

# Extraordinary Council Meeting

## 3 December 2021

### Late Attachments

Page

Late Items of Business and Matters Arising

10.21.006 Annual Report 2020/21

Attachment A Annual Report 2020/21.....2

**These attachments to be retained for Council Meeting**



CLARENCE VALLEY COUNCIL

# ANNUAL REPORT

2020 - 2021





# OUR AREA



**51,427**

TOTAL POPULATION



**1,441,000**

TOURISM VISITORS ANNUALLY



ATSI/First Nation population:

**3,945 (7.7%)**



**3** TOWNS

**60** VILLAGES



**100KMS** OF COASTLINE



**04** COASTAL LAGOONS AND BEACHES



**08** RIVERS



**36** BEACHES



**2,262KM<sup>2</sup>** NATIONAL PARKS, STATE FOREST & RESERVES



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## ABOUT US



**10,441 KM<sup>2</sup>**  
COUNCIL AREA



**472.07**  
FULL-TIME  
EQUIVALENT STAFF



**ASHLEY LINDSAY**  
GENERAL  
MANAGER

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**LAURA BLACK**  
DIRECTOR CORPORATE  
& GOVERNANCE



**JAMIE FLEETING**  
DIRECTOR WORKS  
& CIVIL



**ADAM CAMERON**  
DIRECTOR ENVIRONMENT  
& PLANNING

# Overview

## STATUTORY ANNUAL REPORT 2020/2021

### Section 428(1) – Local Government ACT 1993

#### 1. Delivery Program 2020/2021– s428(1)

#### & 2 Community Strategic Plan – s428(2)

Section 428(1) of the Local Government Act requires a council to prepare a report each year 'reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.'

Under the Integrated Planning and Reporting Framework, each council in NSW is required to develop a Community Strategic Plan (CSP), which is a high-level, minimum-10-year strategic document that sets out the goals and aspirations of its community over the longer term. Clarence Valley Council's CSP is The Clarence 2027, which came into effect in 2017.

This is supported by a four-year Delivery Program and an annual Operational Plan that set out a range of objectives, tasks and projects that will deliver on these goals and aspirations in the medium and short term respectively. The four-year Delivery Program is designed to align with the four-year term of Council.

Due to the COVID-19 pandemic resulting in the postponement of the local government elections twice, the Council term was extended from September 2020 until December 2021. Consequently, the four-year Delivery Program was extended to cover the term of Council. The July 2017 to June 2022 (revised) Delivery Program was adopted by Council in April 2021. The 2020/21 Operational Plan previously adopted by Council in June 2020 remained intact under the extended Delivery Program.

A report on Council's performance for the 2020/21 financial year against these plans was presented to Council in July 2021. Overall, Council achieved an 87% success rate in the delivery of the actions and projects contained in the 2020/2021 Operational Plan. The actions not completed were hindered by the COVID-19 restrictions. This report is available on Council's website: [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au) (Item 6c.21.096).

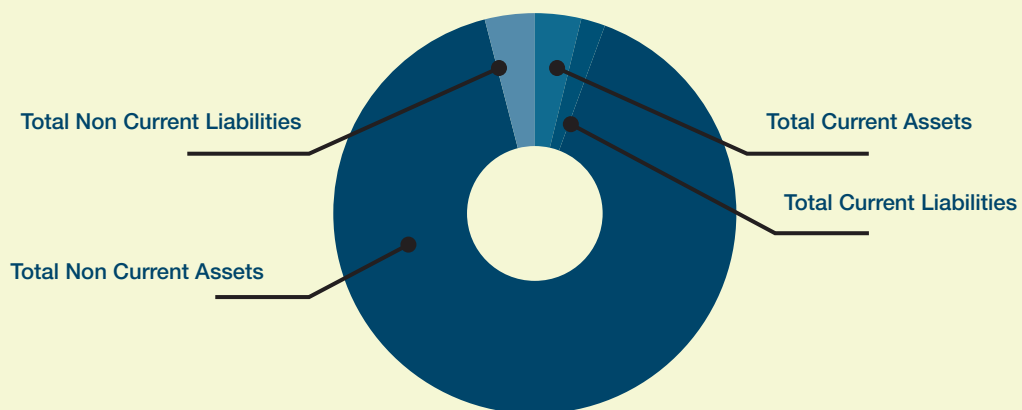
#### 3. Financial Report – s428(4)(a)

Clarence Valley Council's audited financial reports for the year 2020/21 are reported separately in the Clarence Valley Council General Purpose Financial Report for the year ended 30 June 2021. A summary of the Financial Statements is provided on the following page and a full copy can be viewed on Council's website [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au).



