does not comply with formal requirements (section 41 of the Act)	2	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	2	100%
Invalid applications that subsequently became valid applications	1	50%

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

	Number of times consideration used*	% of Total
Overriding secrecy laws	0	0%
Cabinet information	0	0%
Executive Council information	0	0%
Contempt	0	0%
Legal professional privilege	0	0%
Excluded information	0	0%
Documents affecting law enforcement and public safety	0	0%
Transport safety	0	0%
Adoption	0	0%
Care and protection of children	0	0%
Ministerial code of conduct	0	0%
Aboriginal and environmental heritage	0	0%
Privilege generally - Sch 1(5A)	0	0%
Information provided to High-Risk Offenders Assessment Committee	0	0%
Total	0	

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

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

	Number of times consideration used*	% of Total
Responsible and effective government	1	14%
Law enforcement and security	0	0%
Individual rights, judicial processes, and natural justice	4	57%
Business interests of agencies and other persons	2	29%
Environment, culture, economy, and general matters	0	0%
Secrecy provisions	0	0%
Exempt documents under interstate Freedom of Information legislation	0	0%
Total	7	

Table F: Timeliness

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

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

	Decision varied	Decision upheld	Total	% of Total
Internal review	0	0	0	0%
Review by Information Commissioner*	0	0	0	0%
Internal review following recommendation under section 93 of Act	0	0	0	0%
Review by NCAT	0	3	3	100%
Total	0	3	3	
% of Total	0%	100%		

*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	

27. Public Interest Disclosure Act s31

[Public Interest Disclosures Act 1994, s 31](#), [Public Interest Disclosures Regulation 2011, cl 4](#)

There was one (1) public official that made a Public Interest Disclosure which related to corrupt conduct. An internal reporting policy has been established and a variety of training methods undertaken to improve staff awareness obligations under this legislation, including that by Council, a private sector organisation, links on the intranet and internet and during induction.