<b>A summary of the Financial Statements is provided below:</b>	<b>2021</b>	<b>2020</b>
	\$'000	\$'000
<b>Income Statement</b>		
Total income from continuing operations	175,109	166,026
Total expenses from continuing operations	155,790	158,806
Operating result from continuing operations	<b>19,319</b>	<b>7,220</b>
<b>Net operating result for the year</b>	<b>19,319</b>	<b>7,220</b>
Net operating result before grants and contributions provided for capital purposes	(16,859)	(17,468)
<b>Statement of Financial Position</b>		
Total current assets	122,611	128,362
Total current liabilities	(41,803)	(47,474)
Total non-current assets	2,076,027	2,026,231
Total non-current liabilities	(103,250)	(111,067)
Total equity	<b>2,053,585</b>	<b>1,996,052</b>
<b>Other financial information</b>		
Unrestricted current ratio (times)	3.98x	3.23x
Operating performance ratio (%)	-3.9%	-1.6%
Debt service cover ratio (times)	3.12x	3.33x
Rates and annual charges outstanding ratio (%)	6.8%	7.3%
Buildings and infrastructure renewals ratio (%)	28.2%	30.7%

### Financial Position



#### 4. Particulars of any environmental upgrade agreement entered into by Council – s54P(1)

Council did not enter into any environmental upgrade agreements in 2020/21.

#### 5. Report on activities funded via a special rate variation of general income including:

In 2020/2021 Council utilised \$5,132,292 from the 8% SRV on projects for roads, floodplains and parks and recreation. Below is a list of projects we have been able to commence and achieve due to these funds.

Reseal Program - Urban Roads	Minor Heavy Patching Program - Urban Roads	Reseal Program - Rural Roads
Minor Heavy Patching Program - Rural Roads	Unsealed road gravel resheeting	Orara Way - Reconstruction
Urban Floodplain Asset Renewals	Rural Floodplain Asset Renewals	Floodplain Minor Works / Renewals
Floodgate Replacements	Floodplain Minor Plant and Tools	Jacaranda Park Redevelopment - Stage 2
Lawrence Memorial Park	Townsend Park	Federation Park

#### 6. Amount of Rates and Changes written off during the year – Reg. cl132

Rates and charges written off in the financial year 2020/2021 were:

TYPE	AMOUNT
Small balance write offs (<\$3.00 as per Revenue Policy)	\$1,267.08
Other Rates & Charges and Debtors write-offs (reported to Council)	\$0.00
Postponed rates write offs	\$13,144.88
Sale of land for unpaid rates	\$0.00
Voluntary conservation agreements	\$22,657.56
Pensioner abandonments*	\$1,141,895.18
<b>Total</b>	<b>\$1,178,964.60</b>

\* Eligible pensioners who have been issued with a pension card by Centrelink or the Department of Veteran's Affairs. This amount does not include the 55% OLG subsidy.



**FACTS & FIGURES**



**1,293**  
RATING  
CERTIFICATES



**66,701**  
CALLS ANSWERED



**31,907**  
RECORDS  
REGISTERED



**2,439**  
PLANNING  
CERTIFICATES

**1,064**  
DEVELOPMENT  
APPLICATIONS



**661**  
LIVE CHAT  
ENQUIRIES



**98.1%**  
EXCELLENT  
SERVICE RATING



**1710**  
COMPANION  
ANIMAL ENQUIRIES



**675**  
CONSTRUCTION  
CERTIFICATES

Invoices processed	22,153
Rates Notices Issued	27,219
Water Notices Issued	21,218
Clarence Valley Water consumption	5,987(ml)
Online visits to Library	93,161
Food premise inspections	327
Head of cattle sold at Saleyards	48,327
Visits to Gallery	24,823
Street trees planted	200
Total pool entries	105239
Emails received	26,692
Waste collection (tonnes)	21,743
Website page views	736,374
Hectares of mowed reserves, parks and sportsfields	4,536

## 7. Information about Councillor induction training and professional development – Reg cl 186

No induction training or ongoing professional development was undertaken in 2020/21, the final year of the sitting Council.

## 8. Details of overseas visits by Councillors, council staff or other persons representing Council – s428(4)(b) and cl 217(1)(a)

There were no overseas visits by councillors, staff or any other persons representing Council.

## 9. Payment of expenses and the provision of facilities to Councillors in relation to their civic duty – cl 217(1)(a1)

Annual fees were paid to the Mayor and Councillors as required by the Local Government Act and in accordance with the determination of the Local Government Remuneration Tribunal.

In 2020/21 the total amount of money expended on mayoral and Councillors' fees is as follows:

### Mayoral and Councillors' fees \$278,960

A breakdown of the payment of these fees on a per Councillor basis is provided in the schedule on the following page:

Itemised cost of the following Councillor expenses	\$ cost
The provision during the year of dedicated office equipment allocated to Councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs)	\$1,104
Telephone calls made by Councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in Councillors' homes	Included in line rentals
Attendance at conferences and seminars	Nil
Training of Councillors and the provision of skill development for Councillors	\$1,200
Interstate travel expenses conferences and seminars	Nil
Overseas visits undertaken during the year by Councillors while representing Council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses	Nil
The expenses of any spouse, partner (whether of the same or the opposite sex) or other person who accompanied a Councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time	Nil
Expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor, to allow the Councillor to undertake his or her civic functions	Nil

## Councillor

	Baker	Clancy	Ellem	Kingsley	Lysaught	Novak	Simmons	Toms	Williamson	Un-allocable	Totals
Councillor / Mayoral Allowance	24,320	24,320	24,320	31,320	24,320	24,320	77,400	24,320	24,320	-	278,960
Office equipment eg. Mobile phones, Printers, iPads, Internet, etc including call costs	488	40	81	40	40	40	121	40	213	-	1,104
Conferences & Seminars	-	-	-	-	-	-	-	-	-	-	-
Training & Skill development	-	-	-	-	800	-	-	400	-	-	1,200
Interstate visits (Conferences & Seminars)	-	-	-	-	-	-	-	-	-	-	-
Overseas visits	-	-	-	-	-	-	-	-	-	-	-
Motor vehical Allowance* / Expense	1,036	-	250	-	-	-	9,000	-	-	-	10,285
Civic activities / Functions / Meetings	-	-	-	-	-	-	-	-	-	7,661	7,661
Newspaper & others	-	-	-	-	-	-	-	-	-	-	-
<b>Councillor totals</b>	<b>25,844</b>	<b>24,360</b>	<b>24,650</b>	<b>31,360</b>	<b>24,360</b>	<b>25,160</b>	<b>86,521</b>	<b>24,760</b>	<b>24,533</b>	<b>7,661</b>	<b>299,211</b>

\*May include costs of travel to Conferences & Seminars using own motor vehicle





## 10. Contracts awarded by council – cl 217(1)(a2)

Contracts awarded to Council during the year exceeding \$150,000 (not including employment contracts) are as follows:

COUNCIL MEETING MINUTE	CONTRACTOR NAME	DETAILS OF CONTRACT	TOTAL ESTIMATED VALUE
6e.20.015	Panel of 7 Suppliers: 1. Ixom Operations Pty Ltd 2. Chemprod Nominees Pty Ltd T/A Omega Chemicals 3. Coogee QCA Pty Ltd 4. Consolidated Chemical Company 5. SNF(Australia) Pty Ltd 6. Colonial Chemicals Pty Ltd 7. Redox Pty Ltd	Supply of Bulk Water Treatment Chemicals - 01/07/20 to 30/06/23	<b>Over \$250,000.00</b>
NA	AGL Sales Pty Ltd	Supply of Electricity to Small Sites - 01/07/20 to 31/12/2022	<b>Over \$250,000.00</b>
6e.20.016	Surf Life Saving Services Pty Ltd	Provision of Life Saving Services - 4 Years Commencing in the 2020 Season	<b>\$1,584,866.66</b>
6e.20.017	See Civil Pty Ltd	Construct 3 Roundabout	<b>\$3,968,709.37</b>
6e.20.019	Andrew Harris Engineering Pty Ltd	Floodgate Fabrication and Refurbishment	<b>Over \$250,000.00</b>
6e.20.020	Ecotechnology Australia Pty Ltd	Water Quality Improvement Works at Jubullum Community	<b>\$554,467.85</b>
6e.20.021	Synergy Resource Management Pty Ltd	Yamba Angourie Fields Irrigation	<b>\$704,073.70</b>
6e.20.024	Southside Truck Centre	Supply Two New Trucks and Dogs	<b>\$906,026.00</b>
6e.20.025	Westrac Pty Ltd	Supply One New Grader	<b>\$593,135.00</b>
6e.20.026	Komatsu Australia	Supply Four New Wheeled Loaders	<b>\$985,600.00</b>
6e.20.027	Interflow Pty Ltd	Sewer Reling Fy20/21	<b>\$646,447.59</b>

# NATURAL RESOURCE MANAGEMENT



**104**  
COASTAL EMU  
SIGHTINGS  
REGISTERED



**847**  
KOALA SIGHTINGS  
REGISTERED



**1,175**  
KOALA REVEGETATION  
BROCHURES  
DISTRIBUTED



**1,150**  
DOMESTIC DOG AND  
KOALA BROCHURES  
DISTRIBUTED



**750**  
DOGS AND  
WILDLIFE SURVEY  
DISTRIBUTED







**11. Summary of Legal Proceedings:  
Expenses and Progress**  
Reg. cl 217(1)(a3)

There is one outstanding case of legal proceedings taken against Council. Council is insured for \$50,000 excess for this matter; the invoice received to date is \$7,394.20.

**12. Work on Private Land**  
- s67(3) and Reg. cl 217(a4)

Council passed the following resolutions during the year under section 67 of the Local Government Act concerning work carried out on private land:

- Harwood Oval – Council Minutes 07.20.007 on 28 July 2020 and 05.21.006 on 27 April 2021. Council approved a 2019/20 and 2020/21 budget allocation to the maintenance and mowing of Harwood Oval that is on privately owned land in Harwood for \$15,000 (\$7,500 per season).

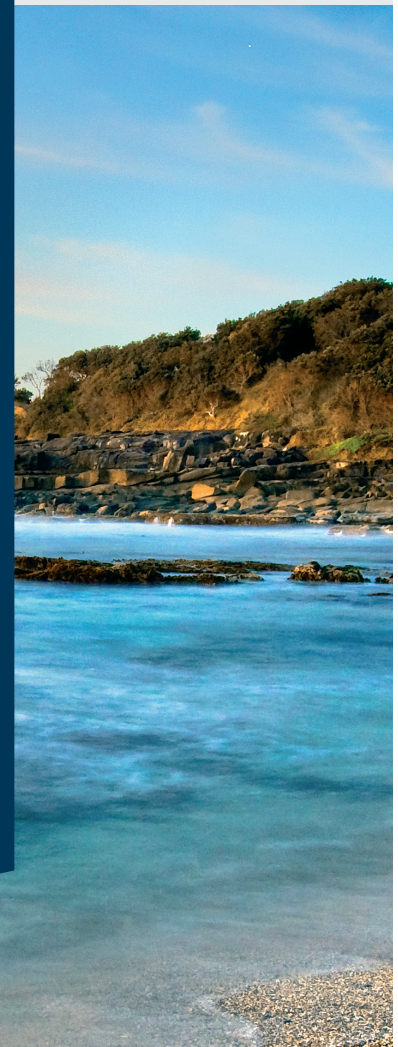
### 13. Contributions/Grants to Organisations and Individuals

#### - Reg. Cl. 217(a5)

Council made donations during the year under Section 356 of the Act to community organisations, including schools, totalling \$73,969.11. In addition, it approved grants totalling \$1,500 from the Clarence Valley Sports and Cultural Trust Fund to assist elite young sportspersons. Council gave a further \$54,062 in financial assistance to various organisations to assist with the running of festivals, exhibitions and celebration events staged within the Council area.

### 14. Statement of all external bodies that exercised functions delegated by Council – Reg. cl (1)(a6)

- **North West Weight of Loads Group (Newlog)** - inspection of motor vehicles and the policing of overloading on Council roads.
- **North East Waste** - researching waste management issues and investigating opportunities for regional cooperation in the Northern Rivers area.
- **Braunstone Social and Tennis Club** - management of the Braunstone Hall and Reserve.
- **Kungala Community Centre Committee** – management of the Kungala Community Centre located at Lanitza.
- **Lawrence Golf and Sports Club Inc.** . – management of the Lawrence (R96692) Public Recreation Reserve.
- **Clarence Regional Library** - Provides library services for libraries in the Clarence Valley and Bellingen Council areas. The Regional Library is part of Clarence Valley Council, which employs the Regional Library staff and provides these services to the Bellingen Shire Council under delegations it has received from Bellingen Council.



**COMMUNITY PROJECTS**



**COMMUNITY PROGRAM  
FUNDING ACCESSED THROUGH  
THE STRONGER COUNTRY  
COMMUNITIES FUND**

**\$297,860**

**COMMUNITY ACTIVITIES  
DIRECTLY SUPPORTED THROUGH  
FUNDING BY COUNCIL**

**\$76,924**



**PCYC**

**ESTABLISHED IN THE CLARENCE  
AFTER 17 YEARS OF ADVOCACY**



**BUSHFIRE RECOVERY  
ASSISTANCE POINT HOSTED BY  
COUNCIL FROM DEC-FEB 2019**

**YOUTH ACTIVITIES**



**2012**

**YOUNG PEOPLE VIA OUR  
OUT OF THE BOX PROGRAM**

**15. Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which Council held a controlling interest**

**- Reg. cl. 217(1)(a7)**

Council did not hold a controlling interest in any corporations, partnerships, trusts, joint ventures, syndicates, or other bodies in 2020/2021.

**16. Statement of all corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which Council participated - Reg. cl. 217(1) (a8)**

- **North West Weight of Loads Group (Newlog)** - setting and policing vehicle weights on Council roads.
- **North East Waste** - researching waste management issues and investigating opportunities for regional cooperation.
- **Statewide Mutual** - a self-insurance mutual providing public liability and professional indemnity cover for Council.
- **Statewide Property Mutual** - a self-insurance mutual providing property insurance for Council.
- **StateCover** - a self-insurance mutual providing workers compensation insurance for Council.
- **NSW Forests** - plantation joint ventures at Alipou Creek and Regional Landfill site.

For further financial details on Controlled Entities, Associated Entities and Interests in Joint Ventures, refer to the Clarence Valley Council General Purpose Financial Report 2020 on the Clarence Valley Council website

## 17. Statement of activities to implement its Equal Employment Opportunity (EEO) management plan

### - Reg cl 217(1)(a9)

Clarence Valley Council demonstrates its commitment to the principles of Equal Employment Opportunity through its adopted EEO Protocol and EEO Management Plan. These documents are currently under review to ensure all employment practices are based on merit of the individual against the specific requirements.

The revised Management Plan will provide a strategic framework aimed at achieving an equitable and diverse workforce which is representative of the Clarence Valley community and support the leadership theme of the Community Strategic Plan. This will ensure the Clarence Valley Council has a strong, accountable and representative government and an effective and efficient organisation.

Council has achieved the following to ensure equal employment opportunity:

- Implementation of the My Employee Journey Framework, incorporating a full review of policies and procedures to ensure a holistic view of the journey of all employees, and that all human resource processes are robust and transparent and in line with the legislation. This framework provides a commitment to equal opportunity employment.
- Council has started to implement the Local Government Capability Framework, which involves updating all position descriptions. This process will ensure position descriptions are up-to-date and remove any artificial barriers.
- Position advertisements include a standard EEO statement and are written in plain English, free from bias.

- There are 13 positions on Council's organisation structure (including one trainee position) designated as First Nations People identified positions. In addition to those identified positions, Council has engaged several employees from First Nations backgrounds through the open recruitment process.

A total of 25 employees identify as First Nations. During 2020/2021, Council engaged one First Nations person as a trainee under the Arts Ready School Based Trainee Program. The Aboriginal Employment Strategy seeks to have approximately 5% (or 24 positions) representation of First Nations People in the Council workforce. This strategy is being reviewed in the 2021/22 financial year.

- Council's Workforce Management Strategy 2017/2018 - 2020/2021 addresses workforce challenges faced by Clarence Valley Council. In particular, issues associated with creating a diverse workforce and responding to an ageing workforce is discussed. Council employs staff across a range of age groups with the majority of the workforce in the 51 to 60 (28.85%) age group. Council's workforce is comprised of 69% male and 31% female employees.

The associated action plan identifies workplace diversity as a key area of focus. In an effort to increase access from a mixture of candidates, Council's online recruitment process allows for a diverse range of applicants from across the globe to apply for positions with Council. Our Workforce Management Strategy will be reviewed in the 2021/2022 financial year to ensure robust strategies continue to be put in place to support employment equity and diversity principles.

- All Council staff participated in face-to-face Code of Conduct training which will continue to be supported with online training. All new staff to Council complete this online training as part of their induction.



## 18. Statement of the total remuneration package of the General Manager – cl 217(1)(b)

The total value of remuneration package*	\$286,557
The total value of the salary component of the package	\$262,004
The total amount of any bonus payments, performance payments or other payments that do not form part of the salary component of the general manager	Nil
The total amount payable by Council by way of the employer's contribution or salary sacrifice to any superannuation scheme to which the general manager may be a contributor	\$23,840
the total value of any non-cash benefits for which the general manager may elect under the package	Nil
the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits	\$713

## 19. Statement of the total remuneration packages of the senior staff members – cl 217(1)(c)

Clarence Valley Council Senior staff members are the:

- Director (Works and Civil)
- Director (Corporate and Governance)
- Director (Environment and Planning)

The total remuneration comprised in the senior staff remuneration packages, including salary component and superannuation and all other benefits, was as follows:

The total value of remuneration package	\$693,154
The total value of the salary components of their packages	\$615,225
The total amount of any bonus payments, performance payments or other payments that do not form part of the salary components of their packages	\$5,766
The total amount payable by Council by way of the employer's contribution or salary sacrifice to any superannuation scheme to which any of them may be a contributor	\$71,730
the total value of any non-cash benefits for which any of them may elect under the package	NIL
the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits	\$433

## 20. A statement detailing the stormwater management services provided *(if levied)*

Council did not levy any annual charges for stormwater management services in 2020/2021.

## 21. A statement detailing the coastal protection services provided *(if levied)*

Council did not levy any annual charges for coastal protection services in 2020/2021.





## 22. Companion Animals Act 1998 and Companion Animals Regulation 2008

Statement of activities relating to enforcing and ensuring compliance with the Companion Animals Act and Regulation – Local Government (General) Regulation 2005 cl 2017(1)(f) and Guidelines on the Exercise of Functions under the Companion Animals Act

Lodgement of pound data collection returns with the division – 16.2(a) Guidelines



Following are some statistics and information about Council’s activities for the year under the Companion Animals legislation:

### Companion animals taken in at the pound:

Seized by CVC Rangers	
Dogs	372
Cats	283

### Dangerous and nuisance dog actions/orders:

Dangerous Dog Declaration Orders	0
Restricted Breeds	0
Nuisance Dog Orders	34
Registration Notices	128
Seizure Notices	269

Lodgement of Pound data collection Lodgement of Pound data collection returns with the division – 16.2(a) Guidelines

Lodgement of data relating to dog attacks with the division - 16.2(b) Guidelines

Council’s Rangers have attended 59 dog attacks this year.

Amount of funding spent on companion animal management and activities - 16.2(c) Guidelines

Expense	
Staffing wages	\$129,572
Income	
Fines	\$11,613
Impounding and deterrent fees	\$11,525
Micro-chipping fees	\$4,587
Sustenance fees charged	Included in impounding fees
Sales fees	\$15,367

**Companion animal community education programs carried out - 16.2(d) Guidelines**

A social media presence and animal foster network is in place to improve community awareness and promote responsible pet ownership are completed. They support pound operations and the Companion Animals Management Plan.

COVID-19 had an impact on school visits and community education programs.

**Strategies in place to promote and assist the de-sexing of dogs and cats - 16.2(d) Guidelines**

Council’s policy on sale animals is that they must be desexed before sale. This has contributed to a reduction in the number of kittens and puppies brought to the pound as abandoned.

Council continues to hold reduced fee microchipping days to help members of the public get their animals identified and returned home.

**Strategies in place to comply with the requirement under section 64 of the Act to see alternatives to euthanasia for unclaimed animals - 16.2(e) Guidelines**

Animal control staff work with over 50 animal rescue organisations (Doggie Moggie Rescue, Dogs for Jobs, etc.) throughout the area and interstate, forging strong partnerships to provide rescue pathways for unwanted animals. Much of this work is facilitated by Rural Pound Aid

**Off leash areas provided in the council area - 16.2(f) Guidelines**

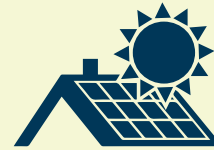
In accordance with the Companion Animals Act 1998 and the Local Government Act 1993, dogs are allowed off-leash in 18 parks, reserves and beaches throughout the Clarence Valley. A full list of off-leash areas can be found on Councils’ website [www.clarence.nsw.gov.au](http://www.clarence.nsw.gov.au)

**WASTE COLLECTION**



**2.3M**  
KERBSIDE BINS EMPTIED

**SOLAR POWER**



**1.4M kWh**  
OF SOLAR GENERATED ELECTRICITY

**VEGETATION MANAGEMENT**



**922KM**  
OF ROADSIDE WEED TREATED



**819**  
URBAN PROPERTIES INSPECTED

**1,538**  
RURAL PROPERTIES INSPECTED



**SPORTS  
COMMITTEE**

SPORTS COMMITTEE  
FUNDING SUPPORTED  
**6**  
PROJECTS  
WITH A TOTAL VALUE OF  
**\$62,773.63**

**WATER CYCLE**



**23,871**  
WATER CONNECTIONS  
**770**  
METERS REPLACED  
**137**  
NEW METERS AND  
CONNECTIONS

## 23. Report on Capital Works Projects – Capital Expenditure Guidelines

The Office of Local Government has issued guidelines (in 2010) that apply to capital projects for infrastructure facilities, including renovations and extensions that are expected to cost in excess of 10% of Council's annual ordinary rate revenue or \$1 million, whichever is the greater (GST exclusive).

In addition to the minimum requirements for a capital expenditure review, a council is also required to complete additional requirements in cases where a project's cost is forecast to exceed \$10 million (GST exclusive).

The guidelines do not apply to:

- capital expenditure on land purchases, land remediation, water supply networks, sewerage networks, stormwater drainage, domestic waste management facilities, roads, footpaths, bridges;
- projects where funding has been approved under the Public Reserves Management Fund Act 1987;
- projects that are classified as public-private partnerships; and
- project designs and feasibility studies that do not commit council to the project (the costs of such studies are to be included if Council subsequently proceeds with the project).

During 2020/2021, no capital projects were above the threshold identified in the Capital Expenditure Guidelines.

## 24. Carers Recognition Act – S8(2)

### Compliance with the NSW Carers (Recognition) Act, 2010

**HR Policies to support carers:** Council has a Flexible Working Arrangements policy to support staff and to provide flexibility in handling work and family responsibilities.

Employees are encouraged to speak with their direct supervisor in the first instance regarding their personal circumstances and the requirement for flexible working arrangements.

All employees are eligible for Carer's Leave and the Sick, Carers, Health and Wellbeing Leave Protocol was updated and adopted in October 2018 to meet all Award and legal requirements.

Council has an Employee Assistance Program for all staff to access and its use is encouraged through the regular communication. Staff can access this service for personal reasons in complete privacy.

Partners and carers are also eligible to use this service. Staff are encouraged to contact Care & Support Services for any information about services that may be required in their caring role.



**1,544**  
KM OF WATER  
MAINS

**22**  
RESERVOIRS

**19**  
WATER PUMP  
STATIONS

**1.3**  
KM OF NEW  
WATER MAIN



**287**  
KM GRAVITY MAINS  
AND RETICULATION

**122**  
KM RISING  
SEWER MAINS

**90**  
SEWER PUMP  
STATIONS

**6**  
SEWER TREATMENT  
PLANTS

## 25. Disability Inclusion Action Plan – s13(1)

### Compliance with the Disability Inclusion Act, 2014

The Council's 2017-2021 Disability Inclusion Action plan (DIPA) provides a guide to how Council will meet its responsibilities in regard to people with disability and the NSW Disability Inclusion Act 2014.

Council has an Access Committee that meets once a month. This committee comprises two Councillors and nine community members (including an Occupational Therapist and a guide dog Orientation and Mobility Specialist). Some meetings have been postponed due to COVID-19 restrictions.

The committee has had influence over:

- feedback on draft planning documents for projects including the Grafton Bridge Project;
- the lobbying of Rotary Yamba to install a bench seat at a taxi pick-up and drop off area in Yamba;
- drafting of mobility maps; and
- advocating for safer pedestrian crossings.

See below for recent projects, current actions and future plans for the four key focus areas in the Council's DIPA:

### Positive community attitudes and behaviours:

- All Council programs promote and support the inclusion of people with disability.
- Vibrant Places – Environment, Development & Strategic Planning, Access Committee and Community Development staff have consulted businesses about revitalising the main streetscape by ensuring accessibility for all.
- Free Accessibility workshops for businesses were held during NSW Small Business Month, as part of the Access at a Glance program – promoting using window signage and stickers to immediately indicate if a place or space is accessible.
- Access and inclusion planning and delivery is included in the planning of events.

### Creating liveable communities:

- A public toilet strategy has been completed, with a signage review to be undertaken.

A draft public amenities strategy has been completed to go on exhibition in 2020/2021. Reviews of all public toilet conditions have also been undertaken.

- New accessible parking spaces to be installed in the new Grafton Bridge carpark at the instigation of Council.
- The gallery is wheelchair accessible and its staff are proactive in presenting and supporting program opportunities for people with disability. All libraries are wheelchair accessible and programs and events are presented and developed with inclusion and access for all in mind.

- Jacaranda Park and Alex Bell Park have been updated to include all-access play. The wheelspin at Jacaranda Park accommodates wheelchairs and allows several the opportunity to play side-by-side, providing the liberating experience of dynamic movement.
- As part of planning, approval and legal requirements, all new or refurbished commercial buildings are compliant with disabled access requirements.
- Pippi Beach and Wooli Beach now have improved all-access areas.
- MLAK keys are given to residents free of charge.
- Accessible toilets remain unlocked throughout the day, with access after-hours available via use of the MLAK.
- Council maintains a network of accessible toilets.
- Council is continuing the process of expanding the shared pathway network.
- Ongoing audits of pathways and public toilet infrastructure.

#### Access to meaningful employment:

- Council reviewed all policies and procedures in 2019/20 to ensure they promote an equal employment opportunity workplace (EEO). In 2020/21 Council continued with this review to ensure all internal documents from the People and Culture Team were up-to-date and promote EEO. Council is working on updating the Workforce Diversity and Inclusion framework to ensure ongoing opportunities for people with disabilities.
- Advertising of all positions encourages all members of our community to apply.
- Workspace and access considerations are reviewed as needed.
- Council redeveloped the main office building in 2020/21 to be accessible for the whole of community. The new design includes a lift.

#### Improve access to systems and processes:

- Council updated their website in 2020/21 to ensure an all-access environment.
- All Council meetings in 2020/21 were broadcast live online.

Planning and development of the 2021/2025 Disability Inclusion Action Plan is underway.

Council continues to engage the community to ensure the priorities are current and relevant into the future.





## 26. Particulars of compliance with and effect of planning agreements in force during the year – EPA s7.5.5

ITEM	Developer	Project	Summary of Planning Agreement	Status 2020/2021
1	Private	Skinner St South Grafton 2460 DA2018/0645 Lot 1 DP998915	Contribution of \$8,000.00 towards public car parking	Paid for by receipt no. 848552 on 22/12/2020
2	Private	Glens Creek Road Nymboida 2460 DA2020/0825 Lot 73 DP 752836	Contribution of \$2,875.00 towards Biodiversity Offset Fund	Paid for by receipt no. 853406 on 5/3/2021



## 27. Recovery and threat abatement plans – s220ZT

Compliance with the Fisheries Management Act, 2014

The Regional State of the Environment 2016 Report (SoE) provides information on how Council is responding to actions with the following plans -

- Removal of Large Woody Debris Threat Abatement Plan
- Eastern Freshwater Cod Recovery Plan
- Oxleyan Pygmy Perch Recovery Plan

## 28. Details of inspections of private swimming pools – Swimming Pools Act s22E(2); Swimming Pools Regulation cl 23

Inspections of tourist and visitor accommodation	NA
Inspections of premises with more than 2 dwellings	7
Resulted in issuance a certificate of compliance under s22D of the	178
Resulted in issuance a certificate of non-compliance under cl 21 SP	32



**GRAFTON REGIONAL GALLERY**



**30,361**  
GALLERY VISITORS  
(ONSITE, OUTREACH  
AND TOURING)

**128**  
DEVELOPMENT  
WORKSHOPS HELD

**32 YEARS**  
OF SUPPORTING  
ARTS & CULTURE IN THE  
CLARENCE VALLEY



**179**  
LOCAL ARTISTS  
INVOLVED



**63**  
VOLUNTEER  
HOURS (covid)



**26**  
EXHIBITIONS  
HELD



**24**  
NEW ARTWORK  
AQUISITIONS



## 29. Government Information (Public Access) Act 2009 and Regulation 2018 (GIPA)

Information included on GIPA activity – s125(1) cl 7 schedule 2

Under Section 125(1) of the Act, each agency must, within four months after the end of each reporting year, prepare an annual report on the agency's obligations under this Act for submission to the Minister responsible for the agency. A copy of the report is to be provided to the Information Commissioner.

Under paragraph 7 of the Government Information (Public Access) Regulation 2009 the annual report must include:

(a) 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, Section 7 (3), provides that, an agency must, at intervals of not more than 12 months, review its program for the release of government information under this section to identify the kinds of government information held by the agency that should in the public interest be made publicly available and that can be made publicly available without imposing unreasonable additional costs on the agency.

(b) the total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications)

Applications received	16
In hand at 1 July	1
Applications processed	15
In hand at 30 June 2021	1
Applications refused, either wholly or partly	0

(c) 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),

*Note: Table D in Schedule 2 also requires information relating to access applications in respect of which there is a conclusive presumption of overriding public interest against disclosure.*

(d) Information, as set out in the form required by the tables in Schedule 2, relating to the access applications (if any) made to the agency during the reporting year.

### 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
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	1	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	1	1	0	1	0	0	0	0
Members of the public (other)	2	10	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>11</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

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

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information applications*	2	0	0	0	0	1	0	0
Access applications (other than personal information applications)	2	9	0	2	0	0	0	0
Access applications that are partly personal information applications and partly other	0	2	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>11</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

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

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

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

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

	Number of occasions when application not successful
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	11
Business interests of agencies and other persons	1
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

**Table F: Timeliness**

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	11
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	4
<b>Total</b>	<b>15</b>

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

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

\*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
Applications by access applicants	0
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0

## 30. Public Interest Disclosure Act 1994

### Information on number of public interest disclosures and whether public interest disclosure policy is in place – s31 cl 4

Public authorities, including councils, are required to report annually on their obligations under section 31 of the *Public Interest Disclosures Act 1994*. In 2020/2021, no public officials made a Public Interest Disclosure (PID) to Clarence Valley Council, no PIDs were received via other agencies and no PIDs were finalised in the reporting period.

Schedule of Public Interest Disclosures	July 2020 to June 2021		
	Made by public officials performing their day to day functions	Under a statutory or other legal obligation	All other PIDs
Number of public officials who made PIDs directly	0	0	0
Number of PIDs received	0	0	0
Of PIDs received, number primarily about:	0	0	0
Corrupt conduct	0	0	0
Maladministration	0	0	0
Serious and substantial waste	0	0	0
Government information contravention	0	0	0
Local government pecuniary interest contravention	0	0	0
Number of PIDs finalised		Nil	

## OTHER REPORTING

### 31. Management of complaints against Council

A complaint is defined as an expression of dissatisfaction with Council's policies, procedures, employees or quality of service.

Any items raised as part of a public consultation process or concern for service levels that are the result of limits set by Council Policy are not regarded as complaints, but rather a customer request.

A request for a service or for information about a service is not a complaint.

The following table summarises the complaints received each year, with data from past years shown for comparison:

Year	B/fwd. from previous year	Previous year complaints finalised in period	Current Year 1 July to 30 June	Current Year	Current Year	Incomplete as at 30 June
				Completed within policy timeline*	Completed outside policy timeline*	
2019/2021	0	0	17	13	0	4
2019/2020	0	0	10	10	0	0
2018/2019	0	0	9	9	0	0
2017/2018	0	0	10	7	3	0

\*Policy provides for the complaint to be responded to within 21 calendar days after it is received. If it is not possible to respond substantially to a complaint within that time, the designated officer is to forward an acknowledgement letter to the complainant within that time period advising that the complaint is being investigated and that a response will be forwarded within a further 28 days

### 32. Privacy Management Plan

#### Information on the number of complaints made under Council's privacy management plan

Whilst not a statutory requirement, Council's Privacy Management Plan provides that Council must report on the number of reviews and complaints received in its Annual Report to demonstrate accountability and transparency.

In 2020/2021 there was one privacy complaint against Council, which was resolved through the framework and reporting procedures provided by the NSW Ombudsman.

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